

# Report of the Working Group on Urban Strategic Planning

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*12th Five-year plan*

*Steering committee on Urban Development &  
Management*

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Ministry of Housing and Urban Poverty Alleviation

Government of India

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## Abbreviations

ARC	Administrative Reforms Commission
BRTS	Bus Rapid Transit System
CAA	Constitutional Amendment Act
CEPT	Centre for Environmental Planning and Technology
CTP	Chief Town Planner
DA	Development Authority
DCR	Development Control Regulations
DMES	Data Management ---System
DMIC	Delhi Mumbai Industrial Corridor
DPC	District Planning Committee
DPG	District Planning Guidelines
EDB	Economic Development Board
EWS	Economically Weaker Section
FYP	Five Year Plan
GEM	Generators of Economic Growth Momentum
GIS	Geographical Information System
Gol	Government of India
IDDP	Integrated District Development Plan
ITPI	Institute of Town Planners India
JNNURM	Jawaharlal Nehru National Urban Renewal Mission

LB	Local Body
LDP	Local Development Plan
LU	Land Use
LUC	Land Use Conversion
MA	Metropolitan Area
MMRDA	Mumbai Metropolitan Regional Development Authority
MoHUPA	Ministry of Housing and Urban Poverty Alleviation
MoUD	Ministry of Urban Development
MPC	Metropolitan Planning Committee
NHAI	National Highway Authority of India
NOIDA	New Okhla Industrial Development Authority
PPP	Public Private Partnership
PWD	Public Works Department
RAY	Rajiv Awas Yojana
SC	Sectoral Committee
SDC	Spatial Development Centre
SDP	Spatial Development Plan
SEC	State Election Commission
SEZ	Special Economic Zone
SPA	School of Planning and Architecture/Special Planning Area
SPB	State Planning Board
SPC	State Planning Commission
SRTC	State Road Transport Corporation

TCPD	Town and Country Planning Department
TCPO	Town and Country Planning Organisation
TDR	Transfer Development Right
TIF	Tax Increment Financing
ULB	Urban Local Body
UMTA	Unified Metropolitan Transport Authority
URA	Urban Redevelopment Authority
WC	Ward Committee
ZP	Zilla Panchayat

## **1 Summary and Recommendations**

Urbanisation has emerged as a key policy and governance challenge in India in recent years. Cities and towns contribute to more than 60 percent of GDP. Urbanisation is concomitant to economic growth. The strong correlation between urbanization and economic development is well-known. While urbanization can be an engine of economic development and inclusion, unless managed properly, it can create serious socio-economic consequences and disastrous outcomes which would be difficult or impossible to fix. With the rapid growth of urban population, expected to occur as the structural transformation of the Indian economy matures, and as India moves to double-digit growth, the backlog, current and growth needs of urbanization need to be addressed comprehensively. We have to not only arrest the deteriorating conditions in cities, but also take advance action for accommodating urbanisation in a planned manner as India moves from a level of 31 percent to more than 50 percent urbanisation in the next few decades. Projections suggest that India will have more than 700 million urban population by the 2040s. There is an urgent need to address the lack of consistent and coherent urban development policy, faulty and improper urban planning, coupled with poor implementation and regulation overload in India's cities. These factors have transformed many of our cities into chaotic entities that are unlikely to be able to meet the demands of Indian's vision of development in the 21st century.

The urban planning system currently in vogue needs to be restructured to make it inclusive with a strategic vision, to ensure the integration of physical and socio-economic planning, transportation and land use planning, and to promote participation by the people in the planning and development processes in the light of the 74<sup>th</sup> Constitution Amendment Act, 1992 envisioning democratic decentralization and power to the people. This should be a key vehicle for achieving the objectives of the 12<sup>th</sup> Plan – faster and more inclusive economic growth.

The urban planning process must combine spatial planning with socio-economic and financial planning, and transportation planning with land use and

environmental planning to be more responsive to the changing needs and demands of the citizens. Urban planning in India is a state subject and under the 12<sup>th</sup> Schedule of the Constitution 74<sup>th</sup> Amendment Act, the subject of urban planning, including town planning has been mandated for the third tier – Municipal Corporations and Municipalities. The subject of regional planning, however, falls in the domain of the State Governments. While the Constitution 74<sup>th</sup> Amendment Act envisages that the District and Metropolitan Planning Committees consolidate plans for the component urban and rural bodies, they send the “draft” District and Metropolitan Plans to the State Government. The implication is that these plans are to be integrated with the State Plans. As per the Constitutional mandate, the District and Metropolitan Development Plans have to ensure coordinated spatial planning, sharing of natural and other resources, integrated provision of infrastructure and environmental conservation. These are areas which require guidelines so as to synchronise bottom-up and top-down approaches, Moreover, considering that cities are the engines of economic growth and socio-economic transformation, there is a need for the Government of India to lay down broad policies and guidelines with regard to spatio-economic planning and urban development in the country, especially regional planning. All the constituent States and Union Territories should restructure and update their Town and Country Planning/Urban Development/Municipal Acts and spatio-economic policies in accordance with these policy guidelines. These laws are the enabling instruments for undertaking regional and urban planning activities at various levels to meet the challenges of urbanisation.

### **Critical Issues**

The Working Group has identified the following as the key problem areas in the present urban planning system.

1. ***Lack of Comprehensive Planning Approach:*** The present master planning approach generally focused on only the core area of the city, without proper urban growth vision and strategy to connect/integrate the peri-urban and rural areas within a regional framework. Lack of regional planning approach has led to haphazard growth and proliferation of slums around industrial locations and peri-urban areas, and randomly located new developments such as SEZs and townships.

2. ***Rigid Planning Process:*** The planning process carried out through master plans in India's cities is rigid and deterministic. It lacks the integration of spatial planning (including transportation and land use planning) with sectoral planning. Master plans have aimed to be too detailed and therefore, even after years of plan preparation exercise, zonal plans have not been completed. Resultingly, the growth of cities has overtaken the planners by surprise and the livability of cities has degraded with unplanned urbanization, congestion and environmental degradation.
3. ***Lack of Plan-Finance Linkage:*** Master Plans in the past have been utopian, without linkage to any financing and operating strategy. Planned urban development leads to increases in tax bases, especially those related to land. Master plans did not address the financing issues in a meaningful manner as a result of which plan implementation has lagged behind plan targets significantly.
4. ***Inadequate Institutional Clarity:*** The existing institutional framework for urban planning and governance doesn't specify clearly the roles and responsibilities of the State Government, parastatals like Water Supply and Sewerage Boards, Improvement Trusts, Urban Development Authorities, District Planning Committee (DPC)/Metropolitan Planning Committee (MPC) and urban and rural local governments in plan preparation, implementation, enforcement and monitoring.
5. ***Lack of Capacity and Enabling Tools:*** A major impediment to effective regional and urban planning system in India is the lack of human resources, and enabling tools such as GIS and GIS-enabled Management Information Systems (MIS). The plan process is often not participatory. The lack of accountability and participation of the people and elected local government representatives in the planning process also hindered the effectiveness of the plan-making and implementation processes.

### **Approach to Urban Strategic Planning**

The Working Group adopted the following as the key differentiators between the existing approach to planning and the recommended strategic approach to planning:



1. ***Vision-led:*** The approach should generate a qualitative vision of the city in the framework of city region's future based on a sound participatory process to articulate the aspirations and needs of people from all spheres, including the common man. The formulation of strategies evolved from such a *vision* will mean a more flexible, responsive and most importantly, an inclusive planning paradigm. This is a step away from the existing plan-making process which relies exhaustingly on analysing the past trends, technicalities and mechanical formulations.
2. ***Comprehensive and integrated:*** The existing systems of development planning and spatial planning operate on a distinctly disjoint and parallel fashion with little or no interaction. The planning approach should address all sectors of development and spatial planning together in a holistic and integrated framework – ensuring integration of sectoral and spatial planning.
3. ***Urban – rural integration in a regional framework:*** A strategic approach to urban planning will start with a macro perspective at the national/state level and then at regional level to guide urbanization and rural development in an integrated and holistic manner. This comprehensive approach should then eventually pave way for 'sustainable settlement planning' emphasising on human living environment rather than overtly concentrating on built environment and the accompanying administrative structures. It will integrate top-down and bottom-up approaches.

District and Metropolitan Development Plans are envisaged to ensure integrated rural and urban planning. They need to ensure spatial planning in a coordinated manner, sharing of natural and other resources, integrated provision of infrastructure and conservation of the environment. Detailed planning needs to be left to the urban and rural local bodies.

### Principles of Urban Strategic Planning

The Working Group has also articulated principle of urban strategic planning one would like to see at the end of the 12<sup>th</sup> FYP period, with respect to urban strategic planning:

1. **Smart Growth:** Planning should be based on **smart growth** principle that concentrates growth in select city centres to avoid haphazard urban sprawl

- and costly extension of urban infrastructure facilities to far-off areas. This advocates compact, transit-oriented, walk-to-work, bicycle-friendly land use to the extent possible, including neighbourhood schools, streets and amenities that cater to everyone; mixed-use development with a range of housing choices; and focus on public transport;
2. Existing Cities - **Strategic densification:** Cities in India have precariously low Floor Space Index. Subject to development of supporting infrastructure, there is need for selective densification of city centres, creating agglomeration economies and generating resources for financing infrastructure;
  3. Setting Priorities: Make the best use of available infrastructure networks or extend the same to create sustainable settlement patterns:
    - a. Special or strategic focus on **National Priority, State Priority** cities and cities that are **Generators of Economic Growth Momentum (GEM)**. Resources are scarce and they should be directed towards cities that are capable generating agglomeration economies and inclusive economic growth faster.
  4. Development of (i) **New cities** along the **National Transport/Industrial Growth Corridors (Golden Quadrilateral and other Corridors) forming the national spatial grid structure**, (ii) **Ring towns** connected with major growing cities by limited access high speed radial and orbital transport networks such as MTRS and BRTS and (ii) **Twin-cities** - High speed commuter rail connectivity between large primate city and growing secondary cities (e.g., between Bengaluru and Mysore) located within the distance of 100-200 km.
  5. Regional and urban planning as an instrument for guiding **inclusive growth** – spatial and development planning should cover metropolitan regions, planning areas of cities (may be 5-8 kilometers around existing large cities, say those with more than 3 lakh population – transportation networks to be central pieces of planning to “lead” development.
  6. **Integrated Land use and transport planning** to optimise the functional and spatial linkages between housing, workplaces and commercial areas; enable cities to harness the benefits and agglomeration and minimise congestion; adopt trip reduction zoning and densification of transit nodes and corridors in addition to conservation of natural and heritage resources as part of the planning paradigm.

7. Planning **in consonance with the income distribution structure** of the city region with the urban poor located near public transport nodes/links and providing space for the urban poor in master plans for living, selling and working - at city, zone and local levels.
8. Effective land management in which **growth is enabled to generate resources for planned urban development**.
9. Strengthening the Institutional framework for regional and urban planning adopting **the regime of 74<sup>th</sup> CAA**
10. **Creating capacity** at city/town, state, central and institutional level for spatial and socio-economic development planning.

### Key Recommendations on Urban Strategic Planning

Based on the extensive analysis, discussions and meetings, the Working Group has set out below major recommendations on urban strategic planning which sets out a framework for urban planning in cities and towns of India adopting a regional planning framework. The following is a summary of recommendations of the Working Group.

#### Recommendations to Government of India

##### *Strategic Plan Preparation*

1. Prepare a **National Spatial Strategy covering National Transportation Grids and National Priority Cities**, proposed new cities along emerging industrial and high-tech Growth Corridors/Transportation Grids connected to central cities with a high speed rail network and likely to generate agglomeration forces. The strategy should define the broad morphology of the future urbanization needs - with existing cities, their peripheral extensions and new cities to be developed along the growth/transport corridors. The new cities on growth corridors need to be located near *existing large/metropolitan cities/growth centres connected with high-speed transit networks* so that they can take advantages of the agglomeration forces. Development of new cities will require a range of fiscal incentives, industrial location policy and

development transit networks – high speed rail network along the proposed highway development corridors.

2. Provide a major thrust to **Regional and Urban Planning** and preparation of **District, Metropolitan and City Spatial and Development Plans** through strategic guidelines and financial support. The regional plans may be in the form of structure plans.
3. **Strategic Densification of Cities.** The density regulations in Indian cities are archaic and don't address the needs of the present day demands of the urban society. In fact, Indian cities have the lowest Floor Space Index (FSI) in the world. Strategic densification as a planning strategy need to be pursued to accommodate future urbanisation. Government of India may introduce incentives that encourage states and cities to pursue this strategy for future urban development. However, this strategy needs to go hand in hand with infrastructure development within the city facilitated by flexible zoning.
4. **Urban Renewal and Regeneration:** Policy should provide broad framework to facilitate the process of urban regeneration/ renewal within the generic principle that the growth would pay for itself. This would require a flexible planning approach and seed capital support.

#### *Financing of Plan Preparation & Implementation*

5. **Assist National Priority Cities** to create regional and urban planning capacity under New Improved JNNURM and prepare strategic plans with **100 per cent funding from the Centre.**
6. **Assist State Priority and GEM cities** to create regional and urban planning capacity under New Improved JNNURM and prepare strategic plans with **50 per cent funding from the Centre and 50 percent from State.**

The cities have to be selected based on objective criteria through expert committees involving the Central and State Governments. The plans must have a clear financing and operating plan – clubbing own resources, state share, central share and institutional finance/PPP.

### *Technical and Capacity Building Support*

7. Government of India need to invest in a program for developing a set of vendors of planning services who can conform to the requisite standards anywhere in the country. A large number of planning firms already exist in the country as a result of the market created by JNNURM during the last 5-6 years. Their capacities can be built up and enhanced through NIJNNURM.
  
8. A major program on **capacity building and networking** need to be launched by the Government of India to strengthen technical capacity of existing planning institutions of states, and create on-line and off-line platforms to share knowledge network on spatial planning. The Working Group endorsed the recommendations of the High Powered Expert Committee for estimating the investment requirement for urban infrastructure.
  - a. Setting up of five Indian Institutes of Urban Management, which could be standalone institutions of excellence.
  - b. Create a Reform and Performance Management Cell (RPMC) in the Government of India (and at state level and in large cities) with a multidisciplinary team undertaking activities like:
  - c. Promote think tank initiatives in urban policy through Centres of Excellence/ Innovation in existing institutions
  - d. Declare leading institutions as Centers of Excellence
  - e. Create a Scheme for funding Strategic (Spatial) Planning Research through Centers of Excellence
  - f. Create an annual forum for sharing of research outcomes
  - g. Establish new schools of planning and enhance capacity of existing ones
  - h. Producing new breed of professionals and training the resources who are already carrying out these functions.
  - i. Funding for training & certification of in-service personnel as well as for producing more planning professionals
  - j. Funding for creation of state level data infrastructure for planning should be provided under NIJNNURM

10% of New JNNURM central allocation may be earmarked for capacity building and preparation of Metropolitan Development and City Strategic Plans. To start with, strategic plans should be prepared for all National and State Priority Cities and GEM cities (in a phased manner). An expert committee jointly coordinated by the Ministries of Urban Development and Housing and Urban Poverty Alleviation supported by a full-fledged technical cell may guide the capacity building and plan preparation processes.

## Recommendations to State Governments

### *Legal Framework*

9. **Revise the nomenclature of Master Plan” to “Spatial and Development Plan”:** currently most common term used for the plan of cities is ‘master plan’ which is both limited in outcome and over-bearing in perception and prescription. The State Government needs to revise the nomenclature of Master Plan to “Spatial and Development Plan” so as to capture both the spatial and socio-economic development aspects of the planning. The nomenclature is important to provide focus on what the plan is to deliver rather than communicating a command and control concept.
10. ***States to revise “Town and Country Planning”, “Urban Development” and “Municipal Acts” to respond to the challenges of urbanization and to policy thinking appropriate to the times based on principles of urban strategic planning:*** many states have enacted Town and Country Planning and Urban Development Acts, Many of these acts are legacy of colonial influence guided in part by two Model Acts – the Model Town and Country Planning Law of 1960 and the model Regional and Town Planning and Development Law of 1966 and its update of 1985. These Acts need to reviewed and revised to respond to the challenges of the present days of urbanisation. The recommended revision/establishment of Town and Country Planning Acts/Municipal Acts should provides a broad framework, within the purview of the 74<sup>th</sup> CAA, to address the present day challenges of urbanisation – with entrenching planning functions and objectives into municipal system. The Urban Development Acts and Urban Development Plan Formulation

Guidelines need to be changed to suit the needs of faster and more inclusive growth.

