Not by Violence: the governance of oral contracts in informal rental sub-markets in Hyderabad, India

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Abstract

One in every four urban Indians rents residential space in the absence of a written contract with their landlord according the 65th Round of the National Sample Survey Report (2010). Only 5% of urban Indians have written contracts. With virtually no public rental system in place for private citizens, migrants to cities and those who cannot afford to buy property are often constrained to rent spaces in slums, where the ownership of land is itself under dispute. The question of how these contracts between tenants and landlords are formed and regulated is compelling and an exploration of the issue reveals fascinating insights into alternative rule systems and behavioural patterns within the complex social systems of slums in India. The paper draws on fieldwork conducted in two slums in Hyderabad, India between 2014 and 2015, a representative sample survey of 135 households as well as in-depth interviews with key informants from civil society, academia, government and local authorities. Using an interdisciplinary approach combining economic anthropology and new institutional economics and drawing on the work of Searle (2005) and Hodgson (2006), the paper argues that rule following is predicated on habit-formation, informed and constrained by environmental factors that shape preferences.

Introduction

It is commonly believed that slums are hotbeds of criminal activity and that the law of the land is enforced and maintained through intimidation and violence. With over 65 million Indians living in slums across the country (Government of
India, 2013), the question of how these informal spaces are governed is not merely academic. A related issue is the projected growth of urban population and the dearth of affordable housing alternatives, wherein fresh migrants as well as poor urban residents looking for their next home, are constrained to rent residential space within informal settlements. A staggering 84% of tenants in Indian cities do not have a written or formal agreement with their landlord. While there is a small and growing body of literature on rental housing in cities of the Global South (Balamir, 1999; Beijaard, 1995; Coccato, 1996; Datta, 1996; Edwards, 1990; Grootaert & Dubois, 1988; Gulyani & Talukdar, 2008), there remains a sizeable gap in our understanding of relationships between landlords and tenants, and how rental contracts are formed, mediated and enforced in the absence of legal or formal rules. This paper sheds light on rental practices in informal settlements in urban India, drawing on primary data collected in Hyderabad between 2014 and 2015. The paper adopts an institutional approach in trying to identify the rules and norms that govern rental transactions and the behaviour of tenants and landlords in the absence of formal legal frameworks. The title responds to the mistaken conception of informal contracts being enforced through violence in these spaces, revealing a much more complex dynamic mediated by identity, gender and customary or de facto law.

**Types of Rental around the World**

Private formal-sector rental has typically catered to the upper and middle-income group and tends to be situated in inner-city areas, though these units may be modified or sub-divided to cater to lower-income households (Rakodi, 1995). Rental housing produced by the informal sector can take a variety of forms in different cities and parts of the world. In some cases land is rented informally or under traditional forms of tenure and housing is self-built for occupation or rent, as is the case of Calcutta and Mombasa (Rakodi, 1995). In San Salvador colonias illegals, built on land rented with a promise to sell housed 40% of low-income households in 1986 (Stein, 1989). In places where land is rented, “a complex nesting of tenure forms may evolve”, where plots may be occupied by the owners, subdivided and sublet, used for construction of rental units, or simultaneously owner-occupied and rented (Rakodi, 1995). Hardoy and
Satterthwaite (1986) identify five categories of low-income rental in cities across the world. These include; the sub-divided inner city housing and shack built-on-rented-land mentioned above, but also rented rooms in custom-built tenements (usually government built), a rented room or bed in a boarding house, rooming house, cheap hotel or hostel and also rooms in lower-middle income or formal sector worker districts where these households rent out rooms to supplement income (Hardoy & Satterthwaite, 1986). UN-Habitat identified nine forms of rental accommodation which include spaces to sleep at work, in public places and even in cemeteries (UNCHS, 1996).

**The Rental Housing Market in India**

According to the National Sample Survey report on Housing Conditions and Amenities (Government of India, 2010), only 5% of housing in urban India falls under the category of formal rental. While about 30% of urban India lives in rental housing, of that, 84% cent of them live in informal rentals, where there is no written contract, in structures often illegally constructed, badly maintained and without access to basic amenities such as water, electricity and proper sanitation (Sinha, Monani, Dastur, & Lodha, 2012). More than 40% of informal rental accommodation in cities has open drains, while about 16% cent has no drainage facilities (Government of India, 2010).
There are no country-wide studies on the informal rental sector in India, and the national statistics reveal very little about the true extent and conditions under which these sub-markets operate. Sunil Kumar’s study of the market in Bangalore and Surat (Kumar, 2001b) and Mahadevia and Gogoi’s (Mahadevia & Gogoi, 2011) study of Rajkot address a critical gap in our knowledge.

The Study of Rajkots rental housing market reveals that the single room tenement of about 10 sq. m is the most common form of unit, given out usually to single male migrants or a migrant family (Mahadevia & Gogoi, 2011). The rooms often do not have a space for cooking, and food is seen to be prepared outside or on the street (ibid). In most cases tenants have to share washing and bathrooms with other tenants or the landlord, and where no sanitation facilities are provided, they use a community toilet or defecate in the open and bathe at community taps (ibid). The other types of rental included a part of the landlord’s house, which was usually let out to families rather than single males, and an entire house, where owners often used rent from the informal house to pay instalments on a new house elsewhere in the city (ibid). The last category of

![Tenurial Status for Urban India](chart.png)

Source: NSS 65th Round (2008-09) – Report on Housing Conditions and Amenities in India
rental was that provided by employers, though these were found to be quite rare despite the large amounts of industrial activity in Rajkot (ibid). The authors suggest that the lack of employer provided housing might have contributed to the proliferation of large-scale informal settlements and a vibrant rental market. The Rajkot Municipal Corporation records reveal that there are about 190 slums and informal settlements in Rajkot City, where about 30% of the houses are rented out and the migrant population forms core demand group for rental (ibid).

With reference to Surat and Bangalore Kumar suggests that fragmentation of urban land ownership has made the large-scale landlord, with several properties a thing of the past, and that the emergence of a rental market with several small players is dependent on a number of factors including access to land, but also the local economy and opportunities for employment, access to finance through kinship and other networks and the attitude of local political and power brokers (Kumar, 2001b). Social relations build and cement trust between agents with differing power bases and influence the nature of transactions in a market where trust has proved to be more effective than written contracts (ibid).

Much of Sunil Kumar’s work focuses on addressing the gap in our understanding of landlordism, and the ways in which property is leased or let in Indian cities (Kumar, 1996a, 1996b, 2001a, 2001b). He identifies one of the chief oppositions to the exploration of rental alternatives for the poor as being the notion that landlords inevitably exploit and take advantage of tenants, who tend to have less agency and cannot deal on equal terms. He suggests that there exists a continuum with poor or subsistence landlords at one end, who rent in order to supplement income and meet basic consumption needs, petty-bourgeois landlords somewhere in the middle, who do not need rental income to survive, but are dependent on it to make housing improvements or improve the material quality of their lives, and petty-capitalist landlords on the far end who either possess a number of rental properties or seek to acquire more property (Kumar, 1996b). His typology of landlords is an extremely important addition to our understanding of how rental-housing markets work in India. It is clear that even within the three broad categories, landlord-tenant relationships can take on a
myriad different forms and power relations and extent of exploitation vary dramatically, with tenants in some cases being able to exercise power over landlords. He asserts that it is vital that understand the complexity of relationships and contractual forms if rental-housing policy is to have a positive effect on access to housing for the poor (Kumar, 2001b).

