Subaltern urbanism in India beyond the mega-city slum: The civic politics of occupancy and development in two peripheral cities in the Mumbai Metropolitan Region
van Dijk, T.K.

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CHAPTER 7: CAPTURING THE MUNICIPAL WATER DEPARTMENT: ORGANISED POLITICAL ENCROACHMENT IN MIRA-BHAYANDAR

Studies across Indian cities areas show a very uneven geography of water provision (Gandy, 2006; Alankar, 2013; Graham et al., 2013). Government officials attribute this unevenness (in terms of quality, quantity, and modality) to infrastructure not keeping pace with population growth, growth that is compounded by local politicians enabling slums and other unauthorised formations to access water. This contradiction of illegal residences obtaining municipal water is often looked at as an effect of ‘patron-client’ relations, which are seen as the nucleus of ‘vote-bank’ politics where local politicians facilitate access to municipal services in exchange for votes and other expressions of loyalty. Some researchers have drawn attention to the dependency these exchanges rest upon, and how they push the poor to enter into Faustian Bargains given how the informality or illegality of their livelihoods and settlements limits their exercise of voice within this institution and their exit options from it. Benjamin’s ‘occupancy urbanism’ argument (2008) focuses on the political agency and awareness of so-called ‘clients.’ He sees them as exercising a form of ‘anarchic citizenship’ by purposefully embedding municipal government into political society—the terrain of ad hoc or informal negotiations of claims to land, services, and markets (ibid.: 724-726). Occupancy urbanism offers a sort of demand-side foray into the politics and practices of informal appropriation of land and services. Whereas approaches targeting clientelism reduce the demand-side of occupancy urbanism to exploitable voters easily placated, occupancy urbanism seems to reduce supply-side actors to facilitators. Cases exist suggestive of both scenarios, which make the power relations supporting occupancy urbanism, in any particular area, an open question. Why supply-side actors in occupancy urbanism participate needs to be explored more, as well as how and to what extent are they held accountable by residents. The entry point of this chapter is municipal water provision in Mira-Bhayandar.

This chapter is based on 6 months of fieldwork. Primary interview data from Higgler (2012) pertaining to the study of formal and informal water tanker operators which was collected during the same time period under my supervision is also leveraged. This city was chosen because of its chronic water shortage issues and because of its continuing dependence on private water tanker companies. Its urban status is relatively new, making the dynamics of municipal water provision easier to grasp. Secondary or satellite cities are usually ignored, making research findings mega-city centric. Exploring occupancy urbanism in a city of over 800,000, which does not yet have the intense spatial pressures of mega-cities, will also add more nuances to these

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67 Article version has been submitted for review.
68 Securing manageable insecurity instead of longer-term development of livelihoods and localities.
debates. The majority of the residences in Mira-Bhayandar are likely illegal either administratively (lack of documentation) or technically (flout codes and regulations), including the bulk of residents in living in locally perceived ‘middle-class’ or standard localities. Formally, if a residence does do not have occupancy certificates issued from the municipality, or an official exemption, residents cannot legally make use of municipal water. However all areas within this city receive some water, albeit of variable quality, quantity, and modality. This city allows us to explore the informal distribution of services, a central component of occupancy urbanism, in and beyond slums, to see if and how supply-side actors dominate this process. Next, the approaches for looking at power-relations in contexts of unsettled state-society relations are reviewed. Then a Pierre Bourdieu informed field approach is sketched out before we enter into the field of municipal water provision.

7.1 Informality, Appropriation and Power-Relations

Informality in accessing water is normally characterised as a claims making (Jha and Woolcock, 2007), an appropriation strategy (Bayart, 2006) or both (Benjamin, 2008) of the poor in particular. Roy (2009) discusses how the state deals with the informalities associated with different social groups in an uneven and calculative manner. Some practices are ignored, while others are regularised or criminalised, depending on state actor’s political and economic calculations. Chatterjee’s distinction between political society and civil society and populations and citizen’s examines how the state’s calculated informality plays out in state-society relations at an everyday material needs level. A main function of a liberal state is to protect and regulate public and private property rights. Many urban residents’ livelihoods and settlements encroach upon public and private property or contravene statutory requirements and administrative procedures. Given their numbers they cannot be summarily excluded or penalised, rather their places in the city and the resources they acquire are managed in various para-legal ad hoc arrangements worked out in ‘political society.’ In political society those who cannot comply with private property regimes are treated as ‘populations’ who make claims that are unevenly managed or disciplined by local state actors (Chatterjee, 2004: Chapter 1). Citizens, those who seem to comply with property laws and administrative procedures, can engage with state actors on a terrain of rights granted to civil society, rather than claims and favours worked out in political society. These understandings of informality in state-society relations imply that the urban poor and the state are autonomous entities. The poor try to appropriate land and services. The state tolerates political society and the spaces it enables to maintain sufficient social cohesion in a situation of marked inequality. What falls out of focus here are the intervening or internal encroachments by local state actors themselves and their associates who I conceive of as constituting the supply-side of political society.

