

## **Caste and Urban Housing in Mumbai**

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### **Introduction**

“When someone asks about your caste or food habits in that way, you can sense it’s about filtering you out.” — Tenant, Mumbai

Despite India’s constitutional guarantees of equality and urban inclusion, caste discrimination—long assumed to be a feature of rural, pre-modern society—continues to shape urban life in subtle yet enduring ways. Mumbai, India’s financial capital and a symbol of cosmopolitan aspiration, is paradoxically also a site where deep social divisions are embedded within the city’s housing structures. Cooperative housing societies, which were originally envisioned as democratic institutions for collective urban living, have increasingly become mechanisms of social gatekeeping. Interviewees stated that vague notions of “safety,” “cultural values,” or “community fit”, were often stated by housing societies in order selectively admit residents based on caste, religion, region, and food practices.

Such practices remain largely hidden from public scrutiny because they operate through informal codes—such as moral conduct clauses, vegetarian-only policies, or opaque “No Objection Certificate” processes (Thorat et al., 2015; Singh & Vithayathil, 2019). These mechanisms sidestep legal protections enshrined in legislation such as the Real Estate (Regulation and Development) Act (RERA), the Maharashtra Ownership of Flats Act (MOFA), and the Maharashtra Cooperative Societies Act (Government of India, 2016; Government of Maharashtra, 1963). Even when brought to light, enforcement mechanisms are limited by bureaucratic inertia, as seen in the backlog of deemed conveyance claims or delayed responses from MahaRERA (Times of India, 2023; Hindustan Times, 2017). The result is a disconnect between formal rights and lived realities, where everyday discrimination thrives under the guise of community welfare.

Existing academic scholarship has demonstrated the persistence of caste in shaping urban housing, documenting patterns of segregation and exclusion that extend beyond class-based

divides. Policy and media sources, meanwhile, highlight ongoing state efforts to curb discrimination in housing transactions. Yet, despite this growing body of research and regulation, a critical gap remains: little attention has been paid to how cooperative housing societies, the most common mode of middle-class homeownership in Mumbai, deploy informal, extra-legal mechanisms to perpetuate caste-based exclusion under the radar of both scholarship and regulation.

This project investigates: How do informal rules within Mumbai's cooperative housing societies reinforce caste boundaries, and how do these forms of exclusion sustain everyday caste inequality despite formal legal protections? The scope is limited to cooperative housing societies registered under the Maharashtra Cooperative Societies Act within the Greater Mumbai region, excluding informal housing, rental-only units, and elite gated communities. The focus is not only on identifying discriminatory practices but also on understanding the cultural logics and legal loopholes that enable them.

This paper proceeds in five sections. The next section outlines methodology, detailing the sites studied and data collection process. The third section reviews existing literature on urban caste segregation, cooperative housing societies, and housing law. The fourth section presents key findings across three themes: bylaws and norms, enforcement and discretion, and residents' lived experiences. The final section discusses implications for urban planning and social policy and offers recommendations for regulatory and social reform.

This study contributes to ongoing debates about urban justice by revealing how caste operates not merely through overt exclusion or violence, but through quieter forms of control such as bureaucracy, polite or coded language, and everyday habits that seem normal but still keep people divided. Caste boundaries are maintained not by open bans, but by routine rules, social expectations, and decisions about who is seen as a "good fit" for a community. These small and often hidden actions make discrimination part of daily urban life. The study therefore calls for a shift in focus from only changing laws to also changing the informal attitudes and practices that allow inequality to continue within urban institutions.

### **Methodology:**

This research adopts a qualitative approach combining interviews, policy, media, and academic literature analysis. Semi-structured interviews with tenants, landlords, and cooperative housing society members in Mumbai provide first-hand insights into the informal practices of exclusion that shape access to housing. Policy analysis focuses on documents such as the Real Estate (Regulation and Development) Act (RERA) and Maharashtra state housing circulars, which establish formal obligations and safeguards against discrimination. Newspaper reports from

outlets such as the *Times of India* and *Hindustan Times* are examined to trace how these policies are publicly debated and implemented, highlighting contemporary controversies around exclusionary housing practices. In addition, ten academic articles on caste, urban segregation, and housing policy in India are synthesised to provide scholarly perspectives on social exclusion, residential segregation, and policy interventions. Together, these methods allow the project to connect lived experience, regulatory frameworks, public discourse, and academic research to better understand how caste-based exclusion persists in Mumbai's cooperative housing societies.

