

## **The Regime of Registers: Land Ownership and State Planning in the Urban Villages of Delhi**

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### **Abstract**

*This paper deals with the question of land ownership in the urban villages of South Delhi, by locating the nature of property as fuzzy evident from land revenue records and other sources. It looks at how state planning allowed these places not to be governed by the Master Plan because of their status of the 'village' within the city, and how almost fifty years later these places emerged as nightmares for city planners. The paper argues that this fuzziness which determines ownership and possession creates several permutations and combinations which lead to a different kind of property regime in the villages. It therefore places these villages on the map of a real estate market in a curious way that allows the 'villagers' to become owners of major properties. The paper is located at the cusp of the tensions between the state and the landowners over the status and properties in the villages.*

### **Keywords**

Urban villages, lal dora, land regimes, property ownership, land records, urban planning, accumulation

In every age someone, looking at Fedora as it was, imagined a way of making it into the ideal city, but while he constructed his miniature model, Fedora was already no longer the same as before, and what had been until yesterday a possible future became only a toy in a glass globe... on the map of your empire, O Great Khan, there must be room both for big, stone Fedora and the little Fedoras in glass globes. Not because they are all equally real, but because all are only assumptions. The one contains what is accepted as necessary when it is not yet so; the others, what is imagined as possible and, a moment later, is possible no longer.

Invisible Cities, Italo Calvino, p.28

Similar to the big, stone Fedora and the little Fedoras in glass globes – one represents the imagination of urban planners, the other as functional and the way people make sense of city spaces that contribute to their growth. At the core of urban growth, there are contests over three different areas as discussed by Ananya Roy (2005) – territorial production of value, social struggles over meaning and the state apparatus through planning. Therefore, Roy situates urbanism at the centre of the contested political terrain that is at the cusp of conflicts between state, citizens and all mediating entities. As scholars of urbanisms, we only attempt to tap into various constellations of these interactions, contestations and theories, as to what could these possibly mean and imply.

I look at urban villages, their property documentation and the practices of land ownership to understand how documentary fuzziness leads to curious entanglements between the state, its various bodies and the people that are not homogeneous. The research leads to practices and performances quite unlike what the big stone Fedora represents. Urban villages are products of state planning, as the residential part of the villages were kept out of the land acquisition project in 1950-60, when agricultural land from peripheral villages were exclusively acquired. These spaces now exist in the middle of rich and sophisticated localities of South Delhi. The land outside the limits of the village, marked by the amorphous *Lal Dora* has a different trajectory altogether. Delhi Development Authority (DDA) colonies, DDA shopping complexes, universities, institutes, and now even shopping malls have started to come up on the agricultural land. Urban villages in this context are hard to map regarding their demography and physical constituents. Google image pictures show most of them as blurred, with no clear demarcated streets, houses or open spaces. The Mini Master Plan of 1985 showed there were only 111 urban villages and 258 rural villages based on the 1981 census. The Tejendra Khanna Report claimed the number of urban villages had gone up to 135 and rural villages up to 227. These are spaces of rampant construction with houses coming up stuck to each other, some with odd shapes to maximise building both on the ground and as high rise constructions. Such rampant and bewildering constructions

could take place in these villages left with no building bye-laws for a long time. Since they predate the Mini Master Plan, and their *abadi* area (land within the *lal dora*) similar to the agricultural land was not acquired by the government that allowed these to exist 'without' any planning intervention.

The term *Lal Dora* was first used in 1908 to define the habitation (*abadi*) land of a village. The land revenue department used to tie a 'red thread' (*Lal Dora*) around the village extension area to differentiate this land from the agricultural land. During land acquisition, this demarcation was held steady, and the state acquired only the land outside the *lal dora*, which was the agricultural land. These villages or the *lal dora* land have now come up as residential enclaves for the lower middle-class migrants in the middle of affluent colonies of South Delhi. The significance of keeping them as small, one-room coupe is these spaces cater to people doing odd jobs or are students. These spaces, therefore, tap the real estate market for people who would not live in 'slums' but also cannot afford the middle-class colonies in South Delhi. Here, the real estate market thrives on the logic of profit margins. It operates by building a series of tiny 'one-room sets' with occasionally shared toilets drawing rent from 6-8 times' higher number of tenants than usual.