Hackenbroch and Hossain (2012) argued that the terrain of informal negotiations to water supply also provide a fertile ground for domination and appropriation strategies of local elites. They introduced the concept of ‘the organised encroachment of the
powerful’ to account for local power-relations structuring informal access to public water in Dhaka, Bangladesh. Twelve years earlier Chabol and Daloz in Africa Works (1999) offered an analogous argument focussed on how the “instrumentalising of disorder” can be a key resource for the reproduction of political power particularly at the local level. They defined this process as, “the day-to-day instrumentalisation of what is a shifting and ill-defined political realm; it is the political instrumentalisation of seemingly non-political issues,” such as municipal water provision (17-18). Keeping access informalised allows local leaders to occupy gaps (i.e., structural or cultural holes) or contradictions between resources and their localities. This ability to distribute across these gaps and manage contradictions links their constituents and localities to them. Occupying these gaps is arguably the foundation of their political, economic and cultural powers. In particular, encroachment and occupation practices allow informality to be instrumentalised towards certain goals. The extent these practices lead to a de facto democratisation of access or to capture is an open question. By encroachment, I am referring to the extending beyond the limits of one’s property, authority, territory, and/or status via practices of intrusion, infiltration, mimicry, or obstruction. By occupying, I am referring to: taking up or filling up a space, to take possession and maintain control, or to fill a vacant position or role. Encroachment implies occupancy, but occupancy does not require encroachment. Occupancy in this context indicates the incompleteness or unevenness of municipal authority: statutory, administrative, political, or spatial within its territory and jurisdiction.

A latent theme in these discussions is political capture and political entrepreneurship. Whereas elite capture refers to a higher class or caste having privileged influence over a public office or authority, political capture refers to a situation when politicians are able to direct allocation and distribution in line with their interests (Khenmani, 2010). Political capture can coincide with benefits to poorer citizens, such as the ones discussed in Benjamin’s Occupancy Urbanism (2008). However, ad hoc, particularistic provision comes at the expense of investment in capital projects, such as a piped water system that covers the whole city, that are not easily divisible (Khenmani, 2010: 3). The difference between ‘socially embedded’ public servants or elected representatives and political entrepreneurs is important for assessing the longevity of ostensibly pro-poor aspects of supply-side activities in occupancy urbanism. Entrepreneurs look for opportunities for gains and then pursue them. Political entrepreneurs look for ways to maximise private value or welfare through taking advantage of institutional opportunities and steering institutional changes to their relative advantage (Feiock and Carr, 2001). The degree their “selective interests” complement or enable the interests of poorer citizens or the city as a whole may be coincidental or interim becomes key to understanding power dynamics within occupancy urbanism. While encroachment and occupancy are tactics of political entrepreneurialism, used by both the powerful and the relatively powerless, domination is a structural effect. It is the ability to make decisions and take actions that impact others who are legally, socially or practically unable to challenge them. The degree the encroachment and occupancy practices of those organising the
provision of water give them structural dominance over residents is an important issue.

Focusing on de facto sovereignties, Hansen and Stepputat (2005) illustrate how various and competing forms of authority, variously entangled with the state institutions and agencies are functioning within state territory. They argue that, “the informal fragmented sovereignties of hierarchies of ‘big men’ in India are the ‘elementary units’ of local politics, social work, and cultural organisation for many inhabitants” (ibid. 173). Public authority, as the ability to make decisions and enforce them collectively on parts of society, is not limited to the government and in some places is mostly not exercised by formalised state institutions (Lund, 2006: 685). Others have discussed this in-between layer of local elites or netas as being the “hinge group” (Mitra, 1992) who intermediates between the localities and the state, especially in rural or peri-urban areas (Craig, 2000 & 2002; Leiten and Srivastava, 1999). They gatekeep and broker the transfer of information and resources both up and down scales of public authority. Their significance for development trajectories in more rural areas has been well documented (Mitra, 1992; Pelisser, 2005, Corbridge et al., 2005; Witsoe, 2011). In more urban contexts the relationship these actors have with the poor has been addressed (see de Wit, 2010; Berenschot, 2009), but the relationship they have within the local state and the role they play in how informal services take shape receives less detailed exploration. Focusing at the point of contact, where the resident (often poor) meets the face of the state (in their lives) in the form of a broker, fixer, local politician, or neta, attributes to both sides’ capacities (such as successfully obtaining an illegal water connection) that requires many other moving parts. Other actors sufficiently coordinated or coerced to manage this task are required. This paper endeavours to map the supply-side of municipal water provision in the context of occupancy urbanism.