The Government of India may assist the State Governments in model law formulation.

### *Plan Preparation*

11. **Constitute/revamp State Planning Board (SPB)** At the level of the state, a strategic development vision should provide guidance for the district and metropolitan spatial plans, ensuring a seamless integration of state development priorities into district/metropolitan development plans. All states must revive and strengthen where constituted, or constitute where not constituted - State Planning Boards that are mandated with the preparation of statewide strategic State Spatial and Development Plans or State Spatial Plans. These plans must reflect the state and central governments' economic, infrastructure and social development priorities and resource allocations, which will be an input document for the plans of the lower levels of government. The recommended State Planning Boards should work closely with State Planning Commission and provide guidance to metropolitan and district development plans to ensure seamless integration of these plans with the state level spatial and development plan.

The State Planning Board (SPB) should oversee that the spatial development plans for the state are prepared in a timely manner as prescribed; approve plans of DPCs and MPCs; prepare or get prepared plans by default when there is no acting Planning Authority; and act as arbitrator for conflicting land uses between plans.

Technical assistance to SPB may be provided by the State Town Country Planning Department (TCPD). The recommendations of the State Planning Board must drive the investment priorities of the State Planning Commission (SPC). The Chairperson of the SPB should be part of the SPC so that there is informed decision making on the investment priorities based on the spatial development plan of the SPB.

**12. Constitute MPC/DPC to prepare Metropolitan/District Spatial Development Plan.** Under the Constitution, the DPC/MPCs are supposed to 'consolidate' the draft development plan of the district/metropolitan area. The constitution is unclear on whether this plan is to be accepted by the government, and if so, by when. It is open today, for a State to reject or ignore the District/Metropolitan Plan, whether spatial or otherwise, completely. This is to be clarified and designed properly, in the Planning Act.

The State Government should also notify Districts/Metropolitan Areas, municipalities, and panchayats as "Planning Areas" and notify their respective authorities as sole Planning Authorities. While, as an interim measure, it is recommended that the existing Metropolitan and Urban Development Authorities may prepare all the 3-tier plans within the district, the establishment of long-term structures need to be put in place.

The 'Draft Development Plan (DP)' to be produced by the MPC/DPC requires that due attention be paid to (1) integrate rural and urban through coordinated spatial planning; (2) covers all matters of common interest to municipalities and the panchayats; (3) take into consideration all investments likely from various sources and sharing of resources; (4) facilitate integrated development of infrastructure, and (5) ensure environmental conservation. The plan at this level is a strategic plan serving the long-term interest of the district/metro area as a whole over a 20 year period horizon. It may be in the form of a structural plan.

In order for the MPC/DPC to deliver on this mandate it must be empowered with adequate sovereign authority. Currently no such provisions are made in the existing statutes and in fact a number of statutes that have been written pre -74th Amendment to Constitution are in contradiction and need to be reviewed and revised to be in line with the 74th Amendment Act.

**13. Transfer planning function to local bodies:** At present, in many states planning function is entrusted with urban development authorities or some other state level entities. Many states have not transferred the planning function to the urban local bodies, as mandated by the 12<sup>th</sup> Schedule of the 74<sup>th</sup> Constitution Amendment Act, 1992. It is recommended that all the state should transfer



the planning function to the urban local bodies to enable them to prepare development plan in a participative manner.

14. **Restructure the Role of the Development Authorities.** Development Authorities (DA) are currently responsible for developing plans for the metropolitan region and of the metropolitan cities. To this end, the Development Authorities' technical capabilities as a metropolitan level planner and regulator must be strengthened.

Metropolitan Development Authority role need to be restructured and it should act as technical arm of the MPC. Metropolitan Development Authority may be vested with the responsibility of enforcing and regulating the Development Plan, and be the appellate authority for conflict resolutions on the Spatial Plans for all Local Planning Authorities in the metro region. This is in keeping with the letter and spirit of the Constitutional Amendment Act where the DA's role is as the facilitator to the planning process. For all cities above 3 lakhs population, planning for a city development area may include city proper and peripheral area, say 5-8 kilometres for which the Urban Development Authority can service the Area Planning Committee (similar to Metropolitan Planning Committee),

Given the changed mandate of Development Authority, it is critical that it is relieved from the functions and responsibilities related to project implementation and land development so as to avoid any conflict of interest between the roles of planner/regulator, and that of project implementer or developer. This includes its role as an infrastructure developer for region, and as a land bank owner in the region.

All land parcels owned by the Development Authorities must be transferred to the respective local governments.

15. **Streamline the Procurement Process.** State Governments should create state-wide list for "Empanelled Urban Practice Professional Institutions" who can be accessed by ULBs without having to go through tedious and repetitive procurement procedure. In addition, the State Governments need to

prepare standardised procurement documents for key urban infrastructure/services development activities including potential PPP structures.

16. Establish **institutional ownership for GIS data** in State Urban Information Systems In order to create credible, useful, successful spatial development plans, and collect and analyze data in a systematized, standardized and transparent manner.

### *Plan Implementation*

17. **Establish a system of Guaranteed Land Title Act.** One of the major impediments to planning process in India is unclear land records and title system. To address **the issue of land title** state governments may establish a system of **Guaranteed Land Title Act** as per the MoUD's Framework Law, 2011 that provides security of tenure to immovable property. The recommended system of Guaranteed Land Title Act may enable a system of rights to land and property. This would enable local bodies to move towards better land management and registration.

### *Plan Monitoring*

18. **Establish Office of Ombudsman.** State Government should establish an Office of a Metropolitan/District Ombudsman that would look into complaints of corruption and maladministration against functionaries of local bodies, both elected members and officials. The Ombudsman would mediate any conflicts between citizens and specific authorities.

### *Plan Financing*

19. **Provide adequate resources for plan preparation** to produce highly complex technical outputs like plans/budgets/projects. Preparation this kind of plans need not only financial support but also supporting systems that include financial and trained technical resources

### *Technical and Capacity Building Support*

20. State government need to develop revised legislation, and detailed standard operating procedures for all the processes mandated by law, to ensure consistency in planning processes. State governments also need to provide ***guidance on strategic spatial plan development***, policies for revenue land (conversion, acquisition), environment, heritage, transport, affordable housing, etc
21. Establish **Indian Institutes of Urban Management** to support regional and urban planning and management activities in cities and towns. These institutes should be established with the help of the Government of India.

### **Recommendations to Regional and Local Bodies**

#### *Plan Preparation*

22. ***Prepare detailed SDPs reflecting Vision, Land Use (LU) and Development Control Regulations (DCRs)***

Spatial Development Plans contain two key aspects: Land Use (emerging out of a vision); and Development Control Regulations (DCR). The SDP of the District and Metropolitan Planning area must reflect the strategic vision of development and sustainability for the entire region. Each municipality and panchayat must also produce the third tier of plans at the level of the ward and these plans are detailed as per the DCRs and LU of the tier-2 SDP of the Municipality/Panchayat plan. Building bylaws which are under the functional domain of, the Corporation/Council/Panchayat, are to be the mandate of the municipality but through a separate division, not as part of the SDP.
23. ***MPC/DPC's spatial development plans to be prepared with sectoral participation.*** It is recommended that the MPC/DPC need to have Sector Consolidation Committees to consolidate the sectoral plans that emerge from the participatory process generated by lower tiers of local government in the metropolitan area. The amalgamation of these sectoral plan will form the basis for the preparation of MDP/DDP.

24. ***Establish a Unified Metropolitan Transit Authority for Metropolitan Areas.***

Establish a UMTA as a technical agency that can help all planning bodies in the MA, and work with the LBs to prepare integrated transport plans for the regional and local governments. The UMTA plans would provide the input for preparing transit oriented land use zoning and development.

25. ***Establish a Unified Metropolitan Water Authority in Metropolitan Areas.***

Given that water is a key resource for human survival in growing urban areas and for the agricultural economy in rural areas, the fair and equitable access to surface water resources, its distribution across jurisdictions, as well as appropriate regulatory measures for sourcing, pricing, ground water extraction and replenishment, will require inter-jurisdiction planning across local governments, at the regional level. This would require a specialised authority like Unified Metropolitan Water Authority to deal with these issues.

26. ***Specialised Cells in Metropolitan Areas:***

Establish Unified Metropolitan Environment Cell, Unified Metropolitan Heritage Cell and Directorate of Metropolitan Economics and Statistics in Metropolitan Areas to provide specialised services such as environmental safeguards, obtaining required clearances on plan notification from state and central agencies, regulating and enforcing environment and heritage related statutes, and creating database for plan preparation.

27. ***Create Comprehensive Database on Urban Services and E-Governance Systems, to aid the SDP preparation process.***

The MPC/DPC assisted by the State Government should develop a standard and comprehensive urban e-governance package. This can be prepared by examining best practices of e-governance systems already being undertaken in the municipalities in the MA and integrating Gol's initiatives on e-governance. Gol may develop models that can be applied across cities.

## Plan Implementation

28. **Empower Ward Committees in municipalities through "Area Sabha" structures.**  
Wards must be empowered to contribute to the planning process through local plans that reflect, correspond and guide the Spatial Plan. The Model Activity Mapping document that has been provided by the Ministry of Urban Development can serve as the template for the distribution of functions across the tiers of ULB, Ward Committee and Area Sabha, for each of the functions being devolved to the ULB.
29. **Establish participatory structures of Area Sabhas** All urban local bodies must establish decentralised structures for participation in the plan preparation and enforcement. These structures will ensure that the measures of accountability flow outward to the citizens rather than upwards to the higher levels of government.
30. **Develop Participatory Planning Processes in ULBs.** Active citizen participation in urban areas must be through the structures of Area Sabhas in the neighbourhood, and Ward Committees at the ward level. The process and structure should ensure that ULBs prepare Ward Plan Budget in line with the template prepared by the Ministry of Urban Development.
31. **Decentralise enforcement of the SDPs.** Empowering local bodies to plan must extend to plan enforcement otherwise they will be unable to carry out their plan. The enforcement should follow a decentralized bottom-up approach with MPC/DPC acting as the third level of enforcement
32. **Establish Citizen Charters** the recommended Citizen Charters should contain comprehensive information on service levels for all urban services, including specification of time limits for approvals relating to regulatory services such as licenses and permits. The Charter should also specify the relief available to the citizens in case of non-adherence.
33. **Enable Local Bodies to independently hire and recruit planning/technical resources** Local bodies to be empowered to hire for any position independently in a transparent manner and lateral hiring must be allowed

34. ***Create a Single Window System at local body level, for plan sanction and building approvals.*** Each municipality should have its own "Single-Window Service Centres", and all plan sanctions and approvals from centre, state, and local governments should be facilitated through this one-window system. Multiple sets of plans can be submitted for the multiple approvals at this single window of the municipality and its plan area. In case of a rejected plan, the owner has recourse with the Ombudsman. In the case of development projects in the panchayats, a common district / metropolitan single-window service centre can be thought of, and local governments should be brought under one umbrella by establishing 'one stop service centres'.

The State Government should set up an "Urban Services Streamlining Task Force" to examine and suggest simplification of Development Control Regulations, procedures and transparency in all ULB plan sanctioning activities

### ***Plan Monitoring***

35. ***Land Use Conversion (LUC) procedure needs to be amended to allow conversion only as per spatial plan zoning prescribed.*** Any LUC approval at the level of the district or metropolitan city must follow the Metropolitan/District SDP and spatial plans of local governments. If a change to the plan is proposed, it must be routed through the Panchayat / Municipality concerned, and approved through consensus.
36. ***Pass Disclosure Law and Publish Performance Standards*** Every municipal authority in the Metropolitan Area/district must comply with the requirements of the Disclosure law, and publish quarterly statements of performance, including financial statements and annual audited financial statements, as well as Service Level Benchmarks (SLBs) as defined by MOUD, GOI. All planning entities - DPCs, MPCs, Municipal Authorities must make quarterly disclosure of all planning-related sanctions and procedures.

## 2 Background

### 2.1 Steering Committee

Urbanisation has emerged as a key policy and governance challenge in India in recent years. Cities and towns contribute to more than 60 percent of GDP. Urbanisation is concomitant to economic growth. The strong correlation between urbanization and economic development is well-known. While urbanization can be an engine of economic development and inclusion, unless managed properly, it can create serious socio-economic consequences and disastrous outcomes which would be difficult or impossible to fix. With the rapid growth of urban population, expected to occur as the structural transformation of the Indian economy matures, and as India moves to double-digit growth, the backlog, current and growth needs of urbanization need to be addressed comprehensively. We have to not only arrest the deteriorating conditions in cities, but also take advance action for accommodating urbanisation in a planned manner as India moves from a level of 31 percent to more than 50 percent urbanisation in the next few decades. Projections suggest that India will have more than 700 million urban population by the 2040s. There is an urgent need to address the lack of consistent and coherent urban development policy, faulty and improper urban planning, coupled with poor implementation and regulation overload in India's cities. These factors have transformed many of our cities into chaotic entities that are unlikely to be able to meet the demands of Indian's vision of development in the 21st century.

Since faster, sustainable and more inclusive growth is the major objective of 12th plan, a well planned urban development can be a key vehicle for achieving this objective in a more inclusive manner. With a view to guide the planned urbanisation in India during the 12<sup>th</sup> Plan a Steering Committee on Urban Development Management has been constituted under the chairmanship of Shri Arun Maira, Member, Planning Commission. The Terms of Reference of the Steering Committee include the following:

- i. To critically evaluate the challenges of urbanization in India and evolve a vision and approach for managing the same during the 12<sup>th</sup> plan period.
- ii. To draw a framework and road map for ensuring that different layers of Governments, i.e. Central, State and City, function systematically in close coordination of each other by drawing long term urban strategic planning which along with specific context of municipal limits encompasses the overall regional planning perspective including the rural areas falling within the zone of influence of urban agglomerations.
- iii. To recommend strategies for improving urban governance which ensures managerial efficiency, accountability and responsibilities and is appropriate for addressing the future need of Indian cities
- iv. To suggest measures for building adequate capacity, especially at State and ULB level to meet the challenges of urbanization.
- v. To recommend measures for ensuring efficient and affordable public urban transport to incentivize shift from private to public transport.
- vi. To recommend strategies for accelerating the creation of job opportunities in urban areas for meeting the twin objectives of faster as well as inclusive economic growth.
- vii. To suggest and recommend measures for improvement in delivery of urban basic services to the citizens, particularly the poor with specific reference to the provision of affordable housing.
- viii. To suggest strategies for ensuring environmental sustainability of urban areas while maintaining a high rate of growth.
- ix. To suggest measures for mobilizing adequate financial resources for guided urbanization.
- x. To review the performance and undertake impact assessment of central schemes/ programmes especially Jawaharlal Nehru National Urban Renewal Mission (JNNURM) and suggest suitable form and guidelines of new scheme which may be launched under 12<sup>th</sup> Plan.

## **2.2 Working Group on Urban Strategic Planning**

In the context of formulation of the Twelfth Five Year Plan (2012-2017), it was decided to constitute a Working Group on Urban Strategic Planning under the



chairpersonship of Secretary, MoHUPA. The working Group would be serviced by MoHUPA.

### **2.2.1 Brief outline of the issues involved**

Urban policy framework in India is out of sign with the economic and demographic imperatives. A huge urban land shortage artificially created by out modelled planning models and consequent housing shortages and growth of slums, chaotic transport, unequal municipal finances and governance, untidy informal irregular growth, huge infrastructure shortages, water logging and open defecation disease are some visible problems of urban planning in India.