### **Literature Review:**

Despite narratives of caste erosion in India's urban centres, caste remains central to how housing is accessed, regulated, and experienced in Mumbai. The city's reputation for cosmopolitanism often masks entrenched social hierarchies, and housing societies act as key sites where these hierarchies are enforced. This review synthesises ten seminal studies (2001–2025) spanning ethnography, archival research, census analysis, and field experiments to examine how caste shapes urban housing. The studies collectively address four central questions: (1) How do bylaws and cooperative housing rules perpetuate exclusion? (2) What gatekeeping roles do Resident Welfare Associations (RWAs) and managing committees play? (3) How are Dalit and Muslim tenants excluded in practice? and (4) How does Mumbai's experience compare to other Indian metros? By drawing connections across diverse methodologies, this review reveals that caste segregation is not a relic of the past but an actively maintained system that intersects with class, religion, and state planning.

### **Quantitative Evidence of Spatial Segregation:**

Large-scale spatial analyses challenge the assumption that urban growth and economic development have eroded caste barriers. Bharathi et al. (2021) use enumeration block-level census data—micro-units of 100–125 households—to uncover stark segregation patterns invisible at ward level. Even in ostensibly “mixed” wards, neighbourhood clusters remain segregated by caste, with Dalit households often pushed to under-serviced lanes and alleys. Bharathi, Rahman, and Malghan (2023) expand this method to Mumbai, Bengaluru, Chennai, Kolkata, and Delhi, showing that caste segregation often exceeds class segregation, undermining the narrative of Indian cities as social levellers.

These findings are powerful because of their statistical precision and scale, but they also have limitations. Census data offers no insight into lived experiences, informal gatekeeping practices, or intra-household dynamics, leading to potential underestimation of discrimination.

Historical research enriches these patterns by tracing their colonial roots. Shaikh (2021) shows how British-era urban planning codified caste divisions through zoning policies that concentrated

Dalit housing near factories or city peripheries. Rao (2013) demonstrates that suburbanisation and cooperative housing, often portrayed as symbols of progress, institutionalised upper-caste dominance through selective membership practices. The historical record highlights continuity: what appears to be class-driven urban sprawl is deeply intertwined with caste hierarchy.

### **Discrimination in Housing Access:**

Experimental studies provide causal evidence of systematic bias. Thorat et al. (2015) conducted audit tests via phone and in-person interactions, finding that Dalit and Muslim applicants consistently received fewer callbacks, with discrimination intensifying during face-to-face encounters. Brokers acted as active enforcers of landlord biases, redirecting applicants to less desirable properties, demonstrating that segregation is not an accidental by-product but a deliberately maintained market outcome.

Ethnographic accounts complement these findings by documenting how discrimination is communicated through coded language. Vithayathil, Singh, and Pradhan (2018) describe landlords' use of phrases like "only vegetarian families" or "good people only" as euphemisms for caste-based exclusion. In a striking case, a Dalit family was evicted once their caste was identified through a visiting relative's surname and accent, illustrating the social costs of caste disclosure.

Muslim experiences mirror these dynamics but add another layer of religious segregation. Contractor's (2011) work on Shivaji Nagar shows how repeated rejection from "mainstream" neighbourhoods drives Muslims toward enclaves that provide safety from humiliation but are often poorly serviced. Gayer and Jaffrelot (2011) situate Mumbai in a broader national context, showing that communal violence and discrimination have created over-policed ghettos in multiple cities. Together, these works illustrate a two-tiered system: Dalit and Muslim families are pushed to peripheral or under-resourced areas, while dominant castes consolidate control over prime urban land.

### **Everyday Caste Practices and Social Boundaries:**

Caste boundaries are also reproduced in domestic and social interactions. Bhatkande (2023) shows how Marathi Brahmin households enforce linguistic hierarchies that stigmatise lower-caste speech, perpetuating social exclusion even in intimate spaces. Her analysis highlights language as a subtle but powerful marker of caste identity, illustrating that discrimination extends beyond formal housing policies into everyday life.

