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Municipal Politics, Court Sympathy and Housing Rights: A Post-Mortem of Displacement and Resettlement under the Sabarmati Riverfront Project, Ahmedabad

Renu Desai



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Centre for Urban Equity (CUE)

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(Centre for Urban Equity, CEPT University)

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CUE was established at CEPT University in 2009, evolving from the Urban Poverty Alleviation (UPA) Cell established in 2008. CUE advocates a human-centered and equitable urban development paradigm. CUE undertakes research and advocacy; conducts training and capacity-building; imparts education; and networks with stakeholders on various aspects of human settlements with a focus on urban equity.

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Abstract!

This paper examines the displacement and resettlement of the urban poor affected by the Sabarmati Riverfront project, an urban rejuvenation project in Ahmedabad. It illuminates the interacting and evolving discourses, practices and politics of different actors: the municipal government, riverfront slum residents and local leaders / organisations, non-governmental organisations, the judiciary and political leaders. By doing so, it examines how these shaped the displacement and resettlement process and its outcomes. In particular, the paper unpacks municipal politics, the court rulings which have been construed as being sympathetic towards the poor for the greater part of the process, and the shifting politics of the Sabarmati Nagrik Adhikar Manch (SNAM) which spearheaded the riverfront housing struggle, to argue that they led to an evisceration of the rights of the riverfront urban poor. These rights had been articulated by SNAM in its initial years and by their lawyer in their Public Interest Litigation. The consequences of the evisceration of rights include profound uncertainty, insecurity and harassment during the resettlement process over getting alternate housing; forced demolitions during the process; a process and form of resettlement that is likely to lead to long-term economic and social disruptions for many displacees; and deepening socio-spatial divides in the city along both class and religious lines. The paper also shows that while the government authorities use the court's "supervision" of the resettlement and rehabilitation to officially represent the Riverfront project as inclusive, the court in fact enabled the authorities to pursue the project and the resettlement without engaging with the rights of the urban poor, making the project deeply exclusionary and inequitable.

The Riverfront project and the resettlement is an important lens into Ahmedabad's neoliberal transformation since the early 2000s, which has involved a spatial restructuring of the city through numerous beautification and infrastructure projects aimed at improving the city's image, attracting investments and boosting quality of life for the city's middle/upper-middle classes. This restructuring has been contingent upon the large-scale displacement of the urban poor from their informal spaces of habitation / livelihood and their resettlement. This is a process that has typically begun with a blatantly exclusionary stance towards the urban poor by the government, later leading to a particular politics of inclusion enabled by the judiciary, which is however completely devoid of any consideration of people's rights and the realities of their lives.

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1. Introduction

The Rs.1200 crore Sabarmati Riverfront project is an urban rejuvenation project in Ahmedabad, the largest city and commercial capital of the western state of Gujarat. It is a showcase project for the city's municipal government as well as the Government of Gujarat. Into its eleventh year of implementation, the project has reclaimed land not only from the Sabarmati river but also from about 10,000 families who used to live in different neighbourhoods along the project's 11-kilometre stretch along the river. These neighbourhoods – Merianagar, Dudhnath Mahadevi ni Chali, Kashmiri Mahadevi ni Chali, Saharanagar, Anwarnagar, Khariwadi, Shantipura na chapra, Paresh na chapra, Azadnagar, Jalvihar na chapra, Maniben ni Chali, Kagdiwad and many others – were demolished between 2006-2011, with most families resettled in two-room+kitchen flats built under the Basic Services to the Urban Poor (BSUP) programme.

This paper examines this resettlement process. It is important to do so for a number of reasons. The resettlement is one of the largest undertaken in an Indian city. Moreover, it was done under the supervision of the Gujarat High Court as a result of a Public Interest Litigation on the matter. Significantly, the government authorities have aggressively promoted the Riverfront project, portraying it as inclusive and even exemplary, pointing to the supervision of resettlement by the court as one indication of this.¹ The aggressive promotion of the project is likely to be responsible for the awards received by both the project and the BSUP housing.² The Riverfront project and the resettlement is also an important lens into Ahmedabad's neoliberal transformation since the early 2000s, which has involved a spatial restructuring of the city through numerous beautification and infrastructure projects aimed at improving the city's image, attracting investments and boosting quality of life for the city's middle/upper-middle classes. Besides the Riverfront project, these include the Kankaria Lakefront project, the Bus Rapid Transit System and road-widening projects. This spatial restructuring of the city has been contingent upon the large-scale displacement of the urban poor from their informal spaces of habitation / livelihood and their resettlement. This is a process that has typically begun with a blatantly exclusionary stance towards the urban poor by the state, later leading to a particular politics of inclusion enabled by the judiciary, which is however devoid of any consideration of people's rights and the realities of their lives.

The objectives of the paper are three-fold. First, the paper aims to illuminate the interacting and evolving discourses, practices and politics of different actors and examine how these shaped the resettlement process and its outcomes. This includes the municipal government, riverfront slum residents and local leaders / organisations, non-governmental organisations, the judiciary and political leaders. Second, it aims to identify the inclusions and exclusions of this resettlement process and their implications for fostering an inclusive and equitable Riverfront project and

¹ On its official website, the riverfront project is described as being designed to “shape Ahmedabad's future as a city oriented towards residents' needs and poised for responsible, inclusive growth.” The court's “supervision” of the rehabilitation of riverfront slum residents is mentioned in a description of the project as exemplary. <http://www.sabarmatiriverfront.com/37/vision> and <http://www.sabarmatiriverfront.com/35/an-exemplary-project> (accessed on 10.3.2014).

² The project received the HUDCO National Award 2012 for Innovative Infrastructure Development. In the same year, the global advisory firm KPMG categorized the project under the 100 most innovative projects towards urban regeneration that make cities livable and sustainable (TOI 2012). The Government of India has given awards to the Ahmedabad Municipal Corporation in 2011 and 2014 for “Best City in the Implementation of Basic Services to Urban Poor (BSUP)” (Financial Express 2011; Dshgujarat 2014).

inclusive and equitable urban development in Ahmedabad. Third, it endeavors to contribute to debates around urban politics and governance, including debates about the role of the state, the judiciary and local slum residents' organisations in realizing the rights of the urban poor in India's rapidly globalising cities.³

The paper begins with a brief discussion of the existing literature and debates on the politics of displacement and resettlement in Indian cities. It then briefly describes the Riverfront project and provides an overview of the slum displacement and resettlement process. Following this, the paper traces the displacement and resettlement process in detail, drawing out and analysing the discourses, practices and politics of three main actors – the municipal government, a riverfront housing struggle spearheaded by the Sabarmati Nagrik Adhikar Manch (SNAM) and the Gujarat High Court – and showing how their interplay shaped the process and its inclusions and exclusions.

The main argument of the paper is that the interplay of municipal politics, court rulings which have been construed as being sympathetic towards the poor for the greater part of the process, and the shifting politics of the Sabarmati Nagrik Adhikar Manch whose leaders over time began to negotiate within the limits imposed by municipal politics and the judiciary, led to an evisceration of the rights of the urban poor. These rights had been articulated by SNAM in its initial years and by their lawyer in their Public Interest Litigation. The evisceration of rights led to profound uncertainty, insecurity and harassment during the resettlement process over getting alternate housing and forced demolitions during the process. It also led to a process and form of resettlement that is likely to create long-term economic and social disruptions for many displacees. And finally, it has also led to deepening socio-spatial divides in the city along both class and religious lines.

2. Politics of Displacement and Resettlement in Indian Cities

Recent decades have seen aggressive development in Indian cities, particularly the metropolitan cities, through urban infrastructure, beautification and real-estate projects. These developments have led to the dispossession of many urban poor and marginalized groups. A host of discourses articulated by State governments, city governments and elites – of “world-class cities” and “global cities,” of the need to attract investors and stimulate urban economic growth, of “public interest” and “improving “quality of life,” etc – have facilitated such developments. Scholars have deconstructed and analyzed many of these discourses to reveal how they often clash with the rights of the urban poor and marginalised. For instance, Baviskar (2006) has argued that upper-class concerns around aesthetics, leisure and health, which clash with the rights of the poor, are

³ The paper is based on research carried out between 2004-12. This has involved three phases of research: (i) 18 months of fieldwork over three research trips between June 2004 and December 2006, involving conversations and interviews with a range of people, participant observation in rallies and meetings, and analysis of project documents; (ii) Intermittent research between December 2009 and October 2011, in the form of three week-long research trips over 2009-10 (one of these research trips also involved participating in a public seminar and another involved participating in a public hearing, both on urban displacement in Ahmedabad); and (iii) 14 months of fieldwork between October 2011 and November 2012, involving interviews with 17 local leaders and conversations with many other riverfront slum residents, non-participant observation on the riverfront and at the resettlement sites, and analysis of court documents, court orders and data obtained from the local government under the RTI Act. I would like to acknowledge the support I got from research associates at the Centre for Urban Equity in mid-2012 for conducting 20 focus group discussions at eight of the 18 resettlement sites. All names of riverfront residents, including local leaders, have been changed in this paper to protect their identity.

often cast as seemingly class-neutral discourses of environmental quality of life, thus articulating a politics of bourgeois environmentalism. These developments have also been made possible through a criminalisation of the urban poor through discourses of “illegality” and “encroachment” (Bhan 2009; Ramanathan 2006) or by constructing a discourse that casts their presence and activities as “nuisances” (Ghertner 2008).

The judiciary has also played a key role in shaping these anti-poor discourses through its judgments in many Public Interest Litigations (PILs), leading to large-scale urban evictions, particularly in Delhi (Bhan 2009; Ramanathan 2006). Bhan (2009) writes that in Delhi less than 25 percent of these evicted families have received any alternative resettlement, with most of this on the outskirts of the city (in many cases almost 50 kms from their previous sites) without adequate tenure security, adequate provision of basic services and an economic livelihood base.

The history of PIL had not, however, begun with an anti-poor stance. PILs had become increasingly common in India from the mid-1980s to prevent and challenge slum demolitions and evictions.⁴ At this time, many judges had taken an activist interpretation of the Indian Constitution, creating a new regime of rights which might be enforced through the courts (Craig and Deshpande 1989). Essentially, many judges had read substance into the Directive Principles of State Policy (Part IV of the Constitution) which are meant to guide the state in the framing of laws and policies but are not enforceable in the court. They had done this through an expansive reading of Fundamental Rights (Part III of the Constitution) which are enforceable in the courts. Thus, the meaning of Article 21, the “Right to Life and Personal Liberty” which is a Fundamental Right under the Indian Constitution, was interpreted by them to mean the right to live with human dignity, which they then linked to Directive Principles such as the right to an adequate means of livelihood, the right to education, the right to humane conditions of work and so forth. In this manner, the “Right to Life and Personal Liberty” also came to include the right to housing. In these early PIL judgments, the courts thus recognised the right to shelter within the fundamental rights framework of the Constitution.

Scholars writing mainly on evictions in Delhi trace a marked shift in court judgments from the 2000s. Ramanathan (2006) traces various court cases since the early 1990s to show how the judiciary became a significant contributor in de-legitimising the urban poor. She argues that “the constitutionality that ensured every citizen the fundamental rights of livelihood, housing and shelter has now been revised, reinvented and supplanted by a legality that sees the urban poor as encroachers and a threat to civic existence” (Ramanathan 2006: 3193). Bhan (2009) argues that while earlier court judgments betrayed an empathy for the poor, ordering that alternative accommodation be provided before evictions are carried out and a desire to minimize harm caused during resettlement processes, after 2000 the urban poor were labelled “encroachers” and their very citizenship came to be called into question. Giving resettlement has even come to be considered unjust by the court following the court judgment in *Almitra Patel vs. the Union of*

⁴ Before 1982, litigation was the prerogative of the aggrieved person/party, and a person/party not personally affected could not approach the courts for justice as a proxy for an aggrieved party. Recognizing that the poor and disadvantaged could not easily access the courts and usually did not have the capacity to represent themselves in the courts, the Supreme Court of India, in 1982, conceded that a third party could directly petition the court and seek intervention in a matter where another party’s fundamental rights were being violated and where the issue raised was one of substantial public interest. This paved the way for Public Interest Litigations.

India (2000), which declared that “rewarding an encroacher on public land with an alternative free site is like giving a reward to a pickpocket for stealing” (quoted in Bhan 2009: 135).

However, in many Indian cities, the courts have not been entirely intolerant of the urban poor and have taken what might be considered a sympathetic stance towards them, especially in the context of eviction threats. Thus, in Ahmedabad, Stay Orders against slum evictions are regularly obtained from the court by housing-rights advocates. The website of the Human Rights Law Network (HRLN) shows that this is common in many other Indian cities as well.⁵ However, there has been almost no research into how these cases have unfolded over time, in the courts and on the ground, and what kind of possibilities and limitations they pose for realising the rights of the urban poor and creating more equitable cities. So then what happens following such Stay Orders and what are the processes and outcomes that unfold? Resettlement under the Riverfront project in Ahmedabad gives us an opportunity to examine one such case.

The literature on urban politics and governance has also shed light on the practices and politics of various other actors and their role in facilitating / challenging the evictions, displacements, and resettlement processes that have been an integral part of the neoliberal transformation of Indian cities. For instance, Roy (2003) has shown that particular political leaders of the Communist Party of India (Marxist) have played a crucial role in enabling evictions by the state and simultaneously establishing informal slum resettlement colonies on Calcutta’s urban fringes through the party’s apparatus, which are then provided infrastructure through the formal state apparatus. These colonies often become key sites of political patronage, social control and electoral mobilisation for the CPI(M).

In Mumbai, scholars have examined the role of NGOs and CBOs as they have been at the forefront in shaping and negotiating slum displacement and resettlement under the Mumbai Urban Transport Project (MUTP). Appadurai (2002) has argued that NGOs have been able to mobilise grassroots participation in radically new ways in Mumbai, in which the urban poor have participated in knowledge production, opening up possibilities of “governmentality from below.” He argues that with this self-empowerment, slum residents have taken on a politically neutral stance, negotiating directly with whoever is in power. While Appadurai has conceptualized this as “deep democracy,” other scholars have been more critical and cautious in their analysis of the same phenomena. Roy (2009), for instance, theorises the mediation of slum resettlement in MUTP by NGOs and CBOs as a regime of civic governmentality. She argues that this regime both resists and complies with what may be perceived as top-down forms of rule, producing a particular “politics of inclusion” in which “the urban subject is simultaneously empowered and self-disciplined, civil and mobilised, displaced and compensated” (Roy 2009: 161). She further argues that it is through such a regime of civic governmentality that urban renewal is facilitated.

Doshi (2011) further shows how participatory resettlement in MUTP resulted, on the one hand, in empowered roles for certain groups of women residents mobilised by the “Alliance” (a partnership between the NGO SPARC, the National Slum Residents’ Federation and Mahila Milan, a federation of women’s savings groups in slums) in what are otherwise elite-driven projects and,

⁵ <http://www.hrln.org/hrln/housing-rights/pils-a-cases.html> (accessed on October 12, 2012). Not all the PILs listed on this webpage have been met with sympathy by the judiciary, but where they have been, it has usually resulted in a Stay Order on evictions.

on the other hand, in a reinforcement of socio-economic inequalities amongst resettled inhabitants. Her research shows how mobilisations through NGOs and grassroots organisations can enable market-oriented projects of urban transformation and produce deeply uneven and contradictory experiences and outcomes amongst residents. Doshi's critique echoes those of community participation that point to the problematic definition of "community" and emphasize the local power structures within poor communities that often lead to unequal participation and the empowerment of only a few. Those who participate and are empowered are usually those with influence (with political parties, NGOs, etc) and those who are economically better-off (see Cooke and Kothari 2001; de Wit and Berner 2009; Zerah 2009). There are also grassroots rights-based mobilisations which have resisted slum evictions in Indian cities. In the case of MUTP, the Ghar Bachao Ghar Banao Andolan (GBGB, which is linked to National Alliance of People's Movements) has been resisting evictions and arguing for resettlement near slum residents' existing neighbourhoods (Doshi 2011).

The literature discussed above reveals the ways in which different actors in different Indian cities are involved in facilitating neoliberal urban redevelopment, displacement and resettlement. This paper on Ahmedabad's Riverfront project is located at the intersection of the politics of different actors. By analysing the interacting and evolving discourses, practices and politics of diverse actors, and how this shaped Riverfront redevelopment, displacement and resettlement, it attempts to illuminate the interplay of municipal politics, court sympathy and grassroots mobilisation and its implications for housing rights and realising an inclusive and equitable city.

3. The Sabarmati Riverfront Development Project

The Sabarmati River Front Development project was initiated in 1997 when the Ahmedabad Municipal Corporation (AMC) established a special purpose vehicle, the Sabarmati River Front Development Corporation Limited (SRFDCL), to develop the city's riverfront. In 1998, a project proposal was prepared for SRFDCL by the Environmental Planning Collaborative (EPC), an Ahmedabad-based urban planning firm (hereafter referred to as the 1998 proposal). This proposal envisaged extensive land reclamation along a 9-kilometre stretch of the river, the creation of riverfront promenades and open green spaces, residential and commercial real-estate development, the development of cultural facilities, the construction of infrastructure such as roads and service networks, the allocation of space for existing and new informal markets, and resettlement and rehabilitation of riverfront slum households (EPC 1998). A central aspect of the proposal was that the project should be self-financing. The allocation of 21% of the total reclaimed land for residential and commercial development was calculated on this basis. Although the rhetoric of the 1998 proposal echoed earlier riverfront development proposals going back to the 1960s in emphasising the improvement of the quality of environment and life in Ahmedabad, the project was profoundly different in that it leveraged the market for urban restructuring, proposed extensive land reclamation from the riverbed and seductively re-imagined the area straddling the river in ways similar to urban mega-projects elsewhere in the world.

An important outcome of EPC's involvement as planning consultant was that the 1998 proposal not only sought to ambitiously redevelop the riverfront, but also brought the relocation and rehabilitation of the riverfront urban poor within the ambit of the project. It recommended that

affected slum residents be resettled on the riverfront itself, stating that moving them more than 2-3 kilometres from their present sites would adversely affect their livelihoods. The proposal articulated this aspect of the project as bringing about a positive transformation in the lives of poor communities, eliminating the risk of flooding for them and providing them with elevated and serviced land on the developed riverfront.⁶ This set the stage for official representations of the project as being inclusive.

However, as this paper will show, with the beginning of the project's implementation, the needs and concerns of the riverfront urban poor were increasingly marginalised by AMC's entrepreneurial politics of urban mega-project development which increasingly prioritised beautification of and maximising gentrification of the riverfront. Politically, the project has been supported by both parties: while the Bharatiya Janata Party (BJP) revived the project in 1997 while it was in power in AMC, project construction began in 2003 when the Congress Party was in power. The project is being implemented under the BJP's tenure since 2005-end. Both the mayor (belonging to the ruling party in AMC) and the leader of the opposition party are on SRFDCL's Board of Directors. SRFDCL's Board also comprises of high-level bureaucrats from both AMC and Government of Gujarat. Since Narendra Modi, Gujarat's Chief Minister, holds power over the appointment of these bureaucrats, he has been able to play a central role in the shaping of the Riverfront project regardless of which party has been in power in AMC. In fact, his interest in and support for the project has been vital, especially since the riverbed land (much of which has been reclaimed for the project) was the property of the State government and had to be transferred to the AMC for the project. This land was transferred in 2003, following which Modi inaugurated the project construction. The project has since been a keystone of his urban development agenda and has been repeatedly showcased in the Vibrant Gujarat summits organised by the State government. In this way, AMC's entrepreneurial politics of urban mega-project development also linked up to the entrepreneurial politics and investment-attracting strategies of the State government (see Desai 2011). While I emphasise municipal politics around the project in this paper, it must be kept in mind that this was always coupled with the State government's politics around the project.

