

DELHI DEVELOPMENT PLAN: CITIZEN
APPRAISAL

Submitted to
Centre for Civil Society

By
Rajul Jain

Working Paper No 216
Summer Research Internship 2009

Executive Summary

The key issues being addressed in this paper are that of the planned development. This paper intends to probe into the subject of the planned development with specific focus on the Delhi Development Act 1957- a critical appraisal, Master Plans made so far and analysis of the same in the context of failures, achievements and amendments required. The paper also explores the achievements of the planned development with regard to Delhi, and questions the reasons of any failures and thereby recommending appropriate measure and ways to close all the loopholes.

The study is developed on 'evidence-based' method using both primary and secondary data. For primary data interviews were conducted which involved gauging the response of all the stakeholders affected by such planned development. The secondary data comes from experts, records, plan documents and published literature.

The paper identifies the lack of participatory approach with regard to the policy planning in the system. There is also an ambiguity with respect to authority commonly termed as 'multiplicity of authority'.

In the Delhi specific study it came out that there is an inadequate infrastructure available for proper development to take place and thus has led to 'illegal establishments'(illegal as per the guidelines of the Master plans 1962) coupled with environmental problem, bad physical design and execution and inappropriate style of spatial planning. The inadequate infrastructure available is the root cause for a lot of problems thus emphasis has been laid on exploring the reasons for the shortfalls on infrastructural development front. On closer examination of the present situation the problem comes out to be one of inefficiency in the implementation of set rules and targets for the local authorities responsible for provision of amenities of public use despite theoretically correct plans.

The paper recommends the state government to take lessons from projects like Slum Networking Project in Ahmadabad which is a partnership between Ahmadabad Municipal Corporation and various NGOs. Such models can be emulated in Delhi for the purpose of infrastructure development including commercial spaces. There is also a need to bring together all the stakeholders and encourage discussions amongst them. For this purpose tried and tested methods like Priority Problem Approach, Sectoral or Municipal services approach, workshop based methods of participatory approach can be used.

Foreword

This paper is a result of research work done over a period of two month. Most of the time in research was spent interacting with people who have researched into the planned development for Delhi. I would like to thank my research guide Mr. Jatin Handoo, for giving me directions and guidelines throughout the period of the research paper. I would also like to thank CCS (Centre for Civil Society) for giving me an opportunity to write this research paper. I would like to give special thanks to Dr. Parth J. Shah for providing me with crucial inputs, suggestions.

All mistakes, however, will remain my responsibility.

New Delhi, July 2009

Rajul Jain

INDEX

i) Executive Summary.....	2
ii) Forward.....	4
1 Introduction.....	6
1.1 Objectives.....	7
2 Background.....	8
3 Review of literature.....	9
4 Government initiatives.....	11
4.1 Delhi Development Act 1957.....	11
4.1.1 Salient feature of the Act	11
4.2 Master Plan- A definition.....	13
4.3 Master Plan for Delhi 1962.....	13
4.4 Master Plan for Delhi 2001.....	14
4.5 Master Plan for Delhi 2021.....	16
5 A Brief Review of Building Bye-Laws.....	21
6 Land policy: A Critical Analysis.....	26
7 Recommendations.....	33
8 References and Annexure.....	39

1. Introduction

The ever increasing population of India has been a concern for long with the perspective of limited resources and developmental needs. The population of Delhi grew at 3.85% p.a. During 1991-2001. The increment of Delhi's population from 240,000 in 1911 to nearly 13,782,000 is attributable to natural rise as well as to migration. Also as per NSS 58th round survey, about 33234 households had migrated to Delhi during the year 2002 of which 84.89% moved permanently. According to Economic Survey of Delhi most people migrate for need of employment. In the year 1981-91, 31.29% migration and in 1991-2001, 37.6% migration was attributable to employment opportunities available. Furthermore the population is expected to rise to 40% by 2021. The same concern also propped up the need for *planned development* of the physical infrastructure defined over "amenities", "building" etc.

Definition of "development" can vary depending on the context under consideration. For the purpose of this paper, borrowing words from Delhi Development Act 1957 " 'development' with its grammatical variations means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in any building or land and includes redevelopment".

