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**Accumulation under  
Post-Colonial Capitalism - IV**

**Mobile Labour and the  
New Urban**

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**Accumulation under Post-Colonial Capitalism – IV**

**Mobile Labour and the New Urban**

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**2014**



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# Law, Statistics, Public Private Partnership and Emergence of a New Subject

Mithilesh Kumar \*

As for the question of 'the system of government', this is a matter of how political power is organized, the form in which one social class or another chooses to arrange its apparatus of political power to oppose its enemies and protect itself. There is no state which does not have an appropriate apparatus of political power to represent it.

Mao Tse-Tung<sup>1</sup>

In a document of the Planning Commission which seeks to come up with a framework for the regulation of infrastructure there is an attempt made also to define the nature of state.<sup>2</sup> It is a reflexive exercise. It is evident that the Commission is aware of the transition in the characteristics of the state as a result of the changes in the economy. The question of the state is positioned vis-à-vis law, judiciary and most importantly the 'people at large.'<sup>3</sup> It is within this matrix that the state seeks to define itself as well as its functions.

The document makes a clear distinction between the 'command and control mode of governance' which was based on state ownership and a 'new mode of regulatory governance' based on public private partnerships and private sector participation. In between these two periods and modes of organizing the economy and corresponding structure of power lies the dilemma of governance in contemporary times. The rupture between the two is not easily achieved and the document readily admits that this 'transformation...remains an inadequately understood process.' This inadequacy is brought about as a result of the contradiction between legal mechanisms already in place and a need to find new mechanisms that is suitable for the transformation under way. It is in this process of change and continuity that the problem of governance lies.

The question is in the bid to transform itself into a 'regulatory state' what kind of legal and other state apparatuses like statistics are unleashed and how does it affect labour. The legal ambiguities that are created as a result of this transformation provide a space for innovation in governance and redefining the relation of state with the workers. It is not a coincidence that in such a transformative process Public Private Partnership (PPP) has played a key role and the question of how to build and govern infrastructure through this model has acquired a new urgency in state discourse. Sandro Mezzadra and Brett Neilson have poignantly pointed out that 'the repressive work of states, which is classically considered part of their core business, is outsourced to private interests or pursued through the *perverse logic of the public-private partnership*'<sup>4</sup> (emphasis added). The perversity of this logic needs to be dissected as it is in the details of the functioning of PPP that one can unravel the mechanics of the new 'regulatory state' as well as the logic behind the creation of such a state.

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PPP and infrastructure are closely linked, almost synonymous, in the case of India. The Indira Gandhi International Airport, New Delhi was the first experiment in India with the PPP model which was then followed by airports in Mumbai, Hyderabad and others. This model is now being actively pursued and there is a consensus within the government that infrastructure can be rolled out effectively only through this particular model. This nexus between new form of political and economic arrangement i.e. PPP and infrastructure allows us to study the latter in terms of political theory in addition to geographical and technical studies. There is now a large volume of literature which studies infrastructure in terms of production and redistribution of spaces, the most celebrated being *Splintering Urbanism* by Stephen Graham and Simon Marvin.<sup>5</sup> Graham and Marvin have traced the development of infrastructure from the state controlled monopoly phase to the contemporary phase of private sector-led development with or without various forms of combination with the public sector. They have termed this phenomenon ‘unbundling’ of infrastructure which results in the creation of privileged networked infrastructures and is exclusionary in practice.

Monopoly in infrastructure is still the main characteristic in India. Amrita Datta has pointed out that ‘since many infrastructure projects are naturally monopolistic, it calls for regulations when markets are not competitive.’<sup>6</sup> The problem here is the management of monopolies until the time a market is created. The problem here is not so much the contradiction between the state and the market but how the state could create a market or become operational in a quasi-market condition. This has to do with the history of infrastructure in India especially the ones which were built around National Hydroelectric Power Corporation (now NHPC Limited), National Thermal Power Corporation (now NTPC Limited), Coal India Limited and the town built around such state owned corporations. Most of the towns that were created under this large scale infrastructure scheme never took off mainly because of local opposition against these projects. A very good example of this was the Koel Karo Hydroelectric Project in Jharkhand, a tribal majority state in Eastern India. This project was conceptualized in 1955 and by 1972-73 land acquisition began for the project. The estimated displacement, officially, was to be 7, 063 families from 112 villages. A long legal and political struggle followed and after a police firing which killed 8 people and injured around 30 in 2001 the project was finally closed by the government in 2010.<sup>7</sup> This was to be the template of development narrative in India which continues till now. However, in this period of time, large scale infrastructure development had already taken place in terms of offices, buildings, schools for the government officials creating what in accounting terms is called non-performing assets. PPP should be also seen as that mechanism which seeks to prevent such experiences as well as revives these non-performing assets. The revival though is not only through the physical transformation of the assets but a transformation of governance and the role of the state itself. This difference in how the state positions itself with respect to market as well as popular resistance movements is what differentiates monopolies in contemporary times from those of the decades immediately following independence. It is important here to explain why the question of infrastructure is posited through the question of state, popular politics and governmental mechanism i.e. PPP. It is my contention here that infrastructure, its creation and management, have allowed the state to reconfigure and redirect the question of politics and political subject. The theoretical tools to understand this new phenomenon is heavily borrowed from the works of Rananbir Samaddar and Mezzadra and Neilson. Rananbir Samaddar in his book *Emergence of the Political Subject* brings out the problem of state and the political subject in postcolonial condition.<sup>8</sup> Samaddar demonstrates that since the anti-colonial struggle was against the colonial state the problem of classical political philosophy of a state-centric political subject never weighed heavily on the former. State as ‘the crux of politics and political philosophy’

was displaced 'when politics came to be associated not so much with state or rule, but with war.'<sup>9</sup> The most important insight in Samaddar, in my opinion, is that the question of political subject instead looked at from a 'state-centric' point of view can be located in the practices of political struggle that makes a subject. I think that this can be extended to another proposition. It can be claimed that because of the political struggles that subjects make and are thereby made the state loses its primacy in the arena of politics and in its attempt to create proper political subjects that the state can then govern or conduct. In a different context Mezzadra and Neilson make a similar point. In the article 'The State of Capitalist Globalization' referred above they observe that state 'emerges as an economic actor that holds particular relations with specific fractions of capital... as one capitalist among others, although it may be in a stronger or weaker position with respect to the interests and agencies with which it interacts.'

This identification of the state as 'one capitalist among others' opens up a new field of analysis. The emergence of the state as an 'economic actor' has a long history. It can be argued that the Indian state in its welfare period was also an economic actor. The next question would be: if it was capitalist, what was the nature of this capitalism? In fact, this was the question which was at the heart of the radical left movement which began in the 1960s following the Naxalbari uprising. The left groups identified the Indian state, following the diktat from the Chinese Communist Party and Mao's line of New Democratic Revolution, as comprador. Thus, they denied that the Indian state was an 'independent' capitalist. The mainstream left parties were of the opinion that the Indian state was at the helm of the transition from a colonial economy to a capitalist economy. The important argument here was that the state existed in the period of transition hence it was neither colonial nor yet capitalist. Furthermore, there were also splinter groups of the left that India had a state driven capitalistic nature. The right-wing on the other hand, the likes of Swatantra Party, identified the Indian state as socialist which denies a healthy growth of capitalism in India. In these formulations the nature of the Indian state as a capitalist was suspected. However, none of these formulations denied that the state was an economic actor. If we take the formulation of Mezzadra and Neilson one has to point out the changes that would firmly establish and identify the state as an economic actor that is also capitalist. The question is: what should be the indicators of that transformation?

It is in the attempt to answering the above question that PPP becomes important. PPP firmly puts the nature of relationship between one capitalist (the state) and another (private corporation) in the realm of legal and political contract. The state no longer only acts as a facilitator or obstructor of capital but is legally and economically bound to the process of accumulation. In that sense, the state does not have to evoke exceptional laws or public good to legitimize accumulation but that accumulation itself becomes the basis of legitimacy.

The new relationship has brought out a different set of analytical problems where all categories of political theory have to be examined in new ways. The problem is put acutely in Mezzadra and Neilson's *Border as Method*.<sup>10</sup> They point out that:

....for Foucault the people corresponds to the 'legal' logic of sovereignty and citizenship (and the language of rights), he posits population as the target of biopolitical government. To be governed, the population has to be known, and since it is an elusive, statistically unstable entity, it has to be continually traced in its movements and dissected into discrete groups. The more unstable and mobile the population to be governed becomes, the more finely tuned and sophisticated the knowledge devices deployed must become.

To this particular observation I want to add that when the knowledge devices are being made more sophisticated and stable, the knowing of the population and the attempt of making discrete groups

becomes ever more difficult. This process is actually what produces knowledge. The desire to produce a statistically stable, discrete group as political subjects who could be then governed is the frontier of governmentality not its centre. In fact, to govern the statistically un-producible subject is how the art of governmentality tries to solve the problem. The art of governmentality then tries to ensconce itself in producing a normative phenomenon and at the heart of this new art is the question how to govern conditions of production without producing a subject. We will give the example of a legal judgement in the case of airport workers to illustrate this phenomenon.

Mezzadra and Neilson also provide the concept of 'sovereign machine of governmentality' to examine the dynamics of sovereignty and governmentality:

...sovereignty we are talking about is at the same time immanent to governmentality-because it tends to be subjected to its rationality-and transcendent to its devices-because it retains its autonomy, otherwise it would not be possible for it to act as a supplement of governmentality.

I think there is still an unresolved tension between sovereignty and governmentality in this formulation. The autonomy of sovereignty which allows it to supplement governmentality still, to an extent, retains the understanding that the sovereign can and is one who decides on the exception. The formulation I want to put forward is that sovereignty and governmentality in the contemporary age should be seen as acting not in a bipolar way but in a relational way. There is no threshold where sovereignty ends and governmentality begins or vice versa or when one is supplemented with the other. Samaddar points out that 'postcolonial researches...demonstrate the link between sovereignty and governmentality, juridical power and molecular power, mass and body and normalcy and exceptionality' not as a disjunction but as an interface.<sup>11</sup> In this case the moment of exception is not the moment of the sovereign but is an overdetermined moment when state, governmentality and the political subject that has formed itself through political struggles collide together. The evocation of exception is not the act of a pre-existing sovereign but instead the one who has achieved in this war by other means (politics) required political power and legitimacy is the one who can claim the status of a sovereign. The sovereign then becomes itself contingent on the balance of power in the political terrain. One can also say that this is a Leninist moment of sovereignty as it was Lenin who famously proclaimed that the question of revolution, in the last analysis, is the question of state power. I think this is also consistent with the earlier formulation of state being a capitalist. Thus, like any other capitalist the state creates its own gravediggers and the mystifying veil of it being above society and a power alienated from society is no longer its prerogative. The state in the words of Mezzadra and Neilson has been stripped bare.

### **A Short and Turbulent History of Delhi International Authority Limited (DIAL)**

In this section we will analyse the fusion of the state with private capital. Since, Indira Gandhi International Airport was the first venture under the PPP model it gives us a unique opportunity of transition of the state from the command and control position to the regulatory characteristic which it wants to achieve. The contradictions and tussles in this fusion is laid bare and the interaction between state capital and various forms of private capital can be dissected in this process. It also shows how different state authorities negotiate with each other as well as some new authorities are created in order to streamline the process in which state decides to act as a capitalist. Finally, it also shows how the Planning Commission which was the symbol of the state in the welfare regime

intervenes and slowly disappears when it is realized that if the state has to behave as a capitalist it has to discard the baggage of welfare planning. It is a story of the nature of transition.

The route to adoption of PPP as a model for the development of Delhi airport and subsequently Mumbai airport was an uneven one. In fact, it was not even a preferred model of development. According to the report of the Comptroller and Auditor General of India (CAG) report, 'in January 2000 the cabinet approved the restructuring of airports through the long term leasing route.'<sup>12</sup> It was only in September 2003 that the cabinet approved the restructuring of Delhi and Mumbai airport through the joint venture mode.

As the CAG report mentions:

In pursuance of this decision, after selection of the JV partner, AAI (Airport Authority of India) incorporated a subsidiary company viz. M/S Delhi International Airport Pvt. Ltd (DIAL), and subsequently sold 74% of the shares of DIAL to the JV consortium. On 4 April 2006, in the capacity of the state promoter, AAI signed an Operation Management Development Agreement (OMDA) with DIAL. The AAI handed over IGI airport, Delhi to DIAL on 'as is where is' basis and granted DIAL the exclusive right to undertake functions of operations, maintenance, development, design, construction, modernization, finance and management of the Airport. On 26 April 2006 Government of India signed another agreement with DIAL viz. State Support Agreement (SSA). The agreement laid down conditions and nature of support to be provided by Government of India, along with the mutual responsibilities and obligations between Government and DIAL.<sup>13</sup>

A further complication occurred by the establishment of an independent Airport Economic Regulatory Authority. When OMDA and SSA were being thought of there was no independent regulator in place. The AERA Act was passed in December 2008 and came into force on 1 January 2009.<sup>14</sup> The CAG report noted conflicts between provisions in OMDA and SSA on one hand and the AERA Act on the other and as the report notes 'which will have long term repercussions on the Regulator's role on tariff fixation in Delhi and Mumbai airports.' The conflict is related to the definition of aeronautical and non-aeronautical services. The CAG report gives the example of Ground Handling Service which according to OMDA is a non-aeronautical service but an aeronautical service according to AERA Act. AERA notes that services like ground handling and cargo handling are less capital intensive and more profitable. The CAG notes that 'treatment of services such as Ground handling, Cargo handling or parking as non-aeronautical services in OMDA provided undue financial advantage to DIAL, as in terms of SSA, the Targeted Revenue for the purpose of tariff fixation takes into account only 30 per cent of the revenue generated from non-aeronautical services.'

This difference between aeronautical and non-aeronautical services apart from the juridical problem of fixing and distribution of revenue has an important impact on the constitution of labour force and processes at the airport. It is much easier to informalize the labour process and labour force in non-aeronautical services than it is in the aeronautical services. This is so because once an economic activity is classified as aeronautical services the legal regime, under which it functions, changes. It becomes much more restrictive and stringent as it will fall under various laws which have to do with security, safety and surveillance.

A reading of Schedule 5 and Schedule 6 of the OMDA which deals with aeronautical and non-aeronautical services respectively will make this amply clear. Also, businesses such as ground handling and cargo handling which are parts of the non-aeronautical services have had a long relationship with the villages surrounding the Delhi airport. For example, the village of Nangal Dewat which was displaced as part of the expansion airport was a major supplier of labour force in

ground and cargo handling at the Delhi airport before DIAL came into existence. Similarly, Mehram Nagar which is close to the domestic terminal of the airport specialized in the movement of cargo at the airport.

Non-aeronautical services in some ways expand the operation of the airport outside the boundaries of the airport. The airport through its economic activities, thus, becomes embedded in the larger urban economic process bringing into its fold labour processes and labour force in what we can call 'differential proximity.' In some ways, the airport then follows the model of just-in-time or lean production where the process of production is fragmented at various spaces and then integrated through a supply chain. This creates its own logistical chain and airport then becomes the node from where all these economic activities and labour processes are controlled.

We now come back to the issue of OMDA, PPP and the discussion it generated. The claim that I am making is that the ambiguity and conflict in the making of law and legal contract are not results of incompetence, oversight or trial and error. In the new art of government lies in the construction of legal ambiguity and conflict. Amrita Datta in her study mentions that 'PPPs...have been emerging out of an unstructured process almost as a trial and error.' [Page Number] This statement has a lot of truth in it but it needs to be extended further to understand the full implication of this unstructured process. The legal and governmental spaces that are created because of this conflict and ambiguity are where the state as capitalist lodges itself in its interaction and fusion with various forms and fractions of capital. It can also be seen as the condition of creating a quasi-market situation in which the infrastructure monopolies through the route of PPP operate. Thus, the stable monopolies of the welfare state has given way to a contentious monopoly in the contemporary era which operates and accumulates through the legal ambiguities and conflicts between and within state agencies and private capital. The elusiveness and the instability which Mezzadra and Neilson have noted for identifying population which is mobile is also true in the case of legal mechanisms. There are spaces of mobility for capital to operate and it cannot be otherwise if the state has to act as one of the capitalist in partnership with private capital.

The lack of a legal definition in PPPs has not escaped scholars and they find this lack of definition in the legal tradition. In the case of European Union (EU) Christina Tvarno has pointed out that if a legal definition was set up 'it would open itself up to a long list of projects that would not be covered by this definition and the EC public procurement rules.'<sup>15</sup> This should not be seen as an attempt to escape or preclude law and jurisprudence but to make it contingent, to open a space for perpetual conflict and negotiation. It is a call for perpetual legal and political innovations. Tvarno also points out at two kinds of PPPs: 'PPPs of a purely contractual nature and PPPs of an institutional nature, in which the public and private parties establish a joint public limited company.' It is important to discuss PPPs of an institutional nature which is the case with DIAL as it provides important insight about the transformation of state and capital.