Kumar draws from a qualitative study of rental housing in Surat, the second largest city in Gujarat to show how the actions of landlords are ‘embedded’ in complex economic, social and political relationships that span labour and housing markets (Kumar, 2001a).

Curiosities

A close reading of the spare but informative literature on informal rental practices in India reveals a number of curiosities, that seem to fly in the face of conventional ideas of the behaviour of rational actors.

Fro instance, 67% of tenants surveyed reported that their landlords were flexible in terms of timely payment of rent and in Kubaliyapara, the oldest settlement in Rajkot, 87% of respondents said that they would not be asked to vacate if they do not pay their rent on time (Mahadevia & Gogoii, 2011).

Contrary to the popular notion that Landlord-tenant relationships are predominantly contentious and exploitative Kumar found that these relations tend to be to be harmonious when tenants have been recommended, are of the same ethnic or religious group as the landlord, when the landlord has few tenants and has developed a personal relationship with them or in the case of absentee landlords (ibid). However when the letting of accommodations becomes a business, as in the case of chawls with a hundred or more tenants, relations tend to be less smooth (ibid). For landlords, tenants they get along with are valued more highly than those who pay higher rents but remain strangers (ibid).
The purpose of this paper is to explore the complexity of relationships and behaviour of landlords and tenants in informal sub-markets, and to suggest an alternative framework within which to explain these seeming anomalies.

**Theoretical Underpinnings**

Mainstream economic theory is predicated on the notion of rational actors, with fixed preferences, and the ability to rank these, choosing the alternatives that maximize their utility. Those who espouse rational choice theory, argue that it is elegant and with relatively few axiomatic assumptions can be used to explain any facet of human behavior and society. However it is this universality that critics find problematic, because it abstracts from the contextual specifics that are of interest to many involved in social science research. Rational choice theory is a prominent approach within the broader doctrine of methodological individualism, the most extreme variant of which suggest that explanations of social phenomena must be based exclusively on the beliefs and actions of individuals, denying the validity of theories that rely on collective consciousness or action that cannot be reduced to the level of the individual. A more nuanced view is that individuals are central, but that interactions between individuals, and structures created and recognized by groups of individuals, such as positions of power, and the *institutions* or sets of practices that legitimize or delegitimize various kinds of actions, are equally relevant. As this is a methodological rather than an ontological position that recognizes individuals and institutions are both necessary for valid explanations of social phenomena the term “Methodological Institutional-Individualism (MII) suggests itself.

**Institutions**

The idea of institutions certainly did not originate with North, but his work arguably laid the foundation for the application of institutional frameworks to the puzzle of economic development and the governance of markets (Ménard & Shirley, 2014).
“Institutions are the humanly devised constraints that structure political, economic and social interaction. They consist of both informal constraints (sanctions, taboos, customs, traditions, and codes of conduct), and formal rules (constitutions, laws, property rights). Throughout history, institutions have been devised by human beings to create order and reduce uncertainty in exchange. Together with the standard constraints of economics they define the choice set and therefore determine transaction and production costs and hence the profitability and feasibility of engaging in economic activity.” (North 1991: 97)

According to North institutions are *humanly devised*, that is, they are the conscious and deliberate products of human agency, and that their main purpose is to *reduce uncertainty in exchange*. Secondly, they may be *formal* or *informal*. And finally, that they define *choice sets* as well as determining *production and transactions costs*. What we are to understand is that institutions are purposefully created constraints to human action, that reduce uncertainty by limiting the ways in which actors may act. They may be formal or informal, which is a distinction we shall discuss in slightly greater detail below. For the moment, let us distinguish them by the involvement or non-involvement of the state in the enforcement of these constraints. These constraints determine choice sets as discussed above, as well as transaction and production costs, thereby determining the viability of transacting or engaging in economic activity. North also invokes the “standard constraints of economics”, which implies that unlike Commons and like Williamson, he assumes that there are costs that lie outside the power of human ingenuity to control or shape.

There is an ambiguity here about what exactly North meant by formal and informal, but also the distinction between constraints and rules. He sees the purpose of institutions as constraining human behavior (D. C. North, 1991, 2005; D. North, 1990), therefore the use of the word constraint may in fact refer to both a particular stricture as well as the institution as a whole. It is not clear whether a constraint may also be a rule (Hodgson, 2006). More importantly, in defining institutions as constraints, North ignores the *enabling* aspects of institutions (ibid). In the words of one of his critics “Institutions do indeed forbid
many activities, but they equally make possible an enormous range of activities that would be impossible-inconceivable-in their absence: that is, they are always and everywhere liberating as well as limiting.” (Neale 1993: 423). It may be that North has not moved far enough from the standard neo-classical notions of rational choice and micro-economic theory as suggested by Neale (1993), and is thus unable to free his conception of institutions from the constraints of those frameworks, though he does acknowledge the inapplicability of rational choice under conditions of uncertainty (D. C. North, 1994).

Institutional Fact and the Enabling Role of Institutions

Robert Searle is a philosopher who has written extensively on institutions and institutional facts, reflecting on ‘a social ontology’ (J. R. Searle, 2005, 2006; J. Searle, 2009). While he is not part of the ‘new institutionalism’ in Economics or Political Science, he does specifically address economics and institutions in “What is an Institution” (Searle 2005: 1). Searle (2006) identifies three bases for the structure of social-institutional reality:

1. Collective intentionality – This is the term Searle (2006) uses for cooperative behavior, which includes actions that individuals engage in collectively such as playing football, an orchestra playing a symphony or two people carrying out a conversation. This implies that aside from individuals being able to express desires, beliefs and intentions, groups of individuals can also express collective desires, beliefs and intentions.

2. The assignment of function – Human and some animals have the ability to assign functions to objects that may not have that function intrinsically, but are collectively recognized to serve that particular function, as these are observer relative (J. R. Searle, 2006). Think of what function a roll of toilet paper might suggest to a resident of a tribal village in India.

3. Constitutive rules and procedures or Status Functions – Here he moves from social functions to institutional functions, where the function assigned is one that cannot be performed by virtue of the objects physical structure, and is only performed through a collective acceptance by a
community that the object (or person) is accorded the requisite status (J. R. Searle, 2006). The existence and use of paper money, or the ‘fact’ that kicking a ball between two posts constitutes a ‘goal’ and could result in eleven men winning a ‘World Cup’ and having their photographs on ‘newspapers’ all over the world, is testament to the power of status functions.