The project has seen several modifications since the 1998 proposal. Currently, the project spans a 11-km stretch of the river with some promenades completed and already being used. A lesser percentage (14 per cent) of the land is expected to be sold now. Despite all the hype around the project, substantial construction work remains to be completed. What the riverfront will look like in the future, when it is officially completed, is anybody's guess. However, a crucial part of the project which was slum resettlement has been largely completed.

3.1. Displacement and resettlement: A brief overview

The 1998 proposal estimated that there were a total of 10,000 slum households living on the riverfront. Of these, 4,400 slum households were estimated to be directly affected by the project. Based on this, the proposal allocated land for three slum relocation sites on the riverfront itself. Between 1999 and 2002, AMC / SRFDCL engaged a Mumbai-based organisation to survey the riverfront slums. Since these authorities made no attempt to engage with the residents, concerns arose amongst the NGOs working in the riverfront slums and the residents. As the project got

⁶ For a critical analysis of EPC's 1998 proposal for the riverfront, including its approach towards bringing the riverfront urban poor within the ambit of the project, see Desai 2012.

increasingly more coverage in the local press from 2002 onwards, these concerns heightened. In this context, some NGOs and activists began to mobilise riverfront slum residents.

Rahethan Adhikar Manch (RAM), a housing-rights organisation formed under Action Aid after the 2002 communal violence in Gujarat, began to organise meetings with the riverfront slum residents.⁷ According to Beena Jadhav, the head of RAM, about 80 residents' committees were formed in the riverfront slums with each committee comprising of 10-12 members, both men and women.⁸ In mid-2003, some of these community leaders attended the Gujarat Chief Minister's inauguration of the Riverfront project's construction, during which he urged AMC / SRFDCL to complete the project in 1000 days. This led to intensified concerns about displacement amongst the leaders. Some of them felt that RAM did not engage their concerns in a regular sustained manner. "They would hold a meeting and then disappear for three months," one leader explained, adding that this was the reason they approached the director of the St. Xavier's Social Service Society (SXSSS), a NGO working on education and community development in his neighbourhood.⁹ In response, the SXSSS director organised a meeting which was attended by about 60 slum residents who decided to work under the banner of the Sabarmati Nagrik Adhikar Manch (SNAM).

SNAM and its constituent CBOs, other CBOs and RAM worked in some kind of loose affiliation and collaboration over 2003-04 to mobilise riverfront slum residents and approach government authorities and political parties with their concerns.¹⁰ Government authorities responded by giving vague assurances that slum residents would be resettled. They never placed the 1999-2002 survey, which had identified about 14,500 households and estimated that about 8,500 of these would be directly affected (CEPT-GEC 2002), in the public domain. Newspapers continued to be the only source of information for residents. This information kept changing and increasingly there was no mention made of resettlement being on the riverfront.

Around this time, Deepak Babaria, a senior Gujarat Congress Party leader, formed the Ahmedabad Shehr ane Riverfront Jhupda Samiti and tried to mobilise slum residents on the riverfront and elsewhere in the city. SNAM leaders soon became disillusioned with this political mobilisation. Meanwhile, SXSSS and some other NGOs and activists had been debating whether to file a PIL in the Gujarat High Court on the issue of slum displacement and resettlement under the Riverfront project. Some of them had been insistent that the PIL be filed with some of the SNAM leaders as the main petitioners so that the riverfront slum residents were empowered to take their struggle forward.¹¹ It was thus that the PIL "Mohamad Aliyarkhan Pathan & others versus State of Gujarat & others" was filed in the Gujarat High Court in April 2005 through Girish Patel, a well-known

⁷ After the 2002 riots, Action Aid had initiated a project called Aman Samudaya to work on cultural integration of religious communities. This had taken Aman Samudaya workers – some of whom had worked in the riverfront slums in the late-1990s when they had been part of another NGO called SAMVAD – to the riverfront slums. Here, their attention was directed to the Riverfront project and slum residents' impending displacement. They organised a meeting with slum residents and several NGOs and activists in the city, and the Rahethan Adhikar Manch (RAM) was subsequently formed. Interview with Beena Jadhav, Rahethan Adhikar Manch, July 11, 2005.

⁸ Interview with Beena Jadhav, Rahethan Adhikar Manch, July 11, 2005.

⁹ Interview with Abbasbhai, SNAM leader, March 6, 2005.

¹⁰ A letter to the Municipal Commissioner in early 2004 was signed by several different CBOs, SNAM and RAM.

¹¹ Interview with Father Victor Moses, SXSSS director, April 19, 2005.

human rights lawyer and activist in Ahmedabad. The court ruling gave a Stay Order, asking the government authorities to spell out their plans for resettlement and rehabilitation (R&R) and to not evict any family until further orders by the court.

For the next three years, AMC / SRFDCL continued with the construction of the Riverfront project without finalizing their R&R plans. During this period, no official information on R&R was placed in the public domain and neither were any consultations held with slum residents or even NGOs. Newspapers continued to give information that kept changing. SNAM leaders continued their awareness and mobilisation meetings with slum residents and also organised a massive protest rally in December 2005. Despite the Stay Order, AMC / SRFDCL also tried to evict some families from different riverfront slums (see appendix: Table 1). SNAM leaders and other residents attempted to counter the evictions, failing to stall some of them and succeeding in stalling some others.

AMC / SRFDCL submitted a R&R Policy to the court in mid-2008. This revealed that AMC / SRFDCL had turned to the Basic Services to the Urban Poor (BSUP) component of the Central government's Jawaharlal Nehru National Urban Renewal Mission (JnNURM) to finance the construction of the resettlement housing. This was contrary to the 1998 proposal that had proposed to raise the money for resettlement through the Riverfront project itself. AMC had also already begun construction of BSUP houses at a number of sites in the city, all away from the riverfront (Map 1).

Alongwith the R&R Policy, AMC / SRFDCL asked the court to allow them to resettle 416 families from nine different riverfront slum neighbourhoods. At the end of 2009, AMC / SRFDCL approached the court for permission to shift an additional 4001 families. In mid-2010, they asked the court to let them shift a further 1608 families. The 4001 families as well as the 1608 families comprised of residents from different riverfront slum neighbourhoods. The court gave its permission each time and AMC / SRFDCL carried out a series of allotment draws over three phases in 2009-2010 (see appendix: Table 2). During this, SNAM leaders (some of who were petitioners on the PIL) came to the forefront of negotiation with AMC / SRFDCL, and many became intermediaries between the authorities and slum residents. At the end of 2009, the court also ordered that an association of project affected families (hereafter referred to as PAF association) be formed to assist AMC in the proper rehabilitation of slum residents. SNAM leaders decided who would be in the 6-member PAF association. The R&R Policy had proposed a committee headed by a retired High Court judge to resolve various issues. This committee was formed in 2010 with Justice D.P. Buch at the helm. Known as the Buch committee, it convened for the first time in September 2010, more than two years after the R&R Policy had been submitted to the court.

Following these three phases of resettlement in 2009-10, AMC / SRFDCL carried out demolitions in the riverfront slums in May 2011. The court's ruling at this juncture led to a fourth phase of resettlement. This involved a single allotment draw by AMC based on a list of 4319 families identified by SNAM from across all the different riverfront neighbourhoods (see appendix: Table 3). Soon after this, two lists – one by SNAM and one by Babaria, the Congress Party leader – with a total of 1433 families, were submitted to the court as families that had been left out of the resettlement. Subsequently, on September 9, 2011, a court ruling directed AMC / SRFDCL to

complete the resettlement process, shift the 1433 families to a temporary site while the Buch committee verified their eligibility for resettlement, and vacate the riverfront by October 31, 2011. In mid-November 2011, AMC carried out large-scale demolitions to clear the riverfront of slums. Many families were shifted to the temporary site of Ganeshnagar on the city's outskirts. Documents of the 1433 families were scrutinized and AMC / SRFDCL carried out an allotment draw in January 2012 for those who were deemed eligible (see appendix: Table 3). However, with pending claims in the court, the PIL court case continued and even today has not been wrapped up.

4. Post-Mortem

The above overview of the Riverfront project and the displacement and resettlement process briefly outlines the process chronologically and reveals the multiple actors involved in it. In the rest of this paper, I examine in detail three strands of interacting and evolving discourses, practices and politics at work, each involving one key actor – AMC / SRFDCL, SNAM and the court – and how they shaped the process and its outcomes. Since these actors were acting parallelly, and their discourses, practices and politics evolved over time in response to each other, I discuss them in relation to four stages of the displacement and resettlement process. The first stage, which I refer to as beginnings, is the period of 2003-05. The second stage begins with the PIL and the Stay Order and covers the period of 2005-08. The third stage begins with the submission of the R&R Policy to the court in mid-2008 and covers the first three phases of resettlement in 2009-10. The fourth stage begins with the May 2011 demolitions, followed by a fourth phase of resettlement, followed by more demolitions, followed by a fifth phase of resettlement.

4.1. Beginnings (2003-2005)

4.1.1. Municipal politics: Producing uncertainty

From the inception of the Riverfront project, AMC / SRFDCL's practices produced uncertainty around the question of how the project would impact the riverfront slum residents. Between 1999 and 2002, AMC / SRFDCL engaged a Mumbai-based organisation to survey the riverfront slums. However, they made no attempt to explain the survey to the residents at the time. After the survey was done they made no attempt to engage with the residents or concretely spell out their plans for them. From 2002, the project got increasingly more coverage in the local press, which not only exalted the Riverfront project but also gave continually shifting reports on the numbers of affected families and where and how the authorities would resettle them. I have referred to these as multiple and shifting terrains of compensation (see Desai 2012). For instance, in 2002, newspapers at first reported that AMC would resettle the slum residents on the reclaimed riverfront land (Asian Age 2002; Kaushik 2002). Later that year, a newspaper reported that the slum survey had identified 13,800 families on the riverfront, that 6,000 of these would be affected since they were within the Project Control Line and they would be resettled on AMC's vacant plots (Gujarat Samachar 2002). Several months later, another newspaper reported that AMC would resettle 15,000 families in 3-storey buildings on a plot of land in north-west Ahmedabad (Sandesh 2003). These articles were the only source of information for residents.

In April 2003, the construction of the Riverfront project was inaugurated but no concrete information was given about the resettlement of the slum residents. Following this, in early 2004, a

newspaper reported that AMC would resettle 5,000 families on a 1 lakh sq.m. plot given to AMC by the Government of Gujarat (Divya Bhaskar 2004a). A few more months later, another newspaper reported that AMC would resettle 14,500 families on land in Vasna and Vatwa (Indian Express 2004). Vatwa is an area located on the eastern periphery of the city. The absence of any concrete information from the authorities about resettlement even as Riverfront project construction began on the ground reflected AMC / SRFDCL's entrepreneurial politics of urban mega-project development and their lack of sensitivity towards the lives, experiences and concerns of the urban poor and non-recognition of their rights. The multiple and shifting terrains of compensation, as reported in the newspapers, was an outcome of this politics and it produced a deep uncertainty of the future amongst many riverfront slum residents. Concerns therefore arose amongst the NGOs working in the riverfront slums and the residents. It was thus that the Sabarmati Nagrik Adhikar Manch was formed by some residents in 2003.

4.1.2. Sabarmati Nagrik Adhikar Manch: Housing rights and communal unity

The Sabarmati Nagrik Adhikar Manch (SNAM) organised a series of meetings in different riverfront slums in Feb-March 2005 to create awareness amongst slum residents and mobilise them under the SNAM banner (Image 1).¹² The late-evening meetings, many of which went on till midnight, were often interspersed with *desh bhakti* songs, songs of struggle, and songs that urged class unity across religious lines. SNAM leaders took turns to speak. Some leaders argued that it had been 50 years since Indian independence but the poor had still not attained freedom, first becoming prisoners of the Congress Party and then the BJP. Others argued that politicians had first taken away their employment in Ahmedabad by closing the textile mills and were now going to take away their homes. An oft-repeated refrain at the meetings was “*garibo ko hata rahe hai, garibi ko nahin*” (“they are removing the poor, not poverty”).



Image 1: Meeting by Sabarmati Nagrik Adhikar Manch in Merianagar in 2005 (photo by author)

Image 2: Banner of Sabarmati Nagrik Adhikar Manch at a rally in 2005 (photo by author)

Some leaders also gave passionate speeches about communal harmony (Image 2). Many of the riverfront slums comprised of both Hindus and Muslims. Ram Rahim Nagar, a riverfront neighbourhood with a 70% Muslim and 30% Dalit population, was often introduced in these meetings as an exemplar of communal unity since it had never experienced violence during the city's numerous communal riots. The leaders of the Ram Rahim Nagar Jhupdawasi Mandal – a CBO which was registered in 1973 and alternately elected Muslim and Dalit presidents every 2.5

¹² The below description and analysis of SNAM's awareness and mobilisation activities is based on participant observation during 2005-06.

years – were introduced in the meetings. The SNAM president who was Muslim also told residents: “We must forget that we are Hindus, that we are Muslims. We must think of ourselves only as slum residents (*jhupdawasio*).” Ramsinhbhai, a leader who was Hindu and who stood out because of his recently adopted saffron headscarf, told residents: “For this struggle, there is no question of a person’s religion. We have to put our differences aside and unite to achieve something. Hindus and Muslims both are welcome and must walk together in this struggle.” In their awareness and mobilisation meetings and walks in the riverfront slums, the leaders also emphasised that SNAM was a people’s organisation, comprising only of slum residents (*jhupdawasio*). They stressed that they did not have support from any political party and exhorted local residents to come forward as leaders and represent their neighbourhood in SNAM. The leaders also articulated a powerful discourse of *adhikar* (rights) in their meetings as well as in their letters to bureaucrats and politicians and in the protest rallies they organised. They invoked *awaas adhikar* (housing rights) and their *adhikar* (rights) as *nagrik* (citizens) in their meetings. As discussed below, this discourse of rights can be attributed to NGOs’ activities with the leaders.

SNAM had been formed in mid-2003. Its early years had involved interactions with NGOs like RAM and SXSSS. In fact, as described earlier, SXSSS had helped the slum residents in forming SNAM. The reason was not only that SXSSS was working in some of the slums on education and community development, but also because it saw the mobilisation around the Riverfront project as an extension of its efforts to bring Hindus and Muslims together around shared activities and concerns in the post-2002 period. Many Hindus and Muslims from these neighbourhoods had moved to relief camps during the 2002 communal violence.¹³ The Hindus had returned to their houses from the camps soon after the violence had ended. However, Muslims had been reluctant to do so since their houses had been burnt down and a few lives had been lost as well. The violence had disproportionately affected the Muslim residents of the city, and the brutality that they had experienced and the lack of state protection, and even abetment of the violence by the state apparatus,¹⁴ had created well-founded fears of returning to their homes. Thus, even after the Islami Relief Committee had assisted them in rebuilding their houses, only a few had returned. SXSSS, which had provided relief at the camps, had therefore organised meetings of Hindus and Muslims from these neighbourhoods to rebuild trust between them so that the latter would return. Eventually most Muslims had returned and SXSSS had continued to promote communal harmony by bringing the two communities together around shared activities and concerns. As a result, when both Hindu and Muslim leaders approached the SXSSS director with their concerns about the Riverfront project, he had organised a meeting and SNAM was formed. The approximately 60 residents who attended it had elected a Muslim leader as their president.

Over 2003-05, SXSSS had spent time training the leaders so as to strengthen their unity, make them reflect on their communal unity and shared marginalisation, create awareness on housing rights, and train them in grassroots mobilisation as well as in articulating their concerns and demands to government officials and politicians. In 2004, it had taken them to the Mumbai World Social Forum and a workshop-rally organised by the National Forum for Housing Rights in Delhi on the occasion of World Habitat Day. These experiences shaped SNAM leaders’ identity as slum

¹³ This paragraph is based on: Interview with Father Victor Moses, SXSSS director, April 19, 2005; Interview with SXSSS community worker, August 11, 2005.

¹⁴ Many citizen groups at the time, and later investigative journalists, have written about the role that the state apparatus played in the systematic violence against Muslims. See, for example, CCT 2002; HRW 2002.

residents and its early discourses, practices and politics that tried to fuse housing rights and community unity.

Another experience which shaped SNAM leaders' early discourses, practices and politics was their experience with political parties. BJP leaders had expressed no interest in their concerns, however, some Congress Party leaders had organised meetings on slum residents' issues in 2004. Babaria, the Congress Party leader who had formed the Ahmedabad Shehr ane Riverfront Jhupda Samiti, argued that the party had passed a resolution in AMC's Standing Committee to change the cut-off date from 1976 to 2000 for resettling displaced slum residents in Ahmedabad, but the Municipal Commissioner had not implemented this resolution. Babaria's contention was that since the Municipal Commissioner is appointed by the Government of Gujarat, he was paying heed to Gujarat's Chief Minister and his BJP-led State government rather than to AMC's Congress-led elected wing. A mass rally of slum residents was organised in December 2004 to bring pressure on the Municipal Commissioner. This did not lead to any change in the cut-off date at the time. SNAM leaders were soon disillusioned with this political mobilisation. They felt that the Congress Party was playing a double-game, on the one hand implementing the Riverfront project while being in power in the AMC and on the other hand leading rallies of slum residents on the streets to gain votes in the approaching 2005 municipal elections. From here onwards, a critique of all political parties became part of SNAM leaders' discourse and politics around the Riverfront project (Image 3). Indeed, a number of the SNAM leaders continued to be linked to the Congress Party or the BJP but had decided that when it came to their housing concerns, no party could be fully trusted.



