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Declaration

I, Rakesh Kumar Narayana, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature…………………………………..

Date……..………………………………..

Acknowledgements

Abstract

This study examines the impact of caste on slum communities' access to urban land in Bangalore, India. Historically, pattern of land ownership in India was inextricably melded together with caste wherein the dominant castes owned land and excluded Dalits from land access. Slums can be seen as primarily an urban land access issue. A majority of slum residents in Bangalore are Dalits though they form a minority in the overall population. The study adopts a Social Exclusion paradigm to understand the process through which the social, economic and political institutions of caste exclude Dalits from urban land access.

I have followed a qualitative case study design and adopted Dalit standpoint epistemology. The data collection was done through semi-structured interviews with Dalit activists and slum residents. I also collected data from various government departments using the Right to Information (RTI) channel.

This study argues that slums are the urban manifestation of the caste system and a continued chapter in the historical landlessness of Dalits resulting from the exclusion of Dalits from property ownership, socio-economic capital, city planning and political power. Caste system manifests itself in urban India in terms of caste segregation, institutional inequalities in access to resources, inherent caste-bias in city administration and Dalit labour exploitation. The socio-economic capital of the dominant castes, gained through their control on land, instruments of production and education, helps them in their access to urban land. The exclusion of Dalits from gaining this socio-economic capital severely restricts their access to urban land. The modern State institutions of Democracy, Judiciary and Legislature haven't been able to correct the caste-based structural inequality in access to resources, including urban land, as they are controlled by the dominant castes. Neo-liberal urban governance is diluting the social justice provisions of the Constitution and further weakening the urban land access of Dalits.

Dalit communities' urban land access is restricted to the marginal low quality land in slums. Here too there is no security of tenure as undeclared slums can be demolished anytime and declared slums can be uprooted to the outskirts of the city. This uprooting destroys the organic relationship the slum residents build with their land and adversely impacts their livelihood, education, health and life itself. The low-cost housing through the Public Private Partnership model further reduces the already miniscule land share of Dalits in cities.

The landlessness of slum communities correlates with their Dalit identity. Therefore, the strategy of employing Dalit identity in slum communities' land struggle is emerging in Bangalore. Dalit identity has a semblance of political and mobilisation powers that should be used in the communities' fight against landlessness. Demand for implementation of the Constitution, building knowledge and Dalit consciousness and forming alliances of various Dalit movements would strengthen the urban land access movement of Dalits.

Table of Contents

List of Tables:

Chapter One: Introduction

1.1 Introduction and Problem Statement

Land is one of the most important resources in any society and access to and ownership of land is power. Access to land enables communities to climb the social, economic and political ladders in a society. In most societies the dominant classes control land and deny land rights to the marginalised communities. This landlessness, and the resulting powerlessness, has led to the oppressed communities leading deplorable lives of abject poverty, illiteracy, drudgery and exploitation. Hence, we see radical movements of the landless oppressed communities all around the world from *Movimento dos Trabalhadores Sem Terra* (MST) in Brazil to Chengara land struggle of the Adivasis in Kerala to the Panchami land struggle of Dalits in Tamil Nadu to the *Ghar Bachao Ghar Banao Andolan* of slum residents in Mumbai.

Land struggles are generally seen as a rural phenomenon as most land struggles occur in rural areas to acquire agricultural land. Land is an equally important resource playing the same role in the power dynamics of a society in the urban sector as well. Urban land is also owned and controlled by dominant classes / castes and the oppressed communities are denied access to urban land as well. These urban landless communities form the slums of the city.

Access to land in India has been historically interlinked with the caste-based social hierarchy and one cannot study it in isolation – be it rural agricultural land or urban land. The complex problems of India, including urban land access, cannot be studied without understanding the caste-based hierarchy, which manifests itself in the structured access to resources (Mandavdhare: 1989). Land is power and this relationship is complicated in India with the added factor of Caste. As a rule, Dalits are excluded from access to land, which in turn provides enormous power and authority to the dominant castes both in terms of caste and class (Anandhi: 2000, 1). Using the case study of Bangalore, the capital of Karnataka state, this study looks at the land, caste and power dynamics playing out in urban India from the perspective of slum communities, who are predominantly comprised of Dalits.

In this study I try to understand how caste affects slum communities' access to urban land in Bangalore. Dalits constitute a large section of the slum population in Bangalore. I also study

how structural historical caste inequalities manifest themselves in urban India, especially in the question of land. The strategy of using the Dalit Identity in slum communities' struggle for land is also explored. The study employed a case study design with a predominantly qualitative approach for data collection and analysis.

1.2 Objectives and Research Questions

Objective 1: To understand how caste system manifests itself in Urban India, both in terms of structured access to resources and in the purity-pollution based caste segregation paradigms.
Research Questions:
1) What are the parallels and similarities between a rural Dalit colony and urban Slum colony in terms of their labour contribution to the economy and their earnings for their labour?
2) How does caste manifest itself in Urban India in terms of structured access to socio-economic capital, caste segregation and in city planning?

Objective 2: To understand how caste impacts Dalit slum communities' access to land.
Research Questions:
1) How are the historical structural caste inequalities affecting urban land access of Dalits and what is Dalits' current condition of urban land access?
2) What are the importance, advantages and challenges in the strategy of using the Dalit Identity in the slum communities' struggle for land access?

1.3 Caste Terminology in the Thesis

Dalit, which literally means broken people in Marathi language, is the name given to themselves by the former "untouchable" castes. Dalits formed the fifth rung of the *Varnashrama* system and were the slave class of the Hindu society. In official parlance they are known as Scheduled Castes (SCs) and the state governments have the power to bring out the SC list for their individual state. There is a tendency to include "touchable" backward castes in the SC list, which is problematic as the relatively better off castes (compared to Dalits) eat into the Dalit share in affirmative actions. Untouchability has had severe psychological, social, economic and political effects on Dalits. Hence, a distinction should be maintained between Dalits and "touchable" SC castes. In this thesis, 'Dalit' does not mean

SC but the actual Dalits i.e. the former "untouchable" castes. Even though caste has its genesis in the Hindu philosophy, scholars are unanimous in the opinion that caste divisions exist among Muslim, Christian and Sikh communities in India. Dalits belonging to Christian, Islam and Sikh communities are known and treated as inferior by the dominant castes in these religions. Except for rural Sikh Dalits, 75% of all Dalits from various religions are indistinguishable in terms of their economic situation of rampant poverty. In short, Dalit Muslims and Dalit Christians are "Dalits first and Muslims and Christians only second" (Deshpande & Bapna: 2008). Hence, in this study 'Dalits' includes castes that have experienced the evil practice of untouchability from all different religions in India.

Castes belonging to the Shudra (Bahujan) fold, the fourth rung of Hindu Varnashrama system are referred to as Most Backward Castes (MBCs) and Other Backwards Castes (OBCs), with the latter being relatively better off socially and economically compared to the former. The backward "touchable" castes included in the SC category are therefore Most Backward Castes (MBCs). Some Shudra castes though considered lower ritualistically, (Vokaligas, Lingayats, Reddys, etc.) have become dominant castes due to their land holdings, numerical strength and being better organised. They are known as "Neo-Kshatriyas" in the academic field (Ilaiah: 2005). In this study "dominant castes" would include the *dwija* (twice-born) castes of Brahmins, Kshatriyas and Vaishyas and the Neo-kshatriyas. Adivasis are the indigenous groups of India, known in official parlance as Scheduled Tribes (STs).

1.4 Organisation of the Thesis

This thesis comprises of seven chapters. The next section in chapter one discusses slums as primarily a land access issue and project slum communities as the urban landless. This is followed by a discussion on the caste question of urban land access in India. The last section provides information on the proportion of Dalit population in the slums and argues that slums are urban Dalit colonies.

In chapter two I present the research methodology and provide a description of the study area. Details of fieldwork, research design, data collection and data analysis are presented. Information about the study area of Bangalore and two slums from which residents were interviewed are provided. The chapter ends with a discussion on Dalit standpoint epistemology adopted for this study and the ethical issues concerning the same.

Chapter three looks at the historical landlessness of Dalits and the role of caste in the same. It begins with the differentiation between *jati* and *varna*. Babasaheb Ambedkar's critical analysis of the inequality in the philosophy of Hinduism is discussed followed by the varna Ideology and its discourses and mechanisms. The fourth section then draws a brief history of caste and land connection in India in pre-colonial and colonial times. The land reforms programme in independent India is analysed in detail with the examples of the programme in the South Indian states of Karnataka, Tamil Nadu and Kerala.

Chapter four reviews major discourses and paradigms in the literature on slums such as urban poverty, migration, shortage of land and planning failure. The illegality of slums discourse is analysed at length. Using the case of Bangalore, the section shows how the judiciary, political class, middle and upper classes, industries and the State are all active participants in the illegality circle of the Encroached City, but only the 'illegality' of the poor is targeted. The last section will discuss Social Exclusion paradigm and its advantages over poverty and inequality paradigms. Caste-based exclusion of Dalits in social, economic and political spheres are discussed along with empirical evidences. The section ends with a discussion on why social exclusion paradigm has been used in this thesis to understand urban land access of Dalits.

Chapters five and six provide the research findings.
Chapter five discusses urban manifestation of caste system in terms of caste segregations, inherent caste-bias of the city administration and Dalit labour exploitation. The second section provides the current conditions of Dalit slum communities' urban land access. The impact of caste-based socio-economic capital, neo-liberalism and failure of the state on Dalits' urban land access are analysed. The last section theoretically analyses Slums as a form of land occupation and resistance movement of Dalits using the structure / agency paradigm. The section ends with a theoretical analysis of Dalits' urban land access through Social Exclusion paradigm.

Chapter six deals with the importance, advantages and challenges of using the Dalit identity in slum communities' land struggle. It posits that the social liberation identity politics of the oppressed groups is different from the social exclusion identity politics of the dominant groups. I argue that slum communities' land struggle should necessarily use the political and

mobilisation powers of Dalit identity to fight their landlessness, which is a result of their identity as Dalits.

Chapter seven will provide an overall summary of the thesis in conclusion.

1.5 Slums: Land of the Urban Landless

There are numerous definitions of Slums and they mostly concentrate on the physical features and characteristics of a slum. Any reference to the non-physical characteristics of a slum is restricted to their illegality status or poor municipal administration. The exclusionary and oppressive politics of the elites that condemn the labour classes and Dalit communities to substandard living is not given importance to in most definitions. The Slum Areas (Improvement and Clearance) Act of 1956, identifies slums as areas where buildings: (a) are in any respect unfit for human habitation; or, (b) are by any reason of dilapidation, overcrowding, faulty arrangement of streets, lack of ventilation, light or sanitation facilities or any combination of these factors, are detrimental to safety, health or morals (Antony & Maheswaran: 2001). This legal definition puts complete emphasis on the quality of the buildings / houses. The quality of the housing is the responsibility of the people living in them and thereby it is not considered the government's fault in anyway. The lack of sanitation facilities is also referred to as inside the buildings and conveniently ignores that there needs to be an underground sewage system in the area provided by the municipality for the buildings to have sanitation facility.

The UN Habitat's definition of slums attributes being overcrowded, having poor or informal housing with insecurity of tenures and inadequate access to safe drinking water and sanitation as the primary material characteristics of slums (Davis: 2004). Tosa (2009) sees slums as areas where urban governance has collapsed leading to absence of basic civic amenities and them being declared illegal. According to Antony and Maheswaran (2001, 16):

> "Though variously connoted, slums in general refer to the low-cost habitats of the poor, mostly built as temporary make-shift shelters, on land that has been encroached upon, in overcrowded and unhealthy conditions, worsened further by the lack of basic civic amenities and where, in short, life is miserable".

Life is "miserable" in slums with inhumane physical conditions of poor quality housing, lack of sanitation facilities, overcrowding and cramping, lack of drinking water supply, inadequate or absent health and education facilities and so on. However the primary issue of slums could be seen as that of access to land and security of tenure. All the above problems are basically an outcome of the lower classes being excluded from accessing land in the middle and upper class residential layouts of the city – the so-called planned areas. Importance of land access of slum communities has been discussed and recognised at various forums. In 1976, the first Habitat Conference held in Vancouver stressed that importance of land tenure is next only to that of food and water in urban areas. UNFPA's State of the World Population 2007 report argues that urban transition will not be humane unless the land needs of the poor are met. Access to tenured lands in urban areas is seen as an extremely important aspect of urban poverty alleviation (Mahadevia: 2009). A number of studies have shown that regularising slum dwellers' land tenure leads to improvement in their living conditions as they are willing to make substantial investment to improve their houses if there is security of tenure. Security of land tenure and regularisation also leads to access to electricity, drinking water, sanitation and other basic civic amenities. There is also an economic boost as they can mortgage the houses and use loans for income generation activities (Ansari & Einsiedal: 1998). The World Urban Forum III held in June 2006 in Vancouver recognised the same point.

Therefore, the primary issue of slums is their struggle for land. Slums are the spaces that are occupied by the landless classes of the city. It is a process through which the rural under classes escape traditional forms of oppression and join the urban proletariat. It is a silent, passive and patient land occupation movement of the oppressed classes laying claim to their right to city. The land occupation and the eventual struggles against eviction reflect a form of resistance by the urban under classes. Building huts or houses of tin sheets in slums is just their first step in the process of accessing land in the city. It is a vantage point from which they can struggle for their land rights and access in the city. Slums are primarily a question of urban land access of the oppressed communities and lower classes. Access to land and safety of tenure is an important condition to tackle the other problems of slum communities.

1.6 The Caste Question of Urban Land Access

There is an abundance of literature and discourses dealing with the causes, problems and issues of slum communities. The impact of the historical structural inequalities of the Hindu caste system on urban land access of slum communities, which is majority Dalits, has been largely ignored in academics. There have been few studies showing that the socio-economic conditions of Dalits in slums are worse than the other castes (Antony & Maheshwaran: 2001; Shiri: 1999). The structural inequalities of caste system and the historical denial of access to land for Dalits as the causes of slums have not been explored substantially. Hence, I would like to look at urban land access of slum communities through a caste-based 'Social Exclusion' paradigm.

Caste is the most important distinguishing feature and the most dominant paradigm of the Indian society impacting every aspect of social, cultural, political and economic life in India. The various castes are assigned different levels in the Hindu hierarchy system wherein the castes at the higher level are accorded greater powers, privileges and control over factors of production including land, which decrease at the lower levels. Dalits formed the slave class of the Hindu society meant to provide services and labour for the dominant castes. They had absolutely no control over the factors of production and have been historically landless. Such a biased system derived its power and authority from the Hindu scriptures, which sanctioned the social and economic privileges of the dominant castes and the exploitation of Dalits (Thorat & Kumar: 2008, 9). This structural inequality of caste denied Dalits access to education, property, land, gainful employment, etc. Vast majorities of Dalits are still unable to overcome these barriers of access to resources. The dominant castes continue to control the seats of power at the local, regional and national levels making it harder for Dalits to overcome the structural inequalities that are heavily biased against them. The caste-based structural inequalities and historical landlessness impact Dalits' access to land in the urban areas. Since most of them are unable to afford quality housing, they live in slums.

1.7 Slums as Dalit Colonies

It is difficult to ascertain the exact number of Dalits in slums due to the lack of reliable data and issues of faulty enumeration. Karnataka Slum Development Board (KSDB) estimates that 38 percent of Bangalore's slum population is made up of Dalits, 17 percent are Adivasis

and the remaining 45 percent are classified as others.[1] KSDB's estimate of 38% slum population being Dalits is a gross underestimation as it leaves out Dalit Christians, Dalit Muslims and Dalits who have migrated from other states.[2] A substantial portion of the 45 percent in the 'others' category are minority Dalits or Dalits from other states.[3] According to a 1998 study carried out by Symbiosis of Technology, Environment and Management (STEM) more than 70% of slum residents in Karnataka are Dalits. A 1999 study revealed that an overwhelming majority of residents in the Koramangala slum cluster, the largest in the city, were Dalits. According to the study 87.5% of the slum residents were Dalits while 12.5% belonged to the Other Backward Castes (OBCs). The 87.5 % Dalits were made up of 62.5% 'Hindu' Dalits, 12.5% Christian Dalits and 12.5% Muslim Dalits. This overwhelming Dalit-OBC composition of slums appears to be the general pattern of slums in Bangalore reflecting a "deep-rooted system malady" present not just in slums but the whole of Indian society (Shiri: 1999, 11). One is sure to see Ambedkar statues and Dalit organisation boards in most slums of Bangalore. This is not just an indication of using Dalit icons and Dalit identity to safeguard slum communities from eviction but also clearly points to the predominantly Dalit population of the slums.

We can understand social issues through the politics of naming. The names for slums in Latin America are *"resonant with meaning"*. In Columbia they are called Barrios Clandestinos meaning shacks built clandestinely, in Port Algre they are called Vilas de Malocas which means 'villages which fell from the sky' referring to their tendency to crop up overnight. In Mexico they are called Colonias Proletarias meaning colony of the proletariats and in Argentina they are called Vilas Miserias, which means habitat of the miserable (Antony & Maheswaran: 2001). In Bangalore, a slum is called *Kolegeri*, which is a combination of Kannada words *Kole* (meaning dirty) and *Keri* (meaning colony). *Keri* is generally used in Kannada to refer to the Dalit colonies in the rural areas while *Hatti* or *Agrahara* is used to refer to dominant caste colonies. *Holegeri* means colony of the Holeyas, which is a Dalit

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[1] Based on data received for 377 slums in Bangalore under RTI. The Comprehensive Development Plan of Bangalore prepared in 2005 estimated that there are 778 slums in Bangalore.

[2] See Venkatesan, S (2001) "The head-count and some gaps" in *Frontline,* Vol 05, March 03 – 16 2001, for census rules that leave out Minority Dalits and inter-state Dalit migrants from Dalit population enumeration.

[3] Bangalore is a cosmopolitan city attracting migrants from all over the country with only 35% of the city speaking the local language Kannada. 25% of the city speaks Tamil, a majority of whom are Dalit migrants from the surrounding districts of Tamil Nadu. Muslims comprise 13.4% of the city and there are a good number of Muslim majority slums in Bangalore.

former "untouchable" community. The other name for slums in Kannada is Kolache Pradesha, which literally means Sewage Region, and is the official name used by government departments. Dalits were considered "untouchables" in Hindu society due to the purity-pollution notion, which considered Dalits as impure or dirty. Therefore, these two Kannada names for slums are not only referring to the physical feature of "dirtiness" in slums but also to the social, economic and political feature of Dalits being the majority population in slums. The names are indeed resonant with meaning.

Therefore, slums can be seen primarily as an urban land access issue as a number of studies have established that improvement in land access conditions of slum residents have a direct positive impact on their living conditions. A majority of slum residents in Bangalore are Dalits, though their proportion in Karnataka state's population is only 16 % according to the 2001 Census of India. The structural inequalities of the caste system and barriers faced by Dalits in access to resources have an impact on their urban land access due to which they are confined to slums. The study seeks to understand the process through which the social, economic and political institutions of caste exclude Dalits from urban land access.

<u>Chapter Two: Methodology and Study Area</u>

I had volunteered for a month in June 2010 with Ghar Bachao Ghar Banao Andolan, which is a slum movement in Mumbai fighting against slum demolitions and displacement. This volunteer stint interested me in the topic of urban land access of slum communities. While deciding on my Masters thesis topic, I initially wanted to study the impact of neo-liberalism on urban land access in Bangalore using the context of slums and urban ecology. My readings for a self-study course on Dalit Emancipation and interaction with urban Dalit organisations got me interested to explore the caste question in my research topic. I changed my research topic to study the impact of caste on urban land access from the perspectives of slum communities.

2.1 Research Methodology

This is a qualitative research with a Case Study design. Qualitative research emphasizes words i.e. explanation, rather than quantification in the collection and analysis of data (Bryman: 2008, 22). Qualitative research concerns itself with the how and why rather than the what and tends to view social life in terms of processes (ibid, 388). I choose to do a qualitative study, as I am interested in the process of social exclusion of Dalits from urban land access. A qualitative approach suits best for the study's aim to understand *how* social, political and economic institutions of caste perpetuate the historical landlessness of Dalits and extend it to the urban areas.

I have applied a Case Study research design for this study. According to Bryman (2008, 52), a case study design entails detailed and intensive analysis of the complexities and particular nature of a single case. Bangalore is not just the location of this research, but is also the case, as I am looking at impact of caste on land access and Dalit urban land struggles in the particular context of Bangalore. Using case study design will enable me to do an intensive and detailed analysis of the complexities and nature of the impact of caste on urban land access in the case of Bangalore. Under case study design, a case can be classified as critical case, extreme / unique case or representative / exemplifying case. An exemplifying case is chosen because it epitomizes a broader category of cases, provide suitable context for the research questions and allow the researcher to observe key social processes (Bryman: 2008, 56). Bangalore will be an *exemplifying / representative* case as we see largely similar social

patterns of caste entrenched societies and economic pattern of neo-liberal urban governance in most Indian cities. Comparing the land access of various sections of Bangalore like industries, middle and upper castes, Dalits and political class, will help me understand the social process through which caste impacts Dalits' land access.

2.2 Fieldwork

The fieldwork for the research was carried out from October 2011 to March 2012 in Bangalore. I volunteered with Karnataka Slum Janandolana (KSJ), a state level coalition of slum peoples' movements in Karnataka, and Janasahayog, an urban resource centre, for three months before beginning data collection. Spending time in their office, attending their meetings, participating in their protests and interacting with the activists has been of tremendous help in shaping this research project. It helped me to understand the various issues of the research topic and to frame the questionnaires for the interviews and to apply for relevant information from various government departments. Volunteering with KSJ enabled me to get access to the two slums where I interviewed Dalit labourers. It also introduced me to the Dalit activists whom I interviewed for this research. I stayed on in Bangalore, which is my home, even after the field study and therefore the thesis writing also happened in the 'field'. My involvement with KSJ helped in establishing a certain level of trust without which it would have been difficult for me, as a non-Dalit researching a Dalit issue, to be able to do these valuable interviews with Dalit activists.

2.3 Data Collection and Analysis

The primary data collection method used was Semi-structured Qualitative Interviewing. In a semi-structured interview, the research has a list of questions with fairly specific topics to be covered but the respondents have room to choose how they answer them and new topics coming up in the interview could be pursued (Bryman: 2008, 438). I interviewed two groups of people – Dalit activists and Dalit labourers. The latter were interviewed to understand the research question particularly dealing with Dalit labour discrimination aspect of the urban manifestation of caste system. Dalit activists were interviewed to understand the larger issue of impact of caste on urban land access. I applied Right to Information (RTI) applications to four government departments. This data was used to show the discrimination and variance in the land access opportunities of the various sections of the city. The research findings are

based on the qualitative interviews conducted and my interactions with the slum movement and activists.

2.3.1 Semi-structured Interviews: A total of 19 interviews were conducted. All the interviews were recorded with prior permission of the respondents. My knowledge of Kannada and English meant that I did not require translators and I also transcribed the interviews myself. Of the 19, eight respondents are activists who are involved with slum communities land struggles. For this group, I adopted the *key informant technique* wherein individuals involved with the issue as part of their job, as volunteers or as citizens are interviewed because of the unique perspective they have on the issue studied (Garkovich: 2009). Seven of the activists interviewed are Dalits while five of them are currently living in a slum. I followed a snowball sampling method wherein the researcher makes initial contact with small groups of members relevant to the research topic, who in turn introduce the researcher to other potential respondents (Bryman: 2008, 699). My volunteer stint with KSJ helped me to establish contact with few urban Dalit activists and they provided me contacts with other Dalit activists I could interview. All the activists have given me permission to quote them in the thesis.

