MAKING OF A GLOBAL CITY – DELHI AND ITS DEVELOPMENT DILEMMAS

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ABSTRACT

This article looks at the phenomenon of cities becoming primary drivers of development in countries especially in the Global South. This phenomenon has encouraged the proliferation of what is understood as 'Global Cities' which are characterised as bustling urban centres with robust financial institutions, strong infrastructure, and stable socio-economic conditions, all making them befitting for attracting economic investments. With aspirations of creating 'Global Cities' to pursue developmental goals, many cities in the Global South characterised by strong informal sectors, rapid population growth and deteriorating infrastructure have to straddle between often divergent goals of building cities more conducive for its inhabitants, or upgrading cities to acquire the status of a 'Global City'. In this context, this article will look at the challenges, India's capital city Delhi, faces in pursuing its aspirations of becoming a 'Global City' with thriving economic investment and financial infrastructure, while upholding human rights, primarily that of housing, of those inhabitants whose labour keeps the city running.

Keywords: *Global Cities – Law and Development – Global South – Housing – Divergent – Delhi – Human Rights*

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I. INTRODUCTION - CITIES AND THE GLOBAL ORDER

Cities have developed as actors where global influences take place, making them meaningful contributors of 'the global' as we know it.[1] With developments taking place in the international fora, cities often act as actors either on behalf of the state or even as distinct actors, by responding to challenges and developing networks of cooperation. The city's emergence as an important centre in the international fora has been accompanied by the growth of a "body of international urban norms and development policies."[2] Deemed as international urban law, these contemporary rules have reshaped local jurisdictions around a renewed set of aspirations.[3]

In their contemporary form, modern international urban law is traced to the 1972 Stockholm Declaration where local jurisdictions were recognised as the most appropriate setting for achieving environmental sustainability.[4] This perception continued and was also adopted in the 2002 Johannesburg Declaration, which called upon a multi-scalar and multi-jurisdictional approach to social, political, economic and environmental sustainability.[5] A similar trend was observed in numerous other international declarations and resolutions.[6] Contemporaneously cities too, began to take up a proactive role in addressing governance gaps. One of the ways this was done was to create city networks. After the 1992 Rio Declaration, ICLEI – Local Governments for Sustainability was formed.[7] Similarly, the UCLG – World Organisation of United Cities and Local Governments was established to represent, amplify, and defend the voices of local governments.[8]

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1   Helmut Philipp Aust and Janne Nijman, 'The emerging roles of cities in international law' in Helmut Philipp Aust and Janne Nijman (eds), *Research Handbook on International Law and Cities* (Edward Elgar Publishing 2021) 1.

2   Luis Eslava, *Local Space, Global Life: The Everyday Operation of International Law and Development* (Cambridge University Press 2015); Gerald Frug and David Barron, 'International Local Government Law' (2006) 38 Urban Lawyer 1.

3   Yishai Blank, 'The City and the World' (2006) 44 Columbia Journal of Transnational Law 875; Helmut Philipp Aust, 'Shining Cities on the Hill? The Global City, Climate Change, and International Law' (2015) 26 European Journal of International Law 255.

4   United Nation Conference on the Human Environment, 'Report of the United Nation Conference on the Human Environment' (1972) Res A/RES/2294.

5   Luis Eslava, 'Cities, Post-coloniality and International Law' in Helmut Philipp Aust and Janne Nijman (eds), *Research Handbook on International Law and Cities* (Edward Elgar Publishing 2021) 88.

6   UN-Habitat, 'REPORT OF HABITAT: UNITED NATIONS CONFERENCE ON HUMAN SETTLEMENTS' (1976) A/RES/31/109; UNCED, 'Rio Declaration on Environment and Development' (1992) A/CONF.151/26; UN-Habitat, 'Implementation of the outcome of the United Nations Conference on Human Settlements' (1998) A/RES/52/190; UNGA, 'Declaration on Cities and Other Human Settlements in the New Millenium' (2001) A/RES/S/25/2.

7   ICLEI, 'Local Governments for Sustainability' (ICLEI) <https://iclei.org/> accessed 10 August 2023.

8   UCLG, United Cities and Local Governments (UCLG) < https://uclg.org/> accessed 10 August 2023.

These advances collectively lead to the development of international urban standards in the form of the 'International Guidelines on Decentralisation and the Strengthening of Local Authorities,' approved by the United Nation Human Settlement Programme, 2007 (UN-Habitat).[9] Along with development of international soft law instruments, international bodies and organisations have begun to develop individual mechanisms of working directly with local administrations. The World Bank's 2000 guidelines document titled 'Cities in Transition' is one of the earliest examples of such initiatives.[10] These guidelines laid down principles directing the Bank's interactions with local administrators. These guidelines have been consistently updated and in 2019, the World Bank released 'Better Cities, Better World: A Handbook on Local Governments Self-Assessments', outlining strategies for addressing challenges faced by urban local governments.[11]

In the backdrop of these developments, it does not come as a surprise that the 2015 Sustainable Development Goals (SDGs) and the New Urban Agenda adopted at the UN Conference on Housing and Sustainable Urban Development (Habitat III) in Quito, Ecuador, 2016, focus on the administration of cities and their unique and crucial role in development. SDG 11 categorically sets out that cities are to become inclusive, safe, resilient, and sustainable by 2030. Even if these terms may be seen as vague, they are a clear indication that urban governance and development in present times are no longer matters of domestic law.[12] The new global order clearly views cities as primary drivers of development. In this context, the phenomenon of 'internationalisation of cities' can be seen as dual process involving "devolution of authority to the city and the greater mobilisation of cities in order to realise new global standards" to ensure the achievement of the goal of development.[13]

II. DELHI AND ITS DEVELOPMENT DILEMMAS

Delhi, the capital city of India has, its own story to boast of as a global, multicultural, and international actor. Delhi's rich history as a global centre spans its days as a trade centre on the Silk Route, to a hub of cultural exchange during the empires of the

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9   UN-Habitat, 'Guidelines on decentralization and strengthening of local authorities' (2007) UN Doc HS/C/RES/21/3.