The Mira-Bhayandar Municipal Corporation (hereafter referred to as the Municipality) is mandated to provide 150 litres per capita daily. An audit of the Municipality covering 2005-2010 by the Comptroller and Auditor General of the Government of India reported that deficiencies in planning, mostly non-existent internal controls, and failure to take up new water supply schemes caused a shortfall in meeting demand by 34 to 44 percent (Golb, 2011: 62). In 2008-2009 only 52 percent of billings were paid.69 Also, “out of 29,015 consumers, in 5,056 cases, the water reading was shown as zero for more than three quarters with bills being issued based on average meter readings. No report was prepared nor action initiated to change the defective meters or disconnect the supply” (ibid.: 73). The general assessment of all the departments audited was that internal controls are either non-existent or only irregularly enforced. Additionally, the Municipality has not framed its own rules and bylaws in accordance with relevant acts as per the order given by the Government of Maharashtra in 2002. The ratio of unauthorised to authorised


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construction is estimated to be around 10:3 (Yeshwantrao, 2012). However, all areas within the city were found to receive municipal water albeit of varying quality, quantity, and modality of provision. Given that legally the municipality should only be providing water to structures with ‘occupancy certificates,’ while most do not have these, this indicates that provision across the city requires informal negotiations and understandings. At this point its fair to say that the municipality exhibits signs of low capacity to meet its statutory and public obligations and that the legality of residence is not necessary to access municipal water.

### 7.2 A Field Approach

Bourdieu (1990) refers to social fields as “historically constituted areas of activity with their own institutions and laws of functioning” (87). Objective power relations in fields are constituted by possession and control of ‘capitals’, which refer to resources or capacities that have value or utility in a field.\(^{70}\) Each field is oriented to the production of field specific capitals, with the stakes of the field being the appropriation of these capitals. Social fields presume competitive and unequal situations where insiders and outsiders, incumbents and challengers, the weak and the powerful are affected differently by the current rules and practices. These contradictions, and thus potential for conflict, make fields dynamic. Fields are both spaces of collaboration (shared: rules, stakes, logics, and practices) and arenas of conflict over how capitals are generated, deployed and distributed. Organised fields can become unsettled and in such times fields can become reconstituted. For example, chess players are constrained by the field (the power of each piece). However, the power of each piece at a given place and time is also affected by how the other player moves. Meaningful action is rule bound and shaped by power distributions (thus structured), yet outcomes cannot be reduced to the rules, or to the capacities of individual pieces. Utility is shaped significantly by subsequent actions of both players over time. Utility is trans-(en)acted as it is contingent on the actions of others and thus is vulnerable to bottlenecks and obstruction. Importantly, since the ‘gravity’ of a field (Wacquant, 1992: 17) or the way they ‘draw in’ (Hakli, 2013) others is by shared practices and recognition of the rules and stakes of the field, we can avoid formal territorial or scalar ‘traps’ when looking at actors, logics and practices that do not match up well with formal institutional jurisdictions and norms. A field is not a fixed system; it can be altered when internal distributions or values of capitals shift. A social field is not a closed system; it can be shaped or even colonised by other fields attempting to restructure the power-relations often by introducing different organisational logics, rules, or practices (Woolford and Curran, 2011: 586). Stakes refer to the purposes the field is structured around in practice. The actors involved and the reach of their activity geographically ground fields. They are socially bound by

\(^{70}\) Bourdieu distinguished between three species of capital: cultural, economic, and social. In this case I do not use these meta-categories and stick with what gives one power/capacity in this field.
the network of coordinated actors/actions necessary for utility and value to be realised. This makes them topological phenomena amenable to empirical research.

Applying a field approach to this inquiry of municipal water provision generated the following questions: (1) Who are the actors in this field and what are the relations between them? (2) Who are the incumbents and challengers in this field? (3) What are the stakes and how are they cultivated and appropriated? (4) To what extent is this field accountable to citizens? This field analysis began with a reputational approach for indicating which actors account for the present functioning of the field of municipal water provision and the relations between them. First we discussed issues of water management and water inequalities with city officials, engineers, local politicians, and residents from different urban formations. The actors that came up in these discussions were then sought out and interviewed. This process continued until no new actors came up. Next, the stakes and which actors seem to set these and the rules in use for obtaining them were explored. In addition to interview data, a detailed field journal was kept to better extrapolate field-specific capitals by paying particular attention to which actors powers were attributed to and what capitals their powers were linked to. Through this process there were many opportunities to observe these actors in real time. Key players were visited multiple times after the initial interview for less structured discussions as the analysis developed.

