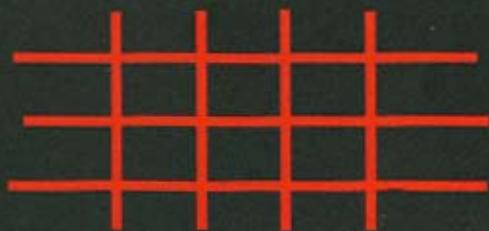


**HOW MANY ERRORS DOES
TIME HAVE PATIENCE
FOR?**

Industrial Closures and Slum Demolitions in Delhi



सीने में जलन आँखों में तूफान-सा क्यों है
इस शहर में हर शख्स परीशान-सा क्यों है

Delhi Janwadi Adhikar Manch
April 2001

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When one individual inflicts bodily injury upon another, such injury that death results, we call that deed manslaughter; when the assailant knew in advance that the injury would be fatal, we call his deed murder. But the society places hundreds of proletarians in such a position that they inevitably meet a too early and an unnatural death, one that is quite as much death by violence as that by sword or bullet; when it deprives thousands of the necessities of life, places them under conditions in which they cannot live – forces them, through the strong arm of the law, to remain in such conditions until that death ensues which is the inevitable consequence – knows that these thousands of victims much perish and yet permits these conditions to remain, its deed is murder just as surely as the deed of the single individual; disguised, malicious murder, murder against which none can defend himself, which does not seem what it is because no man sees the murderer, because the death of the victim seems a natural one, since the offence is more one of omission than of commission. But murder it remains.

– Frederick Engels

The Conditions of the Working Class in England

"The sweep of the right to life, conferred by Article 21 is wide and far-reaching. 'Life' means something more than mere animal existence.... An...important facet of that right is the right to livelihood, because no person can live without the means of living, that is, the means of livelihood. If the right to livelihood is not treated as a part of the constitutional right to life, the easiest way of depriving a person of his right to life would be to deprive him of his means of livelihood to the point of abrogation".

— Supreme Court of India
from the Olga Tellis case (AIR 1986 SC 180)

In the last decade, the working class of Delhi has come under relentless attack. Hitherto, they were victims of a low-wage economy that had compelled them into living and working in subhuman conditions. Now they are threatened by the spectre of joblessness and loss of their shelter, and therefore forced to quit Delhi.

The link between livelihood, shelter and the right to life was clearly elucidated in the Olga Tellis case in 1986. Today, fifteen years later, the milieu has changed and the right to life is being threatened by the same Court in the name of fighting pollution. There is no doubt that pollution is a major impediment to the well being of people at large. Particularly for those who are compelled to work in hellholes and reside in crowded colonies or jhuggi jhopris, which are poor in terms of civic amenities. Urban pollution also tends to pollute adjoining areas. It is our contention that if the aim is to fight pollution and improve the health of the citizens then it should begin by addressing the issue in terms of the disproportionately high impact of pollution on the lives of the working class people. People who worked here were sellers of their labour power and played no role in the running or management of the industrial units. Similarly, their low wages and exorbitant costs of housing in Delhi compel them to live in jhuggi-jhopris. Let alone address this basic problem, and improve the living and working conditions of those who are its victims, it is they who are being victimised and made to bear the burden of cleaning and beautifying the city.

If the Supreme Court itself violates the right to life of citizens and displaces lakhs of the working class, then the message is loud and clear that the issue of survival of the workers has become non-justiciable. This report attempts to highlight the massive displacement of ordinary people with the closure of industries and the demolition of slums, the working and living conditions of the bulk of Delhi's citizens, and the politics behind pollution. It is a modest effort to add our voice to the anguished voices of those who are being victimised today in the name of fighting pollution.

Industrial Closures in Delhi

In December last year, a rumour went around jhuggis near industrial areas in North and East Delhi. Trains leaving for U.P. and Bihar had apparently been attached with two extra bogies by the government in which one could travel free. Thousands of workers were leaving the city in desperation, following closures in several industrial areas. However, many who fled the city ticketless during those days were caught during the journey. Not having the money to pay the fine, many landed in lock-ups. Similarly, state transport buses leaving from the Anand Vihar Bus Terminus were overflowing with workers' families heading back to their villages in U.P. Hundreds returned to Rajasthan and Haryana too. It was an exodus of over one lakh of people from the city. This was simply the beginning of a series of closures.

Following a Supreme Court order (of 12 September 2000) that directed the Delhi government that "all polluting industries of whatever category operating in residential areas must be asked to shut down", teams of sub-divisional magistrates accompanied by police personnel had begun sealing hundreds of 'non-conforming' polluting units. Twenty-seven "undisputedly polluting industries" — acids and chemicals, dyeing and bleaching, electroplating, glass products, plastic dye, polythene, steel re-rolling, PVC compounds, among others — listed in Annexure III 'F' in the Delhi Master Plan (MPD 2001) were initially targeted by the government. Over the next few weeks, hundreds of factories in Tri Nagar, Keshopuram, Vishwas Nagar, Rohini, Narela, Samaipur Badli, and numerous other areas were sealed. The official count of industries sealed in this round of closure between November to January 2001 is 2,856.

Factory owners in the entire city who faced the threat of sealing, closed their units even prior to receiving any notice in fear of their machinery getting locked up. They had decided to wait and see what the outcome of the ongoing closures was, and were transporting their machinery to godowns, to their homes or elsewhere. In a matter of a few weeks, according to our estimate over four thousand industrial units in this city ceased functioning, throwing over 50,000 workers out of work.

When teams from the Delhi Janwadi Adhikar Manch surveyed some of these localities in December, all kinds of economic activity were in the process of winding down. The effects of industrial closure tend to be widespread, having negative spin-off effects in the locality in general, beyond the factory. All kinds of small establishments and the casual, contract or the informal workforce within them had been hit by

closures. These include teashops, dhabas, vendors and hawkers, as well as loaders transporting material. Shopkeepers complained that, ever since the closures began, their sales of items had reduced to a fraction of what it used to be. When the impact of closures are so widespread, their ripples are felt far beyond the industrial unit. In a jhuggi near Lawrence Road, one woman summed it up, "My husband sells water on the roadside. Now that there are no people around, who will buy water?"

The majority of these migrant workers from villages and small towns in U.P., Bihar and other states are completely at a loss. When the current round of closures first began in late November last year, thousands of workers took to the streets. It was a scene Delhi has rarely witnessed. Factory owners who needed the workers to add to their protest against closures facilitated these initial protests. There was as much anxiety and uncertainty as there was anger. The protests were violent in some places. But by the time Manch teams visited these areas some days later, most workers we spoke to were completely clear they would never be used in that fashion by their factory owners again. Three workers were killed in police firing in Vishwas Nagar on 20 November, but not a rupee's compensation was forthcoming from a single factory owner. Workers and shopkeepers of the area had collected money to send the families of the dead back home. Around sixty workers languished in Tihar as no factory owner wanted to bail them out. There was intense anger against factory owners and particularly against the Delhi government.

Those affected comprise a completely non-unionised workforce given the nature of units and production processes in these areas. A few factories employ 100-150 workers but most others are small units, employing anywhere between 4-15 workers. The average workforce would be 9-11 workers per unit. Most workers are made to work twelve hours a day, six days a week on a regular basis.

On the day that closures took place in their areas, workers reported for work in the morning only to be told there was no work. Numerous workers said that before factory owners managed to shift their machinery, they had reassured them that their jobs and wages would not be affected, but once they took their machinery out, they sang a different tune. One skilled *mistry* who earned 1,800 rupees a month in a factory in Jaimata Market, Tri Nagar, said the place he worked in was closed down on the weekly off by the owner who transported his machinery to another factory he owned in Mangolpuri. When the workers reported for work the day after the weekly off, they were told there was no work.

This kind of abrupt dismissals were faced by all workers we spoke

to, without exception. In the kind of industrial units that exist in Delhi, there is no security of job. Workers who have worked in a factory for years can be abruptly thrown out of a job. In some cases, they were asked to come back after 3 January (on the day of the next hearing of the case in the Supreme Court) by which time, they were told, the situation would be clearer. Some were told that the factory would reopen on that date. Most were simply asked to leave, or return to their villages. In some cases, workers were physically forced to sign settlement papers by factory owners with the use of goons and by bribing the local police. (See box "High Profits, Cheap Closure".)

Initially, a number of workers were under the impression that their factories would reopen either at the existing site or at the site of relocation. But there is little chance of most of these factories reopening. Factory owners said that most of them did not have the money to invest large sums of money in new sites. And they will probably start different operations in Delhi itself – STD booths, shops, property dealing agencies, any kind of commercial activity. Doubtless, these services too generate employment, but it would be a different workforce, and far fewer than in manufacturing.

The workers received just the month's wages due to them. Some received nothing at all since they had taken advances against their wages. Some said, if we had at least got two to three months wages as compensation, we could set up something on our own. Others said, after all factory owners will get plots some time from the government, anyhow they have lots of money and savings, what about us? These are workers who earn between Rs 1,000-3500 a month depending on the level of skill involved and the number of years in employment. Most workers earn in the vicinity of Rs 1,500-2,000.

In the immediate aftermath of closures, a number of workers began to look for employment elsewhere. In some jhuggis we were told that workers from the closed units had already left for work for the day having found some casual or daily wage work. For those who get another job, the work is often even less paying than the earlier job, and at far more exploitative terms, typically daily wage, casual, or informal work.