The urban planning system currently in vogue needs to be restructured to make it inclusive with a strategic vision, to ensure the integration of physical and socio-economic planning, transportation and land use planning, and to promote participation by the people in the planning and development processes in the light of the 74<sup>th</sup> Constitution Amendment Act, 1992 envisioning democratic decentralization and power to the people. This should be a key vehicle for achieving the objectives of the 12<sup>th</sup> Plan – faster and more inclusive economic growth.

The urban planning process must combine spatial planning with socio-economic and financial planning, and transportation planning with land use and environmental planning to be more responsive to the changing needs and demands of the citizens. Urban planning in India is a state subject and under the 12<sup>th</sup> Schedule of the Constitution 74<sup>th</sup> Amendment Act, the subject of urban planning, including town planning has been mandated for the third tier – Municipal Corporations and Municipalities. The subject of regional planning, however, falls in the domain of the State Governments. While the Constitution 74<sup>th</sup> Amendment Act envisages that the District and Metropolitan Planning Committees consolidate plans for the component urban and rural bodies, they send the “draft” District and Metropolitan Plans to the State Government. The implication is that these plans are to be integrated with the State Plans. As per the Constitutional mandate, the District and Metropolitan Development Plans have to ensure coordinated spatial planning, sharing of natural and other resources, integrated provision of infrastructure and environmental conservation. These are areas which require guidelines so as to

synchronise bottom-up and top-down approaches, Moreover, considering that cities are the engines of economic growth and socio-economic transformation, there is a need for the Government of India to lay down broad policies and guidelines with regard to spatio-economic planning and urban development in the country, especially regional planning. All the constituent States and Union Territories should restructure and update their Town and Country Planning/Urban Development/Municipal Acts and spatio-economic policies in accordance with these policy guidelines. These laws are the enabling instruments for undertaking regional and urban planning activities at various levels to meet the challenges of urbanisation.

### **2.2.2 Suggested Terms of Reference**

The following points were noted as issues to be addressed by the working group on urban strategic planning:

- 1) The urban land and land use policy is outmoded. The planning process in urban areas is weak and has stymied the growth of cities.
- 2) Urban Planning must combine robust spatial planning with development goals and version infrastructure planning (including urban transport), socio-economic and environmental planning and risk mitigation against hazards. It must given the spatial planning to the development plan.
- 3) Urban planning also needs to be made more responsive to changing needs and changing population share by income distribution with special focus to the needs to the urban poor.
- 4) The existing focus on expansion of towns in isolation of their hinterlands needs to be reoriented to that of the region.
- 5) Within the region, aim should be to identify towns or growing villages with locational or natural resource advantages in order to focus future socio economic and spatial growth in such nodes by guided investment of funds for infrastructure and industrial growth.
- 6) Spatial planning should also include operationalising the provisions of the Town & Country Planning Act, for the rural hinterland of the towns, by laying down clear and simple guidelines for the country or the Panchayat areas, with specific reference to the peri-urban areas.

- 7) Regional Planning must be so redesigned as to prevent the shift of function of regulation of urban planning within a regional master plan to the 3<sup>rd</sup> tier as per the Constitutional provisions.

### 2.2.3 Composition of the Working Group

Chairperson: Smt Kiran Dhingra

Shri Arun Kumar Misra, Secretary, MoHUPA

Members:

Shri G.S. Sandhu, Principal Secretary, Department of UD & Housing, Govt of Rajasthan, Jaipur	Member
Ms. Swati Ramanathan, India Urban Space, Bangalore	Member
Prof. A.K. Sharma, Director, School of Planning and Architecture, New Delhi	Member
Ms. Nisha Singh, Joint Secretary (UD), MoUD, Gol	Member
Prof. EFN Ribeiro, Chairman, Board of Governors, SPA Bhopal	Member
Ms. Uma Adusumili, Chief, Planning Division, MMRDA, Mumbai	Member
Prof. Shivanand Swami, Associate Director, CEPT University, Ahmedabad	Member
Shri I.P. Gautam, Municipal Commissioner, Ahmedabad	Member
Shri. J.B. Kshirsagar, Chief Planner, TCPO, New Delhi	Member
Shri Sanjeev Sanyal, Sustainable Planet Institute, Gurgaon	Member
Shri Brijesh Kumar, formerly Chairman, GNOIDA, Greater NOIDA	Member
Dr. A.N. Sachithanandan, President, ITPI, Chennai	Member
Dr.P.K.Mohanty, Additional Secretary and Mission Director (JNNURM) , Ministry of Housing and Urban Poverty Alleviation	Member - Convener

## 3 Issues Identified by the Working Group

The Working Group on Urban strategic Planning has identified the following key problem areas of the urban planning. These are:

1. ***Lack of integration between spatial and sectoral planning:*** Spatial planning in many states in India is carried out by town planning departments or development authorities. These plans lay out, for the entire urban areas, the road network, land use zoning and development control regulations. As a parallel process, the state governments undertake planning for many sectors of development (social and economic) at the state, district and city level. Most of the sectoral (socio-economic) planning efforts are focused on program and project formulation and have very weak spatial planning components. The most recent additions in the context of urban development are the plans required under JNNURM and other GOI programs (City Development Plan, Comprehensive Mobility Plan, City Sanitation Plan, etc). Most of the sectoral (socio-economic) planning efforts are focused on program and project formulation and have very weak spatial planning components, if any.
2. ***Lack of regional approach:*** the present planning approach focuses on only the core area of the city, without proper vision and strategy to integrate the peri-urban and rural areas within a regional framework. Consequently most cities and their regions are facing serious issues of haphazard development in the urban periphery, environmental degradation and depletion of natural resources.
3. ***Rigid and deterministic plans:*** The planning process carried out through master plans in India's cities is rigid and deterministic. It lacks the integration of spatial planning (including transportation and land use planning) with sectoral planning. Master plans have aimed to be too detailed and therefore, even after years of plan preparation exercise, zonal plans have not been completed. Resultantly, the growth of cities has overtaken the planners by surprise and the livability of cities has degraded with unplanned urbanization, congestion and environmental degradation.
4. ***Congestion and long commutes:*** Inefficient public transport systems and deficient road networks have resulted in poor accessibility, long trip durations and congestion on the street, not only in within cities, but also in their extended peri-urban areas.
5. ***Slums and squatter settlements around industrial estates:*** Industrial developments are planned with little or no provision for the EWS housing

needs resulting from direct and indirect demand generated by such development.

6. ***Randomly located new developments such as SEZs and Townships:*** The lack of a regional perspective results in major new developments coming up in random locations often with unforeseen consequences with respect to infrastructure adequacy, overcrowding of existing urban centres, environment and other considerations.
7. ***Lack of Plan-Finance Linkage:*** Master Plans in the past have been utopian, without linkage to any financing and operating strategy. Planned urban development leads to increases in tax bases, especially those related to land. Master plans did not address the financing issues in a meaningful manner as a result of which plan implementation has lagged behind plan targets significantly.
8. ***Lack of institutional clarity:*** The existing institutional framework for urban planning and governance doesn't specify clearly the roles and responsibilities of the State Government, parastatals like Water Supply and Sewerage Boards, Improvement Trusts, Urban Development Authorities, District Planning Committee (DPC)/Metropolitan Planning Committee (MPC) and urban and rural local governments in plan preparation, implementation, enforcement and monitoring.
9. ***Lack of Capacity building and the enabling tools:*** A major impediment to effective regional and urban planning system in India is the lack of human resources, and enabling tools such as GIS and GIS-enabled Management Information Systems (MIS). The plan process is often not participatory. The lack of accountability and participation of the people and elected local government representatives in the planning process also hindered the effectiveness of the plan-making and implementation processes.
10. ***Social exclusion:*** Current approaches to planning have resulted in a sharp divide between income groups in terms of access to housing and basic services. Legal, mortgageable ownership housing has become unaffordable and rental markets are underdeveloped, resulting in large sections of the urban poor having to live in unserviced, unsafe and unmortgageable housing.

## 4 Approach to Urban Strategic Planning

The Working Group adopted the following as the key differentiators between the existing approach to planning and the recommended strategic approach to planning:

1. ***Vision-led:*** The approach should generate a qualitative vision of the city in the framework of city region's future based on a sound participatory process to articulate the aspirations and needs of people from all spheres, including the common man. The formulation of strategies evolved from such a *vision* will mean a more flexible, responsive and most importantly, an inclusive planning paradigm. This is a step away from the existing plan-making process which relies exhaustingly on analysing the past trends, technicalities and mechanical formulations.
2. ***Comprehensive and integrated:*** The existing systems of development planning and spatial planning operate on a distinctly disjoint and parallel fashion with little or no interaction. The planning approach should address all sectors of development and spatial planning together in a holistic and integrated framework – ensuring integration of sectoral and spatial planning.
3. ***Urban – rural integration in a regional framework:*** A strategic approach to urban planning will start with a macro perspective at the national/state level and then at regional level to guide urbanization and rural development in an integrated and holistic manner. This comprehensive approach should then eventually pave way for 'sustainable settlement planning' emphasising on human living environment rather than overtly concentrating on built environment and the accompanying administrative structures. It will integrate top-down and bottom-up approaches.

District and Metropolitan Development Plans are envisaged to ensure integrated rural and urban planning. They need to ensure spatial planning in a coordinated manner, sharing of natural and other resources, integrated provision of infrastructure and conservation of the environment. Detailed planning needs to be left to the urban and rural local bodies.

## 5 Expected Outcomes

The general outcomes that are desired from the recommended approach of urban strategic planning are represented below:

<b>Development</b>	• Comprehensive all-round human and economic development
<b>Efficiency</b>	• Sustainable and efficient use of land/ water/ energy/ other resources
<b>Equity</b>	• Equitable, inclusive and participatory development processes
<b>Safety</b>	• Mitigation of risks to human life, property and environment
<b>Harmony</b>	• Harmony in urban form, in society and between man and nature

The group also articulated a vision of what one would like to see at the end of the 12<sup>th</sup> FYP period, with respect to urban strategic planning:

- All states in India to have:
  - an effective **strategic planning system** that promotes plans that are **strategic** in nature, **vision-led** and cater to the future of human settlements and regions with sustainable inclusive high growth
  - a **comprehensive planning legislation** mandating such a planning system
  - A planning system incorporates urban land management practices that are effective in the **supply of planned and serviced land in tandem with demand for urbanization** and leads to **growth management** in the peripheries of cities
  - A planning system that mandates **holistic regional planning** to ensure balanced development in **urban and rural areas**, effectively managing natural resources
  - To have **institutional capacity** to undertake such planning processes

The 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment Acts put the responsibility for planning on the shoulders of the respective local bodies. The CAAs also mandate a hierarchy of governance institutions for rural, urban and metropolitan contexts. The working

group concurred that any recommendations for revamping the legal framework and institutional structure for planning have to respect the provisions of the 73<sup>rd</sup> and 74<sup>th</sup> CAAs.

Clearly, one cannot expect that in five years all of India will get planned thoroughly. Therefore, the key outcome is to put in place a framework for effective planning in all the states, with some level of consistency in principles and processes across the country.

## 6 Urban Strategic Planning: Principles

The Working Group has also articulated some broad principles of urban strategic planning one would like to see within the overall framework of urban development:

1. **Smart Growth:** Planning should be based on **smart growth** principle that concentrates growth in select city centres to avoid haphazard urban sprawl and costly extension of urban infrastructure facilities to far-off areas. This advocates compact, transit-oriented, walk-to-work, bicycle-friendly land use to the extent possible, including neighbourhood schools, streets and amenities that cater to everyone; mixed-use development with a range of housing choices; and focus on public transport;
2. Existing Cities - **Strategic densification:** Cities in India have precariously low Floor Space Index. Subject to development of supporting infrastructure, there is need for selective densification of city centres, creating agglomeration economies and generating resources for financing infrastructure;
3. Setting Priorities: Make the best use of available infrastructure networks or extend the same to create sustainable settlement patterns:
  - a. Special or strategic focus on **National Priority, State Priority** cities and cities that are **Generators of Economic Growth Momentum**. Resources are scarce and they should be directed towards cities that are capable generating agglomeration economies and inclusive economic growth faster.
4. Development of (i) **New cities** along the **National Transport/Industrial Growth Corridors (Golden Quadrilateral and other Corridors) forming the national spatial grid structure**, (ii) **Ring towns** connected with major growing cities by



- limited access high speed radial and orbital transport networks such as MTRS and BRTS and (ii) **Twin-cities** - High speed commuter rail connectivity between large primate city and growing secondary cities (e.g., between Bengaluru and Mysore) located within the distance of 100-200 km.
5. Regional and urban planning as an instrument for guiding **inclusive growth** – spatial and development planning should cover metropolitan regions, planning areas of cities (may be 5-8 kilometers around existing large cities, say those with more than 3 lakh population – transportation networks to be central pieces of planning to “lead” development.
  6. **Integrated Land use and transport planning** to optimise the functional and spatial linkages between housing, workplaces and commercial areas; enable cities to harness the benefits and agglomeration and minimise congestion; adopt trip reduction zoning and densification of transit nodes and corridors in addition to conservation of natural and heritage resources as part of the planning paradigm.
  7. Planning **in consonance with the income distribution structure** of the city region with the urban poor located near public transport nodes/links and providing space for the urban poor in master plans for living, selling and working - at city, zone and local levels.
  8. Effective land management in which **growth is enabled to generate resources for planned urban development**.
  9. Strengthening the Institutional framework for regional and urban planning adopting **the regime of 74<sup>th</sup> CAA**
  10. **Creating capacity** at city/town, state, central and institutional level for spatial and socio-economic development planning.

## 7 Existing actors/catalysts and recommendations

After delineating an approach with essential underlying principles that should form the crux for an integrated urban planning framework and strong policy, the Working Group has looked at the efforts that have already been made in this direction. It is always contended that efforts so far in India have been fractional and disaggregate in approach. Any sound strategy making and policy guiding framework enlists the

prior efforts and the success of their intended benefits, inventories the gaps and disconnection between them and paves way for a process that strongly perceives the existing merits before embarking on recommendations.

Some of the efforts that have had a strong influence in structuring urban planning and development are:

At national level:

- i. National highways
- ii. Railway connectivity
- iii. Freight corridors
- iv. Golden Quadrilateral – DMIC

At state level:

- i. State highways
- ii. Town and Country Planning Organisation
- iii. State Planning Board

At regional level:

- i. Metropolitan/District Planning Committees
- ii. Development Authorities
- iii. Unified Metropolitan Transport Authority
- iv. Master Plans for 20 -25 years

At Municipal level

- i. Ward committees and Area Sabhas
- ii. City Development Plans
- iii. Master plans
- iv. City Sanitation Plans

All the above listed initiatives in the form of either institutions or tangible actions plans play a key role in the field of urban development. They are all key players in the area of urban planning by either initiating the processes, providing supporting mechanisms or by giving necessary thrust to the process of urbanisation.

In addition to the above, a number of other initiatives have been taken to compliment them. At the national level, the Delhi Mumbai Industrial Corridor is a spin off project of the Golden Quadrilateral initiative. An initiative of this scale weighing

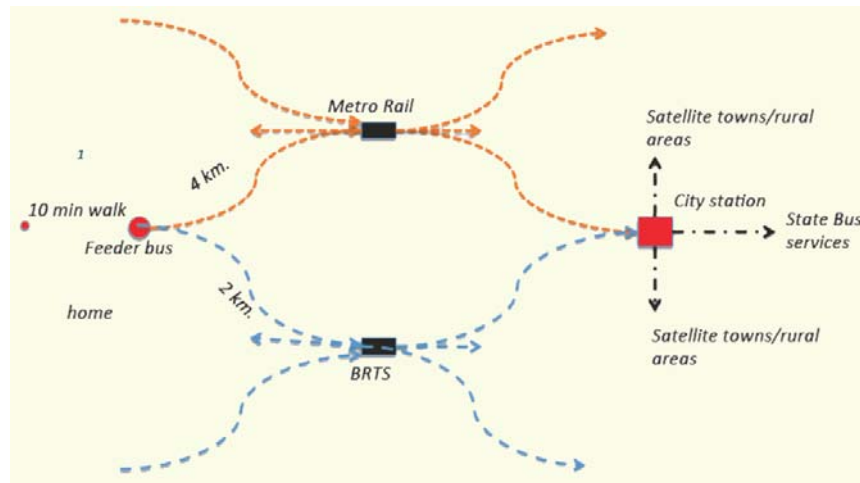
the advantages brought forth by the project and the plan to provide further impetus to urban growth banking on the connectivity between the two most important urban as well as economic centres in India is a sound spatial planning decision. To ensure an overall cohesive policy for urbanisation and urban planning in India, it is necessary to have a National Spatial Strategy identifying potential growth centres and areas with need for developing new urban centres.