Image 3: SNAM posters in the riverfront slums with slogans critiquing both political parties before the 2005 municipal elections (photo by author)

SNAM's discourse of *adhiakar* (rights) invoked *nagrik adhiakar* (citizenship rights), *manav adhiakar* (human rights), and what might be called contributor rights as the basis of their *awaas adhiakar* (housing rights) and claims to the riverfront.¹⁵ This discourse challenged the notion that rightful claims to the riverfront ought to be based on legal property ownership. For instance, in one of their meetings, a leader argued: "We are citizens (*nagrik*) of this country. The law should be equal

¹⁵ I borrow the term "contributor rights" from Holston (2008) although I use it differently than he does.

for all. If they are going to demolish our slum (*jhuppadpatti*) then they should also demolish the buildings of the rich along the riverfront.” This posed a challenge to the riverfront plans which marked out the slums as slated for removal while leaving untouched the legally owned lands and buildings of the middle and upper-middle classes. In a letter that SNAM wrote to the Municipal Commissioner, a similar argument was made: “We welcome the Sabarmati Riverfront project but if our slums are to be removed because they fall within the project area, then clarify why the houses of the rich, hotels, clubs, complexes and shopping centers are not slated for removal as well.”¹⁶ In its meetings in the slums, leaders also spoke about how it was the labor of the poor which made possible the lifestyles of the rich. Leaders who had worked in the city’s cotton textile mills spoke about how Ahmedabad’s glory as an erstwhile textile city was because of the labor of its millworkers. This discourse of the contribution of the poor to the city attempted to construct a legitimacy for their claims. It was also this sense of their contribution to the city that prompted them to assert in a letter to the Municipal Commissioner that the urban poor had the first share (*pratham faalo*) in the city’s development (*vikaas*) and thus, development should be first carried out for them before pursuing the city’s beautification.¹⁷

This letter went on to make a number of demands. It asked AMC to give the project-affected slum residents comprehensive information about the project in Hindi and Gujarati. It demanded that 20% of the riverfront land on which the slum residents presently live be allocated for resettlement in the form of multistorey buildings for them. It asked that the cost of this housing be decided as per policies outlined for the poor. It demanded that ownership rights be given to them for this housing. It also appealed that the government refrain from forcibly bulldozing their present houses and that it prioritize the needs of the poor in urban beautification and development. In SNAM’s awareness and mobilisation meetings, these demands were articulated simply in the slogan “*jya jhupdu, tya makaan,*” which demanded that the slum residents be given resettlement houses where their huts presently were on the riverfront. This particular demand to be resettled at the riverfront sites where they currently lived had been expressed in previous letters too.¹⁸ In one letter, SNAM had, in fact, even demanded that alternative houses should be given in lieu of their huts and thus no monetary contributions should be taken from the slum residents for resettlement.¹⁹

Through its grassroots mobilisation of slum residents and rights-based discourses and claims-making, SNAM thus articulated a right-to-the-city politics. This was based on their own experiences of living and working in the city, their experiences with state authorities and political parties, and their learnings from the NGOs they interacted with. As a result, SNAM leaders emphasised communal unity, rejected all political parties and constructed SNAM as a people’s organisation, and encouraged slum residents and leaders from different riverfront slums to join SNAM as leaders. Since they found that the 1999-2002 survey had missed out many families, they also built their own knowledge base through household surveys. They demanded that riverfront slum residents be given information about resettlement and they articulated their housing rights in terms of demands to be resettled on the riverfront itself.

¹⁶ Letter by SNAM to the Municipal Commissioner, AMC, dated 12.12.2005.

¹⁷ Ibid.

¹⁸ Letter by several CBOs, SNAM and RAM to the Municipal Commissioner, AMC, dated 12.1.2004; Letter by SNAM to several Gujarat Congress Party leaders, dated 21.2.2004.

¹⁹ Letter by SNAM to several Gujarat Congress Party leaders, dated 21.2.2004.

4.2. The Riverfront PIL and the Stay Order (2005-2008)

4.2.1. *The PIL: Articulating the rights of the riverfront urban poor*

In mid-2005, a PIL was filed in the Gujarat High Court with some SNAM leaders as the main petitioners. The PIL articulated slum residents' concerns in an expansive manner. The PIL explained that the project affected people belonged to the lowest strata of society and had started living on the banks of Sabarmati river to earn their livelihood since they did not get any benefit of public housing and could not purchase any private land as this was beyond their economic means.²⁰ The PIL briefly explained the poor conditions of housing in the riverfront slums. It also briefly explained the kind of work that the project affected people were engaged in, asserting that the project affected families "form an important segment of the informal economy" and contribute substantially to the "growth, development and prosperity of the city."²¹ The PIL submitted that despite many letters to state authorities, there had been no response and the families were "seriously agitated and disturbed" and "naturally worried about their future because for them it was not merely a question of houses but a question of their very livelihood and right to life."²² Drawing upon progressive Supreme Court judgments, the PIL went on to petition the court to enforce riverfront slum residents' rights under Articles 14 (equality before law and equal protection before law), 19(1)(g) (right to practice any trade or profession) and 21 (right to life and personal liberty), read with the Directive Principles of State Policy. It argued that for slum residents, the "right to shelter and right to work are intimately connected with right to livelihood which is an important element of right to life."²³ It went on to explain that slum residents' right to life "depends upon their livelihood, their livelihood depends upon the work available to them, their work depends upon the right to shelter in a particular locality and, therefore, if evicted from the place where they live and thrown out to a place far away from their places of work, they will be deprived not only of right to shelter but even right to work and this will ultimately result in deprivation of their means of livelihood and right to life under Art. 21 of the Constitution of India."²⁴ With this, the PIL petitioned the court to ensure that the houses of the slum residents were not demolished "without advance notice and without fair, just and reasonable procedure" and "without providing a just, fair and adequate alternative accommodation relevant to their work and livelihood in the nearby place."²⁵ It also argued that if people "are evicted and settled in a distant place, they will be losing their means of livelihood and thus it would amount to violation of their right to carry on trade, business, occupation, profession, work as guaranteed by Art.19(1)(g) of the Constitution of India."²⁶

Evoking the principles of democracy and the right to human dignity, the PIL further argued for the right of slum residents to know and be informed about the project and about resettlement and rehabilitation as well as the right of slum residents to participate in decision-making processes that

²⁰ Special Civil Application No. 6280 of 2005 ("Mohmadkhan Aliyarkhan Pathan & others versus State of Gujarat & others," filed by Girish Patel Associates in the Gujarat High Court on 7.4.2005) (hereafter referred to as S.C.A No. 6280/2005), pp. 4-5.

²¹ S.C.A No. 6280/2005, pp. 5, 30

²² Ibid, p. 31, 35.

²³ Ibid, p. 37.

²⁴ Ibid, p. 42.

²⁵ Ibid, p. 42.

²⁶ Ibid, p. 45.

concerned issues affecting them.²⁷ The PIL observed that the project proposal (referring to the 1998 proposal) clearly provides for the resettlement and rehabilitation of the project affected people. Therefore, the slum residents “have a right to demand such resettlement and rehabilitation” and if the authorities evict the slum residents without full and fair resettlement and rehabilitation, then the authorities would be violating their own assurances and thus violating Article 14 of the Constitution of India.²⁸ According to Girish Patel, the human-rights lawyer who prepared the PIL, the 1998 proposal – which he reproduced in large parts in the PIL – was important for the claims articulated by the PIL since it assured resettlement and rehabilitation and recommended further work to be carried out for this purpose.²⁹ Finally, the PIL, drawing upon a Supreme Court judgment, also argued that the State was a public trustee of common property and resources like the river and riverfront, which should therefore “be used only for the benefit of society in general and cannot be appropriated for narrow commercial interest of a few affluent people or trade or industry or for simple beautification of the city at the cost of the poor people.”³⁰

The PIL ended by appealing to the court to issue specific directives to the state authorities to ensure the rights of riverfront slum residents. Essentially, the PIL appealed to the court to declare that the “pursuance of the Sabarmati Riverfront Development Project without and before completing satisfactorily the just and fair scheme of resettlement and rehabilitation of all project affected people” was violative of people’s rights and not in the public interest.³¹ As interim relief, it appealed to the court to direct the state authorities to provide various details regarding resettlement and rehabilitation, and to restrain the authorities from pursuing the project “without and before giving such full information and taking the people into confidence.”³² The PIL thus articulated a rights-based discourse, giving constitutional substance to the right-to-the-city claims that SNAM was making through its mobilisation, rallies and letters.

4.2.2. The framing of the Stay Order and municipal politics

In response to the PIL, the court granted a Stay Order, ordering that the state authorities spell out their plans for rehabilitation and not evict any family until further orders by the court. This gave the riverfront slum residents legal protection against eviction. However, contrary to the PIL’s appeal to the court, it gave a Stay Order on only the eviction of slum residents and not on the Riverfront project as a whole. Furthermore, the court order did not give the authorities any deadline for submitting the rehabilitation plans nor did it direct them to address the rights articulated in the PIL in their rehabilitation plans (hereafter referred to as R&R Policy).

While Stay Orders on evictions are generally construed as being sympathetic to the urban poor, I argue that this narrow framing of the Stay Order delinked slum residents’ rights (that could have been realized through the R&R Policy) from the planning and implementation of the Riverfront project. This had serious consequences for the riverfront slum residents and for the possibility of making the Riverfront project inclusive and equitable, especially in the context of AMC / SRFDCL’s politics around the project. This politics sought to maximise beautification of and gentrification of the riverfront and was insensitive towards the lives, experiences, and concerns of

²⁷ Ibid, pp. 45-48.

²⁸ Ibid, p. 44.

²⁹ Interviews with Girishbhai Patel, lawyer, May 14, 2005 and July 9, 2005.

³⁰ S.C.A No. 6280/2005, p. 53.

³¹ Ibid, p. 53.

³² Ibid, p. 58.

the urban poor, let alone recognize their rights. Thus, firstly, as a result of the narrow framing of the Stay Order, these authorities continued to construct the Riverfront project for the next three years without finalising and implementing a R&R Policy (Image 4). It was inevitable then that with the continuing construction of the Riverfront project and other projects on the riverfront, the riverfront slums would begin to come in the way of this construction.³³ Given AMC / SRFDCL's politics, their action was to try to evict slum residents so as to not delay project construction. Thus, the interplay of the narrow framing of the Stay Order and municipal politics led to eviction attempts by AMC / SRFDCL.



Image 4: Riverfront project construction / land reclamation in 2006 (photo by author)

Secondly, the narrow framing of the Stay Order *enabled* AMC / SRFDCL in shifting of resettlement *away* from the riverfront, thus denying residents' right to livelihood that was articulated in the PIL as being integral to the right to life and right to shelter. In fact, the court ruling did not even address the PIL's articulation of slum residents' rights. It is worthwhile to note that at the time of the Stay Order, AMC / SRFDCL were using the proposed land use plan from the 1998 proposal (and later an expanded version of it) in its publicity material. While this showed slum resettlement as being on the riverfront itself, other strategies were already at work behind the scenes. An internal SRFDCL report reveals R&R options were being explored by the authorities around 2004, in which a cut-off date of 1995, 20-30 sq.m. houses and resettlement sites away from the riverfront were proposed (SRFDCL 2004). The narrow framing of the Stay Order allowed all this to continue until AMC / SRFDCL decided to come to the court with a R&R Policy three years later, in mid-2008. By that time it was too late to change anything drastically. Construction of resettlement housing had already begun away from the riverfront. In other words, the court ruling *enabled* AMC / SRFDCL's entrepreneurial politics of urban mega-project development. Moreover, since resettlement was shifted away from the riverfront, this also inevitably led to religious segregation. This is because in the context of Ahmedabad's communally polarised and segregated geography, it was only natural that most people would be unwilling to shift into unfamiliar areas dominated by the other religious community. I therefore argue that religious segregation in resettlement was, in fact, an outcome of the narrowly framed Stay Order.

Later I will discuss in detail both the shifting of resettlement away from the riverfront and the

³³ Other projects on the riverfront include the construction of new bridges across the river and approach roads to the bridges. These were separate projects in terms of their funding but were integral to the Riverfront project's design.

religious segregation in resettlement that this entailed. Let us return here to the evictions that became inevitable in the context of the narrow framing of the Stay Order and AMC / SRFDCL's politics of riverfront development.

4.2.3. AMC's fragmentary evictions and grassroots resistance

AMC tried to carry out evictions in different riverfront slums over 2005-2007 (see appendix: Table 1). As mentioned earlier, the narrow framing of the Stay Order in the context of municipal politics meant that the authorities continued with project construction (for the Riverfront project or other projects near the riverfront) without finalising and implementing a R&R Policy. It was inevitable that some of the riverfront slums would begin to come in the way of this construction. In 2005, AMC began to build a new bridge across the river and some of the riverfront slum residents on both sides of the river were in the path of the bridge. In 2006, it encountered a small group of slum residents who were in the way of continuing Riverfront project construction. In 2007, it began to build another new bridge across the river with similar consequences. Given municipal politics and the absence of a finalised R&R Policy, the authorities tried to evict these slum residents in some way or the other so as to continue with project construction. However, while the interplay of the narrow framing of the Stay Order and municipal politics made evictions inevitable, the Stay Order also made evictions illegal and could therefore be used as a tool in grassroots resistance to evictions. As I show below, each eviction attempt played out somewhat differently and some evictions occurred and others were stalled (also see appendix: Table 1).³⁴

In July 2005, AMC tried to carry out its first eviction on the riverfront in the neighbourhood known as Padesh na Chapra (see Map 2). This was for building a new bridge across the river. At first, some families were verbally told to vacate their houses. Few weeks later, 21 families were given a notice by AMC's Estate Department, ordering them to vacate their houses in 21 days. The notice also mentioned that families with 1976 proof of residence would be given "*vaikalpik vyavastha*." This refers to alternate housing, which has usually involved a plot of land on the city's outskirts without tenure security and basic services; in other words, becoming the genesis of new informal settlements in the city. SNAM wrote a letter to AMC evoking the court's Stay Order and negotiated with officials, succeeding in stalling the eviction. Bridge construction somehow continued. According to one SNAM leader, they negotiated with AMC so that the residents coming in the way of construction moved their houses but remained in the neighbourhood. According to some residents of the neighbourhood, several families coming in the way were evicted later without resettlement and no one knew where they had gone.

Soon after, AMC also served eviction notices to 177 families in Merianagar (see Map 2), another riverfront slum neighbourhood. These notices were also given by AMC's Estate Department. They ordered families to vacate their houses in seven days. No mention was made of alternate housing. After SNAM leaders wrote a letter to AMC evoking the court's Stay Order and met some municipal officials to oppose the eviction, AMC did not carry out evictions by the date mentioned in the notices. However, notices were given again a few months later, offering the families land under a "Sites and Services" project. SNAM held an urgent meeting at Merianagar which was attended by 50-60 people (Image 1). Some had seen the Sites and Services site, which was several

³⁴ The below description of the eviction attempts and mobilisation against these by SNAM leaders and slum residents is based on fieldwork in these riverfront slums, participant observation at SNAM meetings, and interviews with SNAM leaders and slum residents during 2005-07 and 2011-12.

kilometres away on the outskirts of the city near Piplaj village and was entirely devoid of basic services. At the meeting, SNAM leaders therefore urged people to reject the site they were being offered since SNAM was demanding that AMC give them houses within a distance of 2-3 kilometres. They urged the people to sleep in front of the bulldozers if AMC came to demolish their houses. SNAM leaders also met a high-ranking AMC official and told him that the people would not live in the open. They argued that AMC had given houses to the residents of Gulbai Tekra (a slum elsewhere in Ahmedabad) so it must also give houses to Merianagar's residents. However, SNAM's attempts to counter the eviction failed. Three municipal councilors went to Merianagar and threatened people that if they did not move to the Sites and Services site, they would not be offered even this alternative later on. Some people therefore dismantled their houses and moved to the Sites and Services site (Image 5), and on seeing them, others followed suit. This site came to be known as Ganeshnagar.



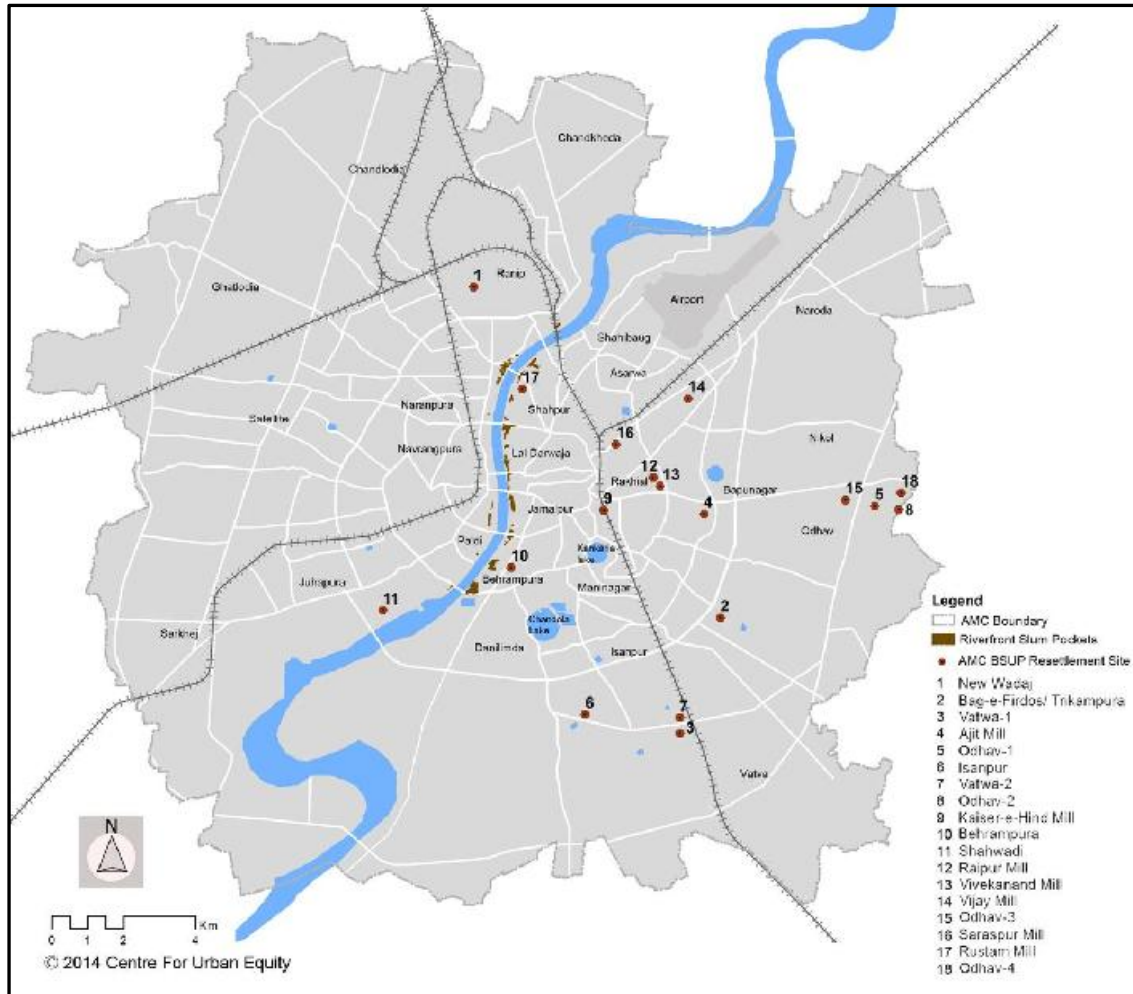
Image 5: Sites and Services site in 2005, just before families moved here (chalk markings show the plots; in the distance is an already broken prefabricated toilet block) (photo by author)

In December 2006 and January 2007, three other evictions were attempted. In one, 25-30 families living at the edge of the Gujri Bazaar (Sunday market) (see Map 2) on the riverfront were given notices to vacate their houses and move to a plot of land near Shankar Bhuvan, a nearby riverfront slum. The notice further mentioned that later they would be permanently resettled under the R&R Policy for the Riverfront project. When bulldozers came to demolish their houses several days later, SNAM leaders rushed to stop the demolition. However, the demolition could only be postponed and ultimately the families had to move to the plot near Shankar Bhuvan (much later they were resettled in one-room+kitchen flats built by the Ahmedabad Urban Development Authority (AUDA), and not under the R&R Policy as mentioned in the notice).

