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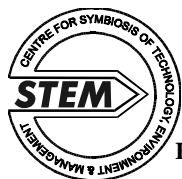
Revisiting Land Use Planning & Development Plan Process

For the first time in India's history, Town & Country Planning/ Urban & Regional Planning has been accorded constitutional support and status by the 74th Amendment. Yet, local government administration in India continues, by and large, to be antiquated and ineffective. It is slow in adjusting itself to growth and change. Proliferation of local bodies having little or no co-ordination/ co-operation and with overlapping jurisdictions, powers and functions has further eroded their effectiveness. This calls for a thorough examination of the prevailing Master Plan (MP)/ Land Use Plan (LUP) related issues. Besides, policies have to be initiated with a view to revamping the process of formulation & implementation of land use plans and management mechanisms. It was against this background that, during the early part of 2002, STEM undertook a study on Land Use Planning in the entire state of Tamil Nadu with special focus on two cities – Coimbatore (a City Corporation) & Kancheepuram (a City Municipal Council).*The study was sponsored by the Directorate of the World Bank-assisted Tamil Nadu Urban Development Project (TNUDP) II.

Dear friend,

Over the last four decades, more than 1500 Master Plans (Land Use Plans) have been prepared for different urban centres across the country. However, these have neither matched nor controlled the pace of urban growth. One reason for this is that, despite the 74th Amendment to the Constitution, local government administration in the country continues to be antiquated and ineffective. The case of Tamil Nadu, the second most urbanized state in India, is no different. A study conducted by STEM in that state indicated that, though planning and plan preparation were accorded high priority, paradoxically, plan implementation received less attention from both planners and administrators alike. This issue carries some excerpts from the study. We wish to take this opportunity to put on record our deepest gratitude to the Tamil Nadu Urban Development Project (TNUDP)-II Directorate for commissioning this study and extending all-out support for its successful completion.

Yours truly,



B. Bhaskara Rao
Executive Director

April 2004

OBJECTIVES

The main objectives of the study were to

- Assess and review the Land Use Planning (LUP) & Development Plan (DP) process in the context of the amended Acts of the Govt of India and Govt of Tamil Nadu
- Examine the capacity of Urban Local Bodies (ULBs) to undertake the new thrust areas
- Define, demarcate and establish the functional linkages between ULB and line agencies besides examine ULB's relationship with District Planning Committees (DPCs), Metropolitan Planning Committees (MPCs) and Ward Committees

METHODOLOGY

The methodology for the study consisted of the following elements:

- Carrying out a detailed analysis of the existing Master Plans and Detailed Development Plans

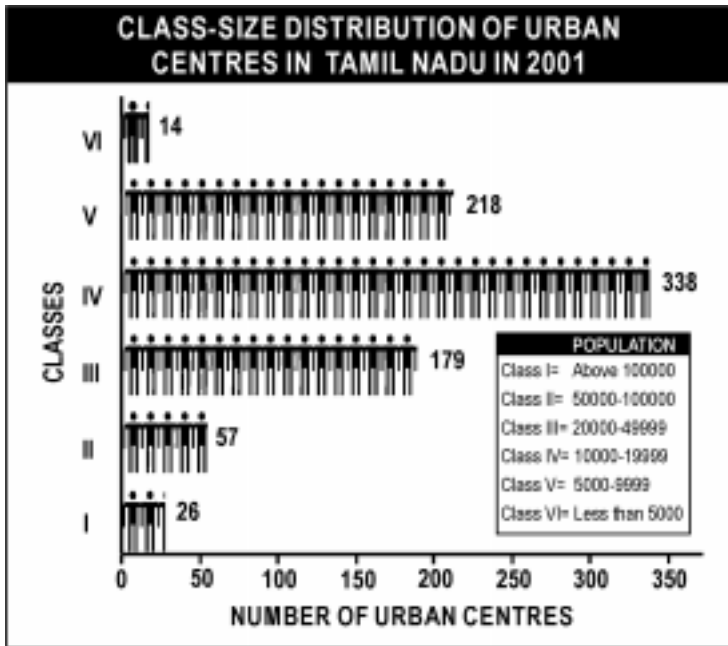
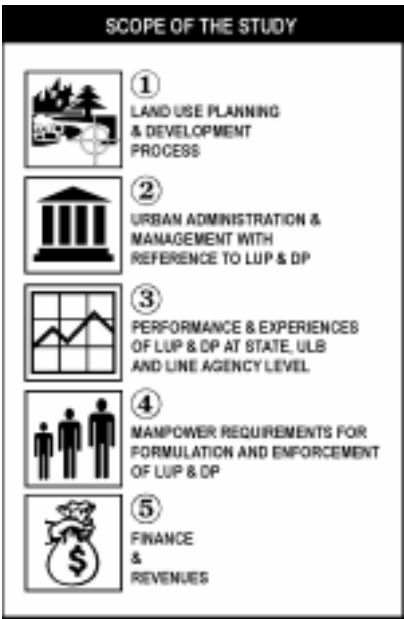
* Prior to this, during the mid '90s, STEM had carried out a study on the Master Plan process in India on behalf of the Ministry of Urban Development, Govt of India. The study, entitled "Implementation of Master Plans in India: An Objective Review", took stock of the process of preparing and implementing Master Plans, based on the performances of four states representing four regions of the country and two Class I Cities in each. The study concluded that the alternative planning models under Structural Plan and Development Programme (SPDP) provided more scope for effective implementation and recommended that all Master Plans/ Development Plans be redesigned accordingly. The Review was profiled in an earlier issue of *STEM Reporter* (SR-10/99).