10   World Bank, *Systems of Cities: Harnessing Urbanization for Growth and Poverty Alleviation* (World Bank 2009).

11   World Bank, *Better Cities Better World*: *A Handbook on Local Governments Self-Assessments* (World Bank Group 2019).

12   Helmut Philipp Aust and Anél du Plessis, 'Good Urban Governance as a Global Aspiration: On the Potential and Limits of Sustainable Development Goal 11' in Duncan French and Louis Kotzé (eds), *Sustainable Development Goals: Law, Theory and Implementation* (Edward Elgar Publishing 2018) 201.

13   Luis Eslava (n 5) 81; Ileana Porras, 'The City and International Law: In Pursuit of Sustainable Development' (2009) 36 Fordham Urban Law Journal 537.

Sultanates and the Mughals, and to its declaration as the capital of independent India. In the present times, it is one of the largest metropolises in the world housing over 18.6 million people. Besides, being the administrative head of the country, it is also home to offices of multiple international organisations, many of which work in direct collaboration with its local government.[14] In consonance with global trends, rapid urbanisation in India has resulted in close to 40% of its population living in cities by 2030.[15] As the largest city in Northern India, Delhi continues to see a regular influx of migrants from across the country.

In India currently, 35.2% of its urban population lives in slums or informal settlements.[16] As per the last census and sample survey conducted in 2012, Delhi has approximately 10.20 lakh slum households.[17] It is estimated that at such a rate, the number is likely to be around 16 lakhs today, constituting around 14.66% of the population.[18] It is this slum-dwelling population that is, first and most adversely, affected by any initiatives to create a Global City. These initiatives take many forms and names, as we will see, but are dominated by an overarching intention of creating a clean, world-class city.

Delhi, especially being the capital city of India, has constantly found itself being marketed as a global key player, making it an attractive site for investment. These 'marketing events' are often opportunities to welcome leaders and citizens of other countries and showcase the brilliance of Indian culture and hospitality, along with its social and economic prowess. For the purpose of this article, the focus will be on the spectacle of hosting the G20 Summit in Delhi in November 2024. However, an initial reference will first be made to two similar instances, the Asian Games and the Commonwealth Games.

Independent India had the opportunity to host its first major international event in 1976 when it won the bid to host the Asian Games. Due to the prevailing political turmoil in the country, the Games were finally held six years later in 1982. While India had hosted the first-ever Asian Games in 1951 in Delhi, this was its first opportunity to host sporting contingents from 33 nations along with state officials and sports fans. It was an

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14 Ministry of External Affairs, 'International Organisations and Other Agencies' (Ministry of External Affairs) <https://meaprotocol.nic.in/?a2> accessed 18 June 2024.

15 Press Trust of India, 'India's urban population to stand at 675 mn in 2035, behind China's 1 bn: UN' The Economic Times (30June,2020) <https://economictimes.indiatimes.com/news/india/indias-urban-population-to-stand-at-675-mn-in-2035-behind-chinas-1-bn-un/articleshow/92561893.cms?from=mdr> accessed 10 August 2023.

16 The Global Goals, 'Sustainable Cities and Communities' (Global Goals) <https://www.globalgoals.org/goals/11-sustainable-cities-and-communities/> accessed 10 August 2023.

17 Government of National Capital Territory of Delhi, 'Urban Slums in Delhi' (Directorate of Economics and Statistics 2015) <https://des.delhi.gov.in/sites/default/files/urban_slums_in_delhi.pdf> accessed 10 August 2023.

18 Census Organization of India, 'Delhi Population 2023' (Census Organization of India 2023) <https://www.census2011.co.in/census/city/49-delhi.html> accessed 10 August 2023.

occasion to announce to the world India's presence as a nation with developed infrastructure to become a major business and tourist hub. Accordingly, the city underwent substantial infrastructural development. Within an unprecedented duration of time, stadiums, flyovers, roads, hotels, and the Games Village were erected. Old residents of Delhi hail it as a period when the skyline of the city changed.[19] However, these developments came at a cost of exploitation of labourers and harassment of homeless people that were forcibly removed from the streets of Delhi along with other human rights violations. The success of the Asian Games and the triumph of portraying Delhi as a developing city of global standards came at the cost of the poor of the city who were invisible to the powers that be.[20]

A little under 30 years later, India had another such opportunity to promote itself in the global economy, this time by hosting the Commonwealth Games in 2010. Soon after winning the bid to host the games in 2003, a massive Games Village was envisioned to host delegates and officials from 71 countries.[21] A massive area on the floodplains of river Yamuna was identified as the site for the project. Despite contestations on the viability of construction in the region, the Games Village was erected. This was accompanied by "an aesthetic ordering of the city"[22] whereby mass demolitions of slum dwellings within sighting distance on the Yamuna River bank were carried out.[23] Across 20 sites, thousands of homes were demolished with many of the residents still awaiting rehabilitation.[24] The construction of the Games Villages not only resulted in the demolition of homes and the subsequent homelessness of its inhabitants but also affected the ecology of the region, resulting in severe flooding inside the Games Village.[25]

However, these experiences and efforts at showcasing development are not unique to Delhi. It is widely accepted that in contemporary times, "cities have to compete

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19 Suzanne Speak, 'The State of Homelessness in Developing Countries' (United Nations Expert Committee) <http://www.ciudad-derechos.org/english/pdf/aai.pdf> accessed 10 June 2024.

