

Matters of Governance

Growth and Space in Urban India

○ K C Sivaramakrishnan

For most citizens urbanisation is a series of irritants and deficiencies. Lack of basic services, crumbling infrastructure, congestion, pollution, slums, crimes — the list is endless. In any city, big or small, if the question is asked ‘who is in charge of this city’, the answer is painfully simple — ‘no one’. Notwithstanding such irritation as a common thread, the issues of urban governance are as varied as the cities. In this article I attempt to provide the context and contours of urbanisation.

After remaining dormant for many decades, urban governance has assumed some importance and urgency in the context of the Jawaharlal Nehru National Urban Renewal Mission (NURM) launched recently with much publicity. While its success will be seen in the years to come, it has certainly provided an opportunity to the Ministry of Urban Development to merit its own letterhead. Among the various organs of the Government of India, the Urban Development Ministry has been more ‘Delhi centric’ than the others. Whether this is because of the hollowed out Land and Development Office, L&DO, which came into existence soon after the imperial capital shifted from Calcutta, or the Delhi Development Authority, which is the local variant of the Leviathan, the Ministry of Urban Development has carried Delhi’s burden around its neck for several decades. The NURM gives it an opportunity to relate to the rest of the country.

Basic Services

The popular perception is that urban areas are better served with regard to water supply and sanitation. To a fair measure this is true, but behind this perception there is the harsh reality of gross inequities. The frequency and duration of water supply and the

quantum available for the majority of urban households are severely limited and the quality of water often unsatisfactory. Trans Yamuna residents in Delhi would dismiss as a joke the claim that Delhi’s per capita water supply is more than 200 litres. Many cities in India often have to contend with severe restrictions, including no supply on some days of the week. As for treatment of domestic waste, even in those cities where a sewage system exists, less

than half the population is connected and usually less than half of the sewage carried in the system is treated. To cite Delhi again, it manages to generate more sewage than the quantum of water it draws from the Yamuna. Untreated sewage is the single largest riparian contribution that Delhi makes to Mathura and Agra. Providing basic sanitary services is not just a matter of capital investment.

When it comes to infrastructure, little evidence is needed about its crumbling status. Recently, the rain-drowned cities of Mumbai, Chennai and Bangalore revealed that lives were lost and the city’s economy ground to a halt just because the clouds opened. Newspaper reports and postmortem analyses have been numerous but all agree that the damage would have been much less if the natural drainage streams had not been interfered with. Improving the road system and providing other means of transport stand out as formidable tasks. Connectivity is one major reason why a city exists. If that is affected, the economic purpose of the city is undermined. Is lack of money the basic problem? Yes, but only partly. The paradox of rich cities and poor city governments continues to persist.

Planning Future Growth

Spatial planning that provides for future growth is



Despite paying substantial amounts of money for building modest houses, the residents remain “illegal” encroachers because our land laws go against the poor in their quest for legal housing

yet another important task of urban governance. Over the past five decades of 'planning', India has managed to confound the very meaning of the term. At one end of the spectrum, the national level, there is the nearly philosophical discourse on planning for economic development. At the other end, at the municipal level, 'plan' only means a statutory land use master plan. Eventually this 'plan' is further reduced to the exercise of passing building plans, usually by deceit and corruption, rather than as a result of a simple and transparent system. Between these two extremes, planning as practised by most government departments and agencies only means a miscellaneous collection of schemes and projects, a largely opaque process of sanction and funding, and a spotty record of implementation.

The past few months have seen several court judgements across the country, from Delhi, Mumbai, Bangalore, Chennai and other courts. Counting violations of building bye-laws, ordering their demolition and keeping a tab on the path and progress of the bulldozer have emerged as important activities of the High Courts. The matter has received significant attention from the Supreme Court as well. Why is it that managing the cities has taken centre-stage in litigation? One important reason is the casual attitude, the almost deliberate neglect of the issues of urban management. Urban is usually regarded as 'municipal' and what is municipal is considered unworthy of attention.

Locus of Responsibility

The incursion of the state governments into the basic town-planning domain of the municipalities began with the setting up of development authorities such as the DDA during the 1950s and vesting them with land use planning powers.



Cycle rickshaws and handcarts have to compete for space with fast moving cars and buses because there is no space provided for slow moving non-motorised vehicles

Prima facie, this resulted in a conflict of interest, since the development authorities were also involved in land acquisition and development. There was a natural tendency to regard planning as rather subservient to real estate needs. Another justification was that the jurisdiction of municipalities or municipal corporations was limited whereas the area to be planned went beyond their boundaries. In due course many of the powers regarding preparation, revision, or implementation of the planning provisions, even with regard to the existing municipal jurisdiction, was taken over by the state governments. This in turn led to the dilution of municipal authority and responsibilities.