In another eviction attempt, 20-30 families near the riverfront in Dudheshwar (see Map 2) were given notices ordering them to vacate their houses in 21 days. The notices did not offer any alternate housing and mentioned that they were required to vacate the land for the construction of a road leading up to the new Wadaj-Dudheshwar bridge that was to be built across the river. SNAM leaders met the Zonal Deputy Municipal Commissioner and the Police Commissioner and informed them that there was a Stay Order on evictions. The eviction was successfully stalled at the time. According to some informants, some of the families were later evicted and resettled in AUDA's one-room+kitchen flats. Notices were also given to 55 families in Kashmiri Mahadevi ni Chali (see Map 2) on the western side of the river at the other end of this proposed new bridge. The temple trust, on whose land they were living, also received a notice from AMC and was asked

to give adequate reasons and relevant documents if it did not want its property to be acquired.³⁵ Here, local residents not only invoked the Stay Order obtained by SNAM, but also got a letter from the priest of the temple trust to argue that they were legal tenants and not illegal encroachers.³⁶ The eviction was thus stalled. Later on AMC attempted to offer some of these families vacant land and then one-room+kitchen AUDA flats to get them to move, but the families held out. Most families at both ends of this new bridge were displaced only after AMC / SRFDCL submitted a R&R Policy for the Riverfront project in the court in mid-2008, and under which these families were given two-room+kitchen flats.

Map 1: BSUP resettlement sites for riverfront slum residents

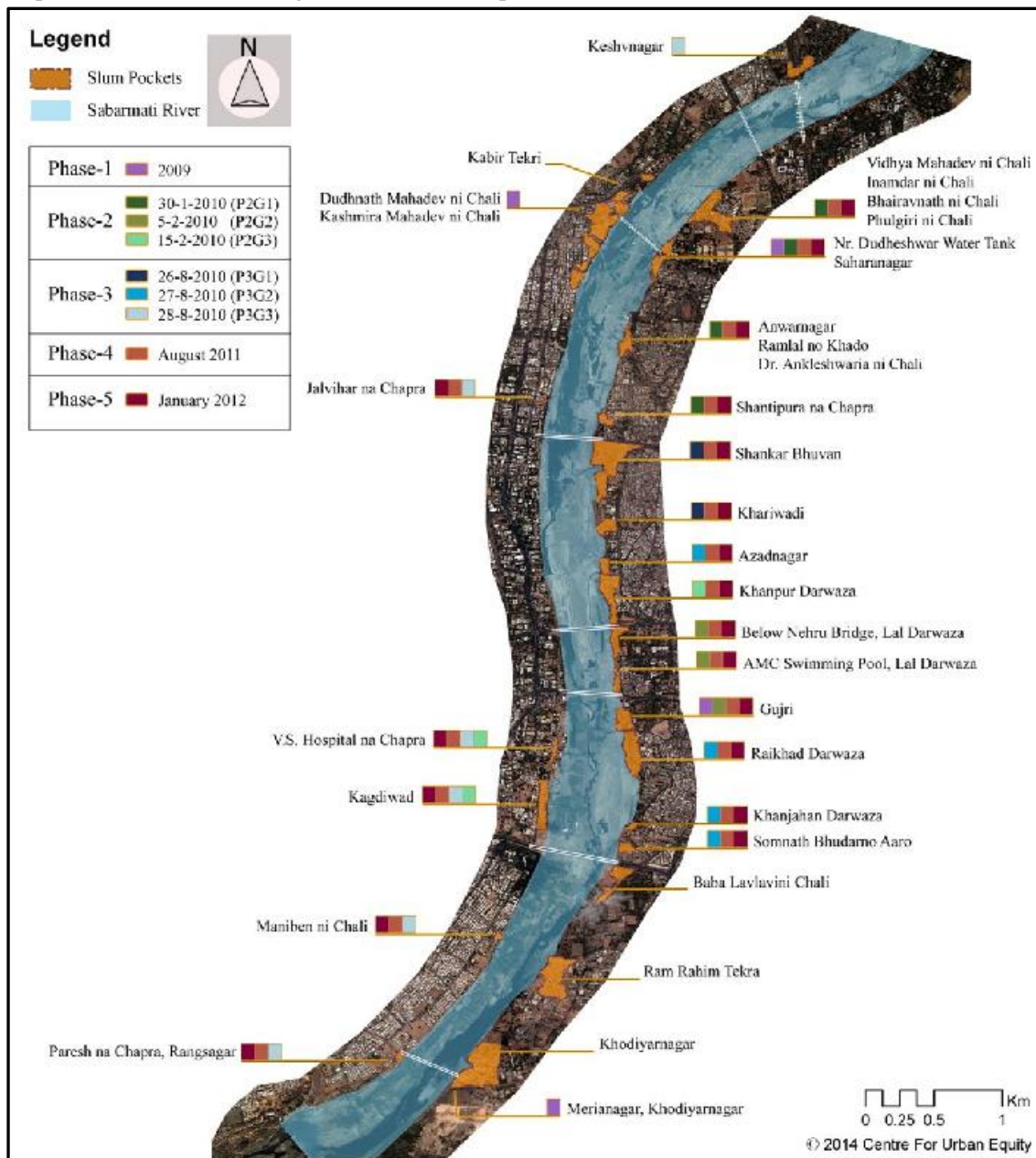


Source: Map prepared at CUE

³⁵ Letter by AMC's Estate and City Development Officer to Mahant Maharaj Shri Shivramgiriji Rampujari, Sole Trustee of Nilkanth Akhada, Asarwa, dated 22.12.2006.

³⁶ Letter by Mahant Maharaj Shri Shivramgiriji Rampujari to AMC's Estate and City Development Officer, dated 8.1.2007. The letter explained that the property comprises of historic small and big temples as well as rooms which are rented to obtain revenue to run the temple trust. It informed the AMC that "the people who live in these rooms are below poverty line, have been living here since many years and do labour work to raise their families. If the AMC acquires this property, then the poor people in about 150 rooms will become homeless, the trust will lost its income entirely, and the sentiments of Hindus will be hurt by the destruction of the temple." The evictions were stalled at the time, but after the R&R Policy was finalized, some of the trust's property was acquired and the displaced families from the land were resettled under the R&R Policy.

Map 2: Riverfront slum neighbourhoods* and phases of resettlement



Source: Map prepared at CUE

* The names of the neighbourhoods are based on fieldwork. Many larger slum pockets such as Shankar Bhuvan and Dudheshwar Water Tank had smaller neighbourhoods within it which have not been identified.

Thus, evictions were attempted in the name of different projects; some notices gave residents seven days to vacate, others gave 21 days; some notices offered alternate housing, others did not. Even where alternate housing was offered, this was minimal as in the Sites and Services site (which in subsequent years became an informal transit resettlement site for displacees from various projects in the city). Depending on how SNAM and local residents resisted the evictions, AMC sometimes tried to offer one-room+kitchen AUDA flats. I refer to these as fragmentary evictions since AMC had no clear comprehensive approach vis-à-vis eviction and resettlement, and it simply tried to carry

out evictions in some way or the other wherever it required land to be cleared for project construction. Some evictions occurred while others were successfully stalled (see appendix: Table 1), depending upon the interplay of municipal politics and grassroots resistance.

4.2.4. Frictions in the housing rights struggle

For three years following the Stay Order, AMC / SRFDCL continued Riverfront project construction without making any concrete commitments to the riverfront slum residents. In the early years following the Stay Order, SNAM and other NGOs therefore continued their mobilisation, articulating a discourse of housing rights and communal unity. SNAM organised meetings in different slums as well as a large rally to the AMC in December 2005 (Image 6). Through these activities, SNAM tried to extend its reach and credibility across the riverfront slum neighbourhoods. Their resistance to evictions in different neighbourhoods also helped in this. For instance, a woman community leader from Paresh na Chapra where AMC threatened to evict about 20 families in late-2005, joined SNAM at the time and told people at one of SNAM's meetings: "Abbasbhai (the SNAM president) came immediately when he heard of the eviction notices and he has done all the running around to stop the eviction. However, if notices are given everywhere, how will he run everywhere? That is why we need local leaders. It is not that Abbasbhai is in the front and we have to walk behind him. We have to walk with him!"³⁷



Image 6: Rally by Sabarmati Nagrik Adhikar Manch in December 2005 (photo by author)

However, even as SNAM's reach, credibility and dominance expanded in some ways, as the years unfolded after the Stay Order, frictions emerged between SNAM leaders and NGOs/activists, and between SNAM and some riverfront slum residents, on various issues.³⁸ These frictions surfaced due to the challenges of building and sustaining a mass grassroots struggle over such a large area (the 9-km stretch of the riverfront) for a long period of time in the context of the kind of fragmented polity that is found in most Indian cities. However, since the struggle itself was necessitated by the municipal politics of riverfront development, I argue that it is important to also see the frictions in the struggle as partly emerging out of this municipal politics.

One of the frictions that emerged was from SNAM's monetary needs. SNAM leaders spent their own money for transportation for SNAM work, and collected contributions from the leaders for

³⁷ Meeting organised by SNAM on September 4, 2005, at Sardar Smarak Hall, Ahmedabad.

³⁸ The below discussion of frictions is based on participant observation at meetings amongst SNAM leaders, one workshop organised by SXSSS with 20 SNAM leaders, and interviews with SNAM leaders, other local leaders in the riverfront slums and NGOs, over 2005-07.

organising meetings and rallies, typing letters, conducting household surveys, etc. However, not all the leaders had the economic capacity to contribute much and this intermittently created frictions amongst the leaders. For instance, in a discussion amongst leaders about registering SNAM with the Charity Commissioner's Office, one leader suggested that leaders who were willing to contribute money should sign the registration form – and thus get formal positions (of president, vice-president, secretary, etc) – “since nothing is possible without money.” Another leader, who was a vegetable vendor and was relatively poor, disagreed and argued that people who came regularly for the meetings should sign the registration form and be given formal positions in SNAM. In one leaders' meeting where such disagreements erupted, SNAM's president asked the two NGO workers who attended their meetings to talk to their respective directors about making a monetary contribution to SNAM, adding that this would solve some of the tensions amongst the SNAM leaders. However, monetary contributions were not forthcoming from the NGOs for various reasons that are beyond the scope of this paper. This created frictions between SNAM and NGOs. SNAM leaders considered collecting a small monthly contribution from all riverfront slum residents but quickly gave up on the idea since, being a new movement spread over a large area, many felt that it did not have that sort of credibility amongst the people and they could not guarantee what would emerge from their struggle. I argue that the issue of collecting contributions or raising funds for building and sustaining the struggle was bound to remain, and this was bound to create frictions, until issues about resettlement were adequately addressed by AMC / SRFDCL.

Another issue that created a strain between SNAM and NGOs was with regard to the non-inclusion of more SNAM leaders in the PIL. The NGOs had said that eight of the SNAM leaders would be listed as petitioners. However, the lawyer listed only four of them since he decided to include six prominent social and human rights activists to add moral weight to the PIL. Soon after the Stay Order was given, this created some arguments between the leaders, some of whom thought their names had been removed by the other leaders. These suspicions were resolved to some extent and instead frictions emerged with the NGOs over this. The leaders told the SXSSS director that misunderstandings and divisions had occurred amongst them because of the removal of some of their leaders' names from the PIL. The SXSSS director was never able to adequately clear the air about this. Around the same time SNAM leaders rejected another NGO's help in printing leaflets for a rally because the NGO had wanted its name to be on the leaflet as a supporting organisation. This occurred because SNAM leaders had become increasingly suspicious of the motives of NGOs due to the frictions discussed above, which led to concerns about who would get credit for the mobilisation and PIL and thus who would represent the slum residents in the court and to the government when the time came. This also led to conflicts with RAM whenever it tried to become more active on riverfront slum issues.³⁹ These concerns and suspicions of SNAM towards NGOs simmered over 2005-07, fueled by the lack of any concrete information from AMC / SRFDCL about resettlement. The rupture between SNAM and the NGOs that had initially guided and supported it widened as these frictions deepened.

During these years, SNAM became more dominant in the riverfront slums, both due to the PIL and the Stay Order as well as mobilisation in the riverfront slums, particularly against the evictions

³⁹ For instance, in 2005 when SNAM leaders went to a meeting organised by RAM and found that SNAM's banner had been put up without their permission, they forced RAM to take down the banner and left the meeting.

in 2005-07. However, this dominance does not mean that it enjoyed full reach and credibility amongst the riverfront slum residents. There were frictions here too. In some riverfront slums such as pockets of Shankar Bhuvan, SNAM leaders had not been well-received because of the dominance of the BJP and its Hindu right-wing sister organisations. As a result of this, residents were suspicious of SNAM because it was led by a Muslim president. In the riverfront settlements in Wadaj, SNAM had not got much of a response and while this seems to have been partly because of the dominance of the BJP in the area, it was also because many residents lived in *chalis* on private land whose owners collected rent from them. Many of these *chali* residents did not identify themselves as *jhupdawasio* (slum residents) and even felt that as *chali* residents, their houses were unlikely to be demolished under the Riverfront project. There was resistance to SNAM by some Muslim community leaders as well, the reasons for which varied. Some leaders were linked to the Congress Party and preferred to place faith in the party. One such leader also questioned the credibility of SNAM to carry out a household survey, pointing out that only a survey carried out by the AMC could be considered legitimate. In the Muslim-dominated riverfront slum near Khanpur Darwaza, the Congress Party had such a dominant presence that no community leader or resident from here joined SNAM. There were also other Muslim leaders who did not whole-heartedly join SNAM since they were skeptical of the personal motives of the SNAM leaders.

Some of the frictions discussed above led to SNAM's estrangement from NGOs and activists. Despite rising dominance of SNAM (particularly some leaders who had the money and time to put towards years of mobilisation), there were some frictions as residents of the riverfront neighbourhoods were divided on whether to trust SNAM or not. This led to continuing gaps in SNAM's reach and credibility. This had consequences later on for the displacement and resettlement process.

4.3. The R&R Policy and resettlement (2008-2010)

4.3.1. The minimal and ambiguous R&R Policy

AMC / SRFDCL submitted its R&R Policy to the court in mid-2008.⁴⁰ The R&R Policy stated the following: (i) A socio-economic survey (SES) of slums had been undertaken on the riverfront between 1999-2002. According to this, 8000 families would be fully affected by the project and 4000 would be partially affected; (ii) The fully-affected families would be considered for resettlement under the JnNURM scheme and the partially affected families would be considered on a case to case basis; (iii) The resettlement dwelling unit would be of 33 sq.m. built up area; (iv) Along with cost of land, each dwelling unit would cost Rs.4.25 lakhs. Of this 50% cost would be borne by the Government of India (Rs. 2,12,500), 20% by Government of Gujarat (Rs. 85,000) and 30% by AMC and the beneficiary (Rs. 1,27,500). The cost to be borne by the beneficiary would be Rs. 87,000, of which Rs. 17,000 would have to be paid in 12 monthly installments while a soft loan of Rs. 70,000 would be given which would have to be repaid over 10 years; (v) A cut-off date of December 2002 would be considered for inclusion as a beneficiary since the SES had been completed then; (vi) The resettlement unit would be given on a 10-year lease, at the end of

⁴⁰ Annexure II in Civil Application No. 6137 of 2008 in Special Civil Application No. 6280 in 2005 (submitted to the Gujarat High Court by AMC and SRFDCL on 14.5.2008) (hereafter referred to as C.A No. 6137/2008). Although called a "Draft" R&R Policy, this had already been adopted as the final R&R policy by SRFDCL's Board of Directors.

which the title would be transferred to the beneficiary; (vii) The resettlement unit would be given in the joint name of the wife and husband; (viii) A committee headed by a retired High Court judge would be responsible for allotment of units to beneficiaries and verification of their documents, and (ix) non-residential structures would not to be compensated at this stage.

The policy was silent on many important issues regarding R&R. This included who the 8000 “fully affected” and 4000 “partially affected” families were; the criteria for being “partially affected”; the various locations for the resettlement sites and their distance from the riverfront neighbourhoods; the basic services (for e.g. bore-well water or municipal water, etc) and social amenities (for e.g. urban health centres, etc) to be provided at the resettlement sites; who would be resettled where and when and how this would be decided; which documents would have to be shown to prove eligibility for resettlement (hereafter referred to as proof documents); and how the R&R process would be phased and carried out for such a large number of families living across different neighbourhoods. It was thus a minimal and ambiguous policy. The minimalistic manner in which the policy was written allowed for a complete lack of engagement with questions of rehabilitation, which are distinctly different from those of resettlement.⁴¹ The policy also had a number of clear exclusions built into it, such as its intention to use a cut-off date of December 2002.

4.3.2. The sympathetic court and the evisceration of rights

Along with submitting the R&R Policy, AMC / SRFDCL also asked the court for permission to shift 416 families. Later in 2009, AMC / SRFDCL asked for the court’s permission to shift 4001 families and then in 2010 to shift 1608 families. Each time, the court gave permission and thus three phases of displacement and resettlement took place between 2009-10. The court did not initiate any questions about the R&R Policy or these phases of displacement and resettlement. However, as the court rulings during this time (which I discuss in detail in the next section) show, the court did provide a space for the petitioners, that is, SNAM, to raise issues about the submissions made by the authorities to the court, and the court passed its rulings taking into consideration some of these issues. Thus, the court did not betray an intolerance towards the urban poor and its stance is generally construed as being sympathetic towards them.

In this paper I attempt to unpack this court sympathy. I argue that from the time that the R&R Policy was submitted in mid-2008 till the latter half of 2011, court sympathy led to its acting as arbitrator between two unequal parties rather than acting to realise slum residents’ rights. The court recognized that slum residents required its protection to get an alternate house, and the court was sympathetic in its rulings for this purpose, however, the court rulings did not engage at all with the question of slum residents’ rights as they were articulated in the PIL. By being a space for arbitration, slum residents’ rights might still have received some attention if SNAM, on seeing the R&R Policy, had brought up issues related to their rights as articulated in the PIL (which they had articulated, in a different way, in their own meetings and rallies). However, SNAM did not raise any questions on the R&R Policy or how it would be implemented (later in the paper I discuss why this happened). The R&R Policy thus remained minimal and ambiguous. In other words, by taking

⁴¹ Fernandes and Bharali (2011: 10) define rehabilitation as involving the rebuilding of economic resources, cultural systems, social structures and community support mechanisms that displaced persons / project affected persons lose as a result of alienation of their sustenance. It is a protracted process which begins long before displacement or deprivation and lasts for several years after land loss or physical relocation.”

an approach of arbitrating between two unequal parties rather than proactively enabling social justice, the court completely delinked the R&R Policy and its implementation from slum residents' rights. As a result, at this stage also, as with the Stay Order, while the court was not intolerant towards slum residents and it became an important space for negotiating a resettlement flat for many slum residents, it did not become a space for negotiating a rights-based, sensitive and transparent resettlement and rehabilitation process.

4.3.3. AMC's piecemeal and fragmentary resettlement

The minimal and ambiguous R&R Policy kept open a huge window for AMC / SRFDCL to pursue what I have referred to as a strategy of “flexible governing” of the urban poor under which these authorities began to displace and resettle slum residents depending on various shifting calculations and pressures rather than according to a well-thought-out and articulated strategy (see Desai 2012). In the following section I discuss in detail each of the three phases of displacement and resettlement over 2009-10 to trace the discourses and practices of the court as arbitrator as well as AMC / SRFDCL's “flexible governing,” the piecemeal and fragmentary resettlement, and the consequences of this. By piecemeal and fragmentary resettlement, I refer to the manner in which through flexible governing, different groups within almost each slum neighbourhood were resettled in different phases, in different ways and at different resettlement sites. By fragmentary resettlement I also refer to the social fragmentation of residents from the same riverfront slum neighborhood across different sites; this happened due to the manner in which each allotment draw lumped together different neighborhoods into a single group for random computerised allotment across different resettlement sites. Taking an artificially constructed group as opposed to the existing neighborhood (see Map 2) as the unit for the allotment draws ignored the social networks within many of the neighbourhoods.

