Impact of Infrastructure and Governance Transformations on Small, Medium and Big Cities in India

Implementation of JNNURM -BSUP : A Case Study of the Housing Sector in Chennai

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August 2015

ICSSR Sponsored Research

Acknowledgment

The authors acknowledge the contributions of members of Transparent Chennai who conducted the field surveys for this report and worked on the initial drafts for the report. We have also made extensive use of their unpublished materials relating to housing in Chennai.

Contents

List of Important Abbreviations

ASCI – Administrative Staff College of India
BSUP – Basic Services for Urban Poor
CAG – Comptroller and Auditor General of India
CIT – City Improvement Trust
CDW – Community Development Wing of the Tamil Nadu Slum Clearance Board
CMDA – Chennai Metropolitan Development Authority
CMWSSB – Chennai Metropolitan Water Supply and Sewerage Board – a.k.a Metrowater
CoC – Corporation of Chennai
DMA - Directorate of Municipal Authority
EWS – Economically Weaker Section
HIG – High Income Group
JNNURM – Jawaharlal Nehru National Urban Renewal Mission
LIG – Low Income Group
MIG – Middle Income Group
MHUPA – Ministry of Housing and Urban Poverty Alleviation
MoUD – Ministry of Urban Development
MUDP – Madras Urban Development Project
PWD – Public Works Department
SLSC – State Level Sanctioning Committee
SRUR – Status Report on Urban Reforms
TNHB – Tamilnadu Housing Board
TNSCB – Tamil Nadu Slum Clearance Board
TUFIDCO – Tamil Nadu Urban Finance and Infrastructure Development Corporation
UIG – Urban Infrastructure and Governance
ULB – Urban Local Body
ULCRA – (Tamilnadu) Urban Land (Ceiling and Regulation) Act 1978

1. Introduction

This case study analyzes Chennai's experience under the Jawaharlal Nehru Urban Renewal Mission (JNNURM), a national level program launched in 2005 dedicated to improving the availability of much needed infrastructure such as power, telecommunications, roads, water supply, and sanitation in order to cater to an increasing urban population and to make cities effective engines of sustained economic growth. Chennai is poised to become the third densest Indian city in 2030 with a population of over 13 million people[1]. This projection identifies the need for Chennai to invest in upgrading and extending urban infrastructure and service delivery systems to prepare for an increasing urban population – something that the JNNURM attempted to address. Under this Mission, cities could access funds under two sub-missions i) Urban Infrastructure and Governance (UIG) and ii) Basic Services to the Urban Poor (BSUP). These sub-missions are administered by the Ministry of Urban Development (MoUD) and the Ministry of Housing and Urban Poverty Alleviation respectively (MHUPA). Together, these sub-missions reflect JNNURM's objective for inclusive development of cities, making them engines of economic growth and concurrently addressing the needs of the poorest segments of society.

This case study, utilizing information from secondary literature, documents available on government websites, interviews with government officials and beneficiaries, as well as field visits to slums where projects have been implemented, analyzes the direction, implementation, and impact of JNNURM–BSUP on Chennai's housing sector. An analysis of the housing sector is especially pertinent considering the BSUP's focus on providing the urban poor with access to proper housing, basic services, and tenure security. It also helps to showcase the impact of the JNNURM in Chennai in light of housing shortages highlighted in Chennai's second master plan. The second master plan had highlighted that there was a shortfall of 36,000 housing units (difference between the estimated number of households and housing units in the Chennai metropolitan area.) While asserting that the shortage was much less severe in the city without providing information as to how that was the case, it indicated the need to improve the quality of housing available to the urban poor. It identified that nearly 41% of dwelling units in the city were one-room units or units without an exclusive room. It also pointed out that 15% of all dwelling units were semi-pucca and that 10% were kutcha dwelling units[2], saying that while the figure of 10% for kutcha units might seems small, it constituted a significant total figure of

[1] United Nations (2014), World Urbanization Prospects 2014 Revision.
[2]The term Kutcha refers to houses that are made of temporary materials such as wood and mud. Pucca houses refer to strong houses made of concrete and other more durable materials.

93,701 units[3]. The shortcomings found with regard to housing in the second master plan forms an appropriate backdrop to analyze if the BSUP component of the JNNURM has had a significant impact on the provision of housing to the city's urban poor.

This report comprises seven sections. The second section discusses in detail the methodology adopted for the study and the constraints involved in conducting this research. The third section provides a historical overview of urbanization in Chennai to set the context in which JNNURM is being implemented. The fourth section discusses the evolution of the legal and institutional framework that governs low income housing and slums in Chennai. After providing an overview of JNNURM projects, funding pattern and implementation, the fifth section looks at the statistical data on BSUP schemes emerging from secondary literature and government documents. The sixth section, using data from primary fieldwork analyzes the process of implementation, effectiveness of the schemes, and the view of slum dwellers about these projects. The seventh section analyzes the implementation of reforms under JNNURM, with emphasis on the pro-poor reforms. Finally, the report concludes with an overall analysis of the implementation of BSUP projects in Chennai and its implications for the housing sector in the years to come.

[3] Chennai Metropolitan Development Authority. n.d. Second Master Plan - Chapter V: Shelter.From: http://www.cmdachennai.gov.in/Volume1_English_PDF/Vol1_Chapter05_Shelter.pdf.

2. Methodology

This case study utilizes a three part sampling methodology. First, information from secondary literature on the background and processes of urbanization in Chennai was consulted. We drew considerably upon the Status Report on Urban Reforms in Tamil Nadu (SRUR)[4] prepared by the Madras Institute of Development Studies for background information on urban reforms in Tamil Nadu, and periodic reports and factsheets prepared by the citizen research advocacy group Transparent Chennai. We also referred to news reports available online pertaining to JNNURM in Chennai. Secondly, we drew on documents available on government websites belonging to various government ministries, bodies and departments such as the MoUD, MHUPA, The Tamil Nadu Slum Clearance Board (TNSCB), the Central Metropolitan Development Authority (CMDA), and the Corporation of Chennai (CoC).

These first two steps were then followed by site visits to the locations where housing projects under BSUP component of the JNNURM have been undertaken in Chennai. The purpose of these site visits was to understand the dynamics and characteristics of the areas where such projects had been undertaken, analyze the extent to which the projects had been completed, and to gain the views of residents living in the areas where these projects had been undertaken. Efforts were made to talk to as varied a demographic as possible in these field sites. These site visits were then complemented by interviews with various government officials. For instance, we spoke to the Junior Engineers in each of the areas where housing projects were being undertaken, and with a senior official from the CMDA.

There were significant problems in gathering data on JNNURM in Chennai. First and foremost, there is little in the way of previous literature looking at JNNURM related issues in Chennai. Any available reports were largely focused on its implementation at the state level and not at the city level. Secondly, government websites were not always reliable in providing data. Data provided was often outdated and in some cases, contradictory. Some websites particularly that of TNSCB, were consistently unavailable.

Interviews with government officials and private professionals were also difficult to secure. To a large degree, the lack of information on websites and the reluctance on the part of government officials to grant interviews stems from the ceasing of the JNNURM in India, with the current central government replacing it with its own schemes for urban development. While initially focused on the water sector, we have had to re-situate our analysis in the housing sector due to a complete lack of information and the unwillingness of officials from Chennai Metropolitan Water

[4] M Vijaybaskar et al. (2011); Status Report on Urban Reforms in Tamil Nadu. (Mumbai: Tata Institue of Social Sciences).

Supply and Sewerage Board (Metrowater) to provide information crucial for our analysis despite repeated efforts to get them to do so.

Furthermore, residents living in areas where such programs have been implemented were often unaware of such schemes. Many had never heard of the JNNURM or the BSUP. To them, anything installed under such a policy would be just one in a long list of schemes rolled out every few months or years. Often, there was no sign of BSUP programs having been implemented in a particular area. Thus, attempting to tease out whether the BSUP had an impact on areas inhabited by the urban poor was a difficult and onerous task.

3. Urbanization of Chennai – A Background

Chennai, formerly Madras, was a collection of fishing hamlets and agriculture based villages before the English East India Company laid its sights on her. By establishing a factory and proceeding to fortify it by early 1640s, the English began drawing in large number of migrants from across the region to work as coolies, traders, translators and even low-level administrators. The English had obtained a meager 3 Sq miles of land along the beach to establish their fort, but over the next few decades, the increasing business, the inflow of artisans and workers, as well as the need for improved security (to face the French threat) led them to obtain more land from the local chieftains, absorbing overlordshipover 15 villages around the fort. This brought their land holding to over 40 sq. miles (Neild, 1979). The 'inner city' was organized into three zones, the fort, the white town (for the English) and the black town (for the native workers).

By the early eighteenth century, artisans and labourers, from the hinterlands were moving into the city for employment with the company. The higher wages with the company and the aspiration for dignity and better social standards amongst those from lower castes motivated these large-scale migrations. The company officials, predominantly white immigrants, were also moving out of the fort area to take suburban residences. Susan Neild (1979) records that while the regions around Chennai had long given up on rural economy and made use of the commerce and industry brought by the company, the land holding pattern too began to see significant shifts from the traditional land lords to employees of the company. This also marked the time when the 'paracherys' or 'untouchable colonies', that comprised exclusively of labourers from the 'parayar' communities, expanded as they took in more of the labourers migrating from rural areas further away from the city. Thus the late 17th century and 18th century was a period of drastic changes that shaped this region into a major urban center.

In 1688, under a Royal Charter, the Corporation of Madras was established to administer the English controlled port city[5]. It was the first municipal corporation outside England. However, the corporation remained a consultative body to the Governor of Madras. Only around 1792, under the Parliament of India Act, did the corporation get the powers to levy taxes and control expenditure[6]. By this time, the city had expanded well beyond the initial grant area, incorporating a number of villages further north and west of the fort area. Some of the villages were established by the British to facilitate export of clothes, villages like Chintadhripet, (Chinna-Thari-Pettai) for weavers and Washermanpet (Vannarapettai) for dhobis are examples

[5] Corporation of Chennai. "History". From: http://www.chennaicorporation.gov.in/about-chennai-corporation/aboutCOC.htm

[6] *Ibid*

of such settlements. But most of the villages predate British rule and were steadily incorporated into the political and economic lordship of the British. Lewondowski (1975) records that Black Town -- comprising merely 9% of the city land -- housed almost a third of the population. Such squalor would lead to severe public health concerns that would direct the relationship between the city administrators who came from propertied class and the large mass of labourers who often lived in acute poverty.

The Census of India began in 1871 and the decadal population count provides insights into the growth curve experienced by Madras. As most of the migrants came from the scheduled caste or lower caste labourers, the increasing inflow of workers had to be accommodated in existing paracheris in the inner cities or newly emerging slums on the peripheries of madras where industrial activity was picking up. These outer settlements were primarily squatter colonies on vacant lands (private lands as well as lakes and ponds). In either cases, the squalor and poor services like water supply meant that the conditions were becoming critical (Lewondowski).

Table 3.1 Growth of Population during the Colonial Period

Year	Population	Decadal Growth (in %)
1871	397, 552	
1881	405, 848	2.1
1891	452, 518	11.5
1901	509, 346	12.6
1911	518, 660	1.8
1921	526, 911	1.6
1931	641, 232	22.8
1941	717, 418	20.1
Data sourced from Census of India		

The growing population and the increasing pressure on land for housing steadily increased slum conditions in the inner city as well as in the peripheries. This spread of slums was resented by the affuluent classes as a threat to public health. By 1920s the condition in the slums could no longer be ignored. This led to the enactment of Madras Town Planning Act of 1920 and subsequently to the setting up of the Town Planning Trust of Madras (1921-22)[7]. With this, the responsibility for planning the city also fell to the Corporation of Madras. Further acquisitions of land from neighbouring villages was also tried to solve the housing problem of slums. After the recommendations of two committees to enquire into the problem of housing and sanitation in Chennai,the City Improvement Trust of Madras was constituted, in

[7] Krishnamoorty S and A. Kabala Murthy (1964); 'Plan for Greater Madras, Corporation of Madras', pp 7.

1946[8] as a separate department under the city corporation. Here again the debates over solutions, began in right earnest to be carried forward into Independent India.

Table 3.2 Growth of Population of Chennai since Independence

Year	Population	Growth rate (in %)
1951	1,416,056	82.1
1961	1,729,141	22.1
1971	2,469,449	42.8
1981	3,266,034	32.3
1991	3,841,396	17.6
2001	4,343,645	13.1
2011*	4,681,087	7.8
*Prior to expansion of city limits; Data sourced from Census of India data		

India's independence and the ushering in of democratic governments based on universal franchise, created a very critical shift in the policies towards housing. The slum dwellers, who had remained effectively unrepresented in the legislative forums (Chennai Corporation and legislative assemblies), gained a modicum of voice. The political parties also began to rally around to their demands. The population of the city exploded with the decade of 1941-51 recording an 82% increase on the back of a 20% increase in the previous decade. Even as evictions continued to take place, it was increasingly felt that the issue had to be resolved with state support for improved housing rather than eviction drives. In the late 1950s the State government began a campaign of constructing tenements and fire proof housing in slum areas. The City Improvement Trusts began to acquire lands and rebuild single room slum housing. These were the initial attempts to build their way out of the acute housing shortage that the city was experiencing. Tamil Nadu Housing Board (TNHB) was established in 1961 incorporating the City Improvement Trust' and mandated to provide a solution for the looming housing crisis. But it fell well short of its targeted number of dwelling units. S. Krishnamoorty, Mayor of Madras in 1964-65, records[9] that it could not even complete a third of its goals. While criticizing the growing number of hutments, he provides a multifold approach to housing provision that includes acquisition of large tracts of lands in the urban peripheries, redevelopment of slums through tenements as well as provision of basic civic services to old slum areas in the inner city. However, the cost estimation runs into hundreds of crores (at 1964 prices). Even as the state was grappling with providing housing for the existing slum dwellers, slums grew at a record pace between 1951-71, as can be inferred from the table below.