As the discharge of planning functions by municipalities usually followed a committee system, there was at least an opportunity for some discussion and for the process to be comparatively open. Departments of state governments or development authorities are far less accessible. Though in the initial stages of preparing a plan, including a master plan, a system of public hearings and

suggestions is adopted, later on, very important changes are made in the master plan by executive action on the basis of one committee recommendation or the other. For example, in the case of Delhi, though the so-called master plan was prepared and finalised after public hearings, several changes such as mixed land use, additional floor space, etc., were allowed by special orders of the DDA. The frequent changes in Development Control Regulations by the state government was one of the major points of contention in the Bombay Textile Mill Land case. However, the basic responsibility for enforcing building bye-laws invariably rests with the urban local body, who have to face the wrath of the courts. The present demolition disputes in the courts are caused partly by this separation of authority and accountability.

Why have matters come to such a pass? India's expertise and experience in demographics, economics, geography and sociology are high and formidable. Yet the country lacks or avoids an understanding of the size, shape and

determinants of its urbanisation. The Indian census system is probably one of the best in the world, yielding vast data regularly. Yet we have problems understanding or accepting urban demographics.

Unbanization is Inevitable

Our articulate intelligentsia continues to believe and proclaim that urbanisation is caused principally by migration resulting from rural immiseration, and that the thrust of public policy should be to keep the people in the villages and prevent them from moving to towns and cities. This is an extraordinary perception, defying all evidence. Across the world the contribution of the primary sector to the Gross Domestic Product has been going down. Increase in agricultural production has in itself created a demand for non-agricultural goods and services, which in turn creates non-farm and off-farm jobs, thereby increasing urbanisation. This is not to say that rural distress is a thing of the past. There are disturbing reports that the Green Revolution has passed its peak and the agricultural economy is beset with new problems of stagnation in biotechnology, marketing bottlenecks, contract farming and globalised trading. Whatever the outcome, it is clear that the shift to non-farm jobs and urbanisation will continue either because of rural distress or agricultural prosperity — or both. Rural to urban migration is therefore inevitable.

Taking urbanisation as a whole, it has been seen over the past few decades that migration is not the dominant component of urban growth. For the 1961-71 decade, net rural-urban migration accounted for 18.7 per cent of urban growth. It was 19.6 per cent and 21.7 per cent in the

following two decades. For the last decade, i.e. 1991-2001, the percentage has remained the same, around 21 per cent. Natural increase has been the principal component of growth at 60 per cent.

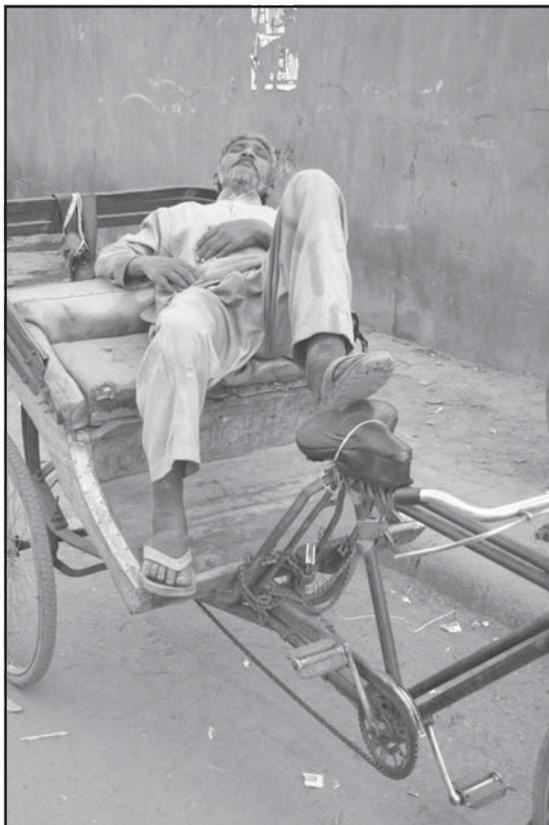
The factors prompting migration are obvious. GDP growth, which has been rising in many states, is also reflected in cities. In fact, in many cases, it is the economic growth of the cities that has helped growth in the respective states. If GDP growth and migration inflows are taken together, it will be obvious that migration is a sensible and positive response to economic change and is indeed a measure of that change itself. The census data on reasons for migration confirm this. Work is the single most important reason for

migration, followed by shifting of the household. It is high time we gave up the notion that people move to cities because of urban amenities, and if the same are provided in rural areas, migration would slow down. Migration is a conscious economic decision and is not one induced by amenities, at least not for the bulk of the people. On the other hand, the economic growth of the destination cities may suffer if migration is stopped forcibly. Migrant flows are an important contribution to the work force in certain categories, e.g., construction, as well as services.

