A JOURNEY TOWARDS CITIZENSHIP:
THE BYCULLA AREA RESOURCE CENTRE, MUMBAI

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Acknowledgments

For helping me understand the work of SPARC, NSDF and MM, I am in debt to my colleagues and friends Sheela Patel and Celine D’Cruz, Director and Associate Director of SPARC, and A. Jockin, President of the National Slum Dwellers Federation. I have, over the last several years, improved my understanding of poverty as a result of conversations and interactions with them. As always, the Mahila Milan women at the Byculla Area Resource Centre are a source of inspiration and strength and to them my thanks. I must also thank Patrick Wakely, Director, DPU, for his general wisdom and incessant good humour and his associate, Liz Riley, for her research skills and attention to detail.

In writing this paper, I have tried to maintain some critical detachment as an observer though I have been a participant for a few years in some of the events and processes described. If these roles have on occasion been conflated, I must beg the indulgence of readers and can only plead the difficulty of maintaining a balance between them.

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February 2000
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A JOURNEY TOWARDS CITIZENSHIP:
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SECTION 1 THE BACKGROUND

1.1 Pavement dwellers

In the early 1980s the founding members of the Society for Promotion of Area Resource Centres (SPARC) used to work in a traditional welfare-oriented agency in Nagpada, a locality in an area known as Byculla in Central Mumbai. This agency provided a wide spectrum of services to the neighbourhood such as sports and recreation, day care for children, sponsorship for poor children and assistance in health and family welfare. It was through some of these activities that the founder members of SPARC began interacting with pavement dwellers, whose houses physically surrounded the building but did not really use many of its services. These particular pavement dwellers were migrants who had come into the city in the 1970s. As this group of professionally qualified persons developed their relationship with the women of these pavement families, they began providing them health, educational and recreational facilities. But they became increasingly dissatisfied with the nature of their interventions because, however well thought out they were, they seemed a wholly inadequate response to the circumstances of pavement families. The prime reality faced by pavement families was the repeated and regular demolitions of their homes by the Municipal Corporation of Greater Mumbai. But the interventions of the agency did not address this fundamental issue in part because its mandate was not to confront the State and face its wrath.

More than half the 11 million people living in Mumbai, the commercial capital of India, live in slums. Over a period of time, policies and programmes for slum-dwellers evolved from “clearing” them to recognizing them and providing some basic amenities on a subsidized basis and then to granting tenure of land and offering services on a cost-recovery basis. In recent years, plans to rehabilitate slum-dwellers either in situ or at alternative locations by granting incentives to developers, have been drawn up and have begun to be implemented, albeit on a small scale. ¹

Yet, until as recently as 1995, pavement dwellers were considered encroachers and remained outside the scope and ambit of slum policy. Over a period of time, while basic amenities were provided in some measure to slums as they gained ‘recognition’ or legal status, families living on pavements had no access to water, sanitation or electricity and were always faced with the real and present threat of eviction and demolition. And it was the women of these families, who raised their children and managed their homes as their men went out in search of work, who bore the brunt of the trauma inflicted by the demolition squads of the Municipal Corporation.

Pavement homes

Pavement dwellers are households who live and raise families on pavements (sidewalks). The basic requirement for the establishment of a dwelling is a stretch of pavement, free from vehicular traffic, usually 2-3m long and 1-2m deep from the kerb to the wall of the property bordering the pavement. The first occupation of a stretch of pavement is usually a family settling to sleep on the pavement surrounded by their meagre possessions, followed by the erection of a plastic or sacking sheet stretched from the wall to a point near the curb of the pavement. Thereafter the ‘lean-to tent’ will gradually be replaced with slightly a more permanent structure of second-hand poles, packing cases, timber boards, cardboard, occasionally lose bricks covered with plastic sheets. A second floor loft is often built to provide additional sleeping space, though the ground floor ‘ceiling height’ is rarely more than 1.5m and that of the loft a metre.

See also Burra, S. and Riley, E., Electricity to pavement Dwellers in Mumbai, DPU Working Paper No.97, London 1999
1.2 Demolitions

The founding members of SPARC began to explore ways of helping women pavement dwellers. In the course of the dialogue with them, it became apparent that their most urgent need was help when facing demolitions of their houses by the Municipal Corporation. It was at this time that some space was provided through the agency for reflection and dialogue and during these discussions, the women complained that they would often lose their valuables during demolitions. As a result, a practice emerged of women leaving their valuables, documents and other belongings for safe keeping in the space provided by the agency, whenever there was an impending demolition. As the women became increasingly familiar with this ‘space’ – an open room with no furniture and a few straw mats – the range of uses for the space by individuals and groups expanded. They would meet there and sometimes even use it for sleeping. At this time, they expressed their helplessness in obtaining basic foodstuffs and fuel. Though there was a public distribution system for essential commodities at subsidized rates, it was necessary to have ‘ration cards’ to access the system. Since none of the pavement families had ration cards, most borrowed them from their employers, in whose houses many pavement women worked as domestic servants. Compounding the problem was their inability to raise adequate money to purchase a fortnight’s supply of food-grains and kerosene. In desperation they would turn to local moneylenders, who would charge an interest rate of 10 per cent per month. At this time, pavement dwellers and most NGOs believed that only those who had “legal residences” were entitled to ration cards.

1.3 Ration cards

Two issues had to be explored: firstly, could pavement dwellers obtain ration cards and secondly, how could women ensure that they had enough money every fortnight to take care of the food and fuel needs of their families. Visits to the Rationing Office were organized only to find that while even foreigners in India were entitled to temporary ration cards, pavement dwellers were not. Bribing small-time officials was rejected as an option because it was too expensive. It was found that one of the reasons advanced for refusing pavement dwellers ration cards was that they had no permanent address or so the belief went. This understanding was part of a more general myth about pavement families - that they were transient and mobile, never in one location for more than a short period of time. That was contrary to the facts but arguments would not suffice and proof was needed. An ingenious strategy was devised of sending post-cards to pavement huts and then offering them as evidence of a fixed address. In consequence, pavement dwellers began to get temporary ration cards for 18 months at a time and would have to give informal undertakings to the Ration Office that they would return the cards if they moved away from that location.