Scholars are almost unanimous in suggesting that the PPP model is used to bring the logic and discipline of the market in the functioning of public bodies. Roger Wettenhall suggests that 'public-private mixing has existed since the beginnings of organized government.' It 'retreated as nation states became stronger in the 1700s and 1800s...but it has flourished again...as the evolution of governance systems has required...they share significant power and influence with market institutions and civil society.' He sees the evolution of PPP as admittance by the state that it no longer has the monopoly of governance.<sup>16</sup> Tony Bovaird tracing the intellectual history of PPP cites several works and interpretations of the model. In one interpretation PPP is seen as 'a mode of governance through which the state attempts to restructure itself and, indirectly, class relations, by transforming the social relations of service and infrastructure provision and subordinating them to

the discipline of the market.' Yet others, according to Bovaird, see PPP as a method of coordinating the forces of capitalist development.<sup>17</sup> Matthew Flinders makes the similar argument that logic of PPPs is based on accepting the supremacy of market relationships and focus on efficiency and outputs as the primary indicator of performances. He, however, makes a more important point that what this logic of PPPs lead to is the possibility of interpreting and modelling the public as consumers or customers in a political marketplace rather than as citizens.<sup>18</sup>

The refrain in all these studies is that PPP are combination of state and capital in various measures but they each retain their characteristics while competing or collaborating with each other in a market place or a similarly simulated place in the case of contentious monopolies. The point that I am trying to make is that it is true that PPPs are one of the modes in which the state is restructuring itself vis-à-vis capital and labour. However, this does not automatically mean that the state enters in competition with capital and has to cede its function to the latter. Consequently, it is also not a corollary of PPP that capital acquires the nature of state. If anything, these should be considered as the limits of state and capital on the political graph. In the first instance it will produce totalitarianism under monopoly state capital and in the second the liberal dream of free competition. However, what can be said of the current transformation is that instead of competing with each other state and capital are in the process of fusing with each other. This is not an assemblage of distinct categories or simply a network but an altogether different entity which is producing new forms of economic and political processes.

It is quite evident that the legal ambiguities which came up during the bidding process for Delhi and Mumbai airports were also an attempt to give form to the as yet state-capital alloy. The joint venture which was sought to be created and did finally emerge as DIAL is at once a profit-making company and a tool of governmentality. They are intertwined not discrete.

The bidding process for Delhi and Mumbai airports was a controversial one and it laid bare the limits of the rule of experts. It also allowed the Planning Commission to reinvent and reinforce itself, momentarily, in the new regime which was being forged. To oversee and monitor the bidding and award process, an Empowered Group of Ministers (EGoM) was constituted. An Inter-Ministerial Group (IMG) of officers was set-up as well for assisting the EGoM. ABN Amro was appointed as the financial consultant and transaction advisor and expression of interest was invited on February 17, 2004. However, in May 2004 there was a change in government and the EGoM was reconstituted. Air Plan, Australia was appointed as the global technical advisor (GTA) and Amarchand and Mangaldas and Suresh A. Shroff and Company (AMSS) was appointed as the legal consultants. The bid documents, including the Lease Deed (LD), the Shareholders Agreement (SHA), the State Support Agreement (SSA), the State Government Support Agreement (SGSA), the Substitution Agreement (SA) and the proposed Operation, Management and Development Agreement (OMDA) were issued to the bidder.

A dissenting voice from the Planning Commission on the provisions of OMDA would halt the bidding process, send it to the courts and irreversibly change the nature of the Airport City which was envisaged for Delhi. The OMDA contained provisions that allowed the use of 230 acres and 190 acres of land at the Delhi and Mumbai airports respectively for commercial purposes such as shopping malls, office complexes, commercial plazas, IT parks etc. The representative of Planning Commission maintained that the law did not allow the airport land to be used for commercial purposes unconnected to airports. The issue was referred first to the Solicitor General of India (SGI) whose opinion was thought to be not free from ambiguity and then to the Attorney General of India (AGI) who agreed with the objection of the Planning Commission and the advice of AGI was endorsed by the EGoM.

The ambiguity was a result of the provisions of Schedule 19 of the draft OMDA on which the SGI had given his advice and was interpreted differently by the Planning Commission and the ministry of civil aviation. The Planning Commission interpreted the advice to mean that commercial activities independent of the airport would have to be excluded while the ministry of civil aviation interpreted it to mean that commercial exploitation of unutilized and under-utilized land for generating revenues in the best commercial interest of AAI was permissible. Schedule 19 was then 'intentionally omitted' from the OMDA. Since the advice of the AGI prevailed, this decision made DLF and Hiranandani, real estate developers, pull out of their respective consortiums.<sup>19</sup> The bid for Delhi airport finally went to the consortium comprising of GMR, AAI, Fraport and Malaysia Airport Holdings Berhad. This tussle on the legal nuances of the OMDA might be the reason why Delhi as an airport city turned out to be a botched idea. The stand of the AGI and Planning Commission ensured that the non-aeronautical commercial service got fragmented and did not appear commercially very attractive to the developers who were eyeing the land to develop into a self-contained airport city. For example, according to the Schedule 6 of the OMDA the business centre and the conference centres were to be part of the terminal complex and the hotel and motels were separated. Thus, instead of the airport city we have the stillborn Aerocity with half-finished hotels and the dream for business parks, golf courses, commercial offices, convention centres etc. all but over.

The optimism that the case study on the bidding process of Delhi and Mumbai Airport by the Planning Commission suggested on the capability of institutions to transform itself in the light of experiences of PPP was only partially true. It has been recently announced by the current Prime Minister of India that the Planning Commission will be abolished as it has outlived its utility since it was an institution that was built around the Nehruvian consensus. One should also keep in mind that the current government is putting a huge emphasis on infrastructure development and PPP is the favourable route. One can say, thus, that PPP and the new mechanisms of governance and law it has unleashed has finally been successful in dismantling one of the strongest symbols of the welfare state. The correlation is too strong to be merely incidental.

The dismantling of Planning Commission and the emergence of PPP in infrastructure can be linked and it can very well be argued that this dismantling is possible precisely because state and capital can form themselves as an alloy and their discreteness is being slowly eroded. In his study of the history of planning in India and South Korea Vivek Chhiber delineates the friction and negotiation between the state and capital.<sup>20</sup> Chhiber sees the Planning Commission as a form of disciplining private capitalists and bring them in alignment with the planning goals of the state. He points out to the handicaps that the state and capitalists faced which severely compromised the Planning Commission as well as the Industries (Development and Regulation) Act (IDRA). However, Chhiber draws the conclusion that the state wanted to appease the capitalists and hence both the institution and the legislation were compromised during implementation. There is a possibility, though, to derive a different conclusion from the facts illustrated by Chhiber.

Planning Commission has been primarily looked at from the angle of capital and not labour. It must be remembered that Planning Commission was operating at a time of land reforms in India. This particular political and economic situation created a huge problem of landless agricultural labour and migration. The state, thus, was not only saddled with the responsibility of disciplining capital but more crucially in the governing of this new mass of labour force. It is this tripartite division which would be at the heart of the problem of governance. In this era it was not possible for the state and capital to fuse together as is evident from the history recounted by Chhiber. The state, thus, had a differential relationship with both capital and labour and in this sense was 'autonomous' from both. I

claim that the emergence of infrastructure and the concomitant development of PPP is the moment when the triangular relationship of state, capital and labour undergoes a change. The fusion of state and capital through PPP and the convoluted process to achieve it has already been discussed above. We now come to the section where we will analyse how this alloy of state-capital started to interact with labour and legal regimes surrounding labour. It was the same process of creating a space through producing legal ambiguities and statistical fallacies but this time the tussle was not only for spaces of accumulation but for spaces where it can do away with the worker as a political subject.

### **The Problem of ‘Appropriate Government’ for the Worker**

The first repercussions of the new state-capital alloy were felt by labour at the Indira Gandhi International Airport in the case that was related to the trolley retriever workers. This was not unprecedented and it was an indication that there was a definite shift in the ways labour was to be governed after the liberalization of Indian economy in the early 1990s. The first landmark judgement from the Supreme Court of India came in what came to be popularly known as the SAIL (Steel Authority of India Limited) case.<sup>21</sup>

The case was related to the absorption of contract labour in SAIL. The judgement was a landmark one because in the judgement the Supreme Court quashed the 1976 notification of the central government that prohibited the use of contract labour for jobs like cleaning, guarding buildings by state owned companies. The issue had come up because around 350 contract labourers who worked at SAIL’s stockyards demanded absorption with the ‘Principal Employer.’ The court in its judgement said that on abolition of the contract system the workers had no right to be absorbed automatically. The judgement also, significantly, made the point that it was the industrial adjudicator that would decide if a contract was genuine or a camouflage to deprive the workers of the benefits that they were entitled to. Another interesting aspect of the case was the debate around who was the ‘appropriate government’ in the dispute with labour at SAIL within the meaning of Contract Labour (Regulation and Abolition) Act, 1970 (CLRAA): the central government or the state government. Since, SAIL was a state-owned company the question of ‘appropriate government’ was not as complicated as it would be with DIAL, a PPP. This particular fact would have important repercussions on how labour, contract and labour rights would come to be defined as we shall see below.

The case is related to workers employed as trolley retrievers at the Delhi airport who were under a contracting company called TDI International Private Limited (hereafter TDI). They were employed in 1992. The contract of the company expired in 2003 and a new contractor Sindhu Holdings got the contract for the work. The workers had already approached the Central Advisory Contract Labour Board (CACLB) in 1999 for absorption in service as regular employees. The CACLB, in their order, declined to abolish the contract labour system at the Delhi airport and the Government of India passed an order to that effect in 2002. The workers then approached the High Court.

It is interesting to note that the workers had not approached the court as a union.<sup>22</sup> It is also quite relevant to note that in this particular judgement the number of workers was said to be 127 (115 trolley retriever and 12 supervisors). In the judgement of 2006 of the High Court which we will come to later the number of workers mentioned was ‘around 136.’<sup>23</sup> This was when the workers filed the writ petition as a union. In the Supreme Court judgement mentioned above the number of workers was finalized at 136. The discrepancy in the number of workers points out to the difficulty, almost impossibility, of enumerating the workers who are working under the contract system. The

lacuna is inherent in the way CLRAA has been formulated which is the source of identifying the number of contract workers working in an establishment. This is so because the onus of providing the information on workers lies with the contractor. In fact, as the Supreme Court judgement notes that CLRAA 'does not create any machinery or forum for the adjudication of any dispute arising between the contract labour and the principal employer of the contractor.' What the Supreme Court judgement fails to mention is that there is no machinery for the adjudication of dispute between the contractor and the workers. Their relationship within this law remains undefined and out of the purview of any legal mechanism. This is the space which creates informality in the relationship between the worker and the contractor and is a source of power of the latter over the former. There are only two legal actors and subjects, the principal employer and the contractor while the workers remain undefined or inadequately defined. We will come to this point later in the narrative with regard to Industrial Disputes Act, 1947 (IDA) which tries to define the worker in the contract labour system as a legal subject but falls short of the task.

We continue with the story of the first writ petition. The first writ petition was filed against the 1999 order of CACLB and 2002 order of the Government of India declining to abolish contract labour system at the Delhi Airport. The 2003 judgement notes that the reason provided by the CACLB for the decision is that trolley retrieval is not 'essential or incidental' to the operation of the AAI. The most interesting aspect of CACLB decision is how it comes up with what is 'essential or incidental.' This has implications on how an airport and work related to it is understood through security. The CACLB makes a comparison with passenger baggage conveyor system. The board considers it as an operation that is perennial and passengers cannot be excluded from access to it but more importantly that this operation is 'within the security zone.' Thus, the workers have to submit themselves through a definite regime of security to be identified as a worker. In a sense what the CACLB is saying is that securitized work is 'essential' work. It is the calibrated nature of security that defines work and hence the worker. In any case, the Government of India endorsed the decision of CACLB without giving any specific reason the judgement noted. The court quashed the order of CACLB and the Government of India and directed the former to reconsider its decision. In 2004, the central government issued a notification abolishing the contract labour system.<sup>24</sup>

The AAI approached the High Court against this order. The court in 2005 directed the AAI to appear before a High Power Committee that was to consider the grievance of the parties and pass an appropriate order recommending whether the AAI was permitted to challenge the notification or not. The Committee noted that the restructuring of Delhi airport was under active consideration of the Government of India. Interestingly, DIAL responded to the court that it was 'neither a State nor the instrumentality of State and was not amenable to writ jurisdiction. The constitution of joint venture would show that the government shares in the joint venture were only 26% and rest of the shares were held by either Indian Companies or foreign companies.'<sup>25</sup> Clearly, DIAL was trying to make the case that it was a corporate body autonomous of the legal regime of the state. This is what led to the question of the 'appropriate government.' According to DIAL, by virtue of being a corporate body it was free of any labour laws which were incumbent on it because it was a workplace. The 2006 judgement noted that CLRAA was equally applicable for all kinds of undertakings, establishments/industries whether in the public, private or public/private ownership or management.' It should be also taken into account that the workers' union had claimed that the contract was a sham and a camouflage and the case was pending with the industrial adjudicator. This was clearly in the wake of the SAIL case judgement. However, the court decided that the grounds for such a claim did not hold and dismissed the petition of the union on the ground that the airport had been privatized and new notification would have to be issued by the 'appropriate government.' The

High Court in its decision did not make a difference between a corporate body that comes into being through outright privatization and one which comes through the mode of PPP. There is no law that the High Court could have adduced to differentiate between the two and it has to rely on interpretations mainly emanating from the SAIL judgement. However, the higher division of the court will tackle this question and finally the Supreme Court will make observations that would delineate that PPP is not merely privatization.

The higher bench of High Court came up with a twofold formulation of the question. First, whether the central government was indeed the ‘appropriate government’ for DIAL and whether the workers engaged by the contractors of DIAL could be said to be contract labourers.<sup>26</sup> It is quite clear that in this formulation the question of the nature of DIAL (PPP) and the question of labour is not a separate one. The nature of DIAL would substantially define or should define the nature of ‘contract labour.’ The central government submitted to the court that DIAL was operating under its authority. The court observed that the authority of DIAL was ‘not merely by the OMDA but by statute’ and that ‘OMDA makes an express reference to the AAI Act and it is the latter through which the function and powers of DIAL could be traced. Thus, in the last analysis, DIAL or a PPP does come under the jurisdiction and control of the legal state. Hence, the ‘appropriate government’ is the Government of India. DIAL contended that it was ‘not a mere contractor or agent of AAI’ and it was carrying on ‘its own industry in its own establishment.’ The court observed that the establishment ‘is that of the AAI which has been leased out to the DIAL.’ This has implication on airport as the legal object. As the court observed that a PPP through OMDA ‘not only transfers the powers and functions but also the corresponding statutory obligations of the AAI.’

It is then quite clear that the airport because of the PPP model cannot be similar to a Special Economic Zone (SEZ). This is an important point. Aihwa Ong in her work identifies these zones as zones of exception, of extraordinary policies.<sup>27</sup> In contrast, Brett Neilson provides a more complex analysis of zones and is worth looking at length here.<sup>28</sup> Neilson makes the following point about zones:

If the centralization of legal, political, and economic function has historically made the nation-state the essential political unity globally, the zone registers the partial undoing of these processes and the emergence of a new political topography of territory, strongly connected to the spaces of global flows of capital, goods, information, and people.

In my opinion the operative word in this analysis of zones is ‘partial.’ The emergence of the new is dependent on ‘partial undoing’ of the centralization of the nation-state. The trick of governance is to keep it ‘partial’ and that is at the heart of the problem of governmentality in contemporary era. In his further analysis Neilson evokes the phenomenon of PPP:

the establishment of a zone definitely involves a sovereign gesture, it is an act that is increasingly separated from state power. This is not only because zones are increasingly established at the prerogative of private-public partnerships—a common arrangement, for instance, in India. There are also multiple non-state actors and legal orders that operate in zones, configuring infrastructural arrangements and labor relations as well as organizing the spatial and temporal relations between zones and other territorial formations.

The conclusion that Neilson draws from this is that ‘the zone is a space saturated by competing norms and calculations that overlap and conflict.’ The question, now, is if these ‘competing norms and calculations’ are in a ‘free competition’ with each other. How is it that the balance of power would be maintained because it is almost certain that not all competing norms and

calculations are repositories of equal power? While it is true that there is an increasing separation from state power the problem facing the sovereign is how to manage this separation so that it does not reach the extreme of secession. It is here that PPP evolves as a definite mechanism to prevent such secession. Also, infrastructure (in this case the airport) becomes a site, a zone different and as an alternative model of governance from that of SEZ which in the extreme are ‘fully exempt from civil law and government control.’<sup>29</sup> We will come back to this point when analysing the Supreme Court judgement. It is important to complete the narrative of the 2006 judgement of the High Court. The 2006 judgement rejected DIAL’s contention with regard to trolley retrievers observing that if ‘every time a fresh agreement is entered into, the entire process of getting a notification issued by the appropriate government in relation to the same work...would defeat the rights of the workmen which are meant to be protected by the CLRAA.’ This was so precisely because PPP is as much a transfer of power as it is of obligations. It ensures that secession between state as a capitalist and private capital is never attained. The precise nature of PPP and the mechanism of this new form of power was materially conceptualised in the judgement delivered by the Supreme Court.

The Supreme Court observed that ‘DIAL only has *incomplete* control’ over the airport and that only a ‘*portion*’ of AAI’s work had been leased to it (emphasis mine). This also defined the nature of the work of trolley retrieving. The question was if the trolley retrieval services performed by DIAL are done for the ‘transport by air of persons, mail or any other thing.’ The Supreme Court observed that ‘trolleys at airports relate to air transportation-just as they relate to a single or a series of flights.’ This meant that the IDA and the CLRAA are not only restricted in their application to ‘pilots, stewardesses and others engaged in the actual, physical transport of people and objects.’ The judgement said that the workers were liable to be regularized as regular employees by DIAL but since that would not be possible in the current circumstances DIAL was to pay Rs. 5 Lakh as compensation to the workers of TDI.