The Spatial Dimension

If urban growth as a manifestation of economic change is inevitable, the next question is whether we understand its spatial aspects.

Increase in population, to some extent, leads to densification of existing urban areas, but more often than not it brings about spatial expansion. Such spatial expansion is determined not only by the effects of economic growth but also by environment factors, transport facilities and proximity preferences of people. The CPR (Centre for Policy Research) study on the Future of Urbanisation has brought out how in many parts of the country urban agglomerations are growing along transport corridors. In the states of Maharashtra, Gujarat, Karnataka, Andhra and Tamil Nadu, which are the states studied, 70 to 90 per cent of the urban population will be in these corridors. Though corridors convey the impression of well knit urban settlements, the experience in India shows these agglomerations are long and thin stretches along a transport artery, bulging only at places without a definite pattern of



For many rickshawpullers, the vehicle they hire to earn a living doubles up as their resting place during the day and night because they can't afford urban housing

core and periphery. The Indian type of urban agglomeration (this is true for much of South Asia as well) is polynodal, covering several administrative jurisdictions, posing frequent challenges to the provision of adequate infrastructure and connectivity.

Instead of densification within built-up areas to accommodate population increase by conscious planning and renewal, the easier option of occupying un-built land with low-density development has been preferred. This practice has also resulted in cities spilling out of their boundaries and becoming a metropolitan sprawl. A recent study on urbanisation comparing census data from 2001 to those of earlier decades draws attention to the phenomenon of declining core and growing peripheries in the case of some metropolitan areas.

Secondly, because of a combination of market forces and absence of area wide renewal planning, densification mainly occurs through commercial development, resulting in congestion, severe pressure on infrastructure and rising real estate prices forcing out lower income people. Thirdly, in some cases, as in Mumbai, low-income families may be further crowding the central parts of the city. The chawls in Mumbai, the havelis in Delhi, the khatras in other north Indian cities, and the bustees within Calcutta illustrate this trend. We need to know more about the location, concentration and shifting of low-income settlements in the urban areas. Overall it can be asserted that most cities do not plan to accommodate migrants and the inflow of the poor. The initiative is left to the migrant and the city's responses are ex-post facto.

Enhancing Urban Mobility

While automobile production and sales are regarded as positive



The state of roads in the heart of Delhi

features in the country's industrial development and its economy, no attention is given to their impact on cities. The automobile industry is quite content to demand that road space in the cities should be expanded, traffic facilities improved by constructing flyovers, traffic managed better, slow moving vehicles banned, etc. However, there are limits to road space expansion. Delhi is considered as one of the better endowed of our cities in this regard, with about 16 per cent of the land space devoted to roads. Other cities are not that fortunate. But even in Delhi, with its passion for flyovers, there is little relief for buses or pedestrians. Whatever benefits accrue from these flyovers, these are only temporary and rapidly jammed up once again by the increase in the number of vehicles.

While allocation of road space in many Indian cities gives little priority

to public transport vehicles, in taxation the situation is far worse. The rates and pattern of motor vehicle tax for private vehicles as well as those for buses are archaic, arbitrary and indicate no particular rationale of revenue yield or equity. It is common knowledge that financing a private car purchase is one of the easiest and quickest of transactions in India. Compared to financing car purchases, obtaining a reasonable interest rate for purchase of a bus or taxi remains a time consuming and difficult exercise.

With regard to mass transit, much time is lost due to unwarranted controversies about choice of technology. In the case of Delhi, several years were lost in preparing more than 30 different feasibility reports. However, once the construction of the metro rail commenced, its construction manager

demonstrated what could be achieved, if the will and direction were available. The positive impact of such a mass transit facility is also beginning to be apparent. Of course, there are other transport options as well, including those which are more cost effective. As the saying goes, 'The cost of doing anything is high, but the cost of doing nothing is higher and is constantly rising.' Delhi is not much of a model for the country, but this is one of the rare instances where its example may be worthy of emulation.