According to Searle (2005: 9) status functions are assigned and imposed through constitutive rules and are “the glue which holds human societies together.” The role of institutions is not to constrain people but to create new kinds of power relationships which are enabling (J. R. Searle, 2005). The power assigned by institutions take the form of rights, duties, obligations, authorizations, permissions, requirements empowerments and certifications, which he terms deontic powers (ibid). It is at this point in his argument that Searle suggest something that seems counterintuitive. “...[I]nstitutional structures create desire-independent reasons for action” (J. R. Searle, 2005: 11). The recognition of something as a duty, obligation or requirement, implies that you have a reason for performing the act regardless of your desire or inclination at the moment of performance (ibid). On the one hand this seems bizarre, why would human beings voluntarily agree to engage in systems that constrain them to act in ways that may at times run counterclockwise to our immediate desires? Why do PhD students spend hours at a computer and in the library, even at times when they would rather be asleep or out with friends? And why do Supervisors and Examiners spend hours reading (sometimes deathly boring) dissertations by these students? The answer according to Searle (2005) is that these institutions, such as PhDs, Universities and Peer Reviewed Journals are also the foci of human desires. By creating institutional reality human beings have increased their capacity for action, however the power and status accorded are only worthwhile as long as others continue to recognize these deontic relationships (J. R. Searle, 2005).

Hodgson (2006: 7) sees habits as “the constitutive material of institutions, providing them with enhanced durability, power and normative authority.” The
idea of habits providing the basis for institutions is not an original idea, with institutional economists in the Veblenian as well as pragmatist philosophers having argued that institutions work because the rules involved are embedded in shared habits of thought and behavior (James 1892; Veblen 1899; Dewey 1922; Joas 1993, 1996; Kilpinen 2000 in Hodgson 2006).

“A habit is a disposition to engage in previously adopted or acquired behavior or thoughts, triggered by an appropriate stimulus or context” (Hodgson 2006: 6).

There are a few things to note about this definition. Firstly, that it is a disposition to engage, implying that acquiring a habit does not mean it is automatically triggered, or continually engaged in, or in other words it is subject to deliberation, not a learnt reflex. Secondly, it is context or stimulus dependent. The acquisition of habits is the basis of much rule-following behavior, though for a habit to become a rule it must acquire inherent normative content, be potentially codifiable and to be prevalent amongst a group (Hodgson, 2006). “Persistent and shared habits are the bases of customs” (Hodgson 2006: 6). In Hodgson’s ontology of institutions, habits are the building blocks, while institutions reproduce shared habits of thought, creating a mechanism of conformism.

“Acquired habits are themselves founded upon inherited instincts. Instincts trigger behaviours and give rise to habits. Nevertheless, instinctive propensities are heavily diverted or overlaid by habits and beliefs acquired through interaction with others in a social culture. Accordingly, habit is a bridging element between the biological, psychological and social domains.” (Geoffrey M Hodgson 2003: 171)

Habits are not the negation of deliberate thought and action, but their necessary bases, where reasons and beliefs often rationalize feelings and emotions that spring from habits laid down by repeated behavior (Hodgson 2006). The interplay of habit, emotion, rationalization and behavior provides an explanation for the normative power of custom, and these moral norms help to reinforce the
related institution (ibid). Hodgson (2006) suggests that institutions mold the capacities and behavior of agents, changing aspirations rather than merely enabling or constraining them. This is also the key to their self-perpetuation as they shape human purposes and beliefs, creating a foundation for their existence based on habituated individual thought and action (ibid). They are not however separate from the group of individuals involved, and depend for their existence on individuals (ibid). Reason (or rationality) is 'bounded' not only, as Herbert Simon believes, because the human mind is generically bounded (there is nothing new in that idea), but because it is socially structured an determined, and, as a consequence, limited.” (Bourdieu 2005: 211)

In contrast to North’s devised constraints, Hodgson (2006) suggest that institutions may be undesigned, arising out of structured interactions between agents, with ‘designed’ institutions being dependent on the former type to enforce the internal rules. He suggest that self-organizing institutions, such as language are coordinating equilibriums where we have strong incentives to use words and sounds in ways that are best understood by others, thus being self-policing (Hodgson, 2006).

**Formal vs Informal**

The trouble with the term *informal* is that it is in its simplest sense a negation of the formal, or in other words it is defined by what it is not. Hodgson (2006) suggests that this imprecise nature of the term informal creates a high degree of confusion when we apply it to institutions or rules, which is best solved by abandoning the term, and using more specific terms like legal and non-legal, explicit etc. However the terms *informal* and *informality* have long histories in the literature focusing on the Global South. Since it first appeared in the 1970s, the notion of the *informal economy* has taken on a variety of meanings, and been used to describe a diverse set of phenomena (Sindzingre, 2004). It is most commonly credited to Keith Hart, who applied it to the description of urban labour markets in Ghana (Hart, 1973), but has since been used extensively in development studies literature and by international agencies, particularly the ILO (Kanbur, 2009). The term has also found its way into official accounts and
government reports, as with reports by India’s National Commission for Enterprises in the Unorganised Sector (NCEUS), which provides definitions for the informal sector as well as informal workers (NCEUS 2008 in Kanbur 2009). Sindzingre (2004) distinguishes between the informal economy and the informal sector, though it is not clear exactly how this is a useful distinction, except that it is possible for the informal sector to contribute to the formal economy. Kanbur (2009) suggests that formality and informality have to do with the relationship of the economic activity to intervention or regulation, and are dichotomous only with relationship to specific regulations, making criteria such as size, capital intensity, degree of organization and nature of competition irrelevant.

Much of the above discussion relates to ways of characterizing labour markets, small and micro enterprises and methods of measuring, categorizing and regulating economic activity. Conceptions of informality in the urban studies and housing literature are somewhat distinct in approach and formulation, though these also had their genesis in Hart’s seminal work. “The formal–informal distinction is a multifaceted resource for naming, managing, governing, producing, and even critiquing contemporary cities” (McFarlane, 2012). McFarlane (2012) identifies four ways in which this dichotomy has been typified in recent debates: firstly as a spatial categorization, secondly as an organizational form, thirdly as a tool of the state allowing particular domains and forms of intervention, and finally as ways of contesting or negotiating value, “determining the nature of transactions between individuals and institutions and within institutions” (AlSayyad & Roy 2006: 5 in McFarlane 2012). It is in this last sense that informality is viewed in this research, as a forms of interactions involving individuals and institutions.

Ananya Roy (2009) argues that informality is a state of deregulation, where ownership, use and purpose cannot be fixed by a prescribed set of regulations, where the law itself is open to multiple interpretations. It is “inscribed in the ever-shifting relationship between what is legal and illegal, legitimate and illegitimate, authorized and unauthorized.” (Roy 2009: 80). Further, it is not synonymous with poverty and exists both within and outside the state, but most
critically there is a danger in romanticizing notions of informality, because it is not by nature just or unjust (Roy, 2009).

*Informal settlements* are therefore deregulated spaces, where value is generated and negotiated through interactions between individuals and institutions. Institutions are not categorizable as purely formal or informal, but may be more or less formalized, with degrees of informality pervading all institutional forms.

**Some Definitions**

As with any field, the field of housing and urban studies adheres to certain conventions and shared terminologies that may differ in usage and meaning from the way some of these terms are used in other fields or everyday parlance. Some of these conventions are useful to keep in mind, and others may be misleading. This section provides a brief discussion of some of the terms that will be used throughout the paper.