URBANISATION & THE DEVELOPMENT PLAN PROCESS IN TAMIL NADU

Tamil Nadu ranks sixth in population and 11th in area amongst the states of the Union. It is the second most urbanized state in India. According to Census 2001, the urban population of Tamil Nadu is 27.24 million spread over 832 urban centres, constituting 44% of the total population (62.11 million). In other words, almost every second person in the state is an urbanite. The urban population of the state has recorded a growth rate of 43% during 1991-2001. Majority of urban population (77%) is concentrated in the 262 Class I to III towns (31%) (see chart below). Further, this is coupled with a high growth rate of urban agglomerations and the peripheral towns surrounding them. The increasing trend in growth of urban population is likely to continue in the future decades.

The 74th Amendment attempts to vest democracy in the municipal government. However, Tamil Nadu has only partially adhered to the provisions of the Amendment, while adopting them into the *Tamil Nadu Municipal Act 1920* and *Municipal Corporation Acts* by making suitable amendments. In 1998, all the Acts of Town Panchayats, Municipalities and Municipal Corporations were integrated into The *Tamil Nadu Urban Local Bodies Act 1998*. However, this Act has now been kept in abeyance.

The scope of the current review of the MP/ LUP process, carried out at State and City levels, involved five major components as cited in the adjacent chart.



- Conducting a literature review relating to legal, planning & implementation issues and constraints of land use planning
- Arranging meetings with stakeholders in the two focal cities (Coimbatore & Kancheepuram) to elicit their perceptions on the above issues
- Holding participatory group meetings with stakeholders at state and settlement levels with a view to obtaining their perceptions & views on the above issues
- Organizing two state-level Expert Group meetings to deliberate upon the observations & finding from the study and arrive at recommendations

DELAYS IN MP/ LUP PREPARATION & APPROVAL

LUP centres around MP and DDP. The Tamil Nadu Town & Country Planning Act and the rules issued thereof relating to preparation of MPs and DDPs provide a specific time-frame for their preparation, publication and approval: 41.5 months and 18 months, respectively. However, an analysis of the time spent on the process from the early '70s to the '80s, indicates enormous delays.

AVERAGE OVERALL TIME TAKEN FOR MASTER PLAN PREPARATION IN TAMIL NADU	
Stage	Months
Notification of Planning Authority	—
Constitution of LPA	23.40
Preparation of existing LUP	84.20
Submission of DLUP to Govt for consent	9.50
Consent by Govt	8.10
Publication for Objections & Suggestions	22.50
Submission to Govt for final approval	31.70
Approval & publication in gazette	19.00
Complete preparation of MP	198.40
Review consent	123.00
Review approval	52.40

MAJOR FINDINGS FROM CASE STUDIES

As mentioned above, Coimbatore (a City Corporation) & Kancheepuram (a City Municipal Council) were taken up for detailed study. Focus group discussions were held with various stakeholders in the two urban centres to elicit their perceptions

CASE STUDIES ON COIMBATORE & KANCHEEPURAM

Major Findings

- Time consuming procedure for effecting land use changes
- Absence of elected municipal councils and non-involvement of people in plan process
- Rigid plan format
- Inflexible planning/ development norms and rigidities in land use
- Cumbersome plan preparation and approval procedure
- Lack of integration of socio-economic development with physical planning
- Lack of adequate dissemination of information and community participation
- Weak institutional set-up for plan implementation
- Lack of focus on development of town level infrastructure
- Absence of plan monitoring, review and evaluation mechanism
- Unassigned roles and targets
- Constraints on financial resources for plan implementation

- Non-availability of lands for public purposes and affordable house sites
- Non-use of modern land management tools and techniques
- Absence of a separate enforcement set-up
- Multiple legal tools and cumbersome planning permission procedures

Key Issues

- Exceptional time-lag in planning & implementation of the Master Plan and Development Plan
- Lack of skilled staff
- Overlapping of jurisdiction and control of multiple agencies leading to bureaucratic delays
- Lack of proper interface between government bodies, ULBs and the general public/ community
- Lack of planning & co-ordination between line agencies, private sector and government

on the legal, planning & implementation issues pertaining to land use planning. The major findings and key issues that emerged from the case studies are presented in the box above.

POLICY RECOMMENDATIONS

The study identified a three-pronged policy towards formulation & implementation of land use plans, and management mechanisms. The policy comprises: (i) Simplifying of Procedures; (ii) Redefining Institutional Roles & Responsibilities; and (iii) Replacing the Master Plan Framework with a Structural Plan & Development Programme (SPDP).