1.4 Credit for food and fuel

Although the problem of ration cards had been dealt with, the difficulty of raising money to buy a fortnight’s supplies at one time remained. The international Save the Children Fund (SCF) child sponsorship programme had regular monthly remittances coming in from abroad, but because of fluctuations in exchange rates, accounting was becoming a head-ache and so it was decided that any amount over Rs.60 per child (Rs.43=US$1) that came in because of improvement in the strength of the rupee against the hard currencies would go into a common pool from which women could borrow money. The women who needed money and the social workers devised a simple procedure for the former to borrow the money and return it: their children helped in the documentation since they were illiterate. Even as these imaginative mechanisms were being put into place, the contradictions between the official mandates of the welfare oriented agency and the problems of pavement families began to intensify. The increased usage of space within the centre began to create discomfort as women, with their newfound confidence, began to question the quality of services provided.

1.5 Founding SPARC

These women seemed to present a sharp contrast to the normal consumers of welfare services, were expected to be compliant and behave in the mode of supplicants. At this time, 1981, the Municipal Corporation and the Government of Maharashtra began a ruthless programme of demolition and eviction of pavement dwellers. The community centre’s hall and spaces were used for meetings to help pavement dwellers network with each other and establish a dialogue with NGOs and lawyers as to how to deal with the crisis. The managers of the institution, worried about confrontation with State authorities, started to restrict the powers of the staff to facilitate the process and this triggered off the idea of setting up a new organization. It was thought preferable to design and create another agency whose main mandate would
be to strengthen people’s processes rather than continuing to work within the restrictive framework of existing institutions.

There was a growing recognition that philanthropic approaches only sought consumption of services and the concept of people’s participation was minimalist. Programmes were designed by those in charge and the poor were then asked to participate in them. By contrast, what was needed was two-fold: 1) an aspiration to use interventions to bring change; and 2) an acknowledgement that poor people have the ideas, resources and skills needed to participate in, contributing to, finding solutions to their problems.

How could one create conditions for this to happen? To find an answer, Sheela Patel resigned from the agency and in mid-1984 registered the Society for the Promotion of Area Resource Centres (SPARC).

Thus SPARC came into being with the commitment to support community processes that would bring women of the poorest class of society together to reflect upon their circumstances and search for solutions to their problems of poverty, homelessness.

1.6 The Area Resource Centre

The idea of a place for the community to gather in to meet and discuss the issues that confronted them had been tried and tested earlier but the place was not just a physical location: rather, it was a space which poor people could ‘own’, where they could develop their ideas, contribute their resources and skills in searching for answers to the questions that plagued them. This preparatory process required a physical place and from the point of view of the women of the community, it would have to be close-by to their homes for these women were engaged in the tasks of raising families with young children, tending to the sick or elderly, cooking, cleaning and washing - all the labour that goes into the maintenance of households. These numerous tasks, spread throughout the day, required the presence of women frequently and this was also the reason why these women would work in near-by homes, so that they could go back to their own houses as and when necessary at short notice and easily. Such a place would have to be safe and secure, clean and comfy, inviting local area residents into its interior.

In 1985, SPARC leased the garage of a municipal dispensary opposite a public playground called Jhoola Maidan in Byculla that met all the necessary requirements. Initially, it was used as the office of SPARC as well as a local resource but later SPARC moved out and it became solely the Byculla Area Resource Centre. Its use and control was transferred to the National Slum Dwellers Federation (NSDF) and Mahila Milan (MM), people’s organizations that are described below.

1.6 The National Slum Dwellers Federation (NSDF)

In 1985, the NSDF became aware of the work of SPARC. It was a people’s organisation with a long history of struggle against demolitions and for the provision of basic amenities to slum dwellers. Largely made up of men, it had a presence in several towns and cities of India. Agitational politics was its forte and in keeping with the temper of the times - the 1970s - NSDF was frequently engaged in confrontations with the State and its agencies. However, its leadership was beginning to develop reservations about the long-term effectiveness of such a strategy. A. Jockin, its President was a veteran of many struggles, who had been involved in some of the defining events of recent history, such as the mid-1970s Emergency of India which suspended all fundamental rights, and the emergence of Bangladesh and the problems of its refugees. He saw in SPARC a potential ally in the struggles of the poor for a decent life and an alliance was struck. This partnership was to prove productive and led to the birth of another partner: Mahila Milan.

1.7 Mahila Milan (MM) – Women Together

Mahila Milan (Women Together), grew rapidly out of the SPARC-NSDF alliance work with the Muslim pavement dwelling women of the Byculla area. The rationale behind the formation of Mahila Milan lay in the recognition of the central role of women in the family as well as the enormous potential that women’s groups had in transforming relations within society and in improving the lives of poor families. The stress of the organisation lies not so much on concrete achievements and outputs, but instead on the learning process and the building of confidence among poor women.
SECTION 2 THE CENSUS OF PAVEMENT DWELLERS

2.1 Uncounted and excluded

We have noted earlier how the Government of Maharashtra (GOM) had not recognized pavement dwellers, unlike slum-dwellers, as eligible for any benefits until as late as 1995. At least in part, this discrimination against what was arguably the poorest section of Mumbai’s population was the result of ignorance, though there were other factors as well, such as the argument that pavements were meant for pedestrians and the belief that pavement families are a shifting population with no fixed abode. In 1976, the GOM conducted a census of slum-dwellers in the city and gave those captured by the census ‘photo-passes’. The limited protection that photo-passes gave was that if a public agency needed the land occupied by photo-pass holders, an alternative site would be provided by the State. Since pavement families were simply not included in the census, this protection was not afforded to them. In subsequent years, the GOM adopted the criterion of whether a person’s name and structure (house) were included in the latest electoral roll and, if they were, similar protection was to be offered. Electoral rolls are usually updated every five years and so new entrants into slums were also covered if they met the necessary requirements. However, even if the names of pavement families were found in the rolls as also their structures, they were not eligible to even the limited entitlements of the policy until the middle 1990’s.

The Byculla Area Resource Centre became the hub of activity to organize a people’s census of pavement dwellers in the latter half of 1985. Though the 1976 GOM census of slum-dwellers had the restricted objective of enumerating slum-dwellers and giving them photo-passes and was not, in that governance. It is in this background that the people’s census of pavement families “We, the Invisible” needs to be appreciated. The census was restricted to E Ward of the Municipal Corporation, the Ward with the sense, comparable to the Census of India, its impact upon policy by the simple expedient of leaving out a whole sub-section of the population – pavement dwellers – cannot be underestimated. By not recognizing their existence, the GOM in effect excluded them from the arena of public policy and largest concentration of pavement families and where the Byculla Area Resource Centre is located.