**Housing** - Housing is more than a roof over your head, it is a complex and composite good. Quality of housing is included in objective wellbeing measurement criteria used in National Surveys in the UK and France amongst other countries. It is also an asset, and while access to housing does not directly reduce poverty, it may be a necessary for households to be able to accumulate other assets. Housing is a complex and compound good also in that some of its aspects are those of a private good, while others arguably are closer to the definition of a public good. In particular the infrastructure that connects physical housing units to the wider city is, by matter of convention, often state provided.

**Slums** - The term ‘slum’ is often used to describe all forms of low-income urban housing built illegally or quasi-legally, and with inadequate access to basic amenities like water and sanitation. The Census of India for instance defines a slum as “a compact area of at least 300 population or about 60-70 households of poorly built congested tenements, in unhygienic environment usually with inadequate infrastructure and lacking in proper sanitary and drinking water
facilities” (Government of India, 2013). However this definition does not do justice to the myriad of economic, social, political and cultural arrangements that shape the lives and livelihoods of the poor women and men who reside in them (Kumar, 2011). In this paper the word informal settlement is used to describe the study settlements, except when quoting government reports or data sources. In order to maintain compatibility with the official definition, the minimum population size is retained, but informal settlements need not be unsanitary or indeed badly serviced. The informal nature of the settlement does not stem from its physical attributes, but from its relationship with the state.

**Sub-markets** - In keeping with the notion that all aspects of economic (and social) life can be characterized as being constituted of and mediated by sets of overlapping institutions, markets are by no means an exception. This is in stark contrast to the views of those who like Williamson (1975,1985), argue that markets are in some way pristine mechanisms that operate in a way akin to physical law, and lie outside the scope of institutional analysis. Hodgson (2009) advocates for NIE to recognise that markets involve social norms, instituted exchange relations and information networks, and to treat them as objects of analysis. Friedland & Alford (1991) go further, to suggest that markets are institutionally specific systems that are used to generate and measure value. Note that Hodgson (2009) defines markets as institutions, whereas Friedland & Alford use the term system, which implies that markets are defined or mediated by institutional forms, but may not be institutions in themselves. This comes back to how one defines institutions, and in so far that markets can be considered to groups of transactions, which are made possible and shaped by interlocking sets of institutional rules, there is no inconsistency in regarding markets as institutions. Remember that many and in fact most institutions depend on the existence of other institutions, and therefore markets depend on the existence of language, money (in the case of non-barter exchange systems) and a whole range of social institutions in order to operate.

This leads us to the problem of how we define the boundaries of a market. The convention in the economic literature is to define markets in terms of the
attributes of the commodity and geographic area, especially with housing (Goodman & Thibodeau, 1998; Schnare & Struyk, 1976; Wadhwa, 1992). Considering housing within a standard economic commodity framework is problematic due to the fact that it is spatially immobile, durable and heterogeneous (Alhashimi & Dwyer, 2004). This unique combination of characteristics suggests that there is no unitary housing market, but a set of local sub-markets (Charles, 1970), or “a collection of closely related, but segmented, markets for particular packages of underlying commodities differentiated by size, physical arrangement, quality and location” (Quigley, 1979). The notion of a sub-market is a useful one, in that we can think of institutionally specific sub-markets, loosely making up a broader market for rental housing in a city.

If we recognise that the term ‘market’ or ‘sub-market’ need not be defined within the neo-classical paradigm, but refer to phenomena that operate within vastly different institutional rules, then it is merely a useful way of describing interrelated and overlapping but analytically distinct sets of housing processes.

**Note on Data and Methodology**

The research adopts a comparative case study approach to identify common and differing patterns of transactions and the institutions that shape these in low-income settlements in Hyderabad. Yin (1994) defined a case study as "an empirical inquiry that: investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident; and . . . [that] relies on multiple sources of evidence.” The reasons for the appropriateness of the case study approach are that the boundaries between the ‘phenomenon’, in this case transactions between landlords and tenants, and the ‘real-life’ context or the socio-cultural institutions that inform and shape these transactions are not clearly evident, and that it will be necessary to collect quantitative and qualitative data from a variety of sources in order to be able to construct a cohesive and compelling picture of these processes. Comparative research seeks to compare cases that are similar in some respects, but they differ in some respects. These differences become the focus of examination. The goal is to find out why the cases are different: to reveal the
general underlying structure that generates or allows such a variation. The aim of comparing the behavior of landlords and tenants in two low-income areas/settlements in the old and new parts of Hyderabad is to explore the similarities and differences, and to study whether these differences may be affected by differences in the institutional structures and forms of networks and relationships that are prevalent in each. The ‘old city’ has grown organically over the last 400 years with housing, markets and businesses being built into older structures, and one would expect to see older social networks and relationships that stretch across several generations. It is also an area where the majority (60%) of residents identify themselves as Muslim, with men attending Friday prayers at one of several local Mosques. ‘Cyberabad’ in contrast has sprung up over the last decade, created as a haven for foreign and domestic IT companies, populated by white and blue collar IT workers, but also by lower level staff, as well as those who run local businesses, shops and roadside eateries. There are several informal settlements that began as temporary housing for construction workers, and have since been consolidated and many are now concretized and have been granted access to water and sanitation as well as electricity. Most of the residents are likely to be individuals and families who have migrated either from other parts of the city or elsewhere in the last five or ten years, and while it is difficult to say much about the social relations and identities, they are likely to provide an interesting contrast to settlements in the ‘old city.’

The city of Hyderabad was chosen for three key reasons:

1. It is one of the largest and fastest growing Indian cities, and no serious study of landlord tenant relationships or low-income housing has been conducted, whereas some work of this kind has been done on Mumbai, Delhi, Kolkata, Chennai and Bangalore, the other cities of comparable size. Fast-growing cities in India are associated with a high level of migration, and rental housing has been found to be an important component of the shelter strategy of recent migrants.
2. The contrast between the historic centre and ‘Cyberabad’ provides a fascinating context for comparative study of institutions, social relations and ways in which landlords and tenants transact.

3. The researcher’s familiarity with the city, its culture and language as well as access to local voluntary bodies, research institutions, government officials and local residents enhances the feasibility of the research.

Primary Survey and Interviews
The fieldwork was divided into two stages and two periods, both supported by an Urban Knowledge Network Asia Grant from the Bartlett Development Planning Unit and partnered by the Indian Institute of Human Settlements. The first period began on the 15th of December 2013 and ended on the 15th of May 2014, for most of which I was based in Hyderabad. The trip was bookended by two short stints at the Indian Institute for Human Settlements in Bengaluru.

In the first period, the two areas of the city were identified as potential sites of study, after an extensive review of the available city-level datasets and reports as
well as consultations with locally-based academics, civil society representatives, government officials and retired bureaucrats. The particular settlements were chosen after several site visits to the two areas, which included exploration on foot and conversations with local informants and members of the community.

The criteria for selection of areas in the older and newer parts of the city will be the following:

1. The settlement should have existed and been occupied for at least ten years. It will be useful to gather perspectives from tenants and landlords who have had an on-going relationship for some years, as well as those who have recently let out a space, or moved in.

2. It is preferable that the area be populated by a mix of long-term residents and recent migrants, for the reason similar to those stated above.

3. The number of households should number between 300 and 1000, in order to provide a large enough universe for sampling, and yet not be so large as to make the task of carrying out the survey infeasible.

