

CATEGORISATION OF SETTLEMENT IN DELHI

May 2015

A Product of:

CITIES OF DELHI

citiesofdelhi.cprindia.org

India's capital is marked by different settlement types, defined by diverse degrees of formality, legality, and tenure. As part of a larger project on urban transformation in India, Cities of Delhi seeks to carefully document the degree to which access to basic services varies across these different types of settlement, and to better understand the nature of that variation. Undertaken by a team of researchers at the Centre for Policy Research (CPR), New Delhi, the project aims to examine how the residents of the city interact with their elected representatives, state agencies, and other agents in securing public services.

Through three sets of reports, the project provides a comprehensive picture of how the city is governed, and especially how this impacts the poor. The first is a set of carefully selected case studies of slums, known as jhuggi jhopri clusters (JJs) in Delhi, unauthorised colonies, and resettlement colonies. The second set of studies explores a range of different processes through which the governing institutions of Delhi engage with residents. The third focuses on selected agencies of governance in Delhi. All reports are made public as they are completed.

Cities of Delhi is directed by Patrick Heller and Partha Mukhopadhyay and coordinated by Shahana Sheikh and Subhadra Banda. The project has received funding from Brown University and the Indian Council for Social Science Research.

Policy and planning documents define eight types of settlement in Delhi, only one of which is termed "planned". The other seven types of settlement become, by opposition, 'unplanned'. This 'unplanned' city houses the vast majority of Delhi's residents across the economic spectrum: these settlements include the affluent farmhouses of South Delhi, well-built colonies populated by successful businesspeople, and dense slum-like areas.

The most frequently cited estimates of population housed in each of these categories of settlement first appeared in a document published in 2001 by the Delhi Urban Environment and Infrastructure Improvement Project (DUEIIP). The DUEIIP, a collaboration between the Planning Department of the Government of National Capital Territory of Delhi (GNCTD) and the Indian Ministry of Environment and Forest, was a World Bank-funded effort to prepare a plan for improvements in Delhi's urban infrastructure and environment for 2021. The most striking observation recorded in the population data released by DUEIIP is that, in 2000, less than a quarter of Delhi's population was living in "planned colonies". The data is reproduced below.

Settlement Type	Estimated Population in 2000	% of Total Estimated Population
JJ Clusters	20.72 lakhs*	14.8
Slum Designated Areas	26.64 lakhs	19.1
Unauthorised Colonies	7.40 lakhs	5.3
JJ Resettlement Colonies	17.76 lakhs	12.7
Regularised-Unauthorised Colonies	17.76 lakhs	12.7
Rural Villages	7.40 lakhs	5.3
Urban Villages	8.88 lakhs	6.4
Planned Colonies	33.08 lakhs	23.7
Total	139.64 lakhs	100

* 1 lakh = 100,000

Since 2001, this table has been cited by the GNCTD in its annual economic survey in 2001-02, 2005-06, and in 2008-09. In the 2005-06 and 2008-09 surveys, the text preceding this table makes an acknowledgment of the causal link between the scarcity of affordable housing and the growth of “unplanned” settlements:

Because of the lack of adequate developed land at affordable prices to different categories of residents on the one hand and continuous flow of migrants on the other, various types of unplanned settlements have come up in Delhi. Delhi landscape is marked with following types of settlements with distinctive features of each type in terms of level of civic amenities and the status of houses and land.

This categorisation also appears in the Master Plan of Delhi (MPD) 2021 in a section articulating a plan for the “Unplanned Areas” of Delhi.

Definitions and Numbers

Planned Colonies

Planned colonies are also referred to as “approved” colonies. These settlements sit on land demarcated as “development area” in the Master Plan of Delhi (and/or the concerned Zonal Plan). At the time of construction, housing units in these colonies comply with planning norms and are fully serviced with infrastructure like water pipelines and sewerage systems. The housing constructed by the Delhi Development Authority (DDA) exemplifies this category of settlement.

Slum Designated Areas

Slum Designated Areas (SDAs) represent the only settlements in Delhi that are technically ‘slums’. In order to be considered an SDA, a settlement must be notified under the 1956 Slum Areas (Improvement and Clearance) Act. The entire area of walled city and its extension are notified as SDAs, containing about 100,000 katras (properties) housing 1,000,000 families. It is worth noting that 97 per cent of these properties are privately owned. Once notified, an SDA is guaranteed basic services and its residents are entitled to due procedure and notice prior to eviction. No settlement in Delhi has been identified as an SDA since 1994.