### 7.2 Field of Water Provision

**Actors, Relations, and Practices**

Whenever I inquired into the contradiction between potential development (given benchmarks, policies, and resources) and the actual status of water provision or rampant unauthorised construction the suggestion was always the same, “go talk to Barbosa.” MLA (Member of Legislative Assembly) Barbosa was the sarpanch (leader) of the village panchayat (council) in 1978 and later became the pradhan (leader) of the municipal council. He was elected MLA in 2009 and is the only Christian MLA in Maharashtra, and he is one of the senior leaders of the National Congress Party. His family enjoys large land holdings in the area and have been local elites here for as long as anyone can remember. By all accounts he has evolved from a local traditional leader, whose wealth came mostly from agriculture and smuggling, to becoming a MLA whose wealth comes mainly from real estate and real estate related businesses. This transition was managed by (1) placing family members in strategic positions within the local state and local economy, (2) political appointees at the Municipality, (3) linkage politics between his locality and government agencies and (4) his ability to put together a diverse coalition of local elites. His wife was the first mayor of the city, and his sister, brother, cousin, two daughters and one son are municipal councillors (MCs). His daughter just won re-election and is currently the mayor. On the business end, one daughter runs the family’s construction materials business and his son runs their water tanker business. Aside from family members, a large number of
lower and middle level staff at the Municipality are connected to his network, i.e., they gain their job security more from their connection to him than from performance directly related to their official job responsibilities.\(^1\) He and those close to him enjoy strong linkages with the police. These linkages are offered as why the multiple charges against him over the years rarely result in convictions.\(^2\) The linkages he developed with various state agencies and actors since 1978 helped him to secure his position locally and his MLA seat. This process corresponds with research that focuses on struggles between different rural classes/castes to dominate local government to achieve privileged access to government contracts and grants and to be able to broker between weaker sections of their localities and various state agencies and projects (cf. Mitra, 1992; Pelissery, 2005; Dutta, 2012). To both appease local elites and to ease the administrative burden of surveying local areas and determining targets or beneficiaries themselves, government officers often relied on Barbosa’s ‘local knowledge’ when distributing funds and implementing programs. These linkages helped him to expand his standing when the village council became a municipal council and when the municipal council became a municipality. The coalition of local elites Barbosa manages takes a great deal of material and symbolic exchanges and occasional violence. Barbosa uses a tactic of co-optation, violence, then another offer to ‘work with him rather than against him.’\(^3\) For example, appointed Municipal Councillor Shaihk, who was the ‘head goonda’\(^4\) in the 1990s said that first he had no interest in power-sharing with Barbosa. Instead, he engaged in turf battles, one of which resulted in him being stabbed by one of Barbosa’s uncles. Rather than opting to amp up the violence, another offer was extended that there was more to be made working together than working against each other. "Now we are very close allies...if you are a loyal friend he is willing to share regardless of caste or religious differences.”\(^5\) In addition to the material tactics of sharing rents, monopolising markets, and other privileges, Barbosa’s lake house estate is an important place for bonding. Being invited to the lake house to enjoy good food, drink and tobacco is a coveted honour. We had three meetings with Barbosa at his lake house and saw a diverse group of local politicians, contractors, civil servants, brokers and goondas enjoying themselves while discussing all sorts of opportunities and conflicts. Beyond the men’s club\(^6\) of the lake house, Barbosa sponsors many cultural and entertainment events throughout the city and surrounding village areas. His formal, social, money, and muscle capitals (powers) together with the geographical reach of his official position and his more informal social and political connections allow him to guide the field of water provision in line with his goals. Maintaining the scarcity and dragging

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\(^{1}\) Even entry-level government jobs come to those who can both mobilise connections in the municipality and who can mobilise the money necessary to be hired. Barbosa often provides both in exchange for loyalty. The GOI(b) also reported that the Municipality continues to hire and promote unqualified persons (78).

\(^{2}\) To protect anonymity corroborating evidence will not be cited

\(^{3}\) Interview with Barbosa, February 2011.

\(^{4}\) Strongman, mafia type

\(^{5}\) Interview, MC Shaihk March 2011

\(^{6}\) There are women in his network but certain cultural norms prohibit them from participating in these modes of bonding.
out the development of piped water infrastructure protects the market for tankers, while keeping water access informalised is useful for binding residents of informal and unauthorised settlements to local politicians. In practice, he is able to encroach on the powers of the municipality by way of influencing recruitment, fielding candidates from his family, and from facilitating rent and profit sharing. His occupation of structural and cultural holes between different actors and his reputation as a neta or ‘big-man’ stemming from before municipal incorporation strengthen his capacity to encroach on formally municipal matters.

Chief Municipal Commissioner
The Chief Municipal Commissioner (CM) is the highest-ranking official at the Municipality. This post is formally held accountable by the State, specifically by the Head Secretary of the Urban Development Department. Administratively the CM is to carry out the duties prescribed in the Bombay Provincial Municipal Act and to ensure that development within the city corresponds with the Maharashtra Regional Town Planning Act. 77 CMs are not locals and usually have three-year terms. The first three CMs did not take on local politics, nor did they push for the municipality to run more in line with acts and codes. This spared them the headache of taking on entrenched powers and habits, and it allows them to benefit financially. The CMs opting not to mobilise the formal powers available helps this field to function at cross-purposes with official development goals and service benchmarks.