4. The idea is to select a settlement that is recognised by local residents as a distinct neighbourhood or area, as opposed to classifications and designations used by the municipal other government bodies.

5. Although most settlements would include households with a range of incomes, selecting an area where rents are typically in the range of Rs. 500 to Rs. 2000 for a single room, would ensure that a fair number of households who are renting would fall into the category of the lower income group.

The area should not, as far as possible, be homogenous in terms of primary source of livelihood, religious and cultural identity and/or caste. The existence of a range of different religious and institutional affiliations within the same settlement will provide an opportunity for the research to capture how individuals interact within and between these.

The expert interviews utilised for site selection included:
1. Urban Planner who was involved with creating the 2006 Masterplan for Hyderabad
2. Heads of three voluntary organisation working to provide services to underprivileged populations across the city
3. Head of a Hyderabad-based research organisation conducting research on urban issues
4. Two retired bureaucrats
5. A current member of the Greater Hyderabad Municipal Corporation

The sections of interviews with experts relevant to identification of suitable sites were therefore used largely to understand the socio-political and architectural contexts of different areas of the city, particularly the characteristics of different neighbourhoods in the old city.

**Types of Data and Material**

1. Literature on housing, policy and rental practice including government reports
2. NSSO national level dataset (2008-09) – household level
4. GHMC slum survey dataset (2012) – settlement level
5. Interviews with Local Experts and key Informants – 12 interviews
6. Primary survey of households in settlements – 130 Households
7. In-depth interviews with landlords and tenants – 20 interviews
Study Settlements

The creation of Hi-tec City, was a part of the strategy of the Chandrababu Naidu government\(^1\) to make metropolitan Hyderabad a growth engine for the region, while adjusting its actions to the imperatives of the global economy (Kennedy, 2007). There is little doubt that this move has transformed the economy, the landscape and the urban fabric of the city, but its effects are less evident in the old historic walled city on the other side of the Musi River. The context of the divided city informed the choice of settlements for study, with Jahangir Nagar being situated a kilometre from the historic centre Charminar, while Aditya Nagar lies in the vicinity of Hi-tec City.

1 Chandrababu Naidu served as Chief Minister of the erstwhile state of Andhra Pradesh between 1995 and 2004. He came back into power after the bifurcation of the state and is the current Chief Minister of the new state of Andhra Pradesh.
Jahangir Nagar

Jahangir Nagar covers an area of roughly 3.5 acres and is one of nine informal settlements lying to the south side of the Talabkatta Road in the Talabkatta area of the old city. This is a low-lying area that was once the basin of the Mir Jamlan Tank, which was subsequently drained. The Charminar and Laad Bazaar area, located a kilometre away, attracts tourists from across the world, and continues to be a thriving market centre, with street hawkers, vegetable vendors, eateries and artisan shops as well as large departmental stores. The two widest streets in Jahangir Nagar provide access to Talabkatta Road on the east edge of the settlement and the road that connects to Sultan Shahi Road on the south side. The latter boasts a large variety of businesses including furniture making (something for which the area is known), a fridge and large appliance repair workshop, provision stores and meat and poultry purveyors. The lanes leading off the main arteries into the settlement are narrow and crooked, sometimes barely 6 feet in width. The lanes predominate with one and two-storey concrete structures, though there are a fair number of a three-storey structures as well, with landlords occupying one level and letting out the others. The houses tend to have front doors that open onto the street. While some of the residents have motorcycles and scooters that they park outside, there are no cars in evidence, and the lanes are too narrow to navigate by car. There are some businesses located inside the network of lanes, mostly provision stores and also a meat shop. Jahangir Nagar is bordered on the south and east sides by Murad Mahal Nagar, a larger and relatively wealthier settlement, with wide streets and three-storey concrete houses, some with nameplates indicating that the (male) residents hold degrees in medicine or law.

More than half of the households interviewed in Jahangir Nagar reported having lived in their current residence for more than ten years. These long-term residents are predominantly Owner Occupiers. The majority of tenant households have lived in in their current residence for between a year to five years, and about 25 per cent reported residing here for more than five years. NF, for instance, moved to Jahangir Nagar about fourteen years ago, and has continued to live in the same house because she has a good relationship with her
landlord, who lives elsewhere, while his mother lives upstairs in the same building. Interestingly about half of the tenant households in Jahangir Nagar also previously resided in other rental spaces in the same settlement. The high proportion of long-term residents has contributed to a more closely knit community, with a high level of interaction between residents and high levels of shared knowledge between residents of each others’ identities and activities. Women often sit or squat on the front step of the porch chatting with neighbours, in the cooler months, the narrowness of the gullies \(^2\) facilitating these conversations. The majority of the men of the settlement meet at Friday prayer at one of the nearby mosques, where conversations may range from the personal to matters of business. The local beef shop located at one corner of the settlement was also a place where men would gather in the evenings to chat, especially elderly men. Landlords in this settlement have a strong network, and news of a troublesome or defaulting tenant would travel quickly by word of mouth.

**Aditya Nagar**

Aditya Nagar is one of six informal settlements on the south side of the railway line in New Hafeezpet. It is located 4 kilometres from Hi-Tec city, and while the settlement existed before the creation of Hi-Tec City and the Special Development Zone, it has grown rapidly since. The settlement covers an area of 32 hectares, but is considerably less dense than settlements in the old city. It is situated next to the Hafeezpet Railway Station, and is bordered by Gachibowli Miyapur Road, a major road that leads to the Mumbai Highway. It has fairly wide though un-asphalted streets, which are roughly at right angles. The main street of the settlement is about forty feet wide and most of the buildings that face the street boast shop fronts or businesses, including provision stores and meat shops, but also tailors, stationers, barbers, a printer and photocopier and an internet café. There are three ‘cafes’ or eatery-cum-chai shops in the settlement common around Hyderabad, which resemble the ‘irani café’s\(^3\) of Mumbai, but

\(^2\) Narrow internal lanes

\(^3\) The Irani café’s and Hotels of Bombay (now Mumbai), were set up and run by immigrants from Iran, and have became an integral part of what makes the city unique offering sweet milky tea, but also snacks and in some cases full meals (Lutgendorf, 2012). These provide a space for
with a unique Hyderabadi flavour, and bench style-seating with Sun mica topped tables. The proximity of the railway station ensures a steady flow of customers to the cafés and other businesses. Some of the residents own cars, and it is evident that there may be fairly wide inequalities of income between some of the residents. One of the lanes has a three-storey house with high walls, a large metal gate and a guard on duty. The house would not look out of place in a wealthier part of town.

Less than a third of households interviewed in Aditya Nagar reported having lived there more than a decade, with about half having moved here between a year and ten years before. A large number of households bought land after 1995 with the announcement of the building of Hi-Tec city and the development of roads and infrastructure in the vicinity. Several residents moved there from various parts of the city. Of the tenant households interviewed in Aditya Nagar, about 40 per cent had lived in their current residence for between five and ten years and 25 per cent had lived there for less than a year. While a fair number reported their previous residence to be in Aditya Nagar, one in every two households previously lived in another part of Hyderabad.