[8] *Ibid* pp 8.
[9] *Ibid*

Table 3.3 Growth of Slums in Chennai				
S.No	**Year**	**No of Slums**	**No of HH**	**Slum Population**
1	1956	306	57,436	287, 180
2	1961	548	97,851	412, 168
3	1971	1202	163,802	737, 531
4	1986	996	127,181	650, 859
5	2001	1431	178,000	820, 000
6	2011	NA	398,847	161, 3611
7	2014	2173*	304,980*	115, 5025
*-The developed slums are to be excluded from the number of slums and number of households pertaining to 1131 slums surveyed Source: Slum Free City Proposal - TNSCB				

At the same time, the slums were also becoming the locus for political fights between the Congress and the newly reconstituted DravidaMunnetraKazhagam (DMK). DMK, with a base in the slums in Chennai, began to advocate an even more aggressive agenda for solving the housing crisis. With catchy slogans and claims to providing 'concrete houses' for the hutments, DMK won the elections to the municipal corporation of Madras in1962. By 1967, the DMK had defeated the Congress party in the state legislature. They began to radically implement their housing agenda by reconstituting the institutional framework for housing. The Tamil Nadu Slum (Improvement and Clearance) Act was passed in 1970 and the Tamil Nadu Slum Clearance Board (TNSCB) was established under Rama Aranganal, a DMK politician and loyalist who had spent a considerable amount of time working with slum dwellers. The TNSCB had a mandate to document, declare and improve slums. The initial schemes were all toward construction of multi-storied tenements in existing slum lands. While this was a costly method and could not supply the required tenements to fulfill the goal of slum free Chennai, it played well as a spectacle for popular politics (Raman 2011). This policy, while playing to the slogans of the DMK, very soon fell out of favour with the general public. The slum dwellers instead sought improvement to their existing housing, preserving their claim over the lands[10]. This reignited the debate surrounding in-situ versus tenements as a policy of slum clearance.

During the 1970s, the World Bank, began advocating a policy of 'sites and services' as a credible method to solve housing shortages. When the World Bank and the Tamilnadu Government decided to collaborate on the Madras Urban Development Project (MUDP) in 1977, the World Bank insisted on rehauling the housing delivery system from a tenement construction mode to an in-situ improvement mode. While

[10] From interviews with slum dwellers who had opted for other schemes rather than tenements.

the World Bank's rationale for this method was based on financial sustainability (Pugh, 1990), it also had a wider acceptance from slum dwellers who had been clamouring for in-situ improvements. The World Bank insisted that slums be rehabilitated in the same lands, and that residents of slums be given titles and support for home improvement. The rationale was that the giving of titles would also incentivize self-improvement as it would provide tenure security and even credit worth. This seemed a viable strategy given the large portion of slums in Chennai classifed as being government lands. Thus, over 1000 slums that were notified under the Slum Act (1970), were to be covered under the projects (MUDP 1 and MUDP 2).

Table 3.4: Ownership of lands Occupied by Slums in 1971

S.No	Ownership of land	% of Slum families
1	Government (State)	35.69
2	Private	31.96
3	TNHB/TNSCB	13.09
4	Temple	9.01
5	Corporation	8.11
6	Port Trust	0.03
7	Others	2.12
	Total	100.00

Source: Second Master Plan for Chennai Metropolitan Area prepared by CMDA,2008.

This was also the phase when many grass root organizations and NGOs began to vociferously advocate for housing rights, tenure security, and against forced evictions. While the TNSCB continued to supply tenements for those in the EWS category in some areas, the dominant mode of addressing housing shortage became one of assisted self-improvement. The government provided the slum dwellers with No Objection Certificates. World Bank financial support was used to provide long term, low interest loans to slum dwellers for re-roofing and toilet construction. CMDA also took up green field 'sites and services' schemes in peripheral areas of the city to boost housing stock as well as expand urbanization horizontally. The municipal administration and parastatals were also tasked to provide basic services to these households. Together with the TNHB and TNSCB tenements, this period saw a significant increase in affordable housing. At the end of the first two phases (MUDP I and II) TNHB had provided over 18, 000 units under sites and services, while the TNSCB had covered more than 60,000 slum dwellers compared to the target of 50, 000[11].

Pugh (1990), in analyzing World Bank's intervention in Chennai, argues that while the project was successful in reaching low income groups and contributed to building capacity within the local body, it could not alter significantly the speculative

[11] World Bank (1993); 'Project Completion Report, Madras Urban Development Project'.

growth in land values or housing finance. Raman (2011) holding an entirely different perspective, views the World Bank as having ushered a different paradigm of housing provision within TNSCB. She maintains that World Bank did succeed in a) shifting the focus from tenement construction to in-situ upgradation and b) divest the board from political influence. However, she also maintains that with the Bank vacating its role, the TNSCB has reverted to its construction mode and has pushed towards peripheral resettlement through mass tenement construction.

While the results of the projects on service delivery and tenure security was mixed, MUDP 1 and 2 created a institutional framework that was able to effectively engage in consultative planning with slum dwellers and provide solutions for in-situ improvement of slums. The Madras Metropolitan Development Authority (MMDA) (now CMDA) set up to implement this scheme and the Community Development Wing (CDW) within the Chennai Metropolitan Development Authority (CMDA) went a long way in addressing slum dweller issues from the grass roots[12]. Eventually the CDW was moved to the TNSCB where it continued to play a liason role between the engineering wings in TNSCB and the slum dwellers. It was also tasked with providing vocational training and other community based support systems to the slum dwellers. The MUDP era also brought together the different parastatals in solving issues of housing shortages. Thus the World Bank era was one of institutional capacity building for TNSCB as well as other parastatal agencies.

The turn of the 1990s, quickly shifted the focus from in-situ improvement of slums to peripheral resettlement of inner city slums. The reasons for this shift can be attributed to a number of complimentary developments in city improvement. Mass Rapid Transit System (MRTS) planned since the early 1970s, moved into the implementation stage requiring large tracts of land along the Buckingham Canal. This meant large-scale eviction of slum dwellers along the canal banks. Even prior to this massive infrastructure project, peripheral resettlement of slums evicted from water bodies had been initiated with tenements being constructed in the northern parts of Chennai in 1987-88 (in Kodungaiyur). The process accelerated with large concentrated settlements being constructed in the southern suburbs of Chennai like MylaiBalajee Nagar in Velachery (1996), Kannagi Nagar in Thoraipakkam (1999) and as part of Tsunami Rehabilitation Programme, in Chemenchery (2004-05).

Apart from these, large-scale evictions were also initiated against encroachments on lakes, ponds and other water bodies. This was the result of a High Court order to the Public Works Department (PWD)[13] as well as legislation to protect water bodies (both in 2007). These slums were provided 1 cent of undeveloped revenue land, far away from the city. Thus the late 1990s marked a decisive shift in

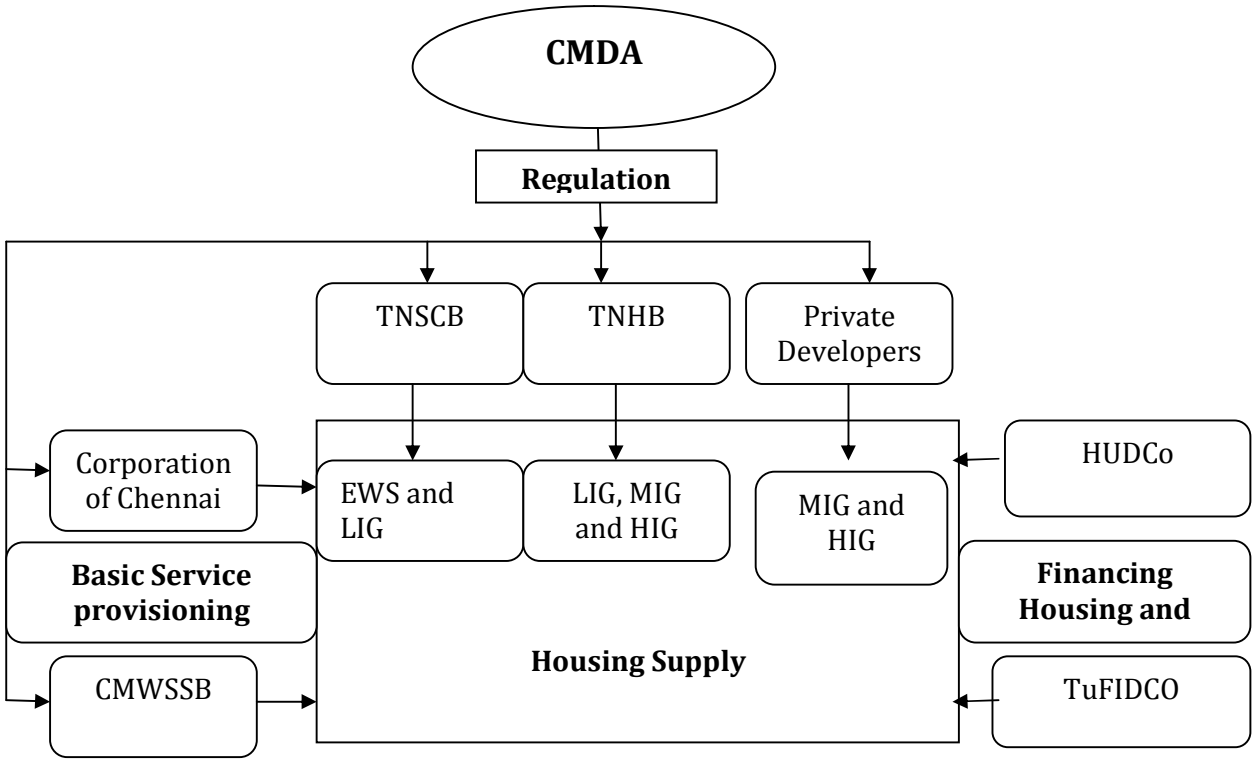
[12] Interview with a former CDW official in TNSCB.
[13] Stranded in the ruin: Eviction without Relocation: Fact finding report. From: http://www.sipcotcuddalore.com/downloads/Ambattur_factfinding.pdf

the dominant policy of the government toward housing for the urban poor in Chennai. This can be attributed to the neo-liberal reforms that have phenomenally increased the value of urban land while also nudging the state to take up beautification drives to make the city appealing to foreign investments. Even though theJNNURM's policy thrust and guidelines did advocate insitu improvement, the bulk of the funding under BSUP was channelled towards the policy of mass resettlement. This will be discussed in detail in the following chapters. While the JNNURM has, in this context, helped increase the housing stock by many thousands, most of it remains vacant awaiting those affected by planned eviction drives from inner city slums. This policy is evident in the report filed by independent consultants for the Cooum River Eco-Restoration Project, where in spite of the consultants identifying slums that can be improved or redeveloped insitu, the TNSCB has insisted the relocation option to utilize the tenements constructed under theJNNURM. In order to better understand the planning and implementation ofJNNURM – BSUP schemes in Chennai, it is imperative to understand the institutional framework and legal paradigm under which the city was evolving its housing policy.

3.1 Regulating Slums and Low Cost Housing supply in Chennai:

An urbanizing city like Chennai is constantly in shortage of viable housing stock. While private developers of large scale, multi storied tenements, are becoming the dominant agents for creating the necessary dwelling units for middle income and higher income groups, they are unable to fit their projects to cater to low income and economically weaker sections. Despite state policies of providing higher FSI for 'affordable housing schemes', the cost of land in the city makes it unaffordable for the poor to afford these houses. Thus the formal housing for LIG and EWS has remained the monopoly of state agencies while a significant demand is met by slum housing through sub-divisions and densification of existing slums. Thus the low cost housing sector is primarily affected by the efficiency of state agencies that regulate, plan and provide housing stock as well as the legal paradigm that impacts availability of land for EWS and tolerance (or the lack of it) for informal settlements. This section deals with these two elements.

Fig 3.1 Institutions and their Roles in Housing in Chennai



As discussed in the previous section, the provision of housing, especially for the economically weaker sections, had been a trying task for the administration. While the colonial government allowed for the growth of slums in the periphery and allowed the degeneration of inner city areas (especially working class dominated regions of north madras) to slum like conditions, they also had to deal with the public health consequences of this urban degeneration. The Town planning Act enacted in 1920 was the first institutional attempt to regulate urbanization. As the character of the municipal council transformed over time from one dominated by colonial and commercial interests to one that began to address the issues of native denizens in the late part of 1930s, the approach also began to shift from eviction and clearance of slums to one of engagement and improvement. This was evident in the formation of City Improvement Trusts (CIT) in 1945-46 and its schemes for improving housing conditions in the city and providing single room, fire proof, low cost housing for slum dwellers. Through the 1950s, CIT remained the primary institutional tool to address this issue.

In 1961, the state government enacted the Tamil Nadu Housing Board Act, to establish the Housing Board (TNHB) by absorbing CIT that had hitherto functioned

as part of the Corporation of Madras. This, while expanding the scope of this institution and instilling it with greater powers, also shifted the onus of providing housing in Chennai, from a democratically controlled Corporation to a bureaucratically managed board under the purview of the state government. TNHB moved quickly to fill the gap in housing demand by accessing lands held by government, acquiring land in the peripheral areas and reclaiming land from certain water bodies. Even though they began adding thousands of dwelling units for all categories of income, they still could not match the demand for housing. However, the TNHB has remained an important institution that has been providing directly and indirectly, housing for the LIG, MIG and HIG categories (increasingly for the latter two).

Table 3.5 Dwelling units constructed by TNHB upto 1975

Income Category	Chennai	Total
EconomicallyWeaker Section	843	3958
Low Income Group	3947	6443
Middle Income Group	3842	4377
Government Rental housing	2113	7757
Spl Low Cost Housing	994	2494
Total	11, 739	25, 029

Source: MUDP Appraisal Report, World Bank 1977

By 1967, with the ushering in of DMK government with a promise to improve slums in Chennai, the institutional and legal structure was further layered with the enactment of the Tamil Nadu Slum (Improvement and Clearance) Act 1970 (referred to as slum act) and the establishment of Tamil Nadu Slum Clearance Board (TNSCB) in 1971. The slum act was the first legislative attempt in Tamil Nadu to guarantee slums minimum protection from evictions. It requires the state to declare the existing slums and improve it. Though it allows for eviction and resettlement of slums, it provides a procedure that would allow the slum dwellers to be heard in the process. While the state policy towards slums has shifted from in-situ improvement to one of eviction and resettlement, the Slum Act remains the one judicial tool for slum dwellers to thwart evictions and appeal against government policy of resettlement.

Based on this act, the TNSCB was constituted by bifurcating the TNHB and entrusting the role of providing housing for EWS and LIG on to the slum board. As previously mentioned, even at this stage the emphasis remained on providing tenements by clearing and redeveloping slums in situ. The TNSCB conducted the first ever socio-economic survey of slums in 1971-72 and came up with a formal list of 1200 slums that have since been notified. Most of these slums have been improved under MUDP schemes or redeveloped as tenements under various schemes since 1971. It introduced the classification of objectionable and unobjectionable slums as a way to segregate slums that can be improved and those that will have to be evicted. However, this classification is redundant as the board has not notified any slums since 1984

making them technically ineligible for improvements. In spite of this, many non-notified slums, some even in objectionable areas, have been able to gain basic services through the corporation of Chennai and CMWSSB (Metrowater). Since the late 1980s and increasingly in the 1990s, the TNSCB began a series of large-scale tenement construction projects in the outer limits of the city. Today, it has become the principal agent for relocation and rehabilitation of project affected slum dwellers or those evicted under various environmental and beautification drives. They are also the nodal agency for the implementation of JNNURM, Rajiv Awas Yojana (RAY), and the current 'housing for all' schemes of the central government. To date they have constructed over 60, 000 tenements apart for various other interventions in Chennai's slums[14].