The one room sets are a relatively recent innovation since the early 1990s. A popular source of income for people has been to rent out their single or double-storied buildings with outside toilets for common usage. The courtyard would serve the common space for cooking too. It is hard to point out how this 'trend' began. Surender Rathi as one of the most popular 'builders' in the village credits himself for coming up with the idea of the '*naye* (new) design', who said: "waise mujhe kehna toh nahi chahiye, par ye one room set bhi maine hi shuru kiya tha." (I should not be saying this, but I started this one room set phenomenon) Many people thought that this idea would be unsuccessful as the rooms were small although attached bathrooms were not very common in the village. Surender used the term *chhote kamre* (small rooms) several times while describing his innovative skills and business acumen, during my meeting with him. It is on the smallness of the tenements that the logic of one room sets uses to maximise rent extraction. Today, this is the most dominant form of real estate construction in the village. This has led to extremely constricted lanes, buildings literally toppling over each other in these villages. This kind of a 'messy' haphazard form of real estate development is neither a coincidence nor something that was inevitable. The objective of the paper is neither to see these spaces are merely 'unruly', 'messy' spaces in need of ordering by the state, nor to celebrate these spaces as having embodied 'The Art of

Not Being Governed' (Scott: 2011). I only intend to see how spaces like these, owing to fuzzy land titles tap into a kind of a real estate market for which this kind of an architecture and development could become the primary means of accumulation.

This kind of architecture, and real estate boom in these villages was made possible because of the fact that building laws did not apply here, and indiscriminate construction could take place in ways that it could not take place elsewhere. The exemptions that came with the 1963 notification allowed the rural *abadi* areas within both *lal dora* and Extended *lal dora* to disregard certain sections under the Building Regulations of the Delhi Metropolitan Council Act. It stated that no building permission was required for construction of a house by the owner on a particular plot for his or her own residential requirement, in the *lal dora* or the *phirni* (the *phirni* is the newer *lal dora* often called extended *lal dora* drawn beyond the *lal dora* at the time of consolidation of land to accommodate the natural expansion or spilling over of the population beyond the demarcation). This notification was passed when the state had not been able to predict how *lal dora* land could come up as vibrant real estate economies. Also, these vibrant real estate economies could also come up because of these exemptions. We will see in the paper as to how the state is now making the various attempts, to rescind the 1963 notification and make the boundaries of these urban villages legible, easier to map and therefore also taxable.

*Lal Dora* now remains a virtually unidentifiable line that no longer translates into the field as it does on the map. As more and more construction happened, and as people in the village started building in the spaces outside the *lal dora*, acquired by the government but were yet to develop. These sections of the village are now a part of the around 1700 'unauthorised colonies' in Delhi. There no longer remains a discernible line that fixes the status of a property, probably left intentionally blurred. During fieldwork, the contours of *lal dora* always ended up a 'little ahead' of their property. Security of tenure regarding property can mean a host of things. It can mean varying degrees of use and exchange. The term 'unauthorised' has several implications. An unauthorised form of property can be unauthorised for various reasons such as squatting on land owned by someone else, using property in contravention of the designated land use or through an act of unrecognised sale. Therefore, the use of instruments and innovations like that of 'power of attorney' becomes possible for people to have the right to sell a property without owning it. Not all properties, therefore, are illegal in the same way. Some are possessed by the government but occupied by legal means. The second category is that of land that only has been acquired by the government but still in

possession of private people. The third is a land owner, and the possessor are both private individuals and the possession has been made possible through 'power of attorney. A built structure the legal owner and possessor being the same person- when the built structure is in violation of the enforceable building regulations.