This paragraph will give a brief description of the activist I interviewed. Isaac Arul Selva is the editor of the monthly Kannada magazine called Slum Jagathu (Slum World). He is also the State President of KSJ and Co-convener of People' Campaign for Right to Water – Karnataka (PCRW-K), which is a coalition of organisations in Karnataka fighting against water privatisation. He has been the President of Peoples' Union for Civil Liberties (PUCL) Bangalore chapter for two terms and resides in Lakshman Rao Nagar Slum. Narasimha Murthy is the director of Janasahayog, an urban resource centre. Rajendra Prabhakar has been a social activist for the past 35 years and has been part of various youth movements, student movements, left wing organisation and Dalit organisations. His core area of work is with urban Dalits and is prominently involved with Karnataka Dalit and Minorities Land Protection Forum. He is also a co-convener of PCRW-K and resides in Rajendranagar slum. Geeta Menon is a women's rights activist and currently leads the Domestic Workers Union, a trade union trying to organise domestic workers to fight for decent working conditions and fair wages. Babu Khan is currently working as State programme officer in Child Rights and You (CRY). He has researched and published on the threats faced by traditional occupations of Dalit Muslims like bear charming. Venkatesh is the president of Dalit Bahujan Movement,

an organisation working for implementation of the Special Component Plan.[4] Manohar. R is the Head of South Indian Commission for Human Rights Education and Monitoring (SICHREM). The organisation primarily works with slum demolitions, domestic violence, police atrocities, unorganised labour, child labour, access to water, and other human rights issues. Ravi is an activist of Karnataka Dalita Sangharsha Samithi from Mankalamma Thota slum.

A high proportion of casual labourers are Dalits. In order to understand slum communities' contribution in building and running the city, I interviewed 11 unorganised sector labourers. Seven of them belong to Mankalamma Thota slum and all of them work as municipal cleaners. Four of them are construction workers belonging to Nayandanahalli slum. I got access to these two slums through KSJ. I followed purposive sampling method by choosing respondents based on their profession. Purposive sampling is interviewing people who are relevant to the research question (Bryman: 2008, 458). All the municipal cleaners interviewed are Dalits, while one construction worker was a Dalit and three of them belonged to MBC communities. The identity of the labourers interviewed has been concealed. The age and gender profile of the labourers is provided in the table 2.1.

Table 2.1 Gender and Age Profile of Labourers Interviewed

Age Group	Male	Female	Total
20-29	3	1	4
30-39	4	1	5
40-49		2	2
Total	7	4	11

2.3.2 Right to Information Data: I also collected some data from government departments using the Right to Information (RTI) Act. I requested information on the number of declared and undeclared slums in Bangalore and their caste-wise population from Karnataka Slum Development Board (KSDB). I received data for only 377 slums and had to extrapolate the

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[4] The Special Component Plan was brought about by the 46th Constitutional Amendment Act and prescribes that special preference should be given to Dalits and Adivasis in education, economics, social, political and other fields. It also necessitates that a percentage of all government spending should be reserved for the welfare of Dalits and Adivasis, based on their population. In Karnataka the SCP is 22.5% but is dogged by issues of poor implementation.

total data for the Comprehensive Development Plan estimation of 778 total slums in Bangalore. I applied to Karnataka Industrial Area Development Board (KIADB) for information on total land allocated to industries in Bangalore, rate at which land was allocated to top IT companies and land allocated in Special Economic Zones (SEZ) in Bangalore. I received data from Bangalore Development Authority (BDA) on the total number of Economically Weaker Sections (EWS) quarters built and total land used for the same. BDA also provided information on the total number of land denotification orders and extent of land denotified by the Government of Karnataka pertaining to the department. I received information on new lease agreements pertaining to the last ten years of Bangalore Bruhat Mahanagara Palike (BBMP). However, I did not receive information on EWS quarters built by BBMP and lease agreements with religious trusts from BBMP. None of the agencies provided me the information on the extent of slum lands recovered through demolitions. Some of the information collected was easily forthcoming while others required regular time-consuming follow-ups. The data collected through RTI have been used to corroborate or supplement the literature review section in the context of Bangalore.

2.3.3 Data Analysis: There are no well-established and widely practised methods of data analysis in qualitative research. Many writers suggest that this is actually positive and fixed analysis methods are not desirable in qualitative research (Bryman: 2008, 539). I completed all my interviews, transcribing and RTI data collation before starting the analysis. Using excel sheets, I coded the data based on the particular research questions that they answered. The research findings section is divided into sections based on the research questions. This schematic was present in the interview guides and helped me in coding the responses. After writing the different sections, I analysed the findings from social exclusion and structure / agency paradigm and generated theory out of this analysis.

2.4 Study Area

The research is on impact of caste on slum communities' land access in Bangalore. In discussing slum communities' land access, I am also comparing the same with the land access of other sections and the impact of caste system. Hence, I consider Bangalore as the study area and not just slums in Bangalore or the two slums where I conducted my interviews. The topic of Dalits' urban land access has been discussed in the particular context of Bangalore in terms of caste entrenchment in the city, caste bias of the city administration

and neo-liberal urban governance. Therefore, Bangalore is the study area of this research. However, I have also given a brief description of the land access conditions of the two slums where I interviewed labourers. I choose Bangalore as the study area as it is an exemplifying case. Bangalore is my hometown and my knowledge of its social, economic and political situation and history was an advantage. Having volunteered with various campaigns in Bangalore I also had a better network with NGOs and activists here, which helped in contacting slum movements. To explore the topic of Dalit labour exploitation I wanted to interview municipal workers, domestic workers and construction workers. I choose Mankalamma Thota and Nayandanahalli slums for interviews due to the majority presence of municipal workers and construction workers in these slums respectively.

2.4.1 Bangalore: 'Shadow Areas' and Dreams of Singapore: Bangalore is the capital city of Karnataka and has a population of 9.6 million as per the Census of India 2011. Bruhat Bangalore Mahanagara Palike (BBMP), the city's municipal body, was formed in 2007 by merging the 100 wards of erstwhile BMP and seven City Municipal Corporations and is currently divided into 198 wards. There are other agencies like the Bangalore Development Authority (BDA), Urban Development Department, Karnataka Slum Development Board (KSDB), Karnataka Housing Board, Lake Development Authority, and Karnataka Industrial Area Development Board (KIADB) and others that handle the various aspect of the city's land administration.

According to the 2001 census of India, Bangalore's slum population was estimated to be 10% of the total population. These figures are widely acknowledged to be gross underestimation as the census figures ignored slums with less than 50 households. Many undeclared slums too were not considered in the census. The central government's Urban Development Ministry rejected this data as gross underestimation (Bijulal: 2004). According to the Comprehensive Development Plan (CDP) of Bangalore, 19% of Bangaloreans live in slums (Mahadevia: 2009). The same CDP also mentions that 50% of the city lives in single room households and 35% of the city's population is below the poverty line. According to other estimations there are 778 slums in the city accommodating 26% of the city's population (Rozario: 2005). Activists are of the opinion that Dalits are majority in slums and the majority residents of the single room households are MBCs.

15

The Central Government's Jawaharlal Nehru National Urban Renewal Mission Programme (JNNURM) launched in 2005 dictates state governments to carry on *urban reforms* like privatization of public assets, enclosure and privatization of urban commons including land, privatization of basic services through Public Private Partnership (PPP) and user fees, repeal of Urban Land Ceiling Act (ULCA) and easier norms for land conversion from agricultural to commercial lands (Batra: 2008; Ghosh: 2005). State governments not falling in line are denied funds under the programme to ensure their compliance. Karnataka didn't need any coercion as it had carried out most of these urban *reforms* many years before the JNNURM programme was launched. Karnataka repealed the ULCA in 1999. It has been 'partnering' with World Bank since 1998 to privatize urban water supply and has done so in at least six districts in Karnataka. It was the first state to setup a parastatal agency in 1993 in the form of Karnataka Urban Infrastructure Development and Finance Corporation (KUIDFC). Another parastatal agency Bangalore Agenda Task Force (BATF), headed by a corporate honcho, was setup in the year 2000 and was accompanied with the Chief Minister proclaiming his wish to transform Bangalore into a Singapore.

With the emergence of Bangalore as the 'IT Capital of India', increased foreign direct investments and the desire to create 'good investment climate', infrastructure needs of the elite have edged out all other citizen concerns in Bangalore to the background. This process is well supported by the English media that faithfully reports every utterance made by corporate honchos and CEOs against the city's infrastructure. Protest against poor quality roads by a handful of IT professionals or by the elitist Indian Institute of Management (IIM) students were given front page coverage while protests by hundreds or thousands of slum dwellers demanding drinking water or right to shelter are mentioned briefly in the inner pages, if at all. It is due to these measures that activists call Bangalore "Neo-liberalism's gateway to South Asia". The relationship of citizens and State in Bangalore has given way to that of consumers and service providers and the State is being judged by the standards of market efficiency (Nair: 2005, 344).

So how does this neo-liberal city with starry-eyed dreams of being a Singapore treat its slum residents? The Comprehensive Development Plan (CDP) of the city prepared in 2005 does not use the word slums or slum-dwellers a single time. Instead it refers to 'shadow areas' where there are lack of facilities and civic amenities. This ignores the land tenure and serious water and sanitation issues of slums and clubs them with lower middle class areas where

there are lack of facilities and civic amenities. The CDP's projected land requirements in the city includes IT Industries (6,250 acres), Other industries (3,750 acres) and Logistics (3,250 acres). However, it fails to even consider or mention the land requirements of slums (Rozario: 2005). The city administration's focus is centred on the infrastructure requirements of the elite classes. There is focus on ensuring smooth flow of traffic more than on improving public transport, providing water and sanitation facilities to slum dwellers or other welfare initiatives. The Bangalore Municipality's spending during 2003-09 on five major expenditure heads in Table 2.2 reveals the same.

Table 2.2: BBMP's High Priority Development Expenditure – Percentages*

Expenditure Heads	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
Road related infrastructure	67.25	41.88	60	36.06	47.38	50.26
Storm Water Drain	5.22	11.1	10.55	42.64	24.96	23.29
Solid Waste Management	3.5	3.28	1.86	2.13	1.12	3.77
Horticulture & Environment Mgt.	20.4	29.28	17.45	13.04	19.41	14.52
Welfare	3.63	14.46	10.14	6.13	7.13	8.16
Total**	100	100	100	100	100	100

*Source: BBMP Website – URL: http://bbmp.gov.in/ (Last accessed: 16th May, 2012).

** Total of the five expenditure heads and not the total BBMP expenditure

It is clear that road related infrastructure works get a lion's share of the city's municipal budget. It received an average of 50.47% share of these five expenditure overheads during this period. These projects focus on increasing the speed of motorists and not on the needs of pedestrians, cyclists and public transport users who form the majority.[5] Welfare related activities received an average of 8.28% share of these five expenditure overheads. This amount was used for all welfare activities of BBMP including women welfare, disability support, minority welfare, slum development and Economically Weaker Section (EWS) housing.

Decentralisation is often used to refer to the delegation of political, social and economic power and responsibilities to local bodies such as municipality, Panchayats, NGOs, co-

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[5] According to the 2011 census 35.2 % of households in urban India own a two-wheeler and only 9.7% of urban households (*households* not people) own a four-wheeler. A majority of people in urban India use bicycles or public transport for their commute. This proportion is of course highest in the slums.

operatives and so on. However, under the current neo-liberal paradigm of Indian State, decentralisation is becoming a market led process and part of the larger reforms process of state withdrawal, privatisation and liberalisation of the economy (Kjosavik & Shanmugaratnam: 2006). This neo-liberal urban governance is impacting the local democratic process. Local economies and poor interact with the local bodies (who are being asked to be financially self sufficient) to ensure allocation of resources, land and infrastructure access. Corporate economies link to governance is through parastatal organizations that control most of the government funds but have no elected representation. Hence the power of vote of the poor, which is important even in an uneven democracy, is being threatened through the creation of parastatal agencies (Benjamin: 2004; Ghosh: 2005). Neo-liberal principles guide the urban governance paradigm in India in the name of *urban reforms.* The relationship of the State and citizens with rights is increasingly being replaced by a relationship of service provider and consumer who should pay. The withdrawal of the State and emergence of market supremacy paradigm is reducing the space for slum residents to mobilize and demand their land rights. The severely hierarchised and unequal caste-based social and economic structures get a fillip through the neo-liberal agenda. The impact of neo-liberalism on Dalits' urban land access will be discussed in the research findings chapter.

2.4.2 Mankalamma Thota Slum: Mankalamma Thota Slum lies on the Bangalore-Mysore highway, about one kilometer from the Kengeri Satellite Bus Stop. A majority of the slum residents work as municipal sweepers and garbage collectors under contract labour system. There were attempts by the government to demolish this slum to make way for the Bangalore-Mysore highway road-widening project and the Kengeri flyover. The authorities proposed to provide an alternate site for the slum in the neighboring Ramnagara district, which is around 50 kilometres away from the slum. The residents protested against this move in the fear of loss of livelihood. They blocked the Bangalore-Mysore highway protesting the plans to demolish the slum. A compromise was reached where a portion of the slum land was taken for the road-widening project and to build low cost houses for the residents in the remaining part of the slum land. About three years ago, the huts were demolished to make way for the construction of the low cost housing under the Karnataka state government's Valmiki Ambedkar Project. Each family has paid a deposit of Rs. 18,000 towards their houses. Three four-storeyed buildings with 32 houses in each totaling to 96 houses have been built. Though the construction was completed two years, the authorities have failed to allocate the houses to the residents. They continue to live in their temporary huts and tents on

the footpaths by the Bangalore-Mysore highway. Residents complaint that there is an unbearable mosquito menace as they are living close to a drainage canal. They are exposed to the noise from the traffic on the busy Bangalore-Mysore highway day and night. The huts and tents are prone to flooding during the rainy season. It is a frustrating situation for the residents of Mankalamma Thota to be living on the footpaths while the houses constructed for them, two years ago, stand unoccupied less than 50 feet away due to the apathy of the authorities concerned.

2.4.3 Nayandanahalli Slum: A substantial majority of the residents in Nayandanahalli slum work as construction workers and are migrants from the Hyderabad Karnataka region. Due to rapid urbanisation, the slum is now surrounded by the residential layouts of the middle and upper classes. This proximity has led to a number of problems for the slum residents. Residents informed that they face threats by the neighbors who complaint that the slum is dirty. Slum residents are expected to stay indoors and are yelled at if they are just standing on the streets. One slum resident said that they couldn't question back the upper class neighbors, as the slum residents are outsiders. This shows that the slum residents never feel like they belong to the city even though the slum has been there for more than two decades while the upper class houses were constructed there more recently. The city does not allow the poor to feel like they are a part of it and they internalise their social exclusion. There are no sanitation facilities in the slum and the residents said they walk about one kilometre to the vacant lands of Bangalore University. Lack of sanitation facilities affect women more adversely due to security issues. The residents are organised by KSJ. With the efforts of the activists and the residents, they managed to get the slum *Declared* by the Karnataka Slum Development Board. However, this declaration was challenged in court by Indian Telephone Industries, a public sector understanding, that claimed ownership of the slum land. The slum residents have been fighting this court case for more than five years.

2.5 Epistemological and Ethical Considerations:

Epistemology refers to the question of what is or should be "regarded as acceptable knowledge in a discipline" (Bryman: 2008, 13). In this research I have adopted a standpoint epistemology of the oppressed and more specifically *Dalit Standpoint Epistemology*. Standpoint theory is explicitly political and believes that the oppressed people who are subjected to systematic marginalisation are epistemically privileged by virtue of their

experiences and how they understand their experiences. This epistemic privilege is gained due to their dissociation from the dominant forms of knowledge production and the power and privilege they promote (Wylie: 2003). In the Indian context, Dalit writers and intellectuals have a critical perspective on Hindu religion and society, nationalism, colonialism, Indian history and the larger world that is markedly different from the Hindu and Indian perspectives, which promote power of the dominant castes. Dalit Standpoint Epistemology can be considered as a *perspective* to study the Indian history, nationalism, colonialism, sociology and the larger world (Rawat: 2006). A Dalit Standpoint Epistemology will lead to a historical understanding of Dalit development issues and contribute emancipatory knowledge (Kjosavik: 2011). The standpoint of the Dalits on their historical exclusion from land access and its impact on urban land access would provide new and epistemically privileged perspectives on the issue of slums.

However, activists and intellectuals raise important questions about Dalit Standpoint Epistemology. Anand (2006) argues that non-Dalit scholars theorizing Dalit experience by staying outside the Dalit experience makes their representation epistemologically posterior. Such an exercise could be blemished by the 'non-Dalit subjectivity'. He sees this as an exercise in encroaching the space of epistemic privilege of Dalits and the authority of experiences claimed by the oppressed categories. He loathes the current scenario in Indian Social Science academia where Dalits are excluded from knowledge production but remain as *subjects* of non-Dalits' knowledge production. And these non-Dalit scholars 'rarely account for their caste selves' even though their subjects (Dalits) are clearly caste marked. These are important apprehensions and questions raised and I will try to answer them.

I would like to start by accounting for my caste self. I belong to the 'Vokaliga' caste, which is ritualistically speaking a Shudra caste falling in the fourth level of the *Varna* hierarchy. However, politically and economically it is a dominant caste due to its numerical strength and land holdings (Neo-kshatriyas). I am acutely aware of the privileges and access I have received for being from this caste, including the opportunity to study Masters degree in a foreign university and write this thesis. Even though I am an atheist and try to cleanse myself of caste biases, I cannot erase the benefits and privileges that I accrue from a Vokaliga birth. I do not have any pretensions of *representing, interpreting or theorizing* Dalit experience on urban land access. The Dalit activists I interviewed are the experts here and I owe all the 'knowledge produced' in this thesis to them. So I am merely trying to *understand* the Dalit

perspective on urban land access issues for my own goals of completing the research requirements for my Masters thesis. And Dalits are not the subjects of this thesis. In a larger sense the Hindu society and the effect of its caste inequalities on land access are. In discussing Dalit landlessness, I am equally exploring the processes and actions by which dominant castes control access to land and exclude Dalits from that.

In an attempt to ensure that my non-Dalit subjectivity does not creep into the thesis, I have followed respondent validation. Respondent Validation is a process wherein researcher provides her findings to those with whom the interviews were carried out to corroborate or otherwise the findings of the research (Bryman: 2008, 377). This process is questioned due to the issues of censorship, respondents being non-critical and being unable to understand the social science academic language (ibid: 378). Draft chapters of this thesis were sent for review to four of the Dalit activists I interviewed. I did not find any attempts of censorship by my respondents. Dalit is also a tradition of critique and I am sure the Dalit activists would give critical feedback on an important issue that they are closely working on. My respondents, apart from being activists, are journalists, authors and highly read and hence they would have found it pretty easy to read a first time researcher's Masters thesis.

Chapter Three: Review of Hindu Philosophy, *Varna* Ideology and Dalit Landlessness

The historical landlessness of Dalits is a result of the inequality of Hindu religion and its *Varna* ideology. In this chapter I will begin by differentiating *Varna* and *Jati* and a brief summary of the characteristics of caste system. I will then provide a summary of Babasaheb Ambedkar's take on Hinduism's philosophy and analysis of *Varna Ideology by* Franco & Chand (2009). In the last section I would track the history of access to land (rather lack of it) of Dalits in pre-colonial times, colonial period and in post-Independent India. The failures to implement land reforms in India and to accommodate Dalits' land access concerns will be discussed using the example of three South Indian states – Karnataka, Tamil Nadu and Kerala.

3.1 Jati and Varna

The basis of caste system in India is the *Varnashrama,* which divides the society into five broad groups. *Varna* means 'colour' and there are four *Varnas* in the hierarchy - Brahmins (priestly class), Kshatriyas (warrior castes), Vaishyas (trader castes) and Shudras (farmers and allied services castes), in that hierarchical order. Dalits (the former "untouchables" who were allotted occupation considered impure and polluting) were considered to be outside the *Varnashrama* but are also referred to as the *panchamis* i.e. the fifth Varna. . These five groups were further divided into *Jatis,* based on the occupation that was allotted to that particular *Jati*. These occupations were also hierarchical and a there was a notion of purity and pollution of occupations. The dwija castes' occupations were considered pure and the Dalit and bahujan castes' occupations were considered polluting. This hierarchical system of Hinduism is often compared to a high-rise building with no staircase. The various castes are assigned different levels in the hierarchy wherein the castes at the higher level are accorded greater powers, privileges and control over factors of production, which decrease at the lower levels.

Babasaheb Ambedkar attributes six unique qualities to the caste system. It divides the Hindu population into social groupings called caste, which are made endogamous. It assigned civil, political, religious and social rights to each group that is acquired only hereditarily. The entitlements of rights are hierarchical with higher groups enjoying maximum entitlements at the cost of the lower groups whose entitlements reduce at each level. Occupations of the

higher groups are treated as superior and pure while the lower groups' occupations are considered inferior and impure bringing in the notion of pollution on which untouchability is based on. Any form of non-compliance is dealt with severely through strict penalties including social and economic boycott. Considering that the dwija castes controlled most of the factors of production and most dalit-bahujans were dependent on them for their livelihood, there was limited scope for revolt. Finally, the caste system drew spiritual justification through the Hindu scriptures and religious philosophy using the concept of karma and rebirth (Thorat & Kumar: 2008, 3-4).

3.2: Caste System: Flaw of the Hindu Philosophy

> "… in Hinduism inequality is a religious doctrine adopted and conscientiously preached as a sacred dogma. It is an official creed and nobody is ashamed to profess it openly. Inequality for the Hindus is a divinely prescribed way of life as a religious doctrine and a proscribed way of life, it has become incarnate in Hindu society and is shaped and moulded by it in its thoughts and in its doings. Indeed inequality is the soul of Hinduism." (Ambedkar: 2010, 57).

All religions have sacred codes but Hinduism is the only religion where social, political and economic order was consecrated and made sacred, inviolate and eternal (Thorat & Kumar: 2008, 8). Hindu society was divided into caste groups based on birth, kinship, occupation or order of settlement. Caste became virulent when these social divisions were arranged in a hierarchical order with privileges and preferential treatment being justified for those higher in the hierarchy. The higher the level of the social groups in the hierarchy, the greater the control on means of production and political power. Lower strata were forced to become subservient to the upper castes (Yesudasan: 2011, 614). In Babasaheb Ambedkar's view, Hinduism treats the rights and privileges of one caste as morally right and good. And in Hinduism there is no difference in moral philosophy and legal philosophy. The scriptures perpetuating this unequal system made what is moral as legal and what is legal as moral (Thorat & Kumar: 2008, 9).

Every single holy text of Hinduism speaks highly on the importance of caste system and threatens dire consequences to the society if it is not followed. Before going deeper into the *Varna* ideology of Hinduism, lets look at the inequality in the philosophy of the religion, as elucidated by Ambedkar, to understand the caste ideology better. If a religion is just all men and women will be considered equal, they will have the same entitlement, same fundamental rights and equal liberty. Justice could be, in short, seen as another form of Liberty, Equality

and Fraternity (Ambedkar: 2010, 22). Babasaheb's evaluation of Hinduism's philosophy vis-à-vis each of these principles reflects the inequality of the religion.

3.2.1 Liberty: Liberty must be accompanied by three conditions – social equality, economic security and knowledge made available to all. Hinduism, due to its caste system, fails in all three conditions. There is no social equality, as members from Dalit communities were not even allowed to enter temples – the primary site of the religion. Dalits were considered untouchables and unapproachables with claims that their touch or sight would cause pollution. There was no economic security as Hinduism compelled people to serve ends chosen by others. Hinduism prescribed each caste their occupation and denied liberty to choose one's vocation. Reading and Writing was only incidental to the learning of Vedas in Hindu society. It denied the Shudras and Dalits the right to read Vedas and reserved the right to teach Vedas only to brahmins. This way they curtailed knowledge (Ambedkar: 2010, 33-34).

3.2.2 Equality: Hinduism's caste system places different castes vertically one over the other with varied rights and entitlements. The castes at the top get maximum benefits with minimum labour while the opposite is the case for the castes at the bottom (ibid, 23). Rules regarding slavery, marriage, penal code and all aspects of life were simply different for different castes but always detrimental to the interest of Shudras and Dalits, and advantageous to the dwija castes.

3.2.3 Fraternity: There is no exact measure but it is estimated that there are over 5,000 different castes in Hinduism and each of these caste is further divided into a number of sub-castes. For example: there are 1,886 sub-castes among the brahmins themselves. There is an infinite process of splitting social life into numerous small fragments. And they are all graded in a vertical setup where every caste, except the highest and lowest, is above some communities and below other communities (Ambedkar: 2010, 38-39). So what fraternity are we talking about in Hinduism? Everything is separate and exclusive based on caste.

