

Migrants, Vigilants and Violence: The Making of New Urban Spaces in Mumbai

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Mapping the field

On 10th August 2012, a young woman was brutally murdered in her apartment allegedly by the security guard of the building where she lived. The security guard accused and later convicted of the crime, termed a 'perversion of the highest order', was Sajjad Patthan from Srinagar.

Following this incident in January 2013, Mumbai police arrested 21 security guards allegedly for using firearms illegally in the city. The arrested persons worked with various security agencies and they were all migrants from Jammu and Kashmir. The guards had not secured a no objection certificate from the Mumbai Police to carry weapons in Mumbai jurisdiction area. They had private licenses for their weapons and were using them for professional purposes without the required permits.

Responding to this incident of the arrest of 21 Kashmiri guards, the apex body of private security guards wrote to the Chief Minister of Maharashtra stating that this would lead to marginalization of Kashmiri ex-servicemen who came to the city to find work as private security guards. "Most of these guards are ex-servicemen with valid licences from their home states. Surely these licences are given after due verifications. Does this mean that Kashmiris do not have the right to work anywhere in India?" asked Gurcharan Singh Chauhan, president of the association. Private security agencies employ armed guards wherever required, as there are contexts where guards work under tremendous threat to their lives. (<http://www.sunday-guardian.com/news/security-apex-body-cries-foul>)

As protector turns predator and the outsider is tagged criminal, irresponsible and singled out for punitive action, many hidden scripts of marginalization, the fragility of security, inhuman work conditions, and the collision of sharply divergent lives come to the forefront. The instances presented above frame some of the key issues that we wish to address through our research. The project marks an attempt to describe, document and analyse the widespread and radical transformation of urban spaces and city lives through the

structural contexts of work and life of migrant workers, especially those addressing the need for providing security in the inherently insecure urban landscape. Our cities are changing drastically, in their spatial, social and governance contexts. In the last two decades, Mumbai has seen the mushrooming of private security services to cater to security requirements of private housing societies, private industrial houses, ATMs, and banks. While this could be viewed as the retreat of the state from its core functions of security, protection and order, we are already well versed with the problems of this interpretation of neo-liberalism. Our ethnographic journey into the world of the private security guards, their employers and their places of work and their sharply contrasted private worlds reveals many complex narratives of legality/illegality, the dynamics of labour, and the politics around migration and identity. Unravelling these narratives further presents two analytical contexts: new kinds of urban socialities, new practices of governance and control and emerging forms of a negotiated, compromised and a fragile sense of security and order.

Many of the private security services employ large number of rural migrants on contract basis to work for them as security guards. The study focuses on two aspects of the relationship between migrants and the city: first, the conditions of life and work of these security guards and second, the new kinds of urban spaces and socialities implicated in this relationship between migrants and the city. A closer examination of the lives of security guards also imbricates the critical issue of internal, homeland security, in the complex intricacies of private worlds, insecure work conditions, failure of the state as protector and guarantor of fundamental rights in a changing urban environment and in the global context of terror. Multiple meanings of security and protection emerge; often in serious contestations with each other. One of our informants, the CEO of a medium-sized private security agency articulated some of these meanings of security: ‘Earlier we had the *chowkidar* system, where a person would be hired by the residents and given a stick and a whistle and would be paid by the houses he was guarding. We had the belief that if something were to happen he would give us a warning. In cities like Mumbai when the concept of high-rise buildings came up security could not be just limited to one or two guards. There were various aspects that needed to be dealt with such as what the vicinity was like, proximity to the police station, access to the building, entry and exit points, how to evacuate in case of an emergency – all these became significant additions to the concept of security. Other issues such as deforestation of mangroves, gobbling up of playground and other common spaces by the builders and prevention of such encroachment also becomes important’. This informant narrated what could be one of the core focus areas of this study: the shift in meanings of the

term security, the multiple meanings people tend to assign to security and the routes people take to ensure a sense of security. Protection, vigilantism, emergent and shifting threat perceptions thus frame the issue of security. In fact, one of the early analytical points we wish to suggest through this study is that the understanding of security vacillates between protection and vigilantism. And the practices of security work are configured through the multiple meanings of security. The work of security guards thus vacillates between the vigilante mode, the protective stance, the public relations approach and the armed and ready for combat mode. Our research examines the practice of security work in the light of these different positions and shows the intersubjective and mutually constitutive relationship between the nature of work and the required mode of work.