The Tejendra Khanna Committee Report (2006) acknowledges four kinds of unauthorised developments in the *lal dora*/ extended *lal dora* area that the Committee thinks need sympathetic consideration, given the fact that they were paid very little money for their land that included both over construction and commercial usage of the residential property. These are the various ways in which layers of illegalities get constructed within the illegal colonies which leave one more illegal than the other, one more legible than the other. What happens when a city when the unit of its organisation that is property is illegible? What kind of a citizen does it create? What kind of a state mechanism does one need in place to work with citizens with such illegible properties? This paper will attempt to speak of the logic of plans and maps and the logics of the practices of land ownership in the context of urban villages that allow these spaces to emerge as a result of the real estate boom.

## Land Acquisition

The history of land acquisition is not similar throughout Delhi villages. They have been acquired at different moments and therefore paid different rates. Sometimes land of the same village was acquired at different points in time. While some were consolidated before they were acquired and designated extended *lal dora* (which makes land easier to map), many villages were left out of this entire process, and their last stock-taking is in the form of revenue records from 1908-1909. After the acquisition, in villages where consolidation did not take place, the village *abadi* were given one *khasra* number (*khasra* numbers are given according to proprietorship), and the rest got separate *khasra* numbers by ownership. This did not mark out individual property inside the *khasra*. Property within *lal dora* is mostly unmapped and unregistered because these run on family lines. Disputes too are often resolved internally and unofficially because of lack of documentation. The rest of the plots outside the village are now divided into plots of all sizes. Some of them are owned by the government while the others are privately owned. As the individual property was not accounted for within the *lal dora* and the entire village was given one *khasra* number, the records meant further flexibility regarding land ownership within the *lal dora*, and allowed opportunities for the land grab.

The villages whose land have been consolidated, their revenue maps are organised in equally sized chunks of land called *Mustil* which have corresponding markers on the real field. These maps are easier to comprehend. The villages that have not been consolidated, the correspondence between land as marked through *khasras* on the *latha* or the cloth map and the actual land can vary hugely. In this paper, we are concerned with non-consolidated land which is highly irregular. The state was forced to acknowledge *kabza* at its face value. Here the term *kabza* often does not have the pejorative implication of forcible occupation. Many a times *kabza* only meant the extent of an individual's possession and with no document to counter it, at other times *kabza* also implied further occupation of a particular vacant land with social consent. The paper demonstrates later, how *kabza* begins to attain a more pejorative sense with forcible occupation of village land viewed as potential 'real estate'. With several notifications and circulars too, certain socially acceptable forms of *kabza* begin to get identified as illegal (such as the case of 325 discussed later). The fluidities and flexibilities are much more rampant in such villages where information depends on the translations and interpretations by the officials in charge, who exercise considerable power. The office of the *patwari* and *tehsildar* are often the most contentious ones because of their 'ability' to understand the language of these documents.

In cases of dispute, the land acquisition department records names of people who lived in the village at that particular time of acquisition or even before and that is sometimes required to establish one's forefather belongs to a certain village. In usual problems and fights, producing electricity bill and other similar documents would be enough. However, only in the case of sale of *lal dora* property is a registration and *lal dora* certificate sometimes preferred. *Lal Dora* certificate certifies that a particular property is within *lal dora* but then to ascertain property ownership one would need *patwari*'s documents. The *Lal dora* certificate is required for a sale deed and loan.

The villagers are spread across two *khasras* (858 and 325), in the particular village chosen for my field work. The *khasra* number 325, the other big residential chunk of the village, recognises the state as the owner of the land but also as *shamlat deh* (commons). The Dalits settled in the commons between 18<sup>th</sup>-19<sup>th</sup> centuries. As land was acquired later, the *shamlat deh* was acquired by the state without adequate compensation and given a different *khasra* number, which technically made all the Dalit residents of *khasra* number 325 as illegal encroachers. The *khasra girdavari* register notes it as (*hasberasad kabza*).

*Hasberasad Kabza* here means encroachment by multiple people. This form of *kabza* has consciously or unconsciously dispossessed the Dalit communities and marked them as illegal possessors of their land holdings in Khasra number 325. But the people continued to stay on, and now there is a very little way of distinguishing between the *lal dora* and the *non-lal dora* land.