20 Vinayak Uppal, 'The Impact of the Commonwealth Games 2020 on Urban Development of Delhi- An analysis with a historical perspective from worldwide experiences & 1982 Asian Games' (2006) 4(10) Theoretical and Empirical Researches in Urban Management 7 <https://ccs.in/sites/default/files/202210/Impact%20of%20Commonwealth%20Games%20on %20urban%20planning%20in%20Delhi.pdf> accessed 10 June 2024.

21 Comptroller and Auditor General of India, 'Performance Audit of XIXth Commonwealth Games'(Report No 6/0211, 2011) <https://cag.gov.in/en/audit-report/details/2586> accessed 10 June 2024.

22   Asher Ghertner, *Rule by Aesthetics: World-Class Making in Delhi* (Oxford University Press 2015) 288.

23 Mathew Idiculla, 'A Right to the Indian City? Legal and Political Claims over Housing and Urban Space in India' (2022) 16(1) Socio-Legal Review.

24 Housing and Land Rights *Network, Planned Dispossession, Forced Evictions and the 2010 Commonwealth Games* (Report No 14 , 2011) <https://www.hlrn.org.in/documents/Planned_ Dispossession.pdf> accessed 14 August 2024.

25 Nikhil Babu, 'Man-made factors at play in Delhi going under water, say experts' The Hindu (Delhi, 16 July 2023) <https://www.thehindu.com/news/cities/Delhi/man-made-factors-at-play-in-city-going-under-water-say-experts/article67077551.ece> accessed 9 September 2024.

globally to develop their local economies if they wish to maintain or improve their position." Winning bids to host prestigious sporting events or demonstrating leadership in global conglomerates like the G20, are opportunities for cities to invest in local development to successfully portray themselves as centres of economic development. From the political dispensation to judicial authorities, the view was unanimous, that Delhi, as the capital of the country, "should be its showpiece".[26]

Another opportunity to display this 'showpiece' arose when India prepared to take over the G20 Presidency from December 2022 to November 2023. G20 or Group of Twenty is a forum for international economic cooperation. It was founded in 1999 after the Asian financial crisis to discuss global economic and financial issues by Finance Ministers and Central Bank Governors. It now also includes the participation of Heads of State and Government.[27]

The theme of India's Presidency was 'Vasudhaiva Kutumbakam' or 'One Earth, One Family, One Future'. The theme also spotlighted LiFE (Lifestyle for Environment) which is associated with environmentally sustainable and responsible choice at both levels of national development and individual choices with the end of undertaking globally transformative actions resulting in a cleaner and greener future. Through its Presidency, India looked to push the targets of Green Development, Climate Finance and LiFE; Accelerated, inclusive and Resilient Growth, accelerating progress on SDGs, and multilateral institutions for the 21st century among others.[28]

In a bid to prepare for over 200 meetings in over 50 cities across 32 different work streams wherein G20 delegates and guests would get a glimpse of India's rich cultural heritage and a year-long India experience, numerous efforts were undertaken to make these cities befitting for the visit. In addition to hosting numerous meetings, Delhi, as the capital city also hosted the G20 Leaders' Summit on 9th and 10th September, 2023.[29] This paper will look at the development efforts that were carried out in Delhi in the last few months. These actions reflected an old worrisome trend – that of targeting and getting rid of informal settlements and slums while beautifying and sanitising the city of unwanted elements.[30]

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26   *Almitra Patel v Union of India* (2000) 2 SCC 679.

27   G20, 'About G20' (G20) <https://www.g20.org/en/about-g20/#overview> accessed 10 August 2023.

28   Ministry of External Affairs, 'Public Information Bureau, Press Release' (Ministry of External Affairs, 10 December 2022) <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1882356> accessed 10 August 2023.

29   G20, 'G20 Leaders' Summit' (G20, 2023) <https://www.g20.org/en/g20-india-2023/new-delhi-summit/> accessed 10 August 2023.

30   Usha Ramanathan, 'Illegality and the Urban Poor' (2006) 41(29) Economic and Political Weekly 3193-3197; Usha Ramanathan, 'Demolition Drive' (2005) 40(27) Economic and Political Weekly 2908-2912.

Starting December in 2022, during the bitter cold in Delhi, demolition notices were being sent to residents of many informal settlements, some in existence for many decades.[31] In some of these cases such as a neighbourhood in the locality of Dhaula Kuan, the residents protested against the demolition notices sent to them by the Public Works Department (PWD), Government of Delhi and approached the High Court of Delhi through a writ petition. The Court in responding to the writ petition, did not stay the demolition, and instead ordered the PWD to stop the demolitions until alternate accommodation was provided within a period of three months and mandated the PWD to give notice of five days to the residents before the commencing of demolition to facilitate relocation.[32] However, within a few weeks, on 28th January 2023, the PWD issued subsequent notices mandating residents to evict their houses and move to temporary shelters designated by the Delhi Urban Shelter Improvement Board (DUSIB). The affected families once again approached the High Court of Delhi which issued a stay on the demolitions until 21st February due to ongoing exams of students living in the settlements.[33] This stay was subsequently extended till 20th April. Demolition ultimately took place on 13th May 2023. Despite the directive of the High Court of Delhi, the demolitions took place without any prior notice, early in the morning leaving the inhabitants with little time to retrieve their properties. The PWD had earlier informed the Court that temporary arrangements had been made in the locality of Naraina, though residents claimed that at the time of demolition, they were asked to move into temporary shelters in the area of Dwarka.[34] Around 125 households in slums managed to get temporary stay orders on the demolition with the help of judicial intervention.