<table>
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<th>Census of Pavement Dwellers</th>
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<td>Some of the important findings were that:</td>
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<tr>
<td>• more than 74% of the wage earners earned less than Rs. 18 per day, which was below the then minimum wage for most work;</td>
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<tr>
<td>• the single largest occupational group (33.4%) were unskilled labourers; construction workers, and head-loaders amongst others;</td>
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<tr>
<td>• 21.5% were small traders/vendors of edible and other foods;</td>
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<tr>
<td>• self-employed persons such as handcuff-pullers, barbers and tailors accounted for another 14%;</td>
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<td>• 13.5% of the heads of the households were born in Mumbai and had not migrated to the city;</td>
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<td>• contrary to the general impression that pavement dwellers are temporary migrants, more than 60% of households had been in Mumbai for over a decade: 6% for more than 4 decades and 17% for about 3 decades;</td>
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<tr>
<td>• by and large, they had migrated from the most backward and under-developed areas of different States;</td>
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<td>• more than 50% had no assets in their places of origin;</td>
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<td>• amongst the main reasons for people to live on pavements, was the high cost and low availability of formal housing in Mumbai as well as the fact that a vast majority pavement dwellers either work at home or walk to work because they cannot afford public transport.</td>
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Source: We, the Invisible, SPARC, Mumbai, 1985
2.2 Participatory census

The census of pavement families involved the community of pavement dwellers with support from SPARC and the help of trained personnel. In an important sense, therefore, it was a people’s census covered over 6000 households made up of nearly 27,000 persons in central parts of the island city of Mumbai.

The findings of the Census were published by SPARC as “We, the Invisible” and introduced at a press conference. The informational base for policy change was laid.

Neither the State nor the general public had had any exposure to the facts concerning pavement families and the production and dissemination of this information filled a huge gap in awareness.

In time, as we will see, such advocacy, grounded in the realities of people’s lives, had a significant impact upon policy. But it was not only with respect to improving knowledge about the conditions of poor people’s lives that the census had an impact. In a report prepared for an international project on ‘Civil Society and Governance’, Bishnu Mohapatra of the Jawaharlal Nehru University, pointed out that “…the enumeration of groups, as historians of identity politics suggest, had always produced new possibilities for cultural and social mobilizations. Even though it tends to verify social identity, makes it less fuzzy and amenable to manipulation by the elites, its ability to create new discourses of politics cannot be underestimated”

Where Mohapatra stops short is in describing the transformation in identity that took place amongst pavement dwellers in the process of which the census might be said to be the starting point. This issue will be returned to in the discussion of the strategies for community mobilization adopted by the National Slum Dwellers Federation and Mahila Milan. Suffice it to say here that while the identity of individual pavement families before they became part of a movement was defined primarily in terms of kinship, ethnicity, language, religion, geographical origins and so on, in course of time, parallel to these identities, there was a fresh identity created and informed by the sense of membership of the larger community of the urban poor. This secularisation of identity, or the acquisition of an additional identity, was to prove important in the communally charged Mumbai of the early 1990s.

SECTION 3  LAND, HOUSING AND THE RIGHT TO LIFE

3.1 Land searches

As SPARC began to work with pavement dwellers and completed a census of them in one Ward of the city, more and more pavement dwellers learnt about the organization and the demand was made upon SPARC to explore housing options. The leadership of NSDF brought into the Alliance its knowledge about government programmes as well as an understanding of land in the city, how it was used and the regulations of the Development Plan. The Development Plan of the city, revised periodically, laid down reservations of land for public and other purposes, including housing for the poor or un-housed. Because Mumbai is an island city, there was, and still is, a belief that there is no longer any land available for housing the poor. Yet, the NSDF leadership was aware that if the Government wanted, it could get around any provision in law or rule to allocate land for particular purposes and this had often been done to benefit private builders, contractors and developers.

In order to explore housing options, pavement women began to go on ‘land searches’, to locate and identify vacant parcels of land in the city and ascertain the reservations in different areas. During 1986-87, these land searches revealed the inequities of land distribution and generated information about its availability and potential use.

3.2 Managing money and dialoguing with the establishment

The Byculla pavement families were also interested in looking into the ‘costing’ of houses and the processes and materials of construction as they found that government housing for the poor was neither suitable to their needs nor affordable. When they would meet government officials, they would encounter scepticism about their ability to raise money for shelter. Thus there was a growing realization that the community of the poor would have to strengthen their capability to dialogue with the city and the state. What were the practices to adopt and things to do that would improve their credibility in their search for housing and change the attitudes that the administration had in this regard? “Managing money” was seen as one such practice that could counter the prevailing view that people could not contribute towards their shelter. And so the practice of savings began. Everyday, volunteer leaders would collect money from
pavement households to put aside as housing savings. This was the process that marked the birth of Mahila Milan, with SPARC and NSDF in attendance. As the rituals of saving won acceptance in the community, there was a demand voiced for credit to deal with crises and that is how crisis credit began.

Even as money was being put aside for housing, the pavement families were beginning to become more and more conversant with house construction and materials. What sort of house would they want and how much could they afford? In March 1987, a housing exhibition was held at the Byculla Area Resource Centre in which full-size house models made of cloth and wood were put up for public display. These models had been designed by pavement families, modest in size and reflecting their needs, aspirations and affordability. Wide publicity was given and senior officials of the Housing Department and Housing Authority attended along with NGOs and professionals. This exhibition, the first of its kind, set off public debate about housing for the poor. The standard government approach was to build houses for the poor and then allot them on payment of price. But here, communities of the poor had come up with a design and model of their own, underlining the potential of people’s participation and demonstrating people’s capabilities.

The learning curve at the Byculla Resource Centre was steep. The housing training included visits to different types of houses that government programmes offered; visits to lands all over the city to identify vacant sites and those reserved for housing the homeless; exposure to, and the understanding of, design and construction methods linking practice to costs and addressed the issue of finance. Housing training was a prime example of community learning. The joint analysis of SPARC/NSDF/MM was that communities could build the cheapest, well-designed and most appropriate houses if they had access to finance.