Singapore has been a frequent point of pilgrimage for many urban policy makers and officials in our country. Unfortunately, usually only as a city to visit, shop in and forget. Singapore has the advantage of being an island and therefore the limits to its growth are more easily appreciated by its people. But the Indian city cannot afford to live in its own illusion either. Our responses

over the years to the issue of urban transport reflect gross policy failures. If we do not deal with congestion in a forthright manner, it will deal a serious blow to the city's economy.

The recently launched Jawaharlal Nehru National Urban Renewal Mission (NURM) promises to make available Rs.50,000 crores over a seven-year period to as many as 63 cities across the country,

with the hope that a like amount would be raised by the cities and the states concerned. The mission is contingent on a set of reforms to be undertaken.

Devolving Power to People

Effective implementation of decentralisation measures as envisaged in the 74th Amendment is one of the mandatory reforms prescribed in the NURM. If this is not to remain a mere exhortation, several things need to be done.

(1) Firstly it has to be ensured that elections to the municipalities are held regularly. Even this minimal requirement of the Constitution continues to be flouted. The most recent example comes from UP where the five-year term of all the 11 corporations expired on various dates in January and February 2006 but elections were deferred and the UP Municipal Act amended to enable District Magistrates to function as administrators of these corporations.

(2) Article 243-S also requires that in all cities with a population of 3 lakh or more Ward Committees should be set up, consisting of one or more wards depending on the ward's population size. It is not enough for decentralisation to stop at the state or the city level. Given the size of the city and the variety of



Motorised vehicles increasing much faster than road space

its needs, there has to be a platform to enable public participation at the neighbourhood level. The committee can also serve as a platform of accountability of the Ward Councillor concerned. The NURM is proposing a new law enhancing community participation. This type of participation is already in the Constitution. Adherence to this Constitutional requirement has to be ensured before seeking more legislation.

(3) Article 243W deals with the powers, authority and responsibilities of urban local bodies. The actions to be taken by a state in fulfillment of Article 243W are four fold:

(i) First the powers and authority necessary to be devolved to the municipalities should be made by law. The rationale for this is simple. What is devolved by law can be changed only by law. The yardstick for devolution is to enable municipalities to function as institutions of self-government. In spite of this clear requirement, many state municipal laws prefer to deal with devolution by rules and executive orders which can be changed at will.

(ii) Devolution has to include the preparation of plans for economic development and social justice. This is not a mere philosophical

requirement. It confers on the municipality a clear responsibility and assigns to it the primary responsibility for planning.

(iii)

Devolution is also to include performance of functions and implementation of schemes in relation to the matters listed in the 12th Schedule. The 12th Schedule itself lists 18 subjects. Subjects as such cannot be devolved

but tasks relating to these subjects should be. Most state laws are content with repeating the 12th Schedule. Unlike the Ministry of Rural Development, which has undertaken a conscious exercise called 'activity mapping', where the tasks to be performed by the panchayats at different levels such as village, intermediate and district panchayats have been identified, the Ministry of Urban Development has made very little progress. Of course, a model municipal legislation has been prepared with technical assistance from a USAID-funded project, but the prescriptions of this model municipal law are ambivalent.

Let us review what has been achieved so far. An extensive review of the creation and functioning of the Ward Committees in the states of West Bengal, Maharashtra, Karnataka and Kerala carried out by the Institute of Social Sciences brings out clearly the patent reluctance of the state governments to accept Ward Committees as an important forum of public participation at the local level. Kerala and West Bengal are the only exceptions.

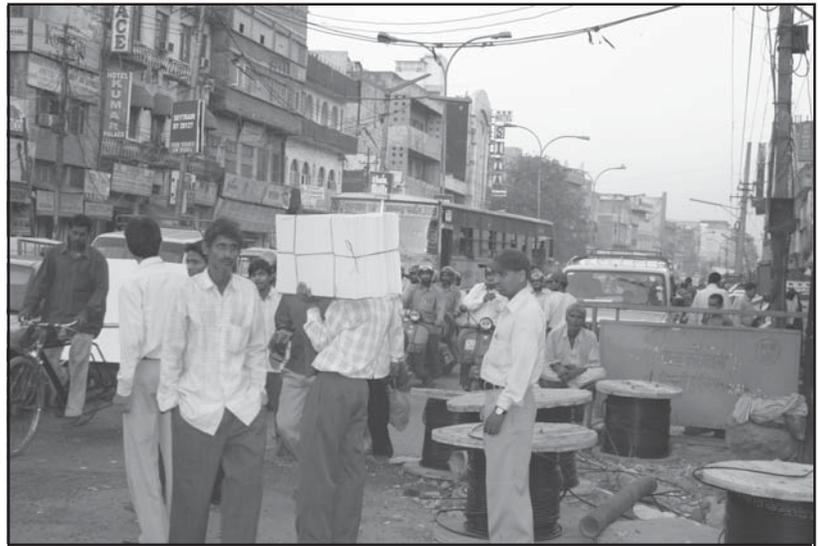
The Constitution envisages that in preparing a development plan for a district, the District Planning