Elsewhere in Delhi, the residents of Mehrauli and nearby Gosiya colony were served demolition notice on 12th December, only a few days after India assumed the G20 Presidency.[35] This area has been a bone of contention between the residents and the

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31   Land Conflict Watch, 'Beautification drive in Dhaula Kuan renders several families homeless in Delhi' (Land Conflict Watch, 3 July 2023) <https://www.landconflictwatch.org/conflicts /beautification-drive-in-dhaula-kuan-renders-several-families-homeless-in-delhi> accessed 30 May 2024.

32   WP (C) 412/2023.

33   WP (C) 1386/2023.

34   Kashish Singh, 'An Unprecedented Move: Demolition in Delhi's Dhaula Kuan leaves Hundreds of Poor People Homeless' (The Mooknayak, 16 May 2023) <https://en.themooknayak.com /india/an-unprecedented-move-demolition-in-delhis-dhaula-kuan-leaves-hundreds-of-poor-people-homeless > accessed 30 May 2024.

35   Sukriti Mishra, 'Delhi High Court Quashes DDA Demolition Notice For Unauthorised Constructions Near Archaeological Park' (Lawbeat, 9 November 2023) <https://lawbeat.in /news-updates/delhi-high-court-quashes-dda-demolition-notice-unauthorised-constructions-near-archaeological-park> accessed 30 May 2024; Asian News International, 'Delhi HC pulls up DDA over de molition despite stay order in South Delhi' Business Standard (11 February, 2023) <https://www.business-standard.com/article/current-affairs/delhi-hc-pulls-up-dda-over-demolition-despite-stay-order-in-south-delhi-123021100046_1.html> accessed 30 May 2024.

Delhi Development Authority, a central government body. It is alleged by the latter that the boundary between the Mehrauli Archaeological Park and Mehrauli village has been illegally encroached by slum dwellers and builder. However, Mehrauli is classified as an urban village and is known as one of the country's oldest inhabited urban settlements. It is inhabited by a large population, some in apartment buildings overlooking the Park while others reside in slums.[36] Despite instructions from the Delhi state government to conduct fresh demarcations of the disputed land, and orders by the High Court of Delhi to stay the demolition till the status of the property and its inhabitants is clarified, on 12th February, bulldozers arrived and tore town numerous homes in the area.[37] It is now believed that the demolition took place to prepare the area for a heritage walk in Mehrauli to be attended by heads of States and other delegates in September.[38] With nowhere to go, many of the families lived amidst the rubble waiting for rehabilitation. The High Court of Delhi has redirected the Delhi Development Authority to commence demarcation process, give fair and reasonable opportunity for the inhabitants to be heard and not undertake any further demolitions.[39]

Similar stories can be narrated of many different parts of Delhi. The area of Tughlakabad was served demolition notices on 11 January.[40] On the morning of 30th April, 2023 nearly 1000 homes were razed to the ground in Tughlakabad. These demolitions followed an order by the High Court of Delhi on 1st February 2023, instructing the Archaeological Survey of India to remove unauthorised constructions from public land and to ensure rehabilitation of those displaced.[41] However, no efforts of rehabilitation have been made for those deemed as encroachers on public land. While

36 Gursimran Kaur Bakshi, 'Demolition politics: First Tughlakabad, now Mehrauli demolition drive makes residents uncertain of their future' (The Leaflet, 13 February 2023) <https://theleaflet.in/demolition-politics-first-tughlakabad-now-mehrauli-demolition-drive-makes-residents-uncertain-of-their-future/> accessed 30 May 2024.

37 Land Conflict Watch, 'Demolitions carried out in Mehrauli over five days in Delhi: Residents Protest' (Land Conflcit Watch, 9 July 2023) <https://www.landconflictwatch.org/conflicts/demolitions-carried-out-in-mehrauli-over-five-days-in-delhi-residents-protest> accessed 30 May 2023; Aam Aadmi Party on X (formerly Twitter) (Twitter, 11 February 2023) <https://x.com/AamAadmiParty/status/1624376483732144130?ref_src=twsrc%5Etfw%7Ctwc amp%5Etweetembed%7Ctwterm%5E1624376483732144130%7Ctwgr%5Ee9b2de3d9f6a936 0c3e0c7edab7f2cd4354d77dc%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.siasat.co m%2Fmehrauli-demolition-women-protesters-throw-chilli-powder-at-police-detained-2525045%2F> accessed 30 May 2024.

38 Anuj Behal, 'G20 and the Delhi: Slum dwellers rendered homeless as city 'decks up' for summit' (Down To Earth, 11 May 2023) <https://www.downtoearth.org.in/blog/governance/g20-and-delhi-slum-dwellers-rendered-homeless-as-city-decks-up-for-summit-89252> accessed 30 May 2024.

39 *Dargah Najeebuddin Firdausi v Delhi Development Authorities and Anr* W.P.(C) 840/2023.

40 Archaelogical Survey of India (ASI, Set of Demolition Notices) <https://drive.google.com/file/d/1vDdOlYxNO82vZmE219VabLEoey96qwoA/view> accessed 30 May 2024.

41 *Mazdoor Awaas Smiti v Union of India and Ors* W.P.(C) 1160/2023.

some people have moved out, many others continue to live amidst the rubble, by trying to build temporary shelter.[42]

Local news in Delhi since the start of the year is replete with such news reports.[43] Despite the public uproar in the form of protests, court petitions, as well as interventions by the Delhi state government, little to no rehabilitation attempts, were under existent laws and policy.