3.3 Savings, credit and family relationships

It will be recalled that originally savings by the pavement dweller women of Byculla began for housing. Women of the community were encouraged to save whatever small amount they could on a daily basis. One leader for every group of households would collect money on a daily basis and deposit it at the Byculla Area Resource Centre. In view of the illiteracy characterizing these populations, pieces of coloured paper signifying different quantities of money would be put together in bags so that women would be aware of how much they had saved. This pool of money was available to members of Mahila Milan, decentralized collectives organized around savings and credit for crises such as illness, purchasing rations or some event for which money was urgently needed. A service charge of Rs.1 per Rs.100 per month or 12% was levied. In addition, small loans for income-generation were also given at a higher service charge. Savings were collected on a daily basis, so were repayments. The principal reason for this was that many in the informal sector of the economy earn money on a daily basis as wage labourers, vegetable vendors, petty traders, and so on.

A. Jockin is fond of saying that the savings and credit mechanism is not primarily about collecting money but about collecting people. Repeated and daily interactions amongst the pavement women of Byculla strengthened the bonds amongst them and were part of the community mobilization strategy. These interactions built up their identity as homeless persons around the mechanism of savings and credit. When constructing and reciting the narrative of their lives, the original Mahila Milan women living around the Byculla Area Resource Centre always speak of the terror and helplessness they felt when confronted by the demolition squads of the Municipal Corporation because they dealt with them as individual families. Lakshmi, a pavement dweller says: “We did not even know our neighbours before SPARC brought us together and we built up the organization of Mahila Milan. We did not know how to get a ration card or deal with the municipality or police but after Mahila Milan was formed, we came to learn about government offices and how to get things done.”

Coming back to the focus on CLIC, what kinds of community learning were taking place? For one thing, pavement women were improving and honing their skills in dealing with money and financial management in general. For another, the importance of community organization and mobilization were becoming apparent as families developed a group identity. Relationships within the family were being renegotiated. Byculla is a predominantly Muslim area and the social conservatism of the community would not normally make it easy for women to go out to meetings or travel. In the beginning, their husbands and male relations were suspicious and doubtful about why their women were going out so often and it must have threatened the balance of power within the family. As in other patriarchal societies, it was clear that women had lower status than men even if they worked harder and maintained the
household as well. Yet, because the initiative of forming Mahila Milan was not positioned as a ‘women’s liberation’ movement, and because men were not barred from its activities, there was no perceptible adverse reaction from the men. Rather, because the savings and credit mechanism revolved around women, their status improved in the household because even the loans men needed for income-generation purposes would be routed through the women of their families. The daily rounds of women leaders to the families of the area and the presence in the background of Mahila Milan would also act as something of a check upon domestic violence or abuse. The women in turn gained confidence from their membership in it as also their increased exposure to the external world of government officials, local bodies and the bureaucratic mesh of rules and procedures in seeking some entitlement or other. Looked at in this perspective, the agency of women was significantly increased as they acquired skills and gained knowledge over time. No longer could they be treated as passive, helpless victims of their fate whether in the family or the community.

3.4 Community-Government relationships

Dealing with the external world through the collectivity of Mahila Milan in the matter of demolitions gave confidence to the women and changed the balance of their relationship with municipal officials. Now, whenever there was a demolition, groups of pavement families would handle the crisis together and officials could not but recognize their collective strength. In later years, municipal officials would regularly interact with Mahila Milan on all issues pertaining to the locality and it is here that we see a repositioning of the roles and relationships between communities and State agencies. From a CLIC point of view, the capacity of communities to collectively identify problems and pose solutions to State agencies engaged officials on the ground. When pavement dwellers were conferred the same rights as slum-dwellers in 1995, Mahila Milan was quick to prepare, maintain and update the requirements of documentation to prove eligibility. Officials had to willy-nilly deal with this group because of the information and knowledge they had.

Towards the end of 1986, there was a clear recognition that the community’s main problem was homelessness and the repeated demolitions by the Corporation. As a demonstration of faith that poor people wanted a house, Mahila Milan set a target for each family to put aside a minimum of Rs.500 towards it.

3.5 Public Interest Litigation and Governance

It is worthwhile here to recall the case of public interest litigation that ended up in the Supreme Court of India in 1985. The issue, posed by a well-intentioned NGO, was whether pavement dwellers could not claim a right to live on pavements under Article 21 of the Constitution, which provided for the right to life. It was argued, ingeniously, that pavement dwellers lived where they did because they had to live close to their work as they could not afford the cost of transport, and if they were removed from there, they would lose the opportunity to work, and this would impact upon their right to life. In its judgement, the Supreme Court recognized the dire economic straits that forced people to live on pavements but ordered that the pavements be cleared. The only saving grace of that judgement, if it could be so called, was that the court said that notice must be given before demolitions were undertaken.

What was ironic about the litigation was that the parties to be affected were not consulted and an NGO spoke for them on the basis of their understanding of the point of view of the pavement dwellers. Yet, the women of Mahila Milan in the Byculla area were very clear that they did not wish to live on pavements, for pavement homes were tiny; there were no basic amenities and the threats of demolitions and traffic accidents was always present. Their investments each year on water-proofing their 50-60 sq. ft. homes and rebuilding after demolition cost almost as much as annual repayments for housing loans from public financial institutions. They did not want recognition of the right to live on pavements, they wanted the State to provide land and infrastructure at affordable rates so that they could build their own houses through savings and loans from financial institutions.

Approaching the highest Court of the land without certainty of victory was a risky strategy since if it closed its doors against the pavement families, there would be no legal recourse left. That is exactly what happened and the consequences were to be borne by the affected people themselves and not the NGO supposedly acting on their behalf. Thus for the next 10 years it was not possible to plead the cause of pavement families as a matter of entitlement since the law on the subject had been definitively pronounced. Had the law been ambiguous, it would have been possible to exploit the ambiguities and search for loopholes as part of the survival strategy of the poor, but it was not.
We have noted earlier in this study how when the houses of pavement dwellers would be demolished, the municipal staff would confiscate the valuables and goods inside the structure. To escape this fate, women would store these away if they heard of an impending demolition but such news did not always reach in time. When this happened repeatedly, the economic distress it caused made these families approach SPARC to do something about it. The High Court was approached and ordered the return of confiscated belongings and it was declared that the Corporation did not have powers to seize people’s belongings. There was some comfort here: even if the structures were to be demolished, officially the contents would be safe.

