

PROBLEM OF ADMINISTRATIVE STRUCTURE FOR URBAN DEVELOPMENT

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The question of designing an administrative machinery for planned urban development has to be considered in relation to the problems thrown up by urbanization and the tasks that such a machinery should be called upon to fulfil. What are, therefore, the implications of the process of urbanization and what does the term "Urban Development" connote ?

Process of Urbanization

In contradistinction to the static concept that divides given population into rural and urban, urbanization implies a dynamic process of socio-economic change. The process involves the constant transition from the rural to the urban creating a host of social, economic and planning problems. Urban planning and development implies not merely improvements and renewals in the existing city but taking care of the forces of expansion that defy municipal boundaries and set into motion a process of transition from the rural to the urban. The process of urbanization involves the transformation of the rural into the urban both physically and socially leading to a major change in modes of living and human relationships. This happens in the following ways :

- (a) By the movement of the rural population to the urban centres mostly for employment opportunities exposing on the one hand the rural people to new social strain and on the other requiring the urban administration to provide for services and housing facilities for its rapidly growing population.
- (b) By the physical inclusion of large areas that are at present rural into the urban limits by extending municipal boundaries.
- (c) By peripheral growth and development outside municipal boundaries due to the overflow from the city working out the pressure on its spaces.
- (d) By establishment of new towns in midst of rural areas.

The rush to the urban centres and the rapidity of their expansion and growth is mainly due to the employment opportunities and the most important factor that has promoted the urban process is industrial location. Industries themselves have a tendency to concentrate in and around the existing metropolises which have the necessary advantages of communication, power supply and ancillary establishment giving benefits

of localisation of industries. With the rising cost of land within the city limits, industries tend to be established on the periphery where land is cheap and industrial establishments are free from municipal taxes and general enforcement of municipal regulations and yet enjoying the advantages of proximity to the towns. This results in considerable land speculation and long before regulatory controls are introduced or municipal boundaries are extended the rising land prices and haphazard growth makes the operations of urban development extremely difficult and expensive. Any machinery for planning and development not only should be able to take care of the areal dimensions of urbanization irrespective of the urban and rural local bodies in whose jurisdiction the area lies but it should also be possible to plan and develop counter magnets in a regional setting to relieve the main city of growing pressure on its services.

Urban Development

The term "Urban Development" embraces the whole field of planning and execution of works to provide the infra structure so that a large mass of population concentrated in a limited area is able to live in healthy surroundings and can follow their social, cultural and productive activities with relative ease and efficiency. It involves advance physical planning of an area in anticipation of future requirements to forestall any haphazard growth and development. Apart from being regulatory it has to be positive linking up larger economic plans with physical areal plans. It also requires the development of community facilities such as water supply, drainage, roads and communications for a growing and expanding urban area. In addition to provision of trunk lines it involves land acquisition and development for residential neighbourhoods and for commercial and industrial purposes so that the transformation of the rural and semi-urban areas into a healthy urban society is facilitated and the present chaotic growth leading to slums and squalor is avoided. This requires an overall authority equipped with necessary administrative and technical expertise. We have instead a host of authorities set up for limited purposes with a piecemeal approach to a complex and difficult problem which requires imaginative and comprehensive handling.

Improvement Trusts

The earliest attempts at devising a machinery to deal with the problems of urban growth and town expansion were made by the Bombay Act of 1898 setting up an Improvement Trust for the premier city. This was followed in 1911 by the Calcutta Improvement Act and later by an Omnibus Act for the then United Provinces of Agra and Oudh—The U. P. Town Improvement Act 1919. The U. P. Act was extended in Delhi and was the basis for the Improvement Trusts Act in the Punjab. Bangalore had an Improvement Trust under a special Act in 1945 and Trivandrum in 1960. The Howrah and the Madhya Bharat Town Improvement Acts were passed

in 1956 and the latter was replaced by the Madhya Pradesh Town Improvement Trust Act 1960. All these Acts except the Bombay Act are still in force and the Improvement Trusts continue to function in a large number of towns and cities. The basic structure and functions of these Improvement Trust Acts are practically the same. The Trusts have about 5 to 10 members out of which 3 or 4 are usually nominated by the Municipal Councils of the city concerned. The Chairman and other members are appointed by the State Government and they include technical officers such as the Director of Town Planning or Public Health Engineers. The Improvement Trusts have functioned purely as executive agencies for acquisition and development of land within the city limits or at the periphery under limited town expansion schemes. A number of them have done commendable work but their main shortcoming has been the absence of a town planning perspective. They generally undertook planning and development of isolated neighbourhood without drawing up an overall master plan for the growing city with a city-wide system of communications and zoning of land uses. The development of water supply and sewerage facilities remained the responsibility of the municipal authority and the Improvement Trusts merely connected the water supply and sewerage lines of the pockets developed by them to the existing municipal mains. They were thus mere adjuncts to the municipal body undertaking land development and improvement.