However, the TNSCB has significantly fallen behind in another key aspect of housing provision. The Tamil Nadu Slum Clearance Act of 1971 was clear in outlining the procedure through which the government was supposed to intervene in slums. This was namely to identify, declare, and improve them through tenement construction or the undertaking of environmental projects within these identified slum communities. Yet, TNSCB has not declared any slums for the past 30 years. The majority of recognized slums (1202) were declared in 1971, with a further 17 added in 1985[15].No slums have been declared in the city since then. There is a lack of reliable statistics on undeclared slums in the city. However, information from a 2002 study by the TNSCB showed that there were 444 unrecognized slums within the Chennai Metropolitan Area. These slums were assessed to have half a million residents and an average of 620 people relying on a single public water facility, far higher than the norm of 75 people per water facility [16]. These non-notified slums also face greater insecurity as they can be evicted with less procedural requirements. Non-declaration has also had a severe impact during the implementation of JNNURM as the agencies did not include them under BSUP schemes.

In 1971, the government also enacted the Town and Country Planning Act, replacing the Madras Town planning Act of 1920. This continues to be the principal legislative tool that regulates urban development in Tamil Nadu. Prior to this legislation, the MMDA had been established as a department under the corporation of Madras to develop and implement a master plan for the city and its agglomeration. In 1975, the MMDA was separated from the corporation and given statutory authority. Here again the powers of the local government, accountable to the people, was curbed and the powers vested within a bureaucratic authority answerable only to a higher tier

[14]Tamil Nadu Slum Clearance Board; Right to Information Act - Information Handbook of Tamil Nadu Slum Clearance Board.

[15]Transparent Chennai (2012); 'Summary analysis of slum policies in Chennai and their implementation'. From: http://www.transparentchennai.com/wp-content/uploads/downloads/2013/10/Analysis%20Final%20ENGLISH.pdf

[16] Nithya V. Raman and Priti Narayan (2013); "India's Invisible Population," http://www.thehindu.com/todays-paper/tp-opinion/indias-invisible-population/article5249797.ece.

of government. Subsequently, local body elections were suspended and it too became a bureaucratic apparatus until the passage of 74th Constitutional Amendment Act and elections in 1996.

The CMDA(formerly MMDA) remains the principal institution for regulating urban land use, in Chennai and its metropolitan area. CMDA had been appointed the nodal agency for the implementation of MUDP I in 1977. It had evolved a Community Development Wing (CDW), that worked with residents of notified slums in implementing the project. Slum dwellers interviewed recounted these interactions with a sense of satisfaction more than 25 years since the project was implemented. The CDW brought together, planners, community workers, engineers and residents in a informal consultative process. Many within the CDW and residents who benefitted from the programme attribute this to the success of the MUDP schemes. The CDW was eventually moved to the TNSCB in 1984, with the TNSCB taking the primary role in implementing slum improvement programmes under MUDP II.

The CMDAdrafted its second Master Plan for Chennai in 2006 and it came into effect in 2008. This document has become the basis for the City Development Plan (CDP) developed for JNNURM. The second Master Plan went through a series of public consultations, which a CMDA official stated as the most extensive and through consultation. 'Its not our document, it's a people's document. We conducted over 20 consultations with people and it was a pro-active approach. We reviewed the document with all their inputs. We were appreciated for this effort at the national level', she said. In this master plan, there is a regulatory requirement for setting apart 10% of land for EWS housing in all real estate developments over 1 hectare. This provision has been very poorly implemented with the official at CMDA maintaining that it is very difficult to implement this as real estate developers would not want to part with their lands or to depreciate value by accommodating EWS housing in their projects. However, this provision has been cited as being compliant with a reform requirement under JNNURM. Thus, while the CMDA has the authority and regulatory mechanisms to regulate land use to increase housing for EWS on paper, it has been largely ineffective in playing this role.

As part of the attempt to unlock land and redistribute land to the poorest sections, the Urban Land Ceiling Regulation Act (ULCRA) was enacted in 1976 by the central government. While Tamil Nadu did not ratify this act, it enacted its version of the act in 1978. Under this act, vacant land held by individuals, over and above a prescribed limit, was to be acquired by the state after paying compensation[17]. This then was to be redistributed or utilized by the government to improve housing conditions for the poor. However, the numerous lacunaes in the bill, the numerous exemptions granted to land owners, fraudulent evasion of the act through benami transactions, land sub divisions,

[17] Refer to Tamilnadu Urban Land (Ceiling and Regulation) Act 1978 chapter 3 section 5 and section 12.

and lackluster implementation led to the dismal failure of this act. While only 9% of the estimated excess lands were acquired across India, TN's performance was similarly rather poor. In Chennai, RTI records have revealed that about 11 hectares had been acquired under the act[18]. But this too has not be redistributed or utilized for tenements for EWS, but mostly given away to state agencies for constructing their infrastructure. The act was eventually repealed in TN in 1999 as it was found to curb investment in land by private developers and not to have served its purpose efficiently. Yet the land acquired under this act has remained a point of contention between slum dwellers and the state. While slum dwellers demand that the land be used for housing the urban poor, the state has refused to use this land for the provision of housing, maintaining that this land was subdivided into very small parcels and therefore unable for housing projects. Most of these plots of land are also the subject of numerous litigation cases between the state and the erstwhile owners of these land parcels.

In the famous Olga Tellis case (1985) [19] case the Supreme Court was to set a precedent by expanding the scope of Article 21 of the Constitution of India. It maintained that the right of residence was very much tied to the right to life and liberty. It went on to also assert that as residence was very much central to livelihood and dignity, no one could be arbitrarily divested of it. Interestingly, it also said that if a person, so deprived was to be provided an alternative, evictions would not attract constitutional censure. Similarly, in 1985, in a case filed against Govt. of Tamilnadu and ors. by K. Chandru[20] (then an advocate at high court of Madras, and subsequently, a judge of the High Court of Madras), seeking a stay on eviction of slum dwellers, the court observed that the government had a right to evict slum dwellers if they follow the procedures set out by their acts and if they are providing alternate accommodation to the evicted slum dwellers. The only remedy provided to the slum dwellers was that the evictions would not happen during the monsoon. Thus the judgements while affirming the right to housing as being part of the fundamental rights of citizenship, also paved the way for a well defined procedure to evict slums to the peripheries of the cities. This would soon become the norm rather than exception.

Apart from these institutions and legislations, the Corporation of Chennai, and the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) also play a vital role of basic service delivery in slums as well as tenements constructed by the TNSCB. While the TNSCB had earlier been incharge of providing water and sanitation facilities and maintaining them, it gave up this role in 2000, and sought the corporation of Chennai and CMWSSB to extend their operations to slums. However, this has remained a point of contention between these service delivery agencies and the TNSCB. Quite often it manifests as a dispute over jurisdiction and boundary.

[18]Transparent Chennai (2012); 'Summary analysis of slum policies in Chennai and its implementation'.
[19]Olga Tellis and ORs Vs. Bombay Municipal corporation (1985). From:http://indiankanoon.org/doc/709776/
[20] K Chandru Vs State of Tamilnadu and Ors (1985). Document available from author.

While the CMWSSB and the Corporation claim that their role only starts outside the boundary of the settlement, the TNSCB insists that they are responsible for waste management even within the sites. The other issue is one of access and human resource capacity. The corporation and Metrowater complain that they neither have the manpower nor the necessary equipment to provide and maintain water and sewerage facilities within slums. However, since, there has been an understanding that these agencies will be responsible for the provision and maintaining of roads, lighting, solid waste management, water supply, and sanitation.

In 2007, a Madras High Court verdict ordered the clearance of all encroachments on water bodies' inorder to reclaim and conserve the tanks and lakes around Chennai. That same year, the state government also enacted a law to protect tanks and other water bodies.(Coelho and Raman, 2010) Together, they have been used to evict large number of slum dwellers from lakes and tanks and resettle them well outside Chennai city limits. This has been documented in a fact-finding report conducted after an eviction drive against encroachments on Ambattur lake.

While the courts have often ruled against evictions during the school term or without proper notice to slum dwellers, they have come to accept the policy of peripheral resettlement. Some slum dwellers challenged evictions citing the abysmal conditions in resettlement colonies and the lack of social infrastructure such as work, education and health care facilities. Initially the courts did demand improvements to these sites and even stayed evictions, but increasingly the courts have begun to assert that the quality of these resettlement sites aresufficiently good enough. As recently as 2015, the madras high court declared that Kannagi Nagar, a major resettlement site, was clean and adequately supported with infrastructure and it was the responsibility of the residents to maintain these sites[21].

It is in this context that increasing number of slums have come under the threat of evictions, with thousands of self improved housing being destroyed to allow for infrastructure and beautification projects. In order to fulfill the demand for providing alternative accommodation, TNSCB has gone on a construction spree, creating more than 30, 000 dwelling units in just two sites. These have been funded using JNNURM and even special component plans and SC sub plans. While such funding has been contested by activist groups and slum dwellers, The TNSCB has pushed ahead with this policy. Presently over 20, 000 housing units are awaiting slum dwellers who are to be evicted from river and canal margins as part of city wide eco restoration drive.

[21] A. Narayana Vs Government of Tamilnadu and Ors (2014). Document available from author.

4. The JNNURM in Chennai – A Broad Overview

Chennai, with a population of 4, 646,732 in 2011[22], was designated as a mega city, eligible to receive funds under the auspices of the JNNURM[23]. Its boundaries expanded further in October 2011 to include 42 urban local bodies adjoining Chennai, bringing its total population to 8,917,749 and its area to 426 SqKms. Its classification as a mega city opened up a large pool of funds that would otherwise have been unavailable in light of the JNNURM's documented 'big city bias'(Kundu and Samanta, 2011), where mega cities received a disproportionately large amount of funding under the program. For instance, out of the total allocation of UIG funds for Tamilnadu, Chennai received 70%. Similarly, Chennai's share of BSUP funds in Tamil Nadu was over 60%[24].

The JNNURM made available a total of Rs. 50,000 Crore as investment support in the 65 cities where the mission was to be implemented. The state was to provide half of the costs for funding projects under the program, with the state and city governments to put in equal matching funds for the building of infrastructure. Chennai, managed to get Rs. 4973 Crore [25] approved for the building of infrastructure under the program, with a significant proportion of it to be spent on improving the conditions of living for the urban poor.For all approved projects the central government committed to provideupto50% of the share of costs with the Government of Tamil Nadu and the Urban Local Bodies committing the rest[26].

The programs for which these funds were to be distributed came under either the Urban Infrastructure and Governance (UIG) or the Basic Services to the Urban Poor (BSUP) components. The UIG component aimed to provide cities with much needed infrastructure such as roads, flyovers, water and sewerage networks, and storm water drains. The BSUP on the other hand was focused on providing housing security and access to other basic services to the urban poor. Projects under the UIG took up the bulk of the funds with 52 projects approved at a total cost of Rs. 3935.80 Crores and the central government providing 35.3% of the total project costs. The BSUP in contrast, had a total of 24 projects approved at a total cost of Rs.1388.27Crores and the central government providing 43.2% of the total project

[22] Census Organization of India, 'Population Census 2011'.From: http://www.census2011.co.in/census/district/21-chennai.html.

[23]Government of India (2011). 'Jnnurm – Overview'. From: http://jnnurm.nic.in/wp-content/uploads/2011/01/PMSpeechOverviewE.pdf

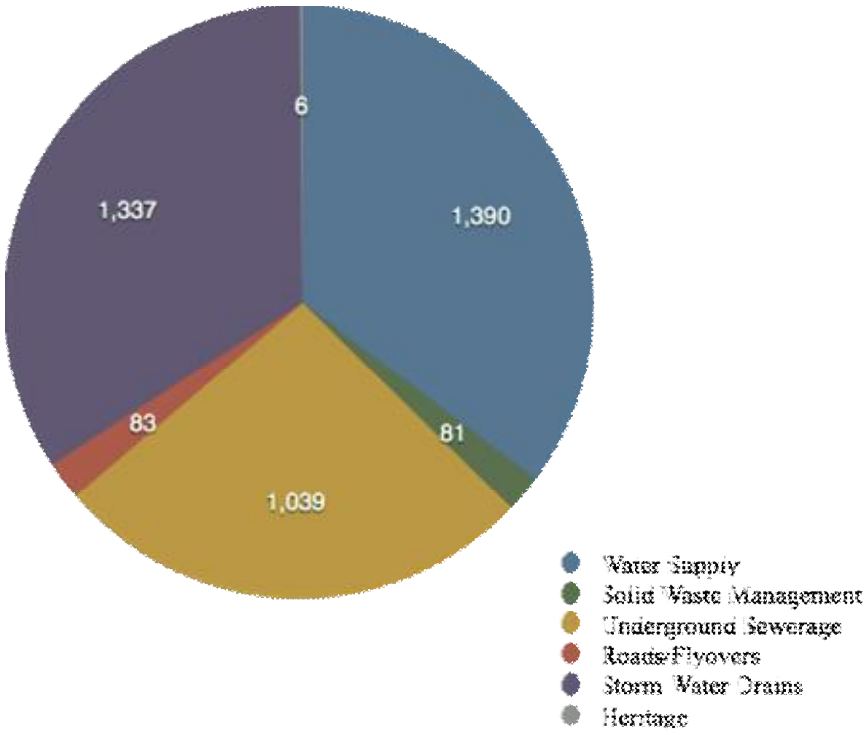
[24] Own calculation from BSUP project status report.

[25]Transparent Chennai (2013); 'FAQ on the JNNURM and RAY: Why might this Impact your Lives?'. From: http://www.transparentchennai.com/wp-content/uploads/downloads/2013/10/FAQ%20on%20the%20JNNURM%20and%20RAY%20English.pdf

[26]Tamil Nadu Urban Finance and Infrastructure Development Corporation. 'JNNURM-UIG'. From: http://www.tufidco.in/jnn.aspx

costs[27]. The implementationof the entire JNNURM project, while slated to end in March 2012, was further extended for two years up to 2013 and 2014[28], again until 31st March 2015 for projects sanctioned up to March 2012, and most recently until March 2017 for projects[29].