Babasaheb Ambedkar has brilliantly argued that due to Hinduism's failure to uphold the values of Liberty, Equality and Fraternity it is an unjust and unequal religion and concludes saying, "Hinduism! Thy name is Inequality". Let us now analyse the *Varna* ideology that promotes this inequality.

According to Marx, ideology is a body of false ideals, because it inverts the truth or reality, which is biased towards a particular social group. This inversion of reality happens due to the opacity of a society and also due to the individual's class bias (Franco & Chand: 2009, 5-6). Therefore the collective and the individual play a part in the transmission of ideology. Ideology as a social practice has two different but dialectically united concepts: discourse (language, ideas, symbols, theories, etc.) and activity (institutions, specific actions, gestures and behavior patterns) (ibid, 4). The Varna ideology includes discourse of caste propagated in the Hindu religious texts, which are used as justification for caste biased actions and atrocities of dominant castes against Dalits and other backward castes.

Ideology is different from culture in the sense that ideology chooses particular hegemonic aspects of a culture and projects them as the defining characteristics of the culture and gives them a general or universal character. The choice and direction of the hegemonic elements projected are mediated through Power. Therefore, Power is central to ideology (Franco & Chand: 2009, 11). The extremely hierarchised and oppressive caste system and the egalitarianism of the Bhakti movement poets are both aspects of Indian culture. But the power of the dominant caste derived from the *Varna* ideology propagates caste system as *the* characteristic of Indian culture sidelining other less powerful discourses and ideologies

Ideological discourse cannot exist effectively in the absence of power; they are an exercise of Power. In order to exercise power ideological discourses should be polemical, hermeneutic and legitimise their claims (Franco & Chand: 2009, 14-15). The Varna ideology is polemical in nature demanding total adherence to it and sidelining all other ideologies. It does this with the claim that the Almighty herself established the caste order and duties and any digression from this order would attract God's wrath. The *Bhagwadgita, Manusmriti, Vedas and Hindu mythology* project this hegemonic discourse and therefore claim universality. Varna ideology arrogates to itself the right to assert this meaning as the only true one. So Varna ideology in its hermeneutic character does not represent experience but interprets it and creates it. By using the theory of rebirth Varna ideology shapes social consciousness (of oppressors and the oppressed) and legitimizes the dominant position of the minority dwija castes. These aspects also make clear (the already obvious) the interplay of caste and power in the Indian society.

The Varna discourse in itself is not strong enough to command obedience to it from the Dalit and OBC communities. It is well supported through the social, economic, cultural and political hegemony of the dwija castes. The threat of sanctions and boycott are effective tools against the oppressed community. The past experiences of failed revolt may also guide the oppressed people's response to the Varna ideology. The various responses of the Dalits and other oppressed groups may be as follows: There could be a sense of *Accommodation* as the individual concerned sees other features of her world as more important. The individual may not oppose the oppression as she sees the dwija caste members as their good, pure and intelligent *representatives*. A sense of *Inevitability* or *Fear* of consequences may discourage one to revolt. *Internalisation* of the purity-pollution paradigm may lead to *Deference* of the oppressors. And there could also be a sense of *Resignation* due to the perception that no alternative to caste is possible (Franco & Chand: 2009, 18-19).

When the oppressed overcome this hegemony and develop their own alter ideology they have no chance of attaining the universal characteristic that the oppressive ideology attains. Due to the claim of universality of the oppressor's ideology, alternate ideologies of the oppressed are marked as specific only to that particular group. Feminist literature is labeled as 'Women's Studies' whereas male optic has been called Social and Human sciences (ibid). Similarly, the Dalit literature is clearly labeled Dalit whereas the brahminical Sanskrit literature is never labeled 'brahmin'.

The Hindu philosophy of Inequality and its Varna Ideology of Oppression led to social, economic, cultural and political Exclusion of Dalits. It led to a multiciplty of Violence against the Dalits and made them the slave class of the Indian society with no rights. The historical landlessness of Dalits is a direct outcome of this inequality, violence and exclusion.

3.4 Caste: A Current Form of Power

The dominant castes try to obscure the role of caste in India using the caste as remnant-of-the-past ideology. Dalits have been able to win equal citizenship and constitutionally guaranteed affirmative actions for reservations in representation and publicly funded education. There are laws like the Prevention of Atrocities Act 1989 and Abolition of Untouchability Act 1955 that penalise oppressive and violent forms of exclusion of Dalits. These protection and rights lead the dominant caste members to conclude that discrimination

is a thing of the past. They see caste as a *pre-modern*, hierarchical, purity-pollution formation specific only to the Hindu religion and fail to recognise that it is a contemporary form of power. Dalits' continued disproportionate poverty and low HDI is attributed to their low levels of education, lack of awareness and even to their laziness and mentality. When continuing discrimination is acknowledged, it is called fading remnant of the past and an aberration. So it is a difficult task to persuade the mainstream that discrimination is a strong current reality leading to inequality. Caste system is not only a problem of Dalits who suffer from its social, economic and political marginalisation but is also equally the source of benefits, power and dominance enjoyed by the dwija castes who perpetuate and extend caste discrimination (Satyanarayana & Tharu: 2011, 10; Thorat: 2007a). This being the case the caste as a remnant-of-the-past ideology can be seen as an attempt of the dominant castes to hold on to this power and reject affirmative actions that help in Dalits' upward mobility. Caste system controlled the flow of power and resources and also acted as a source of exploitation in the medieval times, a role it continues to play even today. The only difference is that it has been juridically displaced from its high place but is very much alive politically and ideologically (Balagopal: 1990).

3.5 An Overview of Dalits' Land Access

The surest way of acquiring power is controlling and owning cultivable land and keeping other communities from acquiring land holdings. The caste system accorded communities a traditional occupation, which was hereditary and unchangeable. Dalits were forced to take up occupations that the rest of the society considered too 'polluting'. Dalits were to provide labour on agricultural farms but they would never be owners or tenants of agricultural land. Pattern of land ownership in India was inextricably melded together with caste wherein it was impossible for a Dalit to be a landlord and for a brahmin to be a tiller. The caste power's impact on land was such that Dalits were tillers on the land but never the tenants. In this section I will briefly discuss land access of Dalits in pre-colonial and British India. Later, I will discuss the land reforms programme in independent India using the examples of Karnataka, Tamil Nadu and Kerala.

3.5.1 History of Land and Caste Connection: Except in the tribal regions, feudalism was dominant in pre-colonial India and the system was supported by the State. The feudal classes owned and controlled Land, the most important factor of production, at the village level.

27

There were peasant classes and slave labour classes, which worked on the land and had varying degrees of right on the land. But these classes of landlords, peasants and slave labour coincided with caste divisions. The *dwija* castes were landlords, shudras (OBCs) were peasants and Dalits formed the slave labour class. There were other allied classes like merchants, priests and artisans that completed this agrarian society. Peasants, artisans and Dalit labourers formed the oppressed sections of the pre-colonial Indian feudal society. Dalits were the most oppressed as they performed crucial labour in agricultural production but had least entitlements from the produce and no rights on land (Omvedt: 1982).

During the colonial period the State seized being the protector of the caste-based feudal order of the Indian agrarian society. The British abolished caste-defined access to land, imposed legal relationships of land ownership and tenancy, and made plantation, railway and defense jobs accessible to all castes. The dwija castes' domination of education and exclusion of Shudras and Dalits from education ensured that the dwija castes filled up all higher positions in the administration and the majority of the population continued to be dependant on agriculture. But the British's political alliance with land controlling village feudal class, landlords and merchants ensured that their power was maintained at the local level (Omvedt: 1982). Denial of Land to Dalits continued even during the colonial period as British policies were focused on revenue maximisation rather than social justice. The British land ownership policies favoured the dominant castes (Anandhi: 2000, 8). In spite of legal changes in land ownership and tenancy, previous feudal castes like Rajputs, Brahmins, Bhumihars, Deshmukh and Nambudiris continued to be landlords. Peasants, artisans and Dalit labourers continued to be exploited during the colonial period and it took new forms like debt bondage and legal contracts (Omvedt: 1982).

3.5.2 Land Reforms in Independent India: It is a largely established and accepted fact that Land Reforms Programme in India has been a failure. Since Land is a state subject, the land ceiling and tenancy legislature and its implementation differs from state to state. A number of states were marred by poor land ceiling legislation where the ceiling limit was too high and there were loopholes provided to ensure that dominant caste landlords don't part with their land. To curb this tendency by states to draw lenient and inadequate ceiling legislations, in 1969 the central government adopted the stringent guidelines proposed by the Planning Commission for the states to follow. This guideline fixed the ceiling rate at 10-18 acres of irrigated land with two crops a year for a family of five (Thimmaiah & Aziz: 1983). Apart

from the shoddy legislation, the implementation was ineffective and haphazard. In most states only a tiny fraction of the land identified as excess holdings was taken over and a much smaller percentage distributed. The domination of land holding castes in the legislature and the bureaucracy was one of the factors that hindered effective land reforms in India. In the 16 states that implemented land ceiling legislation only 0.7 per cent of the net-cropped area (0.99 million hectares) was declared as surplus holdings between 1958 and 1971. Of this only 0.49 million hectares had been distributed to poor farm householders and landless labourers (ibid).

Whatever little success the Land Reforms Programme had in India was cornered by the tenant castes. In spite of the agricultural labour provided by the Dalits, they were not considered 'tillers' of the land. The little success of land reform programmes in India had benefited the middle class tenant castes and the Dalits could not gain much (Mandavdhare: 1989; Omvedt: 1982). The middle class peasant castes that were generally tenants were considered the tillers of the land. There were no broad peasant movements that safeguarded the rights of the Dalit agricultural labourers and sadly no strong Dalit movements that could push for Dalit land rights. The Left too failed by neither seeing the anti-feudal character of the anti-caste movements, nor safeguarding the land interests of Dalit agricultural labourers in the broad peasant movement (Omvedt: 1982).

3.5.3 Land Reforms in Karnataka: The Land Reforms programmes in India suffered from a huge disadvantage. The dominant castes members who stood to loose the most under land reforms were the ones who controlled the legislature, judiciary and the bureaucracy. This was more or less equal to expecting the proverbial cat to bell itself. Karnataka is a good example of this predicament. The numerically strong vokaligas and lingayats, and the numerically weak brahmins were the three castes that primarily held land in Karnataka. The Karnataka Land Reforms programme can be studied under three phases: Inam Abolition Act of 1955, The Land Reforms Act of 1961 and The Land Reforms (Amendment) Act of 1974.

Inam Abolition: Brahmins, who constituted 4 per cent of Karnataka's population in 1951, held the Inam lands, which was land granted by the erstwhile rulers to the priestly class. Brahmins were by definition absentee landlords as they considered physical labour impure activity and most of them had got educated and migrated to urban jobs. Congress, under pressure from left and reformist politicians, felt this was an easier target, as the brahmins were numerically weak to influence electoral results. The Legislative Assembly passed a resolution abolishing Inam

lands in December 1947. But during the immediate post-independence period majority of the bureaucracy was made up of brahmins due to their historical undue advantage in education. The bureaucracy ensured that this resolution was not passed as a law until 1955 when the Inam Abolition Act was passed. The brahmin bureaucracy ensured that the Act was not implemented through the proper bureaucratic channels. The Act was implemented only in those cases where Inam land tenants moved courts for occupation of the land (Thimmaiah & Aziz: 1983).

Karnataka Land Reforms Act 1961: Apart from the brahmins, the numerically strong vokaligas and lingayats were the communities that held large portions of the land in Karnataka. During 1952-1977, the two communities together held more than 50 per cent of the seats in The Karnataka Legislative Assembly (see Table 3.1). This legislative power enabled them to derail the Land Reforms programme in Karnataka.

Table 3.1: Percentage of seats held by vokaliga and lingayat members in Karnataka Legislative Assembly – 1952 to 1972*

Caste	1952	1957	1962	1967	1972
Vokaligas	26	25	27	26	29
Lingayats	35	33	34	36	24
Total	56	58	61	62	53

*Source: Karnataka Backward Commission's Report Vol. IV, quoted in Thimmaiah & Aziz: 1983.

The Land Reforms Committee was setup in May 1957 to recommend the state's Land reform policy. The Committee submitted its report in September 1958 but the Bill was passed in the State Legislative Assembly only in 1961. There was further delay in implementation as the Act was put into effect only in October 1965. This provided sufficient time for the landed castes to use loopholes in the Bill to safeguard their surplus holdings. But the Act was a cruel joke as the ceiling limit for a family of five was 27 acres in case of irrigated land with provisions to increase the ceiling in case of extra members in the family. In case of dry land the ceiling limit for a family of five was an unbelievable 216 acres. This limit was increased to 432 acres of dry land in case of a family of 10 members. The tenancy provisions of the Act allowed the rural landlords to evict tenants and take possession of their land in the name of self-cultivation (Thimmaiah & Aziz: 1983).

Karnataka Land Reforms (Amendment) Act 1974: In the 1972 legislative assembly, backward communities seized power due to the split in Congress. They tried to retain power by siding with the landless classes. This, along with the 1969 Planning Commission guidelines on Land Reforms, led to a more radical looking Land Reforms legislation in 1974. Its provisions included a total ban on resumption of tenant lands by landlords, abolition of tenancy except in cases of seamen and soldiers, fixing the ceiling limit at 10 acres and constitution of a Land Tribunal in each taluk to evaluate claims of the tenants (Thimmaiah & Aziz: 1983). Even though these provisions look impressive, the Act left enough loopholes to be exploited by the landed classes and in certain clauses it was worse than the 1961 Act. The 1974 Act redefined family by stating that even an unmarried adult son will be considered a separate family. This allowed families to hold back land equal to the ceiling limit for each adult son. It reclassified the types of land in such a way that those with privately irrigated land had undue advantage The ceiling limit on privately irrigated land stood at 25 acres, which is not much less than the 27 acres ceiling of the 1961 Act. In case of a fully privately irrigated land owned by a family of ten with five unmarried adult sons, the 1961 Act pegged the ceiling at 54 acres whereas the 1974 Act made the ceiling 150 acres. For a similar family with government irrigated land, the ceiling as per 1961 Act was 54 acres while it was 60 acres in the 1974 Act (Pani: 1984).

As of October 1980, the Karnataka government had redistributed only 33.43 per cent of the 134,498 acres of land that were identified as surplus. But it is commonly agreed that the government surplus estimates were considerably lower than the actual surplus land existing (ibid). There were numerous loopholes in the land reforms legislation and also a sympathetic bureaucracy to help the landed castes to hold on to their land. The delay in passing an effective Law and its implementation gave time to many large holders to convert their land to ceiling exempted categories like plantations, trust lands, etc. Other methods of circumvention included declaring minor sons as major, setting up collusive tenancies, partition of land and divorce on paper, having multiple marriages, transferring land to relatives names, etc (Iyer: 1997).

The Karnataka State failed to carry out an effective land reforms programme in accordance with the social justice and equality spirit of the Directive Principles of the Indian Constitution. The historically land deprived Dalit and Adivasi communities failed to get meaningful benefit from the land reforms programme. To set this right, the government stipulated that at least 50 per cent of the government wastelands distributed should be

provided to Dalit / Adivasi communities. This programme had mixed results at best. Between 1970 and 1973 Dalits and Adivasis received 39 per cent of the wasteland distributed against the stipulated 50 per cent. The three districts of Tumkur (36%), South Kanara (18.06%) and Kolar (12.05%) together contributed to more than 65% of the total wasteland distributed in the then 19 districts of the State (Satyapriya: 1984). This shows that the performance of the other districts was lagging behind the desirable limit.

The number of holdings operated by the Dalits increased marginally. The total area operated by Dalits increased from 703,000 hectares in 1980-81 to 995,000 hectares in 1990-91 (Rajpurohit: 1997). Dalits who form 16.2 % of Karnataka's population only own 8.7 % of the land with a majority of them being dry and wastelands with no irrigation facilities (Janashakti: 2008). As of 2003, 57.8 % of Dalits in Karnataka did not own any land other than homesteads. The corresponding figure for non-Dalit/Adivasis was 34.7 % (Bakshi: 2008).

The dominant land owning vokaliga and lingayat communities also made up the majority of tenants in the state. In a number of cases the already land owning 'tenants' of these dominant communities took over land from marginal and small holders. By mid-1993, 47 per cent of the 4,84,000 tenancy applications was adjudged positively and the land handed over to the tenants. In comparison, the landholdings ceiling implementation was poor. Only 3.8 per cent of the 72.29 lakhs acres scrutinized was adjudged to be surplus. The 2.75 lakhs acres declared surplus is equivalent to only 1.10 per cent of the State's net sown area (Krishna: 1997). The area declared surplus is estimated to be only 15.42 per cent of the actual surplus lands in the state (Iyer: 1997). The average land allotted to beneficiaries came up to 2.43 acres but 88 per cent of the land allotted was unirrigated (ibid).

To summarise, the Karnataka Land Reforms Programme had been dogged by the problems of lenient legislation, glaring loopholes in the Acts and ineffective implementation due to the control of legislative, bureaucracy and judiciary by the land holding dominant castes. The tenancy laws favored the dominant vokaliga and lingayat castes while the ceiling limits didn't affect their land holdings substantially. Dalits failed to get their just proportion of land under tenancy reforms, ceiling limit laws and the wasteland distribution project. The little land that the community did receive was mostly dry and wastelands. Many of them were unable to retain the land they gained under land reforms due to the various social, economic

and political factors of the caste system that was biased against them. In short it was a case of 'reforms' wherein the dominant land holding castes' interests were not affected and there was no genuine change in the land holdings of the oppressed Dalit communities.

3.5.4 Land Reforms in Tamil Nadu: In Tamil Nadu land owners evicted their tenants and opted for direct cultivation or share cropping arrangements before and after the Madras Tenants Protection Act (1955) was passed. This first land ceiling Act in Tamil Nadu set a rather high ceiling of 30 acres for a family of 5 and 60 acres for larger families. But there were enough loopholes in the Act, which allowed a large number of landowners to retain large tracts of land. The Act exempted land owned by religious and educational institutions, plantations, orchards, gardens, land used for growing fuel trees, sugarcane, grazing, etc. Dominant caste members circumvented the Act by registering land in *benami* names. These issues made the Act useless in ensuring just redistribution of Land. In 1972 land ceiling was reduced to 15 acres of land but there wasn't substantial redistribution on the ground (Anandhi: 2000, 15-16).

There are enough statistical proofs that show that Dalits are disadvantaged when it comes to land holdings. According to the 1991 census, in Tamil Nadu 71.7% of Dalits rural workers are agricultural labourers and only 16.6% are cultivators. In case of non-Dalits of Tamil Nadu, 44.7% were agricultural labourers and 32.76% were cultivators (ibid, 17). Table 3.2 reflects the share in total land compared to population proportion in Tamil Nadu in 1991 and Table 3.3 reflects the distribution of land holdings across Sizes for Dalits and non-Dalits in Tamil Nadu in 1991.

Table 3.2: Dalits Proportion in Population and Land Ownership in Tamil Nadu in 1991[6]

Caste	Population Share (%)	Land Share (%)
Dalits	22.91	7.1
Others	75.7	91.7

Dalits' share in total land holdings is much lesser than their population proportion and a substantial majority of Dalits owning land are marginal farmers in Tamil Nadu. This is the situation of Dalits' land access in a state that has been in the forefront of anti-caste struggles in India.

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[6] Source: Census of Tamil Nadu and Tamil Nadu Agricultural Census, quoted in Anadhi (2000, 18)

Table 3.3 Size-wise Land Holdings of Dalits and Non-Dalits in Tamil Nadu in 1991 [7]

Share of Holdings	% Share in Number of Holdings		% Share in Extent of Holdings	
	Dalits	Non-Dalits	Dalits	Non-Dalits
Marginal	83.5	71.9	46.9	27
Small	11.9	16.4	27.7	23.7
Small-Medium	3.7	8.2	16.8	22.9
Medium	0.7	3.1	7.1	18.2
Large	0.05	0.4	1.3	8.2
All	100	100	100	100

3.5.5 Land Reforms in Kerala: Kerala is the leading state in India in terms of HDI. There is a popular notion that Land reforms were successful in Kerala. However, a caste analysis of the land distribution in Kerala reflects the betrayal suffered by Dalits. Here too, the land reforms programme distributed land to the tenants who were usually the dominant castes and Syrian Christians. Hence, Dalits the tillers lost out and the intermediary castes of tenants gained from the land reforms. According to a 2006 study of Kerala Sastra Sahithya Parishat, the average land controlled per family (in cents) for the various caste groups are as follows: Forward Castes – 105, Backward Castes – 63, Christians – 126, Muslims – 77 and Dalits & Adivasis – 27 (Kapikkad: 2011a, 467).

In 1968, the Kerala government had estimated 875,000 acres of surplus land for redistribution but only 124,000 acres were acquired of which 96,000 acres have been distributed. The clause exempting trusts from land reforms led to overnight conversion of private lands into trust lands (Kapikkad: 2011b, 497; Rammohan: 2008). The government then implemented a housing scheme that was in effect consolation for those who were denied land rights under the reform. But large number of Dalits benefited from neither the tenant land reforms nor the housing scheme.

The story of land reforms all over India is that of Dalits not receiving cultivable land and being unable to hold on to the marginal rocky and dry areas land that they did receive. The surplus land that the landless were supposed to receive didn't materialize as the Land Ceilings Act was not implemented in majority of areas and plantations and religious institutions

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[7] Tamil Nadu Agricultural Census, quoted in Anadhi (2000, 19)

(mostly belonging to dominant castes) holding significant amount of lands were exempted from the Ceiling. Even in a state like Kerala, with its world famous development model, there is continuing landlessness and deprivation of Dalits. In Tamil Nadu, which claims to have effected democratic social revolution, there is no significant change in the work one does and the caste one belongs to, which means most Dalits still don't own profitable land holdings (Satyanarayana & Tharu: 2011, 35-6). If this is the situation in Kerala and Tamil Nadu, arguably the two most socially forward states, the situation in the rest of the country can be imagined.

The modern State mechanisms of democracy and law were unable to beat the exclusion of Dalits from land access. The dominant caste members who occupied the seats of power in the legislative, executive and judiciary were antagonistic to Dalit land interests and ensured the failure of land reforms. This landlessness followed Dalits when they migrated to urban areas as well. Slums in India are the urban manifestation of caste-based exclusion of Dalits from access to land. It is the urban chapter in the historical landlessness of Dalits.

Chapter Four: Towards A Theoretical Framework: Beyond Current Discourses

The major paradigms and discourses that dominate slum literature are the *problem* of migration, urban poverty, shortage of land, planning failure and *illegality* of slums. These discourses tend to be apolitical and explain only part of the issue but give that part primacy. The impact of caste on slum communities' land access is largely absent in the academia. These discourses and their shortcomings will be analysed in this chapter. The *illegality* discourse will be analysed at length using the context of Bangalore using data collected through RTI and secondary sources. The chapter ends with a section on the Social Exclusion paradigm and why this paradigm is best suited to study slum communities' land access issue.

4.1 Urban Poverty

Slums are most commonly analysed from an 'Urban Poverty' paradigm. Urban Poverty paradigm in slum discourses generally tends to give more importance to income, health, civic amenities and other issues and does not give primacy to land rights. It depoliticizes the issue and discusses slums in terms of access to income and social services. It refuses to give the caste question its legitimate position in the urban land dynamics and access issues in India. It obscures the role of caste-based exclusion in perpetuating Dalit landlessness in urban areas. It reduces the problem to issues of uncontrolled migration, low income, lack of education and so on without analyzing the role of caste in all of the above issues at the first place. In worse cases it leads to blaming the poor for the condition using discourses of 'undeserving / ignorant / lazy poor people sucking the system dry through subsidies'. This paradigm looks at the conditions of the poor but does not explore the social and political processes of the society that keep the marginalised communities poor.

4.2 Migration

The Southern world is now getting urbanized at a rapid pace. For the first time in history, we now have more people living in urban areas than in rural areas in the world. In 2004-05 Karnataka was the 7th most urbanized state in India with its urban population standing at 35.25% of the total population (Hashim: 2009). According to 2011 census, Bangalore's population stood at 9.6 million people accounting for one-sixth of the state's population. Bangalore's population grew by 46.64% compared to the 2001 census. Urbanisation, by

definition, happens with the help of migration. This migration is blamed for the presence of slums in cities. The problem with projecting Migration as the cause of slums ignores the fact that not all migrants end up in slums. When a dominant caste member migrates to the city, her advantages in education, property owned, relatives already living in the city and attractive employment opportunities ensure that she lives in a residential layout. But the Dalits and Most backward caste members who lack every single of these advantages end up living in slums.