The much more widespread consequence has been workers returning to their villages, unable to pay the rents for jhuggies in the city. Currently, four months after the closures began, those who left in the hope of being called back to work haven't still returned to the city. Before the closures, these workers would cut all kind of corners to be able to send money home to supplement family incomes. For instance, Karan Singh, a *mistry*, used to earn Rs 2,500 by working 12 hours a day and send a thousand rupees every month to his family. They have

no land; his brother operates a small shop in the village but that is not enough to support the seven members of his family.

Most workers in fact hail from families that do have small amounts of land, but which is not enough to support the numbers that are dependent upon it. For instance, Jeevach belongs to a family of ten members in Madhubani who live by 3-4 bighas land. They work on others' land, or do casual labour. Mohd. Anshul, who shares a jhuggi at Lawrence Road with another young worker, has 12 family members back home who own two bighas land. "There may be some food to eat, but no money, what can we do there? *Dono jagah sankat hai*. I spent seven hundred rupees coming here. Hence I will wait and see. In case nothing happens, I will go back."

Hence, those affected by these ongoing closures includes not just the thousands of workers in the city, but lakhs of people in the villages and small towns depending on regular money orders from Delhi.

The Legal Context

In 1985, a lawyer M.C. Mehta filed a writ in the Supreme Court, #4677/85, on pollution of the river Ganga. Since 1996 the Supreme Court began issuing a series of orders pertaining to the closure or relocation of industries from Delhi. In 1996, it ordered that: 168 'hazardous and noxious' and 'heavy and large' industries be moved from Delhi by 30 November 1996; 513 'extensive' industries (employing between 50 and 500 workers) in residential areas and 334 such units in other 'non-conforming' areas be relocated or closed down by 31 January 1997; 46 hot-mix plants be closed down by 28 February 1997; and 243 brick kilns be closed by 30 June 1997. As is well known and documented by the Delhi Janwadi Adhikar Manch, most units simply closed down, and up to 50,000 workers lost their jobs following these Supreme Court orders.

In February 1996, in another writ petition, filed in 1994, pertaining to pollution of the Yamuna, the Court directed the Delhi government to undertake the construction of 15 Common Effluent Treatment Plants (CETPs) to treat industrial water pollution emanating from Delhi's 28 designated industrial areas. The Delhi and central governments were to pay a combined fifty per cent of the cost and the remaining half was to come from contributions by industry. Not a single industrial association has paid up its 50 per cent till date. Little progress having taken place for over five years, on 13 September 1999, the Court asked the Delhi government to ensure that, from 1 November 1999, no industrial effluent is allowed to be discharged directly or indirectly into the Yamuna.

The second round of closures, this time only of polluting units,

began in January 2000, continuing intensively until March. Hundreds of polluting units were closed down by teams of SDMs. They had a rough list of polluting units provided by the Delhi Pollution Control Committee — based on a survey that DPCC officials themselves confess as being unscientifically prepared — and also identified other polluting units during their visits and sealed them with police assistance. According to an affidavit filed on 8 July by the Chief Secretary, Delhi government, as many as 3,177 units had been shut down by early July 2000.

The further sealing of 27 types of polluting industries, in non-conforming areas, began in late November 2000. The Court order made it clear that this was an interim step and that the rest of the units operating in violation of the Master Plan, were to be closed or relocated at a later date. On 25 January 2001, it decreed that all "potentially polluting units" would be targeted.

The closure process is thus scarcely complete. At the time of writing this report, a further 33 types of industrial units within the 'F' category of the Master Plan are being sealed. Whether they are all actually polluting is unclear. The Court had asked the government how many polluting units there were in Delhi. In its stead, the government said its survey of 1996 had revealed that there were 38,936 units under the 'F' category, more than 32,000 of which were in non-conforming areas. In the face of opposition from industry, the government has now been saying that they are not all polluting. Whatever the real picture may be, closures are carrying on relentlessly day after day.

In addition, there are thousands of units beyond a certain size that operate in non-conforming areas. A high-powered committee made a classification of industry as per the Master Plan, and proposed the closure of industries operating in non-conforming and residential areas. Following which, in 1997, the Court ordered units in residential areas to close down. Their reported numbers vary greatly. In the hearing on 24 January earlier this year, it was said that a further 57,000 industrial units could close down. Pressurised by the factory owners, the government has been pleading during the past few hearings that residential areas where industry currently occupies over 70 per cent of the area be categorised as 'industrial'. At the same time, it has invited applications from industry to relocate outside Delhi. Hence, besides these widespread closures, there has been a process of relocation that has been inching forward over the last four years or so. Over 52,000 applications for relocation were submitted, of which 22,000 units have been approved and deposits paid.

Hidden Agendas

One basis for the ongoing closures is a document of the Ministry of Environment and Forests, Government of India, *The White Paper on Pollution in Delhi with an Action Plan* (1997). *The White Paper* describes the problem as being the "rise in population and growth in economic activity [which] has led to increase in pollution in Delhi". Its last chapter affirms that "the Action Plan goes beyond just controlling pollution". It also emphasises "planning and development of infrastructure which will mitigate pollution". Towards this end the objective was to "contain the pressure of population on Delhi. The [Action] Plan envisages the deflection of a population of 20 lakhs from Delhi. Accordingly, the development of priority [satellite] towns and complexes in the NCR outside Delhi has been projected". Such efforts have in the past proven counter-productive. For instance, the Master Plan had sought to develop Meerut, Rewari, Khurja, Rohtak and Panipat so as to decentralise and decongest Delhi. Not only has Delhi continued to grow and expand, these towns are themselves suffering from excessive air, water and noise pollution. In other words, shifting polluting industries to satellite towns is not a solution but a problem.

But as we discuss later in this report, pollution appears to be an excuse being used to throw workers and their families out of the city. The real agendas behind both the *White Paper on Pollution* and the Master Plan 2001 are to restructure the city to suit the affluent sections. This agenda was actually scripted in the 1980s. The Second Master Plan for Delhi (MPD 2001) recommended that hazardous and noxious industries [Annexure H (a)] not be permitted in Delhi. Similarly, heavy and large industries [category H (b)] would have to be shifted to the National Capital Region (NCR). These are the categories and industries that the Supreme Court targeted in its order of 8 July 1996, leading to the closure in 1996 and 1997 of 168 hazardous industrial units, 243 brick kilns, and forty-six hotmix plants.

The Master Plan then refers to 'extensive industries', which include 81 types of industries, currently the subject of government attention. Among the closures in 1996 were 847 extensive units in residential and non-conforming areas. According to the Master Plan, new extensive units were to be permitted only in identified extensive industrial areas, of which there are only eight locations: Chilla, Okhla, Najafgarh Road, Mayapuri, Rohtak Road, Patparganj, South of Jahangirpuri, Mother Dairy, and Samaipur Badli. More crucially, extensive units in non-conforming areas had to shift to these specified areas or presumably shut down. It is not clear how these already crowded industrial areas could accommodate these non-conforming units. The only options are

to relocate outside Delhi, change business, or shut down.

Further, light and service industries in non-conforming areas — of which there are thousands — would have to shift to their industrial use zones: those with 20 or more workers within 3 years; those with fewer workers would be reviewed after five or ten years, hence giving them time for relocation. Then, no new industrial unit of any kind employing more than fifty workers would be permitted in Delhi. Finally, only 'household' industrial units with a maximum of five workers and one kilowatt power would be allowed in residential areas, but no polluting unit would be allowed as household industry. This in its essence is a restructuring of the manufacturing character of the city, for a city of this size would always have small 'household' industry operating, legally or illegally. Anything larger than that in commercial, residential or other non-conforming areas are scheduled to be evicted.

The shunting and restrictions on industry has been accompanied by little planned industrial development. The Master Plan refers to sixteen new industrial areas for the growing number of light and service industries, but only eight have been developed. Besides, two areas for extensive industries had been promised but none was developed. Of the fifty-eight modifications to the Master Plan from 1990 to 1998 pertaining to 5,007 hectares, land use was modified to 'manufacturing' only in four cases, totalling merely thirty-eight hectares. Over the same period, land redesignated as 'residential areas' totalled 2,782 hectares, and nearly two hundred hectares was changed to 'commercial' purposes.

Given that most factory owners have no vested interests in closure and are opposing it, how many units are actually closed down and in what areas is still an open question. But numbers are not the issue; what is crucial is the process of ejecting manufacturing from the city to whatever degree possible, and the effects this has had and will have on innumerable workers and their families.

By lending its institutional legitimacy to this restructuring agenda, the Supreme Court has played a role that is nothing short of dubious. The Court's periodic *obiter dicta* regarding closure and the accompanying demolition of jhuggi-jhopris (see chapter 3) betrays its class character. It has referred to the protests of workers against closures in late November as "hooliganism" having taken over the city. More important than employment, the Court said, was the health of the city residents, a blinkered perspective of health that excludes the well being of those who make the city what it is in the first place. This concern for quality of life places a disproportionate responsibility on those who sell their labour power in order to secure a life. As one woman in a jhuggi in East Delhi angrily told us, "We have lived here for twenty years. Delhi was made

by our labour, and now they are throwing us out."

The apex Court believes that migrants, who form the bulk of the city's workforce, will have no objection to moving forty to fifty kilometres away. Those who live in jhuggies on rent may actually be willing to go elsewhere. But this merely reveals the desperation regarding work and jobs at a time when employment opportunities are shrinking. Where they are made to work becomes secondary. But this is not the case for all. Those who own the jhuggi they live in, or have their families with them in Delhi are much more averse to being shunted several kilometres away. More crucially, there is absolutely no guarantee at all that there will be a job calling them there. And without concern for an improved quality of life, such an approach towards relocation would re-create the same pathetic conditions from which they are displaced.