The interesting observation was regarding the nature of PPP. The final judgement made it clear that a PPP would not be equivalent to privatization and complete autonomy of private capital even if it is the majority stakeholder. I think the discreteness with which the Supreme Court defines the PPP as ‘incomplete’ and portioned is slightly misleading. It is so because in the judgement DIAL is a single entity with AAI as one of the constituents. It is this organic embedding of the entity which gives up its portion is what makes the PPP unique and an alloy of state-capital. It is this which allows the central government to be the ‘appropriate government.’ An independent AAI, I am quite sure, would have created a different outcome. It would have created distinct spaces of authorities and the workers’ petitions would have been directed at AAI while DIAL would have functioned as a totally different unit which would have completely escaped the legal net.

## **Worker Derived**

In this final section we will see how PPP or state-capital alloy confronts the problem of labour. In this process we will also see how PPP emerged at precisely the historical moment when the problem of governing labour was more acute than the problem of creating and organizing spaces of capital. The phrase ‘spaces of capital’ is borrowed from the work of David Harvey and intentionally so.<sup>30</sup> The specific chapter that I am looking at for analysis in this section is ‘The geography of capitalist accumulation: a reconstruction of the Marxian theory.’ Harvey begins his analysis by Marx’s proposition that ‘crises are endemic to the capitalist accumulation process.’ He goes on to say that:

Periodic crises must in general have the effect of expanding the productive capacity and renewing the conditions of further accumulation. We can conceive of each crisis as shifting the accumulation process onto a new and higher plane.

To this one might add that along with the periodic crisis of capitalism a more entrenched form of crisis is ever present in the process of accumulation. This crisis is the political crisis of managing and governing workers. This crisis becomes even more acute when the welfare state or as the Planning Commission document says the command and control economy begins to make a transition to a regulatory state.

The crisis of labour is not given to radical solutions within the capitalist system. Thus, when the accumulation process is shifted to new and higher planes the problem of the management and governing of workers remain. Harvey makes the point that the 'new plane' will exhibit enhanced productivity of labour by the employment of more sophisticated machinery and equipment while older ones will undergo a forced devaluation. It should be added here that 'enhanced productivity of labour' is not always incumbent on 'sophisticated machinery and equipment.' In fact, the latter will always be in a logistical relationship with the most rudimentary forms of fixed capital. This particular phenomenon is as a result of the crisis of labour and not necessarily the crisis of capital. It is important to mention here because we want to trace the crisis of labour and the evolution of PPP in infrastructure as a mechanism and a paradigmatic formula to organize the dual modes of 'productivity' and govern this crisis.

As mentioned in the earlier section the problem that was faced by the courts was the problem of the contract labour. The figure of the contract labour was first turned into a legal object in 1970. The year is significant because it comes immediately after the Naxalbari uprising when the issues of landless agricultural workers become an immediate problem to be resolved. It is linked to the problem of contract labour because the contract labour in most cases was the migrant labour from rural areas. During this decade apart from the CLRAA there are slew of laws that were formulated in order to contain the problem. The figure of the contract labour was incorporated in IDA. A new law was formulated to bring under the legal regime the figure of the migrant labour. The law was The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. The chief characteristic of all these laws and amendments lies in the fact that all of them are extremely hesitant, almost elusive, in defining who the worker in relational terms.

In the IDA Contract labour comes under the definition of 'industry':

'industry' means any systematic activity carried on by co-operation between an employer and his workmen (whether such workmen are employed by such employer directly or by or through any agency, including a contractor) for the production, supply or distribution of goods or services with a view to satisfy human want....

Workman as defined by IDA:

'workman' means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied...

In CLRAA which is specifically meant for contract labour the Workman is defined as:

‘workman’ means any person employed in or in connection with the work of any establishment to do any skilled, semiskilled or un-skilled manual, supervisory, or clerical work for hire or reward, whether the terms of employment be express or implied, but does not include any such person—

(A) who is employed mainly in a managerial or administrative capacity; or

(B) who, being employed in a supervisory capacity draws wages exceeding five hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature; or

(C) who is an out-worker, that is to say, a person to whom any articles or materials are given out by or on behalf of the Principal employer to be made up, cleaned, washed, altered, ornamented, finished, repaired, adapted or otherwise processed for sale for the purposes of the trade or business of the principal employer and the process is to be carried out either in the home of the out-worker or in some other premises, not being premises under the control and management of the principal employer.

In the Migrant Workmen Act the worker is defined in the same way as the CLRAA except for (C) which is excluded.

The interesting thing about these definitions is that the ‘workman’ is superseded by the ‘contractor.’ The ‘contractor’ as per CLRAA is a ‘person.’ The person who is bound by law and the workman becomes a ‘contract labour’ when he is hired by the contractor. This is a displacement, in fact the negation, of the subject: the workman. The legally binding parties are the ‘principal employer’ and the ‘contractor’ while the workman becomes a numerical abstraction submitted as an account. In the same way the ‘inter-State migrant workman’ comes into being only when recruited through a contractor but in his case he should be recruited in one state and employed in an establishment in another. Again, the legally bound parties are the contractor and the principal employer. In all these laws the nature of contract between the ‘contractor’ and the ‘workman’ is never defined. It becomes a matter of industrial dispute to be adjudicated. The workman as a legal subject does not come into being except in the moment of crisis to be resolved through juridical pronouncements. His ontological position is always deferred.

This deference finds a location in number, on the muster rolls. The trickery of numbers, yet not statistics, opens up a different set of problematique. It is important here to recall Foucault. He defines population thus:

Population does not simply mean a large group of humans, but living beings traversed, ordered and governed [*régis*] by biological processes and laws. A population has a birthrate and a death rate; a population has a generational curve [*unecourbed’âge*], a life table [*unepyramided’âge*].<sup>31</sup>

*This population was enumerated through a* ‘whole series of observational techniques, including statistics.’ What I want to claim is that the ‘observational techniques’ decides the definition of population. Foucault’s definition of population is incumbent upon collection and classification of data. The contemporary problematique of population, on the other hand, is dependent on the operations that those data could be subjected to. Mary Beth Mader studies the normalizing techniques and says that ‘attention must be paid to the specific nature of statistical measurement.’<sup>32</sup> Her conclusion is startling though and an anti-Foucauldian one:

When expressed as ratios, actual social relations between groups of people are masked in these figural expressions that employ the specific features of mathematical objects to characterize people and

groups of people...normal curve in social statistics is a *pseudo-relation* to others...a ligature so ontologically alien to the social world that it fails to qualify as a relation at all. The *conceptually duplicitous* statistical reason that comes to order life in modernity is, as Foucault never ceases to argue, a creation of the new conjunction of power and knowledge that installs a novel, specifically *statistical form of social continuity and comparability*. It is on the basis of this insight that we can conceive the specificity and the force of Foucault's account of modern biopower [emphasis mine].

The reason to provide this lengthy quote is that the author predicates Foucault's account of modern biopower on the statistical form of social continuity and comparability. Normal curve or the Gaussian distribution based on probability disrupts that continuity. Mader's assertion that it is a 'pseudo-relation' misses the point that the new technique is new knowledge precisely to break the continuity or to put in another way this is a new way to arrange and distribute power. In the Foucauldian schema a pseudo or false knowledge is contradiction in terms. A certain set of knowledge is supposed to produce certain power effects. The question to be asked now is that if Foucault's concept of biopower is based on statistical continuity what happens when there comes a point where statistical operations break that continuity. How do we define, then, this new form of power? What happens to the concept of population and subject when it is randomized? This is not an abstract problem. This is exactly the problem which is at the heart of the statistical dilemma faced by Indian statisticians and policy makers. C. Rangarajan who headed the National Statistical Commission makes the following point:

The process of development has also brought in significant structural changes in the economy which need to be captured by the statistical system.<sup>33</sup>

It is clear that in the statistical imagination data and structural changes are correlated. It has been noted that the National Sample Survey Organisation (NSSO) has erred in the method of its estimate and the data in different surveys are incomparable.<sup>34</sup> It is quite clear then that statistical methods for defining population are becoming increasingly difficult if not totally impossible. This particular situation is used then to form a new basis of knowledge hence a particular apparatus of power. It allows the possibility of doing away with the subject altogether. This is particularly the case with the National Commission for Enterprises in the Unorganized Sector which had the mandate to define unorganized labour and enterprises and suggest measures to alleviate the problem of informal labour.

The commission is credited for defining concretely the concept of unorganized sector and unorganized workers. Here is how it defines them:

The unorganized sector consists of all unincorporated private enterprises owned by individuals or households engaged in the sale and production of goods and services operated on a propriety or partnership basis and with less than ten total workers. The commission considers all agricultural holdings, either individually or in partnership, as being in unorganized sector.

Unorganized workers consist of those working in the unorganized enterprises or households, excluding regular workers with social security benefits, and the workers in the formal sector without any employment/social security benefits provided by the employers.<sup>35</sup>

The report also notes that 'there is an empirical challenge to demarcate the segments that constitute the group of the poor and the vulnerable and then to link them up with the informal economy.' In fact, this is not simply an empirical problem but a conceptual problem. According to the definition above there is no conceptual difference between industry and agriculture, peasant and

worker or landowner and landless. This problem leads to a novel situation. The problematique of the unorganised worker is shifted to the plain of the normative concept of poverty. Suddenly, the object of governance is not the poor or the worker but poverty. It is the *quality* of being poor is what is to be managed. It is this which allows the state to successfully transform itself into a 'regulatory state.'

The politics of the 'regulatory state' then depends on the concept of auditing. The shift is made from citizens to client.<sup>36</sup> However, the client in the new scheme is not an individual per se as Power observes but a certain sense of arbitrary statistical attributes such as the constantly redefined and revised poverty line. It is this which in my opinion is new governmentality which is not Foucauldian. It is like the PPP or state-capital alloy. It is the cusp where life and non-life coexist. Governance is not totally predicated on the body or the quality of being alive. It is in a sense being increasingly separated from the living body which is capable of work or, to put it differently, one who has to sell labour-power. What is now being attempted is to derive a quality which can then be inscribed on the body so that a subject comes into being. In other words, the problematique of governmentality is no longer the knowledge of population but producing the knowledge of an abstract normative category. This is where the emancipatory politics has to be conceived. As Samaddar reminded us it is in the struggle that the political subject is formed. In the situation described above it is quite possible to think of an alternative in which the new political subject would not only conceive itself through struggle against the state but, because in the abandonment of statecraft in producing its proper subject, an autonomous political subject can indeed come into being.

## Notes

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<sup>1</sup> Mao Tse-Tung, *Selected Works of Mao Tse-Tung*, Vol. II (Peking: Foreign Language Press, 1975), p. 352

<sup>2</sup> *Approach to Regulation of Infrastructure* (New Delhi: Planning Commission, 2008).

<sup>3</sup> *Ibid.*

<sup>4</sup> Sandro Mezzadra and Brett Neilson, 'The State of Capitalist Globalization', *Viewpoint Magazine* (September 4, 2014), <http://3A%2F%2Fviewpointmag.com%2F2014%2F09%2F04%2Fthe-state-of-capitalist-globalization%2F>, accessed on November 10, 2014.

<sup>5</sup> Stephen Graham and Simon Marvin, *Splintering Urbanism: Networked Infrastructures, Technological Mobilities and the Urban Condition* (London: Routledge, 2001).

<sup>6</sup> Amrita Datta, 'Public-Private Partnership in India: A Case for Reform?', *Economic and Political Weekly*, vol. XLIV, no. 33 (2009), pp. 73-78.

<sup>7</sup> Rohan Mathews, 'The Koel Karo People's Movement in Eastern India', *Dialogues, Proposals, Stories for Global Citizenship* (*Intercultural Resources*, July 2011), <http://base.d-p-h.info/en/fiches/dph/fiche-dph-8885.html>, accessed on November 10, 2014.

<sup>8</sup> Ranabir Samaddar, *Emergence of the Political Subject* (New Delhi: Sage, 2010).

<sup>9</sup> *Ibid.*

<sup>10</sup> Sandro Mezzadra and Brett Neilson, *Border as Method, Or, the Multiplication of Labor* (Durham: Duke University Press, 2013).

<sup>11</sup> Ranabir Samaddar, 'Michel Foucault and Our Postcolonial Time' in Sandro Mezzadra, Julian Reid and Ranabir Samaddar (eds.), *The Biopolitics of Development: Reading Michel Foucault in the Postcolonial Present* (Dordrecht: Springer, 2013), pp. 25-44.

<sup>12</sup> *Report of the Comptroller and Auditor General of India for the year ended March 2012 on Implementation of Public Private Partnership Indira Gandhi International Airport, Delhi* (Report No. 5 of 2012-13).

<sup>13</sup> *Ibid.*, p. v

<sup>14</sup> *Ibid.*, p. vi

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- <sup>15</sup> Christina D. Tvarno, 'Law and Regulatory Aspects of Public-private Partnerships: Contract Law and Public Procurement Law' in Graeme A. Hodge, Carsten Greve, and Anthony E. Boardman (eds.), *International Handbook on Public Private Partnerships* (Cheltenham: Edward Elgar, 2011), pp. 216-36.
- <sup>16</sup> Roger Wettenhall, 'Mixes and Partnerships through Time' in Graeme A. Hodge, Carsten Greve, and Anthony E. Boardman (eds.), *International Handbook on Public Private Partnerships* (Cheltenham: Edward Elgar, 2011), pp. 17-42.
- <sup>17</sup> Tony Bovaird, 'A Brief Intellectual History of the Public-Private Partnership Movement' in Graeme A. Hodge, Carsten Greve, and Anthony E. Boardman (eds.), *International Handbook on Public Private Partnerships* (Cheltenham: Edward Elgar, 2011), pp. 43-67.
- <sup>18</sup> Matthew Flinders, 'Splintered logic and Political Debate' in Graeme A. Hodge, Carsten Greve, and Anthony E. Boardman (eds.), *International Handbook on Public Private Partnerships* (Cheltenham: Edward Elgar, 2011), pp. 115-131.
- <sup>19</sup> The information on the bidding process and commercial use of land is taken from two case studies of Planning Commission (Secretariat for Infrastructure). Prateek Kuhad, *Bidding Process for the Delhi and Mumbai Airports*, August 2010; Divya Chawla, *Commercial use of land at Delhi and Mumbai Airports*, August 2010.
- <sup>20</sup> Vivek Chibber, *Locked in Place: State-Building and Late Industrialization in India* (Princeton: Princeton University Press, 2006).
- <sup>21</sup> Steel Authority of India Limited (SAIL) is the state-owned steel company. The case is Steel Authority of India Ltd. vs. National Union Water Front on 30 August, 2001.
- <sup>22</sup> Raj Kumar and Others vs. Union of India and Others on 5 November, 2003, Delhi High Court.
- <sup>23</sup> Indira Gandhi Airport TDI vs. Union of India and others on 28 November, 2006, Delhi High Court.
- <sup>24</sup> M/S Delhi International Airport vs. Union of India and Others on 15 September, 2011, Supreme Court of India.
- <sup>25</sup> Indira Gandhi Airport, T.D.I. vs. Union of India and Others on 28 November, 2006, Delhi High Court.
- <sup>26</sup> Indira Gandhi Airport TDI vs. Union of India and Others on 18 December, 2009, Delhi High Court.
- <sup>27</sup> Aihwa Ong, *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty* (Durham: Duke University Press, 2006).
- <sup>28</sup> Brett Neilson, 'Zones: Beyond the Logic of Exception?', *Concentric: Literary and Cultural Studies*, vol. 40, no. 2 (2014), pp. 11-28.
- <sup>29</sup> *Ibid.*
- <sup>30</sup> David Harvey, *Spaces of Capital: Towards a Critical Geography* (New York: Routledge, 2001).
- <sup>31</sup> Michel Foucault, 'The Mesh of Power', *Viewpoint Magazine* (November 13, 2014), <http://viewpointmag.com/2012/09/12/the-mesh-of-power/>, accessed on November 20, 2014.
- <sup>32</sup> Mary Beth Mader, 'Foucault and Social Measure', *Journal of French and Francophone Philosophy*, vol. 17, no. 1 (2007), pp. 1-25.
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# Accumulation at the Margins: The case of the Khora Colony

Shruti Dubey \*

## Introduction

This paper is about the transformation of a sparsely populated village called Khora at the border of three cities: Delhi, Noida and Ghaziabad into one of the most densely populated unauthorised colonies of Asia, inhabited mostly by low income migrants from UP, Uttaranchal, Bihar and Bengal. This transformation primarily took place due to the development of satellite town of Noida. Noida was created in 1976 to decentralise economic activities from the capital, prevent in-migration and decongest the metropolis; to curb speculation around the land close to Delhi giving rise to unplanned growth; to provide an alternative site for absorbing non-conforming industries in Delhi; and to provide affordable housing at a manageable distance from Delhi (NOIDA 1983). The model of development followed in Noida was similar to that of Delhi. An industrial authority was constituted by an act of the state government that gave the responsibility of land acquisition and development of the villages notified under them. Khora was one of the villages notified and eventually acquired by Noida. The theoretical effort in the paper is to explore the various regimes of accumulation involved in the development of industrial new towns such as Noida in the post liberalisation economy through the case study of Khora. The fieldwork for the paper has been done in the months of March and April, 2013 and April and May, 2014.