Municipal Water Department
The water department is formally responsible for the distribution of water once it reaches the city’s administrative border. The zones and the timings are also decided here. 78 Their formal mandate is to work toward reaching the benchmarks set by the state and central government. The benchmarks for water provision in metropolitan areas are: 150 litres per capita daily (LPCD). Currently they provide approximately 80 LPCD during the summer season and 90 during the rest of the year, 79 and 24x7 water supply is not yet met anywhere in the city. The goal is for 100 percent piped water, currently 50 percent of water is distributed via the underground system. The department reports that every year times are allotted to the different zones of the city based on population and system pressure (Higglar, 2012). However, all zones of the city report that timings and duration are highly irregular. This points to this timetable being negotiable. Presently the department is not able to check if the amount of water allotted to each zone reaches its destination. While the Municipality reported budget surpluses from 2007-2010 in excess of 97 crores 80 (GOIa, 2011: 109), only 7 out of 10 pumping stations are operational and most are understaffed, and the

77 It is beyond the scope this paper to outline the official structure of municipal governance. Please see Aijaz (2008) for a complete overview.
78 Each zone is to receive between 1 to 2 hours of water per day.
80 1 crore = 10 million
department still relies on rented tanker trucks to distribute around half of municipal water.

In practice they manage the system in line with the demands of politicians and netas. Engineers in the water department are important in terms of both maintenance and expansion of the piped water system. When a problem is reported they are to go into the field and file a report about the extent of the problem and what can be done within codes and system capacity. If there is a proposal to add another main line or sub-line, then an engineer’s technical report is also needed to show that the addition falls within the rules and capacity of the system. This means that engineers are important connections for those wanting to either expand the distribution system and for those wanting to limit it as influence is applied to both rush reports or to delay them. The department relies heavily on complaints from MCs and other brokers or fixers regarding shorter intervals or pressure problems to assess how the system is operating. At the ground level are the valve-men who actually open and close different valves according to the schedule given to them by the water department. The practice of going to valve-men and offering presents or money to get an extra 15 minutes on special occasions or to get bumped up in line in times of greater scarcity were also reported to be common place.

While the water department should only be extending their services to authorised or regularised residences in practice all types manage some sort of water provision from them. This is managed via the linkages between the actors in this field and facilitated by ‘speed money,’ and fears of reprisals (harassment, holding up transfers or promotions) if they do not cooperate. One assistant municipal commissioner commented that, “illegal connections are easier to manage than legal ones.” The department’s formal jurisdiction over water, technical skill, and capacity for discretion are capitals central to the functioning of this field.

**MCs**

MCs (MCs) are important gatekeepers between their constituencies and the local state. Gatekeeping here is the instrumentalisation of cultural or structural holes between different populations or localities and the state, or between different state actors to accrue political, social, and economic capital from acting as mediators in trans-actions between residents and officials, local leaders and elites, and the police (cf. Berenschot, 2010). Following Pattenden (2011) gatekeeping is broken down into “fixing” and “brokering.” Fixing refers to getting someone access to something they are entitled to. The fixer helps with getting and filling out the appropriate papers and helping to jump in line by using their relationship to encourage the official or line worker to attend to a claim or request (ibid. p. 166). Brokering refers to negotiating distribution of public resources in ways that go against or around regulations and established protocols, for example, obtaining a water line for an illegal slum or organising an unauthorised third connection for a housing society. In slums and gaothans, MCs function as brokers, with the amount and regularity of water perceived as being a function of the powers of the MC. MCs who do not appear as being interested in or
capable of arranging sufficient water for their areas will be in trouble during re-election, if other viable candidates are present. For residents of unauthorised buildings MCs are key in securing water connections from the city. For those living in authorised housing societies MCs have more of a fixer role; they are expected to use their influence to speed up repairs, to push the water department for longer intervals, or to send a tanker. Since their settlement is not illegal or unauthorised the MC does not enjoy the brokerage position he or she does in other areas. Also more powerful MCs are able to make sure municipal tankers service their areas. Relatively weak MCs will not be given much attention by the water department. Also those who find themselves in conflict with Barbosa or his network find themselves marginalised in this field. MCs’ elected position, broker position, connections with the water department, and their capacity for discretion are important field specific capitals.

Other ‘Fixers’

MCs are not the only fixers in this field. There are others (contractors, goondas, self-described ‘social workers,’ retired municipal staff, plumbers, and political party-workers) who make part of their living by trying to obtain services or protection of existing arrangements for their clients. The majority of contact between the water department and residents are mediated. The degree one is dependent on one fixer or has the choice among multiple fixers, or sees this as one institution among others does seem to coincide with socio-economic status. The cost and accessibility of fixing services are not uniform. These are susceptible to the standing of the client and the political organisation of the formation he or she resides. Also not all fixers enjoy the same access to the water department—which depends on their standing (i.e., their reputation and who they are linked to). These actors’ connections, intermediations skills, and reputations are important field specific capitals.

Plumbers

While the municipality is responsible for the main underground water system, developers or inhabitants themselves have to pay for the piping that goes from their building to the nearest available municipal water line. Plumbers are supposed to do this work in accordance with municipal regulations however those working on unauthorised, illegal, or non-formal settlements will often do the work with a signed or verbal confirmation from the MC or the landlord. Also most MCs only allow certain plumbers to work in their area—those with ties to them and who are familiar with the ‘payment sharing’ arrangements. Plumbers’ technical ability and knowledge of the piped system, plus their discretion is valued in this field.