Most of the land was never brought to use by the DDA or other government departments like Ministry of Works, Central Public Works Department to whom land was allocated. Since much of this land outside the *lal dora* lay unused, the villagers (the dominant Jats) displaced the small grocery stores, barber shops, small eating joints, mechanic shops. Small markets emerged in their place slowly, as this place had already started to come up as a commercially viable place because of a lot of migrant labourers living around. Much of the area was still used as cowsheds for cattle. As these marketplaces grew along the road, the area between the village and the road also started filling up with buildings. Today, many of these are commercial buildings named after various landlords that make this area a thriving marketplace. Not all land outside the *lal dora*, however, is illegal for ownership. There is quite a bit of land the *Khasra Girdavari* registers as private property. However, what one does not know is how the property was not acquired and remained as private. Through one *farad* (a particular page from the *Khasra Giradavari* register, as proof shows the status of a specific property), I tried to understand property issues from the registers and as they appear on the field. The *farad* showed that while 1354/725 was recognised as private property, 1355/725 was not. Chander Tokas's 1355/725 was acknowledged as *Sarkar daulatdar's* (State) property whose *makbooja malkan* (ownership) was with Public Works Department, its area was 10 bigha 4 biswa (1 bigha = 1000 sq. Yards, 1 biswa = 50 sq. Yards) and the use of the land was recognised as *abaadi*. As I flipped the pages, I realised many properties were recognised as individual property while many others were not. It is puzzling to see how two properties next to each other have different status, and while one was acquired, the other was not.

At the *patwari's* office, they gave me an elaborate and extremely complicated process of the land transaction. He said that the government acknowledges only three forms of transfers 1) sale deed 2) succession and 3) court decree, all of which require a registration of property. *lal dora* certificate of a particular property within *lal dora* in villages that are not surveyed after 1908-1909 remained essential. As many of them occupy land illegally for various reasons, they cannot get a sale deed, and a new instrument called 'the power of attorney to

transfer the rights to use was in place for which no document and registry are required, and complicating further the matter of ownership in these places.<sup>1</sup>

## Land Records

The land records constitute several documents such as the *khatauni/jamabandi*, the *khasra girdavari* and the *intakaal* registers. These records have two names -- *Jamabandi and Khatauni*. An entry on the *khasra giradavari* register means that the person owns a particular plot of land which has no legal binding. While the *khasra giradavari* register acknowledges that the state owns the land, the records show the same plot of land could be possessed by someone else (*Abadi*). *Khatauni* or *Jamabandi* keeps *malkiyat* or ownership into account while *khasra girdavari* is only a stock taking entry of the land every four years. The entire *khasra girdavari* register is a fundamental document of the owner and the possessor, and has details of the cropping area and the revenue generated.

The land registrar office works with a photocopy of an original *jamabandi* register dating from 1949-1950. The Land Registrar Office of the Revenue Department is central in the entire scheme of records as it is the only authority that keeps an account of land ownership. This office is the possessor and interpreter of the land documents and its interpretation is also summoned in court cases regarding property disputes. The administrative language of the record remains in Urdu, with details of transfers by the *Shikast* (the administrative hand), who illegibly scribbled on the margins in Hindi. I gather that these are updated every five years with new changes formally introduced. The new information is merely scribbled on the sides of the record to keep track of the changes. The *Tehsildar* and other officials have very little knowledge of Urdu. The *patwari*, Sanwal has no reading or writing abilities in Urdu as well. Verma Ji, who has been working in this office for years, understands basic terms and numbers to manage the office. The *khasra giradavari* documents update every four years the owner, cultivator, or information on self-cultivated land, area of crop sown and so on. The *intakaal* register documents sale, purchase and transfers of all kinds. These three documents, together decide the status of the land. They are written, analysed and calculated