The sequence of the paper runs as follows. The first section describes the current location of Khora village and colony and its surrounding areas in Delhi, Noida and Ghaziabad. The second section looks at the plan of Noida authority regarding development of Khora, the 'illegal' speculation on the ground and the developments before the acquisition of land from the farmers. It shall highlight the form of capital accumulation intended by the authority around the land of Khora village that was partly jeopardized by the unauthorised plotting and occupation of land. The third section looks at the actual development of Khora, the micro-economies operating over there and the ways in which different classes of residents are accumulating or subsisting there. It probes the reasons for Khora colony to be the most densely populated 'labour colonies'<sup>1</sup> in Asia despite always being expressed in terms of a 'lack': of municipal services, infrastructure and a legal status. It further explores the interconnections between formal and informal economy and housing. It delineates the three scales at which accumulation is happening in Khora. The highest scale of accumulation is carried on by native Yadav villagers in the form of rent economy; the in-between one is undertaken by migrant landowners ranging from shopkeepers, auto-rickshaw drivers, factory workers, those engaged in petty production such as scrap dealers, lower end government servants and school

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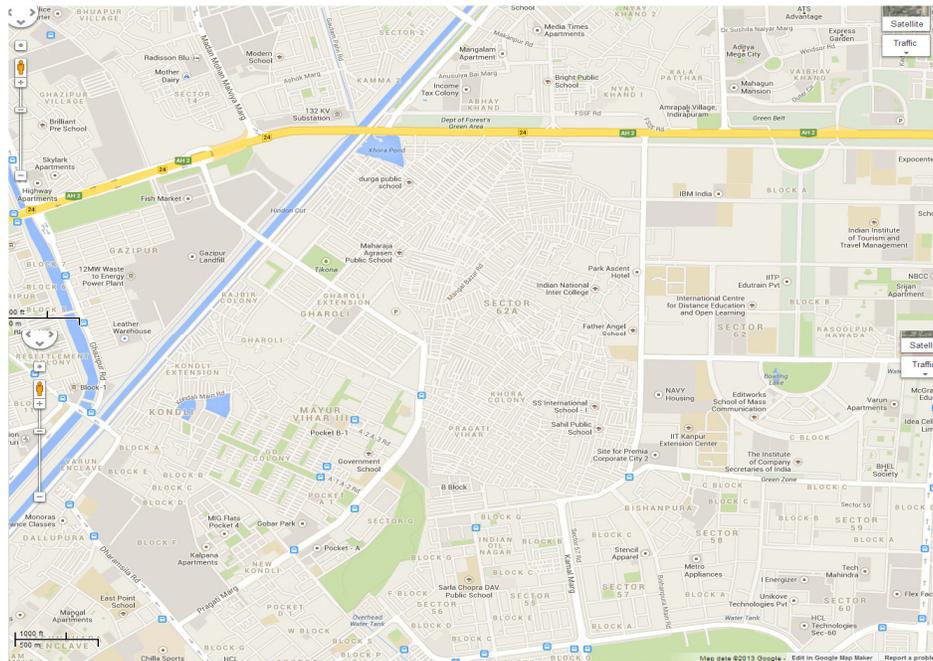
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teachers and the lowest scale is by the migrant rentees who are the more recent arrivals in Khora. In conclusion, we will try to theoretically locate the form of development happening in Khora.

## Section 1: Location of Khora Village and Colony

The Khora village, with its extended *abadi* in the form of Khora colony, is situated between the south eastern periphery of Delhi, the south western periphery of Ghaziabad and north western periphery of Noida (See Map 1). Being located on the eastern fringe of Delhi, it is in the vicinity of Ghazipur landfill site, a wholesale meat market, Gharoli village and its extension, and is contiguous with Mayur Vihar Phase three, that is a moderately developed residential colony. The Hindon cut canal marks the north western boundary of Khora colony, while the National Highway 24 separating Noida and Ghaziabad forms its northern boundary. It is flanked by gated group housing societies in Indirapuram built by private developers on the side of Ghaziabad and surrounded on the Noida side by the institutional area of Sector 62 in the east, and Rajat Vihar, a posh gated residential colony in the south. Khora has rapidly changed from being a sparsely populated village in 1971, spread over an area of 426.55 hectares in the Ghaziabad Tehsil of Meerut District<sup>2</sup> with 96 households and a total population of 656, (Census 1971: 55) to a population of 189,410 in 2011. This increase was not evenly distributed over successive decades. The progression reported in the official census was 844 in 1981 (Census 1981: 54), 14751 in 1991 (Census 1991: 260), 99,506 in 2001 (Census 2001) and 189,410 in 2011 (Provisional Census 2011). Officially, Khora has been declared a census town in the 2011 census. While these are official census figures, the actual numbers living in Khora seem to be much more with news paper and other media sources reporting around 1 million in 2013.

**Map 1: Showing Khora Colony between Mayur Vihar (Delhi), Indirapuram (Abhay Khand and Nyaya Khand) and Institutional Areas of Noida (Sector 62)**



## Section 2: The 'Unintended' Development: Noida Master Plan and Khora

The formation of new industrial town of Noida was announced in 1976 in the vicinity of Khora village and by 1978 the Noida authority officially brought it within the development area of its Master Plan via the notification 2691-Bha-U-18/11-27/NOIDA/77 dated 18.5.1978 (NOIDA 1983). Though the land of Khora was notified in 1978, its acquisition took place only in 1989-90. This is because the development of sectors in Noida had started from southern direction with the land of Haraula, Chaura, Ragnathpur, Naya Bans, Jhundpura, Nithari, Atta villages to be acquired first. In fact the first Draft Master Plan of Noida released in 1983 with a perspective of development till 2001, mentioned Khora village as an agricultural area that was to be separated from the proposed adjacent residential areas of sectors 55-56 through a green belt. Thus there was no plan to develop Khora till a long time even after the notification of the village. But the notification only enhanced the land speculation in Khora that had already started at the borders of Delhi due to increasing land prices over there. Khora started attracting colonisers and property dealers mostly from Delhi around the same time from the late 1970s onwards. This led to a considerable unauthorised development of Khora colony before its land could be acquired by Noida. The first person to come to Khora village to carve out a colony was a dealer named Khurana from Shahadra, Delhi.<sup>3</sup> He bought land in Khora for a pittance at Rs. 70 per bigha<sup>4</sup>.

Around the same time in 1981, the National Highway 24 was inaugurated that connected Ghaziabad city and Noida to Delhi through road and also served as an important trade route in North India. Khurana bought land a few years before the construction of the National Highway. Sardar Singh Yadav, one of the natives of the village, believes that Khurana already knew that the National Highway was going to come up in the area and had thus bought huge portions of land at extremely cheap rates. The first colony that he constructed was called Maharishi Garden. In order to attract population over there and give the colony a settled look, he primarily created small plots of 25 sq. yard each. Some of these plots were given on rent to his employees, other were distributed either for free to poorer people living in Delhi or for a meagre rent of Rs 150.<sup>5</sup> Pramod Kumar Thakur, a migrant from Orissa, who came to the colony in 1987, pointed out an ironical situation whereby the cost of the land was as low as Rs. 40 per square yard and the registration was more expensive at Rs. 100 per square yard. No one believed at that time that there could be a settlement over here.<sup>6</sup>

The dealers would buy land from the farmers, make maps of the area and sell it to the migrants. The registry of transfer of land used to happen under the name of the original landowner or the villager himself and the dealers would make profit in between the deal and leave. Sometimes when the dealer could not sell the land, the farmer himself sold it to the outsiders. Soon the farmers learnt how to sell their land and became dealers themselves. Rishi Fauji, the pradhan of the village from 2000-2005, gave me instances of how farmers themselves became dealers and started plotting their farms on their own. He contended that the sons of farmers became property dealers and sold their land ahead to their relatives and dealers from outside or incoming migrants. The starting price of selling the land was Rs. 30 per square yard in the late 1970s. The pace of selling land increased manifold after 1990 with the increase in the flow of migrants to Noida.<sup>7</sup>

Khora village had a huge segment of 1200 bighas as LMC or government land.<sup>8</sup> The farmers sold the LMC land to the migrants with the collusion of the lekhpal,<sup>9</sup>pradhan, property dealer and the police. This was possible because the LMC land used to fall in between farms and it was difficult to distinguish the government land from the one owned by the farmer. In fact, one piece of land was sold several times by the owners. This was because a lot of times the buyers did not take immediate possession of the land they bought. The powerful in the area used to occupy that land and sell it to

someone else. Even after taking compensation from the authority in 1990, the farmers kept on selling the land to the incoming migrants<sup>10</sup>.

The Second Master Plan with the perspective of 2011 was released in 1989, considering the fast pace of industrial development of Noida especially after 1985. The land next to Khora village, originally comprising of residential sectors of 57 and 58, were converted from residential to industrial for small and medium scale industries leading and additional industrial areas were carved out in its proximity (NOIDA 1989). Since institutional areas were supposed to be located along the National Highway 24, the land use of Khora village was proposed to be institutional. The authority wanted to take possession of the whole land of the village including that which was illegally occupied. Thus they went to Khora with bulldozers in order to demolish the unauthorised occupation in 1987. There were around 1000 to 2000 houses at that point in time. Amidst chaos and gunshots the authority demolished parts of the settlement. One of the residents of Khora died in the incidence. This stalled the demolition and the bulldozers went back. The authority did not try to demolish it again immediately because of the casualty suffered. Meanwhile the villagers started selling their lands desperately to the incoming migrants at very cheap rates. Those who bought land also stated constructing rapidly so that it becomes difficult to demolish. The authority left the area on its own and, in the words of a retired town planner of Noida, it was left 'free for all'.

After a few months of demolition, ND Tiwari, the then Chief Minister of UP, came to Sector 11 to inaugurate the Nehru Youth Centre. People of Khora reached the spot and gheraoed the Chief Minister. ND Tiwari heard their grievances. He was told that the Noida authority regarded the occupation of Khora illegal but there were already a number of residents living in the colony who had legally registered their land transactions. They in fact demanded development from Noida authorities as it had done for other villages. ND Tiwari assured them that the colony would not be demolished and there would be development of Khora.<sup>11</sup> Though the state did not take any steps for the development of Khora, the announcement increased the prices of land over there from 100 per sq. yd. to Rs 250 per sq. yd.<sup>12</sup>

The authorities came to realise that they would not be able to demolish all the unauthorised encroachment in Khora that spread over a huge area and acquire the entire land of the village. In 1988 the then Land Acquisition Officer ordered a survey by the government to ascertain the number of *Khasra*<sup>13</sup> that had been occupied by the residents and those that were free to acquire. It was found in the survey that Khasra no. 1 to 537 had been occupied and the rest of the land was taken by the authority. Thus from the total land of 1400 acres, the authority acquired 500 acres and awarded compensation for that from 1990 to 1991.<sup>14</sup> All the landowners were dissatisfied with the amount of compensation awarded and filed cases in the court to increase the amount of compensation. In order to prevent further expansion of Khora, the CEO of the Authority ordered construction of an eight feet wall around Khora village and colony and separated it from the planned area of Noida.

The institutional and commercial area of Sector 62 was built on the land acquired from Khora as per the Noida Master Plan 2021. Bharat Bhushan, a retired planner who was on deputation to Noida from 1997-2001 and 2005-06, stated that the residential colony of Rajat Vihar, Indus Valley School, Karl Huber School, and Sabzi Mandi were recent attempts to salvage whatever pockets were available and were not encroached on by the residents of Khora.<sup>15</sup> In fact it was Bharat Bhushan himself who expedited the change in land use from institutional to residential area by appealing to the state government for the construction of Rajat Vihar and institutional to commercial for the construction of shops in Sabzi Mandi, Sector 62, Noida. He firmly believed that if it were not for the efforts of Noida authority the residents of Khora would have encroached on all the pieces of land that were available in the vicinity. For the planners, Khora represents an encroached space that could

have produced much more surplus value for the authority, and contributed to the GDP of National Capital Region, but has instead acted as a source of devaluing the land in and around Khora.

Thus Noida did not take charge of its development and Khora was left to fend for itself to attain basic infrastructure. In 1997, the carving out of the new district of Gautam Budh Nagar from Ghaziabad, and Bulandshahar district that incorporated Noida, administratively separated it from Khora, which was left in the Ghaziabad district. This gave rise to a conflict of jurisdiction whereby both Ghaziabad and Noida kept on shifting the responsibility on each other for Khora's upkeep.<sup>16</sup> Consequently, Khora does not have access to municipal water, sanitation, health care and sewage services usually provided by the state. Interestingly, the telephone and electricity connections come from Noida while the police station that oversees Khora is located in Indirapuram, Ghaziabad. Despite the fact that Khora village gradually transformed into an unauthorised colony, with the rise in the number of those engaged in non-agricultural activities, it is still governed by a Gram Panchayat. There are two members from Zila Panchayat, one Pradhan and fifteen Block Development Committee members elected from Khora. Although Khora represents a village which has undergone tremendous densification, and become urban in character, it still does not formally come under any municipal authority. It has 150 mohullas or neighbourhoods, and 1861 lanes,<sup>17</sup> though most of the roads are in bad condition. With narrow lanes, open drainage and bad roads the area seems to be a stark aberration compared to its neighbouring areas in Noida and Ghaziabad, which look far more posh and upmarket.

### **Section 3: Khora as a Dynamic Space of Accumulation**

Noida has built a well-planned institutional area with schools, management institutes, multinational companies with banks like Barclays in Sector 62, on the land acquired from Khora that is keeping with its aspiration of being a 'futuristic city'.<sup>18</sup> Its attempt to build a wall around Khora seemed to be part of its desperate efforts to confine the illegal encroachment and hide the 'problematic interstice'<sup>19</sup> in the otherwise well planned area<sup>20</sup>. In this section we attempt to look at the socio economic life behind the walls in Khora and outline the dynamic ways of accumulation going on in Khora.

#### **a) Accumulation through Rent: Erstwhile Villagers and Property Dealers**

As we know, the land of the farmers in Khora was supposed to be acquired by the Noida authority for its development and they had to pay compensation. This could not happen according to the plans of the authority because of the plotting done by dealers and then the farmers themselves. The pace of plotting started increasing by 1984, which was in consonance with the increase in the establishment of industries in Noida. The dealers and farmers tapped in on the growing demand for shelter due to the initial influx of the working class and other low-income migrants who could not afford to buy Low Income Group (LIG) and Economically Weaker Section (EWS) housing or land elsewhere in Noida. Thus even before getting compensation for the land that was eventually acquired by Noida, the farmers, in this case the dominant Yadav community amongst the villagers, sold their land to dealers or migrants coming from outside.

A considerable number of people bought land in Khora during this time. This included dealers from the nearby areas who saw an opportunity to sell land or flats<sup>21</sup> to the migrants, factory owners in Delhi and Noida, who built housing for their employers, the local police, who were in collusion with the pradhan, and ironically, the lower officials in the authority themselves. After the announcement by ND Tiwari followed by a considerable degree of unauthorised development, the

residents and incoming migrants were reasonably sure that the colony will not be demolished. Hence Khora came to be seen as an investment opportunity where they could buy land for cheap and sell it further whenever it became profitable. Land transactions began to happen at a very high rate in Khora. The letters that the various welfare associations formed by the migrants wrote to authorities in the state government staked a claim to development by mentioning the fact that the state practically earns revenue in lakhs due to the high rate of registries happening in Khora.

Thus, since 1990s, a rent economy has flourished in Khora. The main partakers in this economy are the erstwhile zamindars/farmers from the dominant Yadav community,<sup>22</sup> who have invested the money gained from selling plots in constructing buildings within Khora primarily for workers. The buildings range from single storied row houses with a courtyard in between or multi-storied building in which rooms are built in a row. Such buildings have a minimum of twenty rooms with the rent ranging from 1500 to 3000 rupees per room depending on the condition of the building. In the absence of municipal supply of water, the Yadav or Gujjar landlords who live in Khora colony also sell drinking water from tankers or have installed reverse osmosis and refrigeration plants for their rentees and others in the colony. Dharma Pal Yadav, a relative of Rishi Fauji, owns around 10 buildings and 10 tankers. All his sons have their own tractors and tankers. Most of the buildings he owned consist of one room sets for workers, but the most recent building he constructed in 2011 has two bedroom flats to be rented out to more prosperous families<sup>23</sup>. His brother Rangpal Yadav, who lives in Lakuan, Ghaziabad, has bought back a building on his ancestral land that had been sold twice by his grandfather in Khora in 2003 for 26 lakhs for a plot of 272 sq. yd. There was hardly any profit in the land when his grandfather had sold it. But he has bought it back due to the booming rent economy in Khora. The building has thirty two rooms and he earns around 2000 rupees from each room. He has another similar building in Chaprail, Lalkuan but the rent is lesser over there. He owns around 20 plots in different parts of Ghaziabad which are lying unused. He would either sell them at bigger profit later or make more buildings on them or just let them lie fallow. Rangpal claimed that instead of buying farmland he prefers to invest in plots<sup>24</sup>. Similar buildings are owned by dealers living outside Khora who only come to collect the rent once every month.

Local figures like Rangpal also sell as well as rent out land for establishing markets. There are a number of markets inside Khora that have been constructed on the land owned by the Yadavs. Some of the shops are bought and some are taken up on rent by small time businessmen in Khora. Kalu Yadav, the de facto pradhan of the area<sup>25</sup>, invests the money earned from the rent of the several buildings and shops in the area in carving out colonies elsewhere. He is currently making a colony in Chajarsi, Ghaziabad.