## 7.1 Recommendations to Government of India

### *Strategic Plan Preparation*

1. Prepare a **National Spatial Strategy covering National Transportation Grids and National Priority Cities**, proposed new cities along emerging industrial and high-tech Growth Corridors/Transportation Grids connected to central cities with a high speed rail network and likely to generate agglomeration forces. The strategy should define the broad morphology of the future urbanization needs - with existing cities, their peripheral extensions and new cities to be developed along the growth/transport corridors. The new cities on growth corridors need to be located near *existing large/metropolitan cities/growth centres connected with **high-speed transit networks*** so that they can take advantages of the agglomeration forces. Development of new cities will require a range of fiscal incentives, industrial location policy and development transit networks – high speed rail network along the proposed highway development corridors.

Given that about 150 million of the urban population is in the 50 million plus cities of India, national strategy for urbanisation should include a regional view to planning, especially in districts with metropolitan cities where the pressure of the city is felt keenly on the surrounding region. A major metro attracts the bulk of migration and highway corridor development all around it. If the region is planned and developed proactively, satellite towns around such magnet cities can become catchment areas for further urbanisation. Such a strategy distributes the pressure, and increases the ability to provide for a better quality of life overall.



These Satellite cities may be located on the basis of the parameters such as *Potential for economic sustainability, existing road / rail networks, existing and anticipated infrastructure, especially water and power, Strategic location for rural access, Existing social infrastructure and Low environmental impact.*

2. Provide a major thrust to **Regional and Urban Planning** and preparation of **District, Metropolitan and City Spatial and Development Plans** through strategic guidelines and financial support. The regional plans may be in the form of structure plans.
3. **Strategic Densification of Cities.** The density regulations in Indian cities are archaic and don't address the needs of the present day demands of the urban society. In fact, Indian cities have the lowest Floor Space Index (FSI) in the world. Strategic densification as a planning strategy need to be pursued to accommodate future urbanisation. Government of India may introduce incentives that encourage states and cities to pursue this strategy for future urban development. However, this strategy needs to go hand in hand with infrastructure development within the city facilitated by flexible zoning.
4. **Urban Renewal and Regeneration:** Policy should provide broad framework to facilitate the process of urban regeneration/ renewal within the generic principle that the growth would pay for itself. This would require a flexible planning approach and seed capital support.

**Key Points:** *Planning Commission should support the preparation of the National Spatial Strategy with a dedicated Spatial Planning Division. Similar divisions should be established in*

Ministry of Urban Development and Ministry of Housing and Urban Poverty Alleviation to provide support to the states.

### *Financing of Plan Preparation & Implementation*

5. **Assist National Priority Cities** to create regional and urban planning capacity under New Improved JNNURM and prepare strategic plans with **100 per cent funding from the Centre**.
6. **Assist State Priority Cities GEM cities** to create regional and urban planning capacity under New Improved JNNURM and prepare strategic plans with **50 per cent funding from the Centre and 50 percent from State**.

The cities have to be selected based on objective criteria through expert committees involving the Central and State Governments. The plans must have a clear financing and operating plan – clubbing own resources, state share, central share and institutional finance/PPP.

### *Technical and Capacity Building Support*

7. Government of India need to invest in a program for developing a set of vendors of planning services who can conform to the requisite standards anywhere in the country. A large number of planning firms already exist in the country as a result of the market created by JNNURM during the last 5-6 years. Their capacities can be built up and enhanced through NIJNNURM.
8. A major program on **capacity building and networking** need to be launched by the Government of India to strengthen technical capacity of existing planning institutions of states, and create on-line and off-line platforms to share knowledge network on spatial planning. The Working Group endorsed the recommendations of the High Powered Expert Committee for estimating the investment requirement.
  - k. Setting up of five Indian Institutes of Urban Management, which could be standalone institutions of excellence.
  - l. Create a Reform and Performance Management Cell (RPMC) in the Government of India (and at state level and in large cities) with a multidisciplinary team undertaking activities like:

- m. Promote think tank initiatives in urban policy through Centres of Excellence/ Innovation in existing institutions
- n. Declare leading institutions as Centres of Excellence
- o. Create a Scheme for funding Strategic (Spatial) Planning Research through Centres of Excellence
- p. Create an annual forum for sharing of research outcomes
- q. Establish new schools of planning and enhance capacity of existing ones
- r. Producing new breed of professionals and training the resources who are already carrying out these functions.
- s. Funding for training & certification of in-service personnel as well as for producing more planning professionals
- t. Funding for creation of state level data infrastructure for planning should be provided under NIJNNURM

10% of New JNNURM central allocation may be earmarked for capacity building and preparation of Metropolitan Development and City Strategic Plans. To start with, strategic plans should be prepared for all National and State Priority Cities and GEM cities (in a phased manner). An expert committee jointly coordinated by the Ministries of Urban Development and Housing and Urban Poverty Alleviation supported by a full-fledged technical cell may guide the capacity building and plan preparation processes.

It is essentially national level initiatives that paved way for the initial development of urban settlements in different states in the country with infrastructure provision. It was later in 1970s that a majority of states set up Town & Country Planning organisations realising the need for a coordinating and plan making authority at State level. State Planning boards which were functional in many states by that time continue to progress with their initial objectives of supporting development programmes and preparing sectoral plan documents linking the Planning Commission functions at Centre to state level even today. As it has already been suggested that spatial planning division may be introduced in the Planning Commission in the earlier recommendation, it necessary that the same linkage be established at State level.

The existing TCPOs would be able to render the necessary technical expertise required for the State Planning Boards to devise State level Spatial Development Plans.

Further, important initiatives are required to be taken at this level to serve two objectives. One being, bringing forth of necessary changes for smooth transfer of planning functions to the local bodies and second being the transfer process itself. The following set of recommendations are in response to both the objectives:

## 7.2 Recommendations to States

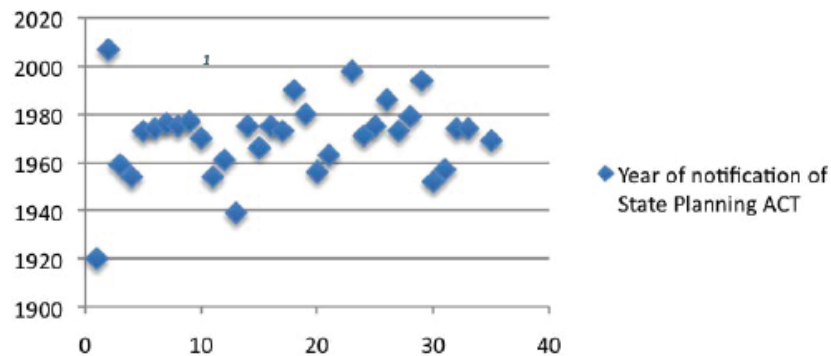
### *Legal Framework*

9. ***Revise the nomenclature of "Master Plan" to "Spatial Development Plan" (SDP)*** The current most common term used for the plan for cities is "master plan" which is both limited in outcome and over-bearing in perception and prescription. The more appropriate term would be "spatial development plan" which captures both the development aspect as well as the spatial aspect of the power of the plan. This nomenclature is important to provide focus on what the plan is to deliver. It captures the "socio-economic" development planning prevailing in rural plans, along with the "spatial" land use zoning that has been the predominant focus of urban plans.
  
10. ***States to revise "Town and Country Planning", "Urban Development" and "Municipal Acts" to respond to the challenges of urbanization and to policy thinking appropriate to the times based on principles of urban strategic planning***

### **Town and Country Planning Acts**

While all states, with the exception of Rajasthan state and the Union Territory (UT) of Lakshadweep have enacted planning legislation in the form of Town and Country Planning Acts, different states adopted planning legislation at different points in time. Most state Planning Acts are legacy legislature adopted from colonial influence, guided in part by two Model Acts brought out by the Ministry of Urban Development Govt: the Model Town and Country

Planning Law of 1960; the model Regional and Town Planning and Development Law of 1966 and its update of 1985. The graph below shows the variation in timelines of Act notification of the 28 States and 7 UTs. As is evident in the graph, the Acts vary in age going back as far as 1915 for the erstwhile Bombay Presidency. These planning Acts need to be reviewed and revised to address the current challenges of urbanisation as well as to reflect recent policy recommendations strengthening regional decentralization and citizen participation.



### Municipal Acts

Since, the most important solution to urban planning and local development issues has been long established as decentralised planning (with local level planning initiatives at municipal level), it is essential to entrench 'Planning functions and objectives' into the municipal system. Introduction of 'Town Planning' as one of the 18 functions of municipalities may have recognised the 'need' for such a practice, but its implementation requires more emphasis on methods of its operationalisation. The Municipal Acts of different states seldom describe the steps involved in preparing the 'Development/Master Plan'. The much recent Model Municipal Act of 2003 also fails to sufficiently elaborate on the Development Plan preparation process. It is tempting to rely on Town and Country Planning Act or its sister versions like 'Urban Planning and Development Acts' when it comes to the aspects of Spatial Planning as the Acts are much recent and have more or less incorporated the basic concepts of physical planning, if not in entirety. This may count against the more ancient, repeated-amendments-wearied Municipal Acts. But, if we are ascribing spatial planning



functions to Municipalities and local elected bodies, it goes as a commonsensical solution to include them in their guiding acts.

To attribute regional planning approach to the spatial planning efforts of Municipalities and not restrict the regional plan boundaries to that of the municipality, reinforcement of the concept of 'urban development regions'<sup>1</sup> around the municipal boundaries may be introduced. This will enable Municipalities to plan for immediate hinterlands and peri-urban spaces outside their jurisdiction and help exercise a certain control over the development and landuse patterns of the emerging and future urban spaces. These 'development regions' may have the same provisions ascribed to the municipalities as the 'development/planning areas' in the Town and Country Planning Act.

Another key aspect proposed in the 1993 West Bengal Municipal Act, which stands deleted as of now after amendments, calls for creation of Urban Development Committees for the jurisdiction of the 'urban development region' encompassing the constituent municipalities as well as gram sabhas. This committee plays a key role in the finalisation of master plans or any other activities involved in the process. The earlier version of the Act also goes on to say that these committees may also be constituted in gram panchayat areas (Census town conurbations and nearby villages) by the State government and it falls on the assigned gram panchayats to fulfil the mandate of the urban development committees and that sufficient support may be rendered by the State government when requested.

### *Plan Preparation*

11. ***Constitution of State Planning Board (SPB) for development of the Strategic Plan at the state level.*** At the level of the state, a strategic development vision provides guidance for the district and metropolitan spatial plans, ensuring a seamless integration of state development priorities into district plans. All states must revive and strengthen where constituted, or constitute where not constituted - State Planning Boards that are mandated with the preparation of statewide strategic Spatial Development Plans (SDP). These plans must reflect the state and central governments' economic, infrastructure and

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<sup>1</sup> Deleted section 297 of the West Bengal Municipal Act, 1993 (with amendments, 2006)

social development priorities and budgetary allocations, which will be an input document for the plans of the lower levels of government.

The main duties of the Board towards facilitating the lower levels of plans include inter alia:

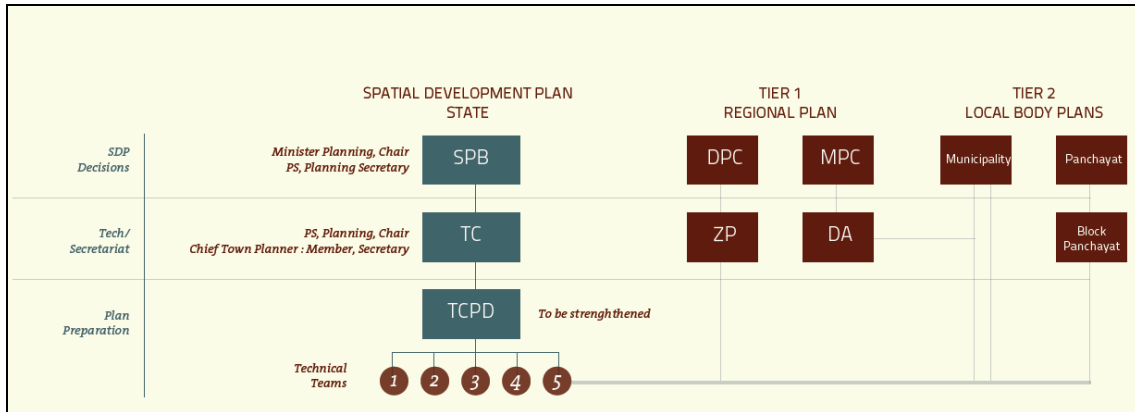
- Overseeing that spatial development plans for the state are prepared in a timely manner as prescribed;
- Approving plans of DPCs and MPCs; preparing plans by default when there is no acting Planning Authority; and
- Acting as arbitrator for conflicting land uses between plans.

The State Town Country Planning Department (TCPD) may provide technical Assistance to the State Planning Board to deliver its duties and also assign technical resources to the secretariat of the DPC/MPC. The role of the secretariat to the DPCs may be assigned to the Zilla Panchayat. The constitution of the Board can be structured to ensure appropriate political representation, with the State Minister for Planning as the Chairperson, and the Principle Secretary, Planning as Secretary to the SPB.

The strategic plan of the Board must be notified in a time-bound period so as to provide direction to the planning of the lower tiers of districts and local bodies – urban and rural. The recommendations of the State Planning Board must drive the investment priorities of the State Planning Commission (SPC). The Chairperson of the SPB should be part of the SPC so that there is informed decision making on the investment priorities based on the spatial development plan of the SPB.

#### ***Technical assistance to the SPB***

A Technical Committee (TC) may be set up to assist the SPB in preparing the State SDP. The PS of the State Planning Ministry would be the Chairman of the TC and plays the role of the Secretary to the SPB. The Chief Town Planner (CTP) is the member secretary of the TC and provides the required support on planning to the TC.



**Points to Note:**

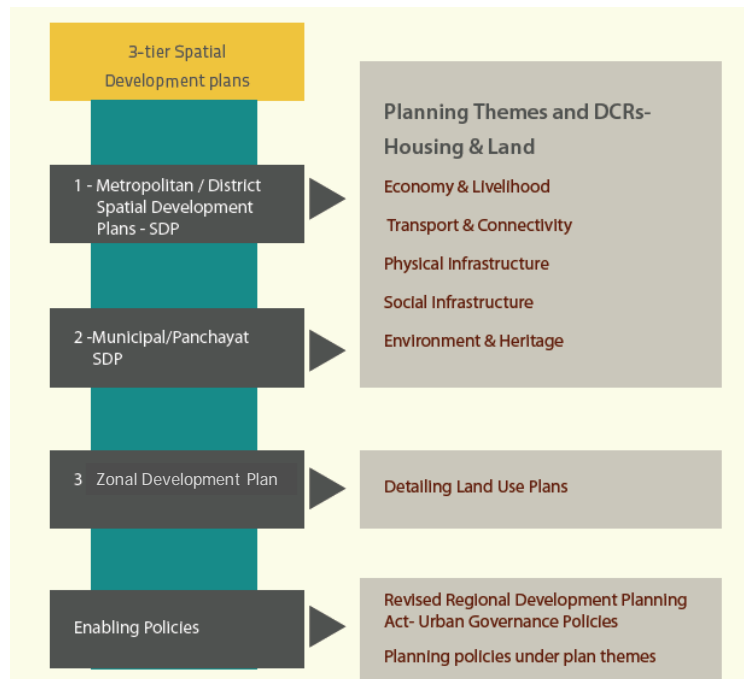
- The PS Planning is not a member secretary in the SPB and has no voting rights. The PS Planning is also the Chairperson of the TC.
- The CTP reports to the Chairperson of the TC, and the Chairperson of the TC reports to the SPB
- The role of the CTP and TCPD as the technical support to the state must be strengthened with adequate resources and a formal role for input into development of Urban and Regional Planning Institutions, with a Special Committee set up to address the urgent need for such establishing such Institutions.