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<sup>1</sup> Power of Attorney is a modified legal document which is not recognised as a legal sales transfer and does not give the buyer legal title to property. It first came into place to circumvent transfer and sale restrictions placed on leasehold property. Though the history of the evolution of Power of Attorney is beyond the scope of this particular work, it becomes necessary to understand the tenuous status of this instrument. In 1989, government decided to regularise property transferred through power of attorney with a proof of possession, in return for payment of conversion charge, registration fees and stamp duties.



in ways that are incomprehensible to many. Therefore, officials like the *patwari* and the *tehsildar* yield power to be able to translate documents from Urdu to Hindi, alter administrative terms to a colloquial language, and convert their knowledge about ownership from the various registers to demarcate a physical geographical space in reality.

An official circular released in 2011 gave a massive blow to the development of real estates in villages. The DDA issued a Gazette Notification on 17th January 2011, relating to Building Control Regulations for village *abadi*. It notified that all existing exemptions on sanctioning of buildings in the village *abadi* would cease to exist. Following the DDA notification, another Municipal Corporation of Delhi circular on 28th September in the same year states, an applicant is required to put in an affidavit as substantive proof of ownership, correctly certify the size, shape, area and location within the *lal dora* in keeping with the revenue authorities' permit for building plans.<sup>2</sup> The circular also specified streets to be at least 4.5 metres wide to sanction any building plan. The state has made numerous attempts to regularise urban villages. A Sanction plan issued in 1983, limited buildings in *lal dora* to only two and a half storeys. Soon after, the Mini Master Plan of 1985 suggested the older privilege exempting villages from building bye-laws should end, and constructions are subject to sanctions from either DDA or MCD. The building activity in urban villages is now governed by a notification on 17th January 2011, issued by DDA, "The Building Regulations for Special Area, Unauthorized Regularized Colonies and Village Abadi, 2010" and Circular No.TP/G/3426/11 dated 28.09.2011. It states that it would be the responsibility of the residents/RWA to prepare a layout plan and get it approved by the local body. It mentions that all existing exemptions regarding sanction of building plans in the village *abadis* will cease to exist from the date of notification of these regulations.

This kind of muddled status of land and ownership in these villages help the villagers to manoeuvre around the law, build a form of real estate catering for both hyper-commercial purposes like that of Hauz Khas Village or Shahpur Jat and the tenements for lower middle-class occupants. The circular in 2011 did not slow real estate development but added to the complications already created by the Master Plan of 2021 and other documents. Satbir Singh, my informant, sits with his *hukka*, on a winter morning, outside his five-storey commercial building that was built in 2013. He says they use three floors in the family and

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<sup>2</sup> Both DDA and MCD have overlapping powers in terms land and property regimes in Delhi which necessitates permissions and clearances from both the institutions for building plans. Their institutional powers also mean that both can come up with regulations and policies, and several times appear contradictory relating to ownership and building laws.

rent out two. A Japanese firm probably occupied one floor. The road that runs by is a commercial road, but he tells me that he pays no house tax or conversion charge for it. He said: “Gaon mein kaun dekhta hai” (Who looks into the villages?) While discussing demolitions, he tells me, “ki koi todne nahi deta. Aisi koi baat hoti hai toh poora gaon ek saath ho jata hai.” (Nobody lets them break it; during such talks, the entire village comes together). He continues about the recent demolition carried out in 141 cases and says that “MCD waale bas khanapoorti kar gaye. Kyunki unko dikhana hota hai. Hamari parshad bhi pahonch gayi thi wahan.” (The MCD people just did the minimum as they had to display power. Our Councillor was there as well). The orders not only allow villagers to manoeuvre but enable the lower levels of bureaucracy to remain crucial figures in land dealings.