Let alone improve the life of those who suffer the most because of polluted working and living conditions, there is no reference to "workmen" in the court orders. Nothing has been provided for them. Are they to be treated as being in employment, or retrenched if the units are closed? Are they to receive wages during the period of relocation or compensation if they are to close down? Is there any provision to rehabilitate them, to train them to acquire new skills, or is the silence to be construed as a message that they should fend for themselves? The enormity of the problem demands answers but none have been provided.

The silence of the Court is shocking given that it cannot be unaware of the huge social consequences of the closures of 1996, when thousands of workers were abruptly thrown out of their jobs. In 1996, the Court had at least mentioned some compensation for workers. Expectedly, the actual task of their payment was undertaken only when workers began to agitate for compensation, and even turned to the courts. Yet, the majority of them did not receive anything, because the majority was employed in units where workers were not unionised. Even in large, unionised workplaces — such as Shriram Foods and Fertilisers, with its workforce of over 1,350 — the Court finally dismissed the case of the contract workers. As a result more than 50,000 workers were reduced to destitution. A survey undertaken by us in 1997 highlighted the traumatic impact this had on the families, particularly the women and children. The potential impact of this problem increases manifold when the courts do not make provision at all for the workers, who are, as it is, at the mercy of their employers, and uncertain of what is to become of them. Their insecurity makes them vulnerable to manipulation. The Court's silence on this central issue is deafening.

High Profits, Cheap Closure

Kankaria Industries, in Nehru Gully, Vishwas Nagar, is a small copper processing unit, where copper wire is thinned and insulating varnish applied on it. The unit was closed on 29 December. When the unit's six workers reported for work that morning, they found no sign of work. The owner himself reached there at six in the evening. He called the senior worker Ram Ayodhya into the factory, told him he was shutting the unit, and asked him to sign some papers. He told him that he had taken an advance so there is no need to pay him wages for December. Ram Ayodhya and the other workers refused to sign. This dragged on, until two goondas arrived and began telling them to sign the papers. Sensing trouble, Ram Ayodhya called the police. By which time it was 8 p.m.

However, when the police came, the factory owner shut all the workers inside the factory and talked to the police outside. The police did not talk to the workers. They went away and did not return, after which these workers were kept inside the factory until 10.15, being allowed to leave only after they signed the papers, and were threatened not to go to the police. None of them were paid anything since they had taken an advance against their wages. One of them, who still had Rs 350 outstanding, did not even get that.

These workers had been working at Kankaria for over four years. The factory itself was relatively new having been in operation for five years. The copper material (no. 16 bundle) cost Rs 112 per kilo. It was thinned by machine and varnish applied to it. The processed copper wire used to be sold within and beyond the city, and the machine, they say, used to be rarely idle. In one shift of 12 hours, it processed 750 kilos, after which it sold for Rs 125 to Rs 135 a kilo. Besides the copper inputs, the owner's other major expenditure was the insulating material. A 205-litre can of varnish, which costs Rs 90 a litre, lasted 4-6 days. Hence the costs for the varnish would amount to Rs 90,000 or so a month. Electricity costs came to around Rs 15,000 a month and finally workers' wages, which would add up to Rs 18,000 at most.

Even taking into account taxes, duties, depreciation, bribes, and hidden costs, the owner's profits were huge. Over the five years in operation, the factory owner, the workers say, bought a Yamaha bike, a car, a generator for 4.5 lakhs, and a house for Rs 6.5 lakhs. The owner of Kankaria Industries made these huge profits on the backs of these workers who worked 12 hours a day on six days of a week for five years! Today, the workers have been forcibly thrown on the streets with nothing at all.

Restructuring the City

Having for years allowed industrial units to thrive in residential and other areas, it needs to be asked why the government and the Court have suddenly woken up at this time to the existence of industries deemed to be 'non-conforming' as per the Master Plan. As it is, Delhi's industrial growth, post-1947, has always run contrary to conforming, regulated industrial development envisaged in the Master Plan. The very first comprehensive survey of Delhi's industry in 1950-51, prior to any Master Plan, calculated that there were 8,160 units in Delhi but only 431 of them were registered. Ten years later, at the time of the first Master Plan (1962), there were over 17,000 units employing 1,38,000 workers. The second Master Plan, MPD 2001, estimated there were 46,000 industrial units in 1981. According to a survey by the Delhi government's Directorate of Economics and Statistics, there were 1,26,175 manufacturing units in Delhi in 1998, employing 14,21,870 workers. Of these, over 12.4 lakh workers are employed in fewer than 60,000 units. The remaining 1.8 lakh workers are thinly distributed in over 66,000 family-run enterprises and small establishments. Just over 20 per cent of Delhi's industrial units are registered with any authority, and a huge proportion operate in 'non-conforming' and residential areas. By 1999, that figure had gone up to 1,12,000. By 2000, the Delhi government declared there were 1,21,000 industrial units that do not 'conform' as per the Master Plan. Over the last twenty years, there have been 4,500-5,000 new industrial units being added to the city each year, most of them in non-conforming areas, operating with a proxy license that they renew each year. Currently, besides the 28 designated industrial areas, there are 37 other 'non-conforming' areas in which industry thrives. In fifteen of these non-conforming areas, industry has grown to such a degree that over seventy per cent of it has been taken over by industrial activity.

This proliferation of industry has partly been encouraged by the traditional support of the government to the small scale sector. Another significant factor of this proliferation is the decentralised process of capitalist production. Garments, electrical appliances, consumer electronics, plastic, metal and machinery, and other industries that dominate Delhi's industrial scene are based on a production process in which products are made not in one place, but assembled from components that are manufactured in many tiny workshops. This production process is based on the desire to minimise input costs, particularly labour costs. This is how through widespread contracting and further sub-contracting, conforming and non-conforming areas are linked to each other in production and trade. This fractured production

encourages the growth of small industrial units of varying sizes operating out of small plots, or homes all over the city, employing a handful of workers in each unit. Enforcing the Master Plan's provisions described below and limiting industry by administrative and judicial interventions runs counter to this production system. Hence, shifting industrial units elsewhere does not mean that conditions will evolve into something better. Many will just close down while others will come up in other areas under the same working and operating conditions.

Shutting down polluting units and shifting them elsewhere does not solve the problems of pollution. They will merely go and pollute elsewhere. The working conditions of those most affected by pollution, i.e. workers and their families, will not improve. It is the responsibility of the government to impose discipline upon factory owners to ensure that they adopt pollution control measures in the place they operate or pay for the pollution they cause so that the government can finance pollution abatement measures. It is also its responsibility to ensure that working conditions inside factories are safe in every way for workers. However, capitalism's operation is inherently chaotic, particularly in developing countries, with each factory owner attempting to maximise profits and cut what he perceives as superfluous costs. How can we conclude that factories shifted to a new place will suddenly reform and stop polluting?

The real agendas behind closures lie somewhere else. These are steps directed at altering the manufacturing aspects of the city, to administratively facilitate the removing of manufacturing processes from the city to the degree possible, and transform the city to a centre of service industries revolving around high revenues, high profits, and high rental incomes.

The process that is unfolding in Delhi happened earlier in India and elsewhere. In Bombay, this process took place in the 1980s, intensifying with the closure of its large textile mills. Between 1981 and 1987, manufacturing jobs in Bombay declined at nearly 4 per cent each year, even as its economy was growing. This has happened in metropolitan centres all around the world. In London, there was a policy of sending factories out of the city. London lost 1.65 lakh manufacturing jobs in the 1950s and 5 lakh jobs in the 1960s. Between 1961 and 1983, its manufacturing jobs declined from 1.4 million to 583,000. Manufacturing jobs in New York fell from one million in 1950 to about one-fourth of that, 2.86 lakh, in 1993. In Tokyo, manufacturing began to decline in 1965 with the removal of heavy industry and chemical industry from the city, and it lost 4 lakh manufacturing jobs in the twenty years after 1961. All these cities have been taken over by offices, commercial establishments, service industries, and shopping centres.

If one were to view what has happened in Delhi since, a similar pattern emerges. At least 50,000 workers lost their jobs following the closures of over one thousand industrial units in late 1996-97. In early 2000, hundreds of industrial units were shut down following Supreme Court orders that industries be forbidden from polluting the Yamuna. And in the ongoing round of closures that began in November last year, the authorities have already sealed thousands of units. Many other units had already stopped operating before official teams visited them. According to an official figure, in the hearings on 24 January, the government said that from November to January 2001, 19,496 units had been scrutinised and 2856 units closed, in 1373 units there was no industrial activity and in 1549 there was change of trade. By any estimate, at least a lakh or more manufacturing jobs have disappeared from this city in less than five years!

This removal or limiting of manufacturing in large metropolises may appear to be a natural outcome of economies shifting to service and commerce, but it is actually driven by vested interests and has its own class logic. Service industries and commercial establishments gain from the communication, infrastructure and the scope for profits that large cities provide. Industry, property and real estate developers profit hugely from the sale of land vacated by industry as is happening in Bombay. And within manufacturing capital, even as small factory owners may lose out, a large fraction of bigger capital benefits from the market that is now open to them.