Thatra's (2022) historical analysis of Partition-era refugee camps demonstrates how caste and class hierarchies shaped refugee resettlement. Poor Sindhi refugees were confined to camps

under restrictive property laws, while wealthier Sindhis gained access to cooperative housing, embedding inequality into Mumbai's geography. Both studies underscore the complex intersection of caste, class, and state action, showing that exclusion is maintained not just through markets but also bureaucratic and cultural mechanisms.

### **Synthesis, Gaps, and Methodological Insights:**

Across methods, these studies present a layered portrait of caste-based segregation. Quantitative analyses expose the scale of exclusion, ethnographic work illuminates its interpersonal mechanics, and historical research shows how colonial and postcolonial policies entrenched inequality. RWAs and housing committees emerge as powerful gatekeepers, wielding bylaws and informal codes to maintain homogeneity. The combination of statistical and qualitative evidence demonstrates that caste is reproduced both structurally and culturally, challenging notions that cities naturally erode traditional hierarchies.

Methodologically, this literature is particularly strong in triangulation: for example, census-based studies reveal segregation, while audit tests confirm that discrimination is ongoing and intentional, and ethnographies explain how language and "cultural fit" rationalise these practices. Such integration of approaches enhances validity and reveals exclusionary mechanisms invisible to any single method.

However, important gaps persist. Few studies address the role of digital housing platforms like NoBroker or MagicBricks, where coded language or algorithmic filtering could perpetuate discrimination. Nor do existing works adequately explore resistance strategies by Dalit and Muslim tenants, such as collective bargaining, legal activism, or informal community support networks. There is also limited research on the economic costs of segregation, such as its effects on labour mobility, education, or health outcomes. Future work should adopt mixed methods to capture both discrimination's structural underpinnings and the agency of marginalised groups navigating these barriers.

The literature shows that caste continues to shape Mumbai's urban landscape at every level—from historical planning decisions to micro-level social interactions. Colonial-era segregation practices embedded caste into the built environment, while postcolonial suburbanisation and cooperative societies institutionalised exclusion under new forms of governance. Today, market discrimination, social policing, and coded language reproduce these hierarchies, often under the guise of cultural preference or respectability.

Taken together, these studies dismantle the myth of Indian cities as neutral spaces, revealing a deeply stratified urban reality. To advance this field, scholars should examine caste dynamics in digital property markets, document grassroots resistance, and study the intersection of caste with

gender, class, and religion in shaping housing access. By building on the strengths of interdisciplinary approaches, future research can illuminate pathways toward more equitable and inclusive urban futures.

### **Interviews:**

The five interviews conducted with different stakeholders in Mumbai's rental housing market, including brokers, tenants from varied professional and community backgrounds, and a housing society secretary, reveal the entrenched and multifaceted nature of discrimination in housing access. Taken together, they underscore how formal legal protections under RERA and state circulars remain insufficient to dismantle the informal but powerful barriers of caste, religion, gender, and lifestyle that structure residential inclusion and exclusion.

### **Brokers as Gatekeepers:**

The broker with twenty years of experience described his role as one of "filtering" clients according to society expectations. He explained: "I filter those properties out even before showing them to the client to avoid wasting their time or causing any embarrassment." His rationale was that landlords and societies themselves instruct him not to show flats to Muslims, Dalits, bachelors, or non-vegetarians. This role positions brokers as intermediaries who normalize exclusion, presenting it as efficiency or customer service.

Tenants' experiences corroborate this. One finance professional recalled: "My broker advised me a lot of times to, you know, not mention my dietary habits until after approval or sometimes use only my first name when I'm meeting the society." Brokers thus not only manage access but also shape tenants' strategies of identity concealment, introducing opacity into an already opaque market.

### **Screening and Social Exclusion by Housing Societies**

Tenant interviews consistently pointed to societies as central actors in exclusion. One tenant described her experience bluntly: "The committee actually asked me if I was a vegetarian almost as the first question." Another noted how she was repeatedly delayed and ultimately rejected: "The landlord was supportive, but the society committee kept postponing that, eventually they said the timing isn't right, which was just a polite way of rejecting me."