The first phase was for 416 families from nine different riverfront slums. The second phase in 2009-end was for 4001 families from different riverfront slum neighbourhoods and the third phase in mid-2010 was for 1608 families, also from different riverfront slum neighbourhoods (see Map 2 and appendix: Table 2 for details on these three phases of resettlement).⁴² Briefly speaking, each time AMC / SRFDCL came to the court to ask for permission to shift a certain number of families, the court acting as arbitrator gave space to SNAM to bring up its concerns. SNAM brought forward certain concerns and not others, and the court – under Chief Justice S.J. Mukhopadhyaya who presided over the PIL from here onwards till October 2011 – gave its rulings accordingly. This in turn shaped AMC / SRFDCL practices. There was thus an interplay of the discourses, practices and politics of the municipal authorities, the court and SNAM.

Phase 1: Resettling 416 families

In mid-2008, along with submitting the R&R Policy, AMC / SRFDCL asked the court's permission to relocate 416 project affected families (PAFs) from nine different riverfront neighbourhoods. AMC / SRFDCL stated that they wanted to resettle these families on a “priority basis.”⁴³ The reason given by the authorities was that these slums were “hampering the ongoing work of construction” and shifting them was “required...so that the development activities of the

⁴² These numbers for the families in each phase of resettlement comes from court documents and court rulings. The numbers provided by AMC / SRFDCL in their response to my RTI applications were somewhat different. Wherever possible I try to explain the reason for the difference.

⁴³ C.A No. 6137/2008, p. 8.

[Riverfront] project can be carried with a great speed.”⁴⁴ Neither the court nor SNAM raised any questions about this. The court passed an order stating that the petitioners could visit the houses constructed for the PAFs.⁴⁵ SNAM leaders and some of the PAFs visited these houses at the Balolnagar resettlement site and gave their consent since the site was not too far from the riverfront. Based on the leaders’ own surveys of the riverfront slums, SNAM told the court that the 1999-2002 survey had been incomplete and nine families who lived amidst the 416 families should also be resettled with them. SNAM also raised the issue of lack of proper water and drainage at the resettlement site. The court passed an order stating that water and drainage be provided by AMC and the 416+9 PAFs should shift thereafter.⁴⁶ The court thus played the role of arbitrator, confining its ruling to asking AMC to address the issues that SNAM had brought up in the court.

It is worth noting here that at this stage AMC / SRFDCL attempted to bypass the court ruling. Municipal officials tried to force some of the PAFs to shift to one-room+kitchen AUDA flats elsewhere in the city. Information received in response to a RTI application shows that construction of none of the resettlement sites had been completed before the end of January 2009 (see appendix: Table 4). The conclusion I draw from this is that while AMC / SRFDCL needed to displace these slum residents from the riverfront to carry on construction work on the riverfront, the resettlement flats (which were being constructed by AMC’s housing department) were not yet ready. As a result, they attempted to manipulate the PAFs into settling for the smaller AUDA flats. SNAM’s lawyer wrote a letter to AMC / SRFDCL to remind them of the court’s orders to give two-room+kitchen flats, and not to threaten slum residents to settle for less.⁴⁷ AMC / SRFDCL retracted in the face of SNAM’s pressure, which was backed by what had been agreed upon in the court. AMC finally carried out allotment draws for 315 families nine months later, in March 2009, and gave them the two-room+kitchen flats.⁴⁸

It is also worth noting here that even before the R&R Policy had been submitted by AMC / SRFDCL to the court, AMC had in fact attempted to resettle many of these same families on vacant land, with plots drawn out in chalk and later in AUDA’s one-room+kitchen flats far from the riverfront (refer to section 4.2.3). For instance, a number of residents from Kashmira Mahadev ni Chali (who were resettled at Balolnagar through the March 2009 draw) and one SNAM leader from Maniben ni Chali (from whose neighbourhood some families were resettled through the March 2009 draw) recalled that they had been offered vacant land and/or one-room+kitchen AUDA flats in Vejalpur around 2007, but had rejected this.⁴⁹ At that time, slum residents had, in fact, discovered through newspapers that AMC had obtained financial support from the Central Government under the JnNURM-BSUP scheme to build two-room+kitchen flats and that these were to be used for resettlement of riverfront slum residents.

⁴⁴ Ibid, pp. 5-6, 8.

⁴⁵ Court order dated 15.5.2008, in C.A No. 6137/2008.

⁴⁶ Court order dated 17.6.2008, in C.A No. 6137/2008.

⁴⁷ Letter by Girish Patel Associates to AMC and SRFDCL, dated 1.9.2008.

⁴⁸ The figure of 315 families being involved in this first allotment draw in March 2009 comes from a response from AMC / SRFDCL to my RTI application (Ref. S.R.F.D.C.L. I.No.686 Dt.06.10.12). My speculation is that AMC / SRFDCL later decided that it needed to move fewer families for the time-being, and thus the allotment draw was carried out for 315 families instead of 416.

⁴⁹ Interview with resident at Balolnagar resettlement site, October 19, 2011; Interview with Ramsinhbhai, local / SNAM leader, November 6, 2011; Interview with local leader at Balolnagar resettlement site, September 22, 2012.

What this reveals is that AMC / SRFDCL's practices of resettlement in 2007-08 were shaped by their priority of speeding up Riverfront project and bridge construction rather than a well-thought-out resettlement and rehabilitation approach. They modified their practices because opposition arose from the grassroots, backed by court rulings. Thus, at first, despite a Stay Order on evictions by the court and without preparing a R&R Policy, these authorities tried to displace riverfront slum residents without resettlement or very poor resettlement (discussed in section 4.2.3). When this was successfully resisted in a number of cases, they tried to displace them by offering them the AUDA flats already available in the city. This was also resisted by most people since these were smaller in size than the houses that the newspapers had reported would be given to riverfront slum residents. Then the authorities submitted a R&R Policy to the court, but even after this they tried once to displace people by offering them the AUDA flats since they had not completed the construction of the resettlement housing mentioned in their R&R Policy. This was also resisted, backed by court rulings.

AMC / SRFDCL's priority was constant in terms of wanting to speed up Riverfront project and bridge construction, but they modified and shifted their practices around displacement and resettlement due to people's resistance, which was sometimes backed by court rulings. This flexible governing of the urban poor also comprised of piecemeal and fragmentary resettlement. Thus, in this phase, the authorities sought to resettle families from nine different riverfront slums, but rather than resettling all the families of these nine slums, they sought to move only those families who were occupying land immediately required to carry on project construction. Since this was not questioned by the court or SNAM, they went ahead with this. Thus, rather than any commitment towards the well-being of the slum residents, it was the calculations and pressures regarding their priority of continuing project construction, grassroots resistance and court rulings that shaped the resettlement. This was to continue in subsequent phases.

Phase 2: Resettling 4001 families

AMC / SRFDCL approached the court in December 2009 to shift another 4001 PAFs. The reason given was so that "the developmental activities of the project (referring to the cleaning of the river and the construction of roads along the river) can be carried on with a great speed."⁵⁰ The court ruling made note of this reason for shifting these families and asked the authorities to "shift maximum number of project affected families" within two months (that is, by end of February 2010).⁵¹ Noting that SNAM's lawyers had pointed out that there were a larger number of slum

⁵⁰ Civil Application No. 13334 of 2009 in S.C.A. No. 6280/2005 (submitted to the Gujarat High Court by AMC and SRFDCL on 18.12.2009) (hereafter referred to as C.A. No. 13334/2009). Since no resettlement had taken place for several months after the March 2009 allotment draw and uncertainty was building up amongst riverfront slum residents, Navdeep Mathur, a professor at the Indian Institute of Management, Ahmedabad, organised a one-day seminar in October 2009 on displacement and resettlement in which academics, activists and community leaders from the riverfront slums and informal markets participated (I also presented a paper at this seminar). Officials from AMC / SRFDCL had been invited to be part of a panel discussion of stakeholders, however, they declined to participate. Follow-up discussions led to the formation of a citizens' forum called "Our Inclusive Ahmedabad" under whose umbrella a public hearing on Habitat and Livelihood Displacements in Ahmedabad was organised on December 19, 2009 (I also made a presentation at this public hearing). Officials from AMC / SRFDCL were invited to participate, but again they declined. A day before the public hearing, AMC / SRFDCL approached the court with this Civil Application to ask its permission to resettle 4001 PAFs.

⁵¹ Court order dated 21.12.2009, in C.A. No. 13334/2009.

residents on the riverfront, the court ruling directed AMC / SRFDCL to file a Status Report by the next court hearing (scheduled for early March 2010) and the time frame by which it intended to shift the rest of the slum residents. It also ordered that an association of project affected families (hereafter referred to as the PAF association) be formed “to assist the AMC” for “proper rehabilitation of slum residents.”⁵² The court thus played the role of arbitrator, taking note of AMC / SRFDCL’s reasons for wanting to shift 4001 families soon but also taking note of the petitioner’s concern that there were many more slum residents on the riverfront, and passed a ruling based on that. The R&R Policy, which was minimal and ambiguous, remained like that. The members of the PAF association were decided by the petitioner SNAM leaders as the court had not said anything about how the PAF association should be formed and how it should function in order to truly represent the concerns and rights of maximum slum residents. Therefore, following this court ruling, the PAF association, i.e. some SNAM leaders, began to play a crucial role in resettlement, and most negotiations with AMC / SRFDCL moved out of the court to the offices of these authorities. I argue that this court ruling enabled AMC / SRFDCL to continue with its flexible governing and piecemeal and fragmentary resettlement. I show this by tracing the resettlement process in detail during this second phase.

The first meeting between the PAF association and officials took place in January 2010. During this the association put forth a number of concerns and suggestions.⁵³ It pointed out that the 1999-2002 survey, on the basis of which AMC / SRFDCL was identifying PAFs for the allotment draws, had missed out many families (hereafter referred to as “missed-out-in-the-survey families”). It also raised the question of houses surveyed in 1999-2002 but whose occupants had changed after 2002 as houses had been bought and sold on the riverfront in the seven years since the survey (hereafter referred to as “new occupants of pre-2002 houses”). On both these issues, the PAF association asked that the missed-out families and the new occupants be considered for resettlement. Instead of taking a policy decision on these two issues and doing whatever was necessary (perhaps a fresh survey) to implement it, the officials referred these issues to the Justice Buch committee to look into them on a case-by-case basis. This committee was to be formed as per the 2008 R&R Policy, but AMC / SRFDCL did not convene it till September 2010. The PAF association further asked the officials to consider residents who were pre-2002 inhabitants of the riverfront but who had established a separate house after December 2002 (hereafter referred to as “pre-2002 inhabitants with post-2002 houses). This basically involved those who had been children or were unmarried at the time of the 1999-2002 survey, but who had, in the seven years since the survey, got married and built a separate house on the riverfront. AMC / SRFDCL responded that such families would not be considered since their houses were built after 2002. Many of the association’s concerns dealt with the dynamic nature of informal settlements with the passage of time, and the fact that using an old survey would clearly be exclusionary in multiple ways in this context. For reasons best known to them, AMC / SRFDCL did not give any consideration to this.

AMC / SRFDCL carried out the allotment of resettlement flats to the 4001 PAFs in Jan-Feb 2010 without resolving or by simply dismissing the concerns raised by the PAF association. The

⁵² It is possible that the public hearing by “Our Inclusive Ahmedabad” had influenced the court in its asking for a Status Report and the formation of a PAF association.

⁵³ This discussion of the concerns raised and the officials’ responses is based on the Minutes of the January 25, 2010 meeting between AMC / SRFDCL officials and the PAF association (obtained through RTI from AMC / SRFDCL: Ref: S.R.F.D.C.L. I.No.686 Dt.06.10.12).

outcome was a piecemeal and fragmentary resettlement process, that is, a resettlement process in which different groups within almost each slum neighbourhood were dealt with in different ways over the next few years. This is because in *almost each* neighbourhood, some families came to be part of these Jan-Feb 2010 allotment draws; some (missed-out-in-the-survey families and new occupants of pre-2002 houses) were referred to the Buch committee (and were allotted flats later, often at other resettlement sites, *if* the Buch committee resolved their case in their favour); and some were simply considered ineligible for resettlement due to the 2002 cut-off date (this included the pre-2002 inhabitants with post-2002 houses as well as those who came to live on the riverfront after 2002 – they came to be considered eligible for resettlement in mid-2011 because of a court ruling, and were allotted flats in Phase 4, but they were mostly resettled at resettlement sites different from the sites to which previous residents from their neighbourhood had been shifted). The piecemeal and fragmentary resettlement led to a lot of uncertainty and confusion amongst many residents since different kinds of families came to be allotted resettlement flats in different ways and different times. It also led to the social fragmentation of each riverfront neighbourhood since different kinds of families from the same neighbourhood were resettled at different times and therefore at different resettlement sites.

The only concern of SNAM and the PAF association that AMC / SRFDCL fully resolved at this time was the matter of religious segregation in resettlement. In a letter to AMC / SRFDCL, just before the first meeting between the PAF association and officials, SNAM explained that in Phase 1, some Muslim and Hindu families had been resettled at resettlement sites in localities where there were no other people from their religious community and so they were scared to live there. SNAM asked that Hindu and Muslim families affected by the Riverfront project be therefore resettled with people from their own *samuday* (community) so that “the project affected families can live without fear.”⁵⁴ In response, SRFDCL’s R&R consultant proposed that “communal safety, social clusters and appropriate area should be taken into consideration in the process of allotment.”⁵⁵ Subsequently, Hindus and Muslims were largely resettled in localities dominated by their religious community, thus segregating them entirely even in instances where they had been living in the same riverfront neighbourhood.

AMC / SRFDCL also consulted the PAF association in deciding the resettlement sites for the 4001 PAFs.⁵⁶ Construction of only some resettlement sites had been completed or was nearing completion (see appendix: Table 4) so the consultation was really about whom to resettle at which site. It is not clear what exactly transpired during the consultation, but its outcome was that the PAFs were divided into four groups for the random computerised allotment draws, depending on the stretch of riverfront slums they lived in (I refer to these groups as P2G1, P2G2, P2G3 & P2G4: see Map 2 and appendix: Table 2). Different riverfront neighbourhoods were thus lumped into a single group for an allotment draw (see Map 2). Each group was assigned 3-5 resettlement sites, with some sites assigned to more than one group (see appendix: Table 2). Thus, not only were Hindus and Muslims in each group assigned different resettlement sites (in localities dominated by their religious community, as had been agreed), but in most cases, the Hindus of a

⁵⁴ Letter by SNAM to Capt. Dilip Mahajan, Executive Director, SRFDCL, and Deputy Municipal Commissioner, AMC, on January 23, 2010. (obtained through RTI from AMC / SRFDCL: Ref: S.R.F.D.C.L. I.No.686 Dt.06.10.12).

⁵⁵ Minutes of the January 25, 2010 meeting between AMC / SRFDCL officials and the PAF association (obtained through RTI from AMC / SRFDCL: Ref: S.R.F.D.C.L. I.No.686 Dt.06.10.12).

⁵⁶ Response from AMC / SRFDCL to my RTI application (Ref: S.R.F.D.C.L. I.No.686 Dt.06.10.12).

group were assigned more than one site and the Muslims assigned more than one site. As a result, Hindus from the same neighbourhood were often split across different resettlement sites. This fragmentary resettlement also often happened for Muslims. Taking an artificially constructed group as opposed to the existing neighborhood as the unit for the random allotment draws was completely insensitive to the social networks within many of the neighbourhoods.

Only in one case all Muslims who were part of a group (P2G1) were resettled at a single site, Ajit Mill (see appendix: Table 2). Since one of SNAM's most dominant leaders was part of this particular group, the only explanation for this is that AMC / SRFDCL must have heeded his wish that all Muslims of this group be resettled at the same site. In the other groups, AMC / SRFDCL not only split the Hindus across different sites and the Muslims across different sites, but also allotted some of the most distant sites (such as Odhav and Vatwa: see Map 1) to them despite dissatisfaction about this by leaders whose neighbourhoods were part of these groups.⁵⁷ In fact, one leader was so dissatisfied that he convinced the 416 PAFs of his group (P2G4) to refuse to take part in the allotment draw (see appendix: Table 2).

The lumping together of different riverfront neighbourhoods into a single group for a random allotment draw to which a number of resettlement sites were assigned not only split almost each neighbourhood across different sites, but also led to residents from different riverfront neighbourhoods being randomly resettled together at the same site. Many residents point to the conflicts that have emerged as a result of randomly bringing together different communities into the same resettlement site. One local leader explained this thus:

“Different neighbourhoods have been put together so they don't match. There are fights, then people take sides depending on where they were from. Even knives have been wielded.”⁵⁸

Earlier I have argued that moving the resettlement away from the riverfront to unfamiliar areas of a communally polarised and segregated city made religious segregation in resettlement inevitable. Since piecemeal and fragmentary resettlement led to each resettlement site comprising of residents from different riverfront slums, religious segregation in resettlement became even more inevitable. Naseerbhai, a local leader from the Kagdiwad riverfront slum who had initially wanted Kagdiwad's Hindus and Muslims to be resettled together, pondered over this in an interview:

“I had put across a demand to keep Hindus and Muslims together. But they listened to only those six persons (referring to the 6 members of the PAF association). People here used to tell me that we have lived here together for so many years... (trails off). Then the [allotment] draw sent people to different [resettlement] locations. After that people stopped telling me this. Who knows what sort of people will come [to your resettlement site]? Here many have been living since their father and grandfather's generation, children have grown up together... (trails off)”⁵⁹

⁵⁷ Interviews with three leaders from different riverfront neighbourhoods (Naseerbhai, local leader, Kagdiwad, October 19, 2011; Premabhai, local / SNAM leader, Raikhad, November 5, 2011; Ramsinhbhai, local / SNAM leader, Maniben ni Chali, November 6, 2011) revealed their dissatisfaction, which was either about the site allotted to their neighbourhood and/or the splitting of their neighbourhood across different resettlement sites. One of these leaders was part of the PAF association, and another's wife was part of the PAF association, but they were not able to influence AMC / SRFDCL's decision-making on the allotments.

⁵⁸ Interview with Naseerbhai, local leader, Kagdiwad, October 18, 2011.

⁵⁹ Interview with Naseerbhai, local leader, Kagdiwad, October 19, 2011.

Several Hindus and Muslims who live in different resettlement sites today have explained to me that there is a big difference between living amongst familiar and unfamiliar members of the other religious community. While the former was seen as acceptable by some and some went as far as to state that it was more desirable than living amongst strangers of their own religious community (which, in the case of Hindus, is marked by caste divisions), the latter was seen as totally unacceptable.

In this phase of resettlement, despite the agreement between officials and the PAF association to segregate the religious communities and resettle them in localities dominated by their own religious community, a group of Muslim families from the riverfront slum neighbourhood near Khanpur Darwaza were allotted flats at Vivekanand Mill, a site located in a Hindu locality. Stone-throwing against the Muslims, reportedly by Hindus from the surrounding locality, led to a cancellation of these 284 allotments and re-allotment in Phase 3. Some Muslim families from another riverfront neighbourhood were also allotted flats at the Isanpur site, also in a Hindu locality. Later, these families were re-allotted flats at the Behrampura site which is in a Muslim locality.⁶⁰ Hindus and Muslims were ultimately resettled together at only one site, Vatwa 1.