A modified model of the Improvement Trusts was created for Kanpur under the Kanpur Urban Area Development Act 1945. This Development Board had broader membership including the District Collector, the Labour Commissioner, the President of the Cantonment and some representatives of Industry and Labour. It was vested with the powers of managing and developing water supply and sewerage but the arrangements envisaged in the Act brought the Development Board in direct clash with the Municipality which continued to be the agency for the collection of water rates and taxes. The Development Board also did not have under the Act any of the powers for preparation of master plan and its enforcement with the results that the Kanpur Master Plan prepared in 1949 could never become a legal document. The Development Board along with the 4 Improvement Trusts of the Kabal towns in U. P. was merged with the new Corporations under U. P. Nagar Mahapalika Adhiniyam 1959 which incorporated the provisions of Improvement Trusts Act and set up a statutory Development Committee within the framework of Corporation.

In Delhi also the Improvement Trust was replaced in 1958 by the Development Authority. A high power body with the Chief Commissioner (now Lt. Governor) of the Union Territory of Delhi as the Chairman. It has also been vested with responsibility of enforcement of the Delhi Master Plan and undertaking all development activity in accordance with the Plan. The Delhi Development Authority, however, suffers from the

limitation of having no control or responsibility for the development of water supply, sewerage and electricity services which vest in the Municipal Corporation of Delhi. There have been great many instances of a lack of coordination between the requirements of the Delhi Development Authority for the new colonies that it develops and the capacity of the Municipal Corporation undertakings to provide the necessary community facilities for these new areas.

Another limitation arises out of the broader question of inter-State relations. The National Capital Region covered by the Delhi Master Plan includes contiguous areas lying in the adjoining States of Haryana, Rajasthan and Uttar Pradesh which are experiencing the direct impact of the processes of urban growth in and around Delhi. Some measure of adjustment and integration has been obtained through a high power body which includes representatives of the State Governments concerned under the Chairmanship of the Home Minister, but in the absence of any legal framework it has been difficult to ensure the implementation of the proposed Master Plan of Delhi in these peripheral areas. Similar situations do arise in the development and expansion of boundary regions between two or more States which require a special machinery.

Town Planning Legislation

The Bombay Town Planning Act, 1915 was the first of its kind in India. This was replaced by the Bombay Town Planning Act 1954 to provide for the preparation of Development Plans or Master Plans for the whole town or city. According to the Act every local authority was also the planning authority for its own area. The local authority could also prepare small town development schemes within the framework of the development plans. Under the Act local authority could not prepare plan for areas beyond its jurisdiction. This lacuna was highlighted when the Bombay Municipal Corporation prepared a Master Plan for the municipal city of Bombay without taking into account the development that was going on immediately beyond its boundaries which included such municipal areas as Thana, Kalyan, Ullahasnagar. Moreover, a policy decision had been taken by the Maharashtra Government to restrict the concentration of any further industries in the Bombay and to take steps for achieving industrial dispersal to relieve the pressure on the city of Bombay. This evidently requires planning and thinking on a regional basis. The Bombay Act has, therefore, been further replaced by the Maharashtra Town Planning Act, 1966 according to which it is possible to set up regional planning boards and the Maharashtra Government have set up Metropolitan Regional Planning Boards for Bombay and Poona. These regional planning boards are purely planning authorities, the implementation of the plans and the preparation of the detailed town planning schemes being left to the respective local authorities in the metropolitan region.

The Madras Act of 1920 provided for the preparation for the general town planning scheme for all lands with a municipal area or its vicinity. The Act can also be extended to non-municipal areas and there is provision for the constitution of Joint Town Planning Committees of local authorities in the planning areas. But this has proved to be an impracticable exercise. This Act has also been adopted in Kerala and has been enforced in parts of Mysore and Andhra. The Madhya Pradesh Town Planning Act, 1948 more or less followed on the old Bombay pattern, while in Gujarat the Bombay Town Planning Act, 1954 continues to be in force.