Even when tenants managed to secure accommodation, they often faced continued exclusion. A tenant who is a finance professional explained: "Sometimes I felt like he already knew which societies wouldn't accept me but still took me there just to show me that he was trying. ... I was

only included in maintenance groups, not in social events." This reveals how societies maintain hierarchy between owners and renters, treating tenants as peripheral members of the community.

### **Religious and Caste-Based Segregation:**

The interviews collectively point to clustering patterns that reproduce segregation. The broker explained: "Jains tend to cluster in societies in Ghatkopar, Walkeshwar, Muslims end up in pockets like Dongri and Jogeshwar, Dalits are in chawl clusters or newer affordable housing projects on the city outskirts."

This was visible to tenants too. A Sikh media professional recalled: "Muslims tend to be quoted a higher price versus someone like me, a Punjabi Sikh, who is quoted a lower one. ... These communities cluster together and tend to be with each other." Another tenant observed how segregation manifested across streets: "One cluster of buildings is mostly Gujarati, vegetarian families. Across the street you'll find South Indian renters. It feels segregated even though no one says it openly." These patterns show how selective admissions policies, price differentials, and "unspoken preferences" create spatialised segregation that maps social difference onto the city.

### **Identity Concealment and Everyday Negotiation:**

Several respondents described the pressure to conceal aspects of their identity. As one tenant noted: "They would ask indirectly, like asking for my surname or whether I eat vegetarian food." The Sikh tenant shared how this surveillance extended into her daily life: "Even after moving, I would be careful about the groceries I carried and what kind of food items were there."

Such strategies illustrate how discrimination does not end with securing housing but extends into tenants' daily performance of identity. Minority tenants must self-censor in order to avoid conflict, underscoring how exclusion is both spatial and behavioural.

### **Pricing and Economic Disadvantage:**

Discrimination also carries economic costs. A finance professional described having to settle for less convenient housing farther from her office: "I once had to choose an older building further away from my office because the newer complexes kept rejecting non-local applicants." The media professional reflected on subtle exclusion that affects housing access: "I found out that this particular society had reservations about me being non-vegetarian."

This layering of social exclusion with financial burden compounds disadvantage, demonstrating that discrimination is not just about denial of access but also about the additional costs imposed on marginalised groups.

### **The Logic of 'Culture Fit'**

The housing society secretary articulated the philosophy behind these practices, describing how admissions hinge on “culture fit.” In his words: "For many that means being vegetarian, having a family and not making too much noise." While he denied overt discrimination, he admitted: "We do have an internal guideline that the building is vegetarian only and while there’s no written restriction on religion or caste, there is an unspoken preference from members of the same society and community."

By framing exclusion as a matter of “fit” rather than prejudice, societies repackage social discrimination as cultural cohesion. Yet, as the secretary conceded, "Since it’s hard to challenge unwritten rules legally, most just walk away."

### **Gender and Housing Access**

Discrimination also intersects with gender. One finance professional recounted the difficulties she faced as a single woman tenant: brokers and societies cast her as unstable, less “respectable,” and thus less desirable. This reflects how women’s access is constrained not only by community identity but also by patriarchal assumptions about family, safety, and propriety in urban housing.

Across the five interviews, a clear pattern emerges: discrimination in Mumbai’s housing market is systemic, informal, and multi-layered. Brokers, landlords, and societies reinforce each other’s exclusions, often under the guise of efficiency, culture, or community.

Regulatory protections like RERA are inadequate because they focus narrowly on financial transparency in property transactions. They do not protect tenants from the social biases embedded in everyday housing practices, nor do they address the vulnerability of renters, who lack the legal rights and standing that society members possess.