3.6 Public Debate, CLIC Processes and the Role of Civil Society

From the point of view of CLIC processes, there are important lessons to be learnt from the contretemps of the Article 21 case. For one thing, the participation of the community in designing a strategy is a *sine qua non* for it to work. Assuming, for the sake of argument, that the affected groups had been in support such a legal offensive, which they were not, at least they would have been responsible for the consequences of their actions. But it is patently wrong that middle-class activists should dream up an approach, with no serious attempt at consultation, the brunt of whose failure would be bourn by those at risk. The more general point is that it should not be automatically assumed that interlocutors in fact represent or articulate the needs of the poor. Experience suggests that there are many NGOs and individuals who speak on behalf of the poor and make claims upon the State in their name without any significant connections to the reality of poor people’s lives or their organizations. The agenda of governance, whether defined by the State or an NGO of the kind described above, will be anti-democratic as long as the collective voice of the poor remains mute and therefore does not contribute to debate and discussion in the formulation of such an agenda.

It is here that we can appreciate Amartya Sen’s analysis of the constructive role of political freedom. He argues that “political and civil rights, especially those related to the guaranteeing of open discussion, debate, criticism and dissent, are central to the processes of generating informed and reflected choices. These processes are crucial to the formation of values and priorities, and we cannot, in general, take preference as given independently of public discussion, that is, irrespective of whether open debates and interchanges are permitted or not”⁶. Even though the thrust of Sen’s argument is in the context of the close links between political rights and the conceptualisation of economic needs, his approach is relevant to our analysis because it also relates to the question of who sets the agenda for discourse. We have seen how the GOM through its 1976 Census excluded pavement dwellers from its scope and to bring them back into public focus required a people’s census, a people’s organization, and sustained advocacy of their cause over several years. The law courts, as in the example of the public interest litigation using Article 21, were another forum where the voice of pavement dwellers’ organizations was excluded from the debate and discussion.

These concerns are central to any discussion of CLIC processes because community learning, information and communication cannot take place if some of the participants in the process, or the dialogue, are unable or prevented from presenting their point of view. It is well-recognized in India today that despite the constitutional guarantees of political and civil rights, the social and economic contexts of many classes of citizens such as bonded labourers, scheduled castes and tribes, landless labourers and other marginalised groups have not been able to participate either in democratic discussion of the developmental paradigm or to share in the limited benefits of whatever economic growth has taken place. In spite of the significant achievements since independence 50 years ago, the central actor in development, at least till the early 1990’s, has been the State and its multifarious agencies with hardly any role for communities of the poor and dispossessed. Since the 1990s, deregulation and liberalisation have to some extent reduced the power of the State in favour of markets. People have largely been targets or objects of planning and developmental policies and programmes rather than active agents who participate in the formulation and implementation of strategies for the elimination of their own poverty. The institutions of the formal democratic structure, political parties and legislatures, have largely remained unresponsive to the needs of marginalised groups in their pre-occupation with electoral polities and the divisive arithmetic of caste and religion.

Dipankar Gupta makes an excellent contribution to the debate on the relationship between civil society and the state in his analysis of the ideas of the distinguished Indian sociologist Andre Beteille. Since the work of the SPARC/NSDF/Mahila Milan Alliance can be well understood in the light of Gupta’s analysis, it is useful to quote extensively from his chapter:
“If the notion of civil society in India is not intrinsically linked with citizenship, the way it is in many western democracies, this is largely because a minimum set of resemblances between the people of this country appears almost impossible to obtain. For instance D.L. Sheth finds that the “civil space” for the enforcement and protection of rights of individual citizens is by and large restricted to the politically and economically organized sectors of the society... In Sheth’s opinion it is only these economically well-organized sections that have benefited from modernization. But Sheth stops a little too early. What needs to be emphasized is that if the benefits of civil society are restricted to just these sections in spite of constitutional democracy it just shows that the project of civil society is far from being complete. As freedom in this case is being realized only by a minority and not by the people as a whole, the basic ethic of civil society can hardly be said to exist in any meaningful way. It is impossible to be civil in an uncivil society.

This is why it is so important to launch a concerned full-blown critique against the modern Indian state for allowing citizenship to languish as little more than a legal title. But instead of pressuring the state to deliver to its citizens, the tension of the moment tempts one to promote an alienated and reactive mood. This mires one in either protecting institutional well-being or, what is infinitely more dangerous, in valorising tradition.

When civil society is seen as intrinsically related to citizenship, it is easier to appreciate where modernization has gone wrong, or the distance it has yet to traverse in countries like India. This is a sounder way of examining the weaknesses of post-colonial societies than by opposing modernization against tradition, or by simply exalting the modern. When democracy no longer encourages the well-being of citizens along the lines of civil society it is largely because the ethics of freedom are being subverted by technological rationality, or by market principles, or by the majority principle, or by the pure and dogmatic assertions of communal or group equality (as in caste-based politics). None of these is compatible with the ethic of civil society, nor with the cultivation of citizenship."

SECTION 4 THE JOURNEY TOWARDS CITIZENSHIP

In the context of the events and arguments presented above, the fundamental position of the SPARC/NSDF/Mahila Milan Alliance in relation to the State is that in order to respond to the needs of the worst-off sections of the population the State must engage them as full participants and partners in the development process. And for their part, pavement and slum dwellers must be able to organise themselves to enter the development process on terms that are compatible with those of the other actors and stakeholders in the urban development and management processes. It is in this sense that the approach can be described as a ‘journey towards citizenship’ in participatory democracy rather than resting content with representative democracy and its electoral rituals. Some examples will illustrate this.

4.1 Unit Trust of India

Some years ago, when it was found that the savings towards future housing of poor communities were languishing in the savings accounts of public sector banks and earning paltry rates of interest, it was decided to explore whether and how these moneys could be invested for higher rates of return. There are now several million investors in the stock market in India and the objective was to find mechanisms by which the poor could benefit from participation in mainstream financial institutions. The most frequently heard argument against this is that financial institutions have neither the time nor the patience for poor people’s savings; transaction costs are too high since there are a large number very small of accounts. Further, poor people often need money suddenly to deal with crises and so the funds cannot be invested in long-term securities.