**12. Recognize a 3-tier footprint to the Spatial Development Plans: Region; Local; Sub-local, where the regional plan integrates urban and rural development.**

The city can no longer be viewed in isolation when preparing plans. The inter-linkages between the core and the peripheries need to be part of the plan preparation. Greenfield airports that service travel needs of the core and periphery areas, regional transport linkages between cities and villages, agro production in the region that provide grain and vegetables, water sources that are shared between settlements, land fill sites that hold the waste of urban consumption, rural land for the expanding population and expanding economics- all these require a planning footprint that goes beyond the city.

The definition of this “region” for planning cannot be left open-ended, and may be categorically defined by the district / metropolitan area boundary, so that it is in consonance with the provision in the 74th Amendment of the Constitution of India. The district provides political and administrative logic, and planning for the region must therefore be for the area of the district.

Based upon the overall development controls for the larger region, the local governments including both rural (village panchayats) and urban (municipalities), may prepare their second tier of SDPs. The third tier plans are prepared for the footprint of the zones of municipalities and panchayats.



Metropolitan/District SDP must be recognized as the highest tier of the 3-tier plans. This recommendation is in keeping with the Planning Commission's Decentralised Planning Guidelines. The district plan integrates and consolidates all the plans of local bodies – rural and urban – and at the same time guides their plans at a macro level. The second tier plans are of the municipalities and panchayats. The third is the electoral ward (or cluster of wards) within municipalities and panchayats. All three levels plans must be processed keeping in mind the higher level of plans and their annual budgetary priorities, including the plans of the State Planning Board.

**Specific points:**

- *In case "economic zone" or "environmental zone" is earmarked for development or protection by either the union government or the state government, such an area will be designated as "Special Area Plans (SPA)" planned on a case-by-case basis as authorised by the union or state. However, the planning process shall be carried out in consultation with the MPC/DPC within which the SPA is located.*

- *As per The Special Economic Zones (SEZ) Act, 2005 brought out by the Ministry of Commerce and Industry, Section 11(1) and Section 12(1) to (6), every proposal for setting up of Special Economic Zone shall be submitted to the concerned Development Commissioner who shall forward it to the SEZ Board with his inspection report, and State Government's recommendations. The SEZ Act adds that before recommending any proposal for setting up of a Special Economic Zone, the State Government shall endeavour that:*
  - *Exemption from State and local taxes, levies and duties including stamp duty, and taxes levied on goods - Section 26 (1) (a), (1) (e), 26 (2)*
  - *Water supply, electricity and other services in the State to the proposed Special Economic Zone Units and Developer.*
- *The SEZ provisions in effect encroach upon the constitutional authority as prescribed by the 74th Amendment, of the regional and local governments in establishing a separate planning and governance authority exclusively for the SEZ, requiring no consultation on land acquisition or planning, while at the same time committing the support of these governments in allocating infrastructure and resources to the SEZ without consultation<sup>2</sup>.*
- *Two key mandatory requirements are recommended before granting approvals to SEZs: discussion and consensus with the relevant Planning Authority/s on the impact and conformity of the SEZ to the existing plans; incorporation of the SEZ's requirements of affordable housing into the SEZ plans.*

**13. *Constitute and empower MPC/DPC to prepare Metropolitan/District Spatial Development Plan.***

Regional Planning approach requires clearly defined political and institutional roles and responsibilities. The need for a regional approach and the co-related legislation that empowers such an approach could not be more pressing, especially around rapidly urbanising settlements, and where natural resources of land, agriculture, water, minerals, stone, forests, etc. are under threat.

These regions must be covered by a systematic hierarchy of Planning Authorities, at two levels - first, for the region as a whole, and second, for individual local bodies. However, as an interim measure, it is recommended that the existing metropolitan and urban Development Authorities may

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<sup>2</sup> *SEZs and private townships planned and approved by States and also the Union government, subverts the authority of regional and local bodies. For example, NCR region plan include 22 districts has a separate planning and sanctioning authority, which has no input from the district governments.*

prepare all the 3-tier plans within the district, the establishment of long-term structures need to be put in place. These are as follows:

- For the region as a whole, the MPC/DPC shall be the Planning Authority vested with the preparation and notification of the Metropolitan/district SDP
- For the second level of Spatial Development Plans, each LB (municipal corporation, council, nagar panchayat, panchayat) shall be the notified Planning Authority in its jurisdiction, and the practice of SPA created by the State as it exists currently - without any consultation and consensus by local planning authorities - shall be discontinued.
- The State Government shall not have the authority to notify any authority/organisation as an SPA for any territory in the MA, without due consultation with the existing planning authority, thereby respecting the constitutional authority of regional and local governments
- All current Special Planning Area territory shall revert to appropriate Planning Authority, based on the respective jurisdictions.

Under the Constitution, the MPC/DPC is supposed to 'consolidate' the draft development plan of the district/Metropolitan area. The constitution is unclear on whether this plan is to be accepted by the government, and if so, by when. It is open today, for a State to reject or ignore the District Plan, whether spatial or otherwise, completely. This is to be clarified and designed properly, in the draft planning Act.

The 'draft development plan (DP)' so produced by the MPC/DPC: (1) Requires that due attention be paid to all urban local body development; (2) Covers all matters of common interest to municipalities and the panchayats including coordinated spatial planning; (3) Should take into consideration investment into the metropolitan region; (4) Facilitate integrated development of infrastructure (5) environmental conservation, and resource sharing. The plan at this level is a strategic plan serving the long-term interest of the district as a whole over a 20 year period horizon.

In order for the MPC/DPC to deliver on this mandate it must be empowered with adequate sovereign authority. Currently no such provisions are made in the existing statutes and in fact a number of statutes that have been written pre -74th Amendment to Constitution are in contradiction and need to be reviewed and revised to be in line with the 74th Amendment.

### Specific points

- *The MPC/DPC must consolidate the plans of the municipalities and panchayats and prepare its own development plan called the "Metropolitan Spatial Development Plan" for the MA, submit to the State Government for approval and final notification, and share the authority for regulating the plans with the local governments in the MA/District.*
- *The MPC/DPC must be fully empowered to have a review function of the spatial Plans of all the Planning Area /Special Planning Area bodies in its jurisdiction, so as to ensure that these plans are consistent with the SDP of the region prepared by the MPC/DPC.*
- *The setting up of the MPC will have implications on other existing regional structures like DPC In the cases where a metropolitan area straddles multiple districts. Therefore, these districts must either be notified as a single metropolitan planning area with MPC constituted with representation from all districts straddled by the metropolitan city and region or the metropolitan region may be carved out of the respective districts and be declared a distinct Planning Area with the MPC constituted with appropriate representation from the districts involved. In this second option, the area carved out of the districts into the MPC planning area, must include complete "block panchayats".*
- *A point to be noted is that the second option is less desirable than the first since it creates a planning area that is not synchronous with the existing political boundaries. The decision may be left to the states based on the political preference by individual states. The planning authority for the metropolitan territory must not be fragmented, and must be in keeping with the principles in the 74th Amendment to the Constitution of India. This recommendation is consistent with the recommendations of the 2nd Administrative Reforms Committee Report on Local Governance (section 3.7.6.2.4 page 75).*
- *The MPC/DPC must have a representative composition. The MPC/DPC is to be mandated with a complex task of preparing the SDP, which involves engagement with multiple stakeholders both within and outside government, and multiple technical issues to be addressed. All of these tasks need to be done in a time-bound manner, for a credible, enforceable plan. Once a plan has been notified through due process, the MPC/DPC will also need to ensure proper compliance with the plan, and also that revision to the plan happens on an ongoing basis. These tasks cannot be fulfilled*

*without a clear, empowered mandate, and an equitable representation in the decision-making structure.*

### ***Constituting the MPC/DPC with elected representatives***

The State Election Commission (SEC) will constitute electoral wards that are represented by municipalities/panchayats. This is consistent with the policies of the Ministry of Panchayati Raj (MoPR), which is the nodal ministry for the DPCs. The SEC shall be vested with the authority to conduct the process of constituting the MPC / DPC.

The 73rd and 74<sup>th</sup> Amendments to the Constitution of India mandates that a minimum of 2/3rds of the MPC shall be constituted of elected representatives from the MA region, provided that not less than two-thirds of the members of such Committee shall be elected by, and from amongst, the elected members of the Municipalities and Chairpersons of the Panchayats in the Metropolitan area in proportion to the ratio between the population of the Municipalities and of the Panchayats in that area.

Similarly, a minimum of 4/5ths of the DPC shall be elected by, and from amongst, the elected members of the District Panchayat and of the Municipalities in the district in proportion to the ratio between the population of the rural areas and of the urban areas in the district. The remaining 1/3rd and 1/5th of the MPC and DPC is kept open for nomination. That way, experts, who are not elected representatives, can become members of the MPC/DPC. Also, those elected representatives that are ineligible for being selected in the 2/3rd and 4/5ths quota (such as MLAs, MPs, and in the case of the DPC, the elected representatives from the Intermediate and Village panchayats), can be nominated within this non-elected category. Currently, DPCs are dysfunctional in most States and the nominees are usually the MLAs, who do not attend.

**14. Transfer planning function to local bodies.** Each of the existing as well as proposed municipality in a district or Metropolitan area must have a Planning Cell that provides technical support, which even if not fully staffed, must have minimum resources that can provide for the day-to-day planning and design requirements of the municipality, and that can also establish and oversee



contractual arrangements with external planning service providers (from within or outside government) as needed.

Each municipality must mandatorily fulfil their obligation to produce a spatial plan within a time-bound period of time.

The Spatial Development Plans thus prepared by the municipality be submitted to the MPC/DPC. Any directions given by the MPC/DPC from the point of view of ensuring the fulfilment of requirements and imperatives of the notified Metropolitan/District SDP shall be complied with by the municipality concerned. The spatial Plan which fully complies with such directions (if any) shall be approved by the municipal corporation/council concerned. This ensures compliance with the requirements of regional planning and also safeguards the power of the individual ULBs to approve the SDPs prepared by them without such plans being required (as is the legal requirement today) to be submitted to the State Government for final approval.

In the case of rural local plans, the local Panchayat jurisdiction is composed of "ward" footprints (the 600000 villages of India are under 25000 panchayats) with an elected "pancha" per ward. A ward may have multiple villages and in some cases may even cut villages. This grouping of "hamlets" into a pancha ward is done by the State Election Commission (SEC) who is the final authority on what constitutes an electoral ward. The Collector, or Director Municipality may help in processing the delineation of the ward based on population guidelines of the SEC.

The concept of the "village" representation has therefore given way to the concept of the "ward" representation. The financial schemes and devolution too go to the ward and not to the village. Hence the tier-2 SDPs in the rural areas may be made at the Block footprint by the Panchayat, which comprises of wards with elected Panchas that can prepare their plans at the third tier of the recommended 3-tier plan making. The Ward Plans thus prepared, must be with participation of the people through the grama sabhas of the natural community unit of village/s contained in each "ward".

15. ***Restructure the role of the Development Authorities of metropolitan cities to become technical and administrative support for MPC*** Development Authorities (DA) are currently responsible for creating “structure plans” for the metropolitan region and of the metropolitan cities. To this end, the Development Authorities’ technical capabilities as a metropolitan level planner and regulator must be strengthened.

Metropolitan Development Authority role need to be restructured and it should act as technical arm of the MPC. Metropolitan Development Authority may be vested with the responsibility of enforcing and regulating the Development Plan, and be the appellate authority for conflict resolutions on the Spatial Plans for all Local Planning Authorities in the metro region. This is in keeping with the letter and spirit of the Constitutional Amendment Act where the DA's role is as the facilitator to the planning process. For all cities above 3 lakh population, planning for a city development area may include city proper and peripheral area, say 5-8 kilometres for which the Urban Development Authority can service the Area Planning Committee (similar to Metropolitan Planning Committee),

Given the changed mandate of Development Authority, it is critical that it is relieved from the functions and responsibilities related to project implementation and land development so as to avoid any conflict of interest between the roles of planner/regulator, and that of project implementer or developer. This includes its role as an infrastructure developer for region, and as a land bank owner in the region.

All land parcels owned by the Development Authorities must be transferred to the respective local governments.

The ZPs in different states vary widely in the range of powers and responsibilities devolved upon them. In some states like Karnataka, the Chief Planning Officer of the District is under the Administrative control of the ZP. In other States, like Rajasthan, the CPO answers to the DC and is not under the administrative control of the ZP. Therefore, it is recommended that the Chief

Planning Officer and his establishment in the district ought to become part of the technical support system of the DPC<sup>3</sup>.

16. ***Streamline the Procurement Process.*** State Government should create a state-wide list for “Empanelled Urban Practice Professional Institutions” whose services can be accessed contractually by ULBs without having to go through tedious and repetitive procurement procedure. In addition, the State Government would prepare standardised procurement documents for key urban infrastructure/services development activities, e.g. waste management systems, water supply, sewerage, GIS, roads, etc, including potential PPP structures. These should be developed in conjunction with industry forums and other departments that have had experience in large scale procurement processes. Ideally the state government would create a list of "qualified urban infrastructure vendors" by sector that can be pre-qualified to bid for appropriate ULB works. This list can be periodically updated.

The MPC/DPC (or the State Government) should also establish an e-Procurement process. Placing the process online will enable the process to become transparent and will not require waiting until a Disclosure Report is published for the public to see how the money is being spent. Equally important is the expectation that if the procurement process is brought online more vendors will have a chance to participate, opening up the service and infrastructure market and thereby lowering the costs to the municipalities and citizens because the process will become more competitive.

17. ***Establish institutional ownership for GIS data through State Urban Information Systems*** Spatial plans are analytical documents that are based on scientific methodology and data collection. In order to create credible, useful, successful spatial development plans, the MA needs a Metropolitan Spatial Data Cell to collect and analyze data in a systematized, standardized and transparent manner.

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<sup>3</sup> The technical support to DPCs, Panchayats and smaller cities and towns that will not have a separate Development Authority as in the case of metropolitan cities, is a matter that needs to be addressed. It is recommended that the State Town and Country Planning Department be strengthened to provide technical services, and planning assistance as and when needed.

Creating an Urban Spatial Data Centre (SDC) at the State level provides reliable and current spatial data, which is a key requirement in the process of decision-making, both for preparing spatial plans, for data sharing between departments, and for urban management. The value of GIS spans across land records, land management, municipal tax charges, monitoring services such as water supply, roads, waste management, etc. The Metropolitan Area planning especially need to have good quality maps to enable spatial planning and urban management. The Metropolitan Spatial Data Cell can be linked to the State SDC such that the base maps rest with the SDC, but the MSDC can overlay data layers and modify these as required.

A key point to note on maps is the strong reluctance by various departments at both central and state governments, to share their maps. In the times, where Google and Microsoft have made maps available in public domain across the globe, In India, procuring maps out of government is like procuring top-secret national security documents. Establishing a map-sharing protocol must be put on the front burner by union and state governments.

### *Plan Implementation*

#### **18. Establish a Guaranteed Land Title Act as per the MoUD's Framework Law, 2011**

Urbanising India urgently requires a robust system to establish and protect land rights. Infrastructure development requires acquisition of land, and without clarity on rights and boundaries, projects become expensive and delayed.

There are two important aspects to land title: the first the formal recognition by the state of property rights through a system of titles; and second the facilitation by the state, of efficient trade in rights, through a process of registration. Both of these elements exist in India, but in incomplete form.