Figure 4. 1: Approved amount for UIG Sectors (In Crores)



35 of the 52 approved UIG projects had been implemented, with 16under implementation as of 2012. Improving the water, sanitation, and drainage sector featured strongly in Chennai's implementation of the UIG. 25 projects in the water sector had been allocated the most funds under the UIG, closely followed by four projects in the storm water drains sectors. The implementation of these infrastructural projects, have however, not been without problems. 10 of the implemented projects have exceeded their approved project costs or have not been completed on time. As of

[27] One project under the BSUP was cancelled, making Chennai's outlay on the BSUP 1380.27 instead.
[28] Phone interview with government official, TUFIDCO, 20th March 2014.
[29]Press Information Bureau, Government of India (2015); Cabinet Committee on Economic Affairs; 'Extension of time by two Years up to 31.03.2017 for completion of projects sanctioned till March 2012 under the sub-mission on Basic Service to the Urban Poor and Integrated Housing and Slum Development Programme components of Jawaharlal Nehru National Urban Renewal Mission'. From: http://pib.nic.in/newsite/PrintRelease.aspx?relid=119916

the latest data provided in August 2014, 19 of the 35 projects earmarked for completion during the first phase of the mission were slated to be completed by June2014[30] .While the mission itself was slated to end in 2012, a transition period was implemented to allow already approved projects to complete, with an end-date slated for March 2015. However, the 17 projects approved during the transition phase in Chennai were slated for completion between 2015 and 2016, much later than the stipulated term of completion. The project completion period was then again extended again until March 2017 for projects that had been approved up to March 2012 [31].

Approximately half of the 52 projects approved under the UIG are focused on improving water supply at a total cost of Rs. 1390 Crores. This amounts to approximately 35% of the total budget allocated for the JNNURM in Chennai. The BSUP, in contrast to the UIG, had a total of 24 projects approved at a total cost of 1388.27 Crores, with the central government committing to providing 43.2% of the total cost of these projects, implemented under the supervision of the Corporation of Chennai and the Tamil Nadu Slum Clearance Board. All but two of the 23 BSUP projects eventually implemented in Chennai were focused on providing housing and its associated services and infrastructures to the urban poor.

The implementation of the BSUP has also been problematic, especially with regards to the provision of housing. While the crux of the BSUP's mandate was to focus on providing shelter, basic services, and other related civic amenities to the urban poor, in-situ housing upgrading schemes and extension of public services have only taken place in declared slums. By not implementing BSUP schemes in non-notified slums, the program denies assistance to the most vulnerable segments of the urban poor who do not have access to very basic urban services. Even this assistance provided to slum dwellers in declared slums in eclipsed by the investment made in large resettlement colonies at the peripheries of Chennai city.

While a mere 1370 houses have benefitted from the grant in aid for in-situ upgradation of housing, the bulk of BSUP funding (77%)has been used by the TNSCB for the construction of large-scale resettlement colonies. For instance, the construction of 23,000 tenements in Perumbakkam, completed in March 2014 has been rife with problems from the outset. No social impact assessments were conducted for a housing project likely to evacuate thousands of poor families from the city, divorcing them from their social and economic support systems. Neither have public consultations been held with slum residents likely to be evacuated to these resettlement colonies. Furthermore, the state's share for the project was provided

[30]Government of India (2014); 'Project Implementation Status under UIG: Tamil Nadu'. From: http://jnnurm.nic.in/wp-content/uploads/2014/08/TN.pdf
[31]OneIndia. 'JNNURM Projects Get 2-Yr Extension, 3 Lakh Urban Poor to Get Pucca Houses'. From: http://www.oneindia.com/india/jnnurm-projects-get-2-yr-extension-3-lakh-urban-poor-get-pucca-houses-1731824.html

through funds for the Special Component Plan, allotted for the development of Scheduled Caste (SC) and Scheduled Tribes (ST) groups that have historically suffered from enormous disadvantages and development deficit as compared to the rest of the population'. As such, the logic of resettling slum dwellers, the majority of them hailing from these communities in tenements at the outskirts of the city and divorcing them from the social and economic nexus that form their existence, is questionable.

Yet, despite the problems cited with the implementation of the JNNURM in Chennai, Tamil Nadu is still regarded as one of the best performing states in terms of the implementation of the JNNURM[32]. Part of this is attributable to the fact that the necessary institutional bodies, frameworks, and reforms had already been taking place in Tamil Nadu in general, and Chennai in particular, even prior to the onset of JNNURM implementation. These institutional configurations are discussed in the sub-section below while reforms are discussed in the penultimate section of this report.

4.1 Institutional configurations for the implementation of the JNNURM in Chennai

The bodies and departments responsible for the implementation of the JNNURM have largely existed prior to the onset of the project. They have also played significant roles in the implementation of prior urban infrastructural developmental schemes such as the Madras Urban Development Project (MUDP) and the Tamil Nadu Urban Development Project (TNUDP), the third edition of which culminated in 2004, a year before the onset of the JNNURM. They do not, however, operate in isolation in the context of the implementation of the JNNURM. Instead, the JNNURM has created an institutional structure within which these bodies operate.

The relevant institutions in Chennai are accountable to two State-Level Nodal Agencies (SLNAs) appointed by the state government to govern the implementation of JNNURM projects in the state. The Tamil Nadu urban Finance and Infrastructure Development Corporation (TUFIDCO) is the SLNA in charge of the UIG component of the JNNURM in Chennai and the Directorate of Municipal Administration (DMA) is the SLNA responsible for overseeing the implementation of BSUP projects in Chennai.

TUFIDCO'S main role is to route funds from the central and state government to Urban Local Bodies (ULBs). Detailed Project Reports for the UIG projects are prepared and presented before the State-Level Sanctioning Committee (SLSC). The

[32]Municipal Administration and Water Supply Department (undated), Demand No. 33, Policy Note - 2005 - 2006, Tamil Nadu Urban Development Fund (TNUDF). From: http://www.tn.gov.in/policynotes/municipal_administration-8to9.htm

SLSC, while supposed to meet twice a year, typically only meets once on an annual basis when there has been an accumulation of DPRS ready for approval. Meetings are convened by TUFIDCO and chaired by the Minister of Local Administration. The SLSC consists of all relvant department heads, such a the Secretary of MAWS, Director of Municipal Administration, MD of Metrowater, Commissioner of Chennai Corporation, and heads of other parastatal bodies such as the TNSCB, TNHB, and the CMDA, amongst others. TUFIDCO oversees and coordinates all measures needed to obtain sanctions for projects and for the securing and channeling of funds to the ULBs. It also manages the loan component for projects, maintains the revolving fund derived from this loan component, and distributes this among the ULBs[33].

The DPRs are prepared by various agencies according to the sector in which these projects fall under. ULBs themselves prepare the DPR for projects involving solid waste management and the construction of roads and storm water drains. This is because these are activities that municipalities have traditionally managed themselves. The CMWSSB, colloquially known as Metrowater, prepares the DPRs for water and sanitation related schemes for Chennai and its metropolitan area.

The various DPRS are then routed via the DMA to TUFIDCO, which conducts a preliminary appraisal based on the JNNURM guidelines. The DPR, along with its appraisal report is given to the SLSC for review. While projects under the UIDSSMT are sanctioned directly by the SLSC after a technical review, JNNURM projects are forwarded to the GOI's Central Sanctioning and Monitoring Committee (CSMC). Technical appraisal of projects under the UIG component of the JNNURM, along with the UIDSSMT, is done by the Central Public Health Engineering Organization (CPHEE). In some instances, TUFIDCO forms its own in-house appraisal committee, comprising sectoral experts, to prepare a preliminary report to place before the SLSC.

Projects approved under this process are then monitored closely. Along with the in-house monitoring conducted by TUFIDCO, a third party Independent Review and Monitoring Agency (IRMA) has been set up as recommended by the GOI for the UIG and the UIDSSMT. M/S Mahendra Consulting Engineers, Ltd. was awarded the contract for the IRMA from a list of agencies compiled by the GOI. A project Management Unit within the TUFIDCO with six functional specialists was also set up comprising of six functional specialists approved by the GOI for the UIG.

The DMA functioning under the Department of Municipal Administration and Water Supply (MAWS), Government of Tamil Nadu is the SLNA responsible for

[33] M Vijaybaskar et al. (2011); Status Report on Urban Reforms in Tamil Nadu. (Mumbai: Tata Institue of Social Sciences).

overseeing the implementation of projects under the BSUP and Integrated Housing and Slum Development Project Schemes (IHSDP).

The DMA has set up a Project Management Unit (PMU) in the TNSCB and in each of the three cities, Chennai, Madurai, and Coimbatore, earmarked for development under the project, the first two of which are relevant to the analysis of Chennai's experience under the JNNURM. Each PIU comprises of five members, each with expertise in technical, financial, information systems, social work, as well as research and training matters. The PIUs were set up via an open tender process, with the aim that they would provide technical support to develop plans and reports, improve current accounting practices and the implementation of projects as well as to conduct surveys when needed.

DPRs developed by the ULBs in conjunction with the CMA are sent to HUDCO for technical and financial appraisal. These DPRs are then forwarded along with HUDCO's own comments and recommendations to the Central Sanctioning and Monitoring Committee (CSMC) under the GOI's Ministry of Housing and Urban Poverty (MHUPA).

CMDA too had an important role to play. They were drawn to prepare the City Development Plan, which was to provide a city level vision, within which the individual projects were to be implemented. This was a critical role and the following section deals with this important aspect of implementing JNNURM.

4.2 The City Development Plan and its Controversies

The preparation of these DPRs, their approval, and the eventual commencement of projects, however, was supposed to be contingent on the preparation of the City Development Plan (CDP). The CDP was intended to serve as an overall master plan integrating existing master plans and those from individual city agencies such as the water and electricity boards with extensive public participation. The preparation of the CDP was also a requirement for the disbursement of project funds under the JNNURM (Raman, 2013).

In particular, the CDP envisioned as athree-stage exercise comprising four components as per the guidelines for the preparation for CDPs provided by the Ministry of Urban Development (MoUD). The first stage is supposed to comprise of two components. The first component required an in-depth analysis of the existing situation in the city, with analyses of existing demographic, economic, financial infrastructure, physical, environmental and institutional aspects in order to identify strengths and weaknesses in the city's current developmental state. The second component involves the development of a perspective of the city that built on the first stage of the analysis in tandem with consultations with key stakeholders and members of civil society. This stage was meant to provide a shared vision of the city's desired

future development in the medium term. The third stage involves charting a strategy to bring the city to its desired state by evaluating possible strategies, translating the chosen strategy into programs and projects, and prioritizing projects through appropriate consultative processes that spell out the criteria for doing so. The final stage involves the preparation of a City Investment Plan (CIP) and an overall financing strategy for selected programs. A crucial component of this stage is the formulation of a plan considering alternative sources of financing the vision espoused in the CDP and the accompanying strategy and programmes designed to realize the vision[34].

Chennai's experience of formulating the CDP, however, veered significantly away from the process stipulated in the JNNURM guidelines. The first CDP it prepared in 2006 was sent back for further revisions due to its poor quality. A review of the first version by the Administrative Staff College of India (ASCI) revealed numerous problems. Some of the relevant shortcomings highlighted were: 1) a lack of proper demarcation of population characteristics and spatial measurements and boundaries, 2) an unclear framework provided for the institutional configurations and responsibilities for service delivery and infrastructural management between different departments, 3) insufficient information provided about occupational structure by sector in the city, 4) a lack of discussion about 'urban renewal' issues despite their being one of the prime objectives of the JNNURM, 5) several gaps in the presentation of the finances of the Chennai Corporation and its municipalities, 6) inadequate and often conflicting information provided about the state of the urban poor, the majority of whom were slum dwellers and the measures needed to better their condition under the BSUP, and lastly,7) a lack of details about the consultative process behind the creation of the CDP[35].

The lack of a proper consultative process was perhaps the most serious shortcoming in Chennai's preparation for the CDP. In fact, the review by the ASCI found that there had in fact, been no consultative process held for the first draft of the CDP, with Chennai arguing that there was no need to hold another consultative process, with inputs from a public discussion held a decade back under the auspices of the sustaining cites program sponsored by the UN-Habitat sufficient to count as adequate public participation.

This explanation used to justify the exclusion of public participation caused a public outcry. Slum residents protested against the summary plans to remove all slum

[34]Government of India (2012); 'Jawaharlal Urban Renewal Mission - Formulation of a City Development Plan' Ministry of Urban Employment and Poverty Alleviation; Ministry of Urban Development. From: http://jnnurmmis.nic.in/jnnurm_hupa/jnnurm/Toolkit-2-english.pdf

[35]Administrative Staff College of India (2006) 'Development Plan for Chennai Metropolitan Area under Jnnurm - an Appraisal Report'. From: http://jnnurm.nic.in/wp-content/uploads/2010/12/Chennai_october_2006.pdf

clusters from riverbanks and coastal areas. Further, retired bureaucrats, planners, environmental action groups, and resident welfare groups that had previously been involved in urban planning in Chennai were vocal in their opposition about the lack of a public consultative process in the CDP's formulation (Raman, 2013). The ASCI's review made it clear that the CDP needed to be reformulated significantly. Yet, with a shortage in time in mind, the central government inexplicably approved Chennai's CDP and began funding its projects while asking it to redraft the CDP. Thus, the DPRs, while supposed to be based on the workings of the CDP were drafted prior to or in tandem with the formulation of the final CDP that was supposed to address the inadequacies of the first version.

The Chennai Corporation received a grant from an international program called the Cities Development Initiative for Asia (CDIA) that was founded on money provided by the German government and the Asian Development Bank (ADB). While the Chennai Corporation received the grant for the hiring of consultants, the CDIA staff in Manila were the ones who actually hired the consultants. The CDIA selected GHK consultants, a firm specializing in governance, to re-write the CDP. Initially comprising no locals at all, the GHK team decided to add two retired bureaucrats to the team after meetings with some Chennai-based groups (Raman, 2013).

The GHK team was beset with problems from the very start. The private sentiment amongst the consultants was that the city government did not want any outside interference and continually refused to provide assistants to the consultants. Furthermore, a lack of time, with merely seven months to complete the revamped second version of the CDP and an overwhelming lack of resources left the consulting team stretched far beyond their capacities. The most serious shortcoming, however, was an attitude towards substantive citizen participation amongst the consultants, that saw these consultation exercises as providing inputs for expert planners to then use as they see fit – a position at odds with the spirit in which such consultative planning exercises under the JNNURM were supposed to be held. As Nithya Raman documents in her account of her efforts to organize a consultative exercise on the informal economy comprising the urban poor, the consultants were ever too eager to frame the agenda and limit the extent of participation from the public (Raman, 2013).

This lack of priority provided to the conduct of substantive and meaningful public consultation exercises speaks to the use of these consultation exercises as tools of governance. Such exercises are used to articulate and legitimize state visions of development rather than to engage in meaningful and substantive debate and discussions incorporating members from all segments of society. Indeed as Chennai's experiences from other public consultations for the drafting of previousmaster plans show, such public contestations used to articulate state imageries of development with public consultation limited to a restricted set of actors that do not comprise the urban poor and civil society groups that oppose the state's imagery of development (Ellis, 2012).