Private Tanker Companies

“The tanker operators are the most powerful political lobby in Mira Road. They have divided up the tanker routes among themselves and prevent the municipality from laying new pipes, which would eliminate their business” (Mehta, 2004: 498). While this lobby remains powerful, it coordinates its interests with the Municipality at a cost of no longer having monopoly control over provision. Today all the tanker
companies in Mira-Bhayandar are represented by Da Souza Water Transportation, which is the same company under contract to rent tankers to the Municipality to reach areas that are currently not receiving water (or enough water) from the piped system. Entering the tanker lobby is not easy. The lobby must allow you in, and access to the privately owned or controlled wells and lakes is required. In total there are approximately 150 (10,000 litre) large tankers in operation. Officially 75 tankers are hired to deliver municipal water, however security personnel at the gate reported that it often runs closer to 90 to 100 tankers per day (Higgler, 2012: 42). There are no protocols in place to track the water after it leaves, and trucks that were not on the list were seen being allowed to fill up after handing their cell to the supervisor presumably with someone of influence on the line (ibid.). Private tankers service construction sites, malls, hotels, and high-rise apartment blocks regularly. Slums and other economically weak areas do not order tankers because they do not have the storage capacity, extra income, or the roads are too narrow. There were reports from several local politicians and a few officials that many areas that depend on tanker companies could be getting water from the city for less money. According to them, the infrastructural capacity is there, but the switch has not been made. The two main reasons offered for this was that the expansion of the underground grid is not formally announced to housing societies so they do not know, or that the president of the housing society does know, but receives kick-backs to leave things the way they are. Additionally, there is the theory that the water department maintains that the system is not ready, when many sections are because of the money they receive from tanker companies. In sum, the monopoly the tanker lobby enjoys and their political connections allow them to slow down the phasing out of tankers as the piped system expands. These are capitals central to the reproduction of this field. Also their history of resorting to violence becomes a capital in this field as it makes people loath to challenge this setup.

**Informal Tankers** (500 to 1,000 litres carrying capacity)

These non-licensed small tankers fill up from private tanker drivers during roadside transactions. There are certain areas where these tankers wait for large tankers to buy water directly from them. The watchmen at housing societies or commercial properties that receive the larger tankers are given small bribes or gifts not to mention that the tanker delivered 8,000 litres instead of 10,000. Informal tankers tend to service individuals rather than whole housing societies and are easily reached by cell. Their willingness to access water by corrupt means becomes a capital in this field because this practice helps make up for the shortcomings of the piped system by providing extra water to those without the storage facilities or road connectivity to order a licensed tanker.

### 7.3 Field Structure

Table 6 lists the actors starting with the most powerful, in terms of setting the stakes (political capture) and rules of this field. While the first three actors use the same
types of capital, the quantities and qualities of these differ. A common theme is that formal resources are co-opted for informal stakes rather than the other way around. Another common theme is that one’s social standing in their localities is strengthened by one’s access to money and muscle power (bribery and violence). When it is believed that one will resort to violence when necessary, this adds to the magnitude of one’s social capital, both with clients/residents and with other actors.

Table 6: Actor - Capital Structure of the Field of Water Provision

<table>
<thead>
<tr>
<th>Actor</th>
<th>Formal Jurisdiction</th>
<th>Informal Jurisdiction</th>
<th>$</th>
<th>Technical</th>
<th>Discretion</th>
<th>Practices</th>
</tr>
</thead>
<tbody>
<tr>
<td>MLA</td>
<td>x</td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td>Linking, bonding, bridging actors within and across fields by mix of consent and coercion</td>
</tr>
<tr>
<td>MCs</td>
<td>x</td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td>Brokering and fixing</td>
</tr>
<tr>
<td>Tanker Lobby</td>
<td>x</td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td>Mobilize political connections to protect their monopoly</td>
</tr>
<tr>
<td>CMC</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>Salutary neglect - strategic abdication</td>
</tr>
<tr>
<td>Water Dept.</td>
<td>x</td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>Ignores illegalsities, provides connections to unauthorized residences, stalls expansion/capacity of piped systems</td>
</tr>
<tr>
<td>Fixers</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td>Facilitates access</td>
</tr>
<tr>
<td>Plumbers</td>
<td></td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td>Repair and add connections</td>
</tr>
<tr>
<td>Informal Tankers</td>
<td></td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td>Informally procure water from formal tanker drivers, supplement supply in slums and gaothans</td>
</tr>
</tbody>
</table>