- a. While Indian law requires compulsory registration of sale of land, the Indian Registration Act of 1908 doesn't ask the registration authority to verify history of the land or ownership from the seller, weakening the protection to the buyer. Hence land registration is not registration of*

*title, but of deed of transaction. It is a fiscal instrument for the state, allowing it to collect a "fee", not providing the statutory support of certainty to title. Neither does the Transfer of Property Act, 1882 require verification of ownership.*

*b. In addition, Section 18 of the Registration Act does not demand compulsory registration of all land related transactions. State legislation on land acquisition, court decrees, land orders, heir-ship partitions, mortgages, agreements to sell, etc, do not require mandatory registration. The provision related to land in the Indian Contract Act of 1872, does not require contracts to be registered.*

All of these forces combine to weaken land records and security of tenure. What we have in India today is a presumed ownership to land that is questionable and can be challenged on multiple fronts.

Implementing a system of Property title certification is one of the mandatory reforms under the Jawaharlal Nehru National Urban Renewal Mission (JNNURM). States are expected to implement the reform within the Mission period. The Ministry of Urban Development has undertaken a comprehensive exercise under Project PLATINUM (Partnership for Land Title in Urban Management) for implementation of Guaranteed Land Title. The recommendations of the Working Group are applicable immediately over Union Territories and are underway to be tabled in Parliament for approval and notification at the earliest. States may use the Law (Annexure 1 of PLATINUM Report) as a Framework Law to enable a system of security of rights to land and property. These recommendations on moving land management and registration closer to local governments are consistent with the recommendations of the 2nd Administrative Reforms Committee.

### **Plan Monitoring**

**19. Establish Office of Ombudsman.** State Government should establish an Office of a Metropolitan/District Ombudsman that would look into complaints of corruption and maladministration against functionaries of local bodies, both elected members and officials. The Ombudsman would mediate conflicts between citizens and specific authorities. They would also assist in mediation

or arbitration conducted by the MPC/DPC or Development Authority to reconcile interagency conflicts or irregularities in plan enforcement.

For the Ombudsman, the term 'Public Servant' should be defined appropriately in the respective State legislations. The Ombudsman should have the authority to investigate cases and submit report to competent authorities for taking action. Such competent authorities should normally take action as recommended. In case of disagreement, reasons must be recorded in writing and be placed in the public domain.

This would require amendments in the respective State Panchayat Act and the Municipalities Act to include provisions pertaining to the local body Ombudsman. If the State Government feels that there are circumstances that make it necessary to suspend or rescind any resolution passed by the municipal corporation or council/panchayat or to dissolve or supersede them, it should not do so unless the matter has been referred to the Metropolitan Ombudsman and the Ombudsman recommends such action.

If, on any occasion, the State Government is in possession of records or has adequate reasons to initiate action against the Urban Local Bodies or its elected representatives, it should place the records before the Metropolitan/District Ombudsman concerned for investigation. (See 2nd ARC Report on Local Governance, section 5.8.4, page 309).

The office of the Ombudsman will have to be established in such a manner as to ensure that there will be no conflict with the existing set-up under the Lokayukta Act or Prevention of Corruption Act.

### ***Plan Financing***

20. ***Provide adequate resources for plan preparation.*** Producing highly complex technical outputs like plans/budgets/projects will simply not take place without the required supporting systems that include financial and trained technical resources. Similarly, enforcement and regulation of plans will also require appropriate and efficient authority. Absence of these renders

Planning Authorities and its outputs as toothless institutions and processes. Providing central incentives for regional and local governments will enable them to begin building of their institutional capacities to effectively deliver their planning mandate.

### *Technical and Capacity Building Support*

21. State government need to develop revised legislation, and detailed standard operating procedures for all the processes mandated by law, to ensure consistency in planning processes. State governments also need to provide ***guidance on strategic spatial plan development***, policies for revenue land (conversion, acquisition), environment, heritage, transport, affordable housing, etc
22. State governments should establish **Indian Institutes of Urban Management** to support regional and urban planning and management activities in cities and towns. These institutes should be established with the help of the Government of India.

The initiatives at local level taken up so far inherently reflect the disjoint sectoral and spatial dimensions of planning in a much amplified scale at the delivery level. The eternal interstices between policy and programme approaches at the higher levels of governance translate into veritable proof of failed programme implementation at local level. Though 'decentralisation' is well accepted as the key word to enable successful local planning and participatory approach to development, it remains largely independent of the responsibilities attributed to the implementing machinery in terms of programme based or mission mode programmes like City Development Plans, City Sanitation Plans etc.

Some concerns of this accord have been addressed in the recommendations proposed at the State level. Though this sets up the necessary working mechanism for the foundation laid at the National level, a set of initiatives are to be taken at the regional and local levels to align the myriad dimensions of spatial planning and service delivery functions of municipalities/local bodies and the much practiced programme/project based intermittent functions.

### 7.3 Recommendations to Regional and Local Bodies

#### *Plan Preparation*

23. ***Prepare SDPs for all municipalities and Panchayats within the district/metropolitan Area in synchronisation with the timeline of the Metropolitan/District SDP*** A credible Metropolitan/District SDP can only be drafted if it fulfils two critical criteria: one, that it is well integrated with the next levels of plans (Municipal/Panchayat SDP, and Zonal SDP); and two, that it has been generated in a truly participatory manner. The details of how the three levels of plans are to be produced will require adherence to a well-defined CALENDAR of PLANNING. It is critical that the MPC/DPC institutional and organizational structure be well defined, in order that it can fulfil its central mandate of preparing the district /metropolitan SDP.

Each PA shall prepare the 2nd-tier plans (and periodic revisions for such SDPs)) for its jurisdiction, in a participatory manner especially in preparation of the 3rd-tier plans – the Zonal Plans, and in conjunction with the Metropolitan Area/District SDP (see sections below on plan preparation).

The Town and Country Planning Departments of states (TCPD) and Development Authorities of MAs may provide technical support to local governments for the preparation of the spatial plans of all local bodies in the district to synchronise timing so that there is aggregation of sector and spatial plans of all local governments within the metropolitan district.

24. ***MPC/DPC's spatial development plans to be prepared with sectoral participation.*** The Planning Commission's report of 2008 titled "Manual for Integrated District Planning Guidelines (DPG)" recommends an institutional structure for the MPC/DPC. This structure envisages that the MPC/DPC would have the following Sector Consolidation Committees: Primary Sector, Education, Health, Poverty Alleviation, Infrastructure, Economic Development, Planning and Regulatory Services.



The purpose of these sectoral committees is to consolidate the sectoral plans that emerge from the participatory process generated by lower tiers of local government in the metropolitan area. The consolidation at the level of the Metropolitan Area will take into account common needs, conflicts and dependencies. In order to do that a comprehensive, integrated, multi-tiered set of plans for the district or MA be created, all of the institutional organization recommendations need to be put in place, since these institutional arrangements are central to the development of the plans themselves.

The final output of the Metropolitan Development Plan shall consist of the following sub plans that may be created by the respective Sectoral Committees (SC):

- i. Land and Housing plan by the SC on Planning and Poverty Alleviation
- ii. Economic and Livelihood plan by SC on Economic Development<sup>4</sup>
- iii. Transport and Connectivity plan by the SC on Transport, which is UMTA
- iv. Physical infrastructure plan by the SC on Infrastructure
- v. Social infra plan by the SCs on Educations and Health
- vi. Environment and Heritage plan by the SC on Regulations

This committee structure is to be applied for the plan preparation of MPC/DPC, and settlement authorities to all three levels of plans.

In addition to these Sector Consolidation Committees, the Decentralised Planning Guidelines recommends an Integration Committee that will consider all the recommendations submitted by the sector consolidation committees on inter-sectoral dependencies and decide upon these recommendations, making appropriate modifications. The Integration Committee will also prepare the Draft Spatial Development Plan for the district or MA, which will

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<sup>4</sup> An important point to note that the Sectoral Consolidation Committee on Economic Development will include special planning delineations based on economic activity, in conjunction with state or central governments as applicable. The SC on Regulations will include special planning delineations based on environment/ecological/heritage protection, that have a footprint within the district or MA.

be sent to the State Government for comments and suggestions, and the final plan will then be placed before the MPC/DPC for approval and notification by the State Urban & Regional Development Planning Board (see recommendation 2). The Integration Committee shall essentially function as the Executive Committee of the MPC. Each of these committees will have a Chairperson, who will be chosen from among the Elected Representatives of the participating local governments in the district or MA, and not from the nominated members from either the Legislative Assembly or Parliament<sup>5</sup>. This structure for the functioning of the MPC/DPC will require a substantive administrative support.

**25. Establish a Unified Metropolitan Transit Authority for Metropolitan Areas.**

Establish a UMTA as a technical agency that can help all planning bodies in the MA, and work with the LBs to prepare integrated transport plans for the regional and local governments. The UMTA plans would provide the input for preparing transit oriented land use zoning.

Given the depth and breadth of responsibilities given to municipalities, municipalities must create their own institutional infrastructure and capacity to manage these responsibilities. The introduction of BRTS; the proposal for Metro; the SRTC buses serving the region; private bus operators; road transport and logistics hubs; the Railways projects, such as stations, goods yards, double tracking, gauge increase, ROB, RUB; the Airport; road projects of PWD, NHAI, and ULBs; cycle-rickshaws, non-motorised and pedestrian facilities, all require regulation and coordination by the UMTA for the entire district as applicable.

Connectivity in the region between rural and urban is a primary criterion for rural residents to be able to access urban services, without giving up residence in villages. Rural residents who prefer to stay close to their land and ancestral roots, require connectivity to the urban economy and social services such as specialist hospitals, access to urban markets, higher

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<sup>5</sup> This is in keeping with the spirit of decentralisation that the overall process envisages and is in fact a dilution of the recommendations of the 2nd Administrative Reforms Commission in its report on Local Governance (see section 3.1.3.4 of ARC report). Each Committee will also draft relevant state government departments/organisations/other key stakeholders into it as it deems fit.

education and job opportunities for their children, even cultural entertainment.

Having good bus and local rail connectivity that links villages to satellite towns and big cities, is key to providing a real choice to rural residents, of staying in their homes.

26. ***Establish a Unified Metropolitan Water Authority in Metropolitan Areas.*** Given that water is a key resource for human survival in growing urban areas and for the agricultural economy in rural areas, the fair and equitable access to surface water resources, its distribution across jurisdictions, as well as appropriate regulatory measures for sourcing, pricing, ground water extraction and replenishment, will require inter-jurisdiction planning across local governments, at the regional level. This would require a specialised authority like Unified Metropolitan Water Authority to deal with these issues.

27. ***Establish Unified Metropolitan Environment Authority Cell in Metropolitan Areas***  
Establish a Unified Metropolitan Environment Cell (UMEC) to obtain data on geological, disaster risk evaluation, to ensure statutory compliance on environmental safeguards, obtain required clearances on plan notification from state and central agencies, regulate and enforce environment and heritage related statutes.

Disaster mitigation and management is a critical area to protect human life from natural disasters, and the environment from human excesses. The existing structures need to be decentralized and strengthened. Regional plans must factor in the assessment on disasters.

The creation of a Zoning Atlas initiative by the Central Pollution Control Board provides a district-level evaluation for the setting up of Industries with consideration to the sensitivity of environment with the pollution potential of industries so as to identify sites with minimal environmental impacts/risks. Such evaluations may become pre-conditions of Environmental Impact Assessment, for approvals of industrial activity.

28. ***Establish Unified Metropolitan Heritage Authority Cell in Metropolitan Areas.***

While several agencies have been involved in heritage preservation, and undertaken individual projects, in the future there must be a single specialized body responsible for all heritage efforts in cities. Without a single repository heritage assets will be mismanaged and compete against each other for resources. This cell will work in coordination with all of the relevant ULBs and lend out expertise as necessary.

Therefore Metropolitan Areas must establish a Unified Metropolitan Heritage Cell (UMHC). A point to note - the regulatory and functional requirements of heritage related planning, may be combined with the Environmental Cell referenced in recommendation 11, if felt to be more suitable.

29. ***Establish Directorate Of Metropolitan Economics And Statistics.*** Municipalities need to be enabled with good quality data in order to make good quality decisions.

This function requires manpower, expertise and resources. The most efficient and effective method would be to create a dedicated agency for collect the data. This agency would enable all municipalities and panchayats in the region to have standardized methods, units and scopes so that data can be compared, correlated and coordinated.

It is recommended to establish a Directorate of Metropolitan Economics and Statistics (DMES), under the Department of Economics and Statistics of the State Government, with dotted-line reporting to each MPC/DPC in the state.

30. ***Prepare detailed SDPs reflecting Vision, Land Use (LU) and Development Control Regulations (DCRs)***

Spatial Development Plans should contain two key aspects - Land Use (emerging out of a vision); and Development Control Regulations (DCR). The SDP of the district and MA must reflect the strategic vision for sustainable development of the entire region. At the level of settlements in the jurisdiction

of local governments too, the SDP reflects the vision. Based on this vision, the SDP indicates LU and DCRs.

Every municipality and panchayat must also produce the third tier of plans. These plans are detailed as per the DCRs and LU of the tier-2 SDP of the Municipality/Panchayat plan. Building bylaws which are under the functional domain of, the Corporation/Council/Panchayat are to be the mandate of the municipality but through a separate division, not as part of the SDP.

The 3rd tier of the SDP at the zonal level should be most participatory in nature and flexible to revision, in order to respond to the changing economic, infrastructure and social needs of the local community and geographic area. These plans may be reviewed every year and zoning changes drafted and notified as per the appropriate rules and regulations.

This third tier of planning is where urban renewal and economic revitalisation plans can be envisioned, planned and executed, in partnership with the local communities. So also the issue of increased density may be decided along strategic central areas and transport corridors. However, decisions on densification must always be accompanied by evaluation of carrying capacity of existing infrastructure.

### *Plan Implementation*

#### **31. *Empower Ward Committees in municipalities through "Area Sabha" structures.***

The ward provides the most effective unit for garnering citizen participation and engagement. Wards must be empowered to contribute to the planning process.

A decentralized system of urban management within each ULB needs to be practiced, especially in municipal corporations and large municipal councils. At the heart of such a decentralised system is the functioning of appropriately empowered Ward Committees. The constitution of "area sabhas" provides an institutional platform for such a decentralised system.

The Model Activity Mapping document that has been provided by the Ministry of Urban Development, as an annexure to the Nagara Raj Bill, can serve as the template for the distribution of functions across the tiers of ULB, Ward Committee and Area Sabha, for each of the functions being devolved to the ULB. This ensures that Executive power is located at the ULB and Ward Committee levels, while participatory and accountability mechanisms are created with the Area Sabha, and the link between the Area Sabha and the Ward Committees through the Area Sabha Representatives who are the members of the Ward Committee.

32. ***Establish participatory structures of Area Sabhas*** While decentralization follows the impeccable logic of subsidiary, care must be taken to ensure that it does not result in decentralization of corruption. The check to this is that the measures of accountability must flow outward to the citizens rather than upwards to the higher levels of government.

Spatial planning and plans are a most powerful tool for accountability and transparency, since plans indicate all development priorities and can be visible to the public on spatial maps.

As part of the JNNURM reforms, all states have signed up for the required reform of establishing participatory, decentralised structures. Eight states have already passed the required amendments to their municipal laws. Hyderabad Municipal Corporation has already initiated the implementation of these structures of participation through Area Sabhas. All urban local bodies must establish decentralised structures for participation in the plan preparation and enforcement. The recommendations for the structure are:

- a. Each Area Sabha comprising all citizens in one or two (or more) polling station areas, should elect, once in five years, a small Committee of Representatives. The Committee of Representatives would elect one person who would chair the meetings of the Area Sabha and would represent the Area Sabha in the relevant Ward Committee. The State

may, by law, prescribe the procedure and other details for such election.

- b. Ward Committees should be set up in every electoral ward of Municipalities and Panchayats. The Committee is constituted with representation of all Area Sabhas - one per area.
- c. Ward Committees need to be given legitimate functions - 18 Municipal Functions+29 Panchayat Function as per 74th CA Act - which can be handled at that level. These functions could include street lighting, sanitation, water supply, drainage, road maintenance, maintenance of school buildings, maintenance of local hospitals/dispensaries, local markets, parks, playgrounds, etc.
- d. Funds allocated for the functions entrusted to the Ward Committee should be transferred en-bloc to the Ward Committee. The budget proposed by the Ward Committee in respect to the functions allotted to it should be taken into account in formulating the overall municipal budget.
- e. Meetings of the Ward Committee should be widely publicised to ensure maximum citizens' participation.