It is within such a climate that the consultations for the CDP occurred. The second round of CDP was passed despite numerous flaws again being found by another review undertaken by the ACSI. In particular, the report cited that "there is no discussion of the consultative process involving different stakeholders and civil society in Chennai and other local bodies, which form part of Chennai CDP area. This gives the impression that such a process did not precede preparation of the CDP. This is a serious flaw and need to be explained and corrected" [36].

With time in short supply, however, there were no amendments made to the second version of the CDP. The CDP itself is adjudged to have played little to no significant role in formulating the infrastructural projects undertaken in Chennai, with the central and state governments instead playing significant roles in deciding the type of projects to be undertaken. The central government in particular, played a significant role in formulating infrastructural projects in Chennai than was outlined in the JNNURM guidelines. Mission staff interacted directly with staff from state nodal agencies, ULBs and steering committees, influencing the number and type of projects undertaken in Chennai. As such the JNNURM experience in Chennai became a top-down rather than a bottom up project of empowered participatory governance.

[36] Administrative Staff College of India (2006); 'Development Plan for Chennai Metropolitan Area under JNNURM - an Appraisal Report'.

5. Housing in Chennai – The BSUP Experience

This section analyzes JNNURM's efficacy in the provision of housing and associated basic services to Chennai's urban poor under the auspices of the BSUP. 62% of the 24 approved projects under the scheme in Chennai took place within the expanded limits of the Chennai Corporation and constitute 94% of the total approved cost for BSUP projects in Chennai.

The Corporation of Chennai (COC) and the Tamil Nadu Slum Clearance Board (TNSCB) were the two bodies charged with implementing housing projects under the BSUP in Chennai. The former implemented projects pertaining to in situ building of slum houses and the provision of the basic services while the latter implemented large-scale relocation and tenement provision projects. Chennai's focus on resettlement as opposed to in-situ upgrading of slum clusters is apparent from the very outset, with the vast majority (78%) of funding under the BSUP going towards the building of large-scale resettlement colonies by the TNSCB on the outskirts of Chennai Corporation's limits.

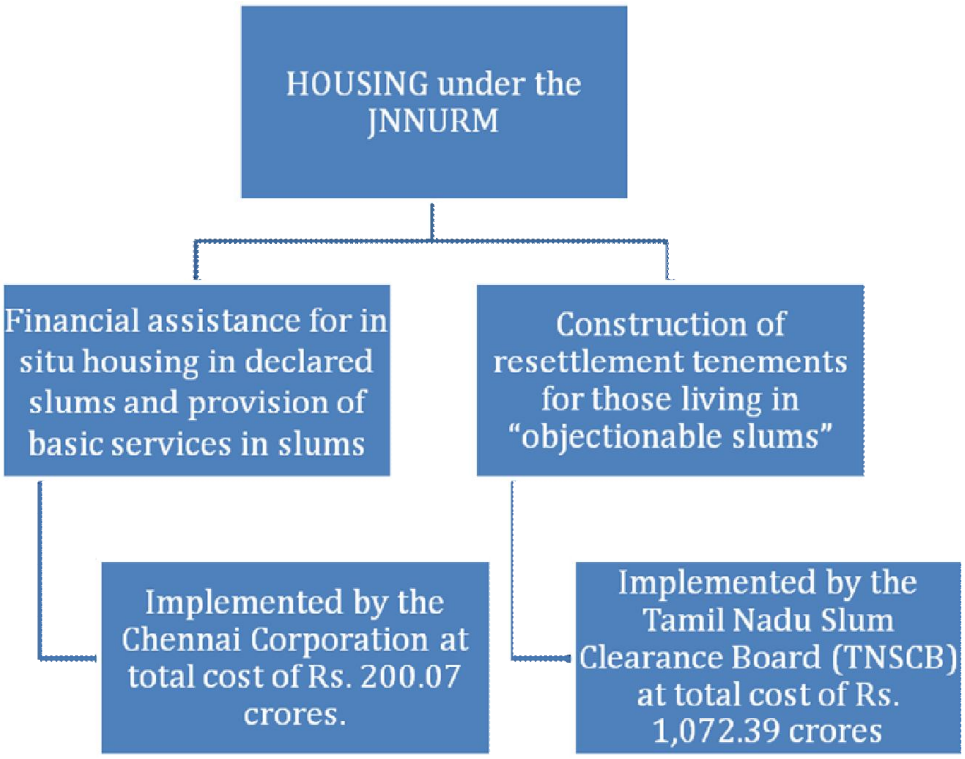
The rest of this funding has gone towards the provision of funding for the construction of in-situ housing and the building of associated infrastructure for the provision of basic services in slums, both of which were implemented by the Corporation of Chennai (COC). The table below provides the breakdown of costs for the proportion of funding allocated to various project categories under the BSUP.

Table 5.1: Breakdown of BSUP Funding for Project Type

Project type	Construction of Tenements	Provision for in-situ construction and basic services	Other housing and infrastructure projects
No. of Projects	3	2	18
Amount Spent (In Crores)	1072.39	200.07	107.81
Total (In Crores)	1380.27		

Source: Calculated based on figures available on the State wise report for latest progress at Project and City Level (as on 16th September 2015). From: http://JNNURMmis.nic.in/JNNURM_hupa/JNNURM/JNNURM_Ray_AHP_Progress_Report/City-wise_BSUP.pdf

Figure 5.1: Institutional framework for providing housing under JNNURM BSUP in Chennai



The provision of funding for the construction of in-situ housing and the construction of infrastructure for basic services in slum communities was also implemented by the COC in two phases. Phase 1 was implemented in October 2007 and aimed at providing financial assistance for the in-situ construction of 1370 houses in 44 slums and infrastructure facilities in 236 slums within the Chennai Corporation limits. Phase 2 was initiated in 2009 and intended to provide much needed infrastructure facilities for 186 slums within the limits of the Chennai Corporation.

The advent of the BSUP has seen a considerable spike in the number of houses constructed, with the total number of houses planned for construction numbering at 25, 234. This number was heavily skewed by the TNSCB's tenement construction efforts in Perumbakkam and Ezhil Nagar, with 23, 864 out of the total figure of 25, 234 houses being tenements. In contrast, the only 1370 houses were planned for construction in 44 Chennai slum clusters by the COC. The BSUP appears to have had a significant impact on the TNSCB's tenement construction efforts, comprising half of the 45, 473 tenements constructed between 2011 and 2015. The

majority of these tenements were also constructed in 2014 and 2015, when the Perumbakkam tenement construction was completed [37].

The significant impact of the BSUP on tenement construction in Chennai is more apparent when comparing the number of tenements built by the BSUP to the number of tenements built prior. Until 2009, the TNSCB had built a total of 62, 579 tenements in Chennai, with the projects in Ezhil Nagar and Perumbakkam yet to commence construction. The total number of tenements constructed in Chennai thus increased by a third under the BSUP.

This focus on tenement construction, however, is at odds with the spirit of the JNNURM. It goes against the JNNURM's explicit emphasis on in situ development and is devoid of the public consultation that is supposed to underscore the JNNURM. The oft-cited reason of a lack of space within the city for the construction of resettlement tenements is a tenuous argument that does not stand up to scrutiny. A previous conversation with a retired head of the Community Development Wing (CDW) of the TNSCB revealed that slum dwellers did not object to being relocated from their tenements deemed to be on objectionable locations. However, they were against being relocated to the outskirts of the city. She also said that there were pockets of land available within the city that had not been considered as building houses on such a small scale was not economical to pursue[38].

A separate fact-finding exercise by Transparent Chennai in 2002 through the filing of an RTI found that the government had 10.42 sq. km of unused land available under the Urban Land Ceiling Act. This availability of land in the city raises questions as to why the TNSCBis focused on resettling slum dwellers in tenements as opposed to improving existing slum sites or rehousing them in sites in the city near existing slum sites. This reluctance to move away from the resettlement model towards one of in situ tenement construction is linked to historical factors. The most influential of these is the World Bank's entry into the domain of urban sector funding in 1975 that has had a lasting effect on the manner in which the TNSCB approaches housing policy (Raman, 2011).

Other actors in the government have also come out to criticize the construction of tenements as a failed model of resettlement, with numerous problems documented at previous resettlement sites in Kannagi Nagar, and Semencherry. For instance, the Principal Secretary to the Government, Home Department, Government of Tamil Nadu (GoTN) had pointed out about such resettlement schemes "this kind of concentration of slum population in one place is not desirable and that future

[37] Housing and Urban Development Department, "Demand No. 26 - Housing and Urban Development, Policy Note – 2013-2014, Thiru. R. Vaithilingam, Minister, Housing and Urban Development. From: http://www.tn.gov.in/tcp/policynote.pdf

[38]Interview with retired CDW official from TNSCB.

programmes should ensure that they are more distributed and there is mixed development". He also said that smaller plots of land should be provided to the TNSCB for rehabilitation and Resettlement Schemes at various areas in the city. The Managing director of the TNSCB also acknowledged the problems with the current model of slum eviction and resettlement, saying "there is a need for service delivery otherwise it brings a bad name to the government as well as renders the entire process in-fructuous given that these people are the most disadvantaged sections who have been deprived of their livelihood and also have been moved out of their homes within the city." [39]. The lack of public participation for the project is also cause for worry, with no public consultation being conducted for the housing project, and occupants yet to be chosen even when the project was nearing completion[40].

The extent of the provision of in-situ construction of houses and the enhancement of basic services within slum clusters in the city pales when compared to the immense scale and cost of the construction of resettlement tenements by the TNSCB. The provision of in-situ housing and provision of basic services was carried out in two phases under the BSUP at a total approved cost of Rs. 127.43 Cr. and Rs 71.03 Cr. respectively. The vast majority of the funding for the two phases of the BSUP was financed from funds provided by Tamil Nadu's State government and central funds from the Government of India (GOI), with the Corporation of Chennai (CoC), the relevant Urban Local Body (ULB) contributing 5% of the share of expenses for both phases of the BSUP. A small portion of the funding for phase 1 (1%) was also sourced from beneficiaries of the housing program.

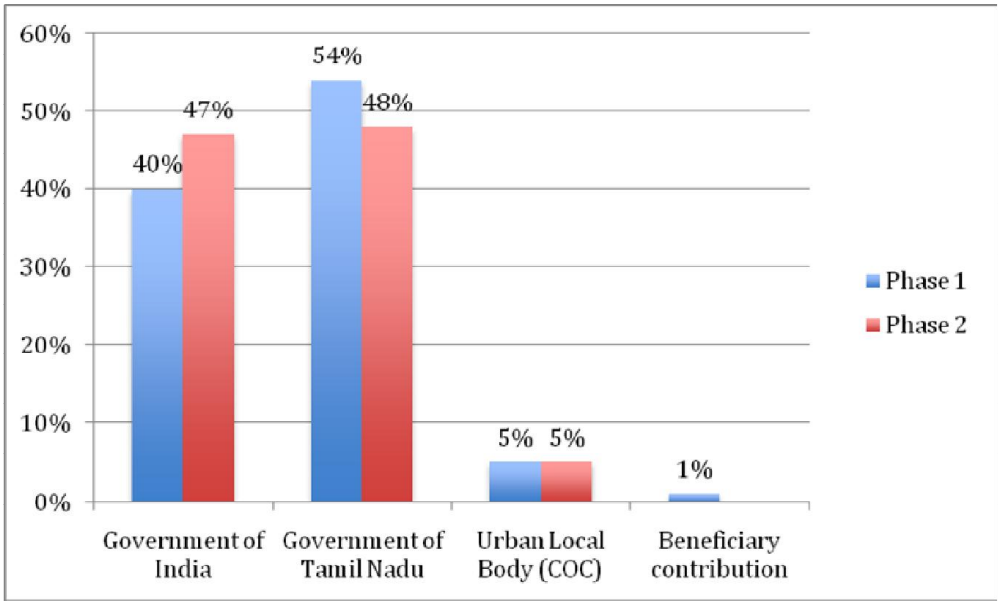
[39]Both quotes taken Minutes of the meeting held by the Chief Secretary to the Government in the Chief Secretary's Conference Hall, at 3:30 pm on 1.03.2010, regarding infrastructure facilities to be provided in OkkiyumThoraipakkam and Semmenchery – found in: Vanessa Peters and Priti Narayan , 'The Truth Behind Perumbakam - a Citizens' Report'. From: https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnx2YW5lc3NhcGV0ZXIxNnxneDo2YjA3ZGQ0M2U5MjY2OGIw.

[40]*Ibid*

Table 5.2 Description of projects under BSUP in Chennai

Project	Total Cost[1]	Infrastructure facilities[1]	Notification / declaration required?[1]
Construction of 1370 houses in 44 slums and provision of infrastructure facilities in 236 slums (Phase 1)	Rs. 127.43 Cr.	Rainwater harvesting, storm water drains, parks, community centres and playgrounds. *No water and sewerage components.*	Required for housing beneficiaries, but not for infrastructure facilities in the 236 slums
Provision of infrastructure facilities in 186 slums (Phase 2)	Rs. 71.03 Cr.	Roads, storm water drains, side drains, playground improvements, gymnasiums, nutrition centres. *No water and sewerage components.*	Not required. Scheme in both notified and non-notified slums

Figure 5.2: Funding share for in situ housing and service provision under BSUP



At the very outset, the limited reach of efforts to provide assistance for in-situ housing under the BSUP is apparent. While infrastructure for basic services in slum communities had no conditionalities attached, only inhabitants of 'notified' slums [41]were extended funding support for the in-situ construction of houses under Phase I of the BSUP. This requirement meant that the project had an extremely limited scope, with the vast majority of slum dwellers in the city living in non-notified slums.

[41] Notified slums are slums that have been recognized by the government as being slums. Possessing the 'notified' status means that slum residents in recognized slum communities have greater legal rights and enhanced access to state funds. However, in Chennai, the Corporation of Chennai has not granted any slum notified status since 1985.

In order to analyze the efficacy of each of the two projects undertaken by the COC we undertook a detailed analysis of three communities that had been earmarked for in-situ housing provision and the provision of basic services. These sites were chosen for two reasons. Firstly, they provide an intimate look at the potential positive and negative effects of the implementation of the projects in slum communities. Secondly, their geographical distribution in the north, south and central portions of Chennai were assessed to give a holistic understanding of how initiatives under the JNNURM unfolded across the city.