A Model Town and Country Planning law was approved by the Second Conference of State Ministers on Town and Country Planning held in 1962 and it was commended for adoption by the State Governments. This model Act did help to influence thinking in the States and a number of States namely Andhra, Gujarat, Kerala, Madhya Pradesh, Punjab, U. P. and West Bengal are contemplating legislation on these lines. Apart from the recent Maharashtra Act the only State to pass comprehensive Town and Country Planning Act is Mysore. The Mysore Town and Country Planning Act, 1961 came into force in 1963 but it suffered from the limitation of making every local authority, the planning authority within its own jurisdiction on the lines of Bombay. The Act has since been amended to provide for area planning authorities to be set up by the State Government. Assam had also passed a Town and Country Planning Act, 1959 according to which the power to prepare a master plan for any area was rested in the State Director of Town Planning who was to submit the Master Plan for any area for the approval of the Government, which could after necessary scrutiny and consideration of the objections notify the plan. But the Act did not provide for an appropriate agency for the implementation of such plans. The difficulty was felt after the Master Plan for Gauhati had been prepared by the Town and Country Planning Department. The Assam Act was amended in 1962 empowering State Government to constitute the development authority under a Chairman to be appointed by the State Government with representatives of local authorities within the area as well as of railway and industry and some technical officers nominated by the Government.

The weakness of most of our Town Planning legislation as well as of the Model Town Planning law has been that they seek to treat planning and the tasks of implementation of Master Plan and Urban development as two separate authorities. In fact, there is a multiplicity of implementing and development authorities which include the municipal body, an Improvement Trust, a separate water and sewerage authority, a housing board etc., all operating in the same area. There has been an academic debate on the question whether planning authority and implementing authority should be one and it has been argued that the planning authority might be a separate entity untouched by having to deal with the

realities of the situation. This has the tendency to make planning dilatory and unreal.

Another defect of Town Planning legislation has been that it is concerned mainly with physical planning without any relationship with economic regional planning. The physical plan of an area must be a consequence of a larger policy of economic planning and industrial location. Moreover, the preparation of city plans have largely been confined to the existing towns and to some extent their peripheries. As has been pointed out in the opening paragraph of this paper the emphasis of planning must lie on the areas that are vulnerable to urbanization and which lie almost wholly outside the municipal boundaries. The problem of urban planning and development must be considered in their real and regional perspective. The region can be a big metropolitan area or it can be a town group or it may be a resource region or a countermagnet to a metropolitan centre. Whatever may be the area that may be identified it should be placed under a single development authority both for purposes of planning and for total urban development.

An attempt has been made to combine the functions of town planning and urban development in the Bihar Town Planning and Improvement Trust Act, 1951, the Orissa Town Planning and Improvement Trust Act, 1956 and the Rajasthan Improvement Act, 1959. These acts are the replica of the other Improvement trust legislation with the additions of some provisions for the preparation of Master Plan by the Improvement Trust in Bihar and the State Town Planning Department in Rajasthan. But the Acts lack adequate provision for the zoning and control of land uses and are tied down to the municipal areas and their peripheries. They are not the instruments for implementation of a State wide policy of urban development. They are also subject to all the other institutions of an Improvement Trust.

Proposals for Administration Structure

It would be instructive to have a bird's eye view of India's present day urban complex. According to the 1961 census there were 2700 towns out of which only 107 cities or 112 town groups had a population of one lac or over. Only 733 of the 2700 had a population of 20000 or over. Of the 330 districts in India 60 did not have a single town with a population of 20000 or more and 65 of the Districts Headquarters had a population of less than 20000, and 97 had a population of one lac or more. Out of the 270 districts having an average of the 2.7 towns of the population of 20000 or more, 167 had only one or two such towns and 87% had only one to four towns of the size. The largest number—26, fell to the share of 24-Parganas in West Bengal, all of them being part of the Calcutta metropolitan inter-district complex. There are about twelve town groups with a population of 5 lacs or more that would need metropolitan agencies

apart from some fast developing cities and industrial complexes. With the above background, the following statutory planning and development authorities are suggested at the local level :