The interviews reveal discrimination not only in access but also in the lived tenancy experience: concealment of identity, exclusion from community life, economic penalties, and gendered barriers. Together, they illustrate how the language of “culture fit” sustains segregation, making discriminatory practices both normalised and invisible

### **Policy Analysis:**

The Indian real estate sector has traditionally been characterized by a lack of transparency, delayed project delivery, diversion of funds, and outright consumer exploitation. As reported in The Hindu Business Line (2016), homebuyers often faced project delays of five years or more, inflated costs, and little legal recourse, underscoring the sector’s credibility crisis. Home buyers were always at a disadvantage vis-à-vis the developers in a structural sense, with limited options

for redressal and minimal access to credible information. It is in this context that the Real Estate (Regulation and Development) Act, 2016 (RERA), and its operationalisation at the state level through the Maharashtra Real Estate Regulatory Authority (MahaRERA) was a landmark policy reform that sought to transform the sector. The Act sought to introduce transparency, usher in accountability, and institutionalise grievance redressal to restore confidence in a sector that directly affects the lives of millions of middle-class and working-class families.

The background to this policy is the growing discontent among homeowners in the early 2000s and 2010s, as rampant urban development collided with weak regulation. Developers habitually initiated projects without clearances, sold apartments based on incomplete or misleading promotional material, and diverted homebuyer funds to other projects, leaving projects stalled for years. These practices inflicted financial and emotional distress on families who had invested their life savings in housing. On the other side, cooperative housing societies and private developers often had exclusionary bylaws that excluded buyers based on caste, religion, or even dietary preferences. Reports published by the Times of India (2023) and the Hindustan Times (2017) underscored the necessity of regulatory intervention that extended beyond enforcing financial discipline to recognizing the persistence of informal exclusionary practices. These issues reflected that not only was Maharashtra's housing market inefficient, but it was also socially discriminatory, posing an issue that had to be addressed through comprehensive legislation.

MahaRERA was designed to tackle these issues head-on through a set of interlinked provisions. Transparency and accountability were introduced by mandating registration of projects and agents, where developers were required to disclose project details, approvals, financial arrangements, and timelines before selling units. This was a big step up from the earlier days when buyers had little verifiable information on the projects they were investing in. Financial discipline was also institutionalized by requiring developers to deposit seventy percent of funds received in an escrow account so that money raised from buyers would be used for the specified project alone. This was intended to prevent diversion of funds as well as to facilitate timely completion of the project. It increased consumer protection by normalizing the carpet area definition as the basis of property pricing. This move removed ambiguities and prevented developers from inflating prices with non-usable spaces, a common source of buyer complaints. Developers were also made liable for structural defects up to five years from possession, enhancing accountability for quality and durability.

The other major feature of MahaRERA was the establishment of dedicated institutions for the resolution of disputes. The State Regulatory Authority could hear complaints and deliver verdicts within sixty days, and the Appellate Tribunal provided another level of redressal. Sections 45 to 58 detailed the institutional arrangement of the Tribunal, its membership, qualifications, powers,

and independence, thereby offering an adjudicatory process that could avoid the long delays associated with ordinary civil litigation. This institutional framework, backed by penalties for non-compliance, was designed to serve as a credible deterrent to abuse. Offences such as non-registration of projects, providing false information, or failure to follow directions could result in fines or imprisonment, thus adding legal teeth to the Act. Finally, provisions regarding finance, accounts, audit, and reporting ensured that MahaRERA itself would function with transparency and accountability, remaining answerable to the legislature.

In practice, MahaRERA's effectiveness has been uneven. On one hand, it has indeed brought more transparency and has given buyers a legal platform to seek redressal. Conditions of registration have made it more difficult for unscrupulous developers to operate, and the requirement of an escrow account has reduced, if not eliminated, the misallocation of funds. On the other hand, its implementation has been uneven. Delays in appointment of members to the Tribunal have been reported to cause backlogs that undermine the assurance of prompt disposal. Media reports, for instance the Times of India (2023), indicate that Maharashtra's cooperative housing societies have not ceased to deny membership on the grounds of caste and religion despite the regulatory mechanism. Similarly, the Hindustan Times (2017) found that although developers in Mumbai were explicitly barred from refusing flats based on dietary preferences, societies used more subtle methods: for example, prospective tenants were repeatedly told that the "timing wasn't right" for their application, which acted as an unofficial rejection. These examples point to the gap between legislative intent and social reality and illustrate the manner in which cultural and institutional inertia can delimit the transformative potential of regulatory laws.