These sites are:

Financial assistance for in situ construction of houses in slums

1) Srinivasapuram, T. Nagar (Central Chennai)
2) Dr. Ambedkar Nagar, West Velachery (South Chennai)
3) Pullapuram, Kilpauk

Provision of basic services in slums

1) Child care centre at Pushpa Nagar, Nungambakkam (Central Chennai)
2) Public toilet, Taramani (South Chennai)
3) Public Toilet at PeriyaPalayathammanKoil Street, Basin Bridge (North Chennai)

Construction of New Tenements

1) Ezhil Nagar, Perumbakkam

Field visits were conducted in each of these communities to obtain first hand observations on the construction of in-situ houses and infrastructure for basic services. Interviews were held with residents in order to gather their opinions on how their lives had changed after the implementation of the projects. Interviews were also held with the three Junior Engineers (JEs) for each of the wards where slums received financial assistance for the construction of in-situ housing. These JEs were the ones responsible for the selection of slums deemed eligible to receive funding under phase 1 of the implementation of the BSUP. Last but not least, we also examined the tenements built by the TNSCB in Perumbakkam in order to decipher the quality of the tenements constructed and the concerns of residents who had been shifted to these tenements.

a. In situ housing construction

Our visits to the slums in Srinivasapuram, Dr. Ambedkar Nagar, and Pullapuram revealed that the construction of in-situ housing under Phase 1 of the scheme had a marginally positive effect on the lives of residents in these slum communities. The JE for each of the wards was responsible for determining which of the households was eligible for the scheme according to a set of conditions. Of these, the JEs interviewed highlighted the need for a sale deed, allotment card, ration card

and voters ID, and the conditions that the annual household income should not exceed Rs 24, 000 and that the area occupied by the house should lie between 300-350 square feet as the most important factors.

All of the residents interviewed said that their living environment had significantly improved and highlighted that much of this improvement came from the conversion of eligible houses from kuccha to pucca housing. The majority of our respondents also indicated that their living conditions were much better than prior to the implementation of the project, often citing the reason that rainwater no longer entered their houses during rainfall as it did before.

The majority of residents also felt that their personal living spaces had improved markedly with there being adequate space for the family after construction of the houses. All the residents we spoke to indicated that they did not have to pay any fees to qualify for the schemes and that they had come to know about the scheme through officials such as the local councilor, JE, or through corporation employees who paid house visits to let residents know about the scheme. They also expressed satisfaction with access to officials at the ward and zonal level if and when they needed to file complaints.

Yet, the implementation of the project was not without shortcomings. Several residents expressed dissatisfaction with the lack of consultation over the construction of infrastructure within the slum communities. They also voiced their concerns over the fact that there had been no visits to gather feedback mounted by government officials after the culmination of the project. Most significantly, several residents reported having run into financial difficulties due to having to borrow money for the constructions of the houses. For instance, Kuppu, a resident of Ambedkar Nagar, lamented that she had spent almost 40,000 Rs. on her house and was still paying Rs. 700 to 800 monthly to repay the loan she had undertaken to build her house.

Such problems arose due to the delayed nature and inefficient administration of the payments from the scheme. According to the JEs, each household selected as beneficiaries of the project was entitled to Rs. 117, 000 paid out in four equal installments. These installments took place after the construction of the basement, lintel, roof and house respectively. Ravi Kumar, the nephew of one of the beneficiaries in Kilpauk said that his uncle had lost his house after constructing the foundation and the pillar-stone for the house, having been unable to find people who would loan him the required money to do so. Having had to demolish his house to make way for the construction of the new house, his uncle was now effectively homeless without a roof over his head.

Several others also highlighted how the delayed disbursement of funds completion of each of the four components had led them into financial difficulties. For instance, Nagaya and Narusamma, two residents of Kilpauk, have yet to receive

40,000 and 45,000 Rs. respectively from the scheme despite having constructed their houses. Both parties were initially told that the scheme was over when they approached the Corporation for the remaining money they were entitled to under the scheme. Narusamma was told on an eventual visit that she could collect the money after submitting the photographs of her completed house on a CD. However, she had yet to collect the money as she did not know how to use a CD.

The JEs we spoke to were sympathetic to the plight of the slum residents, whom were in turn, also appreciative of the help that the JEs had rendered them. When asked about the delay residents faced in receiving funds from the BSUP, the JEs said that the beneficiaries were required to commence construction of their houses within 15 days and to complete construction within four months, a feat many found difficult due to a lack of funds. Mr. Vivek, the councilor for ward 177 in which Ambedkar Nagar was located, said that 15% of those eligible for the scheme in the slum were eventually disqualified and replaced by others due to not having constructed their houses on time. Mr. Ezulalazan, the councilor for ward 141 in which Kilpauk was located felt that the initial disbursement of funds should be done prior to the construction of the basement as the people in these slums were extremely poor and half of the total cost for building a house was spent on constructing the basement.

To sum up, we found that housing provision under phase I of the BSUP had a marginally positive effect on the residents of the slum communities we visited. Their quality and security of life had considerably improved. However, there were several shortcomings that diminished the effectiveness of the project, the most significant being the disbursement of funds in stages after the construction of required housing components instead of prior to the construction of the houses.

5.2. Provision of Basic Services

An analysis of the two toilets and a childcare center across the three sites reveals the undertaking of projects that are on the whole unnecessary, and have had limited impact on the communities living in the vicinity where they are located.

The public toilet in Taramaniwas located along a main junction instead of being situated within communities inhabited by the urban poor. Conversations with those who frequented the toilet revealed that the toilet had existed for 20 years prior but had recently been rebuilt. The exterior of the toilet had pink and white tiles that looked well maintained although there was no sign that the toilet had been rebuilt under the auspices of the BSUP. The interior of the male toilet also looked sufficiently well maintained. Sufficiently well utilized, there is no doubt that the toilet in Taramani serves commuters and public in the vicinity. The main question regarding the toilet in Taramani, however, is the extent to which it benefits the urban poor in line with the aims of the BSUP. Our evidence suggests that the toilet does little to benefit communities inhabited by the urban poor, and in need of proper sanitation.

Left: Public Toilet Exterior. Right: Public Toilet Interior. - Taramani

The public toilet in PeriyapalayathammanKoil Street fared no better. While located in a slum community inhabited by the urban poor, it was one of three toilets located along a stretch of road on one side of the community, each within 200 meters of each other. The toilet had a blue and white tile exterior and had a broken signboard. There was no sign that the toilet had been built under the BSUP programme. The interior of the male toilet was poorly maintained and dark and dingy even in the afternoon.

Immediately upon entering, an old man wearing nothing but shorts and limping while cleaning the toilet demanded five rupees for using the toilet. He rambled 'they don't give us money to clean. Only from this kind of cleaning I get money. What to do? We also have to eat, to live, right?'. When prodded on why he was not being paid he replied that the contract had ended four months ago and he had not received any salary since then. Residents living in the community expressed mixed feelings about the reconstruction of a toilet that had always served their needs adequately even prior to reconstruction. While one resident bemoaned the toilet being boxed up behind a wall, saying it made her feel unsafe, another expressed contentment with the toilet, saying that the tiles used were of good quality. Our assessment, however, is that the toilet had no significant impact on the community's well being.

Left: Exterior of toilet (note torn signage). Right: Interior of toilet being cleaned.

Left: Cubicle in public toilet. Right: Landscape in vicinity of toilet.

The childcare center in Pushpa Nagar, in contrast to the toilets in Taramani and PeriyaPalayathuKoil Amman Street appear to have had a more positive impact on the area. Built at a cost of 13 lakhs under the BSUP according to a plaque commemorating its inauguration in 2010, it is located in the vicinity of a childcare center run by an NGO called AshaNivas. These two childcare centers serve residents of the 52 houses located in Pushpa Nagar as well the housing board flats lying adjacent to the community.

The contrast between the two childcare centers run by the NGO and by the Corporation Chennai was immense. Whereas the AshaNivas run childcare center was small and dark, the one run by the corporation was wide, spacious, painted in bright colours, and well ventilated. The childcare center takes in children from 0 to 5 years of age and holds up to 25 children at a time. It is operational from 8.30am to 4.00pm on weekdays and 8.30am to 2.00pm on Saturdays. Children enrolled in the center are also given food on a daily basis – all of this for free. Residents we spoke to in the areas said that local residents had set up the childcare center run by the corporation over 30 years ago. An initial temporary structure had been replaced by a concrete structure that was knocked down and rebuilt by the corporation under the BSUP in 2010. Residents were generally appreciative of the childcare center saying that it was extremely useful for working parents living in the community.

Image: Exterior of Childcare Center in Pushpa Nagar

5.3 Resettlement Colony in Ezhil Nagar, Perumbakkam

The construction of resettlement sites under the BSUP in Perumbakkam, OkiumThoraipakkam, Navalur, and Thirumazhisaihas been plagued with controversyfrom its inception. An assessment of the TNSCB's previous experiences constructing tenements in Kanagi Nagar and Chemencherry for slum residents living in what are deemed to be objectionable locations in the city highlights an approach rife with weaknesses.Interviews with current residents revealed mixed feelings about the resettlement projects undertaken by the TNSCB under the BSUP. Yet, any assessment of the resettlement process at this time can only be a preliminary one, for the process of resettlement is in its incipient stages. Yet, the experience of previous

flawed resettlement drives paint a foreboding picture of the prospects of ensuring that the urban poor resettled in these sites are not excluded and marginalized from city life.

Constructed at a cost of Rs. 178.64 Crores and taking up 75% of the total funds allocated for BSUP projects in Chennai, the construction of these tenements dwarfs all other projects implemented under the auspices of the BSUP in comparison. Perumbakkam, located within the Kancheepuram vicinity, holds the majority of tenements constructed under the scheme, holding 20, 000 of the 29, 864 tenements earmarked for construction. [42]. The project has proceeded at a snail's pace, with only 3, 936 flats completed in Perumbakkam, a full seven years after the TNSCB had acquired 120 acres of land for the construction of the tenements [43].

The plodding pace at which the project has proceeded has earned the TNSCB criticism at the hands of the Comptroller and Auditor General of India (CAG). A recent report in 2015 criticized the TNSCB for a failure to take effective steps to complete the construction of tenements, leading to the project cost soaring by Rs. 75 Crores. It also highlighted that the project had been fraught with delays and missteps in planning from the very beginning. Although the State government had sanctioned the taking over of land for the project in 2007, the TNSCB only approached the Kancheepuram district administration in December the same year. Furthermore, the TNSCB had initially intended to construct a total of 23, 864 houses at a housing density of 294 houses per hectare, way above the norm of 150 houses per hectare specified by the national building code. This led to the TNSCB belatedly shifting the construction of 3, 488 houses to other resettlement sites in the city [44].

The first phase of the construction of 6000 tenements in Perumbakkam has been completed with the second phase currently under way[45]. The exterior of many of the flats have been constructed. However, the construction of infrastructural support systems for water, electricity, and sanitation, and the beautification of these housing flats is still on going. The majority of completed tenements furnished with basic infrastructural facilities are housed in Ezhil Nagar in Perumbakkam. Approximately half of the housing blocks are currently occupied at the site. The inhabitants of these flats, however, are not the slum dwellers evicted from 'objectionable locations' in the city. Instead, they consist of residents whose houses were located within the immediate vicinity of Perumbakkam and who have had to make way for the

[42]Shivakumar, C. (2013); 'TNSCB struggles with deadline to build close to 30k tenements'. From: http://www.newindianexpress.com/cities/chennai/TNSCB-struggles-with-deadline-to-build-close-to-30k-tenements/2013/08/29/article1756746.ece

[43] K. Manikandan (2014); 'Slum Board completes tenements," The Hindu. From: http://www.thehindu.com/news/cities/chennai/slum-board-completes-tenements/article5743858.ece

[44] K. Manikandan (2015); 'Report raps slum clearance board over delays," The Hindu. From: http://www.thehindu.com/news/cities/chennai/report-raps-slum-clearance-board-over-delays/article7717725.ece

[45]K. Manikandan (2014); 'Slum board completes tenements'.

construction of these tenements. These residents have been given first priority in the allotment of housing units and have occupied six of the housing flats located in Ezhil Nagar beginning November 2014.

The numerous delays in the construction and allotment process in Ezhil Nagar has resulted in a spatial divide in the center, with half the housing blocks inhabited and the other resembling a ghost town. Walking through the unoccupied housing blocks reveals massive neglect. Many of the ground floors of the buildings were filled with dung. The higher floors of these blocks of flats filled with used liquor bottles and plastic cups. They had also become a hideout for the numerous street dogs in the vicinity. Several drains along these unoccupied blocks were not covered. Weeds lay overgrown and rubbish was strewn all over the place.

Images: Exterior environment in Ezhil Nagar, Perumbakkam.

Image: Interior of unoccupied block. Note liquor bottles to the bottom right of picture.

Currently occupied housing blocks were noticeably cleaner than the unoccupied housing flats nearby. These housing blocks had water, electricity, and sewage connections. Working lifts also aided residents who lived on the higher floors of these residential blocks. Despite these, flaws in the building design and currently neglected infrastructural needs were immediately apparent. Narrowly constructed corridors resulted in the walkways between houses being cramped due to residents leaving their possessions outside the corridors. These blocks of flats were also designed with the intention to let light through vents – an idea that has failed miserably. The lower blocks of these flats are pitch dark even in the middle of the afternoon.

These housing flats had not been equipped with lighting facilities by the TNSCB. Instead, local residents had taken to solving the problem of a lack of lighting through collective action. Each of these blocks had local organizations, called sangams, set up under the direction of the TNSCB. Each named after a famous historical figure such as Gandhi, Mother Teresa, and Bharatiyar, these sangams were set up in order to help with the maintenance work for these blocks. The Rs. 50 collected as Sangam membership fees from each family serves to maintain the water supply infrastructure and to pay sweepers what they call 'tea money'. These sangams also look after individual families if they have concerns or problems. According to a local leader some of the families refused to pay the Rs. 50 membership fee, saying that they were already paying Rs. 750 monthly for maintenance to the TNSCB. He said that he had broached the topic of the usage of the funds from maintenance charges with an executive officer from the TNSCB but was told to drop the matter.

Residents we spoke to expressed mixed feelings about their life in these resettlement colonies. The same leader we spoke to said that the current design of the houses, with open balconies and verandahs leading to the possibility of suicides being committed after intra-family scuffles or when the police come to look for certain individuals. Another resident, Poornamali, 58 years of age and resident in the ground floor of one of the residential blocks, complained about the poor design of the buildings. She said:

> They, the engineers didn't build the area properly at all. The latrine water comes into the houses at the ground floor. For people like me, with diabetes and a heart patient, how? The health will be affected correct. Cannot even cross the floor. Then they said that the water will come properly, the lift will come properly. The lift only started walking one month after we came here. Before that, those living on the 7th, 8th stories had to walk up with much difficulty.

Poornamali's comments clearly demonstrate her displeasure with the current state of affairs of the residential blocks in Ezhil Nagar, Perumbakkam. Her complaints are also not without substance, for several other residents expressed similar

sentiments. Yet, these other residents did so in more measured terms, and on occasion even reserved some praise for the project. These residents were happy that they finally had their own houses after having had to rent for an extended period of time while waiting for the blocks of flats to be built. For instance, Gayathri, a 23-year-old housewife while worried about a spate of thefts in the area, said that there were no problems with the basic services. Similarly, Sasikumar, another elderly resident living in the flats castigated one of his friends for complaining about the rubbish strewn in the area when I interviewed them. His rationale was that things have gotten better since they moved in and that soon enough, even that problem would be taken care of.