On the other hand are the consequences this process has for workers. The loss of jobs is by far the biggest curse faced by anyone. Joblessness marginalises workers and their capacity to influence their life and takes away whatever little hope they have for improving their lives. The decline of employment opportunities in the manufacturing sector has pushed the wages down. It makes the few who manage to get alternate employment earn even less than before and in conditions that are worse. This further reduces their already limited opportunity to meet their essential needs. The social dislocation faced by workers in manufacturing is immense. Their capacity to educate their children and look after those dependent on their earning are all affected. In an earlier report we had described the trauma faced by women, children and aged of the 50,000 rendered unemployed by the order of the apex court of July 8, 1996. Now already, it is reported that over 50,000 workers have left Delhi for villages in U.P., Bihar, Haryana and other states, being unable to pay the rents for their jhuggis. Factory owners have told them that they can rejoin work once their units reopen, but there is little hope of that. The closures also affect families back home since most workers regularly send money to their villages. Unable to find regular employment

in a shrinking labour market, those who stay back are forced into casual and informal work, as we were told in Kalandar Colony in East Delhi. A number of workers from the closed units had already left home for the day having set up handcarts or gone off to look for daily casual work. In such a situation, both women and children also get drawn into the highly exploitative informal sector to make ends meet.

Finally, the workforce becomes more fragmented and less organised. Manufacturing itself moves off into the hinterland where it employs contract labour at terms that are far more exploitative to labour than was the case in the city. This is what the removal of manufacturing from Delhi entails: huge social dislocation, immiseration of workers' families, casualization, further contractualization, and increased control of factory owners over the workforce.

The Cost of Survival: Health Hazards

According to a report "Cloning Bhopal" prepared by Toxic Links, there are at least 20,000 workers in Vishwas Nagar. The vast majority of these are migrants from Madhya Pradesh, Uttar Pradesh and Bihar. Workers work in 8-12 hour shifts, six days a week. Their salaries range from 1,200 to 1,500 rupees per month.

During one of their visits to a PVC recycling unit, used PVC pipes were being shredded into small pieces and then put into an extruder for melting. The premises were laden with dust. One of the workers in this unit, Asha Ram, from Jalone (U.P.), who has been working here for the past 15 years said that "working under such conditions definitely affects his health but there is no other way". The doors of such factories, which already lack proper ventilation, are kept closed at all times as these operations are illegal. This further exposes them to chemical laden dust and fumes during the recycling process.

Another worker, Mata Prasad, from Gwalior, has been working in a PVC *dana* manufacturing unit for the past 14 years. He said that people do suffer from health problems, such as chest congestion, due to working in this industry. A common treatment offered by local doctors is to eat jaggery (*gur*) daily in order to clean out the congestion.

If workers are not careful while handling the chemicals, the skin peels off when it comes in contact with the chemicals. Brijesh Pandey and Mange Ram Diwedi, daily labourers who transport chemicals on cart, said that, "while transporting these chemicals, sometimes drums may crack or burst injuring workers. In storehouses (*godowns*), such accidents are common". No protection like hand gloves, masks or first aid is ever provided to them.

Demolition as Development

A panic has been created about the entry of "outsiders" into Delhi who are threatening to change the very profile of the city. Their "illegal entry" has allegedly not only depleted the water and electricity but has also created a law and order problem. It is claimed that only by cleansing Delhi of these hordes of migrant "outsiders" can normalcy be restored.

It is obvious that these "outsiders" do not include MNCs, corporate offices or their innumerable executives who lead lavish lifestyles. "Outsiders" are those lakhs of working class people hailing from U.P. and Bihar to Orissa and Tamil Nadu who live in subhuman conditions and contribute their hard labour to the building of this city, its upkeep and provide various services.

The moot question is why do such huge numbers of people travel from distant places to this alien city in the first place. For years, rural migrants have thronged the cities of Bombay, Calcutta and Ahmedabad in search of a livelihood. The deepening crisis caused in the agricultural sector by uneven capitalist development had the most severe impact upon the rural poor. It deprived agricultural workers of earning opportunities and resulted in large-scale emigration to towns and cities in unprecedented numbers. This uneven development of the economy also witnessed cities like Delhi becoming the new centres to attract cheap labour from all over the country.

The last two decades have witnessed the entry of an ever-increasing flow of migrants into cities who have been left out of the purview of land reforms. They are the victims of the market economy that adversely affected agricultural workers and artisans in villages and small towns. Most would not have ventured to travel across vast distances to work in these hell-holes of Delhi factories had there been any availability of a reasonable and dignified means of living in their native places.

There are also those who were brought here as construction labour. The same State that is today throwing out lakhs of workers and the poor from Delhi was responsible for bringing them here in the first place. The setting up of flyovers, stadiums and hotels for the Asian Games in 1982 brought in two lakhs workers to Delhi. A large section of them remained here as they got engaged in other production processes. They worked in small-scale industries that flourished as various governments encouraged them.

Those who hold this exploited toiling class of people responsible for making Delhi dirty should bear in mind that it is these same workers whose hands have built the sprawling mansions, country clubs, upmarket restaurants and shopping arcades that "beautify" Delhi. These workers

have also built the long stretches of smooth roads on which their shining cars glide. It is these workers who collect the daily trash of their houses. Living in filth and squalor themselves, they are busy cleaning other people's houses. They run various services for the countless offices and institutions in this city and its lakhs of office-goers. It is these vendors and hawkers, auto-rickshaw and bus drivers, cooks and chaiwallahs, masons and sweepers from distant villages who are allegedly "dirtying" the city beautiful! Today it is not only a matter of factories being shut down but bulldozers are also razing down basti after basti to throw entire working class families out of the city. Factory closures and basti demolitions are the two facets of the same direct assault on the working class.

Always On The Run

The vast majority of migrants who come to Delhi are compelled to live in jhuggies under the most adverse circumstances. Whether it is water, electricity, toilets, or ration, they struggle for each little thing and live in the perpetual uncertainty of losing the little world they have made for themselves. Delhi has a population of over 1.4 crore and of this an estimated 30 lakhs live in 1073 unauthorised colonies. Around 35 lakhs of people inhabit 6 lakh jhuggies spread over 1100 bastis while there are yet another 20 lakhs in the resettlement colonies. In effect, over 60% of Delhi's population live in areas where there is a lack of basic requirements like proper water supply, drains, toilets, health facilities, or schooling for children. They are constantly prone not only to the vagaries of nature but also most vulnerable to epidemics and diseases.

During the period of Emergency (1975-77), almost seven lakh slum dwellers were evicted to the fringes of the city of Delhi under the direct orders of the infamous Jagmohan who was the Chairman of the Delhi Development Authority at the time. Ever since then, there has been a relentless spate of slum demolitions without giving any notice or compensation to the people. The passing of the anti-encroachment bill in May 1984 in Parliament made the very fact of residing in a basti an illegal act! This strengthened the hands of political parties and the land mafia who work hand in glove at extracting votes, bribes and obeisance from thousands who live in constant anxiety of losing their housing. The State continued to wipe out the urban poor in the plea of various petitions filed by the NDMC, MCD, DDA and Northern Railways.

Courts orders are issued round the year as demolition squads destroy basti after basti rendering thousands of working people homeless. The reasons cited invariably are pollution, beautification of Delhi or the "illegal" occupation of land. As we see below, it has intensified over the last two years.

Six hundred families who were victims of the 1984 Sikh massacres in Delhi and yet to receive alternate housing were evicted again in 1996 from their jhuggies in Tilak Vihar. Entire families sat in protest for months on end at Jantar Mantar to draw the attention of the government to their plight. But they were evicted yet again, when the government decided that Jantar Mantar would no longer be a site of protest in Delhi. On November 13, 1996, the BSF evicted 160 families living in the old stables of Pataudi House ever since 1947. Free transport was provided and their departure was recorded on video cameras to record the help rendered by the government while evicting! Tughlaqabad is the last station of the Northern Railways on the track leading to Faridabad. All bastis lying on both sides of the track from New Delhi railway station to Tughlaqabad have either been destroyed or facing the threat of demolition any day. The predominantly Dalit community of both Thompson basti and Kasturba camp were evicted by force for occupying land of the Railways. One hundred and twenty-five out of the 600 jhuggies in Thompson basti near the New Delhi railway station were earmarked for demolition. But on 7 July 1997, the bulldozer razed its way from a different part of the basti and within a few hours everything was reduced to rubble. Thompson Press is yet to build its beautiful park for which the basti was removed! Both police and the RPF directed sexual abuse at the resisting women. Some of the residents had returned with a reassurance just 24 hours earlier from the then PM I.K. Gujral that the demolition would not take place!

In June 1997, in Kasturba camp, located on railway land near the Tughlaqabad station, when the bulldozer was unable to demolish the 1500 jhuggies and the people were fighting back the demolition squad, the entire area was set ablaze to rid the land of jhuggies. In the process, the adjoining jhuggies on DDA land were also burnt down. People were barely able to retrieve their few belongings. Around the same time, Harkesh Nagar, also located on railway land on Mathura Road, was similarly demolished. But the slum dwellers of Anna Nagar and VP Singh camp continue to resist demolition. The residents of VP Singh camp near Tughlaqabad, living on the land of both the railways and CONCOR India, are engaged in a legal battle. The 10, 000 residents of Anna Nagar located on the same Northern Railway track near the ITO are fighting a legal battle for their jhuggies that the Railways is bent upon taking over.