- (a) for large cities and city regions including inter-district urban complexes there should be a separate metropolitan planning and development authority. Its jurisdiction should be defined by the State Government taking into account the urbanizable areas around the city. This would cover most of the major corporation towns and State capitals. Similar urban regional planning and development authorities should be constituted for fast growing industrial towns and urban areas, such as the Durgapur, Asansol complex in West Bengal. Ranchi, Jamshedpur and Dhanbad-Jharia town groups in Bihar, Bhopal in Madhya Pradesh, Rihand and Rishikesh in U.P., Chandigarh in Punjab-Haryana, Rourkela in Orissa, Coimbatore in Madras, Cochin-Alwayee in Kerala, etc. The State Governments can identify such areas vulnerable to urban expansion, demarcate them and place them under such an urban planning and development authority.
- (b) for the areas outside the jurisdiction of the metropolitan or urban area authorities, there should be district level planning and development authority. In case the area left out of a district is far too small, it would be better to place that also under metropolitan jurisdiction. These district authorities as distinct from the Zila Parishads would be responsible for regulating and promoting planned urban development intergrating economic, social and physical plans of the rural and urban areas. The range of activity of such a body will depend on the degree of intensity of the urbanization process in the area.

These authorities should be representative of the principal municipal and Panchayat Raj bodies in the area including cantonments and should be presided over by a Divisional Commissioner. The District authority may have the District Magistrate as the Chairman. Important Government departments such as the railways, electricity boards, as well as industry and labour may also be represented. The metropolitan authority would require a strong team under a senior executive supported by adequate and competent technical staff both for planning and for execution of development works.

The functions of these authorities would include the entire tasks of physical planning and urban development apart from the co-ordination and integration of urban and rural five year socio-economic programme plans. These authorities will more or less function as upper tier area-wide organisation, with primary responsibility for the enforcement of plans

and zoning regulation as also developing area-wide facilities of water supply, drainage and sewerage, roads, bridges and communications etc. It is possible to allow local distribution and control being left to the individual local bodies depending on their capacity to undertake such tasks. This authority will also provide the machinery for co-ordinating the activities of departmental agencies of the State and Central Government in so far as they affect urban development. Since they will be the authorities for acquisition and development of land to meet the requirements of urban expansion, they can also be the housing authority for the area.

Our District Five Year Plans have mostly been rural plans and the Panchayat Raj institutions have not been oriented to the urban impacts of the developmental process. The towns and cities have so far been more or less left out of the planning process. The district planning authorities will bring together and co-ordinate the rural and urban plans of communications, industrial development, health and education and submit them to the State Governments for intergration with the State Plans.

State-Level Set Up

The field organisations indicated above will need for their proper functioning an appropriate machinery at the State level. The Model Town and Country Planning law envisages the setting up of a State Town and Country Planning Board to direct the preparation of development plans by local planning authorities and to assist and advice on the coordination in the planning and implementation of physical development programmes. This function can well be performed by the Town and Country Planning department in every State. What is needed is an urban development cell with an inter-disciplinary team to advise and assist the Government in identifying and delineating urban regions requiring separate authorities or being dealt by the district planning and development authorities. While the metropolitan areas will have a strong base to function at their own it will be the task of the State set up to help mobilise and provide the technical guidance and assistance of the respective Government agencies of the District Planning and Development authorities in matters of preparation of physical plans, extension of power supplies and communications, designing and execution of water supply and other community facilities and developing centres of industrial and commercial activity to counter the process of rural migration to metropolitan centres. It will also be the task of this organisation in each State to integrate the local plans into State plans and to co-ordinate the activities of the various departments in so far as they relate to urban growth and industrial location.

It may also be necessary for some States to consider a proper grouping of portfolios that directly affect the physical planning and development of urban areas. A number of States have brought together

under one department or a single ministerial charge the departments of local administration, housing, town and country planning and water supply and sewerage. In fact there is need of a composite department of Housing and Local Self-Government. The practice varies considerably from State to State.

The above proposals should be embodied in a single Town and Country Planning and Development Act setting up overall planning and development authorities with the necessary powers to control, regulate as well as positively direct and promote planned urban expansion and develop necessary urban facilities. The State laws may also provide for joining hands with the adjoining States for setting up joint machinery for the development of Inter-State regions. Adjoining States can join in an endeavour to at least draw up a common physical plan which can be implemented by the respective Governments. But it is conceivable that difficulties may arise in executing work of drainage and water supply in any such area and the States may agree to parliamentary legislation for setting up Inter-State water supply drainage and or other development agencies with States representation and in agreed system of sharing of costs.

Needless to say that a corresponding administrative organisation will be needed at the Centre to enforce regional policies of urban development that have been spelt out particularly in the Third Five Year Plan but have lacked implementation in the absence of an appropriate machinery both in the Planning Commission and in the administrative Ministries.