The mixed sentiments expressed by those resettled in the area paint a muddled picture of satisfaction with being housed in these resettlement colonies. Yet, there is preliminary evidence to suggest that these mixed sentiments would become more negative over time. Several residents we spoke to expressed distrust towards their would be neighbours who were to be resettled from the inner city. Residents alleged previous thefts in the area as being the work of the residents of Chemencherry, a nearby resettlement scheme previously constructed by the TNSCB in OkiumThoraipakkam. Kannan, a 49-year-old resident of one of the flats in Ezhil Nagar and a member of the management committee of one of the sangams said that there would be problems when new residents were resettled from inner city slum areas. He said that this was on account of their being 'very local'. These problematic sentiments point to possible tensions that could arise between current residents and those resettled from the inner city in the future.

It is also important to note that the current residents of Ezhil Nagar all previously lived in houses located within an immediate two-kilometer radius of the current resettlement tenements in Ezhil Nagar. Their experience would differ considerably from the experience of those being resettled from the inner city. As the experiences of those resettled in Kanagi Nagar and Chemencherry show, many slum dwellers who have been resettled face significant economic turmoil due to having to travel approximately 20 to 30 kilometers either way for work. Similarly, their children are likely to suffer due to having to travel to get to their schools. An analysis of children of school going age in the Kannagi Nagar resettlement site revealed that 13% of children in the 4-16 years age group and 35% of the children in the 16-18 years age group had dropped out of school [46]. Reports of the resettlement in Kannagi Nagar and Chemencherry also pointed to a lack of adequate services such as hospitals and shops in the vicinity.

[46]Ramya, Sarah P., and Vanessa Peters. 'Forced to the Fringes: Disasters of 'Resettlement' in India - Kannagi Nagar, Chennai'. Information and Resource Centre for the Deprived Urban Communities. From: http://www.hic-sarp.org/documents/Kannagi_Nagar_Report_2.pdf

5.4 Reflections onthe implementation of the BSUP in Chennai

Our analysis of the implementation of the BSUP in Chennai highlights a program that was big on promise but that ultimately, has had a muted effect on improving the lives of the urban poor. In particular, our critiques of the program can be coalesced into three main themes.

The first critique that arises is whether these projects were actually necessary. While targeted at benefitting the urban poor, projects involving the in-situ upgrading of slums and the provision of basic services were limited to notified slums. While residents expressed their dissatisfaction with the current state of infrastructure, it is important to note that these notified slums have been built up over the years and possess superior infrastructure and access to basic services as compared to non-notified slums. Our visits to each of these areas revealed multistoried houses and wide roads that suggest successful efforts by local residents to build up these communities over time.

As such, the site selection for the beneficiaries of the housing and basic services component of the BSUP is suspect and the impact appears miniscule. Furthermore, there is the question of whether the houses selected under this scheme were truly in need of the funding. Some of these houses were multistoried and had beautiful designs on their exteriors. Yet, these same communities also contained dwelling units single-storied kuccha and semi-pucca houses that looked the worse for wear. This suggests that the BSUP did not improve the lives of the poorest segments of slum dwellers.

Our interviews suggest that there have been shortcomings in following up on implemented projects to see whether they were well maintained and had their intended effect. Many of the beneficiaries of the program for the in-situ upgrading of houses complained that corporation officials had not even come to check on them to assess whether they were facing any difficulties after the construction of their houses. The poor quality of the public toilet in PeriyaPalayathu Amman Koil Streetalso points to the neglect shown towards following up on implemented projects to see whether they have had the desired effect. Furthermore, the JNNURM has now ended its official term and has been replaced by the current BJP led central government by other initiatives such as the Atul Mission for Rejuvenation and Urban Transformation (AMRUT), Smart Cities Mission, and Housing for All (Urban). This does not bode well for the proper implementation and maintenance of projects conceived under the JNNURM.

Segregationand exclusion

The ongoing plans to resettle slum dwellers living in ‘objectionable’ locations within the city is the replication of a failed model that segregates the urban poor to the urban periphery and denies them the opportunity to earn their livelihoods. The overwhelming concentration and diversion of funds towards the building of

resettlement tenements also goes against the spirit of the BSUP which has an explicit focus on the in-situ upgrading of housing and the provision of basic services. The BSUP mandates that states and cities are to earmark at least 20-25% of all developed land in housing projects for the Economically Weaker Section (EWS) and Lower Income Group (LIG) category. Yet, such efforts have not been undertaken in Chennai, with the high prices of land cited as an obstacle to doing so [47]. The lack of a social impact assessment and the lack of public participation present in the formulation of the second CDP also points to a flawed, exclusionary model of city-making that pushes the most vulnerable members of society to the margins.

[47] Interview with CMDA official.

6. Reforms and the urban poor under the JNNURM[48]

An analysis of the reforms implemented under the JNNURM in Chennai again paints amixed picture of its effectiveness. While several reforms have been implementedsuccessfully in Tamil Nadu, even prior to the inception of the JNNURM, others havefloundered. While providing an overall picture of the implementation of the reformsunder the JNNURM, we place an emphasis on reforms that have been mandated in orderto address the housing shortages and difficulties facing the urban poor.

The JNNURM identified several reforms at the state and ULB level to enable states to qualify for JNNURM funding provided by the central government. In particular, there were 7 state level and 6 ULB level mandatory reforms. The fulfillment of these mandatory reforms were prerequisites for the accessing of central government funds from the central government. There were also 10 optional reforms at the state and ULB level. Although these reforms are labeled as being 'optional', states and ULBs still carry a responsibility to fulfill them. They merely have the option of choosing which two reforms to carry out at a given time, and the sequence in which they would like to fulfill the requirements under these reforms[49] within the 7 year period specified for the fulfilment of all reforms under the JNNURM [50].

The Tamil Nadu government has given the impression that these reforms have been implemented successfully. This is best exemplified in an official document on the JNNURM website that assesses the performance of Tamil Nadu in fulfilling JNNURM reforms across Chennai, Madurai and Coimbatore. The fulfillment of each reform was measured on a 10-point scale, with a score of 10 meaning that the state or ULB had performed exceedingly well, with no shortcomings in the fulfillment of a particular reform. Chennai was adjudged to have a remarkable record, scoring 226.0 over a total of 230.0 points across all 23 reforms. The reform pertaining to the 100% cost recover in water supply solid waste management was adjudged to be the poorest implemented reform, earning 6.5 points out of 10. However, the other reforms were assessed to be implemented in a near perfect manner, with the only other reform not earning full marks for its implementation, earning a score of 14.5 out of 15. A closer look, however, reveals a picture much less rosy than the Tamil Nadu government has portrayed.

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[48] The analysis in this section draws heavily on Vijaybaskar et al., "Status Report on Urban Reforms in Tamil Nadu."and an unpublished factsheet on JNNURM reforms prepared by Transparent Chennai.

[49] Government of India (2013); 'Tamil Nadu - Reforms Calibrated Milestones & Scores'. From: http://jnnurm.nic.in/wp-content/uploads/2013/08/Tamil-Nadu-Reforms-SP-1August13.pdf

[50] The full set of reforms can be viewed at the following link: http://JNNURM.nic.in/wp-content/uploads/2011/01/Mandatory_Primer_6-PBSUP.pdf

Undeniably, Tamil Nadu has had some success in the implementation of reforms under the JNNURM. Its efforts at implementing some of these reforms have been highly progressive, as evidenced by its move to implement some reforms even prior to the inception of the JNNURM. The first mandatory state level reform, namely the implementation of the 74th amendment devolving power to ULBs has been ongoing in the state since the 1990s. Tamil Nadu is also the first state to successfully implement accounting reforms in way of the shift towards accrual based accounting systems from traditional cost based accounting systems. The government had first drafted the idea in June 1998, and piloted the idea in two corporations and 10 municipalities in 1999 before scaling the implementation up to all ULBs in the state in 2000. The implementation of this reform has been hailed as an overwhelming success. Yet, even here, the picture is more muddled than the government would have us believe. There have been multiple shortcomings in the implementation of this reform – for instance, local officials in ULBs have complained of insufficient mechanisms to restore systems when computers are damaged. Frequent power cuts have also been cited as marring the efficiency of the system[51].

The mixed implementation of reforms at the general level nonetheless, at the heart of our inquiry is whether reforms targeted at benefiting the urban poor have been implemented successfully. This requires a look at reforms that are both indirectly and directly targeted at benefitting the urban poor. These reforms are namely:

1) The internal earmarking of funds in ULB budgets for the urban poor
2) Provision of basic services to the urban poor
3) Repeal of Urban Land Ceiling and Regulation Act (ULCRA)
4) Earmarking at least 20-25% of developed land in all housing projects (developed by public and private agencies for Economically Weaker Sections (EWS) and Lower Income Groups (LIG) through a system of cross-subsidisation.

Three of these four reforms are directly targeted at benefitting the urban poor. The first two of these reforms are compulsory reforms at the ULB level, the third compulsory at the state level, and the fourth an optional reform.

6.1Internal earmarking of funds in ULB budgets for the urban poor

The internal earmarking of funds in ULB budgets for the urban poor is a mandatory reform at the municipal level. The reform mandates that a certain percentage of municipality generated revenue, recommended at 20% to 25% by the Administrative Staff College of India (ASCI), to be set aside and placed within a special fund called the BSUP fund. This fund is intended to be non-lapsable so as to

[51] Vijaybaskar et al., 'Status Report on Urban Reforms in Tamil Nadu'.

ensure that money put into the fund is not diverted towards other expenditures or be returned to the municipality's general fund due to a lack of utilization.

This reform has two main aims. Firstly, it aims to make more transparent the extent to which expenditures in ULBs are directed towards the urban poor through the establishment of a uniform accounting process. Secondly it aims to set aside funds for the urban poor that are distinguishable from other forms of expenditure. Thus, it serves to institutionalize the provision of basic services to the urban poor, something that might be otherwise neglected by resource strapped ULBs.

While being a municipal level reform, guidelines under the JNNURM insist that states should enact necessary amendments to municipal budgeting laws to ensure consistency and given guidelines as to what such a should entail. The Tamil Nadu government says that it has complied with these reforms, with municipal bodies already spending 25% on schemes in poor neighbourhoods and slums. It also says that the government has passed a Government Order (G.O.) that directs municipal bodies to earmark a separate fund for basic services provided to the urban poor.

Despite these claims, however, an analysis of municipal budgets by Transparent Chennai revealed for the three years between 2011 and 2014 reveals that less than 1% of the municipal budget was spent on the urban poor. This analysis only constitutes fund directed explicitly towards the urban poor. The CoC has claimed that yearly reports were sent to the central government to show that 25% is indeed being spent on the urban poor. However, these claims were based on assumptions and estimates made by the financial department on how much would likely have been spent on the urban poor. For instance, most of the health department's expenses were likely to have been spent on the urban poor and therefore the bulk of this expenditure was approximated to have been spent on the urban poor. This may very well be the case. But, without transparency and a proper institutionalized process for directing funding to the urban poor, it is difficult to assess the extent to which municipal funds have actually been diverted to the urban poor.

6.2 Provision of basic services to the urban poor

Closely linked to the first reform is the provision of basic services to the urban poor. A mandatory reform at the UKB level, it calls for ULBs to provide basic services such as water and sanitation, security of tenure, improved housing at affordable pricing, and to ensure the proper delivery of social services such as education, health, and social security to the urban poor at an affordable price[52]. The GoTN has given itself a perfect score for this reform. Yet, the reality is that tenure

[52]Government of India (2011); 'Provision of Basic Services to the Urban Poor – ULB level reform'. From: http://jnnurm.nic.in/wp-content/uploads/2011/01/Mandatory_Primer_6-PBSUP.pdf

security has been provided in Chennai in an extremely limited manner. The only form of tenure security currently offered to slum dwellers under the BSUP is the provision of hire-purchase agreements or lease-cum-sale deeds to households moved to resettlement colonies. This in effect, cuts out those living in unrecognized slums in the city from getting access to much needed improvements in basic services and their associated infrastructures.

The TNSCB has asserted that beneficiaries who are resettled gain title over the tenements being built under the BSUP from the very beginning. However, it is noteworthy that the land remains vested with the board, something the board says is necessary to prevent the sale of lands to real estate developers and to prevent the practice of slum dwellers selling of their tenements and returning to live in inner city slums. Despite these assurances however, the provision of basic services has been poor even for those resettled prior to the onset of the BSUP, with access to basic services only gained long after residents had settled in these tenements. The TNSCB has taken steps to learn from this previous experience and provide basic services for the early settlers in Ezhil Nagar. However, the question of whether the TNSCB or ULBs will be taking charge for the provision of basic services remains unresolved. Furthermore, ULBs could face a significant strain on their resources to provide tenement residents with basic services once the resettlement process is complete. This might unravel the BSUP's intended aim of ensuring proper access to basic services for the urban poor.

6.3 Repeal of ULCRA

The repeal of ULCRA was a mandatory reform at the state level. Brought into force in 1971, the purpose of ULCRA was to facilitate the availability and affordability of urban land by increasing its supply in the market and to establish and efficient land market. The ULCRA imposed a ceiling on the ownership and possession of vacant land and provided for the acquisition of excess land by the state government for the common good, the payment of compensation for the acquisition of common land, and the granting of exemptions for certain categories of vacant land. The ULCRA, ultimately, however fell short of its lofty ideals for three main reasons. Firstly, there was no clarity with regards to its application and too much power was vested in the hands of state governments for the granting of exemptions. Secondly, there was very little compensation given by states for acquired land, leading to lengthy litigation suits. Thirdly, the absence of mechanisms to encourage the entry of vacant urban land into the land market meant that land prices in cities reached astronomical prices due to the artificial scarcity of land created by ULCRA[53].

The need to deal with these shortcomings led to the GOI deciding to repeal the act with the passing of the Urban Land (Ceiling and Regulation) Repeal Act, 1999.

[53]Government of India (2011); 'Repeal of Urban Land Ceiling & Regulation Act (ULCRA)'. From: http://jnnurm.nic.in/wp-content/uploads/2011/01/Mandatory_Primer_5-RepealULCRA.pdf

Although the repeal of ULCRA was not identified as an explicit pro-poor reform, the purported benefits were said to include the freeing up of large tracts of land for the construction of houses for EWS and LIG groups and to provide increased accessibility and affordability of housing for the urban poor. Tamil Nadu is accessed to have already implemented this reform prior to the inception of the JNNURM. However, the question is whether the repeal of the act has had any impact on the provision of basic services to the urban poor. The answer to this is a resounding no, as conveyed to us through an interview with a senior official from the JNNURM. According to her, the freeing up of land for private sector housing developments has not been effective in ensuring increased availability of land for EWS and LIG housing. This is closely linked to the last reform that we discuss – the earmarking of 20-25% of developed land in all housing projects for EWS and LIG groups through cross subsidization.