Legal Dimensions of Security Work

When we began thinking about this research, the term socialities meant the networks of support that a person has to nurture in order to survive in the city (caste, kinship, village networks), relationships that the migrant enters into in the context of work, and their engagements with new kinds of spaces. However, with the preliminary round of fieldwork, we find that the legal domain, with its different Acts to regulate the practice of the security business in Mumbai, is a partial, yet significant framing device for the kinds of socialities and spaces that configure work, public spaces and the city. The two apparently conflicted Acts that we study closely in this context are the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981 and the Private Security Agencies (Regulation) Act, 2005 (hereafter, PSARA). In presenting these two legal provisions in the business of providing security services, we explore their provisions not just through an analysis of the legal documents, through our interviews with people from the State run Guard Board and the many private security agencies and through the occasional enactment of the conflict between the two legislations in a court of law. For instance in 2009, the Security Guards Board lodged a complaint against Taj Hotels for employing the services of unregistered private security agencies, which were in direct contravention of the provisions in the 1981 act. We describe the two Acts as apparently conflicted as the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981, a state level legislation seeks to regulate all security guards hired by principal employers by ruling that all such employers must hire guards from the state run security guard board only. Simultaneously, the Act offers certain exemptions from this rule. For instance, those providing armed guards are exempt from being under the jurisdiction of the above act. The PSARA, a national Act covering all states with the lone exception of the state of Jammu and Kashmir, intends to regulate the functioning of private

security agencies through the setting up of a licensing system, implying that anyone carrying on a business of a private security agency can only do so after acquiring a license under this Act, which is granted provided the company fulfils all other labour regulations and those concerning shops and establishments.

Before the enactment of this legislation in 1981, a study was conducted on the conditions of security guards bringing to the fore the exploitation of security guards - low pay, long working hours and inhuman conditions of work and non-payment of pension and other benefits. Madhavrao Bhonsale, the leader of the Maharashtra Kamghar Union who had campaigned for the constitution of Mahtadi boards, was a key figure in the struggle to secure the conditions of work of security guards. A R Antulay, the then home minister passed the ordinance and later the 1981 Act. There are three branches of the board: Tarapur, Kalyan and Vashi (Sanpada). Recruitment happens once or twice a year through a public advertisement and also through word of mouth and the networks of existing guards. Last year about 7000 guards were registered through a process that checked medical fitness and suitability for the job of a security guard. The age group for general candidates is 18-35 for reserved and 18-30 for open unreserved posts. As of now, there are about 23000 security guards under the Board. About 500 to 600 are women. The process of recruitment is as follows: registration after police verification and medical test, followed by training of about 15 days, after which their names are put in the wait list. Most of the recruits are from general caste and are Hindu. There are very few Muslims and people from the scheduled castes. Further, most of the guards are from Western Maharashtra. Establishments approach the board, register with a board as principle employers, security guards are allotted, and a month later payment is made as set by the board. Section 16 of the Act empowers the board to visit and survey the field to ensure that the employers and guards abide by the terms and conditions of contract. Thus, there are three principal actors - the security guard board, principle employer and the guards. The board is concerned with establishment that come under the Bombay Shops and Establishment Act 1948 and the Factories Act 1948 with the Maharashtra Factories Rules, 1963. Private agencies are not within its purview. The 1981 Act however allows for a clause of 'exemption' wherein the Advisory Committee can consider establishments that employ private agency guards for exemption provided they follow the State's rules on the remuneration of security guards and other benefits. The security guards are paid about 13- 15000 and also covered under accidental insurance scheme of 5 lakhs, provided training, given free snacks and tea during the training, and once allotted work they are two free uniforms once in two years, and monsoon and cold wear. The guard board thus

draws its legitimacy from three sources: the legal enactment, written and codified, the product of a government intervention; secondly, the guard board could be seen as inheritors of a successful labour movement to secure the rights of the security guards and finally, as the board recruited largely people from Maharashtra, they drew support from the dominant political discourse.