In 1996, 300 jhuggies of Naya Bazaar in Peeli Kothi in Old Delhi were destroyed with the assistance of police and no alternate housing was provided. In the case of both Rampuri near Janakpuri and Indira camp in Jhilmil, communal tensions were whipped up amongst the slum dwellers to distract them from the immediate demolitions that took place

without any prior notice.

Resistance against forcible evictions continues unabated. The residents of VP Singh camp had blockaded the roads leading to the jhuggies in July 1997 and the bulldozers that were scheduled to appear never came. The slum dwellers of Shastri Park, situated between Moti Baag and Nanakpura on the ring road in South Delhi, rained stones on the demolition squads who beat a hasty retreat. Various colonies housing leprosy patients have resisted demolition several times over two decades. In 1986, some of the jhuggies of Jagatmata Kushtashram were demolished. A sustained protest by the people compelled the DDA to rebuild the broken houses. There are several such colonies that have fought for their space in the city. They also include Satyajivan Kushtashram of Srinivaspuri and Jeevandeep Kushtashram of RK Puram.

The last one year has been the worst so far with a series of demolitions taking place on the quiet. Over 15,000 jhuggies with an approximate total of 75, 000 residents have been demolished. While most of them have not been relocated, the few instances of relocation have forced people to live in even more deplorable conditions akin to a living hell. Around 5000 jhuggies of the Rajiv Gandhi camp near the CGO complex were demolished in early May 2000 amidst fierce resistance by the slum dwellers. Women and children were beaten up and hundreds were injured. These people had constructed the office complexes of the area themselves living in the open and ceaselessly working in the scorching heat and biting cold of Delhi. Only 500 to 600 families were shifted to Modalband near Badarpur. Two thousand families from Haathi Park on Deendayal Upadhyaya Marg who were residing there since 1982 were evicted in June 2000. Prior to this, in February, another 100 families were evicted from the Sadar basti near the New Delhi railway station. 175 families were evicted in January from Vijay Ghat. Fifty jhuggies were broken in the Okhla village of Jamia Nagar in March. In June, bulldozers razed down 200 jhuggies behind Gagan Cinema in the B1 block of Nand Nagri. Three thousand jhuggies in the Seelampur area were demolished between July to August to clear up space for the setting up of the metro railway project. While only a small section was shifted to Bhalsava, the majority was thrown to the streets. In the same way, 1000 jhuggies were demolished in Shastriya Park near the *purana pul ka theka*. Eighty families were evicted in July from Kisan basti near Chadangi Ram Akhada at Jamuna Bazaar. In February, 300 jhuggies were demolished from Gautam Nagar basti behind AIIMS. Two years earlier, 1800 families were evicted from this same basti. Some of the evicted families were sent to Papankalan. The 200 families evicted from Harijan camp in Masudpur near Vasant Kunj

in May 2000 have not been rehabilitated anywhere.

In September 2000, 250 families were evicted from Ravinder Nagar basti near Guru Govind Singh hospital in Rohini. In February, 100 jhuggies in Preet Vihar and 150 jhuggies in Savitri Nagar were demolished without any rehabilitation. In October, around 230 jhuggies from Kushal camp in Jahangirpuri and 250 jhuggies in JJ camp of Shahdara got demolished. Despite wide protests and campaigns again, the month of November witnessed the demolition of 700 jhuggies near the I.G. stadium at ITO. Three hundred children in the basti school and another 600 children in adjoining schools were affected despite a legal plea for a stay on the demolitions until the following March till their school exams could be over. In the same month, another 700 jhuggies were demolished in Gopalnagar near Kingsway Camp. Some of the families from here were sent to Bhalsava. In the same month again, two entire bastis were removed from Lakhi park and C park of Jahangirpuri, which in itself was set up as a resettlement colony some years ago. In January 2001, 150 jhuggies behind the Mata Sundari College were demolished. Sixty jhuggies were pulled down in Dakhshinpuri.

These figures do not represent any final count as the demolition spree continues in Delhi and the majority go unreported in the media. The massive displacement of people to places like Papankalan, Bhalsava, Narela and Modalbund is no solution because these places lack any basic civic amenities. The plots are not yet demarcated in Bhalsava and people continue to live under tin or plastic sheets in the open and are cut off from any source of work and income. There were slum dwellers from three bastis staying there already when people from another five bastis were literally thrown there to live in similar condition. The arrangement here too is for 10 years only whereas even in the days of the Emergency slum dwellers were given a lease of at least 99 years.

Slum dwellers have always worked against overwhelming odds to obtain water, electricity, toilets and of course even work for themselves to eke out an existence. To move out to open fields in remote areas and invest all over again is an enormous burden. Needless to say, these people will put in their labour, money and time to make the place liveable. As soon as the land becomes habitable, the price of the land goes up, and the pressure on it increases, they will be thrown out once more to begin from scratch. Always on the run!

Blind Justice Or Just Blind?

Workers and slum dwellers of Delhi as we can see continue to live under a perpetual state of an undeclared Emergency that today derives legitimacy from an active judiciary. On 16 February 2000 in the

PIL of Almitra Patel, etc, the Court ordered the Delhi government and other authorities to remove slums and unauthorised colonies from the public land threatening to dispossess an estimated 35 lakh people. The Court stated that "(t)he promise of free land at the tax payers cost, in place of a jhuggi is a proposal which attracts many land grabbers. Rewarding an encroacher on public land with a free alternate site is like giving a reward to a pickpocket". Further, "(w)hen a large number of inhabitants live in unauthorised colonies, with no proper means of dealing with domestic effluents, or in slums with no care for hygiene, the problem becomes more complex." The underlying assumptions link survival needs with the pernicious activity of the land mafia and dismiss the dire need for housing of working people by punishing them for being unable to afford clean living space! It amounts to victimising the victim, inverting all notions of justice and fairness. Not a word about whether the authorities are obliged to rehabilitate them or not. Equally, there was no concern expressed over lack of sewage, latrines, drinking water, and electricity for the 35 lakhs who reside in slums. Delhi has around 1,100 bastis comprising six lakh jhuggis spread over 9.5 sq kms. Most slums are located on land owned by DDA, MCD, NDMC and the Railways. The concentration is around industrial areas. The problem of shortage of dwellings, that too affordable dwelling, has resulted in the proliferation of slums. This is a reflection of the main problem: an absence of equitable land distribution. In virtually all metropolis in India nearly two-thirds of the population is forced to live in one-tenth of the urban land. In Delhi just 1.5 per cent of the total urban land is under slums!

Now for more than 35 lakh slum dwellers in Delhi losing their slums would amount to losing nothing less than their vocation or jobs. This was clearly elucidated in the famous Olga Tellis case decided by the Supreme Court in 1986. The apex Court had then stated that the eviction of pavement dwellers will lead to deprivation of their livelihood and consequently to the deprivation of life guaranteed to every person under Article 21 of the Constitution. This can be guaranteed and ensured by the government if there is adequate supply of affordable land for mass housing; and grant of tenurial rights to dwellers.

It was this failure of the government to discharge its constitutional obligation that prompted a case in the Supreme Court challenging the demolition of slums in Bangalore (*Karnataka Kolageri NS Sangathana & Ors vs State of Karnataka & Ors*). The petitioners contended that the demolitions were illegal as no alternative accommodation was sought to be provided. They challenged the Karnataka Slum Areas Act as being violative of Articles 14 and 21 of the Constitution. It was argued that the slum dwellers had been made homeless because the authorities had failed to discharge their constitutional and statutory obligations to evolve

plans for organised industrial allocation around urban areas; for maximum utilisation of the potential of land; and for appropriate rural employment guarantees and measures. The failure of the government to evolve a need-based and not wealth-based housing policy was also pointed out. On these contentions, an order was passed in July 1992 directing the appropriate authorities to look into the grievance "after issuing the notice to both the parties and giving them adequate opportunity of negotiating in a conciliatory manner".

Yet, the Court in the present case ignored these earlier judgements and directed the authorities concerned "to take appropriate steps for preventing any fresh encroachment or unauthorised occupation of public land for the purpose of dwelling, resulting in the creation of a slum". It laid down the basis for this by saying that "the density of population per square kilometre cannot be allowed to increase beyond the sustainable limit. Creation of slums resulting in increase in density has to be prevented".

Calling slum dwellers "encroachers" today and comparing them with "pickpockets" flies in the face of the considered opinion of the very same Court! By bemoaning the inability of the government to clear slums despite having existed for decades while maintaining silence on the need for alternative accommodation, the judgement clearly shows the class bias in which the working class is callously ignored. Surely, slum dwellers cannot be penalised for the failure of governments.

The High Price of Survival

Urban planning has always been devoid of any housing plans for workers and migrant labour. Hence, they create their own homes on public land under flyovers, along the railway tracks, on the riverbed, or in the shadows of skyscrapers. And then these bastis are termed "illegal". All schemes and policies to house them either gather dust or get caught in inter-departmental wrangles or simply abandoned as soon as they are attempted. The capitalist system squeezes the life out of the working class while its urban planning ultimately throws them out of a city built by their labour.

The Delhi Slum Policy announced late last year extended the cut-off line for the regularisation or relocation of slums from March 1994 to November 1998. It was projected that almost 10 lakhs slum dwellers could benefit from this extension. Ironically, there are two qualifying clauses that undercut this magnanimity of the State.