33. ***Develop Participatory Planning Processes in ULBs.*** All 3-tiers of the SDPs - MA/district, municipal/panchayat, and ward - should be prepared along the lines discussed previously and consistent with the Manual for Integrated District Planning released by the Planning Commission. This envisages active citizen participation in urban areas through the structures of Area Sabhas in the neighbourhood, and Ward Committees at the ward level.

This process can only be practiced after the structures are put in place. Once that occurs, it will result in true participatory planning. Every ULB must have a Ward Plan Budget, which must be prepared in a systematic process beginning with Area Sabha consultations, and ending with recommendations of the Ward Committee. The "budget calendar" described in Schedule 1 of the Nagara Raj Bill circulated by Ministry of Urban Development, GOI, as part of JNNURM reforms, can be used as a template for this participatory budgeting exercise.

34. ***Enable Local Bodies to independently hire and recruit planning/technical resources*** Local bodies, when empowered to hire any position, must use transparent processes that fill the positions on basis of merit and reservations. Any potential hire must be vetted to ensure there is no conflict of interest. All positions must be widely advertised to ensure that the position is accessible.

35. ***Create Comprehensive Database on Urban Services and E-Governance Systems, to aid the SDP preparation process.*** The MPC/DPC assisted by the State Government should develop a standard and comprehensive urban e-governance package (requirement specification, applications, hardware, software, SLAs, AMC, etc) that contains at a minimum, the following six components - Accounting, Payroll, Procurement and Tendering, Works Management, Property Tax, Birth and Death. This can be prepared by examining best practices of e-governance systems already being undertaken in the municipalities in the MA and integrating Gol's initiatives on e-governance.

Each municipality will send to DMES key primary data being generated by it – building licences, births and deaths etc. This will be compiled and aggregated by the DMES, pulling in data from various other sources within and outside government. Each municipality will receive a comprehensive set of data from DMES on a monthly/quarterly basis, to assist it in planning and budgeting activities, for which it will pay the DMES a fee. This data will then be published for public viewing as part of their E-governance system.

36. ***Establish Citizen Charters*** The role envisaged as per the 74th Amendment to the Constitution and the recommendations herein, places a lot of responsibility on the shoulders of the municipalities without much guidance. As a result the MPC should require that every municipality in the MA produce Citizens' charters within six months. These Citizen Charters should contain comprehensive information on service levels for all urban services, including specification of time limits for approvals relating to regulatory services such as licenses and permits. The charter should also specify the relief available to the



citizens in case of non-adherence. (See 2nd ARC Report on Local Governance, section 5.4.2.10. page 243)

**37. *Create a Single Window System at local body level, for plan sanction and building approvals.***

Each municipality should have its own "Single-Window Service Centres", and all plan sanctions and approvals from centre, state, and local governments should be facilitated through this one-window system. Multiple sets of plans can be submitted for the multiple approvals at this single window of the municipality and its plan area. In case of a rejected plan, the owner has recourse with the ombudsman. In the case of development projects in the panchayats, a common district / metropolitan single-window service centre can be thought of, and local governments should be brought under one umbrella by establishing 'one stop service centres'.

The plan sanctioning and building approvals process is obscure, elaborate and held hostage to repeated instances of politics and rents seeking. A single window system will go a long way in addressing these issues. Call centres, electronic kiosks, web based services and other tools of modern technology should be used by all municipalities to bring speed, transparency and accountability into delivery of approvals and services to the citizens.

For oversight, the State Government should set up an "Urban Services Streamlining Task Force" made of members both from within and outside government, to examine and suggest simplification of Development Control Regulations, procedures and transparency in all ULB plan sanctioning activities.

**38. *Decentralise enforcement of the SDPs.*** Empowering local bodies to plan must extend to plan enforcement otherwise they will be unable to carry out their plan. The enforcement should follow a decentralized bottom-up approach consisting of:

- a. Ward Committee / Panch as the first level of enforcement, closest to the actual location of violations. The WC must be authorised to hold hearings, serve notice, and recommend appropriate punitive action against violators of notified plans, and steps for reversal of the violation to the municipal corporation / council, or panchayat
- b. The Municipal Corporation or council / panchayat is the second level of enforcement, acting upon recommendations from the WC / Panch, and as the first appellate authority to address disputes arising out of WC decisions
- c. The MPC/DPC shall act as the third level of enforcement, acting on municipality/panchayat recommendations, and as the appellate authority to address disputes on municipality/panchayat decisions. Any disputes that cannot be settled by MPC/DPC can move to the judiciary.

### *Plan Monitoring*

39. ***Land Use Conversion (LUC) needs to be amended to allow conversion only as per spatial plan zoning prescribed.*** Any LUC approval at the level of the district or metropolitan city must follow the Metropolitan/District SDP and spatial plans of local governments. If a change to the plan is proposed, it must be routed through the Panchayat / Municipality concerned, and approved through consensus. This will ensure that approvals pass a high bar of reason-giving and consensus and an official objections/suggestion process. This is especially so for development controls over land, and extensions to cities that requires public financing of infrastructure development.

The ability to unlock the potential of land for urban infrastructure has a very large dependency on the spatial development Planning Authorities in three ways: land acquisition for public projects, development charges, and planning instruments such as Floor Space Index (FSI) and Transfer of Development Rights (TDRs). Policies on these fronts must be articulated without delay.

40. ***Pass Disclosure Law and Publish Performance Standards*** Every municipal authority in the MA/district must comply with the requirements of the Disclosure law, and publish quarterly statements of performance, including financial statements and annual audited financial statements, as well as Service Level Benchmarks (SLBs) as defined by MOUD, GOI. Spatial Development Plans too may be connected to outcome measurements, with SLBs in key planning themes – transport, water etc. Priorities for infrastructure, as outlined in the plan, may be linked to expected outcomes and these outcomes be used as SLBs for the SDP. This information must be placed on the website of the ULB. Collectively all of the reports must be placed on the MPC/DPC's website.

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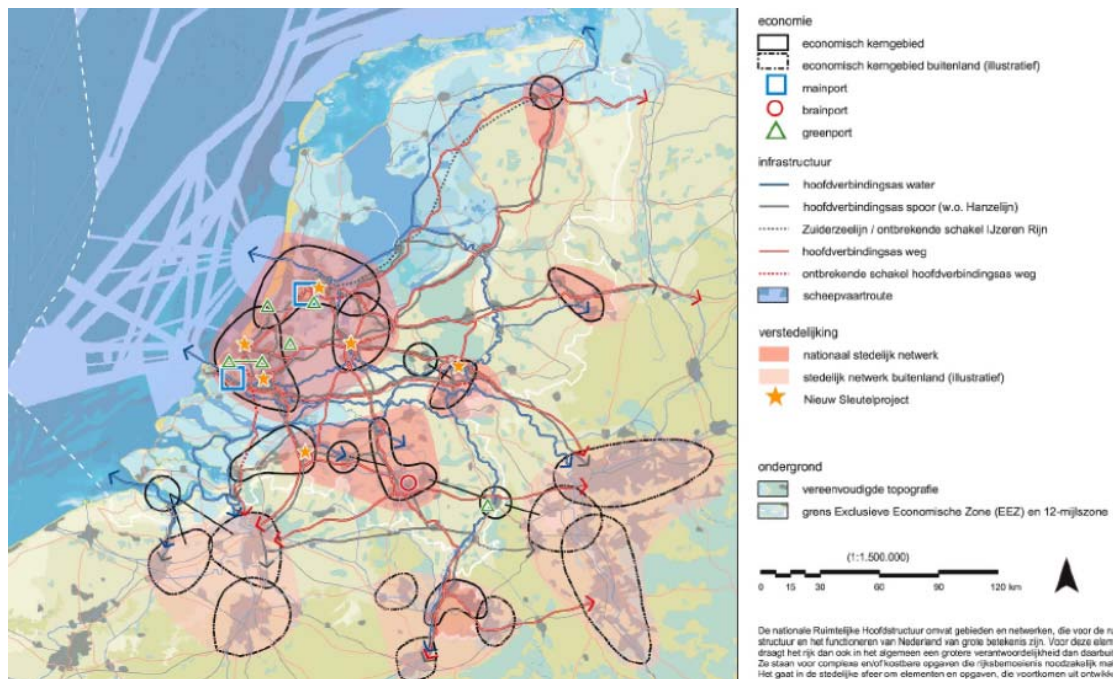
## 8 Case Studies

### National Spatial Strategy – Netherlands

The National Spatial Strategy of Netherlands contains the views of government on the spatial development of the Netherlands and the most important objectives associated with that development. The strategy represents the contribution of national spatial planning into a strong economy a safe and liveable society and an attractive country.

The strategy focuses on four objectives in achieving the goal of creating space for meeting the demand of different functions on the limited surface area. The four objectives are:

1. Strengthening the international competitive position of the Netherlands
2. Promoting strong cities and a vibrant, dynamic countryside
3. Securing and developing important national and international spatial values, and
4. Ensuring public safety



The Strategy distinguishes between different forms of governance and contains the process architecture for the local and regional governments. It indicates the extent to which the national government wishes to become involved and the way in which such involvement might occur. The national government is responsible for the results where the basic quality standards are concerned and provide guidance in situation where national interests are at stake. The National Spatial Strategy also defines the spatial framework for all spatial investments to be undertaken by national, regional and local governments as such investments could become relevant in sector-based policy documents.

The National Spatial Strategy makes it clear which minimum basic values are guaranteed everywhere – the basic quality standards – and which spatial structures entail greater responsibility for the national government: the National Spatial Structure. All policy statements made by the national government in the National Spatial Strategy can be linked to one of these two concepts.

The national governments focussed on concentrating urbanisation and infrastructure into national urban networks, economic core areas and major transport axes as much as possible. The derived objectives of this policy strategy of concentrating urbanisation and infrastructure and organisation in urban networks are:

1. Developing national urban networks and urban centres
2. Strengthening the economic core areas
3. Improving accessibility
4. Improving the liveability and socio-economic position of cities
5. Maintaining accessible recreational facilities in and around the cities
6. Preserving and strengthening the variation between city and countryside
7. Harmonising urbanisation and the economy with water management, and
8. Safeguarding environmental quality and safety.

The national government has identified 6 national urban networks (and 13 economic core areas – which are located within these 6 urban networks) to develop the coherence between urban cities and urban areas. The development of these networks is a high priority. The objectives of the National Spatial Strategy for each of the regions are being incorporated into a coherent development

perspective, in which the government outlines the main plans for development up until 2030.

The national government, on the basis of the spatial policy, primarily focuses its efforts on major transport axes between the two main ports and their region, and the most important major urban centres. These transport axes are the backbone of the spatial structure of the country. A rapid public transport link from Schiphol and Amsterdam to Almere and Groningen improves not only the accessibility of the north of the country and of the northern wing of the Randstad urban agglomeration but also promotes the economic development of the north of the country. This would also put Almere on a more equal footing with the other cities in the Randstad.

***Source: National Spatial Strategy of the Netherlands: Creating Space for Development***

[http://english.verkeerenwaterstaat.nl/english/Images/engelsesamenvattingnotaruimte\\_tcm249-301728.pdf](http://english.verkeerenwaterstaat.nl/english/Images/engelsesamenvattingnotaruimte_tcm249-301728.pdf)

## **High Speed Inter-City Transport System**

Transport system in any country is an expression of spatial structures and has a form and distribution. Economic activities are distributed over space create transactions supported by these distribution systems. This is central to the concept of spatial interaction. The demand for transaction grows with the growth in the economy, which in turn requires more distribution networks.

The arrival of the high-speed train in Japan in 1964, which was opened in heavily populated Tokyo–Osaka (“Tokaido”) corridor, is a transport revolution – the fourth Kondratieff technology. The line was extended through the Sanyo (“Mountain Sunshine”) area to Hakata/Fukuoka on the island of Kyushu by 1975. The Tokaido and Sanyo Shinkansen lines serve two-thirds of the Japanese population. Three-quarters of the Japanese economy is concentrated in these two areas. Shinkansen lines from Tokyo into the eastern parts of the country began operation in the early 1980s, with a view to decentralise the regional development efforts in Japan. This has been adopted in Europe in 1970s and 1980s.

The experience of the countries and cities suggest that high-speed train network can compete with air transportation in the range up to 500 kilometres and effectively supplant it for much shorter-distance traffic between major urban centres, particularly in case of urban centres located in corridor fashion - for instance on the Tokaido corridor in Japan between Tokyo and Osaka, or between Paris, Lyon and Marseille, or between Hamburg, Hannover, Frankfurt, Stuttgart and Munich, or between London, Paris and Brussels.

Not only these trains compete effectively, but also there are likely to alter the geographical balance within/between the metropolitan areas. They essentially connect traditional central business district and help powerfully to correct any tendency on the part of business to migrate from CBD to suburban areas

## **Strategic Planning in Singapore**

Singapore was founded as a trading post by the British early in the nineteenth century. After the Independence, the good world communication based upon trade provided a useful base for this city state to set about pursuing a survival strategy. The state created new institutional structures to facilitate the economic development – Economic Development Board (EDB) being one of the most important bodies. An Economic Committee, realising the limits on the size of the work force and the restricted land area, concluded that Singapore should focus on developing as a service centre and seek to attract companies for offshore-based activities, tourism and banking. The land requirements for this service sector orientation had already been prepared in the early 70s and a new banking and corporate district known as the ‘Golden Shoe’ was planned incorporating the historical commercial area. The state’s economic strategy is closely linked to land use and development planning.

The EDB is a key influence on the strategic land use plans that are prepared by the Urban Redevelopment Authority (URA). The private sector is also involved in the planning process to give their opinion in the committees that are set up to advice these government boards. Thus, URA responds to the views of various advisory committees and the boards and ministers of government in preparing its plans.

The URA translates all these discussions into land use and developmental terms through preparation of a strategic plan for the whole island, called the Concept Plan. The latest Concept Plan was reviewed and completed in 2001<sup>6</sup>. The Concept Plan is reviewed every 10 years, to ensure there is sufficient land to meet long-term population and economic growth while providing a good quality environment. The mission statement of the URA is to ‘plan and facilitate the physical development of Singapore towards a thriving world class city in the 21<sup>st</sup> century”. The Concept Plan lists out the seven key proposals represent the key thrusts of Concept Plan 2001 for housing, recreation, business, infrastructure and identity. They are:

- New homes in familiar places

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<sup>6</sup> The draft Concept Plan of 2011 will be exhibited in the second half of the 2011 after getting feedback from public



- High-rise city living - a room with a view
- More choices for recreation
- Greater flexibility for businesses
- A global business centre
- An extensive rail network
- Focus on identity

The Concept plan seeks to ensure the continued economic growth through 'restructuring the city' to ensure that the facilities needed by future business are planned now, this includes transport and telecommunication infrastructure, land, and environmental quality. The concept plan continues to provide a variety of housing from low to medium to high-density housing. A mixed zoning approach is adopted to include housing and entertainment. It also aims at providing the double the existing green spaces.

A New thrust area of the Concept Plan of 2011 is identity. As Singapore develops, the cities want to retain a sense of identity to its physical landscape and encourage a sense of rootedness to the country. The strategy includes preservation of buildings, natural elements and landmarks, developing town centres at unique locations and building regional identity to familiar places.

In essence, the concept plan is a broader conception of what contributes to economic success. This encompasses high quality residential provision, a good environment, leisure facilities and exciting city life. Thus there is more provision for low density housing often in waterfront communities linked to beaches and recreational facilities and well preserved culture to conserve the identity of the culture.

## **Curitiba's Strategic Approach to Urban Planning**

The first development plan to direct urban growth in Curitiba was developed by a French planner, Alfred Agache, in 1943. Though this plan was not implemented, it succeeded in introducing the concept of urban planning to Curitiba's citizens and government. This awareness edged closer to action in 1964 when the city administration commissioned a Preliminary Urban Plan. The city held a competition for the best plan among local and national professionals. As a result Curitiba Master Plan was born. The city created the Curitiba Research and Urban Planning Institute to implement the plan and continue the planning process in 1965. even though the city gave low priority to master plans, it provided the Institute with resources to detail procedures for implementing plan.