One of our primary informants, Mr. Bhide was appointed to the board on 1 October 1981, at the time when the board was set up. He was part of the union. He spoke about the occasions when the 1981 act and the authority of the Guard Board were challenged or the Guard Board was in conflict with other authorities. In 1983, the 1981 Act was challenged by private agencies. The case went on for five years and finally settled in favour of the Act. The PSARA Act similarly has been challenged by the board and the state government. The case has recently been settled in the Supreme Court in favour of the board, upholding the 1981 Act and undermining PSARA Act, thereby also making the case of Private Security Agencies Association of India weaker. The PSARA Act has at least on paper tried to regulate private agencies. The service tax case against Tops Agency has also been one of the landmark judgments in favour of the board. These cases and the judgments in each of these will be examined critically to reflect on the nature of conflict between worker groups, private business interests and the state's negotiations of these. The conflicts visibilised through legal cases, judgments and state interventions indicate state-society relations and frame the work relations in the domain of security work.

The tension between the two acts is thus indicative of three kinds of conflict; first is the conflict between large and sometime multinational players and the state run Guard Board, which attempts and intends to encompass all the business in the domain of security work, Second, there is conflict between the kinds of people who are employed by the private security agencies and the state run guard board. One of the key senior officials of the guard board had pointed out that most of the recruits of the guard board were from Western Maharashtra and largely Hindu and from general castes. In our interviews with owners of private security agencies we learnt that the process of recruitment was based on need, rather than a systematic annual or bi-annual recruitment process. Private security agencies had supervisors and inspectors, who not only kept track of the personnel they had supplied to businesses and establishments, but also went around their assigned areas looking for people who could be employed as security guards. Most of the people employed through the private security agencies were migrants from outside Maharashtra, generally from the states of Uttar Pradesh and Bihar. And finally, this mirrors two public and deeply political and politicised

discourses: the tensions between the sons of the soil (Weiner 1978) and the migrants and the apparently contradictory images of the city of Mumbai as a cosmopolitan, finance capital welcoming of diverse groups of people, and as an exemplar of a path of return to Marathi glory, signifying pride in its culture and language, negating all that is ‘outsider’ and alien. That the security guard board was in tune with the dominant political discourse further conveys the intensity of the contestation between the public and private players in the business of security. We realise that our focus on the law allows us to travel into the history of the city and through it to the shifts in the political economy of the city. The tension between the two acts – PSARA, 2005 and the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981, mirror the coalesced concerns of labour movement and the sons of the soil movement. The continued significance of the sons of the soil movement in Mumbai is derived from this coalescence.

Terror and Panopticism

Surveillance is a significant aspect of the way in which emerging conceptions of security are set up. In ethnographically exploring the different modes of security work, we delve into the practices of surveillance and the paradoxes it reveals. A panoptic culture of surveillance ostensibly secures us, warns us and prevents dangerous situations from arising. Yet, it also shatters the myth of private, intimate worlds. Spaces merge. The public and the private are often forced to coalesce in dangerous ways, leading to fatal consequences. We refer here to the cases where security guards, those entrusted with protecting and providing a sense of security have turned predator, destroying the lives they have been hired to protect as in the case of the young woman who was sexually assaulted and brutally murdered by a security guard of the building where she resided in Mumbai. While there are many issues such as those of gender, class, and power embedded in an understanding of such a violent crime, we use such cases of violent criminal activity by security guards to explore the imbricated relationship between security, vigilantism, protection and the larger contexts of panopticism and terror. Thus, the role of the security guards is marked by deep ambivalence, owing to the violent acts that some have been involved in and the precarious nature of their being migrants. The portraits of security guard as criminal, as protector, sometimes a gun-toting one, as vigilante, as a police substitute, and as the migrant as outsider and therefore subject to violence, is juxtaposed with their fragile and often violent work and life contexts. The flagrant violations of work norms as well as existing regulations for the recruitment of security guards, the lonely and deeply insecure lives of the guards themselves, and the ways in which the panoptic mechanisms are used – these are the issues around which the central