Findings and Analysis

What becomes clear from even a cursory analysis of the surveys and interviews conducted in the study settlements is that the behaviour of landlords and tenants is influenced by a number of factors that may differ from case to case. However there are certain regularities in the ways in which the landlord-tenant relationship operates, with fairly uniform sets of rights, obligations and duties on each side, despite the absence of a formal enforcement system. The differences for the most part relate to the identity of each, as well as certain differences observable in the culture of each of the settlements.

The Institution of Kirayadaar and Makaandaar

various classes to interact, though the patrons are predominantly if not exclusively male. Hyderabad's Cafes and Hotels have a similar history and perform a similar function, though they are gradually losing their footing as rents go up and the character of urban spaces change.
The word *Kiraya* in the dialect of Hyderabadi Hindi, which includes a mixture of words from *Urdu* as well as *Telegu*, means rent. The suffix *daar* can be translated to mean the *one who is associated with*. *Kirayadaar* therefore roughly translated to *the one who pays rent*. Similarly as *Makaan* means house or building, *Makaandaar* signifies the one who owns the building. It is interesting that the property right of the *Makaandaar* seems to be recognised by the *Kirayadaar* regardless of the legal status of ownership. Most of the landlords in the sample were *de facto* rather than *de jure* owners. The specific rights and duties of each varied, but there were certain distinct regularities, including the duty of the *Kirayadaar* to pay rent on a monthly basis, and the *Makaandaar* to provide prior notice of a previously agreed period when asking the *Kirayadaar* to vacate. Most interestingly, the right of the *Makaandaar* to evict a *Kirayadaar* was viewed by the majority of respondents as absolute. Similarly, *Kirayadaars* on the whole seemed certain that they would receive their deposit back, once the *Makaandaar* had found a new *Kiraryadaar*. Both of these are subject to greater vagaries in formal markets. In the rest of this paper the terms landlord and *Makaandaar*, *Kirayadaar* and tenant or renter will be used interchangeably.

Aside from two cases in Jahangir Nagar, none of the tenants interviewed had a written agreement with their landlords. The terms of the verbal agreements for letting of space seemed not to vary hugely either within or between settlements. With the exception of sharers, whose primary relationship with the owner of the space was not that of a landlord and tenant, most tenant households paid a deposit of between one month and six month’s rent and were expected to pay rent on a monthly basis. The closeness or length of association seems to impact the determination of both rent and deposit. In some cases charges for water and electricity were included in the rent, and in others this amount was charged separately. However even in cases where this was charged separately, it was a fixed recurring charge. Landlords raise rents on an annual basis, but existing tenants were seen to pay lower rents than new tenants moving in. Most of these agreements seem to be made on an indefinite basis, where a 30-day notice period is required from either party, although in some cases tenants have been known to give only a few days notice or none. The majority of tenants in the
sample (42 per cent) reported having lived in their present residence for more than a year but less than five, while a large proportion (38 per cent) had resided there for between five and ten years. Most tenants expressed uncertainty about how long they would continue live in their present residence, and many suggested that they were dependent on the whims of the landlord. Landlords are expected to return the deposit within a month of the tenant vacating, subject to their finding that the vacated space has been left in an acceptable condition, and after deducting the appropriate amount if the requisite period of notice was not given. In one case in Jahangir Nagar the deposit paid was five times the monthly rent, but the tenant MK was certain that his landlord would return the deposit when he left. He explained that the landlord would merely collect the deposit from the next tenant and pass it on to him, and that there was no problem because the landlord would not be “out of pocket.”

The relationship between landlord and tenant can vary from an impersonal business arrangement to one where landlord and tenant households develop deep personal bonds. The latter is more common in cases where there is a family or social network link, but a long association even when not mediated by pre-existing ties may develop into a close one. MS an auto-rickshaw driver, who has been living with his wife and child as a tenant for 8 years in Aditya Nagar says that his landlady treats his household like part of her family, although they were strangers when he first moved in. It may be significant that he was the only tenant, and shared the bathing and toilet facilities with the landlady, who is a widow with two young children. On the other hand MH, a painter by profession has rented the ground floor of the three-storey structure for the past 6 years, and the landlord’s family occupies the top floor but they have limited interaction, meeting usually when rent is due. His family is Muslim and his landlord’s family is Hindu but there has never been any disagreement or trouble between them.

Paths to Rental: How Makaandaars and Kirayadaars find and select

A majority of tenant households in Jahangir Nagar and Aditya Nagar gained access through

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4Here sharers or those whose primary relationship with the de facto owner of the space is not that of a landlord and tenant are not included. The practice of sharing or letting to family members at reduced or nominal rents was found to exist in Jahangir Nagar, where four cases were recorded. In two of the cases, the rent paid was less than half of the average for the
family connections (29 per cent) or through their social networks (47 per cent), although some households did find housing by turning up and asking around or knocking on doors, these primarily consisted of households already based in urban Hyderabad. Fresh migrants—those whose last residence is recorded as being outside Hyderabad—tend to find housing through family and social networks. We find, unsurprisingly, that family connection seem to operate more strongly across geographical distances than social networks, with the latter seeming to provide a link predominantly to households already based in Hyderabad. This effect is strongest for households already living within a settlement, with 65 per cent of those who reported their previous residence in the same settlement finding their current residence through neighbours, colleagues and sometimes through their previous landlords.

The use of agents or paid intermediaries was rare, and in the sole case, NK previously a resident of Siddique Nagar (another settlement in Talabkatta) explained that the ‘agent’ was a female relative who lives in Jahangir Nagar, and was able to find them a rental. The practice of advertising vacancies through settlement, and in the other two cases no rent was paid, but there is an expected contribution towards utilities and expenses.
boards or signage was absent in Jahangir Nagar, but quite prevalent in Aditya Nagar. Walking into the settlement one immediately notices signs hung up on houses, and sometimes on lamp posts with the words “To-Let” written in English and a mobile number under it. Only a small proportion of households interviewed appear to have found housing via this method, but the number of signs posted indicates that landlords or agents feel this is worth the effort. Interestingly, all three cases of households who found housing via To-Let signs were already living in Aditya Nagar. The ubiquity of “To-Let” boards also indicates that landlords in Aditya Nagar may be open to letting space to tenants outside their familial and social networks. In addition, there is a practice whereby landlords leave keys with the corner kirana shop where prospective tenants can enquire.

Certain trends emerged from the survey data and conversations, which seem to hold true across settlements. Firstly, there is a preference amongst landlords for married couples, although large families are less preferred and may be charged higher rates of rent. There were few single member households in the sample and this seems to be reflective of the difficulty that single individuals face finding housing. Both single male tenants interviewed reported that they had been turned away by several landlords before finding one who would agree to rent to them. Landlords generally seem to feel that single men are likely to make irresponsible and troublesome tenants. However, tenant households in both settlements complained that bachelors were driving up rents, with three or four taking up rooms together and outbidding single or even double income families.

There was no clear evidence of positive or negative discrimination with regard to religious or ethnic community in Aditya Nagar, with cases of Hindu landlords letting to Muslim tenants and vice versa. There were no Hindu respondents amongst those interviewed in Jahangir Nagar although one or two indicated that there were a few Hindu households living in the settlement. However, in both cases the strong role of family and social networks suggests a greater likelihood that landlords and tenants come from the same community.