Jhuggi Jhopri Clusters

While no slum has been officially designated in more than two decades, slum-like settlements have continued to grow and expand across Delhi. These non-notified slums are categorised by the GNCTD as jhuggi jhopri clusters

(JJs). These are defined as “squatter settlements” located on “public land”—land owned by an agency such as the DDA, the Railways, the Central Public Works Department (CPWD), or a department or agency of the GNCTD or one of the Municipal Corporations of Delhi—which has been occupied and built on without permission. As a result, these settlements are often referred to as “encroachments” in official discourse.

In 2011, the Delhi Urban Shelter Improvement Board (DUSIB), which is responsible for governing JJs, estimated there to be 685 JJs in the city, containing 418,282 jhuggis. In 2014, the DUSIB released another set of data based on a socio-economic survey carried out across all JJs in Delhi. This latest dataset identified 672 JJs with 304,188 jhuggis, amounting to about 10 per cent of Delhi’s population and covering a land area of 8.85 square kilometres, about 0.6 per cent of Delhi’s area.

Of people living in these eight categories of settlement, residents of JJs have the least secure tenure and are the most vulnerable to demolitions and evictions. JJ residents do not have any clear entitlement to basic services, although government agencies have undertaken incremental efforts to improve servicing in these settlements.

JJ Resettlement Colonies

Residents of Delhi’s JJs have experienced at least three waves of eviction and resettlement since the 1960s. At the time of their eviction from a JJ, those found eligible are allotted plots in settlements categorised as JJ Resettlement Colonies. The policy that established these resettlement colonies was designed to impose a measure of planning, providing basic services and shaping settlements in contrast to the JJs they replace. Despite this intention, these colonies remain clearly outside the ambit of “planned colonies”, and most have received basic services only years after resettlement.

During the first wave of resettlement in the 1960s, 18 resettlement colonies were established. In the 1970s, Emergency brought a second wave of resettlement, producing another 26 such colonies. These 44 original resettlement colonies were scattered along the periphery of the city, far from the JJs they replaced. The most recent wave of resettlement was the result of evictions to make way for infrastructure for the 2010 Commonwealth Games. During this period, JJ residents were relocated to 11 sites, mostly in north, northwest, and west Delhi. These newest resettlement colonies—which include Savda Ghevra,

Bawana, Holambi Kalan, Papan Kalan, Rohini, and Narela—bring Delhi's total number of resettlement colonies to 55. There is no official estimate of the population living in these 55 colonies. The most comprehensive figure available is a September 2013 estimate by the GNCTD, which concludes that 250,000 households (approximately 1.25 million people) live in the 44 resettlement colonies established as a result of the first two waves of resettlement. This estimate does not include those living in the 11 newest colonies.

Unauthorised Colonies

Unauthorised colonies are built in contravention of zoning regulations, developed either in violation of Delhi's Master Plans or on 'illegally' subdivided agricultural land. The literature on unauthorised colonies sets out two distinguishing features: one, these areas have been 'illegally' subdivided into plots, and; two, the buyers of plots in these settlements possess documents (mostly in the form of a general power of attorney or GPA) that prove some form of tenure, which may be characterised as 'semi-legal'. In recent years, the government has introduced a policy framework for regularisation of these colonies, a process designed to bring these settlements into the legal ambit.

According to the GNCTD's own estimate in 2013, four million people were living in as many as 1639 unauthorised colonies. In 2012, 895 of these colonies had been found to be "eligible for regularisation".

Regularised – Unauthorised Colonies

From the 1960s until the early 1980s, hundreds of unauthorised colonies were 'regularised'. Although the exact conditions and parameters on which these regularisations were carried out remain unclear, it appears that these regularisations were based on resolutions taken either by the DDA or by standing committees of the erstwhile Municipal Corporation of Delhi.

Logically, regularisation should bring these colonies into the ambit of the 'planned' city. This has not been the case: they continue to be referred to, even many years after regularisation as "regularised-unauthorised colonies", remaining squarely within taxonomy of 'unplanned' settlement. Various documents of the GNCTD count 567 such colonies, though there is no estimate of the population living in these regularised-unauthorised colonies.