Demolitions are mostly unheard of in these villages. Villagers say that most demolitions happen when people file a complaint against each other and not because the government officials are responsible for demolishing illegal buildings. Jaiveer, a property dealer who specialises in dealing with disputed properties while explaining to me the nature of Jat dominance in the property market says, “upar se neeche toh sab inhi ke log hain!” (from top to bottom, there are only their people). Jaiveer points out to the irony of the situation, confirming a higher official of South Delhi Municipal Corporation owns a humongous building built on the illegal property. Despite the social and political clout that the Jat landlords wield, demolitions remain the biggest threat. Satbir Singh describes some situations when people put their differences behind and put up a front, either physically or through their political networks as everyone has some stake in the real estate. Councillors often stall demolitions by pulling a few strings here and there. Sometimes people come together to stall a demolition order that has gone too far to reverse. Many obtain notices, but somehow these are stopped. Some villagers also get notices from the Archeological Survey of India because many of these villages dotted with medieval structures need preservation from the encroachment of buildings.

The *patwari*, despite being the lowest official in the Revenue Department remains important and powerful. During my fieldwork in a market, I inquired about the vacant patch of land that was used by a small trading flower seller. He told: “patwari se milkar gher liya” (they grabbed the land with the help of the patwari). Pointing a space, right ahead of the shop, he tells me that a villager and the *patwari*’s brother got together as partners to build a market in the space. But due to some misunderstanding and lack of trust in each other, they passed on the ‘power of attorney’ to some other person who then passed it on to someone else. Finally,

when the court summoned the stakeholders, some five to six people turned up as owners. The Court then gave a stay order on that piece of land, which is now lying vacant.

In practice, on the ground, demolitions are not a big threat, as the villages are subject to a capital intensive real estate growth. There are tacit, underhand collisions between the local level state officials, municipal councillors and the villagers that save the constructions from demolition. Sometimes demolitions effectively lead to breaking a few sections of the building that are easily repaired to serve as a proof of the order. No matter how facile these demolitions appear, it demonstrates the right of the state it wants to retain. The circular in 2011 is the current method of ensuring the state's right to village spaces.

In fact, if one looks closely, demolition and its threat are potent mechanisms that enable the state to exercise its sovereign power. The sovereignty challenged, compromised and negotiated with, by the lower echelons of state administration are part of the village society. This case study shows officials like the *patwari* and the Municipal Corporation officers in charge of irregular construction counter the reign of circulars and notifications. When demolitions stop as a result of public action, it somehow distorts the typical image of the Leviathan and the sovereign power constituted by individuals locked into a social contract. The social contract fractures during moments when individuals who are serving the Leviathan, challenge its sovereignty. However, it would be a mistake to see them as mere individuals. They organise themselves as 'cartels of power' which at times triumph over state sovereignty that recoil with a whimper.

## Conclusion

The contemporary politics of land and land control in Delhi hinges on notifications that create exceptional spaces in urban villages. We see how the state progressively attempts to regain control over them through various notifications, programmes and policies. The logic of urbanising Delhi's villages are central to Delhi Government's scheme of 'Land Pooling' by assembling the small parts of the rural land, develop infrastructure and redistribute the developed land after deducting some compensation towards infrastructure costs (Singh, 2015). The current move to urbanise thirty-nine villages in South Delhi and to develop similar other villages needs putting into perspective in the context of its motives. Newspapers also claim that the state government has marked out villages like Mehrauli, Chhatarpur, Bijwasan and so on to enhance their real estate value through land pooling because of their proximity

to the airport and the metro. The newspaper report claims that these villages together will release around 70,000 acres of real estate in the national Capital and would be used by developers and investors to build for housing, commercial and industrial purposes (Singh, 2015).

The Tejendra Khanna Committee Report reviewed unauthorised constructions and misuse of premises in Delhi, criticising the government's move to undertake numerous demolitions that affect a huge number of people. The report says: "The magnitude of the problem is too huge to solve by demolition/forcible action alone. Even though no scientific survey has been carried out, it was reported that a hurried sample survey conducted by MCD recently suggests that some portion(s) of the building in about 60-70% of the residential units, could be unauthorised and in violation of the permissible use. On this assumption, the number of families who will be affected by this drive would be very large." (p.2). It also went on to indict the government for collision at the level of local leadership and municipal body for the development of unauthorised colonies. It also goes on to criticise the inflexibility of the requirements that require floor plans to be sanctioned which creates immense possibilities for red tape (p.34).