idea of how migrant labour shapes and produces urban spaces, are explored. Implicit in this question is the thematic of new urban socialities as they evolve in residential buildings, in malls, in restaurants and offices. The new urban socialities are thus explored here as a series of contestations: between people marked insiders and outsiders, between spaces – the public and the private domains, between legal frameworks – the state and central level laws, and within the larger contexts of terror, panopticism and global consumerism. Through a focus on the lives of security guards we unravel the connections between these aspects.

Methodological Challenges

As our limited fieldwork has shown, our attempt to ethnographically narrate such connections, otherwise diffuse presents methodological challenges. The most obvious challenge is linked to the multi-sited and dispersed nature of the field. When we started out, researching the lives of Mumbai's security guards seemed innocuous enough and we imagined our primary methodological challenge would be to create conditions that would enable the guards to talk about their work, the pay, relationship with employers, process of recruitment and their grievances. We had presumed that uncovering the connections between the private troubles of the security guards and the public issue of how the security business is set up and how this is shaping the urban space in Mumbai would be a relevant sociological question to explore. No doubt it is. Yet, as we entered the field, the puzzle took on many other dimensions, which compels us to turn the ethnographic lens not just on the micro world of private security guards but also on the laws and the passing of the concerned legislations and the consequent structuring of labour, on the dominant political discourse that constructs the category of the 'outsider', on panopticism and surveillance cultures that circumscribes city lives. The ethnographic foray into the legal arena enables a transcendence of subjectivities of the micro world, making possible an ethnography of the macro domains and structural aspects. The study thus also has methodological significance in so far as it attempts to articulate a way of doing ethnography of apparently diffuse, dispersed, fragmented, yet all-pervasive realities of everyday life in the city.

References

- Foucault, M. 1977. *Discipline and Punish: The Birth of a Prison*. London: Penguin Books.
- Foucault, M. 1980. The eye of power, in C. Gordon (ed.) *Power/Knowledge: Selected Interviews and Other Writings 1972-1977* by Michel Foucault. Sussex: Harvester Press, 146-165
- Gray, M. Urban Surveillance and Panopticism: Will we recognise the facial recognition society?, *Surveillance and Society* 1(3): 314-330. <http://www.surveillance-and-society.org>
- Koskle, Hille. 'Cam Era': The Contemporary Urban Panopticon, *Surveillance & Society*, 1(3):292-313 <http://www.surveillance-and-society.org>
- Lyon, D. 2006. The Search for Surveillance Theories, in David Lyon (ed.) *Theorising Surveillance: The Panopticon and Beyond*. Devon, UK: Willian Publishing.
- Patel. S and Masselos, J. 2003. *Bombay and Mumbai: The City in Transition*. New Delhi: Oxford University Press.
- Weiner, M. 1978. *Sons of the Soil: Migration, Ethnicity and Nativism in India*. Princeton: Princeton University Press.
- The Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981, Mumbai: Snow White Publications, 2007.
- The Private Security Agencies (Regulation) Act, 2005, Mumbai: Labour Law Agency.
- 30 March 2013, *Security Apex Body Cries Foul* <http://www.sunday-guardian.com/news/security-apex-body-cries-foul>
- 26 December 2012, *Cops To Snatch Away Gun Licence Of Pvt Guards* <http://archive.indianexpress.com/news/cops-to-snatch-away-gun-licence-of-pvt-guards/1050284/>