Committee should have “regard to matters of common interest between the panchayats and the municipalities, including spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation, the extent and type of available resources whether financial or otherwise.” Such a mandate is indeed comprehensive and forward-looking. It also provides a common framework where elected representatives from the rural and urban local bodies can come together for purposes of planning and development.

Planning Metropolitan Centres

Article 243ZE in the 74th Constitution Amendment provides for a Metropolitan Planning Committee (MPC). It defines a metropolitan area as “an area having a population of ten lakhs or more, comprised in one or more districts and consisting of two or more municipalities”. The multi-municipal character is, therefore, an essential requirement of a metropolitan area. There are 32 urban agglomerations according to the 2001 census, with a population of ten lakh or more, which fulfill these criteria. For these areas, the MPC is a Constitutional requirement. However, as in the case of the DPC, while compliance legislation or enabling laws have been passed by more or less reproducing the language of the Constitutional Amendment, only West Bengal has set up an MPC (for Kolkata).

Confusion about the purpose and role of the MPC, lack of political interest and most importantly, the fear among the development authorities of losing power once MPCs are set up, appear to be the main reasons for the failure to establish them. Most of the development authorities in the various cities were inspired by the



A typical scene of chaos in urban centres

Delhi Development Authority model of large-scale land acquisition, real estate development and housing construction. Eventually these bodies became conspicuous empires of public works and patronage and have been most reluctant to yield its domain to the proper government agency to which it originally belonged — the city governments. The Metropolitan Planning Committee is a high level, democratically set up body, which will bring a Constitutional mandate to the whole exercise of metropolitan development planning. The existing development authorities could serve these Metropolitan Planning Committees as their technical secretariat.

Given the present trends of liberalisation, investments in and around metropolitan areas are largely in the hands of the private sector. Involving the sector in metropolitan issues and obtaining their support to a common strategy evolved not in isolation but with the participation of different stakeholders is an important issue.

What sets an urban space apart from the space of any other settlement, say a village settlement?

In essence it is connectivity. Any community, neighbourhood or a village relates to space and that relationship has its own features and presents its own issues. But when settlement spaces are connected to each other, some inter-relationships develop and the city emerges. It is the juxtaposition of spaces that provides the urban context.

When the purpose of the city was well understood and that purpose was dominant, the character and needs of the individual spaces also related to that dominant purpose and the manner in which they were used and managed. For instance, when the purpose of a city is imperial, that dominant regal character determines the allocation of spaces in the city. The temple cities also provide such a dominant purpose. For instance, cities like Madurai, Srirangam or Puri have been built on conscious designs determined by the principal purposes of the temples. Srirangam is organised in a series of rectangular spaces. Innermost is the temple, the other rectangles are organised for specific uses connected with the temple, and are placed at the proximity required for that purpose. The first line is for purposes connected with worship

such as the parikrama, the second would be for items of daily ritual, third would be for food, fourth for clothing, fifth for materials for the upkeep of the temple complex, etc. The circulation pattern, density and character of the houses were all controlled in relation to the dominant purpose of the temple. In Puri, the right of way of the main roads was determined by the width of the chariot of Jagannatha. No permanent construction was allowed to encroach on its right of way. The Lord's Chariot was probably the most important tool of land use regulation. Similarly, in cities where the dominant purpose is defence, this resulted in a set of appropriate land use configurations and regulations. Keeping clear lines for cannon fire was a land use regulation for Baron Haussman as well as the British rulers of Delhi. The industrial city also had a dominant purpose, from which the character of all its urban spaces was derived. The chawls of Bombay, the bustees of Calcutta and the ahattas of Kanpur were not accidental but conscious decisions to create and use spaces proximate to work for housing workers economically useful to industry.

