

NEED FOR NATIONAL URBAN LAND POLICY

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Adequate and affordable HOUSING is sine-quo-non for leading a safe, secure and a dignified life by the public at large. 'Shelter for All' cannot remain a mere slogan; it is a basic human need, and therefore, the Government at all levels – Local, State and Central – have the unambiguous responsibility to ensure fulfillment of these basic facilities.

According to latest U.N. Report: 'State of World Population – 2007', (entitled 'Unleashing the Potential of Urban Growth'), nearly 29% of the Indian population lives in cities which is going to increase by 40.7 per cent by 2030. Moreover, nearly 55 per cent of the urban people live in slums. The Report has further identified women, children, widows and female-headed households as the most vulnerable groups who are the victims of environmental degradation and thus lack essential services. In brief, urban poor are faced with insecurity of tenure, lack of basic services (especially water and sanitation), unsafe building structure, over-crowding, limited access to credit and formal job markets.

Scarcity of developed urban land, high costs, rising prices of materials and services and resource constraints etc. are some of the major factors which compel majority of low-income families to live in sub-standard shelter and unhealthy environment unfit for human habitation. One of the major ingredients is the land at affordable cost. There is, therefore, a strong need for regulated land supply to urban poor. The Government, cooperatives, community based organisations and the civil society are therefore, under an obligation to play a more pro-active role to achieve this important social objective.

Statistics too reveal that there is a consistent fall in the per capita availability of land area across the country (from 1.28 hectares in 1901 to 0.32 hectares in 2001). Simultaneously, the demand for developed land area and house sites shot up in cities and towns causing escalation in land costs. The poorer sections have become the worst affected lot as they can not 'afford' a reasonable housing facility in the emerging high land cost scenario. As such, they have to search for

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alternative housing options, viz. to settle in marginal land areas, on river banks, railway tracks, under fly-overs, parks and playgrounds or even land sites reserved for designated social amenities like schools, community centres, etc. Such encroached settlements are bereft of basic amenities and services of drinking water, drainage, sewerage, streets and pathways, authorized electric supply and essential social infrastructure.

There is, therefore, a need for a National Urban Land Policy which aims at optimum social use of urban land, supply of adequate quantity at right time and at reasonable cost to various stakeholders, to encourage civil society, community and cooperative organisations to be involved in the field of land acquisition, development, construction and maintenance, and thereby preventing private players from speculation and promote flexibility in land use etc. etc.

Need for a Regulated Land Supply

The need for regulated land supply emerges, primarily to facilitate access to affordable house sites and shelter for everybody which may ultimately lead to a properly planned and developed living environment. This in turn, can be possible only through well defined land policies concerning land acquisition, land development and land disposal/utilization. Controlled or regulated land pricing mechanism can also play a key role in effectively implementing a well articulated land policy.

“Land” is a State subject, which falls in List-II of our Constitution. That is why, the Union Government merely plays an ‘advisory’ role on the land management practices. The Union Government has been propelled to frame a National Land Policy keeping in view the existing problems in land practices of various states. The propensity of the State land policy have to be amended in providing access to the urban poor. The Urban Land ceiling and Regulation Act of 1976 enacted by the Union Government for regulating the supply of urban land, proved to be a failure and has since been rescinded. The proletariat have to be purveyed with the basic necessity of shelter; this should be of paramount importance in framing comprehensive National Land Policy.

There is, therefore, a dire need that the existing urban land policies of different states ought to be revisited; deliberate the diverse partnership approaches in the urban land development; Study the pros and cons of

various state land policies which were trammeling the land development; and synthesize and analyze the issues and options of various urban land policies, for the frame- work of an action plan.

Special focus would have to be given on Land Policies of Maharashtra (CIDCO model), National Capital Territory of Delhi (Monopolization of Land Development Model) and National Capital Region (Land Policies in the context of an integrated spatio-economic development of an inter-state region involving different states).

Master Development Plans

Master Development Plans, generally referred to as Master Plans are the instruments through which land uses are prescribed for achieving the desired pattern of spatial and economic development of urban settlements. These spell out the land uses according to the required level of social and economic growth. In this process, a judicious distribution of all available land areas and the zoning regulations which prevent misuse of allocated land helps in achieving the desired goals. The urban development includes various parameters like Socio-Economic, Cultural, Demographic and Environmental, Transportation and visual aspects. Planning is a dynamic process and is evolved methodically through constant monitoring and feedback keeping pace with the fast changing developments. It involves participation from all sections of civil society. Creating an egalitarian society is what determines the success of planning.

The Bhore Committee as late as in 1946 recommended improvements in the field of town planning and accordingly Improvement Trusts came into existence under the then Health Ministry. Master plans were to be prepared for towns having more than 10,000 population and the programmes of Improvement Trusts were to be designed strictly as per the guidelines of the Master plan.

Master plans were to be prepared for all towns/cities after the Third Five Year Plan, and grants were allocated by the Union Government to State Governments for plan preparation and for enacting State Town Planning Act, by keeping Town and Country Planning and Development Law (prepared by Town and Country Planning Organisation) as a model.

According to a study conducted by the Town and Country Planning Organisation (TCPO), 879 Master Plans have been prepared under the state Town and Planning Acts, Town Improvement Trust Acts, City Development Acts and other legislations. 319 towns are in the plan preparation process and draft stage. Absence of proper legislation leads to non-statutory plans in some states. The study by TCPO also indicates that there are 150 city development authorities.

Status of Master Plans in India

States/Union Territory	Plans approved by the Govt.	Draft plans prepared	Plans under preparation	Total
All States and UTs	879	158	161	1198
Gujarat	106	-	-	106
Maharashtra	230	4	14	248
Haryana	36	2	15	53
Delhi	1	-	-	1

Source: A Report - Master Plan Approach Efficacy and Alternatives by Town and Country Planning Organization, 1998

However, the plan implementation is not up to desired and optimum level due to various intrinsic and extrinsic factors such as, local bodies poor monetary position, lack of technical know how, cumbersome procedures, administrative delays in land acquisition, multiplicity of agencies and less institutional support. Another important factor is that the owners of land take-up the matter for higher compensation to the Courts by equating their land potentials like strategic locations, vantage areas, higher productivity and market value etc. thereby delaying the acquisition in many cases.

Need for National Land Policy

In the above background, there is a need for a regulated land supply to facilitate access to affordable house sites and shelter to everybody which may ultimately lead to a properly planned, developed living environment. The Government of India should therefore, frame a National Urban Land Policy to remove existing problems in land practices of various States and for strengthening of master plans. Such a well articulated land policy shall have to be formulated by taking into concern grey issues like land acquisition, land development and land disposal/utilisation, controlled or regulated land pricing mechanism. The propensity of the State Land Policy shall have to be amended in providing access to the urban poor and cooperatives formed by low-income families at reasonable cost.