Simplifying Procedures

- A ULB-level single window system may be created for granting planning permission.
- Current system of referring requests for planning permission to state-level agencies may be discontinued.
- Building bylaws and regulations have to be city-specific instead of being part of a common set of Development Control Rules (DCR)
- The existing six categories of land use zones should be replaced by three categories: (i) Protection & Conservation Zone; (ii) Future Urbanizable Zone; and (iii) Exclusive Use Zone

Redefining Institutional Roles & Responsibilities

The roles and responsibilities of institutions involved in planning and development of urban areas could be redefined on the following lines:

Urban Local Body (ULB)

- Preparation and implementation of SPDP packages
- Approval of Housing & Land Development Programme (HALDEP), Integrated Infrastructure Plan & Programme (IIP) and Annual Action Plan & Programme (AAPP)
- Urban Planning including Town Planning
- Regulation of land use and construction of buildings
- Planning & building permission approvals
- Planning for economic and social development
- Other functions contemplated under 12th Schedule of Constitution Amendment Act

Composite Local Planning Authority (CLPA)

- Assist ULBs in preparation and implementation of SPDP package
- Co-ordinate with DPC in preparation of District Development Plan (DDP)

District Planning Offices (DPOs) of Directorate of Town and Country Planning (DTCP)

- Function as Secretariat and technical wing of DPC
- Compilation of plans prepared by village panchayats and ULBs in the district and preparation of Draft Development Plan (DDP)
- Other statutory functions

Metropolitan Planning Authority (MPA)

- Function as secretariat and technical wing of MPC
- Compilation of plans prepared by the ULBs and village

panchayats in metropolitan areas

- Preparation of SPDP for metropolitan planning area and monitoring
- Other statutory functions

Directorate of Town & Country Planning (DTCP)

- Advise the government on urban planning and policy decisions
- Co-ordination and monitoring of functions of DPOs, CLPAs, and MPAs
- Monitor the SPDP process
- Preparation of human settlement plan consolidating all Perspective Structure Plans (PSPs) of the entire state

District Planning Committee (DPC)

- Consultation for preparation of SPDP package and approval of PSP
- Consolidation of plans prepared by village panchayats, municipalities of the districts and preparation of DDP and forwarding it to government
- Co-ordinating spatial planning, sharing of water and other natural resources, integrated development of infrastructure

THE MASTER PLAN & THE NATIONAL SCENARIO

The Master Plan for an urban area is envisaged as a comprehensive plan for orderly and systematic development. It is essentially a land use plan with regulatory guidelines to ensure orderly development of the town/city for a period of 20-25 years with provision for mid-term appraisal, review and updating once in 5-10 years. The purpose of the Master Plan (MP)/ Land Use Plan (LUP) is to create a 'total environment' for its inhabitants, functional and healthy for working, living, communicating & recreating. In the last four decades, more than 1500 MPs have been prepared for different urban centres across the country. The MPs/ LUPs prepared under various State Town Planning enactments have legal backing and they are statutory. However, plans have neither matched nor controlled the pace of urban growth. Though planning and plan preparation have been accorded high priority, paradoxically, plan implementation has received less attention from both planners and administrators alike.

and environmental considerations between panchayats and municipalities

Metropolitan Planning Committee (MPC)

- Consultation for preparation and approval of SPDP package
- Preparation of DDP for the metropolitan area as a whole and forwarding it to government
- Co-ordinating spatial planning, sharing of water and other natural resources, integrated development of infrastructure and environmental considerations within metropolitan area

MAJOR COMPONENTS OF SPDP				
Plan Features	PSP	HALDEP	IIPP	AAPP
Horizon Period	15-20 years	5 years	5 years	1 year
Review	Every 5 years	Every year, if necessary		Rolling
Preparation & Co-ordination	ULB/ Planning Authority in association with District Planning Committee (DPC) & District Planning Office (DPO) of DTCP			ULB in association with Line Agencies
Approval	DPC	ULB		
Implementation	Not applicable	ULB/ LPA in association with Line Agencies & private participation		
Monitoring	DPC, DTCP, DMA & DTP		ULB	
Time taken for preparation	6-9 months	6 months	6 months	Annually

Replacing Master Plan with SPDP Framework

One important policy recommendation made by STEM was that the present Master Plan package be replaced with an SPDP. The SPDP would have four major components with features as shown in the chart above. The ULBs and CLPAs must associate the line agencies with the SPDP, right from its preparation to implementation. ■

GLOSSARY OF ABBREVIATIONS: AAPP: Annual Action Plan & Programme; CLPA: Composite Local Planning Authority; DCR: Development Control Rules; DDP: Draft Development Plan; DP: District Plan; DPC: District Planning Committee; DMA: Director of Municipal Administration; DPO: District Planning Office; DTCP: Directorate of Town & Country Planning; HALDEP: Housing & Land Development Programme; IIPP: Integrated Infrastructure Plan & Programme; LPA: Local Planning Authority; LUP: Land Use Plan; MP: Master Plan; MPC: Metropolitan Planning Committee; PSP: Perspective Structure Plan; SPDP: Structural Plan & Development Programme; TNUDP: Tamil Nadu Urban Development Project; ULB: Urban Local Body; ULP: Urban Local Plan.

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