Concentrating on the migration aspect of slums Majumdar (1983) states, "The squatter community is not an aggregation of rootless people living in shacks and huts. It is a community of fellow migrants". This definition places pivotal importance to migration in slums and assumes that only first generation migrants live in slums and families eventually move out of slums. Many slums in India have now existed for over 30, 40, 50 and even 60 years and due to lack of economic upward mobility many families continue to live in slums generation after generation. The second and third generation slum dwellers cannot be called migrants. And the second aspect is that not all migrants live in slums but mostly Dalits and Most Backward Castes (MBCs). As mentioned earlier, dominant caste migrants live in residential layouts. So we could say slums are a community of fellow Dalit and MBC members. The residential layouts or housing colonies with dominant caste residents are provided all the basic amenities. But the slums and settlement colonies where Dalits live are expected to live without drinking water, sanitation and other basic facilities because they are from these castes (Antony & Maheswaran: 2001).

The ruling establishment and few social scientists aggressively pursue the line that the glittering and glamorous lifestyle of the urban areas attracts migration. However, saying this is to ignore the push factors that encourage rural to urban migration. People migrate in the hope of at least finding a square meal a day and the desire to save some money to be sent back to family members in the rural areas. An equally strong motivational factor for Dalit families to migrate to cities is to escape the tyranny and oppression of the dominant castes (Antony & Maheswaran: 2001; Shiri: 1999). City planners use the migration-is-the-problem discourse to technocratise the issue. A report of the Review Committee on BDA vol. viii, claimed that 'the bulk of migrants are illiterate and would accept substandard existence in the city' (Nair: 2005, 261). This attitude not only reflects the caste bias of the administration but also shows a lack of understanding of the social realities and factors that cause migration.

The migration as cause of cities' problems discourse in a subtle way questions the right of lower castes/classes to cities. It is like saying 'Its OK if you stay hungry and miserable in the rural areas, just don't come to the urban areas which are symbols of modernity and prosperous zones reserved for upper castes/classes.'

4.3 Shortage of Land

Another common discourse when it comes to denying the land rights of slum communities is the excuse of `shortage of lands`. A picture of giant population competing for limited land resources is painted to prove the shortage of lands theory. It is true that land is a finite resource and metropolitans like Bangalore have a huge density of population. But the issue is the difference in access to land resources for different castes and classes. In spite of this `shortage` of land there is always land for industries, malls, golf courses, race course, apartment complexes and residential layouts to fulfill the needs, desires and demands of the upper caste members. It could be argued that land is an expensive resource and hence only those with the means can afford it. This 'resources for the rich' argument goes against the social justice and equality principles, and the Directive Principles of the State policy of the Indian Constitution. However, an analysis of the lease agreements of BBMP shows that land is given to certain sections at an extremely cheap rate. It is not free market but power relations, status and political influence, that are more crucial to understanding how public land is allocated.

It has been a longstanding complaint that BBMP leases out its properties at a pittance. The agency claims that they are taking steps to correct this. Details received from the department in response to my RTI applications paint a different picture. BBMP claims that many properties were leased out decades ago at the then existing prices leading to losses. So I requested details of lease agreements that have been renewed in the last 10 years. The 33 properties for which BBMP has renewed its lease contracts add up to a total area of 101,936 sq. ft. i.e. 2.34 acres. The average lease price is a paltry Rs. 21 per sq. ft. per annum. This is much less than the rent paid by tenants in the slums of Bangalore. For example: tenants of Ejipura EWS slum pay Rs. 30 per sq. ft. per annum for tin shed houses.[8] The 33 properties

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[8] A conservative estimate, based on my interactions with the tenants there, considering a rent of Rs. 500 a month for 200 sq. ft. tin sheds. But many of these sheds are around 150 sq. ft. and some of them said they pay Rs. 700 as rent per month.

include profit making private schools, private businesses, religious trusts and even a foreign consulate office. Seven of these 33 properties totaling to 41,001 sq. ft. (0.95 acres) were leased out to Hindu religious trusts at an average rate of Rs. 1.40 sq. ft. per annum.

The Government of Karnataka hosted a Global Investors Meet in 2010 where it claimed Rs. 3 lakh crores of investment was clocked and MoUs for the same signed. In order to attract such huge investments the government has announced a number of sops to the industries: the most important one being easy access to land. The government has proposed to create a Land Bank wherein the government will acquire lands and allot it to industries as and when required. According to a news report published by Economic Times (6th June, 2011), the government has already identified 1,21,304 acres for this land bank of which 28,917 acres have received final notification and 57,016 acres preliminary notification. Of course, this is more of a farmers` issue as most of the lands being acquired are agricultural land. But even in Bangalore 2,874 acres are being acquired near Devanahalli. An RTI application revealed that KIADB has developed and allocated 9,258 acres of land to 4,596 industrial units in Bangalore.

Mahadevia (2009) has come up with a minimalist computation of the actual land required to provide housing for all slum dwellers in Indian cities, considering only 50% of a city's area is used for residential purposes. If we consider the CDP's estimate of 19% of Bangalore's population living in slums, we would only need 1.5% of the total area of the city to provide all of them houses with a Floor Space Index (FSI) of 2.5. This works out to 2.5 sq. km. of land in Bangalore city. Except Bombay, all major cities in India would require less than 5% of the total area of the city to provide houses for its slum populations at FSI of 2.5. This is of course a minimalist computation of around 225 sq. ft. per household, which is the average size of houses built under government programmes for economically weaker sections. This is less than half the average lower-middle class house size (20*30 sq. ft. equaling 600 sq. ft.). Even if we double the size of the houses, the land taken up by the slum dwellers would be way below the proportion of their population. For example, in Bangalore around 450 sq. ft. houses for all slum dwellers with 2.5 FSI would take up 3% of the total land whereas their population proportion is 19% or more. These figures just go on to show that there is no 'shortage' of land but as usual the problem lies with inequitable distribution of land.

So it is clear that there is enough land to fulfill the needs of industries, Hindu religious organisations, middle and upper classes / castes. The shortage of land comes in only when the question of land rights of Dalit slum communities is raised. According to the 58th Round of National Sample Survey Organisation (NSSO) data, 83% of slums in Karnataka are located on government land. So where is the question of shortage of land? The 'resources for the rich' argument goes against the Socialist principles and Directive principles of the Indian Constitution. Moreover, the industries, middle and upper castes do not always pay the fair market prices for land either. So it is a case of unequal distribution of land and not one of shortage of land. More specifically, it is a case of continued exclusion of Dalits from access to land in urban areas.

4.4 Planning, Informality and Class Bias

Planning is the favorite word of city administrators who see it as a magic wand that has solutions to all the problems that plague cities, including slums. In their logic more the planning, the better it is for the city. This planning discourse divides the city into formal and informal zones based on their adherence to the Master Plan. Only 32 per cent of India's urban agglomerations / towns have a Master Plan whereas the corresponding figure in Karnataka is 27 per cent. The gap between the ground reality and the intention of the state is generally termed planning failure (Nair: 2005, 124). But Urban Planning is an over-hyped word in the Indian context. Planning is not a neutral, benign, non-political or uncontested positive phenomenon.

In India, planning itself is implicated in the urban crisis it seeks to solve and informality lies within the scope of the state rather than outside it. In many instances the state itself, using open ended laws, acts in informalised ways arbitrarily deciding the legitimacy claims of the various classes (Roy: 2009a). Urban Planning in India is "explicitly anti-poor" for there are routine orders to demolish slums while equally illegal suburban structures are granted legal status (Roy: 2009b). For example: In Delhi, unauthorised squatter settlements, though adhering to the Master Plan, were ordered to be demolished by the supreme court. But a mall under construction that was found by an expert committee to be in "flagrant violation" of planning law was not demolished. The court observed that the stand of demolition being the only option in case of unauthorized structures could not be applied in the current case as the parties "have invested such large sums of money" (Ghertner: 2011a). So planning breaches

by the poor cannot be tolerated but those of the rich can be.

Even if we for a moment consider the "text-book" definition of benign planning, it has failed in India in this sense too. The government ignored the town and urban planning until the Seventh Five Year Plan (1985-90). Measures to address the problems of urban poverty and slums were introduced only in the Seventh Five Year Plan. Town and City planners in India provided residential layouts with all municipal facilities to the well off. They overlooked the housing needs of blue collar and unorganised sector workers for long. In post-independence Bangalore, the erstwhile CITB was unable to provide sufficient housing sites to the expanding population of the city mainly led by public sector workers. In 1961 only 5,500 of the 35,000 public sector employees had residential facilities within the industrial townships. This deficit was solved by the middle classes through the means of unauthorised layouts coming up on agricultural land. There were rough estimates of 23,000 unauthorised structures in the 1950s itself (Nair: 2005, 128).

Since its inception in 1976, BDA has been able to develop only 62 layouts and allocated 2,00,000 sites[9] which is meager for a city with a population of 9.6 million as per the 2011 Census of India. The agency is acting like a private developer catering only to the needs of the middle and upper classes of the city. Replying to an RTI query by this writer, BDA informed that since its inception it has constructed only 656 EWS houses using only five acres of land (See Annexure 1). For every EWS house constructed for the poor communities, the BDA has developed 304.88 layout sites for the middle and upper class communities of the city. According to India's Planning Commission 90% of urban housing shortage pertains to slum communities (Ramanathan: 2006). The middle and higher castes migrants, due to their caste privilege in property, education and employment, had the financial resources to overcome housing shortage problem by buying revenue sites and building unauthorised structures on them. But the Dalit and MBC migrants with no such privileges could only solve this problem of housing shortage by living in slums.

The GoI has expressly mentioned its desire to achieve maximum urbanisation as it sees this as the best way to achieve increasing economic growth. But it has failed to take a humanistic view on urbanisation by forgetting the housing needs of the workers who will build these

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[9] *Layouts* URL: http://www.bdabangalore.org/index.html (last accessed: 25th April, 2012).

cities and only concentrating on creating good 'investment climate'. As Mahadevia (2009, 217) aptly puts it, "It remains a mystery as to why governments have not acquired land for the housing of the poor, when it has done so for other so-called public purposes such as industrial and SEZ developments." So the truth is that the Urban Planning process in India, never considered the land needs of Dalit and other backward communities at all. Planning has been a tool with which the poor can be penalised for their informality, which itself was caused by the 'benign' planning failure, and for legalizing rich people's informalities.

4.5 The Encroached City and Illegality of Slums Discourse in Bangalore

Right to shelter was included in the right to life and therefore slum residents were entitled to rehabilitation through alternate sites whenever their land was taken over, even if it was 'encroached' land. Since the late 1990s there is a shift in the discourse from constitutionality to illegality surrounding slum land rights. The elitist vision of world-class slum-free cities was being hindered by the cumbersome, costly, slow and contentious procedures of rehabilitation. So an illegality discourse that cast slums as illegal, dirty and polluting necessitating eviction but without rehabilitation emerged. In the Almitra Patel vs Union of India case, the Supreme Court commented that providing rehabilitation to slum dwellers was akin to 'rewarding pick pockets'. The illegality discourse constructs slums illegal as slum dwellers encroach public land and hence without any fundamental right over the land (Ramanathan: 2006; Ghertner: 2011b). This illegality discourse is aiding the State in its efforts to evict slums and deny slum communities access to land.

The law sees slums as illegal 'encroachers' of government land. They are not just seen as geographical encroachers but also social encroachers. Law enforcement authorities brand slums as dens of thieves and anti-social elements. This illegality discourse ultimately leads to evictions and demolitions (Antony & Maheswaran: 2001, 7). In 2002, the then Police Commissioner of Bangalore H.T. Sangliana passed an order making it compulsory for all slum residents above 15 years of age to register themselves at the nearest police station and provide fingerprints. The order was withdrawn after it was challenged in court. The Illegality discourse has caused a number of detrimental effects on the slum communities. It has led to high level of insecurity among the slum residents and they undergo harassment by local municipal officers and police. Insecurity of tenure discourages them from investing money

for improving their houses. The weak houses make them vulnerable in case of fire hazards and natural calamities (ibid, 101).

Just like the Planning process implicates poor people's informalities while exempting upper classes informalities, the illegality discourse too targets the encroachments of the poor while turning a blind eye to the encroachments of the rich. In this section, I would like to cast light on the land encroachments of the political class, judiciary, middle and upper classes, industries and the State itself in Bangalore.

4.5.1 The Encroached City - A.T Ramaswamy Committee Report: The Government of Karnataka (GoK) constituted a Joint House Committee, headed by A.T. Ramaswamy, to look into the issue of encroachment of Government Lands in Bangalore City. The interim report I of the committee was placed in the Legislative Assembly in February 2007 and interim report II was submitted in July 2007. The committee has looked into the land encroachments in 28 government departments by verifying records and investigating officers. The committee's findings are shocking in terms of the extent of encroachment in Bangalore. Table 4.1 provides the extent of encroachments found by the committee in various department lands:

Table 4.1: Extent of Encroachment of Various Government Department' Land in Bangalore

Name of the Department	Encroachment in Acres	Approximate Value (in Rs. Crores)
Revenue	9,294.00	18588.00
Bangalore Devl. Authority	2,878.20	5,236.25
Mujarai	38.09	165.55
Forest & Tank Bed	938.54	1,877.08
Karnataka Industrial Areas Devl. Board	33.22	66.44
Town/City Municipal Councils	8.08	32.32
Bangalore Mahanagara Palike	7.08	46.00
Karnataka Housing Board	34.08	152.00
Wakf Board	259.33	780.00
Housing Co-operative Societies	86.19	170.00
Bangalore University	11.22	96.11
Transport Department	3.31	18.00
Health Department	3.20	25.00
Animal Husbandry Department	45.00	100.00
Slum Clearance Board	12.19	25.00
Total	13,614.37	27,377.75

The report goes on to say that what it has found about the encroachments in Bangalore "is the tip of the iceberg". The total government land in Bangalore is about 1,18,668 acres. The extent of encroachments found by this committee alone ("tip of the iceberg") comes to 11.47% of the total government land. The Bangalore Municipality's (BBMP) total revised expenditure in 2010-11 was 3,856.76 crores. The value of land encroached is more than six times greater than the city's Municipal expenditure. The approximate value of land is based on the Revenue department's guidance value, which is usually much lesser than the market value (Ramaswamy: 2007). In spite of such data coming to light the GoK has kept the report in cold storage and hasn't implemented the suggestions of the committee to prevent land encroachment and to retrieve encroached land.

4.5.2 The 'Honourable' Encroachers – The Judiciary: The A T Ramaswamy report has given detailed violations by the Karnataka Judicial Employees House Building Cooperative Society. The Society bought agricultural land for construction of the layout, which is against the Karnataka Land Reforms Act. The society did not allot land for Civic Amenities and Roads as per rules and regulations. A number of High Court judges and their children were allotted land but this was against the law as High Court Judges are not judicial employees but constitutional positions. They do not fall under the low-income category to receive subsidies and sops provided by the government for housing cooperative societies. 32 judges were allotted 9,600 sq. ft (80*120) sites, 31 judges were allotted 5,600 sq. ft. (60*90) sites, 14 judges were allocated 4,000 sq. ft. (50*80) sites and 7 were allocated 4,200 sq. ft. (60*40) sites i.e. a total of 84 judges have grabbed land going against the law in Bangalore in this cooperative society alone. What is astounding is the size of the sites as most middle and upper class households in Bangalore have sites measuring 1,200 or 2,400 sq. ft.

The former Lokayukta[10] Shivraj Patil and former Upalokayukta R. Gururajan were both illegally allotted sites in the judicial housing layout. Shivraj Patil had to resign from the position of Lokayukta after media reports exposed that he and his wife benefited from illegal allotment of sites.[11] The Governor did not accept the Karnataka government's nominee for

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[10] In order to fight corruption and improve the standards of Public Administration, The Karnataka legislature enacted The Karnataka Lokayukta Act in 1984. The Lokayukta and Upalokayukta (anti-corruption ombudsman and assistant ombudsman) should be retired High Court Judges and the institution functions independently without Government interference.

[11] The Hindu (19th September, 2011) *Karnataka Lokayukta Shivraj Patil resigns.* Bangalore.

the Lokayukta post, S.R. Banurmath, as he too benefited from illegal allocation of site.[12] The current Upalokayukta Chandrashekaraiah was allocated a 4,000 sq. ft. site for Rs. 1,04,000 while the current value of the site is Rs. 1,00,00,000.[13] Reacting to the news reports, Chandrashekaraiah did not refuse these allegations but said, "I was not the only judge to be allotted a plot. In fact, several of them were made allotments much before the allotment was made to me." This statement and the A.T Ramaswamy report makes it clear that many members of the honourable judiciary have illegally encroached land. The Karnataka state government has been in a quagmire as it hasn't been to fill the Lokayukta position since September 2011. Speculation is rife that the reason for the same is that they are unable to find a retired High Court Judge who is not involved in the site allotment scam.

4.5.3 Denotification for Encroachment - The Political Class: According to the Land Acquisition Act of 1894 when the government wants to acquire any land for `public purposes`, the first step is notifying the land that the government intends to acquire. It is agricultural lands that are generally notified for acquisition for infrastructure projects, developing industrial areas or residential layouts. Once a land is notified its value in the market increases many-fold as the land gets converted from agricultural land to commercial land with huge potentials for investment and returns. Section 48(i) of the Land Acquisition Act also provides for denotifying such notified land in cases where the government has not taken possession of the land, compensations haven't been paid yet and the requisitioning department itself recommends denotification.[14] This land denotification clause is misused to favour certain parties who can then take advantage of the increased market value of the land.

The former Chief Minister of Karnataka B.S Yediyurappa has been accused of illegal land denotification in six different cases. He spent three weeks in jail during October-November 2011, in relation to two of these land scams. In one of these six cases, Yediyurappa denotified 3 acres, 11 guntas of land in Rachenahalli. The land with a market value of 65 crores was

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[12] The Hindu (25th January, 2012) _Did Site storm blow Banurmath`s chances?_ Bangalore.
[13] The Hindu (22nd January, 2012) _New Lokayukta too benefited from society site allotment._ Bangalore. This allocation was illegal as he already owned a site but the society rules say only people without sites should be allotted one. Secondly, he is not a judicial employee for whose benefit only the society was established. And thirdly, the sale deed carried a condition that a house should be built within two years purchase and this condition has not been fulfilled.
[14] Land Acquisition Act 1894. URL: http://land.delhigovt.nic.in/la.html (last accessed: 7th May, 2012).

sold for a mere 2.64 crores to a middleman whom Yediyurappa preferred.[15] In other cases, one acre and twelve guntas of land and another piece of 16 guntas of land were denotified in Rachenahalli area and were acquired by Yediyurappa and his kins. Another public land measuring 47,972 sq. ft. in Vyalikaval area was denotified and acquired by Davalgiri Developers, which is partly owned by Yediyurappa`s kin.[16] In total the state exchequer is said to have borne a total loss of Rs. 462.32 crores due to five of the cases of land denotified by Yediyurappa.[17]

The current Home Minister of Karnataka R. Ashok is accused of using his position to illegally denotify 9.12 guntas and 14 guntas of land belonging to BDA in Lottegollahalli, which caused a loss of Rs. 50 crores to the exchequer.[18] The current Industries Minister Murugesh Nirani is accused in two cases of illegal land denotification, where the Minister's brother eventually purchased the denotified land. 20 acres of land in Huvinayakanahalli and 7 acres in Marakanakuppe were illegally denotified, allegedly causing losses worth Rs. 1,000 crores to the exchequer.[19] Similarly, two other current cabinet ministers Katta Subramanya Naidu and S.N. Krishnaiah Shetty are also accused in various land scams.

H.D. Kumaraswamy, who held the position of Chief Minister before Yediyurappa, is accused in a land denotification scam involving three acres and eight guntas of land in Thanisandra.[20] Dharam Singh, predecessor to Kumaraswamy, is also accused of illegally denotifying 10.17 acres of land near Uttarahalli, which was notified to form the residential layout of Banashankari VI stage.[21] All the above land scams mentioned relate to Bangalore district alone. It has to be noted that the above instances of land denotification scams are cases where there is some credible evidence / complaints / investigations of kickbacks received by Chief Ministers in return for illegally denotifying land. A reply received under a Right To Information (RTI) Act application filed by this author revealed the humongous extent of denotification orders in Bangalore urban district. Karnataka state government has denotified 997.93 acres of land issuing 505 denotification orders between January 1st, 2000 and 31st

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[15] The Hindu (August 18th, 2011) *Another land denotification scam surfaces.* Bangalore.
[16] The Hindu (March 24th, 2011) *Probe ordered into charges against Yediyurappa.* Bangalore.
[17] The Hindu (January 25th, 2011) `*He caused a loss of Rs. 462.32 crores to exchequer*`. Bangalore.
[18] The Hindu (5th November, 2011) *Land scam case: Police asked to submit final report by Nov 21.* Bangalore.
[19] The Hindu (21st October, 2011) *Now, Murugesh Nirani in denotification scam.*
[20] Bangalore Mirror (April 16th, 2010) *HDK linked in denotification case.* Bangalore.
[21] Bangalore Mirror (April 16th, 2010) *More in store for Gowdas.* Bangalore

December 2011 pertaining to notifications announced by Bangalore Development Authority (BDA) alone. Since there are multiple agencies in-charge of Land administration in Bangalore, the total land denotified would run into many thousands of acres. Given the trends, we can safely assume that the illegal land denotification scams in Bangalore that have come to light are just the tip of the iceberg.

4.5.4 The Middle and Upper Classes: The Karnataka Housing Board recently completed its first ever land audit and it has so far recovered 18,000 sites from middle and upper class encroachers. The total value of the encroached land recovered is estimated to be over Rs. 10,000 crores.[22] Though this number belongs to the entire state, it can be safely assumed that a substantial portion of these sites relate to encroachments in Bangalore. Deposing before the A.T Ramaswamy committee, a Revenue department official estimated that close to 300,000 bogus title deeds have been issued by the Revenue department in Bangalore, with the help of corrupt officials. According to BDA town-planner Thirukana Gaudar, close to 1,000 residential layouts in Bangalore are illegal and unauthorized.[23] The BDA rules stipulate that only 55% of the layout land can be used for houses while the rest have to be set aside for civic amenities like parks, grounds, community halls and for roads. These layouts are in violation of these rules. The middle and upper classes benefit from such illegal and unauthorized layouts as they can then pay less for the sites. In some instances people have paid Rs. 500 per sq. ft.[24] whereas the market rates are a minimum of Rs. 2,500 per sq. ft. Houses being constructed on plots that were meant for civic amenities is encroachment and illegal.

It is clear that the middle and upper classes are actively participating and benefiting from the illegality surrounding land in Bangalore. BDA has written to BESCOM and BWSSB to disconnect electricity and water supply to these illegal unauthorized layouts but no actions has been taken in this regard. But BDA has made it clear that they are not considering the option of bulldozing these layouts.[25] Slums are demolished because they are illegal. Water and electric supply are not provided to them because they are illegal unauthorized areas.

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[22] The Hindu (10th May, 2012) *KHB recovers 18,000 sites in first-ever land audit.* Bangalore.
[23] The Times of India (2nd April, 2012) *Over 870 illegal layouts off the BDA radar.* Bangalore.
[24] The Times of India (2nd April, 2012) *Illegal for BDA, but not so for BESCOM, sub-registrars.* Bangalore.
[25] The Times of India (2nd April, 2012) *Illegal for BDA, but not so for BESCOM, sub-registrars.* Bangalore.

However the same yardstick is not applied to the middle and upper classes. In fact, the Karnataka government came up with a scheme called *Akrama-Sakrama* through which such unauthorized constructions could be regularized by simply paying a fine without correcting any of the discrepancies! So the government wants to regularize illegal unauthorized layouts and buildings of the middle and upper castes.