Furthermore, AMC / SRFDCL verified people's documents for identity proof *after* allotting them resettlement flats.⁶¹ Only when documents were considered acceptable were people given possession of their allotted flats. This also led to piecemeal and fragmentary resettlement. While those whose documents were verified easily were able to move to their resettlement flats, others remained behind on the riverfront trying to get their documents in order. Narratives abound amongst the people about the difficulties and harassment in getting their proof documents accepted by AMC / SRFDCL and getting the official resettlement documents from them. Many had to spend money on affidavits, for example, for correcting their name (which was either misspelt in the 1999-2002 survey or in their identity proof documents like Election Card).

Piecemeal and fragmentary resettlement thus happened due to the use of an old 1999-2002 survey, non-resolution or dismissal of the PAF association's concerns, the exclusionary cut-off date of 2002, and the nature of the allotment process. One serious outcome of this piecemeal and fragmentary resettlement has been social fragmentation and disruption. This as well as the distance of the resettlement sites from the riverfront created social and economic difficulties amongst the families as they began to gradually move to their allotted flats.

Moreover, because of the piecemeal and fragmentary resettlement, in each neighbourhood there were many families who had not yet been allotted resettlement flats (and neither were they informed whether they would be). This included many surveyed families, the missed-out-in-the-survey families, the new occupants of pre-2002 houses, pre-2002 inhabitants with post-2002 houses, and also families who had moved to the riverfront after 2002 and built new houses. As a

⁶⁰ Minutes of the August 4, 2010, August 11, 2010 and August 12, 2011 meetings between AMC / SRFDCL officials and the PAF association. (obtained through RTI from AMC / SRFDCL: Ref: S.R.F.D.C.L. I.No.686 Dt.06.10.12).

⁶¹ At this stage of resettlement (Phase 1, Phase 2, Phase 3), since the allotment draws were based on the 1999-2002 survey, having one's name in the survey was adequate residence proof, and these families had to show only an identity proof. In Phase 4 and Phase 5, families had to show both residence proof and identity proof, and so they faced even more harassment around proofs. (response from AMC / SRFDCL to my RTI application: Ref: S.R.F.D.C.L. I.No. 686 Dt.06.10.12).

result, soon after the allotment draws in early 2010, there were fears of exclusion amongst these families. During my ethnography, some people mentioned that AMC officials informally went about in the slums around this time warning people that they would be evicted. In February 2010, some slum residents therefore contacted Beena Jadhav of RAM, the housing-rights organisation discussed earlier. Although SNAM leaders reassured Jadhav that they would not allow AMC / SRFDCL to evict any slum resident not yet allotted a house, there was deep distrust of AMC / SRFDCL. Over the next year or so, Jadhav assisted hundreds of families in submitting individual applications to the Buch committee. Hundreds of others submitted their own applications once they got wind of this possible avenue of grievance redressal. However, none of these applications were scrutinised until September 2010 which is when the Buch committee was convened for the first time. Thus, another outcome of the piecemeal and fragmentary resettlement was increased insecurity about exclusion amongst many slum residents and an overwhelming burden on the Buch committee to resolve issues of who should get a resettlement flat and who should not.

Phase 3: Resettling 1608 families

In March 2010, AMC / SRFDCL filed its status report in the court and asked for permission to shift a further 1608 PAFs, along with the 416 PAFs who had refused to take part in the earlier phase of allotments.⁶² The court gave its permission. Including the 284 PAFs whose allotments had to be cancelled in the previous phase due to stone-throwing against Muslims, allotment draws were carried out for a total of 2301 PAFs in August 2010.

As in the previous phase, AMC / SRFDCL consulted the PAF association and then decided which resettlement sites to assign to which PAFs. The 2301 PAFs were divided into three groups depending on the stretch of riverfront slums they lived in (I refer to these groups as P3G1, P3G2 and P3G3: see Map 2 and appendix: Table 2). Thus, again, different riverfront neighbourhoods were lumped together into a single group for an allotment draw (see Map 2). As in the previous phase, some leaders on the PAF association tried to negotiate such that no one from their group would be shifted to a very distant site. All the leaders succeeded this time and even though construction of resettlement flats was completed at the farthest sites (in Vatwa and Odhav: see Map 1), these sites were simply not included in Phase 3 of resettlement. Rather, relatively nearer sites where construction was not completed until almost 10 months later, were included (see appendix: Table 4). The negotiations still resulted in only some leaders getting sites they were satisfied with. For instance, Ramsinhbhai was dissatisfied because his group (P3G3) was not assigned the large resettlement site of Shahwadi despite its relative proximity to his existing neighbourhood, and instead two other leaders were able to get the Shahwadi site assigned for their group (P3G1) so that the Hindus from their group would not be split across different sites. The dissatisfaction also arose for Ramsinhbhai since the Hindu families in his group had to be split across three smaller sites (see appendix: Table 2 for the sites assigned to P3G3).⁶³

Since the locations of the resettlement sites and the number of flats built at each site were already fixed through decisions taken in the past by AMC / SRFDCL, the competition between leaders over the sites, with some getting their way and not others, was inevitable. How the competition for sites unfolded depended on which leaders were dominating in the PAF association, on how the leaders aligned with each other to support each other's preferences, and whom the officials

⁶² Status Report dated 5.3.2010, submitted by AMC / SRFDCL to the Gujarat High Court.

⁶³ Interview with Ramsinhbhai, local / SNAM leader, November 6, 2011.

favoured. The outcome was that some were forced to resettle at distant sites and there was greater fragmentation of some neighbourhoods across different resettlement sites compared to others.

As with the earlier phase of allotments, people faced difficulties and harassment in getting their proof documents accepted by AMC / SRFDCL after allotment was done. As mentioned about Phase 2, this also led to piecemeal and fragmentary resettlement since those whose documents were verified easily were able to move to their resettlement flats while others remained behind on the riverfront trying to get their documents in order. The social fragmentation and disruption because of piecemeal and fragmentary resettlement (resulting from using an old survey, non-resolution or dismissal of the PAF association's concerns, the exclusionary cut-off date of 2002, the nature of the allotment process) and the distance of the resettlement sites from the riverfront created social and economic difficulties amongst the families as they began to gradually move to their allotted flats.

Moreover, even after this third phase of allotment draws, many families living on the riverfront had still not been allotted resettlement flats. As mentioned earlier, AMC / SRFDCL had referred two of the PAF association's concerns – the missed-out-in-the-survey families and the new occupants of pre-2002 houses – to the Buch committee to resolve on a case-by-case basis. Also as mentioned earlier, fears of exclusion had driven thousands of families to make applications to the Buch committee. The Buch committee now convened for the first time in September 2010, just after this third phase of allotments. It went through many applications, often met with the applicants and approval was given for those whose documents and explanations were found to be genuine. However, its ability to properly address all the applications was limited due to a host of reasons: it was not independent of AMC / SRFDCL, only 1-2 of the committee members were sympathetic to the slum residents, and it was burdened with thousands of applications to scrutinise on a case-by-case basis.

We do not know how many applications the Buch committee was able to resolve by May 2011 when the AMC carried out large-scale demolitions on the riverfront.⁶⁴ In any case, there were thousands of families still living on the riverfront. This included many families not yet allotted a resettlement flat, many of whose applications were with the Buch committee for scrutiny for the various reasons mentioned above. But there were also families who were either unable or unwilling to move to their allotted resettlement flats. Despite having allotted resettlement units to approximately 6000 PAFs so far, only 1756 families had physically shifted to their allotted resettlement flats by early April 2011.⁶⁵ My research during 2011-12 with families still living on the riverfront as well as with families at the resettlement sites revealed that there were various reasons why many families took time to shift to the sites: (i) construction and provision of basic services was not yet complete at many of the resettlement sites where families had been allotted flats (see appendix: Table 4 for date of allotment versus date of completion of construction); (ii) since the authorities gave possession of the allotted flats only after scrutinising PAF's documents and the PAF's payment of the first installment, many were in the midst of this difficult process; and (iii) since many of the sites were far off, many families did not move quickly because of the

⁶⁴ Interviews suggest that there were few smaller allotment draws in 2011 besides the ones discussed here. These were probably for families whose applications were approved intermittently by the Buch committee.

⁶⁵ In its 8.4.2011 response to a RTI application filed by Mahesh Pandya, AMC stated that 1756 families had been resettled so far, and the process of resettlement was ongoing for the remaining.

impact this shift would have on their livelihood, children's education, etc.

The exclusionary outcomes of the first three phases of resettlement, as reflected in this situation in the riverfront slums in April 2011, were a direct consequence of the interplay of municipal politics of flexible governing and piecemeal and fragmentary resettlement, court sympathy that led to an evisceration of slum residents' rights, and SNAM's shifting politics. In the next section I analyse SNAM's shifting politics in more detail.

4.3.4. Shifting politics of SNAM: Communal segregation, cooptation, competition

From the time the R&R Policy was submitted in the court, SNAM began to play an important role in the resettlement process since the court, playing the role of arbitrator, gave the PIL petitioners the space to accept or raise questions regarding AMC / SRFDCL's submissions to the court. It is not clear if, at the time, the R&R Policy was discussed at any length amongst SNAM leaders and between the leaders and their lawyer, but they did not raise any questions about the policy in the court. A few years later, when I questioned one of the SNAM leaders about why they had never raised the issue of distant resettlement sites in the court despite having demanded for years that resettlement be on the riverfront itself, he said that their lawyer had dissuaded them to do so, telling them that for now they should take the flats that the AMC / SRFDCL was offering them. Whether this account is true or not, it is clear that neither the lawyer, a greatly respected human rights' lawyer, nor the SNAM leaders raised any questions of the R&R Policy in the court when it was submitted. I argue that this should not be taken as satisfaction amongst the SNAM leaders and their lawyer with the R&R Policy but a turn towards negotiating within the limits perceived by them. I argue that from the R&R Policy onwards, SNAM's politics shifted away more and more from its grassroots rights-to-the-city politics as it began to negotiate within the limits perceived by its leaders and its lawyer.

These limits were shaped by, first, a fear of the court becoming unsympathetic, which would lead to slum residents losing all space for negotiating any sort of inclusion for anyone. Such a fear was based on the increasingly regressive, anti-poor court rulings in India, especially in the Delhi High Court and the Supreme Court. For the same reason, the lawyer was also keen to wrap up the PIL under Chief Justice S.J. Mukhopadhyay under whom the court was at least not giving overtly regressive, anti-poor judgments. Raising the finer points of R&R would have stretched out the PIL process, risking its coming under a new Chief Justice at some point. The limits were also shaped by the lawyer's and leaders' recognition of the municipal politics of riverfront development in which AMC / SRFDCL clearly prioritised riverfront beautification and had little interest in addressing the needs and concerns, let alone rights, of slum residents. This municipal politics had been in ample evidence during AMC / SRFDCL's fragmentary evictions in 2005-07.

In this context, the leaders' and their lawyer's focus turned to maximizing the number of families that would get a BSUP resettlement flat. Thus, as previously discussed, in 2008-09, when resettlement began under the R&R Policy, they tried to make sure that people were not manipulated into accepting the smaller AUDA flats. After the court ordered that a PAF association be formed, SNAM leaders tried to raise some of their concerns in the PAF association's meetings with AMC / SRFDCL officials. This was also aimed at reducing the exclusions and maximising the number of families that would get a BSUP resettlement flat. As already discussed, in these meetings they raised issues arising out of an inconsistent survey by AMC / SRFDCL as well as

this being an old survey of what were essentially dynamic informal settlements. However, this “invited space for participation” (Miraftab 2004) only meant they could raise questions and suggestions; there was no guarantee that their questions and suggestions would be taken seriously or they would have any voice in the decision-making. AMC / SRFDCL officials did not resolve most of these issues at the time (referring them to the Buch committee instead) or simply dismissed them. Although SNAM leaders remained critical of the exclusions that remained,⁶⁶ they began to be coopted in the sense that their practices began to focus on what they felt could be negotiated under the circumstances.

Therefore, whenever concerns arose amongst residents about the distance of the resettlement sites, SNAM leaders often told them to take the flats for now and later they would see what could be done. One of the women leaders in SNAM recalled that one of the dominant SNAM leaders had told her:

“You all are asking for resettlement nearby and I do not take responsibility for that. I can only give houses for the houses you have. People do not want houses far away but there is no possibility to fight against the *sarkar* (government) on that.”⁶⁷

Another active SNAM leader explained that they had basically worked on the premise that “the houses should not slip out of our hands.”⁶⁸

Negotiating within the limits perceived by them also led to their demand for communal segregation in resettlement. As I have already explained, in the context of a communally polarized and segregated city and in the context of resettlement having moved away from the riverfront to unfamiliar areas due to municipal politics, it was not surprising that many, if not all, slum residents saw religious segregation in resettlement as necessary for safety. Thus, SNAM left behind its early discourse of communal unity and turned to a demand for religious segregation. It is worth noting that for the SNAM leaders, this demand was, in fact, not necessarily a failure of communal unity. Kishorebhai, a Hindu leader of SNAM explained that the fact that the leaders had been able to demand religious segregation from officials in the way they had was, in fact, evidence of their community unity. While I was perplexed at this interpretation of community unity, he went on to further explain this:

“There was tension between Hindus and Muslims anyway. Today due to the politics (trails off)... there is *toofan* (referring to communal riots) and we are fed up. We have shown our strength that we too can work on communal unity. That we can lead our lives in peace in our own areas, that is the communal unity we have shown. We were fed up of seeing the fights between Khanpur (a Muslim area on the riverfront) and Shankar Bhuvan (a Hindu area on the riverfront). This should not happen... How to live with each other in brotherhood, from that a friendship arose between Kishorebhai and Abbasbhai (a dominant SNAM leader). That is why we were successful.”⁶⁹

Kishorebhai’s elucidation reveals the tense political context in which both Hindu and Muslim leaders had made efforts to work together on their shared concerns; which also included their concerns about what it is like for the urban poor to live in mixed areas during communal riots since the mobility and livelihood of both communities get affected at these times. For some of the

⁶⁶ Some SNAM leaders always brought up these exclusions in discussions with me in 2010-11.

⁶⁷ Interview with Jayshreeben, local / SNAM leader, Paresh na Chapra, October 17, 2011.

⁶⁸ Interview with Premabhai, local / SNAM leader, Raikhad, November 6, 2011.

⁶⁹ Interview with Kishorebhai, Velu Vas, Shankar Bhuvan, local / SNAM leader, November 6, 2011.

SNAM leaders, the demand for religious segregation in resettlement was not so much a turn away from communal unity as it was a turn towards using that unity amongst them to make a shared demand in the context of Ahmedabad's political reality. Nonetheless, it is worth noting that local leaders of some riverfront neighbourhoods were not particularly keen about being segregated from their neighbours on the basis of religion, and yet some SNAM leaders told them this would be for the best. Arifbhai, a local leader from Anwarnagar explained this:

“There was never any tension [between Hindus and Muslims of this neighbourhood]. We had said that it is fine if you give us [resettlement flats] together. [SNAM] leaders said what if there is *dhamaal* (referring to communal riots) in the future? They said it is better to be in a safe area for the sake of our children's future.”⁷⁰

Negotiating within the limits also led to a shift in SNAM's politics in other significant ways. As discussed earlier, since AMC / SRFDCL had already decided the resettlement site locations and the number of flats at each site and construction had already started on these, their consultations with the PAF association on where to resettle slum residents resulted in a competition between leaders from different areas along the riverfront for the best sites and for minimising the number of sites assigned to their group so that there would be minimal social fragmentation in their neighbourhood. This competition between leaders led to their focusing their attention on getting the best deal for their stretch of the riverfront, creating frictions between them. The sites were ultimately assigned depending on which leaders were dominating in the PAF association, on how the leaders aligned with each other to support each other's preferences, and whom the officials favoured. Thus, during the second phase allotment draw, one of the dominant leaders was able to get the site of Ajit Mill assigned for all the Muslims in his group, and during the third phase allotment draw, some of the leaders were satisfied with the sites assigned to their group and others remained very unhappy about this.

SNAM leaders were thus coopted by AMC / SRFDCL and sometimes competed amongst themselves to influence the resettlement. The role of mediator that they played between slum residents and the authorities is likely to have benefitted many slum residents, for in their absence more exclusions would probably have occurred given the municipal politics and insensitivity towards the slum residents. For instance, SNAM leaders often helped AMC / SRFDCL to find specific slum residents in order for the latter to be given their notices for resettlement. However, many of these leaders also became brokers in this process. For instance, during the first phase allotment, when the families approached the AMC / SRFDCL officials to get the official resettlement documents, they were sent to SNAM leaders. More than several resettled residents have reported paying a SNAM leader Rs.5,000-10,000.⁷¹ Narratives abound in the resettlement sites of people having faced difficulties and harassment in getting their proof documents accepted by AMC / SRFDCL and getting the official resettlement documents from them, and leaders having taken some money from them to facilitate this process.

4.4. Forced demolitions and resettlement (2011-12)

4.4.1. Forced demolitions, court sympathy and resettlement

Following the allotments in 2010, many families still remained on the riverfront. This included many

⁷⁰ Interview with Arifbhai, local leader, Anwarnagar, November 10, 2011.

⁷¹ Interviews at resettlement sites in 2012.

families not yet allotted a resettlement flat as well as many families who were either unable or unwilling to move to their allotted resettlement flats due to reasons explained earlier. In this context, AMC carried out forced demolitions on the riverfront in May 2011. About 1000 houses were demolished by AMC amidst resistance and stone-throwing before SNAM leaders and slum residents could reach the court. They appealed to the court that resettlement was not yet over and many families had been excluded. The court reiterated the Stay Order, directing both parties to file affidavits.⁷² AMC / SRFDCL filed an affidavit stating that they had prepared a list of 5984 PAFs as of 2007, and that all of these PAFs had already been allotted resettlement flats.⁷³ In other words, AMC / SRFDCL stated that it had completed giving resettlement to all PAFs using a cut-off date of 2007.⁷⁴ SNAM, on the other hand, stated that many had been excluded. The court directed that AMC / SRFDCL give its list within 3 days to SNAM who, within 2 days, should submit a list of slum residents not yet allotted a resettlement flat.⁷⁵ SNAM carried out a survey and submitted a list of 4319 families to the court. The families were from different neighbourhoods along the entire riverfront. The court ordered AMC / SRFDCL to resettle these families.⁷⁶ AMC / SRFDCL carried out an allotment draw in August 2011 based on this list.



Image 7: Semi-demolished neighbourhoods strewn with the rubble of houses whose families had been resettled, August 2011 (photo by author)

I argue that the court's rulings, first directing SNAM to give a list of excluded families, and then accepting the list and directing AMC / SRFDCL to resettle these families was a continuation of its approach of arbitrating between the two parties, with sympathy towards the slum residents, which did not however translate into a commitment to slum residents' rights. Certainly this court ruling opened the possibility of accommodating the claims of project-affected families excluded by AMC / SRFDCL, but it did so by exonerating these authorities of the responsibility of carrying out a more recent survey and ensuring resettlement for all affected families, placing instead the burden of identifying the excluded families on SNAM. As discussed below, this task stretched SNAM beyond its capacity as well as placed full trust on it as the sole representative of the riverfront slum residents.