#### **b) Accumulation by the Migrant Landowners**

At the same time, Khora is a dynamic space and it offers opportunities to the lower income groups to not merely subsist in a need economy but also accumulate and prosper. The high pace of industrialization has constantly attracted migrant labour from the relatively under developed parts of UP, Uttaranchal and Bihar to Noida. The low-income housing constructed by the authority was too expensive for poor migrants. They were also grossly inadequate in number because the authority gave up the idea of construction of EWS housing by the mid-1980s. As a consequence urban villages and slums have been absorbing most of the labouring population thereafter. Thereafter, Khora presented itself as an affordable place for migrants where they could either buy a small plot because of the cheap land rates and earn a livelihood due to the flexibility and open shops and small workshops in

the residence itself, or enter as rentees and save up enough to buy a plot later. Thus a growing number of migrants came to Khora as rentees or squatters and were able to buy their own piece of land in course of time. In fact, the homeowners have also incrementally built rooms to be given out on rent. Those who are at the lower end of government services and own land in Khora have constructed separate rooms, the number depending on the size of the plot, on floors added later to give out on rent. Significantly, a number of different sources of income can be easily combined in Khora. Thus a small general store within the house to supplement the family income is one of the most common phenomena. The reason for density of Khora's population is that it is a place where everyone seems to find work. Because of being in the middle of three cities, it gives locational advantage of accessing all of them, thereby increasing employment opportunities. The ability to combine residence and work is also one of the chief advantages of Khora.

To illustrate the way in which accumulation becomes possible by the low income migrants in Khora, let us cite some concrete cases. Pramod Kumar Thakur,<sup>26</sup> locally known as Udiya has a small shop selling boring instruments. He installs and repairs borings and has hired two labourers for that purpose. He owns two private water tankers that he sends to Delhi, Noida and Ghaziabad. He also does property dealing, which seems to be either the main or the side business of every second person in Khora. It is interesting to see how space is used by him. He built his residence and shop in a plot size of 50 sq. yd at the corner of four intersecting narrow alleys. The ground floor had two shops and a room. The boundary of the house is formed by a wall with a small gate to enter the house and two shutters of the shops that open outside on the road. The boring shop is in a separate corner next to the room in which they live as well and a smaller shop selling bread and milk that blends into each other partitioned by a wooden wall made of the shelves containing the boring supply material of his shop. The wood wall doubles as a divider and a holder of things in the boring shop. There are two more rooms on the first floor meant for residential purposes. Pramod used to serve in military stationed in Bhubaneswar, until he left in that he left in 1984. He came to Delhi where he started working as a contractor for boring and installing pipe lines in Mayur Vihar. He admitted that dealers were back then encouraging people to live there for free as they wanted to show it as a settled colony. Thus, he moved to Khora with his family in VandanaVihar for free of cost in 1987. There were a few houses built in the area where no one lived in 1987. When he was sure that the colony will not be demolished, he bought a piece of land for himself in 1991.

Ghanshyam<sup>27</sup> came from the village to Delhi and stayed episodically in Lakshminagar and then to Rajbir colony before finally coming to Khora. He did odd jobs such as *beldari*<sup>28</sup> in Delhi or vending vegetables, eggs and ice candies. He used to earn around Rs. 60 per day in beldari then, while his income increased to Rs 300 per day by vending. He was living in Rajbir colony on rent in the adjacent village Gharoli when he came to know about a colony being created in Khora in the early 1980s. He bought land at Rs 70 per sq. yd. in Madhu Vihar, next to Mayur Vihar Phase Three, and erected a house bit by bit. He used to be a scrap cart puller in the vicinity in Delhi at that time. Gradually, he took a shop on rent and eventually bought a shop close to his house. He employs around seven cart pullers who collect scrap from the lanes that are assigned to them and sell them to Ghanshyam in the evening. The employees either live in Khora or nearby villages in Delhi such as Gharoli and Khichripur. He further sells the scrap to bigger godowns in Delhi in Patparganj Industrial Area and Shahadara. Currently, Ghanshyam owns two additional plots in Sector 63 of 50sq.yard and 90 square yard respectively.

Khora has a number of small scale industries like that of textile printing, dying, and manufacturing food products. The garment export houses in Noida find it profitable to give orders of printing and dying clothes to such smaller workshops in urban villages or unauthorised colonies

like Khora that take smaller orders in accordance with the needs of the export houses. They first try out a sample of clothes in the market and increase the number of orders according to the demand. Thus Mahipal Singh Yadav<sup>29</sup> bought a 100 sq. yard plot of land in Khora in 1990. He used to work in a small shop in Sector 10 where he also lived. His work was noticed by a foreign tourist and he got his first big order. Subsequently, it was from this payment that he got from him with which he bought land in Khora. He opened a printing house on the ground floor and made his home on the first floor. Yadav gets his orders from established export houses of Noida such as Bani Cloth House and NY International. The export houses supply the cloth on which he prints and send vehicles to collect the finished orders. Manipal has employed two workers who hail from District Farrukhabad that famous for textile printing. The labourer employed at Mahipal's workshop also live on rent in Khora. Sometimes they live on rent at their employers houses.

### **c) Accumulation by Migrant Rentees**

The lowest rung of people living in Khora consists of those who do not own any land and are living on rent in Khora. The rent of a single room ranges from 1500 to 3000. They primarily work as rickshaw pullers, rag pickers, scrap cart pullers and labourers in the repair or printing shops. The rest are young factory workers earning something between Rs 7000-12000 per month in Noida, mostly employed on a contractual basis. In addition, the low end unskilled labour such as security guards, domestic help, nannies, sweepers, drivers, cooks that are required to support those with corporate jobs and lifestyle, who form, in the terminology of Saskia Sassen, the 'survival circuit' of the global city, also live on rent in Khora. The high density of Khora colony and other urban villages in Noida certifies the fact that this population cannot afford to live or squat in the planned areas of the city. It is a concentration of devalued population and the illegal status and lack of infrastructure ensures that its land value also remains low compared to other parts of the city. Let us take some examples from this section of the population.

Kasim, a rickshawpuller from Murshidabad and a tenant of Rangpal, came to Khora eight years ago. For the first four years he used to pull a rickshaw on rent. But his income was lower then and the work was excruciating as he was not allowed to take an off for even a single day. In four years he was able to save up and buy his own rickshaw for 10,500. Now he had better control over his time and could take an off whenever desired. There are a lot of migrants from Murshidabad in Khora and hence I inquired about their reasons for migrating to Noida. Kasim replied that it was not their inability to find work but their inability to save at home. Whereas in Noida they can save money and if required send it home as well. Kasim's wife works as a domestic help in a bungalow in the neighbouring sector. This is the case with most of the migrant women in these strata who work as domestic help and nannies in the planned sectors of Noida, Ghaziabad and Delhi and often earn more than men with the income ranging from 10-15000.

Sunil, another tenant of Rangpal from Farukhabad, came to Khora eighteen years back. He was a child then. Now he is 21. He and his extended family have five rooms in the building. He lives with his parents. His brother also has his family over there. His brother works as a supervisor in a factory that makes ACs. Sunil works in Sector 2 in software. He said that there is some farmland back at home. His grandfather and one of their sons live over there. But in the village one eats what one sows or earns. It is not for people with aspirations. He prefers to live in an urban area. Though he is not very satisfied with his life right now, he is sure that in 3-4 years he will be able to do better. He has the confidence over himself. He is also studying in the twelfth standard along with work.

Khora has absorbed not just the devalued population but also the economic activities that are important for the functioning of the core cities but are shifted to the margins or peripheries. Thus, for instance, Khora is used as a storehouse by many companies. Dhoom Singh Yadav, a villager has rented out space to Maruti for keeping cars for repairs. A number of dealers of the paper market who were shifted from Old Delhi to Ghazipur have kept their machinery or operating small plants in Khora. There are hardly any free plots in Khora. Most of the formerly free plots have been rented out to be converted into open or closed godowns for collecting and sorting waste of all kinds of recyclable material, ranging from plastic bottles, cartons, and paper. The place has also become a shelter for the rag pickers from Bengal who have been driven out from Noida. Thus some of the larger plots have been converted into temporary shelters made up of tarpaulin sheets where the waste pickers both live and sort waste into different gunny bags and sell to the godown owners.

A number of scrap collectors as well as godown owners have come from Delhi because of the sealings in the last decade. Thus, Sunil has a house in Shakkarpur, Delhi and used to have a godown where he stored the waste collected and distributed in various parts of UP, Uttarakhand and Haryana. Because of the fear of sealing that was going on a large scale, he moved to Khora which falls under UP and has no such threat. His godown is located on a plot of 2000 sq. yd. and the rent for it is around 6000 rupees. He said that ceiling was now shut and he could go back to Delhi. But he is on good terms with his landlord. He trusts him and feels assured that his material would be safe at night.

Similar is the case of Naresh<sup>30</sup>, a scrap collector who works for Ghanshyam. For eight years he used to work in Delhi. But he believes that the police used to nag them more in Delhi. “Police ka chakkar wahan jyada hai. Yahan par aisa nahi hai kyunki ye UP pad jata hai.” It is better to work in Khora because it falls in UP where he can work freely. They don’t harass the vendors and cart pullers as much as in Delhi. Naresh claims that everything that is produced in Noida and Ghaziabad is also produced in Khora. There is a lot of garment export that happens from this place. People have machines installed in their houses. They produce a lot of ‘katran’ that is put in a bundle and sold to waste collectors. The scrap is sorted and then distributed to Ghazipur from where they are sent to Muzaffarnagar, Punjab and Haryana. The scrap is ultimately sold to factories that melt them and use iron to make different goods. Thus the informal economy thriving in spaces such as Khora is interlinked and supplements the formal economy of Noida.

## **Conclusion**

The opening of the Indian markets due to liberalisation has made the peri-urban areas or the new towns in the vicinity of big metropolitan cities in India the privileged sites of global financial investment. This is mainly due to the feasibility of land acquisition for establishing SEZs, EPZs and offices of the emergent IT/ITES sector (Kennedy 2007). This form of capital accumulation necessitates large scale infrastructural projects via Public Private Partnerships causing the development of some parts of the city that appear as “world class” and devalue others. The internal geography of these towns gets reshaped according to such selective capital investments leading to “uneven development” (Smith 2008) that gives rise to “splintering urbanism” (Graham and Marvin 2001) and “fragmented cities”. Swapna Banerjee Guha (2010) looks at this process as leading to shifting cores and peripheries; the former being a part of global society and latter remaining in the form of segmented localities. The result is co-existence of gated communities and malls on one hand and slums, unauthorised colonies and urban villages giving rise to intense urban conflicts.

The above fragmentation is true in the case of Noida as well. Noida aspires to be a future city, well integrated into global economy, and as a dwelling hub of businessmen and professionals. The post liberalization investment in Noida in the industrial, residential, institutional and financial sector has made it attractive for the professional class engaged in immaterial labour. At present, there are around 27 SEZs in Noida and Greater Noida, dealing with IT, ITES and electronic hardware (26) and one unit with non-conventional energy (Dupont 2011). It has also become a thriving real estate destination bringing in tremendous investment in multi-story group housing by private developers. But this is only one half of the story. The other half of the story belongs to that 70 per cent of the population which lives in urban villages and slums in Noida. The population living here is not a part of the global economy that Noida is proud to be plugged in. This is what the current scholarship of Marxist geographers refers to as lopsided or uneven development. While we agree with the fact that cities such as Noida are unevenly developed, the question we have probed is whether such uneven development means a strict binary between accumulation economy and need economy? Would a space like Khora come under the rubric of need economy? We have tried to argue that Khora is also feeding in an accumulation economy, albeit at a different form and scale.

As we have seen in the previous section one of the most obvious modes of capital accumulation in Khora is from the rent economy. The accumulation by the native Yadav villagers is a result of the housing gap left by the Noida authority for those who form a part of the survival circuit of Noida. The fact that the Noida authority could never acquire most of the land of Khora implied that the farmers were never entirely dispossessed of the land. They sold a part of their land to the incoming migrants, and retained substantial land on which they later built buildings to rent out, once the population of low income migrants increased in Noida. Thus the theoretical framework of primitive accumulation or accumulation by dispossession<sup>31</sup> for explaining land acquisition for urbanization by a process where land is taken away from the peasants, depriving them of their means of production and rendering them into wage labour, does not work completely for Khora.

The density of Khora has ensured that it is not only a space of production but also a space of consumption by offering a huge market. We have shown that all those migrants who bought land in Khora when the prices were still cheap have also been able to accumulate. They could use the land innovatively, open shops, workshops, godowns within their houses and find a ready market for their products either within Khora or in other parts of Noida, Ghaziabad and Delhi. David Harvey (2010) in his article, *Right to the City* appealed for a democratic control over the production and use of surplus. Khora seems to be a place where the low income migrants could own and flexibly use the land according to their needs. Close proximity of residence and work, readily available labour as well as market, ability to combine various sources of income, appear important reasons for incremental development. This gave them a greater control over the production and use of surplus and hence an avenue for accumulation at the immediate level at least.

The most visible economy is that of spare parts and repair shops of automobiles, scooters, electrical appliances, boring pumps and collection, sorting and distribution of scrap and waste. In other words Khora is quintessentially a space of dirty, devalorised material production and the habitation of devalorised material labour. It can be said that the post 90s development in Noida has tried to “bypass the squalor” (Sanyal and Bhattacharya 2011) of Khora, be it by shunning its responsibility as it administratively falls under Ghaziabad or by constructing a wall around it. Thus it might seem as if skipped by development. But we have argued that it is a product of the development that takes place in cores of the cities and is in fact extremely essential to the functioning of core as core. Spaces like Khora that are often looked at as peripheral, marginal or skipped by development

are in fact most crucial for the development and maintenance of the 'cores'. They are the constitutive outside of the core.

## Notes

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<sup>1</sup> The term 'labour colony' is used by newspapers and a number of residents themselves. It does not refer to any administrative categorization.

<sup>2</sup> Ghaziabad used to come in Meerut District till 14.11.1976 when it was carved out as a separate district.

<sup>3</sup> It was confirmed in several interviews. Sardar Singh, Deshraj Singh, BallePehelwan, Balwinder Singh. Other initial developers were also from surrounding villages in Delhi such as Chilla and Khichripur.

<sup>4</sup> Personal Interview with Deshraj Singh Yadav on 24 May 2014.

<sup>5</sup> Personal interview with Pramod Kumar Thakur famous as 'Udiya' because he hails from Orissa. A number of other respondents also told me that the government was encouraging the poorer population ousted from Delhi to settle over there.

<sup>6</sup> Personal Interview with Pramod Kumar Thakur.

<sup>7</sup> Personal Interview with Rishi Fauji on 12 May, 2014.

<sup>8</sup> Ibid.

<sup>9</sup> Lekhpal refers to the official who examines the situation of the land on the ground and maintains their record.

<sup>10</sup> Personal Interview with Vikram Yadav, Gram Vikas Adhikari, Khora on 12 April, 2013.

<sup>11</sup> Personal Interview with Deshraj Singh Yadav on 24 May, 2014.

<sup>12</sup> Personal Interview with Sardar Singh Yadav on 20 May, 2014.

<sup>13</sup> The land in revenue records of the village is mapped by division into several units or khasras and numbered.

<sup>14</sup> Personal Interview with Deshraj Singh Yadav on 24 May, 2014.

<sup>15</sup> Interview conducted on 4 May, 2014.

<sup>16</sup> "Khora rots as Noida Ghaziabad disown colony", *The Times of India*, May, 28, 2001.

<sup>17</sup> Sadkon-galionkajaal: sab tootiphootibadhaal", *Navbharat Times*, May 5, 2011.

<sup>18</sup> <http://www.noidaauthorityonline.com/about-noida.html>, Accessed on October 13, 2013.

<sup>19</sup> Abdou Malik Simone (2007: 465) has written about how immediate peripheries of metropolises, usually occupied by devalued populations thrown away from central areas are often considered as 'problematic interstices' between differentiated poles.

<sup>20</sup> Khora presents an undesirable space for Noida. I got extremely anxious responses from the town planners of Noida. A retired town planner asked me why I had chosen Khora as a case study as it would reflect badly on the image of Noida. He considers Khora as a clear case of state failure. The current Chief Town Planner of Noida also got irritated on asking questions about Khora. He asked me angrily if I wanted to give solutions or increase their problems by asking about Khora.

<sup>21</sup> Personal Interview with Sardar Singh Yadav on 20 May, 2014.

<sup>22</sup> It needs to be stated that all those belonging to Yadav caste are not referred to here as the dominant class involved in colonizing. We are specifically referring to the extended kinship networks of the three Yadav families that were there in Khora who owned the land that was acquired by the Noida authority. There are a considerable number of migrants who also belong to the Yadav community who are working in factories or run small businesses of their own.

<sup>23</sup> Personal Interview with Dharmapal Yadav conducted on 7 April, 2014.

<sup>24</sup> Personal Interview with Rangpal Yadav conducted on 8 May, 2014.

<sup>25</sup> The *de jure* pradhan of the area is Brajpal Singh Jatav, who has been an old servant of Kalu's family. Kalu's maternal grandfather owned a lot of land in Khora. Since he had no son to inherit his property, his daughter's sons, that is Kalu and his brothers claimed his property. Kalu supported him in the elections because the constituency of Khora had turned into a reserved seat in this election.

<sup>26</sup> Personal Interview conducted on 2 May, 2014.

<sup>27</sup> Personal Interview conducted on 4 May, 2014.

<sup>28</sup> Beldari refers to the manual labour in construction work.

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<sup>29</sup> Personal Interview conducted on 13 May, 2014.

<sup>30</sup> Personal Interview conducted on 15 April, 2014.