In order to find ways round such obstacles the SPARC/NSDF/Mahila Milan Alliance called a meeting with The Unit Trust of India (UTI), the largest mutual fund in the country, the Directors of which are appointed by the Government of India. The interest of the top management of UTI was evoked by the conversation and a number of its officials visited the Byculla Area Resource Centre to understand the pavement dwellers savings and credit mechanism: they also visited Area Resource Centres in other parts of Mumbai to assess the extent of savings and the number of savers. A special scheme for small investors was drawn up with the commitment to invest the money only in AAA securities and to permit withdrawals at specified intervals. The concerns of the savers were thus met and SPARC agreed to be a conduit for the funds so that UTI would not have to deal directly with thousands of investors. A pilot scheme was launched which in one year had achieved the highest Net Average Value. UTI has decided that if the scheme works well in Mumbai with SPARC, it would be extended to other cities and other NGOs as well. The current performance of the scheme bodes well for its future expansion. As and when these pavement dweller investors get land, their money will have grown appreciably: at the same time, their participation in financial institutions such as UTI help develop their stakes in society in general.
The CLIC processes that were in operation here relates to the needs of the poor in relation to their savings, how they were communicated to the top management of UTI and how this information became accessible to the officialdom of UTI. The policy opening provided by a far-sighted Executive Trustee of UTI opened the doors for poor people to become financial citizens like the other classes of investors in the financial capital of India. Face-to-face communication at the Area Resource Centre and also in the offices of UTI helped smoothen the development of this innovative mechanism. In turn, the constituencies of NSDF and Mahila Milan are beginning to learn about AAA securities and the stock market, both concepts alien to their prior experience.

4.2 Citibank

Another example of financial citizenship relates to the growing relationship between the Alliance and Citibank. On the face of it, a relationship between an organization of slum-dwellers and a global multinational like Citibank would seem to be unlikely. As part of its effort to become ‘embedded’ in local contexts, Citibank selected SPARC and its partners as well as Friends of Women World-Wide Banking, another agency involved with extending credit to poor women, as its partners. The initial arrangement included a cash grant, the donation of some computers to SPARC and volunteer time on behalf of Citibank employees to improve SPARC staff’s computer skills. While this was indeed a good beginning for a new partnership, the question arose as its long-term sustainability. At this time, a project of financing construction by a slum-dwellers’ housing cooperative in Dharavi, a vast slum in Mumbai, was under discussion between the Alliance and Citibank. After a system of international financial guarantees was set up with Homeless International, a British charity, a loan arrangement was put into place and construction began.

The relationship between the Alliance and Citibank is based upon a marriage of sharply contracting cultures and outlooks but promises to the urban poor the possibility of further interaction with mainstream financial institutions. The community learning, information and communication processes went both ways as highly educated professionals interacted with the extremely poor in order to build the foundations of a sustainable loaning programme.

The examples of UTI and Citibank have been explored here at some length both from the point of view of financial citizenship as also to underline the innovative potential of unusual partnerships.

4.3 Land and Shelter: Policy and Programme

Even more important than the UTI and Citibank examples referred to above, the policy change, introduced in 1995, that treats pavement dwellers on par with slum-dwellers has had a major impact. Since most of the pavement dwellers fulfill the criteria of eligibility, they are entitled to be rehabilitated in the event of the Municipal Corporation requiring them to clear the pavements. Even though the odd demolition does still take place, in general it has stopped because of the new policy. There is now a greater sense of security and, in 1999, the first group of 536 families of pavement dwellers with whom SPARC started work at the Byculla Area Resource Centre was allotted land by the Maharashtra Housing and Area Development Authority (MHADA). The Municipal Commissioner has set up a committee to co-ordinate the clearing of pavements and the grant of land. The Chief Executive of the Slum Rehabilitation Authority is a key member of this Committee because it is his office that authorises the construction of housing schemes of developers and others, all of which have a mandatory component of housing for the poor. This policy has now made visible those who were invisible and programmes are in the process of being drawn up and implemented to obtain land and shelter for pavement families.

It is in the grant of land to these 536 families of the Byculla Area Resource Centre, whose daily experience over decades was of demolitions and homelessness, and the promise of a programme to resettle and rehabilitate many thousands more that we can discern the progress in their ‘journey towards citizenship’. Even though the original group of Mahila Milan at the vanguard of the process of collectively engaging the State only got land after some fifteen years of action, in the meantime, they led the process of assisting other slum-dwellers to being resettled and rehabilitated because they were linked to the wider network of the NSDF. As the vanguard, these pavement families were the first group to organize around an Area Resource Centre, link up with other pavement families, create an information and knowledge base, develop savings and credit mechanisms, hold housing exhibitions and creatively engage State agencies. And whatever they learnt and gained was shared through exchanges with other groups of pavement and slum dwellers in India and abroad.
4.4 Railway Slum Dwellers survey

For more than ten years, the Railways Slum Dwellers Federation (RSDF), a unit of NSDF, has been systematically collecting data on slum-dwellers living along the railway tracks. The publication of Beyond the Beaten Track in 1988, when a joint survey was made with Indian Railways and the State Government, was a milestone. Detailed cadastral maps showing encroachments at each location along the entire suburban rail system were prepared. This information was collected by slum-dwellers themselves and processed by SPARC into a report. Upto that time, no agency of government, neither State nor Central, had any systematic data on the actual situation on the ground. The possession of this information was a source of power and credibility for SPARC, NSDF and MM. The data also included information on land belonging to both the Railways and State agencies, that was potentially available for resettlement: with the diversity of both public and private sector land-owners in the city, no single organization had a comprehensive picture of alternative sites.

The power of information and knowledge systematically collected and collated by the SPARC/NSDF/MM Alliance became apparent. At one level, it strengthened the communities and helped to mobilize them to articulate their situation and consider alternative approaches to changing it. At another level, state agencies were forced to contact the Alliance, if for no other reason than it was the only body with information on the number and extent of railway land encroachments and complete and up-to-date maps of their location. The conventional order of the control of knowledge had been reversed: it is more common for public agencies to have information and knowledge to which citizens cannot easily get access. Typically, government agencies tend to function under a cloak of secrecy, often withholding information even from legislators in parliamentary sessions. Yet, in this case they had to approach the alliance of non-governmental organisations to get an accurate picture of reality on the ground. This position had important implications for the relative balance of power between the state and communities, and the ability of the latter to negotiate on a reasonably level playing field.