The reviews to MPD 2021 titled 'Open House Meets' which entertained people to come up with problems and objections created a huge furore in the villages with MCD sending notices of illegal construction to many. Letters and petitions were written by individuals, RWAs, organisations like the Maharaja Soorajmal Foundation, Munirka Mahila Kalyan Samiti, Humayunpur Kalyankai Samiti and the Delhi Grameen Samaj. Sometimes organised at a cross village level, these challenge the decision taken by the Master Plan of Delhi 2021 which practically made all constructions illegal. As most of the construction already exists in many of these villages, it is no longer possible to follow the bye-laws. Many of them also pointed out the harassment they face to get their building plans sanctioned which in practice is impossible to secure. The other main objection was that in making these building laws compulsory, the state did not consider some historical evidence. Within a period of fifty to sixty years, following the land acquisition, factors such as an increase in population and numerous property subdivisions, contributed to the expansion of the villages that hark back to the original injustice of land acquisition and low compensation. The 'Open House Meets' and the Tejendra Khanna Report accuse the government of undertaking arbitrary demolitions in *lal dora* areas.

The current attempt to digitise land records and create transparency by regularising colonies has benefitted the state alone. Not only will this regularisation help the state to map these localities, make them governable, but also draw more legible taxes that it has failed to do so far. Prior to these attempts, the state as the super landlord failed to draw rent from these villages. The land is unmapped, its owners and users are unclear despite these emerging as real estate hubs of a certain kind. The state attempts to make them fall in line, following building bye-laws and by paying taxes. While the landowners are not averse to regularisation, they have reservations about the conditions laid about building laws. “How do we leave 5 feet as street lanes now?” There are confusion and suspicion about the current attempt by the government to legalise unauthorised colonies. To follow building bye-laws would immediately mean that the real estate system would collapse and chip a dent in their profits. This can be understood if the landlords are not seen as mere rentiers, and simply generating rent but as capitalists intending to profit. On the other hand, the state acts as the perfect landlord, which wants to make these spaces legible so as to be able to extract its due share. The state’s role in this regard is apparent from its interest in transforming the rural land into the urban property, and in its attempt to free up dead capital. However, the tussle between the state as the super landlord and the landlords as capitalists is that of who gets to accumulate. This tussle is mediated through various governmental directives and notifications, court cases and the gaps they create. The question of accumulation did not end with primitive accumulation -- with the state appropriating land and selling it to private developers for much higher rates to real estate sharks. The question of accumulation is an ongoing one, as shown in a current post put up on one of the discussion forum of a Jat online community. It says that at times owners of land in Delhi and its neighbourhood might wonder why their land valued at 20-25 lakh rupees per acre by the government changes, when the same land value is 20-25 crore rupees per acre, upon transferring to the private developers. This happens because individual land use is mainly agricultural, while the land owned by the developer is used for both residential and commercial purposes. Also, the value of land increases when a greater FAR (floor area ratio) gets sanctioned. If the government grants a change of land use and FAR to the land while it is still in the hands of the farmer, then he can become a real estate developer easily. (Ved Singh, 2008).

The point of the paper is not to look at the life of bureaucratic objects and trace material practices of bureaucracy but rather to see as to how these practices work towards capital accumulation. Documents of land registration are necessary for the state to claim rent for the land. In the case of dubious land status like that of *lal dora*, the lower officials collude with

the Jat landlords to manoeuvre around the laws. Such disputes generate newer documents like the 'General Power of Attorney' to keep the land at its illegible status, and for the state to maintain its regime of accumulation. The tussle between legality and illegality essentially concerns accumulation. When the state as the super landlord gets its rent, it renders it legal. Therefore, illegality or ambiguity on the status of land makes possible other regimes of accumulation -- on the one hand by lower officials and on the other by villagers such as the Jat landowners primarily. Therefore, these documents, locally articulating land and property in different ways become the mainstays of postcolonial capitalism.

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