BBMP leases out land at concessional rates to a wide range of tenants and include profit-making bodies in the garb of trusts. These include private schools, turf clubs and the super profit making sports and cultural bodies. BBMP has been ineffective in retrieving back leased properties when the contract terms are violated i.e. when the land is put for commercial uses other than the ones specified in the contract. In response to my RTI application, BBMP revealed that there are 59 properties totaling 135,823 sq. ft. (3.12 acres) where the parties have violated the contract terms and BBMP is yet to retrieve these properties illegally held by the tenants. These tenants approach courts and use delaying tactics to stay put illegally on the leased property. In this city, it is much easier to demolish slums housing hundreds of families than evicting the rich illegal tenants holding on to government property to make undue profits.

4.5.5 The Industries: Can we see land encroachment in a narrow legal sense of taking over of land without following due process of the law? Under the Special Economic Zones (SEZ) Act, the State has accorded extraordinary entitlements to corporations to get large swathes of land at a fraction of the costs. Corporations are given near-free gifts of valuable land and massive tax subsidies without any guarantee of employment generation (Mitra: 2007). Such unjust taking over of land by corporations is a form of land encroachment, as it goes against the social justice and equality principles of the Constitution. A RTI application revealed that KIADB has allocated 25 acres and 20 guntas of land to Infosys Technologies, a leading IT Company, at a little less than Rs. 34 lakh per acre in Electronic City II phase, which is an important high value industrial area (See Annexure 2). KIADB has acquired 3,000 acres of land in Devanahalli near the Bangalore International Airport for an aerospace SEZ. It has proposed to sell the land for Rs. 1.5 crores per acre.[26] The A.T Ramaswamy (2007) report says an acre of land in the outskirts of Bangalore costs Rs. one to four crores. But prime land in the premier IT industry area and near the international airport is given away to industries at

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[26] Deccan Herald (4th December, 2011) *Devanahalli aerospace park and SEZ gathering steam.* Bangalore.

a fraction of the market cost.

Even if we limit ourselves to encroachment from a legal perspective, there are a number of cases of land encroachments in Bangalore by industries that have come to light. The Karnataka Forest Minister, C.P. Yogeshwar, recently announced in the state assembly that his department had unearthed encroachment by industries, education institutions, religious trusts and individuals, to the tune of 2,482 acres of land worth around 7,000 crores of rupees in Bangalore rural and urban districts. A number of well-known companies like Wipro, GE Medicals, KPTCL and BPL India pvt. ltd. were on the list of encroachers.[27] The A.T Ramaswamy Committee found that construction major Larsen and Tourbo had encroached on 23.13 acres of land for quarrying purposes.

Nandi Infrastructure Corridor Enterprise (NICE) is the company that is constructing an expressway between Bangalore and Mysore and is involved in what is perhaps the biggest land scam in the history of the State. The government sanctioned 20,193 acres of land and leased out government land at Rs. 10 per acre per annum for 30 years for the project. It is alleged that the company has taken over 9,000 acres of land in excess of the sanctioned limit and the Supreme Court is hearing a case in this regard.

4.5.6 The Illegality of the State: The Karnataka government evicted the slum communities living near the Koramangala tank area to build National Games complex which comprised of an indoor stadium and numerous apartment complexes. The Karnataka Housing Board, whose mandate was only to build low-cost, non-profit housing for the poor, implemented this project where flats were sold at profits to upper classes. Moreover, the tank area was, according to the government's Comprehensive Development Plan, in the green belt area on which construction was banned (Nair: 2005, 177). In the circle of illegality, the State is an active participant. Not only does it fail in its duty of preventing illegal activities but uses its legislative, executive and judiciary power to allow the illegalities of the privileged classes go unpunished. And worse, the State commits illegal actions going against its own law.

There is a saying in India that goes, 'It is a crime to be poor.' The targeting of poor slum communities as encroachers using the illegality discourse while turning a blind eye to the

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[27] The New Indian Express (29th March, 2012) *Rs. 7K-crore worth land encroached in Bangalore.* Bangalore.

illegalities of the rest of the society is a commentary on the attitude of the caste-biased Indian society against the poor Dalits. In this encroached city, the political class, the judiciary, the executive, the middle class, the upper class, the industries, the State are all land encroachers. But the illegality discourse only targets poor slum communities who unable to access land in the city, where they come in search of livelihood, live in degraded lands in 10 by 10 sq. ft. huts or tin sheds. As Nair (2005, 177) aptly puts it:

> "... the expectation of enormous profit from transactions on land produces illegalities variously initiated by the state, the builder/developer or richer class of citizen. The illegalities of the poor alone, which are prompted by the need to find a foothold in the city, are repeatedly and more easily rectified, not necessarily through means that are strictly legal."

So we see that the dominant slum discourses and theories tend to be apolitical and give limited attention to the land rights issue of slum communities. They portray scarcity and ignore equitable distribution; they give prominence to class obscuring the caste aspect and the issue of exclusion; highlight illegality and encroachment ignoring the social justice and equality values of the Indian Constitution; and pretend like only the poor migrate to the cities. Most importantly, they fail to address the caste question of slum communities' land access challenges and ignore the fact that slum residents are predominantly Dalits. When a problem seems to be affecting one group / community of people and not affecting the dominant groups of a society, it is imperative to look at issues of exclusion and marginalisation. Hence, a Social Exclusion paradigm has been adopted to study the question of Dalit slum communities land access in this research.

4.6 Theoretical Framework - Social Exclusion Paradigm

Taken in its literal sense, Social Exclusion and excluded groups have been around for as long as men and women have tried to establish community living. The various forms of exclusion were not recognised as such but were characteristic of and justified by the prevailing social and religious order and were considered to be morally acceptable. In most countries excluded groups are more likely to be poor, face discrimination, have lower access to health and education and these conditions are passed down through generations. (Estivill: 2003). Caste is one of the most ancient forms of social exclusion that still has a strong presence in the modern society. The Hindu philosophy justified caste based discrimination and institutionalised it through systemic rules. Social Exclusion is defined by Silver (2011) as:

"a dynamic process of progressive, multidimensional rupturing of the 'social bond' at the individual and collective levels. By social bond, I mean the social relations, institutions, and imagined identities of belonging, constituting social cohesion, integration, or solidarity."

Social exclusion is a dynamic *process* where groups could be moving towards greater inclusion or being pushed towards complete social exclusion in this multidimensional continuum. Social Exclusion is not an individual phenomenon but more of a group phenomenon. Exclusion paradigm explores relationship between groups that have access to resources with respect to those that do not have the same in a society (Kabeer: 2000).

4.6.1 Features of Social Exclusion Paradigm: The exclusion paradigm is multi-dimensional as it emphasizes on the processes of exclusion i.e. the societal institutions and the outcomes of such exclusion, namely the deprivation (de Haan: 1999). The concept of social exclusion is inseparable from economic and political exclusion. In various types of exclusion they are often cumulative while in other cases they supplement each other or run parallel (Estivill: 2003). Economic dimensions are not just limited to insufficient income but also exclusion from land, credit, food and the labour market. The social dimensions include distribution of honour, respect, and social distance (Silver: 2011). The economic dimension includes issues of exploitation, marginalisation and deprivation while the social dimension explores injustice due to patterns of representation, interpretation and communication (Kabeer: 2000). This is clearly pronounced in caste based social exclusion. Dalits are economically discriminated against by limiting their access to land, property, education, gainful employment opportunities, choice of occupation and so on. Social exclusion happens under the purity-pollution paradigm wherein Dalits are considered impure and polluting and segregated from the social society as "untouchables" and in some cases as "unseeables".

4.6.2 Advantages of Exclusion Paradigm: Social exclusion paradigm has a number of advantages over poverty and inequality paradigms. Exclusion and poverty are not equivalents. It is possible to be poor and not excluded and not all excluded are poor. For example: sexual minorities can be excluded and still be rich. However, surveys and researches show a broad area where the two coincide (Estivill: 2003). Exclusion is a more useful paradigm than inequality as it explains the processes and institutions that cause inequality. All countries have inequality, though of varying levels, but the material and social conditions that cause the inequality could be understood through the exclusion paradigm.

Poverty paradigm focuses on the absolute measure of individual wellbeing in terms of income, consumption or human development. Exclusion focuses on the processes or non-economic means through which groups are excluded from access to basic needs and services which in turn affect their wellbeing. Even people with equal amount of skills and human capital are discriminated against leading to exclusion and it is beyond purely economic considerations. Exclusion involves unequal access to rights and liberties and sometimes, even denial of basic human rights (World Bank: 2011).

In many societies there are particular communities that form the bulk of the poor and deprived, disproportional to their population levels and are more prone to violent attacks and atrocities. These poor communities are often religious, racial, ethnic, or linguistic minorities. Poverty or inequality paradigm does not help in understanding the social and political institutions that cause such conditions. Social exclusion is concerned with social relations, particularly those that govern the access to resources. Hence, this goes beyond the "excluded" and also looks at the "excluders" and their role in perpetuating exclusion. It also looks at the institutions, their norms and rules that assist such exclusion of a particular group to the advantage of the excluders and leading to inequality. So the question changes from why some people are poor and what are the levels of inequality in a society to why do societies tolerate poverty and inequality and how this toleration is embedded in the institutional norms and rules (Silver: 2011).

In spite of conceptual clarity, social exclusion scholars have been criticised for not being able to come up with a formal 'exclusion thresholds' like that of the poverty line. Most exclusion threshold surveys use poverty figures. The physical and material conditions of the excluded communities are already captured by poverty figures. Social Exclusion paradigm is concerned with the qualitative analysis of the processes of exclusion. Understanding the process of exclusion is a critical need than to come up with quantitative exclusion lines.

4.6.3 Caste-based Social Exclusion in India: The primary axes of exclusion in India are caste, gender, tribe, religion, region, disability and sexuality. Norms of son preference have led to inhumane and dangerous levels of gender ratio and neglect of girl children in education and health. Adivasis have lost most of their traditional forest rights and are under sustained threat of displacement due to concentration of mining, dams construction and conservation activities in their traditional habitation areas. Compared to the general population, Muslims

fare poorly in most social, economic and human development indicators. They face serious security threats from right-wing Hindutva groups as evident in the numerous anti-Muslim riots over the years. Jammu and Kashmir and the northeastern states lack basic political and civil rights due to the imposition of Armed Forces Special Powers Act (AFSPA) in these regions. Meaningful social security and equal access to opportunities to disabled persons are a distant dream. Homosexuality was decriminalised less than three years ago but sexual minorities, especially hijras, face severe social discrimination and unacceptability. This list is however, by no means exhaustive.

The caste system's fundamental characteristic of fixed, hereditary and graded civil, political and economic rights for different castes necessarily mean the exclusion of the marginalised castes from superior rights enjoyed by the dominant castes. The rights and duties of various castes are interlinked such that the rights and privileges of the dominant castes lead to the disability and disadvantage of the marginalised castes. Exclusion and discrimination in civil, cultural, political and particularly economic spheres is therefore internal to the caste system (Thorat: 2007a).

Economic exclusion in labour markets happens through restriction of Dalits to traditional, socially stigmatized and low paying menial jobs, differentiation in pay and discrimination against Dalits in private sector hiring. In land transactions Dalits face barriers on purchase due to the Hindu code that Dalits should not own property. Dalits get low prices on sales and shell out high prices on purchase compared to the market prices. They face barriers in accessing services provided by the State or private institutions in education, health, food and, employment schemes. They are restricted from community resources like water bodies, grazing lands and other common use lands. Dalits face civil and cultural exclusion in the form of restrictions on using public services like public roads, temples, water bodies, public transport and public institutions providing various services. In the political sphere Dalits are prevented from enjoying political rights and from participating in the decision making process. Due to the purity-pollution paradigm and practice of untouchability, there is a general societal exclusion and segregation. The societal mechanisms of boycott and violence in enforcing the caste diktat often lead to atrocities against Dalits and act as a deterrent and prevent them from accessing rights guaranteed by the Constitution (Thorat: 2007a).

4.6.4 Empirical Evidence of Caste-based Exclusion: In the case of caste-based exclusion there is a tendency to foreground the social aspect of untouchability and segregation. However, the economic and political aspects in terms of denial of access to resources and participation in decision making is equally important and present. As a result of social exclusion Dalits lag behind the national average in all socio-economic parameters concerning HDI, poverty rates and wellbeing. Table 4.2 provides a comparison of SC and non-SC/ST populations on various indicators.

Table 4.2: Comparison of Socio-Economic Indicator for SC and Non-SC/ST *

Indicators**	SC	Non-SC/ST
Human Development Index	0.303	0.393
Human Poverty Index	41.47%	31.34%
Infant Mortality Rate	83	68
Literacy Rate	55%	69%
Monthly Per Capita Expenditure	Rs. 285	Rs. 393
Poverty Rate based on MPCE	36.67%	21.17%
Child Under-nourishment	54%	44%

*Source: Thorat (2007b) ** All indicators are as of the year 2000 except literacy rate which is as per 2001 Census of India.

Table 4.3: Market Discrimination Against Dalits in Access to Work and Resources*

Forms of Discrimination practiced	% of Villages where form is practiced	Total Villages surveyed**
Denied works agricultural labour	35.5	445
No touching when paying wages	37.1	469
Paid lower wages for the same work	24.5	486
Not employed in house construction	28.7	529
Denied access to irrigation facilities	32.6	466
Denied access to grazing/fishing grounds	20.9	364
Not allowed to sell milk to co-operatives	46.7	347
Prevented from selling in local markets	35.4	466
Not allowed to buy milk from co-operatives	27.8	360

*Source: Thorat (2007a) ** Villages where the practice was ambiguous or the relevant institution was not presented excluded.

Action Aid conducted a study in 2000 to find out the prevalence of caste-based social and economic exclusion faced by Dalits. 555 villages in 11 states of India were surveyed on various market, labour, untouchability and social segregation related practices against Dalits. Table 4.3 reflects the findings of the study in terms of market discrimination in access to work and resources faced by Dalits. Table 4.4 shows the extent of various socially discriminatory and untouchability practices prevalent in the surveyed villages.

Table 4.4: Discriminatory Treatment of Dalits in Public Services*

Forms of Discrimination practiced	% of Villages where form is practiced	Total Villages surveyed**
Separate seatings in restaurants / hotels	32.7	441
Separate utensils in restaurants / hotels	32.3	449
Tailor will not take measurement	20.8	462
Untouchability during transactions in shops	18.5	470
No seating / last entry in public transport	12.8	444
Discriminatory treatments in private clinics	8.7	276

* Source: Thorat (2007a) ** Villages where the practice was ambiguous or the relevant institution was not presented excluded.

These empirical evidences clearly reflect the economic and social exclusion faced by Dalits and that they continue to be trapped in the exclusion trap of caste.

4.6.5 The Exclusion Trap of Caste: Just like poverty traps, there are also exclusion traps. A study of the long term unemployed in France and Germany showed how exclusion from labour market got more intense with increasing duration of exclusion. A recent study of post-apartheid South Africa concluded that there were long lasting legacies of the society's exclusionary practices (Silver: 2011). One can only imagine the intensity of caste-based exclusion traps that have been reinforced by the practice of the oppressive caste system for over 3,000 years. The attempt of Dalits to overcome discrimination and secure their rights has often led to violent backlashes from the dominant communities in terms of social and economic boycott and physical violence. Dalits experience discrimination even at the hands of State agencies like police, judiciary and social justice departments. Due to this the State

tends to be more of a threat than an ally in the Dalits' fight to overcome the exclusion trap (Thorat: 2007a).

Affirmative actions to provide reservations to Dalits in representation and public funded education and laws to combat discrimination like Abolition of Untouchability Act 1955 and Prevention of Atrocities Act 1989 have led to improvements in the social and economic conditions of Dalits. However, their effectiveness is reduced and their implementation is lax as the dominant castes control the seats of power in the legislative, judiciary and executive. Caste is rooted in the Hindu philosophical tradition and justified by religious texts that provide systemic rules for discrimination. This religious and philosophical sanctions and justifications make caste-based inequality durable and strengthen the exclusion trap. It is an enormous challenge for Dalits to escape this exclusion trap as:

> "The caste and untouchability based exclusion and discrimination, essentially is structural in nature, and comprehensive and multiple in coverage, and involve denial of equal opportunities, particularly to the excluded groups like former untouchables" (Thorat: 2007a, 4).

Many Dalits move to the urban areas with a hope to escape this exclusion trap and lead better and dignified lives. But the structural caste inequalities and caste segregation are present even in the urban areas as well. They operate in a different manner and sometimes in subtler ways than in the rural areas but their oppressiveness is the same. Hence, it is important to understand Dalit slum communities' access to urban land from a social exclusion paradigm.

4.6.6 Why Social Exclusion Paradigm? The current discourses and paradigms surrounding slum communities in India tend to be apolitical and do not give importance to the land access question of slums. In spite of the predominantly Dalit identity of slum residents, the impact of caste on their land access has largely been ignored. Adopting a social exclusion paradigm to study land access of slum communities will help in correcting this gap. Social Exclusion paradigm will help in understanding the processes through which the historical landlessness of Dalits is extended to urban areas and perpetuated. The multi-dimensionality approach of social exclusion paradigm will help in understanding the role of social, economic and political institutions of caste in this process of denying urban land access to Dalits and confining them to slums. Social Exclusion paradigm places importance in studying the social

relations and institutions that govern access to resources (Silver: 2011). Hence it will lend itself perfectly to study the impact of caste system on Dalits' access to urban land.

As mentioned earlier, in a larger sense the Hindu society and the effects of its caste inequalities on land access are the central subjects of this thesis. In discussing Dalit landlessness, I am equally exploring the processes and actions by which dominant castes control access to land and exclude Dalits from them. Social exclusion paradigm is useful here as it looks at both the "excluded" and the "excluders" by understanding the institutions, their norms and rules that assist exclusion of a particular group (Dalits, in this context) to the advantage of the excluders (dominant castes) leading to deprivation and inequality (Silver: 2011).

Exclusion is intrinsic to caste system as the rights and privileges of the dominant castes are intrinsically clubbed and linked to the disadvantages and deprivations of the oppressed castes (Thorat: 2007a). Therefore, I believe a study to understand the impact of caste on urban land access of its most oppressed group, the Dalits, should necessarily adopt Social Exclusion paradigm. Understanding the forms, nature and mechanisms of exclusion and their impact on human development is necessary to develop social inclusion policies (ibid). Therefore, understanding the slum communities' access to land from a social exclusion perspective will help to develop inclusive urban development and land management policies that particularly address the caste question. Understanding the caste-based challenges on Dalits' urban land access from a Social Exclusion perspective might help civil societies and funding agencies working in the sphere of urban development to develop programmes that take caste into consideration and ones that will help in overcoming these exclusions.

Caste and untouchability based exclusion in social spheres has been well researched but the economic and political spheres have received much less attention (Thorat: 2007a). This research is an attempt at bridging this gap in research of caste-based exclusion in the economic sphere of urban land access. In spite of land being an economic question, I recognise that the social and political discrimination are also intrinsic in the denial of urban land access to Dalits. There is a tendency in the Indian mainstream to look at caste as a purely social issue and in terms of removal of untouchability. There is lesser appreciation of the political and economic aspects of caste discrimination and their effects on Dalits.

Understanding the impact of caste on Dalits' urban land access from an exclusion paradigm might help in correcting this anomaly to a small extent.

Looking at slums and slum communities' access to land in India from a social exclusion perspective throws light on the role of caste-based exclusion in perpetuating landlessness of Dalits. It ensures that the caste impact on migration, low income, lack of education, lack of land access of slum communities is analysed. The process by which the casteist Indian society excludes the Dalits, economically, socially and politically should be understood. And how this process manifests itself in urban areas in the issue of Dalit slum communities' access to land could help in evolving strategies for mobilisation. Slums can be considered as the urban manifestations of the caste based social exclusion and structural inequalities in India. So it is important to explore slum communities' issues and access to land from a caste based social exclusion perspective.

Chapter Five: Impact of Caste on Urban Land Access

Chapter five and six will provide the research findings, which are primarily based on the qualitative interviews that I carried out with Dalit / Slum activists and Dalit labourers working as municipal cleaners and construction workers. Chapter five will explain the urban manifestations of caste system and its impact of Dalit slum communities' land access. Chapter six will explain the scope, challenges, advantages and strategies of using the Dalit identity in slum communities' land struggle. This chapter will start with explaining the urban manifestation of the caste system in terms of caste segregation, caste-bias in city administration and Dalit labour exploitation. The second section is on the impact of caste on urban land access. Dalit communities' urban land access in terms of the current conditions and challenges will be discussed. I will analyse the impact of caste-based access to resources, manipulation of Dalit representation by mainstream political parties and neo-liberalism on Dalits' urban land access.

5.1 Caste in Urban India

Other than caste as a-remnant-of-the-past ideologists, there is another section that argues that caste system is present only in the rural areas and it is absent in urban areas. Caste system functions at two levels though they are inter-connected. One is the purity-pollution paradigm on which the notion of dwija castes' superiority and Dalits' inferiority and *caste segregation* is based on and second, the *institutional inequality* that leads to unequal access to productive resources, social status and knowledge (Berreman: 1971). The extent, mode and particularities of caste segregation are different, not absent, in urban areas compared to rural areas but the institutional inequalities in access to resources continue to operate in the urban areas. In the minds of the ruling castes the exploitative Manusmriti values are deeply entrenched which is affecting Dalits socially, economically and politically. Economically speaking – Dalits have been denied access to resources. Politically speaking – there is no political equality in the Indian system as political parties that are controlled by dominant caste members manipulate Dalit representation. Socially speaking – Dalits are still considered inferior and there is continued caste segregation, though they may not be at the extreme levels as before.

Narasimha Murthy, a Dalit activist, explains the caste discrimination in urban India through the differences in civic facilities received by Dalits and dominant castes:

> To see whether caste discrimination is being followed in the urban areas we need to objectively analyse and measure the basic facilities that are given to urban Dalits. By doing this we will understand that caste discrimination is indeed prevalent in urban areas. The residential layouts where dominant caste members live are given all civic facilities like drinking water, sanitation system, drainage system, good roads, parks and recreational zones. But slums where Dalits live are denied even the basic drinking water and sanitation facilities. It is not because only they pay tax but because they have the caste advantage. This caste mentality biased against Dalits is inculcated in the social and administrative system.

The close connection and similarities between the rural Dalit colonies (*Holegeris)* and urban slums (*Kolegeris)* reflect that slums are the urban manifestations of the caste system. The *Holegeris* were supposed to be outside the village at a distance from the dominant caste members' settlements (*Hattis* and *Agraharas*). Dalits provided labour for minimal returns in the villages, what is termed as *Biti-Chaakri* (Free labour) in Kannada. Dalits were forced to settle in poor quality lands in low lying areas and the little agricultural land they got, if any, were wastelands or dry lands with no irrigation facilities. There were severe restrictions on them using the water resources of the villages. We see all this being followed in urban areas in its urban context. Slums are routinely demolished and slum residents evicted to the outskirts of the city. Demolitions are more likely if the slum is situated in close proximity to the residential layouts where the dominant caste members live. Slum residents form the majority labour force in the unorganised sector, which provides vital services to the city for minimum subsistence level wages. Most slums come up on urban wastelands and low quality lands like near railway tracks, lakes, sewage canals, garbage dumps, graveyards and so on. In fact, as Bangalore city expanded into rural areas, a large number of the rural *Holegeris* were declared as slums. Caste in entrenched in urban India. Let us now look at how the *caste segregation* and *institutional inequality* through the city administration is present in urban areas.

5.1.1 – Caste Segregation: The purity-pollution paradigm of caste called Dalits 'polluted' due to the 'impure' occupations that they were assigned. Thus their touch and in few instances their sight was considered to be polluting and this is the basis for the heinous practice of untouchability. The forms in which it is practiced changes from place to place and from time to time. In the urban areas a Dalit and a brahmin may use the same bus and eat at

the same restaurant as the scope to practice untouchability is limited in the public places. The practice is present in other subtle forms and there are different forms of caste segregation in the urban areas. The exclusion trap of caste inequalities has led to a majority of Dalits being still tied to their poor paying traditional jobs or similar jobs even in the urban areas. This division of labourers still dominates and determines which caste members do what kind of jobs and how much they earn that in turn decides where they reside. The institutional inequalities of caste automatically lead to segregation to maintain the purity-pollution paradigm.