When the Mumbai Metropolitan Regional Development Authority (MMRDA) commissioned base-line socio-economic surveys for a major World Bank funded project (MUTP-II), it was appropriate—even inevitable - that SPARC and its partners were asked to prepare the surveys for all railway sub-projects. It was expected by the MMRDA and the World Bank that trained professional investigators would do the survey. But the philosophy of the Alliance was that surveys must be participatory and done by slum-dwellers themselves because the process of deciding what information is needed, for what purpose, and collecting and processing data about a community by the community helps to develop the understanding that many problems can only be dealt with through collective effort. Thus, data gathering and analysis are not detached, mechanical exercises to be done by third-party professionals but they become important activities in the process of building the self-awareness of community groups and strengthening bonds amongst them. At the same time, since the surveys were undertaken in the context of MUTP-II, they brought knowledge to the community about the government’s project, the sub-projects and rehabilitation strategies. The seeds of participation began to flower at this stage.

4.5 The Kanjur Marg experiment

Since the start of the Mumbai Urban Transport Project (MUTP-II) had been under discussion for many years and there had been considerable delay in any action, the Alliance took up a pilot resettlement and rehabilitation project at Kanjur Marg in Mumbai. Within a year between 1998 and 1999, some 900 families were shifted from living along the railway tracks to a piece of land earmarked by the State Government and the land encroached upon handed back to the Railways. Three features of the Kanjur Marg story stand out as illustrations of the ‘journey towards citizenship’: firstly, the relocation was entirely voluntary and no municipal or police force was used as the affected persons had been involved closely at every stage of the decision-making and implementing process; secondly, people took loans to get transit accommodation at Kanjur Marg while awaiting permanent housing to be built at the same site despite the proclaimed scheme of the State Government to give free housing to slum-dwellers; and thirdly, it was a success because it was based upon a partnership of Indian Railways (whose land was encroached and who paid the money for infrastructure at the new site), the Chief Executive of the Slum Rehabilitation Authority (who coordinated the process), SPARC/NSDF/Mahila Milan Alliance, and the resettled families themselves. Other players in the story of Kanjur Marg included different GOM departments and the Municipal Corporation of Greater Mumbai.
The Kanjur Marg experiment has been widely appreciated both by State agencies and the World Bank which has appointed the Alliance to conduct the resettlement and rehabilitation of all the several thousand families affected by the rail component of MUTP-II.

SECTION 5 THE BYCULLA AREA RESOURCE CENTRE: AN OVERVIEW

5.1 Crucible for a movement

The importance of Byculla Area Resource Centre has at least three dimensions: firstly, it is the place where the work of the Alliance started with the pavement dwellers of the area; secondly, it is the place where all the strategies and rituals devised for pavement dwellers were tested, refined and then shared with other groups of the urban poor and thirdly, it also is the centre (main office) of the leadership of NSDF and MM.

Since Byculla saw the beginning of the work of the Alliance, the pavement families have had the most experience in dealing with other communities and State agencies. These skills and experiences in savings and credit, searching for land in the city, holding housing exhibitions, community mapping and enumeration, construction of houses and so on have made them the most experienced and developed amongst all pavement communities in Mumbai. The original Mahila Milan women have shared their experiences and knowledge with numerous groups both in India and abroad and are, in a sense, at the vanguard of the process of horizontal learning. Whenever new strategies or new engagements are conceived, they usually go through a screening by Byculla Mahila Milan. If found acceptable, they are then passed on and shared with others. For example, the first group of pavement dwellers to get legal electricity from the Bombay Electric Supply and Transport Undertaking were those attached to Byculla Area Resource Centre. Further back in time, in 1987 it was here that the first house model exhibition was held with pavement women constructing houses of cloth and wood, reflecting their aspirations and their needs. One of the beliefs of the Alliance is that when developmental strategies work for the poorest of the poor, they can be safely assumed to work for better-off sections amongst the poor. Hence the importance of Byculla Area Resource Centre it is not only that it is the place where the Alliance began its work but it is also the crucible for the generalisation of what will work or not work for the poor. Moreover, when the priorities of the worst-off sections of the poor are addressed, this has an equalizing effect upon their relationship with the better-off who have a better chance to access support on their own. Pavement women, given opportunities to learn and to consolidate their insight and knowledge, become resource persons for the community of the poor at large.

It will be worthwhile to reproduce an extract from *Face-to-Face*, a publication of the Asian Coalition for Housing Rights in Bangkok, in which Sheela Patel speaks of the importance of exchanges and the ways in which information and knowledge are communicated and how learning takes place:

“The scale of the national exchange programme within Mahila Milan/National Slum Dwellers Federation, like the scale of everything else in India, is mind-bending: in a federation which encompasses something like three and a half million people in 28 cities (2 million in Bombay alone - a third of the city’s slum dwellers), at least 500 people go on at least 70 exchange visits to other cities each month. As for exchange within cities, nobody keeps track any more - nobody could!

“For the MM/NSDF/SPARC Alliance, community exchange is the root strategy for all education and mobilization. It is through exchange that poor communities in the Federation design new ways of solving old problems, communicate, disseminate ideas, monitor processes and support activities to thrive and grow.

“The process began fifteen years ago when women living on the pavements in Bombay first began to interact with SPARC. We found that women on one side of the street hadn’t spent much time with those on the other side, and so we initiated a process of interaction between the different pavement communities. Gradually, this extended to all informal settlements in the city, then all over the country, and over the last eight years - around the world.

“First you need enough people in one place to feel strongly about wanting to get something done, to get their hands on some solid idea and actually demonstrate some kind of solution to themselves - something about which they can say: “This is how we want it”. Having done that, anyone interested can come have a look at this solution and explore the process, which produced it. A whole lot of people in different
communities around India have begun to acknowledge their own preoccupations, to try to understand them, to experiment. The federation is kept alive by all this experimentation in all these scattered communities. It's like a hundred cooking pots simmering away, each with it's own masala, it's own concoction of local circumstances, personalities and whimsy.

"Out of these hundred pots, maybe ten, twenty, or even fifty, will find similarities in what they are doing and intensify their interaction with each other. That enables them to look at their situation from a wider perspective, at a larger scale. Some groups are running crisis credit groups, others are looking for credit to start small businesses. Through exchange, these ideas and strategies circulate, and with so many people sustaining their experimenting, all these groups get inspired, and in turn inspire others. This is how a collective awareness grows among the urban poor - an awareness determined by their material needs.