<sup>31</sup>David Harvey who has argued that the violence associated with the accumulation of capital in the 'primitive' stages is very much part of the contemporary urban processes operative through dispossessing people from their means of production.

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# The Making of the ‘Rentier’ Jat: Land, Rent and the Social Processes of Accumulation of Capital in South Delhi

Sushmita Pati \*

*Tere Ghar ke Saamne* (1963) a popular Hindi film starring Dev Anand and Nutan, both children of rich, landed *seths*<sup>1</sup> who are constantly at loggerheads with each other; starts with a scene of a DDA land auction where these two rich elites try to show each other down by making a higher bid. As the film progresses, one realizes that it is the story of the creation of the posh South Delhi localities, with names like Defence Colony and Link Road being dropped in, or scenes with swathes of empty land where bungalows are being planned. Dev Anand, being a dynamic young architect is reposed with the responsibility of designing houses of both the *seths*, ends up finding the true Nehruvian solution to the problem, that is of designing two identical houses and finally dissolving the long lasting enmity between the two men. It is a film which is enthused with hopes of a very Nehruvian kind – those of ‘Citizens’ of the Modern Nation State unmarked by caste, of a planned Delhi with wide clean roads and of residences which are legally owned.

A more specific marker to situate the film would be the arrival of the Delhi Master Plan 1962. The city was to become modern, with wide roads, big posh houses and residents who drive cars and go to clubs. The film, not simply in terms of the characters, but also the landscape, seemed to have no poor, no riff-raff apart from maybe the servants. This utopia of what Delhi was to become in the early 1960s, in the imagination of the bureaucrats or films like these, was never to come true. The pressures of population, be it because of Partition in particular and migration in general, ensured that the Plan remained a utopia and the Master Plan merely another document which needed to be circumvented, negotiated with or even flouted.

The criticism of Master Plan (hereafter the DMP) as a document of megalomania with little or no connect with reality and how it has in turn complicated Delhi’s governance issues has been in place for several years.<sup>2</sup> Diya Mehra argues how the Delhi Improvement Trust in the colonial times and the Delhi Development Authority with the DMP in place in the years after independence emerged as major players in the land speculation game. In 1959, Government of India notified 34,000 acres of land for acquisition for DDA which was as Mehra puts it, a monopoly land bank.<sup>3</sup> Through Lok Sabha debates, Mehra establishes the rather widespread concern at that time, that the DDA had become an actual speculator of land by earning profits.<sup>4</sup> The decade of the late 1950s and early 1960s, thereby saw massive scale of acquisition of land from villages that used to be outside the cityscape at one point of time. This period of acquisition of land, and its development to create new colonies, shopping complexes and infrastructure, collectively and loosely referred to as ‘South Delhi’

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marks a major shift in the life of Delhi. It is the South of Delhi which is considered synonymous with affluence and consumption. The phenomenon of Urban Village therefore, comes to exist in the shadows of the schizophrenic Master Plan, and consequently goes on to create its own dystopias. 'Urban Village' is a specific administrative term assigned to the villages which were earlier outside the limits of Delhi. With Partition-induced migration and internal migration to Delhi after independence, agricultural land of these villages were acquired and converted to rich, posh localities of South Delhi, while the residential areas of the villages were retained as it was under the nomenclature of 'Urban Village' and the villagers were not displaced. These urban villages today, exist as islands of concrete mess with oddly erected buildings meant for renting out to commercial and residential tenants. They are as much an 'urban village' administratively, as much they are in their socio-economic composition. The caste structure and the old organisation have continued in ways that quite make it the 'village' that is 'urbanised', which will be the subject of my paper – to see how caste and kinship networks have fed into this new form of capitalism and entrepreneurship.

### **The 'Problem' that is the Urban Village**

I look at a set of population, whose lands were acquired to create South Delhi, mainly the Jats, who call themselves '*gaonwalla*'<sup>5</sup> inside the city. They might be rich, but do not necessarily identify with the middle or upper class. What also makes this case specific is that I am not looking at the text book case of primitive accumulation. The older inhabitants, though dispossessed of their agricultural land are never really displaced and that they do not become a part of the reserve army of labour quite contrary to classical Marxist theory, but are nonetheless marginalised. Their residential area or *abadi* demarcated by the amorphous *lal dora*<sup>6</sup> is left untouched in the utopian belief that the villages would continue to live in their idyllic states, perfect 'harmony'.<sup>7</sup> Of course, none of this was to happen. With their agricultural land taken away and later the shifting of dairies outside the city, they were left with very few sources of income. Land possessed in the urban village, which is exempt from any building bye-laws because the villages predate any such modern laws governing them today, became the mainstay of their livelihood slowly. As the steady stream of migrants from all over the country started pouring in, these urban villages became the very obvious choice of lower middle class for residential purposes. As renting out started seeming like a rather profitable venture, many villagers started to break down their older structures, to make series of cheap 'one room sets' in their buildings in places like Munirka and Katwaria Sarai, which were made with the sole objective of maximising the utility of space. This paper attempts to mark out the transformation of a set of people marginalised and dispossessed into a society of petty landlords.

These villages have now become the oxymoron that they have been administratively termed as. The older caste based spatial order remains primarily intact. The sense of kinship and *bhaichara*<sup>8</sup> still exists in convoluted ways of its own. Older generation still sits around the tall concrete structures on their *charpa*<sup>9</sup> smoking *bukka*<sup>10</sup>, while the younger one struts around in body hugging t-shirts and sunglasses. The steady presence of a migrant population as tenants within the village too has greatly impacted on the life of the village. The village land in Munirka, traditionally, had belonged to the Jats from the Tokas clan.<sup>11</sup> They had migrated from Behraur district in Rajasthan arguably in the Eighteenth Century. Later, Jats from another clan 'Rathi' also came to settle in the village and were given the land on the periphery so that they could offer protection to the Tokas clan from the Muslims. Similarly, the Brahmins and Kumhars, Jatavs and Valmikis also settled in the village. Once land was acquired in the late 1950s, many of them took up jobs through sports quota, or entered the transport business. Shahpur Jat, on the other hand, despite having much less expanse of land, owned

much more fertile tracts. Therefore, horticulture was more popular in these villages. The village is dominated by the Panwar gotra of the Jat community. Some of the people from Shahpur Jat cringe at the mention of Munirka because of how they benefitted from the land acquisition because of much bigger land holdings of the village, but were not really prosperous before. Bheem Singh Lambardar of Shahpur Jat tells me, *'woh yahan bailgaadi rakhte the, ab yahi hain jo ghar mein 8-8 gaariyan rakhte hain'*.<sup>12</sup> Munirka, as many point out, received compensation in two to three rounds, which was not true for Shahpur Jat.

These villages have attracted different kinds of rent. While Munirka has mainly let out residential and smaller commercial property, Shahpur Jat is host to a dense, complicated garment industry. The dingy inner parts of the village have been rented out to the *karigars*<sup>13</sup>, who work on *adda*<sup>14</sup> and sewing machines, while the outer, more spruced up portions of the village have been taken over by the upcoming fashion designers, startups and lifestyle stores. The case of these urban villages, be it Munirka or Shahpur Jat, is that of the logic of village communities facing a transition from an agrarian capitalist system to a system of capital organised around rent which has reorganised social and economic life around this non-productive form of capital. While for Munirka, it has meant a growing number of migrant residents and businesses, for Shahpur Jat, it has meant a mix of migrant *karigars* who not only stay but work there and also in commercial fashion boutiques.

### **Landlords, Associations and Property**

The Munirka Youth Brigade, a recently formed group of young men wanting to take up Munirka's concerns, invariably raises the issues that concern the landlords. It could be about shutting shops by 11 p.m., or fixing gates at the entry points of Munirka or addressing the 'menace' that the North East tenants create in the village. The idea of being owners here is rather central. Started by a young man, who clearly has political ambitions, Munirka Youth Brigade initially started off with the tenor of being an organisation of Jat landlords. The thrust on them being an association of young 'Jat' men was however toned down because of the presence of men from other communities, but the fact that it is an association of landlords is quite apparent. The invocation of the term 'youth' is also of consequence here – that the 'youth' are no longer the rural bumpkins but an empowered group who would protect their interests with 'whatever it takes'. The Jat youth who started this part vigilante part social welfare group, defines Youth Brigade as an apolitical organisation that belonged to people who want to do something for the village.

The first few meetings were aplomb with references to being Jats which diminished rather rapidly by the fourth or fifth meeting. Youth Brigade Munirka, initially started off with clean up drives, had to begin with the first few campaigns in the Buddh Vihar area to come across as a non-jat, apolitical group of youth wanting to simply talk about the issues of Munirka. One of their pamphlet says

Do we ever think of our responsibility towards the place where we are born? Have you made Munirka a better place to live? Do I have any hope from any of my Village men? The answer that you will get from most of us will be 'Do not have any hopes from me; I'm no agent of change'. Leave apart others we shy away from standing up even for our own cause. My friends, what are we afraid of? What keeps us so passive? Why are we so dead?...? We just hold on to the old order which is familiar and comfortable *'rent aa raha hai ji aane do, khamaka ke pange kaun le'*.<sup>15</sup> But we should remember a day will come when we will not be there and our village will also cease to exist. Can you imagine Munirka not existing? The place which gave you everything! This is our motherland! Maybe we will not be able to

see it today but who would answer the questions of our coming generations? The only way is to unite and work for our present and coming generations.<sup>16</sup>

In both the cases, the village, which was strictly divided on caste lines, no longer remains so. One, because of the influx of migrants who live cheek by jowl with their landlords and two, because of land grab within the village. As, it was realised that land within the village can become a lucrative source of income, the Jats who were dominant, made clear incursions within the dalit sections of the village. While Jats say it was their traditional land meant for cattle and stocking grains, the Dalits claim that because they were dominant, land grab was easy for the Jat community. This led to these villages becoming extremely cramped with tall multistoried houses mushrooming everywhere. In collective memory, the image of places like Babul Chowk in Munirka still remains as a chowk till which point even a truck could get in. The lanes are so narrow today that construction material has to be loaded on to donkeys to take them deep into the village. Secondly, that the Dalits too, despite having much less land, have also emerged as landlords. Traditionally having owned only a residential space, they too have slowly erected multistoried buildings in its place which they rent out. Though mostly the rent in the dalit localities is much lower in terms of both rate and volume, the identity of becoming a landowner has for many been empowering. It is for this reason that a khap panchayat is not possible any longer. It cannot be caste specific form of panchayat especially as the panchayat's role in mediating economic relations has become more important however ineffectual it may be in the end. The social role of the panchayat has clearly changed.

The tenants of the village talk of arbitrary rents, domination and harassment at the hands of the landlords. Despite the government rate of electricity being Rs. 4 per unit, the standard rates they charge is Rs. 8 to 9 per unit. They increase rents at their whims and fancies and threaten the tenants to leave their premises if the latter protest. Lalitha who runs the Kerala food joint along with Manish and Praveen who are residential tenants speak of similar harassment. Before the last MCD elections, one Keshav Tyagi floated the Rashtriya Shakti Party, which is based on the philosophy of Rajiv Dixit<sup>17</sup> and largely a tenant based organisation for the MCD elections. Tyagi runs a 'tiffin system' (he cooks meals for his clients and delivers them to their houses for a monthly charge) also speaks of how the landlords do not treat their tenants with any respect. Thus, when he made his wife stand for elections, a lot of villagers were enraged. However, because of a face-off between Dheeraj Tokas and Barkha Shukla Singh, the Congress MLA for the past many years from the area, a meeting was called and they were convinced that they should withdraw their candidate and support Parmila Tokas. Sharad, who was with Tyagi at one point of time but is now a local activist of Aam Aadmi Party and owns two barber shops in the village, still feels having been betrayed by Parmila Tokas after the last MCD elections. He says, '*Ab inke andar ego hai. Paise ka hai jo bhi hai. Yeh sochte hain ki kirayedaar hain, ye kya kar lenge.*'<sup>18</sup>

There are different accounts as to what happened after land acquisition. Most Jats complain that the compensation was measly and there was a decade or two of absolute lull. In contrast, the Dalits of the village say that, post-compensation, nobody remained poor in the village. While a lot of money was squandered away by people, the most popular form of investing that money became again that of investing it in land elsewhere, or into transport business. A fair number of Jat landowners own at least 2-3 buildings in the village today. These buildings however, are justified as being built on traditionally owned land for the cowsheds and preserving firewood which slowly converted into big multistories. Nalin Tokas whose family shifted to Vasant Vihar in 1989, owns a house called Ratan Apartments in the Buddh Vihar area which was completed in 2003 and was constructed entirely for renting purposes. His father owned a general store in the Munirka Enclave,

DDA Market, which used to be doing very good business at one point of time. Since the shop had a PCO too, it used to remain open till three in the morning. But as PCOs became an unviable business and the number of general stores multiplied their profits dipped and they had to shut down the shop. They sold that commercial property for 20 lakhs<sup>19</sup>, took a bank loan of 50 lakhs and built the Ratan Apartments. They had other businesses like an *atta chakkei*<sup>20</sup> and a juice shop too which he mentioned quite flippantly. His grandfather used to own a huge hardware store in the Munirka market which was the biggest store there at one point of time. Later it got fragmented and now one of his cousins runs it, though the shop is much smaller now. Now he has moved away from these businesses and concentrates on the property that he owns in the village right behind the prominent Rama Market. His elder son runs a clinic on the ground floor while he has opened a 'library' on the first floor. These 'libraries' are one of the new business innovations in the village these days. Meant for students who have rented out a place to stay in the village but do not have a proper workspace, these libraries have makeshift cabins, with plywood acting as partitions between people. Apart from the bare cubicle, you are provided with drinking water as a part of the services. Nalin's father proudly tells me this is just the start. Nalin has plans to start a business of coaching centres for UPSC aspirants.<sup>21</sup> 'Something like Vajiram and Ravi..<sup>22</sup> Saroj Lal, a retired lawyer and a strict Ambedkarite, alleged that the rich landowners like Ram Tokas and several others also occupied vacant spaces within the village and later constructed buildings. A lot of area, which lies in the stretch now referred to as Buddh Vihar, because of the presence of a Buddhist temple, in Munirka having a high concentration of Dalits in that space, has now been captured by the Tokas in this manner. Balram Tokas too talks of growing up in a house close to the main road which is now a part of the market and managed by his younger son. Around 2000, he bought a plot of land towards Pal Dairy and constructed two houses opposite to each other. He stays with his wife, elder son and his children in one of them. The other is put on rent. When I asked him whom did he buy this particular plot from, he crinkled his nose and said, '*Yeh jagah toh beta.. Backward classes rehthe the. Bahot garibi mein the. Apna bech baach ke kabin chale gaye.*'<sup>23</sup> A dalit resident of the village told me of several incidents of how many dalits have been swindled out of their property or simply bought out by the Jats. While it is true that there are internal differences within the jats, but the moment some issue with the others crop up, they all unite against the 'Other'. He argues that no force was used by the Jats in terms of buying property from other castes in the Buddh Vihar area. Since often the Dalits would have smaller land holdings that would not be economically viable to distribute among themselves. So many sold their land and went somewhere else. He claims to not know where these people went and how they live by now.

It is of interest here that when rent starts becoming a rather viable form of income and people start breaking down their houses to rebuild new ones which are multistoried with pigeonholes 'one-room sets' to scores of people, they did not engage private builders in the process. It was mostly done with individual's money. But this has not necessarily meant the community is losing control over their piece of 'land' as most of the land is bought and sold among people in the village. In Shahpur Jat, it seems there was a decision taken at the Panchayat to not allow the private builders into the system as that would mean a loss of control over their land. Probably this is why potentially inflammable decisions like whether or not to let out houses to people from the North-East in Munirka and not letting the commercial tenants park in the Shahpur Jat parking lot can be taken very easily. In Munirka, however the Jats have themselves worked as private builders. The Jats would approach some economically weaker people in the village and offered them that they could invest in building their houses provided they would let them use one or two floor depending on the levels of investments. This is also one way in which they have spread towards Buddh Vihar. The boom in rent, however, in both the villages was seen only in the post 1990s period. In Munirka, it was the

coming of a huge number of north east migrants, who all started renting out places there; in Shahpur Jat it happened because of the saturation of the land market for designers in Hauz Khas Village which made Shahpur Jat a newer hub for new designers. Slowly, restaurants, cafes, bookshops and lifestyle stores have started to come in too, given that Shahpur Jat has become a hub for the Delhi upper middle and upper classes for customised shopping for clothes.

Nilesh Mishra, an editor with Outlook, who lived in Shahpur Jat between 2004 and 2008 tells me how his landlord wanted to sell his part of the house and move out but was reluctant to broach the issue with his father. Soon after, the Panchayat in Shahpur Jat also clamped down with a dictum that his landlord should not sell his property to outsiders. In Shahpur Jat, no such conflation between the RWA and the Panchayats has happened. In fact, there is no authoritative single RWA in the village, but several defunct ones. It is therefore the Panchayat which is the most important community body in the village. The voting still happens through a show of hands. He tells me that the Panchayat still functions as a titular body. There are 21 members in all with one or two members from the 'Harijan' community and one or two from the *kumbar* community and that all these meetings take place in the Purana Chaupal.

Balwant Panwar, a member of one of the several RWAs in Shahpur Jat argues that it is very difficult for any such organisation to work within the village. While the families with big important kunba<sup>24</sup>, do not feel the need to join in any such endeavour, the several political factions in the village feel that any development work should take place under the aegis of one or the other political party. In Shahpur Jat too, property developers could not really enter because the inflow of outsiders would mean the loss of say of the community itself. '*Aur Pata nahi kis caste ke honge, kis dharm ke honge?*'<sup>25</sup> Though some property was sold to outsiders before the escalation of land prices, but they too happened to be mostly relatives of people already staying in the village and lived in the village like other villagers did.