in this field. Several other claims can be drawn from this empirical sketch. First there is a lack of formal regulation from the Municipality to the street or house level. Rather informal arrangements (often fixed or brokered) are the norm resulting in municipal actors in this field relying on subjective assessments of the relative power of those making demands. Requests or demands from Barbosa, the tanker lobby and/or well positioned MCs (and other brokers and fixers affiliated with them) are not adjudicated based on objective needs on the ground, but by these actors’ relative influence. By this metric the Water Department can be considered captured. It functions more towards achieving the interests of field incumbents than meeting development goals and service benchmarks. The lack of interest in maintaining meters, collecting arrears, and the slow progress of linking areas up to the piped system are also indicative of political capture.
The Chief Municipal Commissioner is the top legal authority of the Municipality. In principle, he could mobilise connections at the state level and leverage municipal statutes to push those under his authority to operate more in line with codes and regulations, and he could push for more of the piped system to be completed and used to its capacity. This has yet to happen as officials opt to go along rather than face the professional and personal turmoil of restructuring this field. These findings point towards a municipality that abdicates some of its authority for three interrelated reasons. One is the sharing of ‘speed money’ and other rents. The second concerns over transfers and other ways local politics can cause problems for officials by way of political recruits within departments engaging in both obvious and stealth obstructionism. The second directly relates to the third of municipal incapacity by design. The notion of incapable local government agencies helps rationalise the status quo of encroachment upon municipal authority from within, which perpetuates structural and cultural holes between residents and the municipality that can be occupied. Complaints regarding the tactics and powers of politicians, other brokers and fixers, and the tanker lobby are common, but sustained actions to reform these practices and relations are not.

Who are the Incumbents and Challengers?

Incumbents refer to actors with significant influence over the stakes and whose interests are most met by the organisation and functioning of the field (Fligstein and McAdam, 2011: 6). Here the incumbents are Barbosa and the tanker lobby. Engineers, MCs and officers come and go but these actors remain to sustain this field. Some engineers or appointed officials complain about the strength of the tanker lobby or ‘water mafia,’ but no actions are taken given the “headache” that would ensue. Personally (in the form of extra money and no harassment) and professionally (in terms of transfers or promotions not being blocked, and the fees for these not being punitively inflated) it is better to go along with the status quo. Some fixers or brokers have ambitions to become MCs one day. Their goal is not to change the field, but to have a better position within it. MCs are often challenged at election, but those running, especially from slum or gaolthan formations, do not run on formalising this field. Plumbers and informal tankers provide needed services in this field but do not influence the stakes. It would be against their self-interest to push for universal piped water coverage in the city. No internal challengers to the stakes and consequent functioning of this field were found.

Stakes of Instrumentalisation of Informality via Encroachment and Occupation

What is the logic underpinning these practices? It is not providing equitable and sufficient water. Rather it seems to be both: (1) the generation of economic rents and social power that comes from connecting different urban formations to municipal water services and (2) constructing scarcity to secure profit-seeking from maintaining
a market for licensed tanker companies in relatively well-off areas. On the topic of rents, Harvey (2002) discusses how:

[Rents arise] because social actors control some special quality resource, commodity or location which, in relation to a certain kind of activity, enables them to extract monopoly rents from those desiring to use it... It is not [only] the land, resource or location of unique qualities which is traded but also the commodity or service produced through their use (94).

Water is provided by the state. This gives those in the water department and those with influence over it the ability to coordinate their actions to extract rents from those dependent upon this water source. Fixers and brokers and municipal staff enjoy a steady stream of economic rents (fees, tribute, bribes, kickbacks). Politicians (and other brokers and fixers) gain political and social capital from gatekeeping given the extent the regulatory function of this field is seen as being more legible and powerful than formal statutes and protocols. This field’s instrumentalising (i.e., its structuring of informality) produces rents through the mediation and intermediation of structural and cultural gaps in municipal authority and local governance more generally.

Withholding resources or thwarting their development can create scarcity. Before 1986 there was no piped drinking water in this area. Poorer people depended on bore-wells, while those who could afford it and store it depended on tankers. When the municipality was formed in 2002, the work of expanding the infrastructure was publicly prioritised. Today around 50 percent of municipal water is still distributed by tankers (Nair 2011)—arguably because the stakes of this field block against pushing for the underground system to be fully operational. Perpetuating scarcity is important both for the tanker lobby and for those accruing rents through this field. Sufficient incentives for becoming a tanker free city are missing. This is also indicated by how the chief municipal commissioners, MCs and MLA Barbosa have not pushed for more water resources from the state, nor have they followed through on tentative deals made with other authorities. Over the past 12 years deals have been negotiated with the Maharashtra Industrial Development Authority, Navi Mumbai Municipal Corporation, and with the Surya Dam Water Authority. At present the Municipality can only receive 30 million litres of the 50 allotted to them from the MIDA, and the water allotted to them from Navi Mumbai cannot be given until a feasibility study is carried out to see if the Municipality can actually distribute the extra water. Surya Dam is 120 kilometres away, the pipelines will take at least 4 years to complete, and it remains unclear who is responsible for the costs and who the private sector partner is going to be (Athalye, 2012). Field incumbents are interested in the press coverage these arrangements generate, which give the impression that work is being done and that soon water shortages will be handled. However, in practice very little time and resources are used to push agreements to fruition. This situation also indicates encroachment by obstruction.