"In India, every single new idea, every single new programme and innovation that has come into use in the federation in the last ten years has come out of communities doing it.

“The federation in India now has what we call a critical mass. This means that large enough numbers of people are working towards solving their problems, helping others to solve theirs and learning from each other’s experiences - to start affecting real change. As the exchange process in India has progressed, it has created enough catalysts and trainers to ensure that the process can reach out to more and more communities across the country, and the process has snowballed. We constantly play city off against city, project off against project. They try different things, and there is a fast and powerful communication network in place to spread those ideas around.

5.2 The importance of place

From the point of view of the importance of place, the Byculla Area Resource Centre is, in the first instance, owned by the community of pavement families in the area. There are visitors day in and day out - urban poor groups from other slums in Mumbai, other cities and other countries, senior government and police officials, representatives of donor agencies and mixed delegations from various countries, all interact with the original Mahila Milan women, sitting on the floor. The terms of engagement are set by the women and in this egalitarian setting, the narratives of their lives are told and re-told. For real learning and change to occur, people must be emotionally touched because an intellectual understanding of poverty by itself simply does not have that impact. The stories they tell of their deprivation and homelessness, of the demolitions they have been through and the ways in which they have survived are all deeply moving not least because they are real-life stories, experienced in all their pain and suffering. These stories are told and re-told for the benefit of myriad visitors but lose none of their poignancy or hope in the repetition. During these exchange visits with people from elsewhere, visitors are encouraged to do the rounds of savings with the local leaders and they visit their homes on the surrounding pavements and observe at first hand these rickety, tiny structures with their meagre belongings and get a sense of the immense fragility and vulnerability of pavement lives. These impressions co-exist with the astonishing spirit of the pavement women, who by no means see themselves as victims but rather as active participants in a collective effort to improve their lives.

We have noted earlier how ‘place’ is important for setting the terms of engagement with the external world of people much better-off in the hierarchies of class, status and power. Any visitor to a government office in India cannot fail to be struck by the elaborate gradations of protocol beginning with the peon and the personal assistant, and the difficulty of gaining access to its hallowed precincts. The administrative apparatus of the Indian State was designed to suppress and over-awe its citizens and even 50 years after independence, it remains much the same despite regional variations and notable exceptions at the higher bureaucratic levels. To enter a government office is to become a supplicant because few individuals have countervailing power and status to seek answers to questions or solutions to problems, as a matter of right. In such circumstances, who can set the agenda of discussion, who can debate development policy and programmes, who can question and critique? But when the terrain of engagement is an Area Resource Centre, where the pavement women are comfortable on their home ground and where the trappings of office and the badges of status are so conspicuously absent, the atmosphere is truly conducive to sharing ideas, experiences, skills and knowledge. Sitting on the floor and talking to pavement women can be a truly liberating experience!

There are thirteen Area Resource Centres in Mumbai and the Alliance seeks to set up area resource centres wherever it works in order to provide a physical locus to the work of mobilizing communities of the poor.
5.3 Conclusion

As we have noted earlier, the Byculla Area Resource Centre is both a local Resource Centre and the headquarters of NSDF and Mahila Milan. The Alliance between SPARC, NSDF and Mahila Milan, spawned on the pavements of Byculla, has had some impact on policies and programmes of the Government of Maharashtra regarding pavement dwellers as well as upon issues such as the resettlement of the urban poor. Other papers Nos.100 and 102 in this series tell the stories of cooperative housing experiments in the cities of Pune and Hyderabad respectively and their implications. Housing exhibitions, now well-recognized tools for CLIC processes were started by Mahila Milan at the Byculla Area Resource Centre. Through exchange visits, partnerships and alliances amongst people’s organizations, NGOs and State agencies that were pioneered in Byculla have been promoted in other countries in Africa, South and South-East Asia.

One productive way of looking at the work of the Alliance in the area of urban poverty is that it seeks to renegotiate the roles and responsibilities of communities, NGOs and State agencies. In many post-colonial countries, the State has unilaterally set the agenda of governance. Having done so, laws, institutions, policies and programmes were fashioned on the drawing board of central controlling authorities. However well designed, for the most part they neither reflected the aspirations of the poor nor did they improve their position in any substantial measure. The concept of people’s participation was restrictively applied: even in Constitutional States that guarantee rights, the structures of power and the social and economic contexts of deprived groups did not permit their participation in debate and discussion over the paradigm of development or the manner of its realization on the ground. Inequalities of class and status were matched by entrenched bureaucracies, zealously protecting their turf. The attention paid to markets in recent times has not been accompanied by adequate concern for deprived groups, even if it has had other positive effects.

If there is any one lesson to be learnt from the Byculla Area Resource Centre, it has to do with the mobilization of the communities of the urban poor, the building of capacities of people’s organizations and the reclamation of space to define the agenda of governance and actively participate in translating such an agenda into reality. While there are many examples of unresponsive governments, there is also evidence that public agencies can be made to listen to the voices of the poor and address their needs both in India and other countries. The work of the Alliance adds to that evidence and precludes a cynical resignation to the status quo.

2. The Government of Maharashtra accepted the recommendations of the Afzalpurkar Committee (of which Sheela Patel was a member) to place pavement-dwellers on par with slum-dwellers with respect to any entitlements under slum rehabilitation schemes. For more details, see Working Paper No. 99 referred to above.


5. Following upon the destruction of the Babri Masjid in North India by Hindu revivalist groups in 1991, there was a dramatic deterioration in communal relationships all over India including Mumbai, leading to bomb blasts, rioting and police firing. But amongst the pavement-dwellers and slum-dwellers belonging to NSDF and MM, their sense of solidarity kept communal passions at bay.


7. A term coined by Professor Arjun Appadurai of the University of Chicago in his study (unpublished) on the Citybank-SPARC partnership.

8. The Mumbai Urban Transport Project (MUTP II) addresses urban transport in Mumbai, including the upgrading of the railway system, a component of which is the relocation and rehabilitation of several thousand families living in slums along the railway tracks.


12. *Face-to-Face*, Notes from the Network on Community Exchange, Asian Coalition for Housing Rights (ACHR), Bangkok, January 2000.