⁷² Court order dated 6.5.2011, in C.A. No. 13334/2009.

⁷³ Affidavit mentioned in court order dated 24.6.2011, in C.A. No. 13334/2009.

⁷⁴ A December 31, 2007 cut-off date was adopted by SRFDCL's Board of Directors on May 16, 2011. It is not clear how AMC and SRFDCL had a list of riverfront slum residents as of 2007 since their survey was done in 1999-2002.

⁷⁵ Court order dated 24.6.2011, in C.A. No. 13334/2009.

⁷⁶ Court order dated 5.7.2011, in C.A. No. 13334/2009.

To prepare an exhaustive list of excluded PAFs was not an easy task, that too to achieve in a few days. In January 2011, SNAM had actually started a comprehensive survey of the excluded slum residents, giving each family a document that stated that they had been surveyed by them. However, some slum residents had approached the Buch committee with complaints that SNAM was telling people that the committee had asked it to do the survey.⁷⁷ The Buch committee – by now not entirely trusting of SNAM leaders because of their interactions with them – asked SNAM to stop its survey.⁷⁸ Now, several months later, the court asked SNAM to produce a list of excluded PAFs from this large area within 2 days!

SNAM leaders prepared this list by asking local leaders (who were also residents) in the different slums (some of whom were strongly linked with SNAM, others loosely linked to it, still others who had just begun to interact with SNAM since the demolition) to survey the excluded families in their slum.⁷⁹ Local power structures in the slums influenced this survey and different leaders prepared this list in different ways. Some leaders tried to extract money from slum residents for including their name on the list. Those who could not give money were sometimes not included. Some leaders included families who did not live on the riverfront, either because they knew them or because they were willing to pay them to include their name on the list. As discussed earlier, SNAM did not enjoy credibility in every riverfront slum and was unable to enter some areas to carry out a survey or even get a local leader to do a survey for them. This was particularly the case in two slums, one where the BJP had a strong presence and one where the Congress Party had a strong presence, both of whose local leaders, according to SNAM leaders, were always trying to discredit them. As a result, those families from this slum who personally came to SNAM leaders to submit their names got included in the list while others got left out. Moreover, some leaders did not include the families who had already made an application to the Buch committee, presuming that they would get resettlement in any case. In many slums, local leaders also bent over to appeals and pressures from families they knew to put the names of all adult couples and unmarried adults as separate households even though they all lived in one house. There were also other people unknown to them who pressurised them to add their name to the list. One leader explained that since AMC had carried out forced demolitions, this has destroyed the physical evidence of many houses, making it difficult to be sure whether the people pressuring them actually had had a house on the riverfront or not. There were also some families who used to live on the riverfront at some point in the past and still had some documents with this address; they too insisted that leaders add their names to the list. According to some leaders, they were marginalised by other leaders because they had insisted on being honest. Ultimately, lists obtained from the different local leaders were put together – totalling 4319 families – and submitted to the court by SNAM.

The court directed AMC / SRFDCL to allot resettlement flats to all the families on this list. The 4319 list had many names on it that should not have been there and it also did not cover all the excluded residents. The AMC / SRFDCL's response was to go ahead and hold a single mega allotment draw for these families. This can be attributed to their keenness to quickly finish resettlement and get on with the Riverfront project. At this stage, the court ruling, on the one

⁷⁷ Interview with SNAM president, November 8, 2011.

⁷⁸ Ibid.

⁷⁹ This paragraph is based on interviews with local / SNAM leaders from eight different riverfront slum neighbourhoods in Oct-Nov 2011: Anwarnagar, Shantipura na Chapra, Velu Vas in Shankar Bhuvan, the neighbourhoods near Nehru Bridge, Gujri, Raikhad, Paresh na chapra and Kagdiwad.

hand, opened up a space to negotiate the inclusion of a greater number of families in resettlement, and on the other hand, created exclusions by giving SNAM the responsibility and burden of preparing the list of excluded PAFs. It also continued to perpetuate resettlement which was devoid of the substantive rights articulated in the PIL.

Phase 4: Resettling 4319 families

In August 2011, the authorities held a single mega allotment draw for 4015 families (the remaining from the 4319 list were found to be name duplications, etc) and an additional 162 families recommended by the Buch committee.⁸⁰ Official records show that the families from across different riverfront slums were split across 10 different resettlement sites through a random computerised allotment draw (see appendix: Table 3). However, close inspection at the resettlement sites, of allotment lists and interviews with local leaders reveals a correlation between some riverfront slums and some resettlement sites.⁸¹ Thus, residents of two neighbourhoods (Shankar Bhuvan and Khariwadi) were resettled at the *same* sites (Hindus at Shahwadi and Muslims at Behrampura) as their residents had been in the *earlier* August 2010 draw. This is likely to have happened because two of the dominant leaders in SNAM were from these two neighbourhoods and they aligned with each other to get their way. For residents of most of the other riverfront neighbourhoods, resettlement was at different sites and at the most distant sites which had been rejected by leaders so far (Vatwa and Odhav). Thus, members of each religious community were also split across different resettlement sites. Since many more families were to be resettled now, and since the location of the resettlement sites was already fixed, someone had to be resettled at these distant sites. Thus, competition became even more inevitable between some of the leaders over the sites and it is clear that some sort of negotiations must have taken place between AMC / SRFDCL and the leaders on the PAF association regarding which riverfront slums would be resettled at which resettlement sites, with some leaders getting their way and not others.

The distance of the resettlement sites from the riverfront and the social fragmentation and disruption because of piecemeal and fragmentary resettlement continued to create social and economic difficulties amongst families as they shifted to their allotted flats. Compared to the earlier phases of allotments, people faced even greater difficulties and harassment in getting their proof documents accepted by AMC / SRFDCL since they were now required to show a pre-2007 residence proof (such as Ration card) besides an identity proof. Those who did not have the required documents or where there were mistakes in the spelling of names across their different documents or in the 4319 list submitted by SNAM spent money on affidavits.⁸² When the court had ordered SNAM to submit a list of excluded families, there had been no mention of any cut-off date. Thus, AMC / SRFDCL carried out an allotment draw for all the families on SNAM's list and then enforced its 2007 cut-off date while scrutinising their proof documents. Practices of

⁸⁰ Response from AMC / SRFDCL to my RTI application (Ref: S.R.F.D.C.L. I.No.686 Dt.06.10.12).

⁸¹ The allotment list showing each PAF's original riverfront neighbourhood and the resettlement site where the PAF was allotted a flat was obtained through RTI from AMC / SRFDCL (Ref: S.R.F.D.C.L. I.No.1153 Dt.01.02.2012).

⁸² Affidavits have to be prepared by an advocate. Many people went to a municipal councilor who was an advocate; she often sat outside one of the proof document collection centres set up by the AMC to prepare these affidavits. One of her assistants explained that it cost Rs.100 and Rs.300 to get an affidavit done for correcting any mistakes on the person's Election Card and Ration Card, respectively. Interview on November 14, 2011.

brokering by some SNAM leaders also continued to shape people's experiences in getting their official resettlement documents.

4.4.2. Unravelling court sympathy, municipal politics and forced demolitions

While directing AMC / SRFDCL to resettle the families in SNAM's 4319 list, the court also now overtly expressed its lack of sympathy towards families who had been allotted a resettlement flat but had not shifted from the riverfront. When AMC / SRFDCL told the court that out of the 5964 PAFs who had been allotted resettlement flats before the demolition, 3798 PAFs had not yet shifted, the court directed that these families should shift immediately, and if they did not then "it will be presumed that there is no such person residing in the area or that he does not want any alternative residential unit, and in such case if such family continues to occupy the land [on the riverfront], they will be evicted from the Sabarmati River Front."⁸³

As discussed till now, the issue of inclusion of slum residents in the R&R Policy as well as in the subsequent phases of resettlement that had unfolded through the interplay of municipal politics, court sympathy and SNAM's shifting politics, had been essentially restricted to giving a resettlement flat to a displaced family. This led to resettlement at distant sites, some in poorly developed or industrial areas at the city's periphery, posing profound difficulties for people's livelihood, children's schooling and so forth. Court sympathy never translated into enabling inclusion in terms of slum residents' rights as articulated in the PIL. The level of basic services and amenities was also inadequate at many sites. Many had not shifted to the resettlement sites due to one or more of these reasons.⁸⁴ I argue that in this discursive context of inclusion being equated with simply giving a resettlement flat, at some point court sympathy was bound to unravel and shift to an overtly aggressive stance against slum residents. This began in July 2011 with the court order mentioned above.

Following this, even before the allotment draw based on the 4319 list was carried out, SNAM realized that its list did not include all PAFs. SNAM therefore brought up this issue of exclusions in the court in early August 2011. The court directed that if the Buch committee, based on the individual applications made to it, recommended more PAFs to be resettled then this list should be submitted to the court.⁸⁵ However, the Buch committee, formed by AMC / SRFDCL and working on their directives, was not permitted any longer to look into the thousands of individual applications pending scrutiny. It was possible that this included applications from families not included in any of the lists so far. Meanwhile, SNAM leaders and Babaria, the Congress Party politician who had mobilised riverfront slum residents in 2005, each submitted a list of excluded PAFs, totalling 1433 families. It is far from clear whether these lists covered all the excluded families. Given the complex nature of identifying all excluded families at this stage as well as the role of SNAM, and now Babaria, as intermediaries, it is possible that there remained some PAFs who were still excluded.

However, the court now took an aggressive stance towards completing the resettlement process

⁸³ Court order dated 5.7.2011, in C.A. No. 13334/2009.

⁸⁴ Focus group discussions between May-July 2012 revealed that many residents who had been allotted flats in 2010 and early 2011 moved to the sites only much later, due to livelihood issues, water problems and lack of working street lights at many sites, and lack of education and health facilities at most sites.

⁸⁵ Court order dated 8.8.2011, in C.A. No. 13334/2009.

and clearing the riverfront so that work on the Riverfront project could begin in a “fullfledged” manner. In a court order in early September 2011, the Chief Justice set a date of October 31, 2011 as the deadline by which all families should vacate the riverfront. Those who had already been allotted resettlement were directed to move to their allotted units while the 1433 families were directed to move somewhere temporarily until the Buch committee completed its verification process. By November 8, 2011, the court stated, the riverfront must be fully vacated.⁸⁶ When SNAM now brought up the issue of the distant location of the resettlement sites, the court directed that allottees could exchange units amongst themselves if they so wished and that AMC / SRFDCL should look into this sympathetically.⁸⁷ It is not surprising that only a few exchanges took place involving more well-off families who had been allotted flats at distant sites who offered money to less well-off families who had been allotted flats at relatively more central sites.⁸⁸ Thus, even after September 2011, many families who were allotted resettlement flats did not move to them and continued to inhabit the riverfront.

I estimate that there were a few thousand families living on the riverfront at this time as a result of the piecemeal and fragmentary resettlement made possible by the minimal and ambiguous R&R Policy. Over 1000 families were still unable to move to their resettlement sites since these were not yet fully constructed and serviced.⁸⁹ Over 1200 families, who had been allotted resettlement flats in the August 2011 draw, had not been given possession of these flats since the process of verifying their documents was still ongoing.⁹⁰ 1433 families were still being verified by the Buch committee and they had not been resettled at a habitable temporary site (the site shown to them by AMC was Ganeshnagar, the Sites-and-Services site given to some riverfront residents in 2005 on the outskirts of the city and which still lacked basic services). Additionally, some families (numbers unknown) were understandably trying to postpone moving to their resettlement flats because of the distance. There were some families (numbers unknown) who were still not on any PAF list, but whose individual applications were lying unscrutinised in the thousands of applications with the Buch committee. There were also some tenants who had been manipulated by their landlords and had not been recognised by the authorities as eligible for a resettlement flat.⁹¹

In this context AMC carried out large-scale forced demolitions on the riverfront in mid-November 2011. Large numbers of bulldozers and police were deployed for the demolitions which were carried out on the weekend so that slum residents would not have recourse to the courts (Image 8 and Image 9). The riverfront slums were flattened by Monday when slum residents crowded into the court to protest at the injustice meted out to them. AMC / SRFDCL argued that it was simply following the court’s order of vacating the riverfront by November 8, 2011. This manipulated the fact that the court had also asked the authorities to complete most of its resettlement processes by this date. They had thus selectively followed the court order.

⁸⁶ Court order dated 9.9.2011, in C.A. No. 13334/2009.

⁸⁷ Ibid.

⁸⁸ Discussions at the resettlement sites, 2012.

⁸⁹ Court order dated 22.11.2011, in C.A. No. 13334/2009.

⁹⁰ Ibid.

⁹¹ I came across such tenants during the November 2011 demolitions discussed below.



Image 8: Demolitions on the riverfront in November 2011 (photo by author)



Image 9 (left): Woman resident witnessing the demolition of her neighbourhood (photo by author)



Image 10 (right): Ongoing construction at the Rustom Mill resettlement site in December 2011, a month after demolitions on the riverfront (this is one of the sites where the court had expected families to shift to and tolerate a little inconvenience) (photo by author)

The court itself ignored this fact, and instead of declaring that AMC / SRDFCL was in contempt of the court, the new Acting Chief Justice directed that all PAFs should vacate the riverfront. Those who had already been allotted resettlement flats were directed to move to these flats. When SNAM’s lawyer pointed out that the construction and provision of basic services had not been completed at some of the sites (Image 10), the Acting Chief Justice responded by saying that when we carry out renovation of our houses, we continue to live in them even though it is inconvenient, and thus the families can put up with “a little inconvenience.”⁹² Families whose documents had not yet been verified were directed by the court to move to a AMC-provided temporary site “having basic amenities like water supply, electricity supply, etc.” AMC presented four photo albums to the court to show Ganeshnagar as this temporary site. The photographs were deceptive and manipulated the court into believing that Ganeshnagar was provided with basic

⁹² Participant observation in the court.

services. Despite attempts by SNAM's lawyer to point out the actual conditions at Ganeshnagar, the court did not adequately question AMC on this issue.

Phase 5: More resettlement and loose ends

In the following months, the Buch committee verified 672 from the 1433 families, and AMC / SRFDCL carried out an allotment draw for them in January 2012.⁹³ With this, AMC / SRFDCL claimed that all PAFs had been given resettlement flats. However, in January 2012 there remained approximately 1500 families at Ganeshnagar who claimed that they were riverfront slum residents but had not got resettlement (Our Inclusive Ahmedabad 2012). Babaria filed a new PIL in the Gujarat High Court for the Ganeshnagar families. This case was pending as of November 2012. According to AMC / SRFDCL, these families were never riverfront residents. SNAM's position on these families was mixed with some leaders arguing that they never lived on the riverfront and others saying that some might have been riverfront residents. The initial PIL, with SNAM as petitioners, was also pending as of November 2012 since SNAM leaders contended that there were various issues that AMC / SRFDCL needed to resolve. For instance, at the time AMC / SRFDCL had still not given possession to 200-300 PAFs who were allotted resettlement flats in the allotment draws but whose documents had been rejected as being inadequate. Most of these families had moved into their allotted flats regardless of this, and SNAM leaders were pushing for an acceptance of their documents.

5. Conclusion

In this paper I have attempted to examine how the displacement and resettlement of riverfront slum residents was shaped by the interacting and evolving discourses, practices and politics of different actors. Through this, I have tried to show that the displacement and resettlement process and its outcomes were shaped by the interplay of municipal politics of riverfront development, court sympathy and the politics of a grassroots network of local leaders, the Sabarmati Nagrik Adhikar Manch (SNAM). The central arguments of the paper stem from unpacking this municipal politics, court sympathy and SNAM's politics, and the consequences of this for riverfront slum residents and for making the Riverfront project and the city of Ahmedabad more inclusive and equitable. In this conclusion, I re-iterate my main arguments and discuss the consequences.

My first argument in this paper has been with regard to the nature of municipal politics around the Riverfront project and the riverfront urban poor. I argue that this municipal politics had two intertwined strands: first was the entrepreneurial politics of urban mega-project development which sought to prioritise and maximise the beautification of and gentrification of the riverfront and that was insensitive towards the lives, experiences and concerns of the urban poor, let alone recognition of their rights. Stemming from this was the second strand of municipal politics which I refer to as a flexible governing approach towards the urban poor; this refers to AMC / SRFDCL's approach of displacing and resettling slum residents depending on various shifting calculations and pressures (speeding up project construction in a particular part of the riverfront, court rulings, resistance by slum residents, etc) rather than a well-thought-out and articulated strategy. In the initial years of the

⁹³ The figure of 672 comes from a response to RTI from AMC / SRFDCL, Ref. S.R.F.D.C.L. I.No.686 Dt.06.10.12. On 22.11.2011, AMC / SRFDCL stated in the court that 682 PAFs had been verified by this date, and that verification of remaining 751 PAFs of the 1433 was ongoing (Court order dated 22.11.2011, in C.A. No. 13334/2009). It is not known how many of the remaining 751 families were verified and whether/when they were allotted flats.

project, this flexible governing comprised of vague assurances to slum residents and what I refer to as multiple and shifting terrains of (promises of) compensation. The fact that the authorities gave vague assurances as opposed to blatantly excluding the poor can be attributed to a combination of reasons: the desire to prevent large-scale opposition to the Riverfront project by the urban poor which might derail or delay it, the attempt to represent the project (and the government) as inclusive, the political imperative of not alienating this large constituency of the urban poor, and even a patronizing benevolent attitude towards the urban poor. Once project construction began in earnest on the riverfront, flexible governing comprised of (attempts at) fragmentary evictions from small pockets here and there. Finally, after the R&R Policy was prepared, flexible governing comprised of piecemeal and fragmentary resettlement. By piecemeal and fragmentary resettlement, I refer to the manner in which through flexible governing, different groups within almost *each* slum neighbourhood were resettled in different ways at different times and at different resettlement sites. By fragmentary resettlement I also refer to the social fragmentation of residents from the same slum neighborhood across different sites; this happened due to the manner in which each allotment draw lumped together different neighborhoods into a single group for random computerised allotment across different resettlement sites. Taking an artificially constructed group as opposed to the existing neighborhood as the unit for the allotment draws ignored the social networks within the neighbourhoods. Social fragmentation also happened due to different kinds of families from the same neighbourhood (those surveyed in 1999-2002, missed-out-in-the-survey families, new occupants of pre-2002 houses, pre-2002 inhabitants of post-2002 houses) being allotted resettlement flats in different ways and different times, and therefore at different resettlement sites. A recognition of the dynamics of informal settlements with the passage of time led SNAM leaders to voice their concerns regarding the use of the 1999-2002 survey for resettlement, however, the authorities did not resolve these concerns properly.

My second argument in this paper has been with regard to the role of the Gujarat High Court in the displacement and resettlement process. With the support of some NGOs, some SNAM leaders filed a PIL in the court in mid-2005. I argue that while the court was not intolerant of the riverfront slum residents and many of its rulings are construed as being sympathetic to them, this sympathy led to its acting as arbitrator between two unequal parties rather than acting to realise slum residents' rights. So, while the court recognized that slum residents required its protection to get an alternate house, and the court was sympathetic in certain ways in its rulings for this purpose, the question of slum residents' rights as they were articulated in the PIL was entirely absent from its rulings. This, I argue, led to a total evisceration of their rights.