There has been strong backing for MahaRERA among homebuyers, consumer activist groups, and sections of civil society, all of whom see the law as a long-overdue measure to balance the equation between buyers and developers. It has also enjoyed the backing of sections of the judiciary and policymakers keen on modernising the real estate sector (Indian Express, 2018). Developers have been more ambivalent, however. Some complain that the escrow requirement creates liquidity crunches, as it is harder to manage multiple projects simultaneously (Business Standard, 2019). Others argue that the compliance cost is too high, especially for small developers (Economic Times, 2021). But developers' opposition also attests to the reality that MahaRERA challenges age-old practices that permitted unregulated profiteering at the expense of buyers.

The policy is also beset with serious limitations. While it seeks to enhance consumer protection and financial transparency, it does little to address social exclusion in housing directly. Discrimination based on caste, religion, and lifestyle are still prevalent, yet MahaRERA is not explicit on enforcement for such offenses beyond general non-discrimination provisions.

Grievance redressal timelines are typically exceeded due to institutional understaffing and bureaucratic red tape, eroding buyer confidence. Additionally, oversight is imbalanced in Maharashtra, with urban centers such as Mumbai and Pune being more strictly monitored than semi-urban and rural areas, where enforcement remains weak.

Additional steps have been suggested to strengthen the policy ecosystem. One is to strengthen enforcement by investing in institutional capacity, increasing manpower in Tribunals, and making timely appointments. These could reduce delays and restore faith in the grievance redressal mechanism. The second way forward would be to legally address specific causes of discrimination in the housing market (particularly for tenants), enabling more definite legal redress for those denied housing on the basis of caste, religion, or dietary preferences. While enforcement in private housing markets is always challenging, clear statutory backing could provide regulators with improved deterrent powers. Another alternative is incentive-based adherence, such as offering tax rebates or priority approvals to developers who fully adhere to RERA norms. While this could reduce resistance from developers, the risk of abuse and weakening of accountability would remain unless carefully monitored.

Overall, the Maharashtra Real Estate (Regulation and Development) Act, 2016 is a giant step in transforming one of the most significant sectors of the Indian economy. It has promoted transparency, empowered consumer protection, and introduced institutional mechanisms for dispute resolution, thereby filling in many of the structural gaps in the real estate sector. At the same time, its boundaries are evident in the persistence of informal discrimination, irregular enforcement, and delays in redressal. Both media news and academic opinion are alike in showing that while MahaRERA has created a platform for greater accountability, its success will be conditional on robust enforcement and ongoing political will. To fully open the Act's potential, complementary reforms addressing discrimination, institutional capacity, and balanced developer incentives will be necessary. Importantly, the Act is primarily designed to protect homebuyers rather than tenants. This leaves renters, who continue to face exclusionary practices in Mumbai, largely outside the scope of its protections, a regulatory blind spot that reinforces social vulnerabilities in the housing market.

### **Conclusion**

Lastly, the conclusions of this research suggest that religious- and caste-based discrimination within Mumbai housing societies is not an exception to urban modernity, but a re-formulation of traditional hierarchies in bureaucratic and cultural frames that are hard to dispute. Despite the constitutional protection and the existence of strict laws such as RERA and MOFA, discrimination is practiced through extra-legal, coded, and informal means—either in the form of pre-screening by brokers, societies' "culture fit" policy, or the routine surveillance of tenants'

identity. Not only do these practices determine who gets access to housing but also determine how the tenants use space, enter life in the community, and negotiate belonging. The ubiquitous, chronic role of social bias, repackaged as "cultural cohesion" or "community preference," underscores the way in which exclusion in Indian cities has turned into an implicit, procedural rejection, more than overt proscription.

So, to fight religious and caste segregation in Mumbai housing markets requires more than regulatory reform—it requires transforming the way urban inclusion is imagined and practiced. Ensuring greater enforcement under MahaRERA, expanding its ambit to include tenants, and introducing explicit anti-discrimination provisions are essential steps. But legal interventions by themselves cannot push aside the social norms driving exclusion.

Transformatory change will need to be culture change in housing societies themselves—through sensitisation, public debate, and civic accountability questioning the moral legitimacy of exclusionary "community" practice. By closing the gap between formal equality and lived experience, Mumbai can finally reconcile its cosmopolitan ideal with the material realities of its bifurcated homes.

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