There is segregation practised in direct ways too. It is extremely difficult for a Dalit to get houses for rent even if she is able to afford the rent. House owners ask people their surnames, if they eat meat, if they eat beef, check their complexion and in some cases directly ask for the caste of the prospective tenants. So it is difficult even for a university professor to get houses on rent in the residential layouts. The caste segregation is very much alive in the urban areas. There are builders openly advertising luxury apartments "exclusively for vegetarians" in the newspapers, which is a subtle of saying it is only for the dwija castes and excluding Shudras and Dalits. Venkatesh, a Dalit activist, explains his personal experience with such segregation:

> I have personally been denied houses on rent because of my caste (Dalit). Most owners are from dominant castes and they control the rent market and they deny to rent houses to Dalits. I had lot of trouble to get a house for rent. Some of my Dalit friends lied about their caste and got houses on rent. But when the landlords found out their real caste somehow, they had to face atrocities and were kicked out before the contract duration was over.

Segregation practices have been reduced wherever it suits the dominant caste members. A brahmin who denies letting out her house to Dalit tenants, would still allow a Dalit woman to enter her house to do domestic work. It is a common practice to keep separate plates and tumblers for the domestic workers. Commenting on the growing segregation in urban India, Kundu (2009, 161) says,

> "There is a growing spatial segregation of the elites and the working groups in Indian cities. City and state administrators are perpetuating this segregation by following a policy of segregating residential areas from industries and commercial areas and evicting slum dwellers and relocating them to the periphery of the city. The high and middle classes welcome this segregation enthusiastically. They impose entry barriers

in their colonies, insist on police verification for domestic workers and security guards and go in for technology to reduce their dependence on slum dwellers' labour. Hence, there is a minimisation of the space of overlap and the need for interaction with the poor and the population that lives in slums".

Though Kundu casts this spatial segregation in class terms, the root is in the caste mentality of the Indian society. That is why it is extremely difficult even for the well off Dalits and OBCs to get rented houses from dwija castes. This is why the dwija castes build and buy luxury apartment complexes that are exclusively for vegetarians. Caste segregation is neither a medieval practice nor limited to rural areas. It is in the 'modern' urban India practised by the most educated and forward members of the dwija castes. It happens at the individual and the institutional level. City administration also plays a role in perpetuating the caste segregation and also the institutional inequality.

5.1.2 Inherent Case Bias in City Planning and Administration: The dominant caste members control and dominate the government machinery and representation. These individuals' inherent caste bias gets translated into the institutions they work in. The city administration's priorities in resource allocation reflect their caste bias, as we shall see in this section. Babu Khan, a Dalit activist I interviewed, explained why caste bias is deeply entrenched in city administration in India:

> Government is the biggest representative of caste in India. One allots election tickets, forms alliances, fights elections, decides the cabinet, etc. based on caste equations. Most chief ministers belong to the dominant castes. So when the government itself has become an institution of caste, wont it reflect in everything they do, including city planning?

Caste-based segregation found its way into the city planning process right from the colonial times. The best layouts were for the brahmin community. The villa sites for the super rich were separated at the crossroads such that brahmins, Muslims, Christians, Lingayats and other Hindus were living separately. When the British tried to provide free sites for the Dalits in these planned areas, there were vociferous protests from the brahmins due to which the plan was withdrawn and sites provided in a different area. Thus, the two new extensions of Malleshwaram and Basavanagudi were formed for the brahmins while the Knoxper and Murphy town were for the Dalit workers. The newly formed layouts of the colonial period reproduced caste hierarchies and maintained caste segregation in spite of their avowed

neutrality (Nair: 2005, 51-3). Malleshwaram and Basavanagudi continue to be brahmin majority areas.

The Central Business district in Bangalore (it houses the railway station and the main bus station) sees five to six lakhs visitors everyday but it is lacking even basic facilities like drinking water and toilets, with the few facilities present being poorly maintained. About 30,000 people visit Bangalore International Airport on a daily basis. For this section the government has announced projects like eight-lane roads, speed train, elevated highway and so on worth more than 80,000 crores. In Bangalore, traffic management focus is on increasing the speed of the motorists but the needs of pedestrians and cyclists are not considered and the latter are in fact banned from flyovers and few important roads. In other countries there could be other institutional reasons and mechanisms but in India it is caste discrimination that is causing this wide gulf. The differences in priorities of the governments for the different sets of people show that there is caste bias in city planning and administration. Isaac Arul Selva, Dalit activist and editor of *Slum Jagathu*, explains the caste bias in Bangalore's administrative agencies:

> Whether it is BDA in terms of land allocation or BWSSB not giving water supply to slums or BBMP's skewed infrastructure focus – all point to a particular pattern of favouring the dominant castes to the detriment of Dalits. The BATF, which led the city planning for seven years, did not have a single Dalit representative. Neither does the newly formed ABIDE. All these point to the caste bias in city planning. There will be a flood of questions if you start looking at the city from a caste perspective.

Since its inception in 1976, BDA has constructed 654 low-cost houses for Economically Weaker Sections (EWS) and developed 2,00,000 sites for the middle and upper classes. For every EWS house constructed, the BDA has developed 304.88 layout sites for the middle and upper caste communities of the city. There are Dalit majority areas in Central Bangalore like K G Halli, Dannir Road and their surrounding areas where BWSSB has so far never considered providing drinking water supply to them. BWSSB is implementing Cauvery IV stage project to provide water to residential layouts of the dominant castes in the Greater Bangalore region as the city is expanding. Most slums in Bangalore lack access to safe drinking water. One of the conditionalities of JNNURM is removal of public taps on which slum communities are dependent. As Table 2.2 shows BBMP spending on infrastructure projects is multiple times it's spending on welfare activities. Dalits were considered and

treated like slaves for ages condemned to living with the most minimal entitlements. This caste mindset is present in the apparatus and machinery of governance.

5.1.3 Dalit Labour and Contribution to City: The *jati* divisions were based on the occupations assigned to the various caste. The occupations were hereditary, hierarchical and there was no possibility of choosing a different occupation. Dalits and OBCs were supposed to do hard physical labour with minimal returns. In the villages caste decides one's occupation and the same thing is happening in the city. The labourers will be Dalits and MBC, contractors will be middle castes and the industrialist will be from the dominant castes. Dalits are used in marginalised occupations in the cities as well and the status quo remains. According to the 2004-05 National Sample Survey data, 41 percent of Dalit men and 19 percent of Dalit women were engaged in casual labour compared with 19 percent non-SC/ST men and 8 percent non-SC/ST women. In 1983, 44.6 percent Dalit men were engaged in casual labour revealing a decrease of less than 4 percentage points in two decades. Dalits continue to be restricted to low-paying, menial and often socially stigmatized jobs while the dominant castes are concentrated in the preferred jobs. A part of the reason for this is restrictions on Dalits in accessing education. The other reason is the restriction imposed on Dalits from leaving their caste-based traditional occupations (World Bank: 2011).

A study conducted by Indian Institute of Dalit Studies revealed that there was caste and religion based discrimination in private sector hiring. The researchers sent three set of applications with similar credentials but one with dominant caste Hindu name, one with a Dalit name and one with a Muslim name, in response to job postings in major English newspapers. Applications that were called for interviews or written tests were deemed to be positive outcomes. Statistically it was found that the odds of a Dalit applicant receiving positive outcome were two-thirds of the odds of a dominant caste applicant. The odds of positive outcome for a Muslim applicant were one-third of the odds of a dominant caste applicant (Thorat et. al.: 2009). The barriers to education of Dalits restrict them to low-paying and socially stigmatized casual labour. Dalits who are able to overcome the barriers to education face additional barriers to gainful employment due to their Dalit identity. This discrimination happens in the supposedly modern and secular private sector of the country. Geeta Menon, a women's and labour rights activist I interviewed, explains the continuance of caste-based division of labour:

There is a hierarchical division of labour based on castes and even in the cities they work based on that hierarchy. A Dalit migrant will get jobs in construction industry, scavenging, as corporation sweepers, waste pickers or domestic workers. Even if they are educated at the most they will get job at clerical level or at the level of a professor, a teacher. Not jobs higher than these levels. There has always been a division of mental and physical labour with those doing physical labour have tougher living conditions and receive lesser returns on their labour.

The city creates categories of skilled and unskilled labour in order to justify the wage discrimination and Dalit labour exploitation. This 'unskilled' labour of Dalits is productive work without which the city cannot be built, run or maintained. There is a mainstream mentality that hard physical labour is not work and the contribution of the labourers in building, running and maintaining the city is not acknowledged. The middle and upper castes feel work is coming out of their brains. So Dalit labour is not considered part of the city's economy and their contribution to the city not recognised. Dalit workers are not receiving returns or wages proportional to their efforts. Municipal workers are responsible for sweeping all areas of the city, door to door collection of garbage from residential layouts, clearing weeds, cleaning sewer and drains, and collection and transportation of the garbage to the landfills. Commenting on their contribution to the city, a 28 years old female respondent from Makalamma Thota slum said:

"We collect all the waste and garbage from the city everyday but if we don't work a single day streets will overflow with garbage, it will look ugly, the roads do not look well if we are not there. People will face problems, there will be flies or ants everywhere, it will stink, there will be diseases. If people don't work for a day in all other kinds of professions it is OK but if we municipal workers don't work a single day it won't work."

A 36 years old male respondent from Nayandanahalli slum explained the importance of construction workers to the city as follows:

"If construction workers aren't there how can they build the city? There will be no city. In all activities workers are important. Without workers what city will they build? Can they construct houses or demolish houses. They can do nothing. Imagine a house owner. Can he do anything alone? Only if there are some workers can he construct a house. Workers are required to clean the drain, put sand, clear sand and build roads. You need workers to build the city."

In order to cut costs and circumvent labour laws, BBMP has outsourced the sweeping and garbage collection work to contractors. A majority of the municipal workers are contract

labourers. Respondents informed during the interviews that they are not allocated any sick leave and they loose their wages if they miss work due to sickness. Municipal workers are not provided any safety equipments like gloves, masks, boots, and uniforms to carry out the job of clearing the city's garbage. A 25 years old male respondent from Mankalamma Thota slum, who loads garbage onto trucks and transports it, explained the difficulties in the job:

> "When it rains it is very difficult. When it rains the garbage will be very wet and it is difficult to carry it. There are insects in the garbage and that's when the diseases spread. While cleaning the gutters or clearing the weeds it gets messy. There are incidents of snakebites and injuring oneself with sharp equipments while clearing weeds. During rainy seasons the garbage is slushy and there is lot of rotten food waste attracting lot of insects. When we fill them in the *mankri* (bamboo baskets) and carry the waste starts dripping over us."

One of the questions in the interviews with Dalit labourers was, what they think will happen to the city if they did not do their work. I was trying to bring out the importance of their work and their contribution to the city through this question. However, the responses reflected the attitude of the city that considers Dalits' labour is the right of the dominant castes. Some of the responses to this question were as follows:

> "If we leave the work they will get others on contract and get it done. That's it. People will not be quiet. They will create a ruckus. There will be smell. They wont let us. No matter what they will ensure this work happens." – A 30 years old female municipal worker from Mankalamma Thota

> "What will happen? We just have to quietly do our jobs and go. We can do nothing against them. If we go on strike what will happen to the city. They'll ask us to go home and get others to do the job for them for the same salary." - A 45 years old female municipal worker from Mankalamma Thota

These responses reflect that the *manusmriti* attitude that Dalits are born here and exist just to serve the dominant castes is rampant even in the city. The social and economic conditions have ensured that Dalits do not have any opportunity to protest against their labour discrimination. Centuries of slavery has led Dalits to internalize their status as workers who do not receive proportional returns for their work. All respondents felt that the city was not paying them fairly in return to their contribution to the city. A 36 years old male construction worker from Nayandanahalli slum said:

"Where will we get returns in proportion? Whatever we earn is enough just to make ends meet. Look at our land access situation. We work hard but live without electricity and water. We have not got our land rights in the city until today."

The exploitation of Dalit labour is taking different forms in the city economy. As Manohar, a Dalit activist, explains:

> Industries and even the government employ contract labour system to circumvent labour laws and thereby get the labour at cheaper than the minimum wages. But this system is employed in municipal cleaning, house keeping and other jobs that usually employ Dalits and MBCs. We do not generally find the contract labour system in the white-collar jobs of the dominant castes.

Activists explained that the city refuses to see slum communities' contribution to the city and instead brands slum communities as unproductive and receivers of subsidies. Slum residents provide their valuable labour at oppressive wages working as domestic workers, construction workers, municipal cleaners, manual scavengers, rag pickers, drivers, street vendors and so on. Indian government is predominantly dependent on indirect taxes. Slum communities live on subsistence levels spending all their income with minimal or no savings. Hence, they end up paying a high proportion of their income as indirect taxes. A typical day in a slum would see it visited by milkmen, money lenders, vendors, NGO workers, micro-finance institution staff and so on. Even a small slum has two or three shops where all materials are supplied from traders outside the slum. So slums provide markets to the city's economy. Therefore, slums are giving their valuable labour at oppressive wages, providing markets and paying indirect taxes through which they are making an important contribution in building, running and maintaining the city. Dalits and slum communities do not receive land rights and other entitlements in spite of their tremendous contribution to the city due to the inherent caste-bias of the Indian society. As Rajendra Prabhakar, a Dalit activist I interviewed, explains:

> There are various explanations and excuses given for the state of the slums. They call slums neglected areas, low-income areas, that there are budgetary constraints, migration issue and so on. Slum residents are branded outsiders, beneficiaries, troublemakers, criminals, unwanted for the city and so on. All these explanations and discourses are just a veil behind which they want to hide the caste bias of the city, governance and its population. When slum residents are not branded as such and non-political reasons not given, Dalit slum residents would become their equals with whom they will have to share resources. But how can the dominant castes ever share resources with the slave class of the society? Hence all these discourses and explanations.

Caste discrimination is present in urban India in terms of caste segregation based on purity-pollution paradigm, institutional inequalities in access to resources and Dalit labour exploitation. They are perpetuated at the individual and institutional level. The democratic institutions of city planning and administration are not free from caste bias. They play an active role in perpetuating caste discrimination as seen in their denial of basic needs to Dalit communities in slums and skewed resource allocation. This caste discrimination in the city also impacts the urban land access of Dalits.

5.2 Urban Land Access of Dalits

Slums are the urban manifestation of the historical exclusion of Dalits from land access. It is the urban chapter in the historical landlessness of Dalits. For majority of Dalits the only form of urban land access available is through the mechanism of slums. I would argue that slums could be seen as silent, passive and patient land occupation movement of the oppressed castes laying claim to their right to the city. It is the starting point in their struggle to land access in the city. It could be said that the dominant castes, controlling the seats of power in the city, bear this silent land occupation movement to ensure it gets cheap labour. The dominant castes and the caste-biased city administration have an extent of control over this process wherein they ensure that Dalits' land access is limited to slums. They have the power to revoke it through demolitions and evictions but are not always successful due to resistance from slum communities. A slum's proximity to dominant castes neighborhoods, being located on prime lands, real estate pressure and the strength of mobilisation of slum residents impact a slum's land security. There is a constant mediation of these land access dynamics and slum communities' land access is fragile. The current situation is such that there is extreme insecurity of tenure wherein slum communities are struggling to maintain this position and slum movements are largely limited to preventing eviction. Dalits' urban land access, for a majority, is limited to the starting point of slums and there is very little progress towards land rights in the city.

Activists I interviewed explained that there is a connection between Land Reforms not being successful and urban slum communities. First, if the land reforms were successful the migration of landless Dalits into urban areas in search of livelihood would have been considerably less. Second, access to rural land would have helped in improving the socio-economic capital of Dalit communities, which would have translated to the urban areas when

Dalits migrated. Land power in rural areas would have helped Dalits to get urban land access when the subsequent generations did migrate. Talking about the situation Dalits migrating to urban areas face, Rajendra Prabhakar says:

> There was an increase in the migration of Dalits during the 70s when the impact of green revolution was being felt on the landless labourers. By the time they came here the dwija castes – with their education and capital – were already in a powerful position by controlling trade, capital and service sector. The administration didn't welcome the Dalits to contribute to the city economy but relegated them to waste and marginal lands, which the rest of the society had no use for.

Isaac Arul Selva adds that:

> The Dalits who migrated to the cities lived next to graveyards, big drains, railway lines – in places that are not inhabitable. In villages we got land unsuitable for agriculture and in urban areas we got land unsuitable to live in. Not that much of a difference. In our memories there is no land ownership and they have systematically ensured that we never owned land.

5.2.1 Impact of Socio-economic Capital on Urban Land Access: The caste-based institutional inequalities in the access to resources caused a huge difference in the socio-economic capital of the dominant castes and Dalits. The dominant castes have control on Land, instruments of production and education and hence their power. This forms their socio-economic capital, which helps them in their access to urban land. Caste-based advantages or disadvantages determined education, capital control and occupational opportunities and thereby the financial capabilities of a person. So a dwija caste member with high education, gainful employment or ability to invest would be able to afford the best lands in the city. MBC and OBC members with limited financial capabilities would be accommodated in certain areas. And when Dalits migrated to the cities penniless with no education or gainful employment opportunities, they had no choice but to settle down in marginal lands in the worst possible conditions. Babu Khan, a Dalit activist, explains the importance of socio-economic capital:

> There is a connection between land, education, money and power. If you have at least one of these you can attain the others. But Dalits have none of this.

The historical caste-based exclusion trap has systematically prevented Dalits from acquiring any semblance of socio-economic capital. The exclusion trap continues to exclude Dalits from access to urban land.

5.2.2 Failure of the State: The State failed in upholding the equality and social justice principles of the Constitution by not providing land access to Dalits in the cities. The Urban Land Ceiling Regulation Act (ULCRA) could have been an effective instrument to prevent land from being accumulated in a few hands and to prevent extensive speculation on land, which in part drives the prices of land higher. The Act was shoddily implemented in Karnataka wherein only 0.57 percent of the total land identified as excess holdings were recovered (Nair: 2005, 173). Democracy and Legislature haven't been able to erase the undue privileges accumulated by the dominant castes. The Act was repealed in Karnataka in 1999. Repeal of Urban Land Ceiling Acts is one of the conditionalities of JNNURM programme and all states in India have now repealed them. The agency responsible for slums in this state was called Karnataka Slum *Clearance* Board until two years ago when it was renamed Karnataka Slum *Development* Board (KSDB). This nomenclature shows that the priority of the State was not to provide land access to slum residents but to *clear* slums to free up land for others. Dalit representation has been unable to act as a check against State failure as political parties controlled by dominant castes have manipulated this representation.

The Constitution guarantees Dalit Representation in elected bodies through reservations proportional to Dalit population. In Karnataka, 16 % is reserved for SCs in legislative assembly, municipal councils and Panchayat institutions. These Dalit elected members have become party representatives rather than Dalit representatives. Venkatesh explains the problem thus:

> Under the Poona Pact Babasaheb Ambedkar had to give up the separate electorate demand that was approved by the British due to Gandhi's fast unto death threat. But the pact was that in reservation constituencies INC would not compete. But this is not being followed now leading to Dalit representatives being held hostage to the political parties. They fight as party representative and not as Dalit representatives.

The other problem is that of inclusion of non-Dalit "touchable" castes in the SC list by governments. In the 80s, the then Chief Minister Ramkrishna Hegde included a number of "touchable" castes in the SC list. In the current legislative assembly most Members of Legislative Assembly (MLA) and Ministers from the SC category are "touchable" caste

members and Dalit representation has become next to zero. Of the 30 constituencies reserved for SC in Karnataka, "touchable" castes represent more than 25 of these seats.

5.2.3 No Land in Sight – Land Access Conditions and Challenges: A majority of urban Dalits continue to live in the marginal / low quality land of slums. A slum has to be declared by the KSDB for it to receive recognition from the State. A declared slum is entitled to, on paper, rehabilitation on alternate lands in case of evictions and to water and sanitation facilities. Dalit slum communities continue to live on marginal lands as water, sanitation and drainage facilities are not provided even in the declared slums. The undeclared slum communities can be evicted any minute and they live in the constant fear of demolition. The families in the declared slums also do not enjoy land rights as they are only issued possession certificates (*hakku-patra*) and not title deeds. Rajendra Prabhakar explains the absence of land rights and ownership of slum communities:

> There are about 4,500 slums in Karnataka but not a single one has received land title deed. The government only provides possession certificate to slum residents. Possession Certificate is like an identity card that only declares that such and such family is residing in this place and nothing else. So they have no authority or no claim, they cannot claim any ownership whatsoever on the place even if they are living for 50 to 100 years. What does this mean? The government is reserving its right to eviction at any point in time.

The govt. is giving possession certificate to people living in the slums who are already in possession of the land but they are not being given the ownership of land. People in undeclared slums do not even get possession certificate and can be evicted at any time without rehabilitation. The system is continuously keeping these people insecure and the government is holding the ownership of land so it can use the land wherever it needs it in future. So people are free to live there only as long as the government lets them live on the land. Slum communities have no rights or ownership over the land. Governments and Community Development Organisations primarily work from the perspective of Urban Poverty and shortage of housing. Under this perspective poor people who are not able to buy houses will be provided low cost housing schemes. There haven't been attempts by the civil society to fight for land ownership for slum communities. In such a difficult situation, even slum movements focus on preventing evictions and for housing rights. Isaac Arul Selva explains the reason for this situation:

Look at it like this: You are about to die and you need a drop of water to survive. I have water and you will listen to whatever I ask you to do. That's all there is to it. The oppressed communities have no ownership of the city. They feel that the ones in bungalows and cars are the ones to whom the city belongs to. So they just adjust to the minimalist situation. They do not have the sense that the city was built by them. And there has been a systematic attempt to make sure that the attitudes remain the same. This is a long work. So far slum people didn't even have property rights.

As the city expands there is increased pressure on slum lands and eviction is routine. Undeclared slums do not have any right to rehabilitation while declared slums are entitled to rehabilitation on alternate lands. Slum communities do not have any rights and ownership on the land that they have been living on for decades. In most cases the alternate sites for rehabilitation are in the outskirts of the city and away from the original land. The question of land is not just about the shelter requirements of slum dwellers. When slum residents are evicted / shifted, their livelihood, education, health and life itself is affected. Babu Khan, a Dalit activist I interviewed, lived in Mavalli slum until the age of seven years. The slum was close to the famous eatery joint MTR (Mavalli Tiffin Rooms). The proprietor of the eatery felt the presence of the slum affected his business. The slum community was shifted to Marenahalli tank bund area and the Mavalli Slum land was taken over by MTR and the restaurant expanded. Babu Khan explains the effect this uprooting had on the community as follows:

My uncle had a horse cart and he got all his business from the K R market area, which was close to our slum. But after shifting his travel time increased and his income too was reduced. Many houses, even the smallest one, were like an industry. People made incense sticks, strung flower, rolled and packed *beedis*, others sold them and so on. This informal economy was completely ruined when we were shifted and it took them many years to reestablish something similar in the new place. The biggest problem we faced was that the land we were shifted was on a water body. We could scratch the surface a few feet and get water. If we dug more it would become a well. But this cold damp atmosphere and inadequate housing (huts) caused health hazards among children and old people. Many people, including my grandfather and two of my cousins, died due to this. The next big effect of shifting is on education. All my cousins studied at Lalbagh Urdu School, which was very close to the slum. But in the new area we had to walk 4 to 5 kilometers to get to the school. This led to a huge number of dropouts especially among the girls. So I see shifting a slum as attacking people's progress. Every time a slum is shifted, it takes the community generations backwards and puts to waste all the progress made by these generations. You need to understand this aspect of Land. Land is not just land for housing or shelter; it is a question of our life as it affects our livelihood, life, education and progress. The organic relationships established over the years in all these spheres get destroyed when slums are shifted.