Strangers and Insiders
One of the most noticeable differences between the settlements as you walk through is the presence of To-Let notices on doors of vacant houses in Aditya Nagar, inviting prospective tenants to enquire. The boards are written in English letters, and often have a cellphone number on them for enquiries. About 13% of the tenants in the sample from Aditya Nagar found their current living space after seeing a board. These boards are not in evidence in Jahangir Nagar, and it is more common for tenants to hear of an available space through friends and family, or just to knock on doors and enquire, as almost 1 in 4 tenants interviewed said they did. A common refrain from tenants in Jahangir Nagar, is that they are well-known in the settlement, about 60% reported their previous residence to have been in the settlement and many of them were born there. M. Khurshid has lived for a year in the current dwelling but for 25 years in Jahangir Nagar having changed houses several times over that time. He claims that he is known by everyone.

Raju a resident of Aditya Nagar, been living in his current residence for 7 years and would like to continue living here. He lived in another house in the same settlement earlier, but needed to move, saw a to-let notice and called the number. The landlord who lives elsewhere came and met him and his family, before fixing the rent and the terms. His one complaint is that he has to go fetch water from outside and doesn’t have a direct water connection. He also mentioned a problem with bachelors, whereby they drive up rents, by crowding 4 or 5 people into a room and outbidding single income households on rent.

This does not mean that there is a lack of networks or social cohesion in Aditya Nagar. Misal Baig has lived in his present residence in Aditya Nagar for the past 5 years. He knew people and has several relatives living in the Basti. His in-laws, aunt and cousins of his wife all live here. He was introduced to his landlord by his wife’s cousin, and they pay Rs 1800 for the space and utilities. He irons clothes for a living, setting up a small booth, using a traditional iron heated by charcoal.
On the other hand, families may choose to move to the settlement because of employment opportunities in the neighbourhood. T Khaja has been living with his wife and four children in a rented space in Aditya Nagar for 3 years. His eldest son works in the neighbourhood and identified the settlement as a potential place to live. He sees himself living in the current space for another couple of years but is dependent on the whims of the landlord. If forced to move he would prefer to continue to live in Aditya Nagar. The landlord lives elsewhere and didn’t ask too many questions when they first moved in.

Some are forced to live with their families, and are looking for a way out. Anees Fatima and Naeem Khan live in a joint family in a multi-family unit along with his parents and siblings and their families in Jahangir Nagar. They want to move out as they are not wholly happy with the arrangement, as well as the fact that they perceive a water shortage. In fact they told me that they often provide water to others in the neighbourhood because the supply is so erratic. There are 19 people in all living in the structure, which like many of the structures has a courtyard and shared toilet and bathing facilities.

Shireen Begum and Sheikh Nizam (Survey 26) have lived in Jahangir Nagar for about 18 months and rent from a family who were their neighbours in of Nanded, the eight largest town in Maharashtra, a neighbouring state. They are unsure of how long they will remain in this dwelling, but Shireen appears to have share a close relationship with the one of the daughters of the landlord who is about her age.

The characteristic of the settlements have an impact of the kinds of households that choose to locate themselves there, which is hardly surprising. Aditya Nagar appears more open to strangers, whereas Jahangir Nagar seems a more well-knit, and therefore potentially more difficult for strangers to gain access. There is also a stronger sense of identity and history in the old city.

Identity and History in Jahangir Nagar
One of the first conversations I had with a resident of Jahangir Nagar, took place before I had formally begun my fieldwork. I was visiting the settlement to plan my fieldwork and get a sense of the geography, and I met an elderly gentleman who was sitting at the corner butchers, or buffalo meat vendor. He sat and gave me the history of his family, tracing his lineage back to Persia. I listened to him patiently and finally explained that my research was related to rental housing and he gave me a look of complete incomprehension. During several interviews that I conducted it became evident that this tracing of lineage if not to royalty, but to those who served royalty, and the erstwhile princely state, was an important marker of identity and cultural heritage.

Sakuri Bibi has lived at her current residence for around 35 years, having found the land and built when she first moved from Khilwat Chowk in the old city. She claims that her family worked for the Nizam, and were quartered on the grounds of an old Haveli (mansion), which was eventually sold, at which point her family was forced to move. She is the de facto head of her family, and lives with eight other family members in a two room house in Jahangir Nagar.

Sharifa Begum says she has been living in the neighbourhood for a long time, and remembers when her husband would drive his autorickshaw under the archway of the charminar (no longer permitted). She estimates it has been around 35 years since they first moved here from another settlement in the old city. They own the house they live in but she claims they don’t have enough space to take in tenants. The one big issue they face is with water-logging, and they are forced to sweep the lanes themselves to keep them clean of debris which may block the drains and channels for water to drain out.

There is not just a strong link to place, or as S Habibuddin says “this is our, area”, there is also a link to state of Hyderabad before the Police Action, that forcefully annexed Hyderabad to the Indian Union.

**Role of Religion**
Jahangir Nagar is located in the old Islamic quarter of the city of Hyderabad, and as mentioned above approximately 60% of the residents of this part of the city identify themselves as muslim. The GHMC slum survey data suggests that only one household in Jahangir Nagar identified itself as non-muslim, belonging to the OBC, or Other Backward Caste category. There were no non-muslim households in either the first stage primary sample, or for that matter in the qualitative sample. Interviews with residents suggest that there are few if any non-muslim households in the Talabkatta area, which consists of 14 settlements. One resident declared that there was no violence in the area because everyone practiced the same faith and belonged to the same community. It is not completely clear whether households belonging to different faiths would not be taken on as tenants or whether no one of a different faith would come seeking housing the area. According to another resident, there is another settlement in the area, across the Talabkatta main road, where several Hindu families have taken up residence.

Aditya Nagar on the other hand is fairly mixed in terms of faiths and communities, though it is also a majority muslim settlement according to the GHMC survey data. The first stage primary survey consisted of 60 muslim households, 16 Hindu households and a single Christian household, with 3 households preferring not to have their faith declared in the survey. There are not one but three shops which sell buffalo meat close to the front of the settlement, which as mentioned earlier is usually indicative that it is a majority muslim or dalit settlement.

Composition of Aditya Nagar Sample by declared faith
Finding a House through Faith -
Nassim Begum, who is married to Abdul Bashir (survey 102), has lived in her present house for 6 years, which they found through a friend of their son’s who happens to be from the family that runs a nearby mosque. The mosque serves as a meeting place for the men of the area, and it is here that news of spaces that may be vacant, or the fact that someone is looking for a place to stay might be shared, along with other information. They lived in Rasoolpura before moving to Aditya Nagar, and she still travels there to get provisions on her ration card, which is registered to that address. She remembers having to search for a house for 6 months after her previous landlord threw them out. Her present landlord lives in Khairatabad and comes by every month to collect rent from her and the three other tenant families. They pay about Rs 7000 per month, which includes utilities. Every six months they have to get the sump or main tank cleaned which costs Rs 3000 shared amongst the tenants.