Rural Villages

Rural villages are located mostly on Delhi's periphery in areas that continue to be classified as "rural" by the Master Plan of Delhi. They are typically characterised by agricultural activity.

The term "Lal Dora" (red thread) finds repeated mention in policy documents related to villages in Delhi. In 1908-09, parts of the rural areas were officially designated for "abadi" (population), or non-agricultural activity, with a red thread; these boundaries were reflected in red ink on village maps. Unlike the agricultural land outside of these boundaries, parcels of land included within the "Lal Dora" line are not assessed for land revenue. Ownership of "Lal Dora" land is only by way of possession and is not recorded in land revenue records. The authority for certifying the boundary of the village "abadi" is the Revenue Department of GNCTD.

From 1908 until the 1950s, as populations grew, the area needed and used for "abadi" naturally expanded. Beginning in 1952, policy recognised this reality, extending the "Lal Dora" area. In each village, the extended village "abadi" was then enclosed within a new peripheral boundary called "phirni", usually represented by a road at the periphery. The Revenue Department—first of the early Delhi Administration, and now of the GNCTD—marked these new boundaries. The areas between the "Lal Dora" and the "phirni" boundaries are called "Extended Lal Dora (ELD) areas". Plots in ELD areas are given separate unit numbers in land revenue records and each plot of land is a freehold residential plot with ownership recorded in the land revenue records. Further, these plots can be bought and sold through registered sale deeds.

At present, there are 227 rural villages in Delhi that fall in the Rural Use Zone of the Master Plan of Delhi. Residential buildings in rural villages are not subject to the same planning restrictions as those in other areas.

Urban Villages

From time to time, rural villages are notified under Section 507 of the Delhi Municipal Corporation Act 1957, shifting the settlements into the urban ambit and designating them as "urban villages", also sometimes referred to as "urbanised villages" in policy documents. Upon declaration as "urban", the "Lal Dora" area in a village ceases to exist and the provisions of the Master Plan, Zonal Plan, or relevant Area Development Plan and Building Bye-laws become applicable.

At present, there are 135 urban villages in Delhi, designated between 1963 and 1994. Once a village has been included in the 'urban' area of Delhi, its land may be further notified under Section 22(1) of the Delhi Development Act, through which it is placed at the disposal of the DDA for development. According to GNCTD's latest data, 80 of these villages received this notification since 1974.

Critique

A critical look at the 2000 population figures published by DUEIP raises questions about the data. The table shows identical population figures in each of two sets of two settlement categories: JJ Resettlement Colonies and Regularised-Unauthorised Colonies both show populations of 17.76 lakhs, and Unauthorised Colonies and Rural Villages are both listed as housing 7.40 lakhs. This very improbable congruence casts doubt on the data in general.

It is also important to emphasize that while the taxonomy of settlement type gives the impression of a neat classification, there are unacknowledged grey areas. Indeed, even “planned colonies” often evolve in ways that blur the categorical boundaries. For instance, in planned colonies constructed by the DDA, residents might extend or modify the design of their flat after construction, sometimes many years later. The overlap between JJs and unauthorised colonies also disrupts the integrity of the eight categories. 895 unauthorised colonies found “eligible for regularisation” in 2012 included 583 located in full or part on “public land”. This contradicts the widely understood distinction between the two categories, that while JJs are built without permission on public land, UACs are located on private land used in violation of the master plan. If this distinction does not hold, how are UACs and JJs—which are often physically similar—categorised?

A similar overlap can be seen between UACs and villages. Out of the 1639 UACs that applied for regularisation by 2007, more than 140 were classified as colonies that had “come up as extension to village abadi and outside the lal dora of village”. In other words, what might be seen as the natural growth of an existing village had been categorised as new UACs, with very different tenure implications. Individual settlements have also been categorised differently in different documents. For instance, Kusumpur Pahari, one the settlements documented as part of this project, appears on both the list of JJs and on the list of villages.

MORE INFORMATION

A more detailed account of ‘unplanned’ settlements and the processes that govern them mentioned in this brief can be found in the reports of the Cities of Delhi project, available at citiesofdelhi.cprindia.org/reports/