There are various low cost housing schemes for slum residents of state and central government and ULBs. Under the Rajiv Awaaz Yojana (RAY) low cost housing scheme, the central government proposes to create a slum-free India within five years and provide property rights for all slum dwellers. These low cost housing schemes effectively negate any hopes of land rights to slum communities. The low cost housing schemes provide each slum family a house measuring around 225 sq. ft. in multi-storey buildings. This is a perverse situation considering that 1000s of acres of land is given away on a platter to industries at throwaway prices through the provisions of Special Economic Zones Act (Mukhopadhyay: 2008; Mitra: 2007)). This is a model that deepens the inequalities in urban land access. It limits land rights exclusively for the dominant castes and capitalist class. Narasimha Murthy rejects the property rights model on the following basis:

> Our stand is that in every resource of the country, as it citizens, we have ownership and stake in them. So we clearly reject property rights under RAY but demand land rights. The slum residents can take up the responsibility of building their own houses on their lands. With a house below, above and on both sides, the opportunity to improve their dwelling units is denied under the property rights model. If we receive land rights there will be some meaning to social justice and the social and economic equality promised under the Directive Principles of State Policy of the Indian Constitution.

Many of these low cost housing schemes are based on a land-sharing model i.e. a part of the slum land is used to build the multi-storeyed low cost houses and the remaining is taken by the government agency or given to a private company who takes up the responsibility of building the houses. The slum communities have access to a miniscule percentage of the city's land compared to their population proportion. So the land-sharing model is an assault on their land access by further reducing the extent of land they hold. So land-share model is not just a low cost housing scheme but also a slum land takeover scheme.

5.2.4: Impact of Neo-liberalism:
In practice neo-liberalism is a political project to reestablish or create conditions for capital accumulation and the restoration of class power. States quickly abandons principles of neo-liberalism whenever it is in conflict with this class project (Harvey: 2005). In India, neo-liberalism is the tool through which the continuation of dominant castes' power in ensured. There are constitutional guarantees that give power to the Dalits to overcome the exclusion trap and to improve their access to resources and opportunities. The advent of neo-liberal policies has led to State withdrawal and devalued the

constitutional guarantees that Dalits enjoyed as citizens because market forces override the constitutional provisions and thereby Dalits become defenseless. According to Narasimha Murthy, a Dalit activist:

> Neo-liberal policies are complimentary to brahminical caste inequality. The neo-liberal policies are creating an environment that will help in strengthening caste discrimination in India.

Neo-liberal policies have brought additional pressure on slum communities' livelihood, their shelter and access to education, health and other basic amenities. The mall culture, doling out land to industries within the city, increase in land speculation, growth of real estate, repeal of ULCRA, FDI in real estate and other results of neo-liberalism have put tremendous pressure on land. With increased land pressure the Dalit slum residents without legal entitlements over their land become the targets of eviction. This eviction of Dalits from their land is a form of primitive accumulation or accumulation by dispossession as Harvey (2005) would call it. ULBs are being forced to be financially self-sufficient under the neo-liberal paradigm. The ULBs have adopted selling or leasing out lands controlled by them as fund raising strategy, which leads to eviction pressures on slums on ULB land. In government shopping complexes and TMC yards, 23% of shops are reserved for SC / ST vendors. Such facilities are not available in privately owned malls and complexes.

The neo-liberal policies of successive governments are inconsistent with the Indian Constitution. The socio-economic entitlements guaranteed by the Constitution are being eroded by the neo-liberal policies. The constitutional provisions guaranteeing entitlements to Dalits can be effectively implemented only if there is an active intervention of the state in the social and economic spheres (Kjosavik & Shanmugaratnam: 2006). The State is accountable to its citizens. Dalit movements use the social justice provisions of the Constitution to appeal to the State to carry out its duties towards its Dalit citizens. The State is getting undermined and the Market, which is accountable to none, is replacing the State in increasing number of spheres. The relationship of State and citizen is being replaced with that of service provider and consumer. The establishment of parastatal agencies is reducing the power of the vote of poor who depend on local elected representatives for resource and land allocation. With increasing withdrawal of the State, the space available for Dalits' struggle for land access is getting reduced. Babu Khan explains this predicament thus:

So who am I? Am I a citizen of this nation or a mere consumer? That's always a big question for me. The market creates unnecessary needs but is taking away my basic needs. I don't want to remain a consumer but want to strive to be a citizen.

The lack of socio-economic capital owing to institutional inequalities and the failure of the State to uphold social justice principles have led to Dalit landlessness in urban India. The current condition of slum communities land access is precarious. The undeclared slums in Bangalore can be evicted at any point with no rehabilitation. The declared slums too do not enjoy security of tenure. The declared slums are not developed on the same land but rehabilitated on alternate lands. These evictions and shifting breaks the organic relationship that the slum communities develop with the land and affects their livelihood, education, health and life itself. Slum residents are provided possession certificate and not title deeds. Hence they enjoy no rights or ownership over land. The low cost housing models limit slum residents to 225 sq. ft. houses and are also schemes to takeover part of the slum lands. The property rights model envisaged under RAY is a blow to the land rights aspirations of the slum communities. RAY proposes using satellite-tracking system to detect new slums and prevent them from coming up. Such 'encroachers' would be sentenced to a prison term. With the deepening of neo-liberal policies, citizens are becoming mere consumers. This has led to a decline in the democratic spaces available for Dalits to struggle for urban land access. The silent, passive and patient land occupation movement of urban Dalits will get tougher. The precarious urban land access conditions of Dalit slum communities is only getting worse.

5.3 Theoretical Analysis of Dalits' Urban Land Access

Slums in India can be seen as a form of passive resistance of Dalits against the barriers to their access to urban land. Slums are land occupation movements of the landless urban Dalits and a process of escaping the traditional forms of rural feudal caste oppression. It is tempting to theoretically cast Dalits' slum land occupation movement in terms of their *agency* working to overcome the *structure* of caste inequality. However, such a simplistic reading would not suffice to analyse the complex process of Dalits' urban land access through slums and barriers to it due to the hegemony of the dominant castes. It is a common practice to define structure and agency in contrasting terms due to which the interconnections between them are often lost. To understand these interconnections we need to look at features of social structures and agency. Human beings create structures and structures create human beings, structures are enabling as well as constraining and there are different levels of structures in

terms of more or less deep. Agency is enabled and constrained by structures depending on the accessibility, power and durability of the structure in question. The impact of agency can be judged based on whether it *reproduces* the structure or *transforms* it (Hays: 1994).

The structure of caste oppression and its unequal access to resources prevents Dalits from accessing urban land. This structure enables the land access of dominant castes while it constraints the land access of Dalits. Dalits migrating to slums could be seen as a transformative agency in one sense as they are escaping traditional rural feudal forms of caste oppression. However, escaping the structure, though significant for the individuals concerned, is not the same as transforming the structure. This agency could be seen as a constraint if the migration is involuntary and as a result of caste oppression. Moreover, Dalits in slums face the structure of caste oppression in the urban areas as well. Their migration to urban areas does not change their land access status as they are restricted to low quality lands in slums. Slums (Kolegeri) are accommodated by the structure due to the cheap labour provided by Dalits and play the role of the rural Dalit colonies (Holegeri) in the caste oppression structure. In this sense, Dalits remain in the structure of caste oppression rather than transform it. I would argue that they have only shifted from the rural to the urban structure of caste oppression.

However, considering the processual nature of social structure a minor redecoration may lead to a major rebuilding (Hays: 1994). So I would argue that even though slums reproduce the structures of caste oppression, they have the potential to transform the structure. The city that accommodates slums for cheap labour also tries to demolish them for want of land. However, it is not always successful in its eviction attempts as the Dalit slum residents also have a semblance of transformative agency to oppose the structure. Using various strategies, like mobilisation, political patronage, identity and so on, they compete with the constraining aspects of the caste oppression structure and increase the transforming power of their agency. Hence, we see the State recognizing their right to the city, at least on paper, by declaring slums that have existed for a given number of years. Slum communities are now able to make the State provide them with low cost houses on their lands. The Indian government is now proposing property rights to all slum residents and making India slum free. Though these programmes are problematic and still guided by minimalist provisions for slum residents, they show an improvement in Dalit slum communities' agency to transform the structure. I would summarise by saying that the migration of Dalits to slums though a form of

transformative agency at the individual level, is also a reproductive agency as they merely shift to the urban forms of the caste oppression structure. However, slums, though accommodated by the structure could become a vantage point for Dalits to challenge the structure of caste oppression and increase the transformative capacity of Dalits' agency. They face the stiff challenge of social exclusion trap in their endeavor to challenge the structure of caste oppression.

I would now like to analyse the research findings on the impact of caste on Dalits' urban land access in a social exclusion theoretical framework. Social Exclusion is a multi-dimensional process with interplay of the social and economic dimensions of exclusion. The caste-based social segregation based on the purity-pollution paradigm and the historical structural inequalities in access to economic resources are inter-related. Traditional Dalit occupations are socially considered impure and polluting and are economically devalued yielding minimum returns. Urban Dalits who overcome economic exclusion might still not be able to access rented houses in the residential layouts due to social segregation. In Hindu social order the concept of education was very narrow as it was limited to the study of Vedas. Only the dwija castes had the right to read Vedas leading to denial of literacy to the dalits and bahujans (Thorat & Kumar: 2008, 5). This historical social exclusion of Dalits from education has now led to an economic disadvantage, as education is critical for gainful employment. Dalits were forbidden from owning property, including land, by the Hindu religious texts. The social and economic exclusion of Dalits has been practised and reinforced for hundreds of years due to which it has been internalised into the system, society and minds of the people. This has made the exclusion trap so strong that it permeates itself into all new institutions. Thus caste-based exclusion seeped into new religions entering India (Islam and Christianity), it adopted itself into the colonial setup, entered modern political institutions of State and Democracy and extended itself into the new urban sector as well.

Exclusion of Dalits from property ownership, education, instruments of production and gainful employment opportunities led to lack of socio-economic capital in the community. A majority of Dalits are restricted to casual labour and excluded from just wages for their work in spite of their tremendous contribution in building and running the city. Caste-based social exclusion in city planning is seen in their biased allocation of resources and a skewed sense of priority in favour of the dominant castes' interests. Reservations in representation has not increased Dalits' participation in the decision making process as the parties are controlled by

dominant castes. There are 28 states in India and after 65 years of independence we have had only one Dalit Chief Minister so far and no Dalit Prime Minister reflecting the exclusion of Dalits from political power. The class project of neo-liberalism in urban governance is helping the dominant castes to strengthen the exclusion trap and the structural inequalities of access to resources. Thus, exclusion of Dalits from acquiring socio-economic capital, just returns for labour, city planning and political power has led to the extension of historical landlessness of Dalits to urban areas and its perpetuation. Though, Dalit slum residents are excluded from land access in the city, they are not considered dispensable, as they are a reserve of cheap labour. Hence, they are relocated to the urban fringes.

Affirmative actions, social justice and equality provisions of the Indian Constitution aim at helping the Dalits overcome the social exclusion caused by the entrenched discriminatory structures of caste system. However, the implementation of these constitutional provisions has been unsatisfactory due to the control of the seats of power by the dominant castes. The Dalit movement for social emancipation and just access to resources faces the additional obstacle of neo-liberal governance and policies. Neo-liberal policies in some respects contradict and even violate the equality and social justice provisions of the Constitution. As a class project, neo-liberalism helps the dominant castes by strengthening the caste oppression structure and weakening the transformative agency of Dalits.

In arguing that neo-liberalism as a class project helps the dominant castes to the detriment of Dalits, it is not my case that all Dalits belong to the lower class while all dominant castes members belong to the upper class. Social mobility of individuals and few castes through access to education, emancipation movements, access to resources and capitalist development makes the class-caste relation quite dynamic and complex. The inclusion of some OBC castes (Neo-kshatriyas) as dominant castes in this thesis was a recognition of this caste-class dynamic. Nonetheless, a majority of Dalits come under the economic lower classes as seen in the poverty rates, HDI, land access, proportion of casual labourers and other parameters discussed earlier. The inequality in these parameters would be much higher if we could compare Dalits with dwija / dominant castes (currently compared with non SC / ST which includes MBC and OBC) but such data is unavailable.[28] The social evils of caste

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[28] The British carried out caste enumerations during the census but this practice was discontinued by the Indian state after independence. It has been reintroduced in the 2011 Indian census but the data is not yet available. However, the exercise has been watered down by not linking all socio-economic

such as untouchability and segregation affect all Dalits irrespective of their economic class. We have already discussed the interplay between social and economic exclusion under the caste system. In this particular context of urban land access, we have seen that a majority of slum residents are Dalits, forming the majority of the urban lower class, and they are systematically excluded from land access historically. In this scenario it is evident that neo-liberalism as a class project will be detrimental to the Dalits' urban land access struggle.

Slums in India can be seen as the urban manifestation of the caste system resulting from the historical social exclusion of Dalits from property ownership, socio-economic capital, city planning and political power. This exclusion has an adverse impact on Dalits' urban land access wherein a majority of them are confined to slums. Dalits' urban land access is limited to slums and there is little progress in the land rights of the slum communities. The similarities between a rural Dalit colony (Holegeri) and an urban slum (Kolegeri) in terms of their land access, segregation and Dalit labour exploitation reflect that slums are the urban manifestations of caste-based social exclusion. This exclusion of slum communities happens due to their Dalit identity and hence any urban land access movement of slum communities should bring the Dalit identity to the fore rejecting other apolitical discourses and solutions to the Dalits' urban land access question. In addition to fighting the entrenched structural inequalities of caste Dalits also have to fight neo-liberalism, which as a class project favours the dominant castes and is detrimental to their urban land access. The foregrounding of the Dalit identity has tremendous potential in increasing their transformative agency in their struggle against the structure of caste oppression.

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census parameters with the individual's caste but instead introducing a separate caste enumeration census. See, The Hindu (13th September, 2010) *Caste Census: Senseless Separation*. Bangalore. URL: http://www.thehindu.com/opinion/op-ed/article627561.ece (last accessed 8th August, 2012)

Chapter Six: Slum Land is Dalit Land: Dalit Identity in Slum Communities' Land Access

One thing we have seen is that the legal apparatus is not going to defend the urban Dalits' land rights nor is the media or civil society coming for this. Very clearly now it is an established fact that city level slum federations, Dalit organisation federations have to come together to work out new strategies. We don't want to say slum land, low-income land etc. but very clearly say it is Dalit land and it should be restored – Rajendra Prabhakar, Dalit activist.

"Yes – I am part of an Ambedkar sangha (Dalit organisation). There is nothing other than that for us. We will follow our Ambedkar organisation wherever they ask us to. We will fight till the end. We will take part in every protests and meetings of Ambedkar sangha until we get our houses." – A 45 years old Dalit, female respondent from Mankalamma Thota.

As we have seen in the earlier chapters, there are various apolitical discourses and explanations used to discuss the issue of slums. Looking at slums as urban poverty issue, problem of migration, low-income areas and so on obscures the primacy of land rights issue of slums and the Dalit identity of its residents. Slums are the urban manifestation of the historical denial of land access to Dalit communities. It is a chapter in the historical landlessness of Dalits, which is a result of the institutional inequalities in access to the resources in the Indian caste society. Recognizing the primacy of land rights issue of slums and the Dalit identity of the majority of its residents is imperative to meaningfully work with slum issues. This is precisely what the slum movements in Bangalore are doing by bringing the Dalit Identity to the fore in their land access struggles. In this chapter I will discuss the advantages, challenges and strategies emerging in using the Dalit identity in slum communities' land struggle.

6.1 Dalit and Minorities Land Protection Forum

9th March 2012 is an important date in the history of slum communities' land struggle in Karnataka. On this day more than 30 organisations came together in Bangalore to fight against the land sharing model being introduced in slum rehabilitation and formed the Dalit and Minorities Land Protection Forum (DMLPR). The forum includes Dalit political parties, slum movements, dalit organisations, slum organisations, rights-based organisations and religious and linguistic minorities organisations. Under the land-sharing model, private

companies are required to build low cost houses in multi-storeyed buildings on a portion of the slum land and they can use the remaining slum land to build malls, office spaces and apartment complexes. This model in effect will further reduce the already miniscule proportion of land held by Dalits. The Forum is currently protesting against the first land-sharing model project of Bangalore coming up in Ejipura EWS Quarters slum. It declared that Government land is peoples' land and should not be transferred to private companies. The argument of the authorities that there is a shortage of funds and this is the only viable model to provide housing for slum communities was rejected. The 46th Constitution Amendment Act (CAA) mandated that Dalits and Adivasis should be given special preference in education, economics, social, and political fields in order to bring their standard of living at par with the general population. A Special Component Plan (SCP) was introduced according to which in all government budgets a percentage of amount proportional to the SC / ST population should be spent on the welfare of SC / ST communities. In Karnataka the SCP comes to 22.75 % but this provision is not being implemented by the dominant castes controlled administration. There will be no 'shortage of funds' if the SCP is effectively implemented.

Establishment of DMLPF is an important milestone in the slum movement history of Bangalore. It plays an important role in countering the apolitical discourses and the biased 'solutions' that emerge from them. It brings the Dalit Identity and Land Access to the fore in slum communities' struggle.

6.2 Importance of Dalit Identity in Urban Land Access

> If you look at your own identity and ask 'Why I don't have land', you will surely get Land. But there has to be a sustained movement, sustained fight, with the perspective that we are not begging for land but asking for our right. – Manohar. R

> The moment you call a slum, a Dalit area or an Ambedkar area, even the powerful elected representatives will be scared. – Isaac Arul Selva.

Identity categories provide modes of articulating and examining the connection between lived experiences and social location. Structures of inequality often highly correlate with categories of identity, which are therefore fundamental to social liberation and social expression. Identity is significant because it still determines the distribution of goods and

services. In order to move towards progressive social change it is imperative to acknowledge past and present structures of inequality that are linked to identity categories (Moya: 2001). Understanding and acknowledging the structural inequalities of urban land access and its correlation to Dalit identity is imperative to bring about urban land access to Dalits. Bringing Dalit identity to the fore in slum communities' land struggle transforms the movement. It changes the equation from 'providing low cost houses to urban poor' to 'Dalits demanding their share of land from which they have been historically unjustly excluded'.

Using Dalit identity in land struggle has an inherent advantage. During the *Puramboke* land struggle for housing sites in Tamil Nadu, Ambedkar statues or Dalit movement flags were planted in the sites to be taken over. This act of erecting statues and flags proved effective, as eviction would become difficult, as they are potent symbols of Dalit movement and solidarity. Removal of these symbols from any site would lead to larger political fallout (Anandhi: 2000, 42). The *panchami* land struggle in Tamil Nadu fused together the land question of Dalits along with the identity politics of Dalits by installing Ambedkar statues on the land to be recovered. In fact, the removal of the statue by the State government converted the movement from being a local struggle to a state issue. The non-beneficiaries of panchami land took part in the struggle due to the insult to Ambedkar statue and killing of two Dalits in police firing (ibid, 60). This does not only denote a land occupation strategy of Dalit movements but is equally reflective of the power of Dalit identity in movements. These symbols of Dalit identity lend themselves most perfectly to land struggles. These symbols are potent power that Dalits can use considering that they face the entire State machinery and dominant caste power as their adversaries in land struggles. Ambedkar statue for Dalits is a symbol of the power of their identity. Using Dalit identity will not only deter the administration but is also useful in mobilizing Dalits in large numbers for land struggle.

The same strategy has worked in the urban land struggle movements as well. The Bangalore Metro Rail Corporation Limited (BMRCL) tried to take over a hostel land meant for Dalit / Adivasi students to construct a metro station. But installation of Ambedkar statue in the premises followed by agitations ensured that the hostel was saved and an alternate site was used for the station. This was a remarkable victory considering that a number of influential groups like CMC Road trader's association and environmental organisations could not alter BMRCL plans but they had to bow to the pressure of Dalit organisations.

Identity politics is criticised for homogenizing experiences, its radical separatist tendencies and even called pathological. It is accused of compulsively remembering painful memories of subjugation, of continuing the blaming cycle and focusing on oppression rather than seeking ways to transcend it (Alcoff: 2001).[29] It is a historical fact that Dalits are excluded from land access and a history of landlessness has been imposed upon them because they are Dalits. Therefore, any meaningful land access strategy has to acknowledge this relationship between Dalits' landlessness and their identity. Dalit identity has acquired a semblance of political and mobilisational power through long years of sustained efforts by Dalit intellectuals and radical organisations.

Identity is a fundamental element in both social exclusion and social liberation (Moya: 2001). The critiques of identity politics suffer from a failure to distinguish these two different forms of identity politics. I would argue that we should not have a single frame to critique the identity politics of the white supremacist church movements and the Black liberation movements. The Hindu right-wing exclusionary identity politics of the *Sangh Parivar* seeking to maintain the brahminical hegemony over Dalits and minorities is surely different from the identity politics of the Dalit Panthers of India seeking to liberate Dalits from brahminical hegemony. I believe it is important to differentiate the two forms of identity politics. Identity politics of social exclusion seeks to maintain the status quo of exploitation and oppression. It tries to prevent equitable redistribution of resources and social justice and justifies the same through perceived notions of superiority or first claim. Identity politics of social liberation seeks to end the exploitation and oppression. It is egalitarian as the goal is never to establish the domination of the oppressed groups but to struggle for equality.

The work on strategic deployment of Dalit identity in slum communities' land access in Bangalore is still in nascent stages. Activists I interviewed agreed that the situation is such that the focus of slum movements is still on preventing eviction and maintaining the Dalit lands that are currently in possession of slum communities. I believe, in the current context of illegality of slums discourse and pressure on slum lands, this is important. Strategically speaking, this is the vantage point from which slum communities can struggle for better land access and ownership rights. There is substantial work to be done to strengthen the

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[29] Here I am concerned with the identity *politics* than on identity *epistemology / theory*. For more on the latter refer to Moya, P & Hames-Garcia, M (eds) (2001) *Reclaiming Identity: Realist Theory and The Predicament of Post-Modernism.* Orient Longman, Hyderabad.

movement to be in a position to demand land ownership rights for slum communities and urban land in proportion to Dalit population. But if there is one strategy that is powerful enough to reach that stage, it is foregrounding the Dalit identity in slum communities' land access struggle. I would argue that, Dalits' land access, like Dalit emancipation, cannot be achieved by obscuring the Dalit identity in the struggle.

6.3 Towards Dalit Identity Politics for Urban Land Access

Urban Dalit activists shared with me some of the important measures and strategies that need to be adopted in order to strengthen the Dalit urban land access struggles. Primary importance was given to Constitution, Knowledge and Alliance. The Constitution in India has important provisions that aim to remove the structural inequalities in the society, safeguard the oppressed weaker sections and to bring about social, economic and political equality. The preamble of the Indian Constitution states that the people of India resolve to establish India as a Socialist State. It further states that we should secure social, political and economic justice to all citizens of India and ensure equality of status and opportunity. Social justice seeks to remove economic inequalities, provide a decent standard of living to the working people and protect the interests of the weaker sections of the society. The preamble is absolute and the parliament does not have the right to amend the preamble (Bakshi: 1998).

The Directive Principles of the State Policy are fundamental in the governance of the country and it is the duty of the State to apply these principles while making law, though they are not enforceable by a court of law. Article 38 under the Directive Principles section states that the State should strive for the welfare of the people by securing and protecting a social order in which the social, economic and political justice guides all institutions. It further states that the State should "eliminate inequalities in status, facilities and opportunities" among individuals and groups. The ownership and control of the material resources of the country should be distributed keeping the "common good" in mind. Article 43 states that the State should ensure adequate living wages for all workers that would provide decent standard of living, full enjoyment of leisure and social and cultural opportunities. Article 46 states that the state should take special care to promote the educational and economic interests of the weaker sections of the people, particularly the Scheduled Caste and Scheduled Tribes, and protect them from social injustice and all forms of exploitation (Bakshi: 1998).

The current oppressive structure and inequality in the Indian society reveals that the Indian State has failed to implement the Constitution in its letter and spirit. I believe this non-implementation of the Constitution has been the biggest failure of the Indian State. The continued condition of landlessness among Dalits could be attributed to this failure. Indian State has let down the hopes and aspirations of Dalits to escape the exclusion trap through the Constitution. Yet, according to Dalit activists, the Indian Constitution is the biggest and most important strategy of Dalits' land access struggle. In the current context of dominant caste hegemony and neo-liberal governance, the Dalits' land rights demands are supported and justified by the equality and social justice aspects of the Constitution. Babu Khan explains the importance of Constitution in Dalits' urban land access struggle:

> The Constitution has provisions for the basic demands of my right to life. So Dalits need to use Constitution and spread awareness about the Constitution and the rights it guarantees among fellow Dalits. Constitution is our best strategy. There is no other alternative.