First, the government is going to take a development charge from each jhuggi unit! This negates the amount of investment slum dwellers have already made in their existing structures. To turn a thatched roof or merely one of the four walls into concrete, they are extorted by local

policemen, land mafia and municipal authorities for their alleged act of "illegality". Right from arranging water and electricity, to toilets in their basti, slum dwellers pay for everything through their nose for not just the cost of it but to appease those who prey upon their condition. To move out to remote inhabitable land and build a home from scratch is difficult enough without paying the stipulated "development charge". In fact, slum dwellers have every right to a free house with all basic amenities intact in exchange for freeing up the land for other uses given the current value of the land.

Secondly, while the Delhi government proposes six lakh slums to be regularised, it speaks in the same breath of relocating these slums if required. These two possibilities pose a question between life and death for lakhs of slum dwellers. The link of work and livelihood to one's place of residence is crucial. Most slum dwellers work as vendors, hawkers, sweepers, drivers and domestics in nearby residential areas, markets and offices. Relocation to far flung areas amounts to destitution as it deprives thousands of their livelihoods. In the Bombay Pavement Dwellers Case in 1985, the Court ruled that Article 21 of the Constitution on the right to life includes the right to livelihood and since the livelihood of pavement dwellers is linked to their place of stay, removing them from the pavements would be tantamount to deprivation of livelihood and therefore unconstitutional as it deprives them of the right to life. Clearly, along with the right to livelihood, every slum rehabilitation has to be accompanied by access to water, electricity, schools, health services, and proper drainage and sewage systems. The living conditions of those rehabilitated in Papankalan, Bhalsava, and Modalbund not only violates every aspect of law but also treats slum dwellers as a "problem" to be disposed of. Each demolition that takes place with such vengeance in Delhi today is a clear act of abdication by the government of any responsibility or accountability to people.

The working class of today's metropolis represents the structured inequality of the entire country as a whole that serves many dominant interests. While the lives of basti women entail back-breaking labour and extreme vulnerability to other social conditions, they are hit hardest each time a demolition takes place as they build their lives from scratch to make ends meet and internalise all tensions within the structures of marriage and family. Children repeatedly discontinue school despite the desperate efforts of parents to save enough to send them to school in the first place. The concentration of Muslims, Dalits and OBCs is naturally high in bastis since they form the marginalised sections of society. Since slum dwellers form a crucial vote bank for every party that comes to power, keeping them in perpetual anxiety about their dwelling place is the surest means to garner votes. As long as slum

dwellers prove to be a rallying point for electoral parties, any party in opposition invariably raises the question of slum demolitions. But none of these parties when they are in power live up to the promises made during elections. Invariably, these bastis also form the nexus of land mafia, politicians, police and other authorities. From "criminalising" the poor to extorting money at every step of their lives, they prey like vultures on the condition of the working class. Finally, in an increasingly right-wing society, bastis are vulnerable to caste and communal violence. The struggle to survive as a community is frequently torn asunder by communal and casteist interests that thrive on dividing the working class.

The Struggle over Urban Space

Plans, it seems, are violated only by the poor and the powerless. The rich and the powerful simply change them to suit their purposes. In our first report in 1997, *The Order That Felled The City*, we had mentioned that the initial norm for a decent living space for the poor in the Master Plan for Delhi, 1962 (MPD-62), was estimated at 80 sq. m per family. This norm was applied in practice in the initial 18 resettlement colonies created by the DDA in the 1960s. As the pressure on land started growing, this was reduced to 25 sq. m for the colonies resettled after the demolitions done during the Emergency. Subsequently, the National Housing Policy, May 1992 (NHP-92) provided that "(i)n urban areas, the size of the plot should not ordinarily be less than 25 sq. ms with a provision for permissible built-up accommodation and services on individual or shared basis in a neighbourhood adequately served with community facilities" (MPD-2001, annexure N-5). By stating that the norm should not be less than 25 sq. m, the NHP, without technically violating the earlier provisions, actually reduced it to less than one-third of the original norm. The MPD 2001 provided for 18 sq. m as the norm. In the most recent instances, as in the case of those resettled in Narela, families have been resettled in a mere 12.5 sq. m.

The MPD-2001, itself stated that housing needed to be related to considerations of: (1) affordability; (2) efficiency of land utilisation; (3) equity (which it defined as social distribution of urban land); and (4) flexibility. "(T)he most appropriate type of general housing would be partially built housing on individual plots of 70 to 80 sqm." (Ibid: 121)

In cases where these were not possible, as in the case of economically "weaker sections", the Master Plan recommends that single family housing could be provided on a reduced size of plots but should have an individual bath and w.c. About the resettlement colonies and unauthorised colonies, it has little to say by way of norms. However, the Plan does provide for "equity" as an important consideration for Delhi's land-use planning. When this is read in conjunction with the NHP-92, it is reasonable to expect that people should not be uprooted without making alternative provisions.

As per the MPD-2001, the total area of the Union Territory of Delhi is 148,639 hectares (ha) out of which 44,777 ha had been considered within urbanisable limits prescribed in the Plan. According to the 1981 census, this area accommodates 54.5 lakh urban population. The holding capacity of this land was estimated at 82 lakhs. Since the projections for the year 2001 were that Delhi's population would be 122 lakhs, the proposal was to firstly, increase the holding capacity of the given area (44,777 ha) through planned efforts and secondly, to acquire newer

areas for urban extension. In the period between August 1990 and June 1998, the DDA has acquired 5007 ha land which has been converted from rural, agricultural and recreational use, for urban extension. Hazards Centre, an NGO, has calculated that 92.5 per cent of this area was located in the new sub-cities of Dwarka (79.2), Rohini (14 per cent) and Narela (5.6) indicating clearly that the proposed housing was by and large, not for the poor. Narela is the only place where some recently demolished jhuggis have been resettled in tiny plots. In 1998 DDA proposed an urban extension area of another 29,761 ha for accommodating a population of 50 lakhs, which is being considered by the NCR Planning Board.

The MPD-62, which had envisaged Delhi's urban growth to cover 44, 718 ha land, proposed the following land-use pattern:

Housing	19,182 ha
Commercial use	602 ha
District and regional parks	10,602 ha
Government offices	364 ha
Industries	2,347 ha
Warehousing, etc.	304 ha
Educational, research and other institutes	1,741 ha
Circulation	9,571 ha

In this distribution, housing constituted about 43 per cent of the total urban land. Of the 14,000 to 20,000 ha of the newer areas that the DMP 2001 planners wanted to acquire, they set aside about 50% for residential purposes. Housing shortage had been estimated by them to be at around 3 lakh units — including squatters and shelterless, as well as families sharing houses in congested areas. About 20 lakh people have been resettled in resettlement colonies covering an area of 1,570 ha. There are another 35 lakhs who live in slums or jhuggi jhopri colonies which cover an area of about 9.5 sq. km. [See Box: *Yahan Se Shahar Ko Dekho*]. In other words, over 55 lakh people or about 38% of Delhi's population live in a tiny proportion of the city's urban area. And most residential areas are reserved for the more affluent sections. Hence, slums invariably come up in industrial areas, railway land or vacant DDA land. The MPD-62 had in fact, provided for 5 per cent residential area for low-income housing, but according to one estimate even that was not adhered to. This prompted unauthorised habitation (WWF, *Can the Clock be Turned Back? Delhi's Environment Status Report*, p83).

Population densities vary vastly between areas. In 1991, while the number of people residing in the NDMC area was 6882 per sq. km, the corresponding number for the MCD (urban) area was 16,643. In

parts of South Delhi, the density can be 1,300 persons/sq. km (WWF: 64). The MCD (urban) figures include areas like Defence Colony, Greater Kailash, New Friends Colony, Shantiniketan, Anand Lok and other such colonies where huge bungalows have relatively few people staying in them. In parts of Old Delhi or East Delhi, on the other hand, the densities are likely to be higher. For instance, in Old Delhi, the average density was approximately 80,000 persons/sq. km in 1981. In one census division it was as high as 166, 300 persons/sq. km (WWF: 64). In some resettlement colonies the density of population was 700,000 persons/per sq. km, which is almost 102 times that of the NDMC area. One of the consequences of the incapability of the successive governments to

Who Are The Land Grabbers?

Land is simply not the problem. Had that been the case, the government would have acquired the land that it had got vacated by industries in the first round of closures in 1996. The Joint Action Committee of Textile Workers' Unions of Delhi calculated the value of land occupied by these industries on the basis of 32 per cent of the land given to them for commercial development with a 100 per cent Floor Area Ratio (FAR). In the event, 32 per cent of the total area of 1,62, 135 sq. ft is commercially developed, Birla Textile was to generate a profit of Rs 340 crores. The government share would have been approximately Rs 700 crores, according to the land-use package ordered by the Supreme Court. Similarly, Swatantra Bharat Mills and DCM silks were to generate a profit of Rs 700 crores from 4,41, 161 sq. ft and Ayodhya Textile Mills a profit of Rs 225 crores from 10,45,440 sq. ft of land. In these cases, the government share would have come to about Rs 1500 crores and Rs 500 crores, respectively. If the government wanted to really use the land for developing lung spaces as directed by the Supreme Court or for any other purpose, this should have been its priority before it went about displacing ordinary working people.

either plan for the working class, or to develop towns around Delhi as counter-magnets, is the inevitable growth of unauthorised colonies. Many of those who come to Delhi in search of jobs end up living in jhuggi jhopris. Those among them who can save up some money try to buy small plots of land in unauthorised colonies.