Rajan, who has been running a designer wear showroom in Shahpur Jat since 2000, says how the local villagers felt that their authority was being undermined with new people coming in. The commercial tenants, mostly the designers who had started coming in hoards around early 2000, had formed an association to talk about the concern of Shahpur Jat and deal with the MCD around 2002. Rajan himself was the secretary of the association. The villagers got very defensive and agitated at this step and stopped allowing parking of the tenants for some time. So they dissolved the organisation within six months of starting it because they did not think it was worthwhile to pick up a fight with their landlords for this. He recalls, Panchayats at this time used to happen at No. 5 or the Jungi Lane.

With a final goodbye, Rajan gives me a piece of suggestion. 'Catch hold of the people at no. 5. They will answer depending on their temper and mood. Most probably, they are going to answer not more than one or two of your questions. They are very aggressive'. In one of the initial days of my fieldwork in Shahpur Jat, I had stopped to talk to the owner of a chemist shop, owned by a Brahmin from the village. After speaking to him, when I asked who else I could speak to, Sharma laughs and says, '*Koi bhi aapse baat nahi karega. Yahan sab jaat kbopdi hain. Jaat kbopdi samajhti hain aap?*'<sup>26</sup>

### **Dada Jungi Lane: Tracing the 'Private' Street**

Number 5 or Jungi Lane in Shahpur Jat is an entire stretch of a lane with buildings on either side, all of which are numbered as various subdivisions of number 5. The two ends of the roads have a gate each with a semi circular board over it saying '*Dada Jungi Lane: Yeh aam raasta nahi hai?*'<sup>27</sup> The transformation, or rather the creation of Dada Jungi House clearly is one of the most striking stories

of change in the village. The courtyards have disappeared, and so have the *baitbaks*.<sup>28</sup> Anything, that was considered wastage of space, has been done away with the rebuilding of these houses. In the much coveted area of Shahpur Jat, Dada Jungi Lane, which claims the highest rent in the area, was at the time of my fieldwork the most ironically telling of the kind of transformation this place has been undergoing. When I was doing my fieldwork, an older structure, in Jungi Lane with Chaudhari Hetram in Hindi inscribed on the limestone door frame was being hammered down to erect fancy showrooms in its place. The coming down of probably the last remnant of the past in this particular family shows how capital intrinsically requires spatial alterations. Angela, who owns a boutique in the DDA market in Shahpur Jat, recalls that she used to come here in 1990s to buy stocks for this company that she used to work for. Suneet Varma, the famous designer used to have a factory in Shahpur Jat those days, which he used to run from one of the houses here.<sup>29</sup> 'It didn't used to be like this', she says. '*Bade door door gahr hua karte the*'.<sup>30</sup> She set up her own factory/studio in the year 2000 in Jungi Lane and soon put up a rack to display her designs as she started noticing interested customers around. '*Chalte phirte log aa jaate the*'.<sup>31</sup> Later, she opened up a proper boutique. It was still not a garment hub by that time. She started with paying 10,000 as rent for her place in the year 2000. In five years' time, that rose to 25,000. She tells me that the easiest way in which they doubled their income was by breaking down their commercial property and splitting them into two which meant some amount of investment with much higher returns.

Chaudhari Hetram was fondly referred to in the village at one point of time as Jungi because he used to be a known wrestler in the area. His grandsons are the owners of the entire stretch now. Jungi Lane commands at least twice the amount of rent as any other showroom in Shahpur Jat. The reason for this is of course the sheer visibility of Jungi lane. The landlords of the Jungi Lane also maintain a strict control of who can access this particular lane. Angela tells me that the gate and board are relatively new, but the landlords, she says, have been roughing up 'unwanted' characters for quite some time. Sheetal, who is also a fashion designer working out of Jungi Lane, says that though she is paying much higher rent here, she does not mind it because she 'feels safe' here. Despite having to work till very late, and being the only woman amongst several male karigars, she has never felt unsafe or threatened because of the kind of control the landlords have.

The reason why many say that the Jungi sons have been able to develop their own property this way is because of the strongly knit Kunba they have. Many a times, because of being numerically and economically strong, they have been able to mobilise decisions in their favour. Strong Kunbas often act like independent entities which do not need to depend on other bodies or people. It is said, that in the early 2000s, the Panchayat meetings used to take place in Jungi House no. 5. Manish, while recollecting the earlier days of forming an association also remarked that the Panchayat meetings used to take place at No.5.

## Properties of Prejudice

The renting business in Munirka, seems to have picked up momentum around early 1980s, most probably around the time of the Asiad. The first tenants to have arrived were the labourers from Rajasthan and Uttarakhand mainly. The accommodation was also not like flats. As a respondent put it, '*labour-class type ghar hi the*'.<sup>32</sup> As offices around R.K Puram and markets started opening up, small time clerks and young men working in these shops started renting these houses. With these area becoming more developed, the socio-economic profile of people wanting to rent houses also changed, with which changed the nature of construction. Around the mid 1990s, many of the houses were pulled down and new houses made with scores of 'one-room sets'. Many recall this period as

the time when the people from the North-east – mostly Manipuris – started coming to Munirka to rent apartments in hoards. Ramesh, a villager, who has a small watch and mobile phone repairing shop, laughs and says, *‘Pehle toh gaonvaalon ko laga ki gaon mein foreigners aa gaye hain. Unka toh kuchh alag hi chalta hai. Aapko rent pe dene se aap bargaining karoge. Who yeh sab nahi karte’*.<sup>33</sup> The feverish competition for land also seems to have begun around this time. The fact that Chaudhary Mahendra Singh decided to bring out a village directory around the year 1999 was perhaps his effort to make sense of the village land ownership pattern after the late 1980s-early 1990s ‘land rush’ in that area. Rent also started escalating around the same period. Hareram, who helped to organise the house numbers started by the then village Pradhan Mahendra Singh Tokas, remarks how the system of house numbers allocated by the government was rendered completely useless as people who built their houses later on, randomly allocated numbers to their units themselves. The only way of finding somebody’s address is to search for the name of the landlord, his father’s name and caste. The lanes and bylanes, seem to create an internal coherence, a life-world that is not accessible to outsiders. It seems to have come to acquire a distinct character of its own, with its matchbox structures, ‘villagers’ who are millionaires and institutions which run with their own peculiar sets of rules and regulations.

A ‘one room set’ started being rented out for Rs. 3000-3500 in the early 2000s. Today, more than 50 per cent of the tenants in the village are from the north east, mostly from places like Manipur and Nagaland.<sup>34</sup> There have been several panchayats held in order to decide on the issue of the tenants from North East and Africa. There was a move to agree on not renting out property to them within the panchayats. Some villages like Katwaria Sarai already have such an understanding among themselves. It could not work out here as many have incurred heavy loans in the process of building houses and that tenants from the North East often do not negotiate too much with rents, which is why it is easier to charge slightly higher rents from them.

But the animosity towards the North East tenants for having a different culture, whereby the women are considered of being of dubitable moral standards, their food considered putrid has only resulted in a form of spatial segregation which is ordered complicatedly in the lack of clear lines and spaces of inhabitation. The constant allegation against the tenants of the north east is that they are destroying the moral fabric of the village because of the way men and women mix freely, the way they dress, the amount of drinking they do on streets. The beginning of this year, saw several cases of such racially charged incidents in some of the urban villages. Out of these incidents, the most talked about was the Somnath Bharati raid which was in contravention of the legal process into the house of some Ugandan women in Khirki Village on the charge that they had been running a prostitution racket. What ensued was a high-strung drama with the then Chief Minister Arvind Kejriwal holding a Dharna outside Rail Bhawan. Quickly followed by this was the rape of a minor Manipuri girl in Munirka village by a landlord’s son which hit the news and automatically escalated the animosity already present between the two communities.<sup>35</sup> After a few days of the rape, the village RWA called a Panchayat to discuss the ‘north east problem’. This caused an alarm in the North East community, which hit the headlines as how the ‘Khap panchayat’ in the village had decided to throw out all the north east tenants.<sup>36</sup> Some newspapers also reported that they had accepted to have had a meeting where the decision was taken that the ones who stayed out till late should be evicted.<sup>37</sup> The villagers went on a defense and argued that the meeting was not a Panchayat meeting but a regular RWA meeting. They agreed that the north east issue was discussed but it was merely decided that CCTV cameras will be installed everywhere to catch the ‘real culprits’ and that no discussion on evicting them ever happened. The tenants or ‘outsiders’ from the North East have been branded as trouble makers because of their drunken behavior and for staying out till late. When I mentioned to the RWA pradhan that drinking has been an issue within the Jat communities as well for years; Tokas

agreed and says '*par hum apne ghar mein, andar baith kar peete hain*'.<sup>38</sup> They argued that being from the village, they usually refer to any community meeting as Panchayat and that Khap Panchayats are caste specific panchayats and cannot be a panchayat of the entire village. It required police intervention to bring the village representatives and people from the north east to the table and a reassurance form the villagers that they would not be evicted from their houses. As some in conversation with me did admit that the meeting did discuss the eviction of the north east community from the village but it was supposed to be a slow process as any sudden decision would immediately mean a slew of cases against them on discrimination in the SC/ST Commission. The RWA had put in 90,000 Rupees for the CCTV funds while Dheeraj Tokas agreed to put in 11,000 Rupees as donation for the same. Quite predictably though, the incident of rape that had taken place less than a week back did not come up in any of the discussions or was simply avoided when I tried to bring it up.

This controversy brought out some interesting insights into the life of these institutions like the RWA. The association was made around 30 years before by Mahendra Singh Tokas, the Pradhan. A philanthropist, he used to feed the poor and animals and set up health camps for the poor and the old regularly as the RWA representative. He had also started a cow protection trust named after his father Desh Ram and got it registered. His close aide, Hareram, who had undertaken many such works with Mahendra Singh before he passed away in 2012. Sharma tells me that Mahendra Singh used to spend at least 2.25 to 2.5 lakhs every month on such social work. When asked about the source of such money, he mentioned that it used to come from rent, interest through money lending and land speculation. He added that he was also a man who did not believe in accumulating money for his coming generations. He was the one responsible for instituting the RWA and registering it. The RWA therefore, is almost like a modern reincarnation of the older panchayat. Instituted by the then pradhan, it was probably an attempt to gain legitimacy of the state as a recognised body. Voting is only open to all landowning men from all castes. Earlier, voting used to happen through a show of hands, but after a voting controversy in the year 2002, the RWA has resorted to a more formal, secret ballot form of voting. The RWA chairperson is referred to as the Pradhan and the meetings as panchayat. The panchayat therefore, has ended up in quite the flux that urban villages themselves are caught in. Munirka RWA is therefore a quasi modern institution which on one hand is hinged on a semi-legal institution of that of RWA to gain legitimacy in the eyes of the state, and on the other hand is still deeply rooted in older, pre-modern institutional ways of working to hold on to their 'community' and 'traditions'.

So, with regards to this controversy where then villagers argued that it was no Khap Panchayat, they were in a way not entirely false. But the interesting thing about these RWA/ Panchayat is that it can flip to either side as and when required. In the booklet that Mahendra Singh Tokas himself got published in the year 1999, it had a 20 point programme charted out for the RWA. One such point states, '*makaan banate samay yadi kisi divaar par ya kisi bhi tarah ka koi anya vivaad ho toh koshish karein ki seedhe police mein na jaakar association ke pradhan ki sabmati se apas mein mil baithkar suljhane ki koshish ki jaaye aur usme sachhai ka saath de va vivaad ko beech mein adhoora na chhodkar nishpaksh bhaav se faisla karane ke sahyog Karein jisse kisi nirdosh vyakti ko bevajah pareshani na uthani pade*'.<sup>39</sup> Another such point suggests that in the face of poverty, if somebody is unable to get his daughter married off, then association will help them arrange such weddings. It also organises communal festivals like holi, diwali and gordhan pooja in the village. The members of the committee constantly emphasised on the role of the 'buzurg' in the village. These functions or responsibilities of the Munirka RWA have clearly nothing to do with the technical responsibilities of the RWA as suggested under the guidelines of the State.

Dinanath from the Jatav community in the village, clearly describes the RWA as a caste institution which looks after the interests of the Jats of the village. In the name of wanting to resolve issues internally, they maintain the dominance of the Jats by threatening and dominating over the Dalits and other weaker sections. '*Bas Dadagiri ke liye bana rakhi hai?*', he says.<sup>40</sup> He argues how the RWA might not ostensibly come across as a Jat organisation, since there are members of the other communities as well. But the function of the village RWA is to squarely keep political and social privileges of the Jats of the village intact.

However, how clean has been this shift from the Panchayat to the RWA is not very clear. It is probably because of this reason, that the distinctions are not very clear in people's imagination. Virbhan Tokas, an 80 year old patriarch of this one particular family, spoke of the Panchayat going down and the association taking its place almost in one breath. On pressing him further, he remarked that no form of panchayat that exists today, however on other moments, he would very easily conflate the Association and the Panchayat. How much has the RWA been able to replicate the powers of the Panchayat too is very unclear. It does not command the power that Panchayats could at one point of time even if it wanted to. Social boycott, in terms of '*hukka pani?*' (stopping of sharing hukka or drinking water from someone's house) does not work any longer as the kind of dependence within which such social boycott used to function, does not exist. There have been inter-caste marriages amongst many other things, but the current RWA either cannot take these issues up or even if it does, it is not very effective in terms of stopping such things from happening. However, there are other moments when the RWA does come across as a major force. The election of the RWA is no small affair in the village. As voting takes place in the village *Baraat Ghar*<sup>41</sup>, older men in their safas, dhotis and sometimes walking sticks, stroll about the place, chatting to people. The RWA elections hold considerable social importance even today. The panchayats have a dubious status under law. Their dictums cannot be understood as final verdict as defiance is much easier in an urban context. Panchayats too therefore have this ephemeral yet strong presence in these villages. Many argue that Panchayats have remained as social institutions which keep alive the kinship relationships across villages. Devendra Shrawat laughs and says '*Shadiyon mein laddoo khaane jaate hain.*'<sup>42</sup> However, like we see in the previous sections before, in moments of crisis the Panchayat emerges as strong institutions and clamp down with indictments of its own and then dissolve back into being spineless social institutions. Panchayats are gravely important not simply the social lives of these villages but also their economic lives.

## Conclusion

The two urban villages, despite similarities, have quite a few major differences between them which mostly stems from how different forms of capital have made their incursions into these two villages. While both are rent capital, they are still different in nature because in the case of Munirka, it comes as mostly residential form of rent capital while in Shahpur Jat, it is mostly the commercial form which makes its inroads. Even the residential/manufacturing units which dominate the inner lanes of Shahpur Jat, are intrinsically linked with the high end commercial garment industry. Probably, this is why, one does not see the same kind of animosity towards the predominantly muslim karigars who live in these inside lanes of Shahpur Jat. Their presence in the public life of Shahpur Jat is also minimal because of their long working hours which usually lasts up to 12-14 hours.<sup>43</sup> This is again not to imply that the presence of such a high number of Muslims does not draw any disdain from the Jat landlords. One of them tells me, 'you should come here on a Friday, to see how many Muslims really live in this village.'

The disdain, however is not one sided all the time. Rajan, as he was telling me about the role of MCD in encouraging entrepreneurship says, 'Minoo Panwar, the current councillor from BJP wanted to collaborate with the designers recently to organise a village fair. Rajan adds, 'But you know their aesthetic sense. It was a *gaon wala mela*<sup>44</sup> she wanted while the designers wanted a classy affair. It did not work out in the long run'. Angela also, with this disdain in her voice and expression tells me 'They (jats) are very greedy. Some of them got educated, *par inme kabhi class nahi aayegi*<sup>45</sup>. 'Class' here is not simply a socio-economic category, it is also a possession. Its amorphous possession or lack of it is determined by what an individual is marked with. Harish, who owns a restaurant here, complains about brawls breaking out on the street, people peeping and staring at his customers from the balconies, which drive his customers away. 'The people here are uncouth', he says.

While the trouble on one hand is that of romanticising the past, on the other, the dangers are that of treating the man as purely *homo economicus*; whereby the aspect of being a human is totally dominated by the rationale of the market; of calculations of utility by an autonomous, atomised individual. Mark Granovetter points out that both the ends of the spectrum: imagining a sharp transformation from the premodern to the modern which might not necessarily be true.<sup>46</sup> Granovetter uses two aspects here – trust and malfeasance which often play the most crucial roles in terms of economic transactions. He continues to argue that social relations are mainly responsible for the production of trust in economic life and the concept of embeddedness understands 'networks of social relations which penetrate irregularly and in differing degrees in different sectors of economic life, thus allowing for what we already know: distrust, opportunism and disorder are by no means absent.'<sup>47</sup> Vinay Gidwani avoids the trap of economism through the aspect of overdetermination which takes into account the fusion of multiple logics.<sup>48</sup> He also argues that behavior in the market is often not limited to economic goals but also at sociability, approval, status and power.<sup>49</sup> The transitions are in a state of inchoate, irregular, sometimes even temporary set of elements and factors working in ways which are vague and momentary at best. I would also not want to see these communities as fixed, ahistorical entities, but rather understand their formations and transformations as deeply modern and as inherently linked to the market.