The PIL had clearly and expansively articulated their rights, drawing upon the jurisprudence that had evolved in the 1980s, placing the right to shelter within the framework of fundamental rights as enshrined in the Indian Constitution. Explaining the economic activities and livelihoods of riverfront slum residents and their contributions to the city's economy and prosperity, the PIL had explicated at length the link between their right to life, right to shelter and right to work and livelihood. It had also pointed out the uncertainty and insecurity that riverfront slum residents experienced on seeing the implementation of the Riverfront project and the concomitant lack of engagement of authorities with their concerns. It had argued that the state was a public trustee of community property and resources and should therefore use the river and riverfront for the benefit of the society in general and not for commercial interest or beautification at the cost of the poor. The PIL had connected all this to the constitutional, democratic and human rights of the riverfront

slum residents to appeal to the court for resettlement in a nearby area so that their work and livelihood were not negatively impacted; for information on their resettlement and rehabilitation so that they did not experience uncertainty and insecurity; and for participation in decision-making processes that affected their lives. It also appealed to the court to restrain the state authorities from pursuing the Riverfront project until they took some steps to ensure these rights of riverfront slum residents.

While the court's Stay Order is not commonly construed as an anti-poor judgment, I argue that because it did not engage with the PIL's articulation of rights, it was narrowly framed with profoundly negative implications for the poor. The narrow framing came from its disallowal of slum demolitions until a R&R Policy was prepared but allowal of the Riverfront project construction to continue. This enabled AMC / SRFDCL to delink the R&R Policy from the planning and implementation of the Riverfront project. I argue that by doing so, the court order enabled AMC / SRFDCL's entrepreneurial politics of urban mega-project development and their flexible governing of the urban poor. AMC / SRFDCL did not prepare a R&R Policy for the next three years while continuing to pursue the Riverfront project and other projects (construction of bridges and approach roads to the bridges) on the riverfront. This led to a situation where project construction came up against the riverfront slums, and given municipal politics, this led to (attempts at) fragmentary evictions in small pockets here and there. The court's narrow framing of the Stay Order (and the delinking of R&R from the Riverfront project that this enabled) also enabled AMC / SRFDCL to shift the resettlement away from the riverfront. AMC / SRFDCL built most resettlement sites 6-15 kilometres away. The court order thus effectively undermined the PIL's central appeal for resettlement nearby, an appeal that was based on fusing the right to shelter and right to work and livelihood within a framework of fundamental rights as enshrined in the Indian Constitution. Even after AMC / SRFDCL submitted its minimal and ambiguous R&R Policy to the court, it continued to arbitrate between the authorities and SNAM rather than enable the realisation of slum residents' rights. This left the R&R Policy as it was, enabling the further delinking of R&R from slum residents' rights, and now enabling AMC / SRFDCL's flexible governing in the form of piecemeal and fragmentary resettlement.

The third argument in this paper is with regard to the politics of SNAM. Slum residents' rights had been articulated not only in the PIL but had also been clearly and expansively articulated in the early discourses and practices of SNAM. In its meetings and rallies as well as in letters to political leaders and bureaucrats, SNAM drew upon a combination of citizenship rights, contributor rights and human rights to articulate their housing rights. Through this, they demanded that riverfront slum residents be given information about resettlement as well as houses where their huts are. This early discourse of housing rights was fused with a discourse of communal unity in its mobilisation meetings and walks in the riverfront slums. However, its politics began to shift after the R&R Policy was submitted to the court. I argue that its politics shifted away from a grassroots right-to-the-city politics with its leaders beginning to negotiate within the limits perceived by them and their lawyer. These limits were shaped by a fear of the court becoming outrightly unsympathetic and regressive, leading to slum residents losing all space for negotiating any sort of inclusion for anyone, and a recognition of the municipal politics of riverfront development in which AMC / SRFDCL clearly prioritised riverfront beautification and had little interest in addressing the needs and concerns, let alone rights, of slum residents. As a result, SNAM began to focus mainly on maximising the number of families who would get a BSUP resettlement flat. This did lead to

their raising various concerns about certain groups of families who were likely to be excluded under the R&R Policy, however, given the municipal politics, the authorities left these concerns unresolved or simply dismissed them. Negotiating within the limits perceived by them also led the SNAM leaders to demand for religious segregation in resettlement. As AMC / SRFDCL carried out its piecemeal and fragmentary resettlement, SNAM leaders also began to compete with each other for the nearest sites and for the authorities to assign them sites such that people from their neighbourhood were not split across different sites (except along religious lines). A number of SNAM leaders also became brokers, extracting money from slum residents in return for mediating with the authorities.

The consequence of this interplay of municipal politics, court sympathy which was devoid of any engagement with the rights of the urban poor, and SNAM's shifting politics was the moving of the resettlement sites away from the riverfront and piecemeal and fragmentary resettlement. As a result, different groups of residents within almost *each* slum neighbourhood had been dealt with in different ways by the authorities. While those who were considered eligible were allotted resettlement flats over different phases, many were considered ineligible for resettlement altogether and many were referred to the Buch committee for a resolution of their eligibility on a case-by-case basis. Furthermore, many who were allotted flats did not move immediately since the nature of this resettlement was exclusionary in itself. Resettlement was at distant sites, mostly in poorly developed and/or industrial areas of the city with poor public transport options. The level of basic services and amenities at most of the sites was hugely inadequate, leading to poor quality water at most sites, inadequate pressure of water on the upper floors of the 4-storey buildings, poor sanitation, absence of working street-lights, and empty *anganwadi* (childcare centre) and primary healthcare centre buildings. At many sites, the construction was also not complete. Moreover, the allotment process was such that the authorities scrutinised residents' documents after the allotment, leading to harassment and delays in shifting to the resettlement flats.

In this context of multiple types of exclusion, the authorities carried out forced demolitions on the riverfront in May 2011. Protests by SNAM and slum residents led to what again has been construed as a sympathetic court ruling. Indeed, it opened up a space for accommodating the resettlement claims of a greater number of families who had thus far been excluded due to being considered ineligible or having their cases pending with the Buch committee. However, since the court shifted the responsibility and burden of identifying these excluded families onto SNAM, this also led to other exclusions due to SNAM's lack of adequate capacity to do this work in a highly-constrained time-frame and local power structures that shaped the identification process. The fact that the resettlement itself was in complete violation of the rights of the urban poor as articulated in the PIL meant that despite a greater number of families being allotted a resettlement flat, many simply did not move to these flats. With court sympathy being essentially restricted to having maximum number of families being allotted a resettlement flat, now this sympathy unravelled since almost 10,000 families had been allotted flats. The court began to also push for quickly completing resettlement and clearing the riverfront for the Riverfront project. In this context, the authorities again carried out forced demolitions in November 2011, following which the court dropped its sympathetic stance altogether. Thus, while the court was not initially intolerant towards slum residents and it also became an important space for negotiating a resettlement flat for many slum residents, it never became a space for negotiating a rights-based, sensitive and transparent resettlement and rehabilitation process. Moreover, in the discursive context of inclusion being

equated with simply giving a resettlement flat, at some point court sympathy was bound to unravel and shift to an overtly aggressive stance against slum residents.

Since the allotments had been done in a manner that split residents of almost each slum neighbourhood across different resettlement sites and that randomly brought together residents from different riverfront slums into each resettlement site, a serious consequence has been social fragmentation and disruption. This as well as the distance of most of the resettlement sites and the poor conditions at most of them has created social and economic difficulties for the people. Moreover, with resettlement having been moved away from the riverfront to unfamiliar areas of the city, and each resettlement site comprising of residents from different slums, religious segregation in resettlement became inevitable given the communal politics in Ahmedabad.

While there had certainly been tensions and even violence between Hindus and Muslims living in the same riverfront slum, these were often episodic, such as during the 2002 riots. There were also many periods of peace and interaction and engagement between the two communities on an everyday basis, even though tensions and distrust also weaved through some of these everyday interactions. However, with residential segregation through resettlement, the everyday spaces for interaction and engagement between religious communities has narrowed for this large group of resettled slum residents and their children. While resettled residents of what were fully Hindu riverfront slum neighbourhoods sometimes speak of Muslims in a derogatory and antagonistic manner, resettled residents of what were mixed riverfront slum neighbourhoods are less likely to do so. One hears a mix of narratives from the latter, some reproducing communal stereotypes of Muslims but many remembering their interactions and participation in each others' festivals and social occasions. Some amongst both the Hindus and Muslims have also states that they would have preferred to be resettled with their neighbours of the other religious community rather than be resettled with unknown members of their own community. It is clear that with the religious segregation through resettlement, the possibilities for experiences and narratives of the latter type can be expected to decrease over time as well as amongst the younger generation.

The evisceration of rights thus led to profound uncertainty, insecurity and harassment during the resettlement process over getting alternate housing and forced demolitions during the process. It also led to a process and form of resettlement that is likely to create long-term economic and social disruptions for many displacees. And finally, it has also led to deepening socio-spatial divides in the city along both class and religious lines.

Given this displacement and resettlement process and its outcomes, neither the Riverfront project can be considered to be inclusive and equitable, nor can urban development in Ahmedabad be called so. Moreover, despite the evisceration of the rights of the urban poor through the displacement and resettlement, the BSUP programme in Ahmedabad has been given awards by the Central Government. This shows that housing programmes for the urban poor continue to be decoupled from any consideration of their rights. Ramanathan (2006) argues that "for decades the violence of demolition was tempered by a policy of resettlement which, even when partially and imperfectly implemented, gave demolition a veneer of legitimacy." She juxtaposes this with blatantly anti-poor court rulings which do not even recognise the right to alternate housing in case of eviction. Certainly, blatantly anti-poor court rulings are problematic, however, this case of the displacement and resettlement under the Riverfront project shows that the veneer of legitimacy

that resettlement, that too resettlement “supervised” by the court, gives to demolitions and displacement, and to the neoliberal transformation of urban space, is also profoundly problematic. In Ahmedabad’s case, we see that this veneer of legitimacy has legitimised the resettlement housing to such an extent that awards are given with no consideration of the exclusions and inequities that have been reproduced in the city.

The Riverfront project and the resettlement is an important lens into Ahmedabad’s neoliberal transformation since the early 2000s, which has involved a spatial restructuring of the city through numerous beautification and infrastructure projects aimed at improving the city’s image, attracting investments and boosting quality of life for the city’s middle/upper-middle classes. Besides the Riverfront project, these include the Kankaria Lakefront project, the Bus Rapid Transit System and road-widening projects. This spatial restructuring of the city has been contingent upon the large-scale displacement of the urban poor from their informal spaces of habitation / livelihood and their resettlement. This is a process that has typically begun with a blatantly exclusionary stance towards the urban poor by the state, later leading to a particular politics of inclusion enabled by the judiciary, which is however devoid of any consideration of people’s rights and the realities of their lives.

Appendix

Table 1: List of eviction attempts over 2005-2007

Date	Riverfront neighbourhood	Eviction attempt	Result
July 2005	Paresh na Chapra, Vasna	<ul style="list-style-type: none"> First, some families verbally told by AMC officials to vacate their houses. Few weeks later, 21 families given a notice by AMC's Estate Department, ordering them to vacate their houses in 21 days. The notice also stated that families with a 1976 proof of residence would be given "<i>vaikalpik vyavastha</i>" (in Ahmedabad, this "alternate resettlement" means a plot of land on the city's outskirts without tenure security and basic services) 	<p>Eviction stalled for 21 families Although later several families seem to have been evicted; it is not known what happened to them.</p>
July 2005 / October 2005	Merianagar, Khodiayarnagar	<ul style="list-style-type: none"> 177 families given notices by AMC's Estate Department, ordering them to vacate their houses in 7 days. Revised notices given after opposition arose. These notices offered the families land under a "Sites and Services" project (in reality, this was the same as "<i>vaikalpik vyavastha</i>") 	<p>Eviction of 177 families occurred after the second notice. The families were given a 10' x 15' plot of land on the outskirts of the city, without tenure security of adequate basic services.</p>
Dec 2006 / Jan 2007	Gujri Bazaar (Sunday market), Ellisbridge	<p>Notices given to 25-30 families ordering them to vacate their houses</p> <ul style="list-style-type: none"> Notices stated that they were occupying municipal land required for the Riverfront project work to continue. Families offered a space of 10' x 15' at a nearby location Notices stated that they would be permanently resettled later under the R&R Policy for the Riverfront project. 	<p>Eviction of 25-30 families occurred. Families moved to nearby location where one-room tin-sheet rooms were provided to them. Later, they were resettled in one-room+kitchen AUDA flats.</p>
	Dudheshwar	<p>Notices given to 20-30 families ordering them to vacate their houses within 21 days.</p> <ul style="list-style-type: none"> Notices stated that they were illegally occupying municipal land, and mentioned that the land was needed for the construction of a road leading up to the new bridge Notices offered no alternative resettlement. 	<p>Eviction stalled for 20-30 families But later a few were evicted and resettled in one-room+kitchen AUDA flats.</p>
	Kashmira Mahadev ni Chali, Wadaj	<p>Notices to 55 families stating that they should furnish proofs by a certain date if they did not want their houses to be demolished.</p>	<p>Eviction stalled for 55 families by slum dwellers themselves</p>

Table 2: Allotment draws for resettlement in 2009-2010

Date of Allotment	No. of PAFs who were allotted houses	Stretch of Riverfront slums (No. of PAFs who were allotted houses)	BSUP resettlement sites
March 2009	Phase 1: 416 PAFs Minus 101 families (presumably not displaced) Total: 315 PAFs	Wadaj & Dudheshwar, affected by bridge; Below Ellisbridge (east); Maniben ni Chali	Balolnagar (Hindus & some Muslims) Ajit Mill (Muslims & some Hindus)
30.01.2010	Phase 2: 4001 PAFs Minus 416 PAFs (refused to take part in the draw) 3585 PAFs Later minus 284 PAFs (allotments for these 284 Muslim PAFs were cancelled later)* Total: 3301 PAFs	Group P2G1: Subhash Bridge to Gandhi Bridge (eastern side of the river) (1111 PAFs) Group P2G2: Nehru Bridge to Raikhad Nala (eastern side of the river) (1147 PAFs)	Ajit Mill (Muslims) Bag-e-Firdaus (Hindus) Balolnagar (Hindus) Ajit Mill (Muslims) Bag-e-Firdaus (Hindus) Vatwa 1 (Hindus / Muslims)** Vatwa 2 (Muslims)**
15.02.2010		Group P2G3: Ellisbridge to Sardar Bridge (western side of the river); and near Khanpur Darwaza (eastern side of the river)* (1043 PAFs)	Ajit Mill (Muslims) Odhav 2 (Hindus) Vatwa 1 (Hindus / Muslims)** Vatwa 2 (Muslims)** Isanpur (Hindus) Vivekanand Mill*
Cancelled		Group P2G4: Sardar Bridge to Vasna (western side of the river) (416 PAFs)	-
26.08.2010	Phase 3: 1608 PAFs Plus 416 PAFs (from earlier draw)	Group P3G1: Shankar Bhuvan (eastern side of the river, near Gandhi Bridge) and Khariwadi (eastern side of the river) (715 PAFs)	Shahwadi (Hindus) Behrampura (Muslims)
27.08.2010	Plus 284 PAFs (Muslims who had to be re-allotted flats because their allotments on 15.02.2010 had to be cancelled later)	Group P3G2: Behind Cama Hotel and slums from Raikhad to Sardar Bridge (eastern side of the river) (779 PAFs)	Behrampura (Muslims) Raipur Mill (Hindus)
28.08.2010	Total: ~ 2301 PAFs	Group P3G3: Keshavnagar; Usmanpura; Ellisbridge to Sardar Bridge to Vasna (western side of the river) (807 PAFs)	Raipur Mill (Hindus) Vivekanand Mill (Hindus) Kaiser-e-Hind Mill (Hindus)
2009-2010	TOTAL: 5917 PAFs	However, in Sept 2011, allotments cancelled for 865 PAFs (most were families not found; many had sold their houses and left the riverfront, i.e. cases of occupancy changes)***	

* 284 allotments had to be cancelled later since there was stone-throwing against the Muslims in the Hindu locality where they were resettled.

** Where government documents mention the Vatwa resettlement site, it has never specified which Vatwa site this was. Thus, it would have been both Vatwa 1 and Vatwa 2 or either of them.

*** AMC / SRFDCL's Public Notice dated 5.9.2011.

Table 3: Allotment draws for resettlement in 2011-2012

Date of Allotment	No. of PAFs who were allotted houses	Stretch of Riverfront slums (No. of PAFs who were allotted houses)	BSUP resettlement sites
August 2011	Phase 4: 4319 PAFs list by SNAM Minus 304 names (name duplication) Plus 162 PAFs (recommended by Buch committee)* Total: 4177 PAFs	All riverfront slums	Shahwadi (Hindus) Behrampura (Muslims) Ajit Mill (Muslims) Vatwa 1 & Vatwa 2 (Hindus & Muslims) Odhav 2 (Hindus) Odhav 3 (Hindus) Odhav 4 (Hindus) Rustom Mill (Muslims) Vijay Mill (Hindus) Saraspur Mill (Hindus)
5.1.2012	Phase 5: 1433 PAF lists by SNAM & Deepak Babaria Minus 761 families (not yet verified) Plus 23 PAFs (incorrectly removed from above 4319 list)* Total: 695 PAFs	All riverfront slums	Odhav 1 (Hindus) Bag-e-Firdaus (Hindus) Vatwa 1 & Vatwa 2 (Hindus and Muslims) Shahwadi (Hindus) Isanpur (Hindus)
2011-2012	TOTAL: 4872 PAFs	By Oct 2011, 802 PAFs had still not got possession of flats (inadequate documents; not paid first installment; etc)**	

!* Information obtained through RTI!

** AMC / SRFDCL's Public Notice dated. 17.10.2011.!!

Table 4: Sites constructed under JnNURM-BSUP where riverfront slum residents were resettled

No.	BSUP resettlement site	Number of blocks**	Number of flats**	Date of completion of construction*	Month/year of first allotment at this site
1	Balalnagar, New Wadaj	18	576	27.1.2009	January 2010
2	Bag-e-Firdos, Trikampur	21	672	25.6.2009	January 2010
3	Vatwa 1	77	2464	1.9.2009	February 2010
4	Ajit Mill	22	704	25.11.2009	January 2010
5	Odhav 1	22	704	25.11.2009	August 2011
6	Isanpur	12	384	31.8.2010	February 2010
7	Vatwa 2	49	1568	31.8.2010	February 2010
8	Odhav 2	10	320	30.11.2010	February 2010
9	Kaiser-e-Hind Mill	6	192	30.6.2011	August 2011
10	Behrampur	31	992	30.6.2011	August 2010
11	Shahwadi	45	1440	30.6.2011	August 2010
12	Rajpur Mill	13	416	15.7.2011	August 2010
13	Vivekanand Mill	9	288	25.7.2011	August 2010
14	Vijay Mill	25	800	31.10.2011	August 2011
15	Odhav 3	5	160	30.11.2011	August 2011
16	Saraspur Mill	7	224	5.11.2011	August 2011
17	Rustom Mill	14	336	10.1.2012	August 2011
18	Odhav 4	n.a	n.a	n.a	August 2011

* Data obtained from AMC / SRFDCL through RTI

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