In May 2023 public hearings were organised by a collective of organisations working in varied fields called, Concerned Citizens. These hearings collected testimonies from a range of evictees, including street vendors, slum-dwellers, and waste-pickers, along with representations from lawyers and activists, from Delhi as well as other cities like Mumbai, Kolkata, Nagpur, Indore and Udaipur. They spoke of the brutalities of displacement and eviction inflicted on them by authorities due to the preparation for G20 events. On the basis of this, a report was compiled and released by Concerned Citizens elucidating in detail the human rights violations carried out through evictions.[44] It is believed that at least 1,600 homes have been demolished only in Delhi, with over 260,000 people reportedly homeless after the demolition drives carried out collectively by agencies run by the state government of Delhi and the central government through its numerous bodies and agencies.[45]

III. DEMOLITIONS FOR DEVELOPMENT

All these developmental aspirations echo a prevalent characteristic of seeing parts of cities as clusters 'of threat and danger, problems of security risk'. These sites in Delhi - slums and informal settlements - are then dealt with by being managed and brought under control by removal, instead of supporting and fostering the communities that inhabit these sites and aid their development.[46] In response to this existing contemporary history concerning demolitions and forced evictions to facilitate perceived development activities, several judicial and policy interventions were made in the last decade. In

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42 Land Conflict Watch, 'Archaeological Survey of India issues eviction notice to families living near Tughlaqabad Fort' (Land Conflict Watch, 24 May 2023) <https://www.landconflictwatch.org/conflicts/archaeological-survey-of-india-issues-eviction-notice-to-families-living-near-tughlaqabad-fort> accessed 30 May 2024.

43 Prudhviraj Rupavath, 'Thousands Traumatised in New Delhi: As law is ignored, homes and lives are torn apart for G20' (Article 14, 8 May 2023) <https://article-14.com/post/-thousands-traumatised-in-new-delhi-as-law-is-ignored-homes-lives-are-torn-apart-for-g20-summit-64566b6a40ad4> accessed 30 May 2024.

44 Concerned Citizens, 'Report of the Public Hearing on The Fored Evictions Across India and G20 Events' (Concerned Citizens, May 2023) <https://wgonifis.net/wp-content/uploads/2023/07/g-20-public-hearing-6.pdf> accessed 30 May 2024.

45 'No Mercy for the Vulnerable as Authorities Beautified Urban Area for G20 Events: Report' The Wire (New Delhi, 14 July 2023) <https://m.thewire.in/article/rights/g20-cities-forced-evictions-beautification> accessed 9 September 2024.

46 Austin Zeiderman, *Endangered City: The Politics of Security and Risk in Bogotá* (first published 2016, Duke University Press 2016) 193.

Sudama Singh vs. Govt. of Delhi the Court had laid down a clear set of procedures to be followed by authorities before and after carrying out evictions and demolitions.[47] It established that evictions can only be carried out for a public purpose. Before any attempts at evicting inhabitants, a survey must be undertaken to identify eligibility of relocation. Those evicted should also receive "a reasonable opportunity of accessing adequate housing within a reasonable time" and should exercise their right to "meaningful engagement" with the proposed relocation plans.[48] This judgment ultimately resulted in the passing of the Delhi Slum and Jhuggi Jhopdi Rehabilitation and Relocation Policy, 2015 which codified established procedures for evictions and demolitions and made the Delhi Urban Shelter Improvement Board (DUSIB) as the nodal agency responsible for implementing the possible.[49]

Whether or not demolitions and resultant evictions in informal settlements for beautification and preparation for a global event qualify as public purposes can be disputed. With an increasing proliferation of views of Delhi as a key global player, by both domestic and national leaders as well as interested business parties, the goal of urban regeneration or development is not urban revival. Instead, it takes the form of undertaking steps necessary to attract investments. The focus is on "improving the image and financial powerhouse of the city in order to compete in the global economy, other aspects of the city are either neglected or their needs become superseded by the dominant global agenda".[50] As evidenced from the preceding section, aspirations to improve the image of the city became the predominant agenda, leading not only to violating existing policies but also to the non-adherence to directives by authorities or courts. For instance, in the case of demolitions in Dhaula Kuan, the Deputy Chief Minister of Delhi, Manish Sisodia, directed the PWD to withdraw its eviction notices sent to around 150 families. However, the PWD after a few days sent fresh notices, subsequent to which the affected families had to approach the courts.[51] Similarly, in the case of demolitions in both Mehrauli and Tughlakabad, the authorities were under an obligation to make appropriate rehabilitation arrangements for those affected by evictions and demolitions, but in both cases, the arrangements delivered were far from

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47 *Sudama Singh & Others vs Government Of Delhi & Anr*, 2010 SCC OnLine Del 612.

48 Mathew Idiculla (n 23).

49 Delhi Slum and Jhuggi Jhopdi Rehabilitation and Relocation Policy 2015 <https://delhishelterboard.in/main/wp-content/uploads/2012/01/Policy-2015.pdf> accessed 10 August 2024.

50 Charlotte Lemanski, 'Global Cities in the South: Deepening social and spatial polarisation in Cape Town' [2007] 24(6) Cities 448-461.

51 Express News Services, 'Demolition stayed at Delhi's Dhaula Kuan slum, where residents were asked to vacate amid biting cold' The Indian Express (New Delhi, 9 January 2023) <https://indianexpress.com/article/cities/delhi/delhi-dhaula-kuan-slum-demolition-manish-sisodia-8370179/> accessed 10 August 2023.

sufficient.[52] In both instances, the contested areas fell within the archaeological park as per government claims, invoking Clause 2(v) of the Delhi Slum and Jhuggi Jhopdi Rehabilitation Policy 2015 which required the DUSIB to "make all efforts" to relocate the households of the demolished slum.