The coming of hard money with the compensation pouring in allows a regime of property to emerge that was unprecedented. Land gets transformed into a commodity that was now exposed to the vagaries of the free market and, in this particular case, there was a presence of high amounts of liquid money waiting to get channelised in various directions. Property in this process of transformation from embeddedness, becomes implicated in wider power relations, which again in turn, are not quite separated from the social relations. Nicholas Blomley points out how property relations mark the constitution of social life, of selves and bodies too.<sup>50</sup> The identity of the Jats in these villages is that of being the landowners. Many tenants in the Munirka Village complain '*woh humein kuchh nahi samajhte*'.<sup>51</sup> They talk of how the landowners treat them as inferior, and often, at their mercy. The identity of the jats here is intrinsically bound with them being landowners.

It is also probably important to understand how specifically violence in the case of Munirka at least, is always kept at the level of liminality, of being palpable, at least towards the north east tenants. There are sporadic cases of violence, ending up in street brawls or scuffles, but violence never takes place having all stops pulled out. But what Shahpur Jat on the other hand lacks unlike Munirka, is any sense of a palpable tension between the different sections of people inhabiting together. The villagers here seem to have reconciled to the presence of men and women from the fashion industry, dressed in ways that are absolutely alien to the cultures of the village. Yet, Shahpur Jat does not see this kind of animosity that the north east community in Munirka experiences. In fact, the relationship between the tenants and the landlords is quite the opposite. Most landlords here

claim, 'I am not like others here, you see. I will help people in whichever way possible. These claims are often corroborated by people like Harish. Harish tells me, 'I am constantly told how we have the best landlord. He does everything that is in his hand, to help us out.' Balwant Panwar, one of the few men who claim to be 'self made' in the village explains to me why the older generation does not believe in spending like the regular Delhi middle class. '*Who kya hai na, ki paisa yahan naya hai. Hum jahan khade hain, yahan unsafety rehta hai. Kal agar makaan gir gaya toh? Strength toh finance ka hi hai main. Paisa udate nahi hain hum, par kisi maksad mein laga dete hain.*'<sup>52</sup> Also the fact that these entrepreneurs running these fashion outlets are renting out only for commercial and not residential purposes helps. However, in maintaining an order of dominance by the landlords and the presence of palpable fear can also be one of the ways in which accumulation is perpetuated. A certain level of dominance, which can be achieved over a community by deploying tactics of racism, does not threaten their source of income, but perhaps only goes on to create scope for more extraction. This is not to imply that the feelings of animosity, hatred, violence is only make-belief and being deployed for instrumentalist purposes by the Jats. The already existing feelings of racism and hierarchy mutually reinforce the process of accumulation, by threatening or arm-twisting their tenants. The fear of violence, caste domination and the process of accumulation in cases like this are therefore, not really adversely related.

In the wake of the controversy on the 'khop panchayat' in Munirka on the north east issue, a response was issued by one of the students from Munirka, who runs Munirka Youth Brigade, to the activism of left organisations in Jawaharlal Nehru University campus on the issue:

Hum woh kisaan hai, jinhone Dilli ki pragati ke liye sabse pehle apni bhoomi di. Hum who log hain jinhone sadiyon is pathrili Aravalli ke kathor vaksh ko cheer kar usme pranaad kiya hai. Humne aapko bhoomi di apne swapno ko poora karne ke liye. Humne aapko aashray diya. Parantu aaj hamare hi shanaas par prashn chinh lagaya jaa raha hai. Hum balata thopi hui vikaas ke parinaamswaroop ardh nagariya tatha ardh grameen jaat hain....vikaas ke naam par, nagarikaran ke naam par, swatantrata ke baad jo das tarah ki sanskriti hum par thopi gayi uski baat kabhi nahi karte aap Comrade! Kis tarah ka samajikaran hamare badon ko mila, uski baat nahi karte aap. Dilli ke Jaat dilli ko sabhi ki rajdhani kehta raha, lekin Jaaton ka in sabhi mein kahin bhi saanjha nahi dikha.<sup>53</sup>

Peter Geschiere and Francis Nyamnjoh argue through their work on Cameroon as to how the 'Politics of Belongingness' which goes on to impact on the way contemporary politics is being shaped.<sup>54</sup> The questions of autochthony and its assertions too are not really remnants of the premodern past but rather quite a modern construction which only got its prominence post 1980s.<sup>55</sup> They explain how this issue of autochthony is a direct corollary to the historical movement of the labour market which does not simply operate through not simply freeing up labour but also through compartmentalisation and containment.<sup>56</sup> They explain how freeing up of labour through coercion in the French part of Cameroon was transformed into voluntary labour through the involvement of customary chiefs in the British part of colony.

In the case of the urban villages, the idea is somewhat similar. These institutions which also take the question of autochthony, the identity of the *gaonwalla* seriously, and build the institutions of RWA/Panchayats straddle both modern forms of associations and older questions of autochthony and belongingness which makes possible a form of violence which is also institutional. The presence of north eastern and Africans living cheek by jowl with the autochthonous community might be a matter of '*majboor*' or compulsion as many like to define it, but at the heart of why migrants are often seen as either eroders of culture seems to be linked intrinsically to the idea of accumulation of capital. The palpability of violence in these residential quarters which are not merely residential but

sources of earnings and livelihood for money, serves the instrumental purpose of maintaining a certain domination which is institutional, caste and class based and goes on to strengthen the process of capital accumulation. It becomes easier to maintain a system of arbitrary rents and threats of vacating the premises in the absence of a contract. Therefore, the story of capital, in its social life, meanders through institutions like caste, domination and exploitation and exercised through fear, violence and claims of autochthony. In case of the Shahpur Jats, for a section for whom big capital is new, probably also realise how fickle is the nature of money. Flight of capital is therefore not something that is entirely impossible given the rate of gentrification of the city. This does not happen with residential urban villages, the scope of cheap, residential localities are much more constricted and limited in South Delhi, unlike the scope of investments for commercial capital. Therefore, in maintaining the exclusivity of Jungi lane and the high rents that it claims, it becomes imperative to keep it sanitised and off the reach of the 'unwanted' who can neither invest nor consume. Capital, especially of the commercial nature, can be volatile, given the speed at which the city spaces are becoming gentrified. As they realise this, they probably feel the need to be pliant towards this kind of commerce.

However, I would also refrain from arguing that the questions of caste solidarity, claims of autochthony and racism are merely being exercised for instrumental purposes. What is important here is to understand how questions of autochthony and belongingness which might be pre-market in their origin, work itself with the logic of capital. The fear of violence, which exists at the level of liminality, rarely flares into a full-blown confrontation. The interest of creating surplus works as much through caste interests, racism and similar aspects as much as it does through the rational choice making abilities of the homo oeconomicus. The curious ways in which capital and community (kinship, caste and the village) reinforce each other exist in the face of land becoming a commodity. The task, however, that remains at hand is to see how rent feeds into finance capital, into investments in land and the black economy of chit funds, to see how this mere accumulation of wealth stops mostly at its accumulation and does not get invested into creating cultural capital of any kind and how fear and violence become the primary nodes around which this circulation is kept alive. David Harvey, taking from Marx's conception of rent, attempts at theorising the system of house rents through what he calls the 'class monopoly rent'.<sup>57</sup> He looks at how urbanisation creates relatively permanent, man-made resource systems which contributes to the high value of land. He talks of a class of professional landlord managers and speculator-developers. Here, he argues that the land passes to speculator developer through landlords. <sup>58</sup> Harvey takes into account how race and ethnicity play a role in this kind of spatial organisation of the city as it helps to maintain exclusive, island like structures. I look at a scenario, where these two separate classes of speculator-developer and landlords collapse into one figure and how social basis of organising a space is constantly being reformulated in its own socially coded ways. This explains how questions of caste, race and kinship manage and control a housing market whereby these institutions themselves emerge as rent seeking in nature.

## Notes

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<sup>1</sup> 'Seth' is a colloquial Hindi reference to rich men, mostly associated with business, which has lost its currency in contemporary times.

<sup>2</sup> Here, I am referring to the works of David A. Ghertner, 'Rule by Aesthetics: World-Class City Making in Delhi' in Ananya Roy and Aihwa Ong (eds.), *Worlding Cities: Asian Experiments and the Art of Being Global*, Blackwell Publishing, 2011, pp. 279-306; Amita Baviskar, 'Between Violence and Desire: Space, Power, and

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Identity in the Making of Metropolitan Delhi', *International Social Science Journal* 55:175 (2003), pp. 89-98; A. Sharan, 'In the City, Out of Place: Environment and Modernity, 1860s -1960s', *Economic and Political Weekly*, 41:47 (November 25, 2006), pp. 4905-4911; Leon Morenas, *Planning the City of Djinnns: Exorcising the Ghosts in Delhi's Postcolonial Development Machine*, Unpublished PhD Thesis, Rensselaer Polytechnic Institute, Troy, New York, 2010; Sunalini Kumar, *Planning, Politics and Protest: A Study of Urban Development in the National Capital Region*, Unpublished PhD Thesis, University of Delhi, 2013.

<sup>3</sup> Diya Mehra, "Planning Delhi ca. 1936-1959", *South Asia: Journal of South Asian Studies* 36 (3), 2013, p. 371

<sup>4</sup> Ibid.

<sup>5</sup> Villager

<sup>6</sup> The land earmarked for village *abadi* and the agricultural land of the village were duly demarcated in the land settlement of 1908-09 and the *abadi* site was circumscribed in the village map in red ink; therefore the name Lal Dora. It still is in use with Lal Dora as the village residential land and the extended Lal Dora land which was left outside the village as vacant land but has now seen massive mushrooming of buildings. The borders between *lal dora* and extended *lal dora* are extremely amorphous and therefore a source of confusion.

<sup>7</sup> Delhi Development Authority, 'Work Studies Relating to the Preparation of Master Plan for Delhi', Volume III, p.769. It remains a question however, if one should dismiss it as a matter purely of a Utopia gone wrong; or as a matter of intention of the Plan itself, which would want to preserve such pockets in the middle of the city in order to retain spaces for the poor migrants.

<sup>8</sup> Brotherhood

<sup>9</sup> String Cot

<sup>10</sup> A traditional contraption meant for smoking

<sup>11</sup> The story of this migration is extremely sketchy. Munirka was the fiefdom of a noble called Munir Khan which some say had to be given to the Ruddh Singh Tokas, as a form of repayment of debt; while some others argue that the muslims were driven away by the Jats.

<sup>12</sup> 'They used to keep their bullock carts with us at one point of time. Now they keep 8-8 cars'.

<sup>13</sup> Artisans

<sup>14</sup> Frames meant for embroidering.

<sup>15</sup> Let the rent keep coming in. Why should I get bothered for no reason?

<sup>16</sup> Youth Brigade, Munirka Pamphlet dated 13 October 2013

<sup>17</sup> Rajiv Dixit (1967-2010) believed in the idea of an economy based on swadeshi and that swadeshi is the only way for an economy that is strong and self reliant. His idea of swadeshi was however not simply limited to economy but also extended to education, medicine and judiciary. See <http://rajivdixit.net/>. Evidently very right wing in many of his ideas, he is also known for having made some preposterously fantastic comments about the Nehru-Gandhi family.

<sup>18</sup> 'Now they are egoistic. It can be about money or anything. They think these people are merely tenants, what can they do'.

<sup>19</sup> Rupees one lakh is equal to one hundred thousand Rupees.

<sup>20</sup> Flour mill.

<sup>21</sup> Union Public Service Commission is a Central Government body which recruits civil servants in India.

<sup>22</sup> Vajiram and Ravi is a popular UPSC Coaching Institute in Delhi.

<sup>23</sup> 'This place... the backward classes used to stay here. They were very poor. They sold off their property and went somewhere else'.

<sup>24</sup> Kunba is a unit of kinship ties that spans mostly up to three generations.

<sup>25</sup> 'And you don't know what caste they would belong to and what religion they would belong to'

<sup>26</sup> Nobody will talk to you. Here, everybody is 'jaat headed'. Do you understand jaat headed?' By the term jaat headed, he was trying to mean something like being 'pig headed'.

<sup>27</sup> 'Dada Jungi Lane: This is not a thoroughfare.'

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<sup>28</sup> A covered courtyard kind of a place in the house, where the men would traditionally meet, chat and smoke hukka. Baithaks have traditionally been a marker of social and economic capital as only a certain rich Jat farmers could have baithaks in their houses.

<sup>29</sup> Many famous designers like Suneet Varma and Manish Arora used to have huge factories in Shahpur Jat ehn they started their careers. As rent started escalating, these bigger factories have now moved to Noida.

<sup>30</sup> ‘The houses used to be far apart from each other.’

<sup>31</sup> ‘People used to come in while casually wandering around.’

<sup>32</sup> ‘The houses were very labour-class like.’

<sup>33</sup> ‘Initially the villagers thought that foreigners had come to stay in the village. Their deal is entirely different. If you are taking something on rent, you will bargain. They don’t do all that.’

<sup>34</sup> Jayashree Nandi and Somreet Bhattacharya, ‘Anti-North East Fiat in Munirka, Cops Step In’, *The Times of India*, 18 February 2014.

<sup>35</sup> The cases of harassment and molestation of women from the North East are numerous, and not necessarily always from the side of the landlords. <http://www.indlaw.com/guest/DisplayNews.aspx?2C1C0890-3787-45D6-A702-BA7A73F41BEA>

<sup>36</sup> Jayashree Nandi and Somreet Bhattacharya, ‘Anti-North East Fiat in Munirka, Cops Step In’, *The Times of India*, February 18, 2014. Binalakshmi Neparam, one of the major activists was quoted saying ‘The first panchayat meeting took place on 9th February after the 14 year-old from Manipur was raped. Thanks to media pressure, the rapist was caught. That was a first. At the first meeting, some of the people said that the people from northeast are ‘gandey log’ (dirty people). Then another meeting was held on Sunday, where they said they wanted to rid of all ‘gandey log’. This is similar to the Khirki incident, and they have said that Northeast girls are loose and of bad character’. Shrutī Dhapola, Delhi: Munirka’s Campaign against Gandey Log of North East’, *Firstpost*, February 19, 2014. [http://www.firstpost.com/india/delhi-munirkas-campaign-against-gandey-log-of-northeast-1396833.html?utm\\_source=ref\\_article](http://www.firstpost.com/india/delhi-munirkas-campaign-against-gandey-log-of-northeast-1396833.html?utm_source=ref_article), accessed on 2 November 2014.

<sup>37</sup> Jayashree Nandi and Somreet Bhattacharya, ‘Anti-North East Fiat in Munirka, Cops Step In’, *The Times of India*, 18 February 2014.

<sup>38</sup> ‘But we drink inside our homes.’

<sup>39</sup> Munirka, Document brought out by Chaudhary Mahendra Singh, pp. 8-9 ‘While making a house, if there is some feud over a wall, or any other disagreement, then instead of going to the police, try approaching the association’s pradhan and with his assent try to resolve the matter within. Side with truth and do not leave the discussion midway. Assist in sorting the matter in a disinterested manner so that no innocent person has to go through undue harassment.’

<sup>40</sup> ‘That is only a way of purporting their bullying.’

<sup>41</sup> Community Hall.

<sup>42</sup> ‘They go to eat sweets at weddings.’

<sup>43</sup> One Karigar tells me how on Sundays, Shahpur Jat is literally empty. That is one day the karigars get an off. The rest of the week they work on their addas from morning to almost late in the night.

<sup>44</sup> ‘Village like fair.’

<sup>45</sup> ‘They will never have Class’

<sup>46</sup> Mark Granovetter, ‘Economic Action and Social Structure: the Problem of Embeddedness’, *American Journal of Sociology* 91 (3), 1985, p. 482.

<sup>47</sup> Ibid. p. 491

<sup>48</sup> Vinay Gidwani, *Capital Interrupted: Agrarian Development and Politics of Work in India* (Minneapolis and London: University of Minnesota Press, 2008), p.185.

<sup>49</sup> Granovetter, ‘Economic Action and Social Structure’, p. 506

<sup>50</sup> Nicholas Blomley, ‘Landscapes of Property’, *Law and Society Review* 32 (3), 1998, p. 573

<sup>51</sup> ‘They don’t think of us as anything.’

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<sup>52</sup> 'You know what, money is new here. Where we are standing, it is unsafe. What happens if the house falls down tomorrow? The main strength is that of finance. We don't believe in being spendthrift. We instead like to invest it somewhere.'

<sup>53</sup> 'We are those farmers, who were the first to give their lands for Delhi's development. We are the people who for ages have toiled on the hard, rocky soil of the Aravalli and infused life in it. We gave you land so that you could fulfill your dreams. We gave you shelter. But today there is a question mark on our existence. Because of development being thrust on us, we are the semi-urban, semi-rural jats. In the name of development, urbanisation, ten different kinds of cultures have been thrust on us after independence. Why don't you talk about that comrade? You don't talk about the kind of socialisation our elders received. The Jats of Delhi have recognised the city as everybody's capital, but it seems that the Jats themselves have had no participation in the city.'

<sup>54</sup> Peter Geschiere and Francis Nyamnjoh, 'Capitalism and Autochthony: The Seesaw of Mobility and Belonging' In Jean Comaroff and John Comaroff (eds.), *Millennial Capitalism and the Culture of Neoliberalism* (Durham and London: Duke University Press, 2001).

<sup>55</sup> Ibid.

<sup>56</sup> Ibid, p.180

<sup>57</sup> David Harvey, 'Class-monopoly Rent, Finance Capital and the Urban Revolution', *Regional Studies* 8 (3-4), p. 241

<sup>58</sup> Ibid, p. 243.

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