Dalits experienced untouchability for over 3,000 years and it is an extremely difficult task for a non-Dalit to understand the impact it has on the psyche of Dalits. Dalit activists explained that the sense of inferiority and slavery mentality gets internalised due to constant reinforcement and therefore building the knowledge of the community is key in making it demand its land rights. This is a difficult and long task considering that 45% of Dalits are unlettered as per the 2001 census. Activists said that an important aspect of knowledge building is increasing the Dalit consciousness. Dalits should understand that the unjust caste system excludes them from access to resources and opportunities. Dalit consciousness is key to removing the engrained slavery mentality. Slum communities should recognise the correlation between their Dalit identity and their landlessness. In this context Rajendra Prabhakar says:

> Dalits don't have access to knowledge. Whatever their consciousness is emerging will take long time. But consciousness among Dalits, especially educated Dalits, is increasing. Ambedkar's ideology is making huge inroads in Dalit minds.

At a comprehensive level, activists aim to create an atmosphere where Dalits believe they are also citizens who have constitutional rights. Activists feel knowledge is critical as there cannot be a movement with knowledge.

The challenges Dalits face in their urban land access struggle are enormous. The most oppressed community of the society has to face the combined might of brahminical caste inequality and neo-liberal governance policies. In this context, the presence of Dalit alliances is extremely important. Dalits share a common history of having experienced untouchability but there are multiple social and cultural differences among the various Dalit communities. Activists said that Dalit movement is criticised by some for its lack of "Unity". However, there is ample space for Dalits to form alliances to struggle for common goals like land rights, prevention of atrocities, safeguards affirmative actions and so on. Activists said that city level Dalit organisations' federations are emerging and they can pose a united front in Dalits' urban land access struggle.

6.4 Dalit Movement Fragmentation: Challenge to Dalit Identity Politics?

Dalit activists I interviewed explained the intrinsic divisive characteristic of the caste system. They said that the caste system works in such a way that everyone derives their power from the castes below them. The system seems to be such that instead of making people fight against the oppressive castes above them, people try to make up for the deprivations they undergo by oppressing those below their castes. In this context, the activists said that the biggest challenge for Dalit urban land access movement is to ensure the participation of all Dalit *jatis* under a common alliance. The fragmentation of Dalit movements is seen as destroying the unity of social movements. Dalits comprise a collection of castes that experienced untouchability but each caste has its own distinct culture, history, challenges, issues and reality. There is a hierarchy within the dalit-fold in terms of numerical numbers, economic and education situation, social status, religion, politically well organised communities and so on (Satyanarayana & Tharu: 2011, 18). In this context it is a challenge to organise all Dalits under one banner and one leadership and become a national level federation. I would also argue that it is counterproductive to have a single "united" Dalit movement with the burden of representing every Dalit issue, question and challenge in this huge country.

The real Dalit castes with high populations are not getting benefits of reservation, which is being cornered by touchable castes wrongly added in the SC list. Even within Dalits, there are castes that are relatively better off, better organised and hence get a lion's share of the reservation. So there is a movement for reservation within reservations like the Mala-madiga

model in Andhra Pradesh. Similarly Arundathiyars in Tamil Nadu are demanding for a six % reservation within the 18 % SC reservation. According to Venkatesh, a Dalit activist I interviewed, these are legitimate demands and he supports such sub-caste movements in their effort to safeguard their rightful interests. However he further adds that:

> But in spite of this when there is atrocity or injustice against Dalits or when there is a common goal, all the organisations should unite and protest against it. I have no issues in them organizing within their caste for safeguarding their reservation share but in overall issues and common goals they should assert their Dalit identity and fight united when there is atrocity or injustice against any Dalit. This process has to be strengthened.

Struggle for urban land access is definitely one of those "common goals", where there is ample scope for the various Dalit movements to form alliance. Activists point out that there is an emerging trend of forming city-level federations of Dalit organisations to fight for such common goals like urban land access, implementation of SCP component, safeguarding the rights and livelihoods of unorganised sector workers, and so on. In the slums of urban areas Dalits belonging to various sub-caste reside together and hence have a semblance of joint identity and common goals. Hence, the formation of Dalit federations to achieve common goals of urban Dalits can happen organically. Pointing to this, Isaac Arul Selva says,

> Dalit consciousness is increasing. But there is a phenomenon of sub-caste organisations. So there are contradictions and an atmosphere of distrust. But I think in future they will organise themselves on the basis of compromise and understanding. They will form federations of Dalit organisations to pose a united Dalit front.

I believe sub-caste Dalit movements are not a problem as long as they emerge organically under leadership from within the community with a strong Dalit consciousness. There is a dangerous phenomenon in Karnataka now wherein the right-wing *Sangh Parivar* organisations that promote Hindutva are starting sub-caste Dalit organisations and also organisations for OBC castes. According to Rajendra Prabhakar, it is a brahminical ploy to destroy the Dalit-bahujan unity. Such organisations that are controlled by Hindutva ideology, with brahminical hegemony at its core, are a threat to the Dalit movement. It is a challenge that organic Dalit movements operating under the ideology of Ambedkarism have to overcome.

There is an emerging trend in Bangalore of bringing the Dalit identity and Dalits' landlessness to the fore in slum movements. The correlation between identity and structures of inequality needs to be understood and acknowledged to overcome these inequalities. The political and mobilisation powers of Dalit identity are important to overcome the community's urban landlessness. Using the Dalit identity in slum communities' land access points to an identity politics of Social Liberation. Demand for implementation of the Constitution, building knowledge and Dalit consciousness and forming alliances of various Dalit movements would strengthen the urban land access movement. The fragmentation of Dalit movements and Dalit organisations controlled by Hindutva spewing right-wing parties are a threat to the Dalit identity movements. Formation of city-level federations and alliances of organic Dalit organisations with Dalit leadership is important to overcome these challenges.

Chapter Seven: Conclusion

Dupont et. al. (2000) opine that "...... I get the impression that urban poverty in India is perhaps more dehumanised and dehumanising than in other similar countries". This extreme dehumanisation is because the Indian society has always treated Dalits as its slave class. The most barbaric oppression and atrocities being committed on Dalits for centuries has been *naturalised* in the dominant caste minds as this oppression has religious sanction. A Hindu sees his privileges and advantages as arising out of her caste superiority and a Dalit's suffering as result of wrongdoing in her previous lives. This dehumanization stems from the inequality of the Hindu philosophy, which fails to uphold the liberty, equality and fraternity principles. Hindu legal and moral philosophy justifies the privileges of the dwija castes and the disadvantages and oppression of the Dalit communities through its *varna* ideology. The caste system has two inter-related basic features: segregation based on purity-pollution paradigm and structural inequalities that lead to unequal access to resources, social status and knowledge. The structural inequalities have resulted in the historical landlessness of Dalits and their continuing exclusion from land access.

In the pre-colonial times, the rural classes of landlords, peasants and slave labour always coincided with the caste divisions wherein the dwija castes were landlords, middle castes or OBCs were peasants and Dalits were always landless slave labourers. This unequal system had the support of the State. The British maintained this system to protect their economic interests and to enter into strategic alliances with the dominant castes. The post-independent land reforms programmes met with limited success due to the dominant castes wresting State control. The land reforms legislature was weak as they had high ceiling limits and sufficient loopholes to aid the landed castes to safeguard their land holdings. The limited success of the land reforms programme was cornered by the middle castes, who were tenants, and Dalits, the tillers of the land lost out. The little lands that were distributed to Dalits were predominantly wastelands and dry lands. Most Dalits who hold land holdings are small and marginal farmers. The control of the legislative, executive and judiciary by the dominant castes ensured the failure of land reforms programme in Karnataka. The dominant vokaliga and lingayat communities held on to their land holdings and also benefited from the tenant laws. The failure of the land reforms is a lost opportunity to address the historical landlessness of Dalits. Dalits' exclusion from land access continued in the urban areas as well.

Slums are the urban manifestation of the caste inequalities and a continued chapter in the historical landlessness of Dalits. Majority of the slum residents are Dalits. Slum definitions and discourses tend to explain a single feature of slums and give it the primacy. The Urban Poverty paradigm places importance on the class aspect and subverts the caste question and Dalit identity of Indian slums. The Migration discourse ignores the fact that majority of city residents are migrants but it is primarily the Dalits who end up in slums. The Shortage of Land as the cause of slums argument is a farce as there is no shortage of land when it comes to the land requirements of industries and the dominant castes. The issue is one of lack of equitable distribution of land rather than shortage of land. Few seek urban planning to remove the problem of slums but in India planning itself is implicated in the crisis that it seeks to solve. Planning in India is explicitly anti-poor as it absolved the informality of the rich but routinely penalises the informality of the poor. And finally we have the illegality discourse that sees slum residents as illegal encroachers of land who should be evicted. As we saw through the example of Bangalore, the political class, judicial members, middle and upper castes, industries and the State are all active encroachers in the illegality circle of this 'encroached city'. But only the illegality of the poor Dalits trying to find a foothold in the city is targeted and corrected.

Hence there is a need to look at slums from a social exclusion paradigm that seeks to analyse the process through which dominant castes exclude Dalit communities from urban land access and condemn them to live in slums. This paradigm leads us to an alternate perspective to study slums and a new definition emerges. Slums, in India, are the urban manifestations of caste system wherein the structural inequality in access to resources, social status and knowledge seriously excludes Dalits from urban land access and condemns them to live in dehumanizing conditions in low quality slum lands. At one level, slum denotes a silent, passive and patient land occupation movement of the Dalits claiming their right to the city. It could be said that the city bears this silent land occupation movement to ensure it gets cheap labour. However, the city has a control over this process through the mechanisms of eviction and demolition. A slum's proximity to dominant castes neighborhoods, being located on prime lands and real estate pressure impact a slum's land security and there is a high sense of insecurity of tenure.

There are proponents of caste as remnant-of-past theory, who claim caste discrimination no longer exists in India. They fail to recognise that caste is not about past discrimination but is

a contemporary form of power that is detrimental to Dalits and MBCs and advantageous to the dominant castes. There are others who claim there is no caste discrimination in urban India. Urban areas make it difficult to observe the extreme obscene forms of caste segregation that still exist in many rural areas. The structural inequalities in access to resources, factors of production and knowledge determine the kind of jobs Dalits get, their pay and hence where they can reside and leads to an automatic institutional segregation in the urban areas. The discrimination by city agencies in allotment of resources to slum needs and elite needs and their skewed priorities reflect the caste-bias inherent in city planning and administration. Dalits have been the slave class of the Indian society wherein they are extremely productive yet getting minimalist entitlements – a phenomenon continuing in the urban areas. Dalits provide valuable labour at exploitative wages, provide market to the city, pay a high proportion of their earnings as indirect taxes and hence contribute in the building, running and maintaining the city. But they do not even receive minimalist land access, basic drinking water and sanitation facilities in spite of their contribution. The mainstream notions of slums being low-income areas, planning failure issue, migration problem, illegal, unwanted for the city and so on is just a veil behind which they can hide the caste bias of the city, its people and the governance.

The dominant castes members have access to land, instruments of power and education through which they gain their power. This socio-economic capital enables them to access urban land but Dalits who are excluded from all these factors of power do not have the socio-economic capital that would enable them to access urban lands. The caste mentality of the State machinery has ensured that the State failed to implement the social justice and equality principles of the Constitution. The State has failed to enable Dalits to overcome the barriers to land access. Advent of neo-liberal policies has further weakened Dalits' access as it converts them from citizens with rights to consumers who have to pay. These factors are severely deteriorating the urban land access condition of Dalits.

Dalit communities' access to urban land is restricted to the marginal low quality land in slums. Here too there is no security of tenure as undeclared slums can be demolished anytime and declared slums can be uprooted to the outskirts of the city. This uprooting destroys the organic relationship the slum residents build with their land and adversely impacts their livelihood, education, health and life itself. The government only provides them possession certificate and not title deed, thereby reserving its right to evict. Even 'rehabilitated' slum

residents are only in possession of lands in slums and do not enjoy land ownership rights. The low cost housing models severely reduces the proportion of land Dalits hold in the city by building houses measuring around 225 sq. ft. It denies Dalits any opportunity to improve their dwellings and erases the question of land rights of Dalits. The land-sharing model that accompanies the low cost housing projects is a measure that would reduce the already miniscule proportion of land held by Dalits. Draft provisions of RAY propose using satellite image techniques to detect new slums and hand over prison sentences to 'encroachers'. In the current urban land access condition of Dalits, they have no land ownership, no land rights, no security of tenure and are largely limited to low quality marginal slum lands that have no basic facilities.

Slums are a form of resistance and a passive, silent and patient land occupation movement of the urban landless. Migration of Dalits to urban areas and occupying slum land reflect a transformative agency at the individual level. However, at an institutional level it could be seen as a reproductive agency as slums become the sites of urban Dalits' oppression with the structures of caste. However, structures of caste oppression are not static and slums provide possibilities and opportunities for Dalits to increase their transformative agency. Social Exclusion of Dalits prevents them from acquiring socio-economic capital, getting just wages, participating in city planning and acquiring political power. This exclusion has a direct detrimental bearing on Dalits' access to urban land. The city accommodates them in the urban fringes to benefit from their cheap labour.

In this context, the strategy of using Dalit identity in slum communities' land struggle is emerging in Bangalore as seen in the establishment of Dalit and Minorities Land Protection Forum. The new strategy explicitly casts slum land as Dalit land and fights this land struggle from an identity perspective. There is a correlation between structures of inequality and identity groups and hence identity is a fundamental element in both social exclusion and social liberation. The landlessness of slum communities correlates with their Dalit identity and the caste-based structural inequalities in access to resources. Recognising and acknowledging this connection is imperative in meaningful progressive urban land struggles. Dalit icons and symbols lend themselves most perfectly to land access struggles. It might be relatively easier for the government machinery to demolish a slum housing hundreds of families but it would be difficult for them to shift an Ambedkar statue due to the political fallouts. Dalit identity has political and mobilisation powers that should be used in the

communities fight against landlessness, which is an outcome of their identity.

The critiques of identity politics fail to distinguish between identity politics of the oppressor that seeks social exclusion and identity politics of the oppressed that seek social liberation. The former tries to maintain the oppressive status quo and prevent equitable redistribution of resources and social justice while the latter strives for an egalitarian society, as the goal is always to reach equality and not to reach domination. Dalit identity politics in urban land access in Bangalore is at a relatively nascent stage. As mentioned earlier Dalits' urban land access is in a precarious condition and slum movements currently focus on preventing evictions and housing rights. There is a long way to go before slum communities start enjoying land ownership rights and demand for urban land in proportion to their populations. The strategy of using Dalit identity in urban land access movements has the potential to get there if it can overcome the challenges and strengthen the strategy.

According to Dalit activists the Constitution, Knowledge and Alliance are key to strengthening Dalit urban land access movement. The preamble and the directive principles of state policy have laid down clearly the social justice and equality principles to be followed by the State and designed to remove the structural inequalities in access to land. Movement for implementation of the Constitution is the best strategy. Building Knowledge among Dalit communities about the social exclusion they have undergone and the correlation between their identity and landlessness is imperative for mobilisation. Knowledge will increase Dalit consciousness and help in overcoming the engrained slavery mentality and inferiority. There is a fragmentation among Dalit movements owing to sub-caste (*jati* based) organisations. This is legitimate in the current context where the most marginalised Dalits are struggling to get their share in the affirmative actions as it is cornered by "touchable" SC and better-organised Dalit castes. However, there needs to be an Alliance of Dalit organisations in order to fight for the common Dalit goals like urban land access.

Slums are primarily a land access problem as all other issues stem from lack of security of tenure. In India slums are the urban manifestation of the caste system through which Dalits are excluded from land access. This urban manifestation of caste includes caste-based segregation, inequality of access to resources, biased allocation of resources and skewed focus of the city administration and exploitation of Dalit labour for minimal returns. Slum communities land access in Bangalore is precarious with no security of tenure, vulnerable to

evictions and shifting, no land ownership rights and threat of further reducing slum lands through land-sharing model. It is imperative to acknowledge and understand the correlation between Dalit identity and their landlessness. The strategy of using Dalit identity in slum communities' land access struggle is emerging in Bangalore. This is advantageous due to the inherent political and mobilisation powers in Dalit identity. This is an identity politics of social liberation demanding equality in urban land access for Dalit communities.

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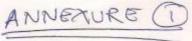
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ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ

Bangalore Development Authority

T. Chowdaiah Road, Kumara Park West, Bengaluru – 560 020

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    ಉಲ್ಲೇಖ : ಸಾರ್ವಜನಿಕ ಸಂಪರ್ಕಾಧಿಕಾರಿ ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ:ಬೆಂಅಪ್ರಾ/ಸಾಸಅ/ಮಾಹಿತಿಹಕ್ಕು/

        9483/2011–12 ದಿನಾಂಕ 01/02/2012

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಉಲ್ಲೇಖಿತ ಪತ್ರದಲ್ಲಿ ಮಾಹಿತಿಹಕ್ಕು ವಿಧೇಯಕ 2005ರ ಅಡಿಯಲ್ಲಿ ಕೋರಿರುವ ಮಹಿತಿಯನ್ನು ಈ ಕೆಳಕಂಡಂತೆ ಒದಗಿಸಲಾಗಿದೆ.

ಕ್ರಮ ಸಂಖ್ಯೆ	ಕೋರಿರುವ ಮಾಹಿತಿ	ನೀಡಲಾಗಿರುವ ಮಾಹಿತಿ
1	Total number of EWS houses built and the total land area used for the same in the period 06/01/1976 to 31/12/2011.	ದಿನಾಂಕ 06/01/1976 ರಿಂದ 31/12/2011ರ ವರೆಗಿನ ಅವಧಿಯಲ್ಲಿ ವಸತಿ ಯೋಜನಾ ವಿಭಾಗ–2ರ ಕಛೇರಿಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ನಂದಿನಿ ಬಡಾವಣೆಯಲ್ಲಿ ಆರ್ಥಿಕ ದುರ್ಬಲ ವರ್ಗದವರಿಗಾಗಿ ಒಟ್ಟು 144 ಸಂಖ್ಯೆ ವಸತಿ ಗೃಹಗಳನ್ನು ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ 1 ಎಕರೆ ಪ್ರದೇಶದಲ್ಲಿ ನಿರ್ಮಿಸಲಾಗುತ್ತಿದೆ.

ಈ ಮೇಲ್ಕಂಡ ಮಾಹಿತಿಯನ್ನು ಮಾಹಿತಿ ಹಕ್ಕು ವಿಧೇಯಕ 2005ರಡಿಯಲ್ಲಿ ನಿಮ್ಮ ಕೋರಿಕೆಯ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರು

ಹೌಸಿಂಗ್ ಪ್ರಾಜೆಕ್ಟ್ ವಿಭಾಗ–2

ಬಿ.ಡಿ.ಎ., ಬೆಂಗಳೂರು

Bangalore Development Authority

T.Chowdaiah road, Kumarapark West, Bangalore-560 020.

ಬೆಂ.ಅ.ಪ್ರಾ/ಕಾಪ(ಹೆಚ್.ಪಿ.ಡಿ–I)RTI- /30/ 2011-12 /15.2.2012

To

Rakesh Kumar .N
Janasehayog, # 1, 2nd Floor,
6th Main, 10th Cross,
Sampangiramanagar,
Bangalore -560027.
Ph No. 22128565.

Sir,

Sub:- **Application under RTI act 2005 reg.**

Ref:- **letter No. ಬೆಂ.ಅ.ಪ್ರಾ/ಸಾ.ಸ.ಅ/ಮಾಹಿತಿಹಕ್ಕು/9483/ 2011–12**
Dated: 01-02-2012

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With reference to above subject it is here with Enclosed the necessary information called under RTI vide reference cited above.

SI No.	Questioner	Compliance
1	Request information on the total number of EWS houses built and for total land area used for the same in the said period. 06-01-1976 to 31-12-2011.	BDA has taken up construction of 512 EWS Houses in 4 Acrers of land pertains to this sub-division.

Your's faithfully

Asst, Executive Engineer 15/2/12
Housing project Division – I
Bangalore Development Authority
Bangalore.

ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ

ಸಂಖ್ಯೆ:ಬೆಂ.ಅ.ಪ್ರಾ.ನಂ.1.ಸ.ಕಾ.ಅ(ಪ)/ಆರ್‌ಟಿಐ/153/11–12   ಸಹಾಯಕ ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರ
ನಂ.1 ಪಶ್ಚಿಮ ಉಪ ವಿಭಾಗ,
ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ,
ಬೆಂಗಳೂರು., ದಿನಾಂಕ: 9|2|12

ಇವರಿಗೆ,

Sri.N.Rakesh Kumar
Janasahayog,
#1, 2nd Floor,
6th Main,10th Cross,
Sampangiramanagar,
Bangalore-560 027.

ಮಾನ್ಯರೆ,

ವಿಷಯ: ಮಾಹಿತಿ ಹಕ್ಕು ಕಾಯಿದೆ 2005 ರ ಅಡಿಯಲ್ಲಿ ಮಾಹಿತಿ
ನೀಡುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ಸಂಖ್ಯೆ:ಬೆಂಅಪ್ರಾ/ಸಾಸಅ/ಮಾಹಿತಿಹಕ್ಕು/9483/2011–12,
ದಿನಾಂಕ 01/02/2012.

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ಮೇಲಿನ ವಿಷಯ ಹಾಗೂ ಉಲ್ಲೇಖದಲ್ಲಿನ ಪತ್ರಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ತಾವು ಕೋರಿರುವ ಮಾಹಿತಿಯನ್ನು ಈ ಕೆಳಕಂಡಂತೆ ನೀಡಲಾಗಿದೆ.

ಕ್ರ. ಸಂ.	ಕೋರಿರುವ ಮಾಹಿತಿ	ನೀಡಿರುವ ಮಾಹಿತಿ
1	**Subject matter of information:**Total Sy no. of EWS quarters built and the total land area used for the same.	ಈ ಉಪ ವಿಭಾಗ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಯಾವುದೇ EWS ಮನೆಗಳನ್ನು ನಿರ್ಮಿಸಿರುವುದಿಲ್ಲ. ಹೆಚ್ಚಿನ ಮಾಹಿತಿಗಾಗಿ HPD-1 ಮತ್ತು 2ರ ವಿಭಾಗದಲ್ಲಿ ಪಡೆದುಕೊಳ್ಳಬಹುದು.
2	**Period to which the information relates:** 06/01/1976 to 31/12/2011.	
3	**Description of information required:** Request information on the total number of EWS houses built and the total land area used for the same in the said period.	

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಸಹಾಯಕ ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರು
ನಂ.1 ಪಶ್ಚಿಮ ಉಪ ವಿಭಾಗ,
ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ,
ಬೆಂಗಳೂರು.

KARNATAKA INDUSTRIAL AREAS DEVELOPMENT BOARD

(A Government of Karnataka Undertaking)

14/3, 2nd Floor, R.P. Building, Nrupathunga Road, Bangalore - 560 001
Phone : 22215383, 22215679, 22242006, 22215069,   Fax : 080-22217702
Website : www.kiadb.in   e-mail : kiadb@mail.kar.nic.in

No:KIADB/Sec-RTI/14793/11-12   Date:06-03-2012

Sri.Rakesh Kumar N,
Janasahayog,   RPAD
No.1, 2nd Floor,
6th Main,
10th Cross,
S.R.Nagar,
Bangalore-560027

Sir,

      Sub: Information under RTI Act, 2005.
      Ref: Your application dt.31-01-2012.

-oOo-

With reference to your application cited above, this is to inform that, an extent of 25 acres 20 guntas of land in several survey numbers of Konappana Agrahara Village, Begur Hobli, Bangalore South Taluk, Bangalore District has been allotted in favour of M/s.Infosys Technologies Ltd., as Single Unit Complex, and the company has paid a total sum of Rs.8,66,83,922/- towards the land compensation, Board Service charges, EMD, Slum Cess and lease rent., to the Board.

Further, please find herewith enclosed statements comprising details of allotment of land made in favour of Infosys Technologies Ltd., and Satyam Computer Services Ltd., in Electronic City 2nd Phase Indl.Area, and for Wipro Ltd., in Bengaluru Aerospace SEZ, as requested by you.

Yours faithfully,

Public Information Officer

Encl: As above.