But when this dominant purpose changes or is diffused over a period of time, the pattern and configuration of urban spaces itself undergoes a change. In the contemporary city, there are a variety of purposes, and they are not constant but shifting and changing. Delhi is no longer a mere administrative centre but has been vastly transformed to a city of services, transport and manufacture. Bangalore is not a retirement town any more but a significant manufacturing centre and a hub of a service industry with worldwide connections. Bhubaneswar and Chandigarh are no longer only state capitals. It is this complex set of varying purposes that determine the



Junk dealers live and operate from this slum in the proximity of the posh Lodhi Estate area of New Delhi

character of urban spaces and their inter-relationships. Understanding these complexities and devising a frame for the mutually beneficial use of these multiple spaces is the crux of spatial planning and management.

How do we categorise urban spaces in a city? Can it merely be in terms of conventional land use classifications such as residential, commercial, industrial, etc.? Is such a classification adequate at all for any scheme of governing urban space? Alternatively or additionally, can the community, city zone, city itself, agglomeration or metropolitan region, provide a convenient classification? Urban spaces cannot also be classified on the basis of administrative jurisdictions only. The municipal construct in India started with concerns of sanitation and health. There was also a broad segmentation in many of the cities during the British Indian period such as the cantonment, the railway colonies, the native towns, etc. The municipalities themselves were derived as a platform for raising some money for the upkeep of the city and so the 'rate payers' became the base. A combination of a number of

functional classifications may be necessary for spatial governance. Both agglomeration and disaggregation are needed.

Need for Constant Renewal

In addressing the issues of space and governance, we also need to recognise and accept some organising principles. One is that in whatever way space is classified, there is a need to plan and develop that space, regulate its use, service and maintain it, including the funds needed for that purpose. Plans should include a means of renewing that space if the circumstances so warrant. The second principle is that all these activities require a measure of public participation: the users (or stakeholders in contemporary language) are the potential guardians of urban spaces. Third, the platforms for such participation have to be democratic and have to be related to the political structure. Finally, it should be asserted categorically that urban space, like any other space in any human settlement, is a public asset to be used for the public good. This is not to exclude private ownership or private gain. But in the governance of urban spaces, public

interest should be the prime determinant and not the market.

After independence, as municipalities and city governments were undermined, the ward lost its significance. The 74th Constitution amendment is an attempt to bring the ward back into some focus. A major deficiency in the Constitutional prescription may be the composition of the Ward Committee itself, which has been left to the discretion of the state governments. They have preferred a nominated and therefore inherently subservient group rather than an elective arrangement.

Role of Ward Committees

In the absence of an elected Ward Committee at the neighbourhood level, the substance of the 74th Amendment does not go beyond municipal elections. The citizens, after voting once in five years, are expected to be somnolent and leave the running of the city to the elected councilors. There is really no platform for citizens who seek accountability; the Ward Committee was intended to serve this function. Once the committee is recognised as an important component of the municipal structure, various activities of governance can be entrusted to them, such as execution and maintenance of locality based services, participation in the planning of land use for the ward, monitoring the plan and tracking its violations, and conservation of local community resources such as parks, playgrounds, etc. Depending on public interest, a Ward Committee can also take on more functions such as being involved in tax mobilisation. The PROOF programme initiated by Janaagraha in Bangalore is an example.

The next level of aggregation could be a collection of wards. This

could be a Borough as in Calcutta or a zone or an administrative ward comprising several municipal wards. Next will be the city level itself. The locus and responsibility for spatial planning has been taken away from city governments by a variety of interventions over the years such as improvement trusts, development authorities, parallel bodies etc. The DPC and the MPC envisaged in Articles 243ZD and 243ZE are farsighted provisions. The reluctance of the state governments to yield powers and responsibility to these Constitutionally mandated bodies has been discussed earlier. It remains to be seen whether the lure of central funds can persuade state governments to restore city planning to city governments.

There are limits to the strategy of using land as a financial resource for urban development. It needs to be stressed again and again that if urban space is treated only as a marketable commodity, the market will contrive its best to enhance its scarcity value. This in turn will bring about various distortions whereby the allocation

and use of urban space is determined not by public interest but only by private affordability. What results is the commodification of the city, not its livability. The cumulative effect of these deliberate distortions on the environment has been revealed with deleterious results in city after city.

Defining public interest and defending it against pressures have never been easy. The design and instruments of urban governance are also subject to pressures. Urban India has been reaching the limits of endurance. Our society has to be constantly reminded about the strain and the consequences of crossing these limits. It is only an informed society that can understand and reverse its own excesses. □

This is a short version of the paper presented by K C Sivaramakrishnan at a conference organised by Janaagraha in Goa, Feb 9-11, 2006.

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