If living in crowded 'kutchra' shelter was not bad enough, the civic amenities provided are woefully inadequate. For instance, according to a recent study by FICCI, about 55 per cent of the households in JJ

A Tale of Two Cities

Ashok Vihar and Sukhdev Nagar are separated by a park running along a railway line. On one side of the park lies D block of Ashok Vihar, and the JJ cluster Sukhdev Nagar is located on the other side of the railway line. As Shaheed Sukhdev Nagar grew, the minimal infrastructure being totally inadequate, the residents of the basti began using the park for defecation. In 1990, the Residents' Welfare Association of Ashok Vihar filed a writ petition in the Delhi High Court, demanding the upkeep and development of the park. The Court ordered the DDA to construct a boundary wall around the park to prevent it from becoming an open public toilet. What the Court was also denying was the right of the jhuggi dwellers to go through the park into the colony (which they serviced), to schools, the ration-shop and the hospital. When the DDA stated that it was facing opposition from the residents of the basti, the Court directed the local police station to render all possible assistance to the DDA and its contractor.

The wall was breached in January 1992, months after it had been constructed, and again in November 1992, after the DDA had repaired the breaches once.

The residents of Ashok Vihar through the High Court and the residents of Shaheed Sukhdev Nagar through breaching the wall, were fighting for an improvement in the quality of their lives. All similarities end there. At stake for the residents of Ashok Vihar was a park. For the residents of Shaheed Sukhdev Nagar, it was a question of basic living space. And as unauthorised settlers on public land, they are not deemed to any right even to such essential space.[From "*A Tale of Two Cities - Custodial Death and Police Firing in Ashok Vihar*", PUDR, Delhi, August, 1996)]

colonies depend on water facilities in neighbourhood areas. The rest depend on shallow hand pumps. The quality of water is poor because effluents seep and contaminate the shallow water table. This causes epidemics and affects children, women, and the aged living in these areas. A study conducted by WWF in '93 says that as against the internationally accepted standard of 302 litres person consumes daily (lpcd), one-third receive no more than 38 lpcd. Further, the distribution of water is even more skewed with residents of Golf Links and Sunder Nagar getting 450 lpcd whereas the slums, unauthorised colonies as well as re-settlement colonies have to be content with 15-18 lpcd!

Bath and lavatories are available to only 30 per cent of the total figure. Poor maintenance and the non-availability of water, along with

an user charge imposed, creates a situation where residents do not find it possible to use even these facilities where provided. This is made worse by poor drainage. Where electricity is concerned, only 10 per cent of the settlements have street lights. While illegal connections are rampant, the total power used by these colonies, as per DVB's own internal assessment, is no more than 15 per cent.

In this light, the Union Urban Development Ministry's estimate prepared on the "positive" fallout of factory closure and displacement of lakhs of workers shows that this would result in an availability of 700 MW of power, 50 million gallons of water per day as well as reduction of 40 mgd of sewage disposal. They also believe that this would result in saving Rs 240 cr of revenue loss incurred by DVB because of illegal use of power by units located in residential areas. According to them, this would suffice to provide water and electricity for the new housing suburb coming up at Dwarka which will house 10,000 families. In other words removal of 15-20 lakh workers and their families would help provide for 45,000 people!

Yahan Se Shahar Ko Dekho!

In 1994, there were 4.8 lakh dwelling units (each unit with 4.5 persons i.e. 21,64,180 persons) in a total land area of only 9.5 sq. kms. The total urban area of Delhi is 625 sq. kms. In effect, the total area under slums is no more than 1.5 per cent of the total urban area of Delhi!

Area under Squatter Settlement in Delhi

(as of 31.4.94)

Zone	No. of Jhuggies	Land Area in Sq. Meters
Central	50,286	1,006,880
East	66,798	1,353,440
North	120,559	2,413,120
South	123,957	2,480,800
West	96,866	1,938,280
Other	15,592	311,920
Total	4,74,058	9,504,440

(9.5 Sq. Km = 2376 acres)

Source: FICCI(2000) *Resurgence of Urban India: Urban Renewal and Slum Reform for the State of Delhi*; (based on data provided by the Slum and JJ Department, MCD).

The Politics of Pollution

It is nobody's argument that pollution is not a serious problem. It affects us all, and in particular the poor. The poor with their wretched living and working conditions, negligible access to health care, and lack of any alternatives have to bear the brunt of the ill effects of pollution. A rational approach to tackling the problems of pollution should bear in mind all the causes, the inter-linkages between the various causes, and the different sections of society affected by its ill effects. However, as is obvious from the various acts of the courts and the government in this regard, the concerns of the large majority of the poor have been totally ignored.

We have outlined below the major causes of pollution in the city of Delhi, the sections responsible for this pollution, and those chiefly affected by it. We have in the context attempted to show the total irrationality of the approaches of various governments, the judiciary and the administration to solving the problems of pollution.

A major source of air pollution is the vehicles that ply in the city, contributing 64% of Delhi's air pollution. Pollutants from vehicles are no less dangerous than industrial pollutants. Despite the welcome introduction of CNG, most vehicles in Delhi burn up diesel or petrol: diesel engines emit suspended particles coated with hydrocarbons that can cause cancer and affect us genetically. Petrol-driven vehicles emit carbon monoxide, nitrogen dioxide, and carbon dioxide, which can cause cancer, heart ailments, asthma, and bronchitis.

The total number of vehicles in Delhi shot up from 16 lakh in 1990 to 26 lakh by 1996, and is projected to reach 46 lakh vehicles this year! Given that private cars and two-wheelers account for the majority of the 46 lakh vehicles, it is clear that the problem of air pollution cannot be tackled without curbing this unrestricted growth of private transport. This is not possible without providing a vibrant and viable public transport system. In contrast, the government has over the last few years facilitated the boom in the car and two-wheeler industry, even as it allowed public transport in Delhi to degenerate. The recent attempts by the government and the courts to ban the use of old vehicles in Delhi will not decrease any pollution. These vehicles will be resold in neighbouring states where they will continue to pollute. This measure is in effect a step to pave the way for the automobile industry.

Another major cause of pollution in Delhi is its industry. Some sources put the number of polluting units in Delhi at around 7000 but even official figures vary. The central government's *White Paper on*

Pollution in Delhi (1997) states that the volume of air pollutants that Delhi has to breathe each day increased from 1,450 tons per day in 1991 to 2890 tons by 1995. Obviously, it has increased since then. Industry used to contribute about 12 per cent of air pollution in Delhi, or about 325 to 350 tons each day. But with the closure of 243 brick kilns and 46 hot mix plants in 1996, the contribution of industry has reduced to less than ten per cent. However, given the toxicity of the fumes emitted, the effects of these pollutants are far more significant than the mere volume. For instance, among the list of 27 industries targeted by the Delhi are electroplating, anodizing, plastic, PVC compounds, and other industries, all of which emit highly toxic fumes during the production process.

The river Yamuna is the main natural source of water to the city. At the point at which the river leaves Delhi at Okhla, the level of oxygen in the water has been measured at 1.3 mg/litre against the minimum permissible level of 5 mg, and the total coliforms (bacteria) at 3,29,312 per 100 ml against the acceptable level of 500 per 100 ml. Contrast this with the levels when the water enters Delhi at Wazirabad: the dissolved oxygen level is 7.5 mg/litre, and the bacterial level 8,506 per 100 ml.

The total wastewater discharged in Delhi is about 2,160 million litres a day (mld). Of this, industrial pollution contributes 320 mld; much of the rest derives from domestic sewage. Again, the contribution to toxicity of industrial pollutants is more than as suggested by the volume of pollutants, given the use and unregulated disposal of chemicals and toxic substances. These either seep into the ground to contaminate groundwater or flow into the Yamuna via twenty drains in the city, of which the Najafgarh drain alone contributes over forty per cent.

There is another factor that makes the problem of industrial water pollution more acute. At Wazirabad Barrage, the point where the river enters Delhi from the north, the water is trapped to supply Delhi its drinking water. During the dry season, none of this water is allowed to enter Delhi. Hence from October to June, the 'water' that flows through Delhi is the untreated or partially treated sewage and industrial waste that flows into the Yamuna through the drains, besides some irrigation water for the Agra canal (CPCB, *Water Quality Status of the Yamuna River*, p. 6). This has ominous consequences for those who use the river water downstream.

Who Are the Most Affected?

The effects of pollution on an individual's health are mediated by one's relations to the means and process of production, one's class location in society, and one's access to a nutritional diet. There is no denying that some of these effects are nearly universal. For instance, a

high proportion of children in Delhi below the age of 5 suffer from respiratory disorders, and this affects children from most income groups. However, even here the impact on the poor is more, given their general poorer health, worse living conditions and limited access to health care.

The sections most affected by industrial pollution are the workers themselves. Most units that have been targeted for closure in Delhi operate in small spaces of around 50 square metres, with little or no ventilation. In Wazirpur, acid is used in the process of steel production. The fumes are so strong that the workers regularly find it difficult to breathe. For instance, workers in a copper wire unit in Vishwas Nagar knew full well that they are more affected by the pollutants than those outside. In this factory, copper is cleaned with chemicals, which emit fumes. Then varnish is applied to the copper wire, and it is heated to help it dry quickly. This emits a vapour, the regular inhalation of which causes TB. Those we spoke to said they eat *gur* regularly to prevent getting TB, and knew several other workers suffering from TB.