Another complexity at play in Delhi contributing to its development dilemma and urban governance, is its unique status in the eyes of the Indian political administration. Delhi was made the capital of India in 1911 by the British government of India upon shifting it from Calcutta. It was believed that Delhi, which occupied a more central location in   India's geography, would make for a more suitable location for administration as compared to Calcutta, located in the extreme east. After India's independence, Delhi continued to be its capital and the centre of all political activity. Considering its unique status as a singular capital city with a unique demography constituted of people from across the country, it was made into a Union Territory in 1956. Union Territories are political units distinct from states into which the rest of the country is organised.[53] They are administered by the President, who is the Head of the State of India through an appointed administrator, in Delhi's case the Lt. Governor. To aid and facilitate local administration, the Delhi Municipal Corporation Act, 1957 was passed.[54] The Delhi Municipal Council that was thereby set up did not have any legislative powers. In response to continuous demand for a State Assembly, the Government set up a committee that recommended measures for streamlining Delhi's administrative measures. In accordance with the Committee's report, the Parliament passed the Constitution (69th Amendment) Act, 1991 through which it inserted two new articles in the Indian Constitution, Article 239AA and 239 AB. These articles provided from setting up a Legislative Assembly for Delhi. Following this, the Government of National Capital Territory of Delhi Act, 1991 was passed which laid down provisions relating to the Legislative Assembly and Council of Ministers. It was established that the Delhi State Assembly, like other state assemblies, had the power to make laws on matters enlisted in the State List and the Concurrent List of the Indian Constitution. However, an exception was made with respect to Entries 1 (Public Order), 2 (Police), and 18 (Land), and entries 64, 65 and 66 of the State List.[55] So, while Delhi is the national

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52   Ashutosh Sharma, 'How government neglect left thousands homeless in Delhi's Tughlaqabad' (Frontline, 15 June 2023)   <https://frontline.thehindu.com/the-nation/human-rights/spotlight-how-government-neglect-left-thousands-homeless-in-delhis-tughlakabad/article66945206.ece> accessed 10 August 2024.

53   Know India, 'States and Union Territories' (Know India) <https://knowindia.india.gov.in/states-uts/> accessed 10 August 2023.

54   Delhi Municipal Corporation Act 1957.

55   Delhi Legislative Assembly, 'Present form of Delhi Assembly' <https://delhiassembly.delhi.gov.in/sites/default/files/2023-06/aboutdvs.pdf> accessed 15 August 2024.

capital and possesses its own State Assembly which is responsible for its governance, its powers are curtailed with respect to certain issues on which the central government still exercises authority. Additionally, the Delhi Municipal Corporation also continues to function as a democratically elected, independent, local administrative body beyond the purview of state government. Hence, activities carried out in Delhi are often fraught with numerous administrative challenges owing to the different centres of power. This tussle is ongoing and has particularly been exacerbated with the new Government of National Capital Territory of Delhi Act, 2023 being passed which further increases the powers of the centre in Delhi's administration.[56]

The wrangle in carrying out developmental activities and implementing policies is one of the most visible consequences of its complicated power-sharing arrangement. For instance, in June 2022, the DUSIB decided to conduct a survey of people living in slum clusters in Delhi in order to identify beneficiaries for its Rehabilitation and Relocation Policy, 2015 or Mukhya Mantri Awas Yojana. A similar attempt was made in 2019 which was interrupted due to differences with the centrally controlled Delhi Development Authority, which wanted to carry out its own survey and identify beneficiaries under the central government's Pradhan Mantri Awas Yojana. In 2020, the Delhi state government had announced the construction of nearly 90,000 flats for relocation of those living in slums and other informal settlements. It is believed that, that nearly 60,000 flats were partially built but a large number of them had to be given to the Central government under their Affordable Rental Housing Scheme.[57] Hence, the issue of housing and informal settlement has often been caught in the crossfire between different levels of administration.

This struggle was once again witnessed during the beautification and developmental efforts being carried out in preparing for the G20 Presidency and Summit. In the case of the demolitions in Dhaula Kuan, we see that the eviction notices were sent by PWD of the Government of National Capital Territory of Delhi. However, these eviction attempts were opposed by the Deputy Chief Minister of Delhi, Manish Sisodia, who directed the PWD to withdraw the notices. It was believed that evictions were being carried out in preparation of the G20 events, but were denied by PWD authorities who claimed that they were undertaking efforts to deal with the problem of encroachment on public land. Eventually, more such notices were sent and ultimately brought before the

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56 Aiman Chisti, 'Government of NCT Delhi (Amendment) Act, 2023 Receives President's Assent' (LiveLaw, 12 August 2023) <https://www.livelaw.in/top-stories/government-of-not-delhi-amendment-act-rvv eceives-president-assent-235059> accessed 14 August 2023.

57 Atul Mathur, 'Delhi Urban Shelter Improvement Board to conduct survey, identify beneficiaries in slum areas for housing' Times of India (New Delhi, 28 June 2022) <https://timesofindia.indiatimes.com/city/delhi/delhi-urban-shelter-improvement-board-to-conduct-survey-identify-beneficiaries-in-slum-areas-for-housing/articleshow/92500752.cms> accessed 10 August 2024.

High Court of Delhi. Such instance of different directives being sent by agencies and authorities of the state government of Delhi creates confusion and raises questions about the exercise of the power of the state government in the city of Delhi.