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81 middle-class housing societies and commercial properties
The reproduction of cultural and structural holes between different settlements and the municipality is a pivotal or meta-stake upon which the rest depend. A person, network, or organisation can be said to occupy a structural or cultural hole if they are perceived to be a viable access point to what would otherwise be closed off. When structural holes overlap with cultural holes they are more difficult to bridge without mediators and provide more rents and resources for those occupying or bridging them (cf. Pachucki & Breiger, 2010). Arguably an important aspect of local state formation is the ability to bridge the structural and cultural divides between formally established practices and principles and the different social-spatial formations within its borders. The ubiquity of fixing and brokering activities and the extent the water department has been captured point to this field working against structural and cultural holes being closed, and thus against informality being de-instrumentalised in municipal water provision.

**Accountability to Citizens**

There were no advocacy NGOs present in the city. The local media does regularly report on water problems, but they are attributed to population growth. Barbosa and his network maintain good contacts with the local newspapers. They know the editors and the reporters assigned to cover governance issues. It is not uncommon for money to be paid to a reporter in exchange for an article to be dropped or altered.

There is little organised citizen action around this issue, even though almost all of the 200 households surveyed reported that lack of regular, clean and adequate water was their number one grievance with local politicians and the municipality. Surprisingly silent are ‘middle-class’ citizens who are the most dependent on tanker water, and whose costs would go down if they could make more use of the municipal system. While it is not uncommon for a group of residents to visit the Municipality with their MC and demand to see the Commissioner to plead for more water, these have yet to develop into a political sequence, nor have they manifested into public interest litigation or organised targeting of the stakes or rules of this field. The only pressures coming from the residents are small-scale, one-off events, often coordinated by a MC or they are aggregate stresses, such as population and lifestyle changes influencing demand. The majority of residents from all socio-economic backgrounds vote in municipal elections, and land lack of water is their main concern. Yet, capital investments in the water infrastructure and securing access to more sources of water remain perpetually in the works, but have yet to come to fruition. Perhaps if more residents knew how complicit the field of water provision is in maintaining the status quo their politics would change.
7.4 Discussion

Through applying a field approach to municipal water provision this paper charted supply-side actors and the relations between them. Looking at practices and field-specific capitals that constitute the field of municipal water provision allowed us to situate incumbents and challengers and to interpret the extent to which this field is accountable to citizens. These findings indicate that this field instrumentalises informality through capture of the Municipal Water Department. The capturing of this department is largely a result of organised encroachment from the inside out, facilitated by supply-side actors. Municipal authority, in this case, is more aptly described as selectively abdicated, rather than stealthy infringed upon by popular society as intimated by Benjamin (2008). A government agency or department is captured to the degree that it functions in line with meeting the interests of particular groups, rather than in accordance with their official or public mandate. This case suggests that the water department functions in line with the rules and stakes of the field of water provision and not in line with meeting development goals or benchmarks. For many years promises of more water have not been met with building a system that can receive and distribute it adequately. Those in the field of water provision are accountable to each other more than to higher levels of state authority or to the citizenry. The decisions taken by these actors, and the coordination among them, impact all residents. However, these are opaque processes not open to review or media scrutiny. This situation indicates supply-side actors achieving structural dominance in occupancy urbanism in Mira-Bhayandar.

Water is provided in a manner that suits their interests of maintaining scarcity and brokering and fixing access to municipal water. This is accomplished by the instrumentalisation of informality made possible by infringing upon municipal authority. Instead of suturing the cultural or structural gaps that block residents from municipal water, actors in this field broker and gate-keep them for economic and political benefit. Coordination is managed mostly through informal or social authority. The water department and the Chief Municipal Commissioner act like their job security is tied more to complying with the rules of this field than it is to complying with official responsibilities. The mechanisms supporting this authority are sharing of rents, being invited to the lake house and other bonding opportunities, payments for government jobs, the threat of being (or not) being transferred, and the threat of harassment or violence for non-compliance. This form of social authority with the figure of a ‘Big Man’ at the helm is not new. Accommodating local elites in exchange for their support has been common in state formation since before independence (cf. Jeffrey, 2000 & 2002; Witsoe, 2013; Mitra, 1992).

The field of water provision has successfully embedded their rules and practices within the various changes in the political and administrative geography in a manner that sustains the instrumentalisation of informality to their benefit. In practice, municipal-society relations regarding water are mediated by social and spatial differences and inequalities, and beliefs that elites like Barbosa are in control. This
situation produces a context of structural and cultural gaps to be instrumentalised by those in the field of water provision for various gains and with various costs to sustainable development of municipal water provision and accountability. This field works well for the incumbents and okay enough for residents to suppress collective or judicial actions so far. In theory, if all the municipal statutes were enforced, many would lose their access to municipal water. In this way the field benefits those with illegal or unauthorised homes. However, this case suggests that this is a contingent positive effect, rather than an outcome of ‘anarchic citizenship’ being exercised by popular society. In Mira-Bhayandar supply-side actors in the field of water provision coordinate and collude to encroach upon municipal authority, and in effect they have captured the water department. This allows them to accumulate rents, profits and political capital in ways that give them structural domination over residents.