Among the list of 27 industries targeted by the government initially is PVC, of which hundreds of small units have shut down in Vishwas Nagar in East Delhi. PVC, or poly-vinyl chloride, is one the most widely used types of plastic. In the manufacture of PVC pellets, dioxins are emitted, among which are some that cause cancer as observed by the WHO in 1997. Besides, in order to give PVC flexibility and strength, a plasticizer called dibutyle phthalate is used in its manufacturing process. As a recent report states, phthalates can harm the reproductive system, and can cause cancer of the liver and the kidneys. Phthalates "are found in the atmosphere of primary PVC processing plants. This results in significant exposure to workers". A study by the US Department of Health has concluded that the greatest potential for exposure to dibutyl phthalate is to individuals who manufacture or handle these substances (*Cloning Bhopal*, pp. 9-10).

Workers know that the pollution caused within a factory affects them, but as one worker in Tri Nagar said, "*Hum kya kar sakte hain? Naukri karna hai*". They have no option. A majority of them are not unionised. The struggles of workers in this city as elsewhere have mostly remained confined to wage and economic demands. Issues of workers' safety, health, and working conditions do not find a place in these struggles.

Besides those working inside dingy, closed units, those most immediately affected are their families who live in jhuggi-jhopris in the vicinity of industrial areas. It is they who are most exposed to the toxic fumes, chemicals, and drink the ground water that is contaminated by toxic pollutants. In Wazirpur, which is a centre of steel pickling and electroplating industry, acid and chemicals used in steel processing

collect in little lethal puddles on the road, through which the jhuggis' residents walk all the time. The air is foul with the smell of acid. During monsoon the drains overflow, forcing people to walk through acid-laden water. Over years of industrial activity, the acid has seeped into the ground and contaminated the water supply. Besides contaminated water, the solid waste generated from processing steel lies around in piles. Studies have shown that they contain toxic heavy metals such as chromium, nickel, lead, and cadmium, which seep into the groundwater. This has serious long-term effects on the slum dwellers.

A third section of people affected by the polluted river are those who use the water downstream. The CPCB's report says that the "500 km stretch from Delhi to Chambal [via Mathura, Agra, and Etawah] does not meet the criteria for its designated use, even in the monsoon season". Pesticides such as DDT, BHC, and heavy metals are found in the water. It is the poor who use this heavily contaminated water for bathing.

In contrast to these poorest sections of people who are most affected by pollution, it is the elite that is most responsible for it. None of the 46 lakh vehicles that blacken the air we breathe are owned by workers from Vishwas Nagar, Tri Nagar, or Okhla whose livelihood has been hit. Contrary to middle class perception, the sewage that flows into the Yamuna is not caused by workers' families in jhuggis: two-thirds of Delhi's population receives little over two buckets per person per day. Residents of Golf Links, Sundar Nagar, Vasant Vihar and other elite colonies use over 450 litres or thirty buckets per person daily.

Despite being the root cause of much of the pollution, elites are disproportionately less affected by it. Middle and upper classes have access to better nutrition and can withstand infection better. They are cushioned from the effects of pollution in more direct ways. It is they who have the resources to instal Aquaguard and other systems that purify drinking water. Today, there are numerous domestic and international companies that sell water, bottled, at a price that only the rich can afford. Capital now makes huge profits from the failure of governments to provide clean water to those who can buy it.

Relocating industry will only export pollution to neighbouring areas. Closure is a knee-jerk reaction, which affects those who are already most affected by pollution.

We believe the solution does not lie in relocation or closure. Nor are individual effluent treatment plants or CETPs the solution, because they only transform toxic industrial waste into sludge. They postpone the problem, polluting in different ways in places where opposition is less visible or non-existent. And cleaner production processes wherever

possible, safety measures, and tackling pollution at the source will only lessen the problem. Any resolution of the current situation must adopt a holistic perspective, taking into account those who work in the factories, and their families who live in the area, their physical safety, health, and well-being. And for those same reasons, if small industry is to continue in Delhi, it cannot continue under the conditions that operate at the moment, violating most labour laws, safety norms, and in abysmal working conditions.

As for housing people, there is sufficient urban land available in and around Delhi to provide affordable and clean shelter. In just 1000 hectares live nearly 35 lakh people, which is but 1.5 per cent of the total urban area of Delhi. Most of this land is public land. It is perfectly possible in the name of "greater public use" to use this land for housing the poor.

It requires no more than 4-5000 ha to provide shelter for 2-3 million persons with a unit size of 75 sq m, which is the minimum required for a family unit. Thus the current density per acre could be reduced by two-third. Those removed can be provided shelter by acquiring just 3000 ha. This land is already available with the DDA, which between 1990-98 acquired 5007 ha for urban extension. In fact if the apex Court, as well as the Union and Delhi governments are sincere then some of the land acquired in Narela, Bawana or Rohini, where industrial units are supposed to be located, can easily be developed to provide affordable and clean shelter. Besides more land can be made available by taking over 68% of the land lying with units closed by the Supreme Court in 1996. Rather than demolishing JJ colonies, the public land on which they stand can be justifiably used to house the urban working class population. Surely this is in accordance with the principle of 'greater public good'.

No solution would make sense if these shelters come up without proper water supply, toilets, sewage and drainage systems, schools, medical facilities and transport links. The existing problem of power and water can also be resolved by an equal distribution of these resources. Surely, reducing the consumption of water for the affluent can enable slum dwellers to receive more. In addition, the improvement in sewage facilities can transform slums into clean and healthy colonies. In this way, slums can cease to be the eyesore that upsets the rich so much that they want to wipe them out completely.

To conclude, the history of urban people's struggles around the issues of the rising cost of living, of containing prices, fixing statutory minimum wages, demanding wage increases cannot be divorced from the question of the right to live in dignity and therefore for an improved quality of life and living conditions. The fundamental question must be raised — do we or do we not have a right over the air and water of our

land? Who is it who polluted the water of the Yamuna, who controls the land in our city, how are we to have access to water and electricity? We have to challenge the very path of development that has alienated the poor of this country from its abundant natural wealth while a handful of people have established their control over it. It is no longer a question simply of the profiteering on our sweat and blood, but rather, of the swallowing up of our air and water by a few in their mad pursuit of luxury while the rest of us suffocate slowly and painfully in a living death. To put it differently, it has become necessary to transform the motto of "clean environment" into a struggle for equal rights over our resources. To simply invoke the slogan of environment is to strengthen the hands of the powerful, as is evident from the politics around the Supreme Court orders.

The question of pollution is in the end a question of the kind of development to be followed, and of ensuring equal share of common resources. Ultimately it has to be a question of the struggle to end exploitation. It has increasingly become clear over the past few decades that people will not give up their land, their forests, their waters, without a fight. Natural resources are not unlimited, and no one has the right to squander this wealth, particularly not for the profits of a few while the vast majority are left impoverished. Just as this battle was fought between the imperialist nations and the colonies, now this battle has been brought inside the former colonies, to be fought between the haves and the have-nots.

About Us

The **Delhi Janwadi Adhikar Manch** was formed on 16 December 1996, when various organizations came together to address issues arising from a series of Supreme Court orders relocating polluting industries and cleaning up Delhi. We had two issues before us: (1) the dislocation of thousands of working class families due to the closure of factories, and (2) the demolition of *jhuggi bastis* and the consequent displacement of those living in them.

So far, the Manch has been engaged in:

- Organizing protest dharnas at the Supreme Court, Labour Ministry, etc.
- Holding public meetings on the issue in various industrial areas.
- Campaigning against the Supreme Court order through the distribution of thousands of leaflets, cultural programmes and rallies.
- Mobilizing opinion in universities, the media and the public at large through literature, discussions and public meetings.
- Joining the struggle of jhuggi dwellers against the ongoing demolition drive.

We meet every Monday at 5 p.m. in the lawns of Constitution Club, Rafi Marg, New Delhi. We look forward to more people joining us, and strengthening the struggle of workers.

We also appeal to you for small financial contributions to keep our work going.

Publications of the Delhi Janwadi Adhikar Manch include:

- (1) *The Order That Felled the City: A Report on the Politics of Pollution and the Mass Displacement of Workers in Delhi*
- (2) *For Whom The Bell Tolls: A Survey of Six Closed Units*
- (3) *Things Fall Apart: Voices of Women Affected by the Closures*
- (4) *The Day After: Findings of a Survey of 100 closed units in Delhi*
- (5) *Kannon ka Makhoul: A Report on the workers' struggle at the closed unit of Sawhney Rubber Industries*
- (6) *Jan Sunwaai: Findings of Public Hearings Organised by The Manch On the Issue of Closure and Demolition of Slums in Delhi.*

The Manch Comprises:

All India Federation of Trade Unions; All India League for Revolutionary Culture; Bandi Karkhana Sanyukt Sangharsh Samiti; Bigul Mazdoor Dasta; Delhi Leather Karigar Sangathan; Democratic Students Union; Indian Council of Trade Unions; Lok Dasta; Mehnatkash Mazdoor Morcha; Progressive Students' Union; People's Union for Democratic Rights; Pragatisheel Mazdoor Trade Union; Rahul Foundation; Saheli; Stree Adhikar Sangathan; Jhuggi Jhopri Nivasi Adhikar Samiti; Workers' Solidarity

रात दिन चला मेरा रहबर
झाड़ियों को उसने रास्ते दिए
और रास्तों को मंज़िल
नीदों को सपने दिए
सपनों को आकार

आकार जब लगे चमकने
चिंता हुई अंधकार को
महल उसके लगे डोलने
महलों के आधार
दलील जब हो गई कमज़ोर
उठ गई शाही तलवार
दिए शीश उतार

—सुरजीत पातर