On the other hand, in Mehrauli and Tughlakabad, the ASI, which is a central government agency led the demolition drives. In both these cases, despite judicial directives to follow the Delhi Slum and Jhuggi Jhopdi Rehabilitation Policy 2015, the authorities did not give due notice to inhabitants or engage in dialogue to facilitate relocation. Many affected families continue to struggle to rehabilitate.[58]

IV. THE QUESTION OF RIGHT TO A CITY IN DELHI

A Global City is characterised by strategies developed from international standards, which focus on economic development and global marketing, evinced by growing real estate, business, and tourist economy.[59] With the increasing expansion of urban centres and promotion of Global Cities, cities have acquired their unique place in the imaginations of the future of humankind. Concerns about the governance of cities, and their intertwining with agendas of economic liberalism and sustainable development are being increasingly addressed in international discourses.[60]

For instance, Sustainable Development Goal 11 is titled 'Sustainable cities and communities'. Unlike any of the other 16 SDGs, it is the only goal which clearly identifies the actors for the goal, which, in this instance is that of the city. It enlists the goal 'to make cities inclusive, safe, resilient, and sustainable' in recognition of the expanding world population and their increasing move to cities. It also recognises that given the developments arising due to climate change, intelligent urban planning to create safe, affordable, resilient, and green city spaces is of utmost importance.[61] The first target (Target 11.1) that it enlists is that of safe and affordable housing. It identifies that the primary threat to safe and affordable housing is the presence of an 'urban population living in slums, informal settlements or inadequate housing'. Such living conditions often entail a lack of access to clean water and sanitation, insufficient living area and risks regarding the durability of the house which constitute a major challenge ensuring safe and affordable housing. So, the target to be achieved under SDG 11 is to

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58 Housing and Land Rights Network, 'Forced Evictions in India: 2022 and 2023' (Housing and Land Rights Network, 2024) <https://hlrn.org.in/documents/Forced_Evictions _2022_2023.pdf> accessed 10 August 2024.

59 Matthew Gibb, 'The Global and the Local: A Comparative Study of Developement Practices in three South African Municipalities' (PhD Thesis, Rhodes University 2006).

60 Miha Marčenko, 'International Legal Collage of an Ideal City' in Sofia Stolk and Renske Vos (eds) *International Law's Collected Stories* (Palgrave Studies in International Relations 2020) 100.

61 The Global Goals (n 16).

"ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums".[62]

Even before the SDGs, the International Covenant for Economic Social and Cultural Rights (ICESCR) enshrined the right to adequate housing,[63] and in its General Comments, the UN highlighted the destructive effects of different developmental projects.[64] In its General Comment 7 on the Right to adequate housing and against forced evictions, the UN CESCR accepts that forced evictions occur in the name of development. They are often carried out in connection with "land acquisition measures associated with urban renewal, housing renovation, city beautification programmes, the clearing of land for agricultural purposes, unbridled speculation in land, or the holding of major sporting events like the Olympic Games".[65] In a bid to regulate such activities, the Committee has stated that, as a part of its reporting mechanism, information is also sought on "measures taken during, inter alia, urban renewal programmes, redevelopment projects, site upgrading, preparation for international events (Olympics and other sporting competitions, exhibitions, conferences, etc.) 'beautiful city' campaigns, etc. which guarantee protection from eviction or guarantee rehousing based on mutual consent, by any persons living on or near to affected sites".[66]

In fact, questions on housing and rehabilitation of slum-dwellers have also been raised in the concept of the Right to the City. It refers to the idea of collective right over "democratic management of the city, on the social and environmental function of property and of the city, and on the full exercise of citizenship".[67] It has become an important idea that is constantly invoked for vocalising alternate visions of the city and raising demands concerning housing, evictions, gentrification and urban governance.[68] The Right to the City has been widely adopted in numerous global and multilateral forums. It has its own 'World Chapter' which declares its objective of "recognition of the Right to the City in the international human rights system".[69] The High Court of Delhi

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62 Our World in Data, 'Sustainable Development Goal 11: Make Cities Inclusive, Safe, Resilient and Sustainable' (Our World in Data, 18 July 2023) <https://ourworldindata.org/sdgs/sustainable-cities#target-11-1-safe-and-affordable-housing> accessed 05 August 2023; United Nations, 'Sustainable Cities and Affordable Housing' (United Nations) <https://sdgs.un.org/topics/sustainable-cities-and-human-settlements> accessed 10 August 2023.

63 International Covenant on Economic, Social and Cultural Rights 1966, 993 UNTS 1996.

64 UN Committee on Economic, Social, and Cultural Rights, 'General Comment No. 7: The right to adequate housing (Art. 11.1): forced evictions' (1997) E/1998/22.

65 ibid [9].

66 ibid [20].

67 Constitution of the Republic of Ecuador 2008, art. 31; Francesca Perry, 'Right to the City: Can this Growing Social Movement win over City Officials' The Guardian (Barcelona, 19 April 2016) <https://www.theguardian.com/cities/2016/apr/19/right-city-social-movement-transforming-urban-space> accessed 10 August 2023.

68 Wojciech Kębłowski and Mathieu Van Criekingen, 'How "Alternative" Alternative Urban Policies Really Are? Looking at Participatory Budgeting Through the Lenses of the Right to the City' (2014) 15 Métropoles 1.