Today, Curitiba's practical planning process is firmly established. When ideas are proposed, they are tested conceptually and then in application. These tests generate feedback that leads to further improvements and applications. The ongoing process allows Curitiba to fashion solutions that fit real problems. Rather than being stymied by feedback, it refreshes and redirects the process along a progressive path. After two decades of successes, the Urban Planning Institute is now well established as the local incubator for an urban planning tradition that emphasizes interplay between planning, analysis, participatory planning and implementation.

The Master Plan of Curitiba strategically addressed the issues of transportation, land use controls and a hierarchical structure of the road network. The plan directs the growth out of the central city to five structural growth corridors. The displacement of the growth was evenly distributed the density in city centre and in the growth corridors.

The plan combines these tools to direct growth out of the central city and into arterial growth corridors. Arterial and feeder roadways as well as land use controls on settlement densities defined these corridors. The more even density distribution ensured the high levels of public transportation that can be self-financing. The public transport systems and more balanced densities also encouraged economic

development and reduced indirect costs of other infrastructure improvements such as water, sewage, electricity, and communication.

The gradual development of Curitiba's integrated transportation system is the most visible result of the city's planning processes. The planning process of Curitiba focuses more on the relationship between space and movement. This emphasises the dynamic nature of urban activities.

The city used transportation to heighten the socio-economic payoff from its planning activities. One of the examples is housing for low income groups. The city had acquired land near some of the planned structural corridors before developing them. The city subsidised the low income housing, as the transportation routes were put in place. The city also located other small scale, low income housing developments throughout the city.

The densities and land use vary in relation to available transportation. Along most structural routes, buildings can have a total floor area of up to six times the plot size. On lower capacity roads that are well served by public transportation, the city permits floor space up to four times plot size. The permitted ratio of floor space to plot size decreases with the distance a land site is from public transportation.

The land use density controls encourage a shift of development activity from the central city to and around the structural axes. This locates high density residential and commercial in the same areas and matches density to the availability of public transport. This eases traffic and human congestion in the central city. Planners converted wide central avenues in the central city into open air pedestrian malls and walkways. These malls and walkways reinforce the city centre as a pleasant locale that preserves historic elements and where pedestrians have priority.

### **Kollam Model of Development Plan Preparation**

District Planning Committee Kollam District of Kollam District decided to prepare a integrated District Plan for the District as whole (IDDP) and a Local Development Plan (LDP) for each Local Self Government Institution in the district in the Spatial Planning approach. The matter was taken up to the State Planning Board and subsequently a Government Order was issued to prepare these plans as a pilot project in Kollam under the aegis of Kollam DPC with Town and Country Planning Department as the nodal agency.

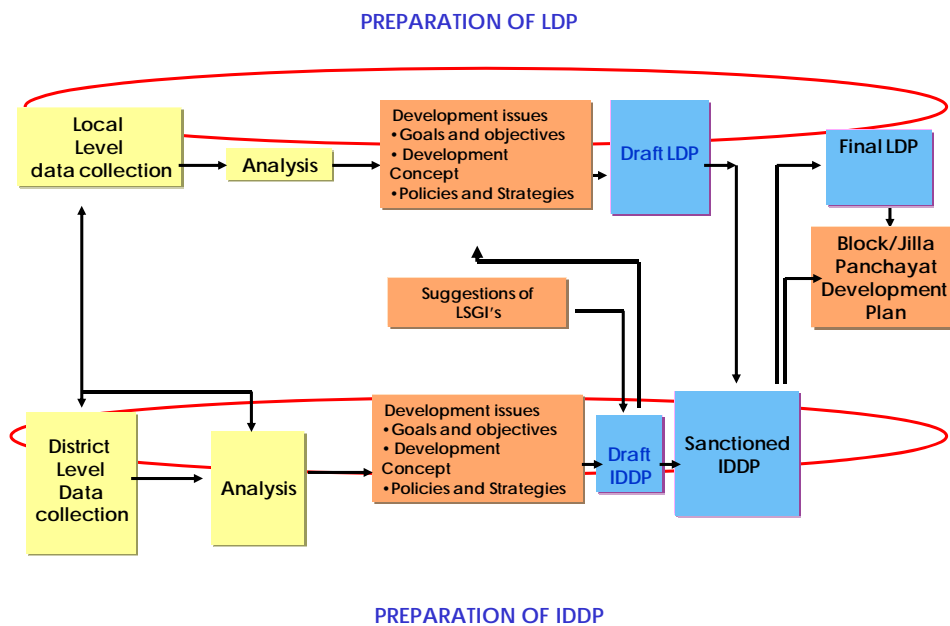
The process of preparation of IDDP and LDP started in Kollam District in August, 2003. Training programmes to various stakeholders of the project and primary data collection at the Gram Panchayat and Municipality level were conducted for one and half years. About 12000 stakeholders ranging from DPC members to NGO's at the Grama Panchayat level were given training and thus created awareness about the project among stakeholders which is inevitable for the success of the project.

#### **Some Unique Features of the Project:**

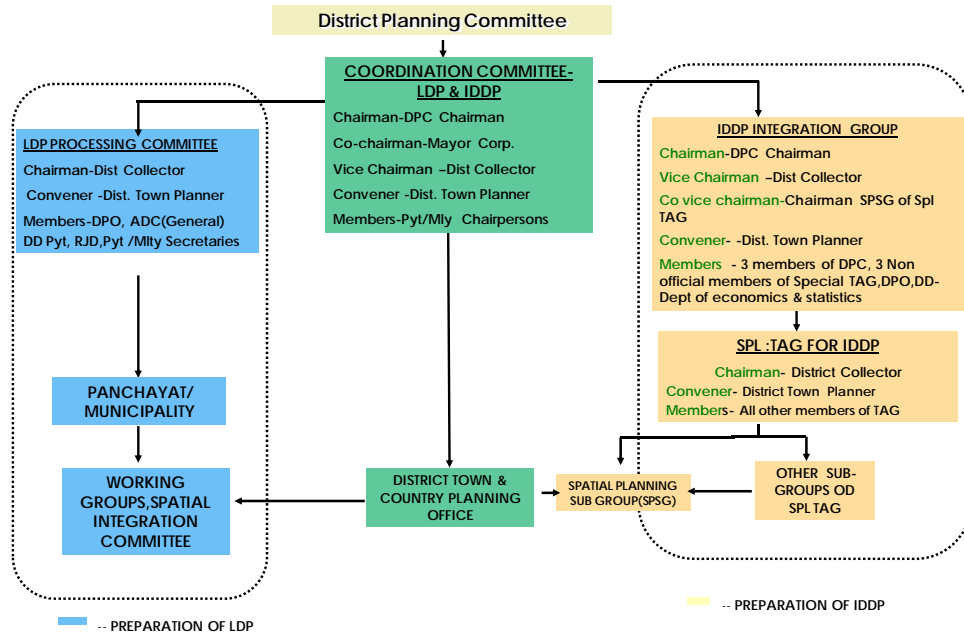
- The project was based on participatory spatial planning approach. All the development partners like Technocrats, Politicians, NGO's, Government Departments, common men and other decision makers are involved in the process of preparation of LDP and IDDP.
- The sectoral policies of various development agencies of the planning area are translated to spatial plans. Hence, there was synergy between the sectoral approach and spatial planning approach as the project ensures the integration of various development sectors over the space (An LSGI in the case of LDPs and District as a whole in the case of IDDP). The integration of various sectors is performed by taking into account the specialties in social, physical and economic aspects of the space, over which the sectors are integrated. This ensures the best and optimum utilization of land, the most valuable resource in the planning area.

- The plan preparation includes the integration of analysis based on the people's aspiration and the spatial analysis. The plan comprised integration of sectoral analysis and spatial analysis including settlement studies.
- The plan making process is based on top down grass root up approach. Data collection, analysis and local level policies are done at the grass root level which later were synchronised with the policies of the higher level. At the same time the policies prepared at the higher level were formulated taking into account the proposals at the lower level.

### LDP-IDDP sequence of Preparation



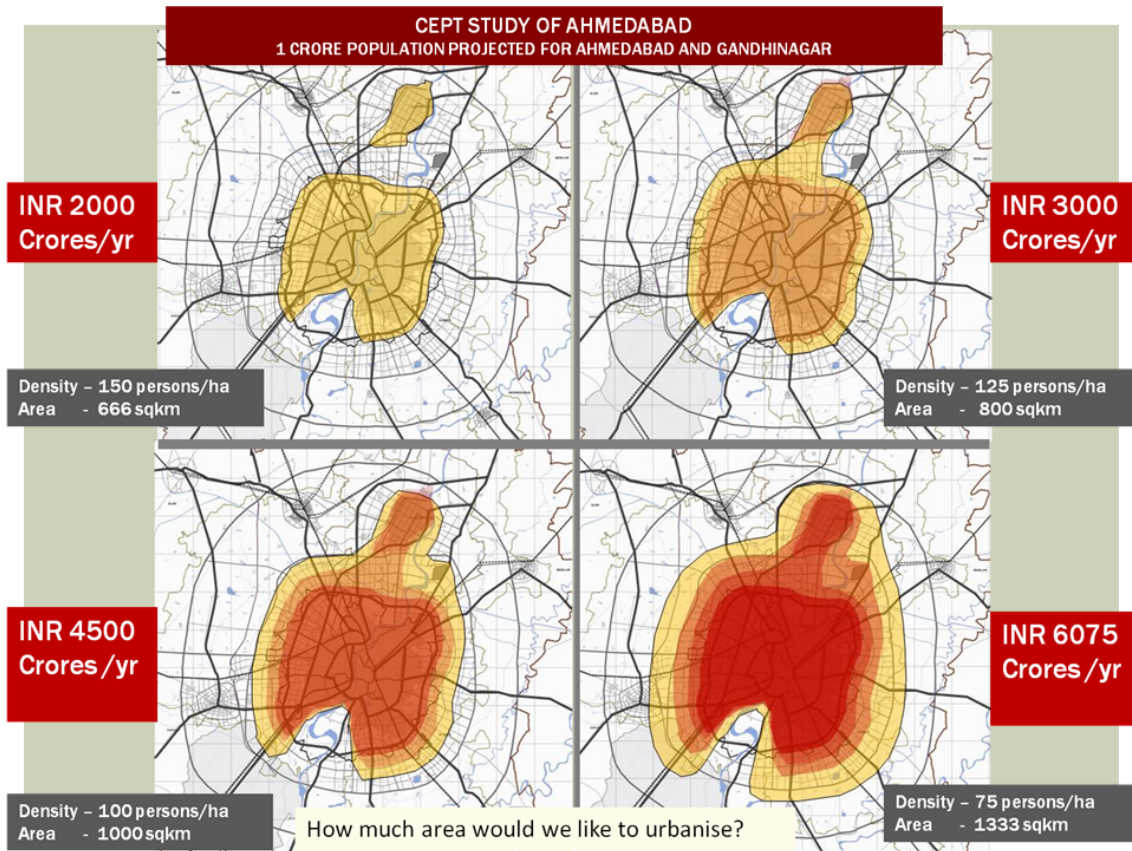
### Institutional Arrangement for the Plan making Process



### Compact cities – case of Ahmedabad

The world over there is a growing realization that compact cities are more efficient and sustainable than cities that are sprawled over large areas. Cities can remain compact only if the mechanisms for supply of planned and serviced land are efficient and keep pace with demand. Moreover, the density of development has to be high and vary across space in relation to the carrying capacity and economic potential for development. Urban planning in India has historically favoured uniform low densities across the urban area. This has led to extensive urban sprawl, consuming agricultural land and threatening ecologically sensitive areas. Urban sprawl also significantly increases the cost of providing infrastructure.

What should be the average population density of a city or how compact a city should be is a question that defies an easy answer and certainly not one that can have the same answer for different cities. The desirable average density of a city may be anywhere on a scale from a “sparse” 50 persons per hectare to a “crowded” 300 persons per hectare. The desirable density is contextual – cultural, social, economic, climatic and ecological. However, in a structured planning process, the stakeholders in a city can make an informed choice based on analytical studies. To illustrate, the image below shows the results of a study done for Ahmedabad by the CEPT University. The study compares the cost of providing infrastructure for different levels of density/ spatial extent.



### **Efficient land supply for urban growth – case of Town Planning Scheme, Ahmedabad**

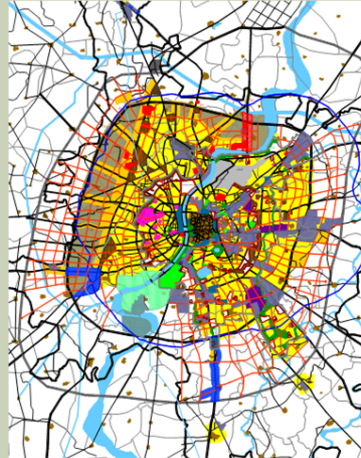
As the city grows, more land in the periphery gets transformed from rural uses to urban uses. In the absence of an effective mechanism this transformation is haphazard and results in congestion and low levels of infrastructure provision. To ensure planned and serviced new growth, most cities rely on large scale land acquisition and development of planned layouts. However this is becoming increasingly difficult with the increase in land values as well as the active resistance to displacement by displaced land owners. Therefore it has become imperative to introduce more fair, equitable and inclusive methods of land consolidation that cause minimal displacement if at all. A good example of such a mechanism, which has recently attracted a lot of attention, is the Town Planning Scheme. In use for nearly a century in Gujarat and a few other places like Maharashtra, and now Andhra Pradesh this mechanism consolidates all land holdings in the Scheme jurisdiction and rearranges them in a manner suitable for urban uses. A similar proportion of land is deducted from all the plots and used for providing roads and land for physical and social infrastructure. A portion of the land is also used as a land bank to recover the cost of implementation of the entire scheme. In Ahmedabad this has become the principal means of implementing the Development Plan for the city as a whole. The two images below illustrate how this two-tier planning system works.



## LAND MANAGEMENT LEVEL 1 CITY LEVEL DEVELOPMENT PLAN

### Example: Ahmedabad DP

- Provides Overall Development Framework
- Overall Direction of Urban Expansion
- Landuse Zoning
- City level road network
- City Level Infrastructure (Utilities & Amenities)
- Reservations of Land for other Public Purposes
- Development Control Regulation/rules
- Ahmedabad DP's prepared/ revised in 1965, 1987, 2002, **2012**

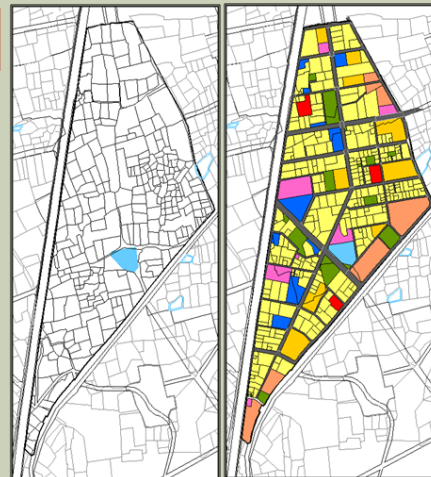


Source: AMC/AUDA/CEPT;

## LAND MANAGEMENT LEVEL 2 LOCAL LEVEL PLANS

### Example: Town Planning Schemes

- A land readjustment tool to adapt land for urban use
- Reconstitution of land holdings
- Appropriation of land for public uses without acquisition
- Appropriation of land for public uses upto 50%
  - Road Network –upto 20%
  - Local level social and physical infrastructure (upto 5%)
  - Land for Economically Weaker Section Housing (upto 10%)
  - Land Bank for Financing of infrastructure (upto 15%)



Source: AMC/AUDA/CEPT;

Considerable improvements are required in this system to make it more replicable on a countrywide basis. The notable point is that such a system can ensure that the contiguous growth of a city can be managed with seamless integration of road network as well as other infrastructure networks. Also that the agriculture land owner is left with a part of his previous holding but financially not worse off by the increase

in the cost of his urban holding : a thin win, no opposition, no delays and no costs upfront to the city.