Hindu Makaandaar, Muslim Kirayadaar -
M. Haji (Survey 98) is an artist and claims that an artist can live anywhere. He received an award in the year 2000 (he showed me a photograph where he was being felicitated by the then Prime Minister Atal Bihari Vakpayee of the NDA). He
used this as an example of how religion plays less of a role in acceptance of people than people think, and went on to say that he received less support from his own community (muslims) than he did from his Hindu patrons. He came to Aditya Nagar to buy a plot, saw the house he is now living in being constructed, and he enquired about the possibility of renting a space in the completed building. His landlord is Hindu, and when he was being interviewed was asked what he did, and he showed them his art diploma, and was asked to come stay. He pays about Rs 6000 in total and lives with his two sons and his daughter in laws.

These two examples suggest that religious identity does not play a defining role in landlord tenant relationships, or atleast in the selection process, and there were other cases where the religious affiliations of landlords and tenants differed. However religious affiliation may affect where in the city and which settlements households choose.

N. Prasad moved to the settlement around 12 years ago from the old city. The post Babri-demolition riots of 1992 played in a role in their decision, although they had been thinking of moving out because business had not been good. Demography has been found to be closely associated with the consequences of riots, including displacement, migration and loss of livelihood (Bhagat, 2011).

“The year 1991 marked the 400th anniversary of the founding of Hyderabad, a city renowned as an historical center of religious and cultural syncretism.53 Yet, in the waning weeks of 1990, Hyderabad witnessed some of the worst Hindu-Muslim violenceinits history. After months of tension between the two communities, large-scale rioting finally broke out on the seventh of December that would come to engulf all of Hyderabad’s old city, and parts of its new city for 10 full days, causing the deaths of 134 by official records, and more than twice as many by other estimates...The Pardhi community, an economically depressed caste of Hindus, was hit so hard that it began to migrate out of the old city after a few days of violence.” (Agrahakar, 2005)
The building of Hi-Tec city promised the area around might offer opportunities and they decided to buy a plot and move. When they first came they had no direct access to water, so a few families got together and created an unauthorised supply line connected to the municipal pipe that passes along the main highway. He said that they used to have to buy water in small quantities before, but now they have enough to wash their houses and the streets with it. He helps to run his father’s Kirana shop, which is excellently located close to the main highway and on one of the broader bylanes.

Female Tenants
Unmarried, single women tenants living on their own, were conspicuous by their absence in both settlements. In Aditya Nagar a conversation with a male resident revealed that young women, even those who have recently become widows are regarded with suspicion, though they may find themselves more popular if they own property.
“Widows, they manage somehow. If they have property then someone becomes a family-member. If she doesn’t have anything then there’s no one to ask after her, look after her. If she’s working somewhere, if she’s going to work in a house, or elsewhere...if she’s wearing nice clothes for instance, then people start calling her things, or labeling her. "Where did you go, who bought those nice things for you?" “Look she’s having a great time, buried her husband, who knows what she did with him, look, she’s enjoying life now."

On the other hand, older single woman tenants seem to receive some sympathy and support from the community, atleast this seems to be the case in Jahangir Nagar. Choti B lives alone in a room rented from her sister, which she has rented for the past 15 years, after moving here from a neighbouring settlement. Her children live nearby, but it doesn’t seem like she sees them very often. She says she depends a lot on other people in the community, and asks for things because she’s alone. When I asked her how much she pays as rent she replied that she pays very little because she’s ill but couldn’t explain the nature of her illness.

It can be hard to navigate the rental market and find suitable residential spaces, if you have several daughters according to one resident of Aditya Nagar who has six daughters. K. Begum has lived in her current rented space for about a month. She is paying what she considers and exorbitant amount (Rs 9000) for 4 rooms and is looking to move to a more affordable place as soon as possible. She was forced to move from her earlier accommodation because her landlord wanted to make some structural changes to the building they were living in. They are a family of twelve with 6 female children. “It’s a huge problem if you have girls. Where do you go around, from lane to lane, dragging your girls with you, in the sun (wearing a burkha), searching for a house? My landlord comes and collects money, they didn’t ask much when we wanted to move in, apart form an advance of Rs 10,000.” R. Begum on the other hand, a single mother who has lived at her current residence with her two sons for the past two year, has always lived in Jahangir Nagar, and claimed that she has never had much trouble finding a room to rent.
Female Landlords

There were only two female landlords in the sample, one each in Aditya Nagar and Jahangir Nagar. While it is inadvisable to draw any general conclusions from these cases, it is interesting to note how these women navigate their relationship with their tenants.

Jahangir Nagar -

Az. Begum lives in a large groundfloor multi-family unit, and rents to six households, who live in single or double room units arranged around a central courtyard. She describes herself as living with her tenants as another tenant household.

“I live together with my tenants, and I don’t behave like a typical landlord. I don’t even reprimand or scold anyone, usually unless there’s a real problem. If you are good to people they are good to you. If you start bothering them, then they’ll start creating problems for you.”

She believes in a live and let live policy when it comes to tenants, especially because good tenants are hard to come by.

“...just down the road, my aunt’s house, they don’t want families with more than two kids. And they limit the amount of water each family can consume. They’re not allowed to wet the courtyard like people do here. The thing is that if you have tenants, and they’re paying you money, they should have some (sahulat) comfort/convenience. If they’re not happy then they’ll leave. It’s not easy to find good tenants nowadays.”

When interviewing prospective tenant households, she enquires about the size of family, what they do for a living, and whether they are in the habit of coming home late, and if the husband is in the habit of drinking alcohol.

“I ask the wife, what is your husband like?”

If they agree to the rent and pay the deposit, she usually watches them over a two month period, to see if they are suitable tenants, and asks them to leave if not, having made clear that these are the conditions at the time when they move in.
Aditya Nagar –
M had been living with a friend ‘as a bachelor’, and only brought his family to Hyderabad after finding a suitable place for them to stay, renting at Z. Begum’s. He asked a friend to look for a place for him, and they introduced him to the landlady who had just lost her husband. She interviewed him and took an advance. While this seemed to have worked out quite well, M suggests that the initial search for a house was quite tough and that he didn’t have much when he arrived, and was extremely grateful that Z. Begum took them in. In this case, as with Az. Begum, she and M’s family shared the house and its grounds, and it was clear that M’s wife and she shared childcare duties, and the fact that she has only a single tenant family may have contributed to a closer relationship between their families than would otherwise occur.

In these two cases, the lines between Makaandaar and Kirayadaar have blurred slightly, with arrangements that appear more like sharing than rental, but one cannot generalise form these. It may be instructive to compare female and male landlords in a wider sample.

Conclusion
The strength of the institution of Makaandaar and Kirayadaar is both surprising and puzzling, as there appears to be no direct way of enforcing the contracts, especially in a place like Aditya Nagar where tenants are less embedded in the local community. Let us apply Searle’s criteria to test the validity of calling this and institution:

1. Is W defined by a set of constitutive rules?
2. Do those rules determine status functions, which are in fact collectively recognized and accepted?
3. Are those status functions only performable in virtue of the collective recognition and acceptance, and not in virtue of the observer-independent features of the situation alone?
4. Do the status functions carry recognized and accepted deontic powers?

(Searle 2005: 19)
From the evidence presented, we find that this can indeed be defined as an institution, which constrains and enables. However it is mediated by a number of factors including faith, gender, marital status, age, and there are clear variations between different settlements.

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