69 World Social Forum, 'World Charter on the Right to the City'(World Social Forum, 2004) <https://hlrn.org.in/documents/World_Charter_on_the_Right_to_the_City.htm> accessed 12 June 2023.

also invoked the idea of the Right to the City in Ajay Maken vs. Union of India[70] to expand the right to housing and provide constitutional protection to slum dwellers from forced evictions. The Court applied the idea specifically in the context of Delhi while referring to its inhabitants of slums as important contributors to the social and economic life of the city. These inhabitants include "sanitation workers, garbage collectors, domestic help, rickshaw pullers, labourers…" who are responsible for providing basic amenities and services to Delhi's urban population for their comfortable life while travelling long distances and living in deplorable conditions. The Court uses the principle to underpin that the housing needs of urban populations, especially those living in informal arrangements need to be prioritised by the State.[71] It implores that "Right to the City is an extension and an elaboration of the core elements of the right to shelter" which has been acknowledged in Delhi's 2015 Rehabilitation Policy which must be upheld in any eviction or demolition attempts.[72]

This "alternative adjectival construction" of slum dwellers as service providers to urban inhabitants is important to identify their contribution to building global cities that they are left out of. These slum dwellers are also often labourers who help construct glorious structures every time the city hosts events like the Asian Games or the Commonwealth Games, or even beautify the city to welcome international dignitaries during the G20 Summit. So, while their labour is recognised, their need for residence in the planning of a city is not. Even now, it is believed that almost 30% of any big city's population are housed in slums.[73]

This is a common experience for many cities in the Global South where implications surrounding the development of Global Cities lead to further spatial segregation and polarisation.[74] So as cities like Delhi are beautified and developed to appear as sites of global development, those whose labours contribute to the construction of this imagination are pushed to the periphery or worse, denied any place at all. These further exacerbate socio-economic divisions that exist in Indian cities due to the prevalence of poverty along with caste and religious discrimination. The situation worsens when often sparse resources are spent on development projects for promoting cities in the global economy. During the Asian Games, the Indian government was widely criticised for spending a large amount of money when the Indian economy was struggling with almost famine-like conditions in many parts of the country.[75] Similarly, the expenses incurred by the Indian government in preparing for the G20 Summit appear significant and

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70   WP © 11616/2015.

71   ibid [83].

72   ibid [130].

73   Usha Ramanathan, Demolition Drive (n 30) 2908.

74   Charlotte Lemanski (n 50) 449.

75   Vinayak Uppal (n 20) 13.

disproportionate for the nature of engagement when compared to the expense incurred by previous hosts. [76]

These instances attest to pre-existing patterns in cities of the Global South "where planning and investment patterns have historically segregated different groups and spaces. By investing in core areas of the city that are already affluent in order to demonstrate global strength for both the outside observer and internal elite, existing segregation is deepened".[77] The increasing segregation by way of proliferation of slums is then often perceived as a failure of planned development further necessitating intervention in the name of 'public interest' leading to evictions and unannounced demolitions.[78] And thus, the quest for creating a global city continues.

V. CONCLUSION

This narration of human rights violations that have taken place in the name of necessary development in Delhi in the run-up to the G20 Summit, is a small display of how questions of the poor and marginalised are lost on most when the question of development arises. Development, though multi-faceted, has assumed a unidimensional order, which in the given context does not allow for the existence of the marginalised and poor in informal settlements. While this should be considered an opportunity for improving the status of the marginalised and poor and providing them with better opportunities, it has instead led to them being seen as unwanted features to be erased or hidden in the façade of development in the city.[79] Similar experiences have taken place in other cities in the Global South in the run up to major international events. Direct parallels can be drawn with the developments that took place in Rio de Janeiro while preparing the city for 2016 Olympic Games. Urban development projects were widely criticised for their negative impact on marginal neighbourhoods, their collective autonomy, identity, and livelihood.[80]

Each of the development efforts mentioned above mirror the idea of a 'world-class city' as synonymous with 'an idealised vision of a modern, privatised, and slum-free city

76 The Outlook Business Team, 'G20 Budget: How much has India spent on hosting the Summit?' (Outlook India, 7 September 2023) <https://business.outlookindia.com/news/g20-budget-how-much-has-india-spent-on-hosting-the-g20-summit-in-delhi> accessed 13 June 2024.

77 Charlotte Lemanski (n 50) 450.

78 Gautam Bhan, *In the Public's Interest: Evictions, Citizenship, and Inequality in Contemporary Delhi* (Orient Black Swan 2016); Gautam Bhan, 'This is No Longer the City I Once Knew: Evictions, the Urban Poor and the Right to the City in Millennial Delhi' (2009) 21(1) Environment and Urbanization 127.

79 Ribhu Chatterjee and Pranay Dutta Roy, 'Hiding Poverty: Ahead of G20 Summit, Green Sheets keep Delhi Slums Under Wraps' (The Quint, 13 June 2024) <https://www.thequint.com/videos/g20-summit-green-sheets-beautification-delhi-slums-covered-up> accessed 13 June 2024.

80 Luis Eslava and Maria Clara Dias, 'Horizons of Inclusion: Life Between Laws and Developments in Rio de Janeiro' (2013) 44(2) Inter-American Law Review 177; Véronique Karine Simon and Einar Braathen, 'Collective Heritage and Urban Politics: An Uncertain Future for the Living Culture of Rio de Janeiro?' (2019) 25 International Journal of Heritage Studies 380.

assembled from transnationally circulating images of other so-called global cities.'[81] The potential and challenge of creating Global Cities in countries like India is particularly problematic given the legacy of caste discrimination and religious ghettoisation that also exists in society. Not only does this increase polarisation but also neglects the welfare needs of the regular population of the cities who are already less likely to "benefit from the spoils of global activity." In this context, it is important to not just critically look at activities undertaken by State authorities in the name of developing cities but also re-assess the international influences to prioritise global economic advancement in the quest to move up in the 'hierarchy' of Global Cities to ensure growth and development to the people.[82]

81   Asher Ghertner (n 22) 23.
82   Charlotte Lemanski (n 50) 448-461.