6.4 Earmarking of at least 20-25% of developed land in all housing projects for EWS/ LIG through cross-subsidization

This explicit pro-poor reform was intended to ensure that the urban poor had acesss to affordable housing within cities. The simple requirement for this reform is that all housing projects undertaken by private or public developers must set aside a portion of developed land for housing projects for EWS and LIG groups – the figure of 20-25% being recommended by the government. Again, the Tamil Nadu government has given a perfect score of 10 out of 10 to Chennai, Madurai, and Coimbatore for the implementation of this reform. Despite its celebratory overtures, the fact of the matter is that this reform has been an overwhelming failure. Tamil Nadu at the aggregate state level, has only allocated 10 to 15% of developed land for the poor[54]. This figure only pertains to public housing projects. Private projects are exempt from fulfilling this requirement as long as they are less than 1 hectare in size. This means that the majority of private construction projects are exempt from providing land for EWS/LIG.

Government officials have said that they have more than fulfilled the reform requirement by setting 45% to 50% of housing stock created by the Tamil Nadu Housing Board and 100% of all housing created by the TNSCB for EWS and LIG sections. This is a problematic attempt to justify the exclusion of the poor to the urban periphery instead of integrating them within the city's urban fabric as intended under the BSUP. Government officials are often of the opinion that fulfilling this reform is not realistic, for doing so would bring down land values. The CMDA official we interviewed said that private developers had to first change their minds in order for this reform to succeed. According to her, private developers were against earmarking

[54]Srivathsan, A. (2012); 'Plenty of Houses, Few Affordable.' The Hindu. From: http://www.thehindu.com/news/cities/chennai/plenty-of-houses-few-affordable/article4065091.ece

land for the urban poor. She said that these private developers set prices for houses meant for EWS/LIG at Rs. 60 lakhs, effectively making these houses unaffordable for the urban poor. According to her, only the TNSCB was able to provide the urban poor with affordable housing through its resettlement programme at a cost of Rs. 8 Lakhs.

6.5 A summary on the reforms process

From the surface, Chennai would seem to have successfully implemented the reforms stipulated under the JNNURM. Yet, a closer look reveals that some of these reforms, particularly those targeted at improving the plight of the urban poor have failed miserably. Two things in particular contribute to this failure. Firstly, there is a fundamental tension between allowing land prices to be subject to the ebbs and flows of the market and providing for affordable housing to the urban poor, each being antithetical to the other. Secondly, government officials appear to not have bought in to the reform requirements under the JNNURM. As one government official in the SRUR report acknowledged, many government employees were clueless when it came to implementing these reforms [55]. Last but not least, funds from the programme were disbursed without adequate mechanisms in place to check whether reforms had actually been carried out the way they were intended to. The assessment of state performance in terms of reform implementation was very much based on a system of self-reporting. This is seen from the manner in which the Tamil Nadu government has given itself a near perfect score in reform implementation when the reality is nowhere near as rosy as they have made it out to be.

[55] M Vijaybaskar et al. (2011); 'Status Report on Urban Reforms in Tamil Nadu'.

7. Conclusion

This report has analyzed the housing sector within the BSUP component of the JNNURM in Chennai. At the heart of its inquiry is the question of whether implemented projects and reforms have had any meaningful positive impact on the lives of urban poor. This report draws it analysis based on the statistical data provided by the various government agencies and complimenting it with field surveys in some of the areas that were covered under BSUP schemes, we have also drawn from secondary literature that discusses the drift of JNNURM implementation in Chennai. The analysis presented in this report also takes into account the historical precedents that have shaped the provision of housing in Chennai, and impacted the manner in which the JNNURM has been implemented in Chennai. Based on this, we now present a summary of our key findings, and the potential implications this has for the provision of housing, infrastructure, and basic services for Chennai's urban poor in the future.

Housing projects under BSUP have had minimal impact on the housing sector in Chennai. The BSUP promises to provide affordable housing, access to basic services and security of tenure to the urban poor living in India's cities. Yet, an analysis of Chennai's experience in implementing the program highlights numerous shortcomings that contradict the objectives of the BSUP.

7.1 Dismal increase in net housing stock:

Even as the government pours in hundreds of crores of rupees on large scale tenement construction, the policy of eviction and resettlement only replaces poor houses to slightly improved houses. Thus while there might be a marginal improvement in the overall quality of housing, including size, no.of rooms, basic amenities etc, there would be very little impact on supply of housing as most of these dwelling units are replacement to existing houses in slum areas. The focus on tenement construction , with an average cost of 4.5 lakhs, is also prohibitively high for such a programme to cover significant number of households in need of improved housing. Given the flow of migrants into the city, this increase might not even be enough to keep pace with the growth of low income population in Chennai and its agglomeration.

7.2 Insufficient funding and selection bias in in-situ upgradation

During our field work, we discerned a bias towards more affluent families in selection of beneficiaries for the scheme. While their income levels could not be ascertained, there were more deprived houses in the same street that had not been able to access these grants. This selection bias was due to two important reasons.

The first of these two issues is the funding design for the provision of housing under the BSUP. Beneficiaries received funding allocated under the project in three to four installments after showing evidence of progression in constructing their houses. Our fieldwork showed that this led to several beneficiaries having to take informal loans to construct their houses. Those unable to secure these loans eventually dropped out of the project. The second issue is that of the sufficiency of the provided funding for the construction of in-situ housing. The provided sum of 1, 18, 000 was often cited by beneficiaries we interviewed, as being insufficient to construct concrete houses. Several reported having to spend way beyond the amount provided through funding, with one resident saying that his family had secured an additional 6 lakhs in order to complete the construction of the house. Both of these issues imply that those in most urgent need of funding did not benefit from the scheme to provide funding for the in situ construction of houses.

The complaints of these residents, while dire, are not indicative of the worst failures of the BSUP. The implementation of the BSUP has been carried out in only notified slums. Non-notified slums, despite having conditions that fare considerably worse than those in notified slums, have been completely excluded from the provision of funding for in-situ housing and basic services. The approximately 500,000 people living in these non-notified slums have not benefitted even minimally from the BSUP. This goes against the objectives of the BSUP, which specifically emphasizes the need to provide houses and access to basic services for all urban dwellers, including those living in non-notified slums [56].

7.3 Lack of security of tenure

Secondly, the BSUP has failed to provide security of tenure to the urban poor despite having made the provision of tenure one of its key objectives. Tenure security has been provided in an extremely limited manner in Chennai through hire-purchase agreements or lease-cum-sales deeds to households that have been relocated to resettlement colonies. Many residents who have purchase agreements have failed to receive their sales deeds despite having paid their dues towards the house. Even those who have benefitted from in situ housing have not been provided sales deeds. Those living in undeclared slums have had no improvement to their tenuous status of illegal occupiers of the land, with no clear pathway to regularization. This failure to provide tenure security is a major failure for a programme that explicitly states that "all slum dwellers must be provided with security of tenure" [57].

[56] Government of India (2011); 'Provision of Basic Services to the Urban Poor – ULB level reform'.
[57] *Ibid*

7.4 Failed model of resettlement

Thirdly, Chennai's implementation of the BSUP has been based on a flawed model that is likely to result in major problems in the future. If Chennai's approach to the BSUP can be characterized by one word, it would be that of 'resettlement'. The bulk (71%) of funds have been diverted towards the building of resettlement colonies at Ezhil Nagar and Perumbakkam. This, despite the cost of building each of these tenements being nearly three times the cost of building in-situ housing. The concentrated focus on large-scale resettlement is also puzzling when one considers that the JNNURMhas explicitly underscored the importance of resettlement being a last resort. The JNNURMexplicitly emphasizes that city governments must try and provide tenure to slum dwellers on site or at nearby sites within a 1 to 2 km radius.

Furthermore, Chennai's focus on resettlement under the JNNURM is the replication of a failed model of housing provision that has come under much flak. Slum dwellers located from the inner city in previous resettlement colonies in KanagiNgar and Chemencherry have faced massive disruptions to their daily lives, with slum dwellers and their children being located extremely far away from their work places and schools. These resettlement colonies have been found to be extremely poorly designed and lacking in infrastructure and the provision of basic services. Tenements constructed under the BSUP face similar infrastructural issues, although the complaints are yet to manifest due to the relocation process yet to be completed.

7.5 Urban Reform?

Lastly, we found that pro-poor reforms have only be implemented in word and not in practice. The Tamil Nadu government has given Chennai a near perfect score for reform implementation. Yet, evidence shows that these reforms have not been meaningfully implemented. Government officials have neither the inclination nor the capacity to implement the onerous demands of these reforms. Thus, what has happened is that there has been a concentrated effort to give the impression that reforms have been implemented. This has been enabled by a system of self-reporting to determine the effectiveness of reform implementation.

This has had significant impact on the provision of housing and basic services to the urban poor. A reluctance to prioritize housing for social good over private sector investment in land has led to an inability to provide affordable housing for the urban poor either in their original loci of residence or in close proximity to their current houses. There has been no provision of tenure security despite a concentrated emphasis on the need to provide it to the urban poor. ULBs have not made meaningful efforts to reserve 20 to 25% of municipality generated revenue for spending on the urban poor, despite claims to the contrary.

7.6 Non-participation

The manner in which the JNNURM and the BSUP have unfolded in Chennai is also indicative of the exclusionary manner in which projects have been formulated from the very onset. From the very onset, the implementation of the JNNURM has been characterized by a distinct lack of participation from the urban poor as characterized by Nithya Raman's account of the formulation of the CDP. A distinct lack of participation is also seen, for instance, in the lack of a social impact assessment being conducted prior to the construction of resettlement tenements. Even while the Mission has sought in-situ improvements to be prioritized, TNSCB has continued to push through its policy of peripheral resettlement even while it has proved more costly, exclusionary and highly disruptive. Here again there has been no social impact assessment or public consultation over these large scale projects.

7.7 Moving forward

Chennai's experiences and shortcomings under the BSUP are not only relevant to the JNNURM. Instead, it also gives an insight into the manner in which urban regeneration efforts in the city unfold. With the new BJP government rolling out its own urban programs on building smart cities and providing housing for all, it is important to critically analyze the ways in which the implementation of these programmes can be improved in order to better serve the needs of the urban poor.

First and foremost, there needs to be a sincere effort on the part of the relevant authorities to undertake a mapping exercise identifying and enumerating non-notified slum communities. Only with this can funds from future projects reach the most vulnerable segments of the urban poor.

Secondly, there needs to be a sincere effort on the part of the authorities to move away from the model of resettlement that currently characterizes urban development. The relevant authorities need to identify parcels of land within the city, working with civic action groups and Non Governmental Organizations (NGOs) in order to do so if necessary. This will help identify existing parcels of land that can be used to house slum dwellers in close proximity to their current residences, thus minimizing the impact of urban improvement on their lives. It will also contribute to ensuring that they will be provided security of tenure in the future.

Thirdly, it is essential to incorporate participatory mechanisms within existing processes of urban planning. A transparent mechanism that allows for easy dessimination of information, including policy objectives, funding sources and social impact would allow for informed discussions over such projects. But there is a paucity of information sharing and a lack of accountability to the public as well as mission sponsors.

Lastly, policies and legislative measures are necessary to unlock land for the urban poor. The prohibitive cost of urban land has been an important factor dissuading private sector entry into 'affordable housing'. But any attempt to unlock land, including implementation of master plan regulations has been resisted as it would result in devaluation of land. This conflicting concerns were revealed in an interview with CMDA official who maintained that affordable housing was a dream as long as land prices remained high, but also justified not earmarking land for EWS because of its perceived negative impact on land values.

7.8 The present paradigm of urban development

Chennai has been an important center of administration, industry and commerce. Ever since the expansion of Indian economy, urban centers such as Chennai have been facing a significant challenge of rapid urbanization. Chennai, with adequate land for expansion, has been growing horizontally. Yet the pressure on the inner city, brought about by increased consumer spending and commercial activity, has led significant appreciation of speculative land value. While the governments that administered Chennai, never entirely embraced the principal of offering secure tenure to urban slum dwellers, through the 1970s and 1980s, they had been much more willing to partake with government lands for housing slums. But with the turn of the century, there was a paradigm shift in this approach and the dominant measure of slum clearance became the violent form of forced resettlements in urban peripheries.

It is within this paradigm of urban development, led by investment friendly policies, that the JNNURM and its relevance needs to be understood and evaluated. Even while BSUP, under JNNURM was conceived as a tool to provide the urban poor with access to basic services within the urban area, in Chennai it pretty much aided the already in force policy of peripheral mass resettlement. While some slums did receive improvements to civic services or access to loans to improve housing, over 70% of the funds for housing under JNNURM was diverted large-scale tenements in two sites accounting for nearly 20000 dwelling units. Thus, JNNURM, unlike the world bank funding, did not cause a break or a paradigm shift to the existing direction of state government but helped to increase its momentum.

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Annexure - List of Interviews conducted

Interviews with Government Officials

- Interview with Junior Engineer Mr. Arulswamy for k.K. Nagar, Ward Number/Zone: 138/10.
- Interview with Junior Engineer Mr. Vivek for West Velachery Ward Number/Zone: 177/13.
- Interview with Junior Engineer Mr. Ezularasan for Srinivasapuram, Ward Number/Zone: 141/10.
- Interview with Senior Official at Chennai Metropolitan Development Authority.
- Phone interview with senior official from TUFIDCO.

Interviews with Residents

Srinivasapuram, T. Nagar

- Mala Kondaya G
- Subbu. Ramaya

Dr. Ambedkar Naar, West Velachery

- Baskar
- Kuppu
- A. Kavitha
- Ponnuthai
- Parameshwari
- Sangeetha (alias)
- Kuppu
- Sowriamma (alias)
- Suyaraj

Pullapuram, Kilpauk

- Prasanna Kumar
- M. Nagaya
- Ravi Kumar
- Babu
- Narusamma
- Bob
- Martha
- K. sharamma
- Manoj
- Shyamsan
- Premanathan

Pushpa Nagar, Nungambakkam

- Deepa
- Arokya Rani

- B. Devi
- Lakshmi

Periya Palayathamman Koil Street, Basin Bridge

- Bhaskaran (alias)
- Deepa
- Arokya Rani
- B. Devi
- Lakshmi
- Thairiyanathan
- Pushpa (alias)
- Kalainiar (alias)

Ezhil Nagar, Perumbakkam

- Nallathambi
- Gayathri
- Narusumma (alias)
- Kaniappan
- Lakshman (alias)

<u>Information used from interviews conducted as part of other projects</u>

a. Interview with Community Development Officer,(retd) CD wing, TNSCB.
b. Interviews among residents of slum in Otteri (North Chennai).