Delhi, is the capital of the largest democracy in the world, and would be the focus of the socio-economic and political life of India. Being the seat and growth driver for the Indian economy the city will be a prime mover and currently acts as the seat of national governance and a centre of business, culture, education and sports. To keep pace and to sustain the tremendous growth that the country, and Delhi in particular has achieved, the city needs to integrate its history, the great past and the modern aspirations and developments reflected around, into one integrated policy document, which encompasses the political, socio-economic, the environment, the cultural

and the globalizing attitude and aspirations of the people. Infrastructure, irrespective of the segment, has to be developed at an unprecedented pace, and investments targeted accordingly. The cornerstone for any development, at this scale and critical mass has to be the planning and the tracking of the implementation. Every agency involved, be it the governmental agencies, the private institutions, the corporate houses, the NGOs, the services – both urban, rural, tertiary & local have to have one beacon of policy guideline bestowing them to a common direction. This need of Delhi to be turned into a world class city makes infrastructural development the need of the hour.

1.1 Objectives

The following are the three clear and focused objectives of the paper.

- 1) To bring about clarity to the issues related to planned development. Searching answers for questions like, what, how and who?
- 2) To analyze the present policy making and implementation system.
- 3) To look ahead into the future and recommending suggestions and solutions taking inspiration from other states who might have faced similar developmental issues.

2. Background

The shift of capital from Kolkata to Delhi by the British in 1911 made Delhi the focus of the government activity. At that time the two famous planners Edward Lutyen and Herbert Baker planned the city of New Delhi in the year 1912. A small Nazul Office, set up in the Collectorate was the centre of first authority aimed at standardizing and regulating planned development of the city. In 1937, the Nazul office was upgraded to an Improvement Trust, constituted under the provisions of the United Provinces Improvement Act, 1911, to control building operations and regulate land usage. India's independence in 1947 and resultant migration increased Delhi's population from 7 lakhs to 17 lakhs by 1951.

Open spaces were occupied by migrants. Civic services virtually collapsed. Delhi Improvement Trust and Municipal Body, the two local bodies at that time, were not adequately equipped to cope up with the changing scenario. In order to plan Delhi and to check its rapid and haphazard growth, the Central Government appointed a Committee under the chairmanship of G. D. Birla in 1950. This Committee recommended a Single Planning & Controlling Authority for all the urban areas of Delhi. Consequently, the Delhi Development (Provisional) Authority - DDPA - was constituted by promulgating the Delhi (Control of Building Operations) Ordinance, 1955 (replaced by the Delhi Development Act, 1957) with the primary objective of ensuring the development of Delhi in accordance with a plan.

On 30 December 1957, Delhi Development Authority acquired its present name and its role as the 9th builder of the grand city of Delhi.

3. Review of Literature

Urban planning is an important function of urban local governments in which the authorities will have to plan allocation of land for various uses, particularly for housing the population, and ensure that the basic infrastructure services such as transport, water and sanitation, health, education and recreation are well planned and provided to the citizens. This is an important task which requires the strategic vision and deployment of organisational, financial and technical skill sets, wherein little attention is paid and the physical as well as financial estimates are considered unrealistic (Rakeshmohan 2006); therefore, they call for alternative governance mechanisms for achieving it. Nevertheless, the planning process has to ensure strategic visioning and public participation in the plans, and the implementation of plans to reflect the adherence to principles of good urban governance i.e, transparency, accountability, equity, efficiency, acknowledgment of rights, rule of law etc.

For achieving the true objectives of planned development, one of the important players are the political institutions. It is important to understand the role played by political institutions that dominate the delivery of public goods and services in many respects. Political institutions based on democratic principles are supposed to ensure service delivery and overall development, as there are unwritten 'political contracts' between people and elected representatives to act in the interest of general public(Hye 2000). This representative democratic means of allocation of goods and services by the political constituents has been considered as better, given the common pitfalls associated with the extreme systems of anarchy or dictatorship.

In several Indian cities, public goods and services have been declining both in terms of quality and quantity as they lost the capacity either out of sheer negligence of public goods and services delivery or they are confronted with a lack of financial and physical resources for the delivery (Rakeshmohan 2006). Owing to the focus on short term planning and on the strategies to meet

imminent requirements, they ignored the challenges that they would face in the long term future and neglected the function of deploying resources(physical, financial and man-power)for attaining higher levels of service delivery and were not fully geared to continuous improvement(Mathur 1999). Likewise, resources generation and spending was fraught with low level, inefficiency and corruption, and the public institutions were showing declining capacities of management. This led to an increasing perception that cities were experiencing an overall decline, particularly in terms of the quality of living environment they used to offer, and therefore the search has begun for the means of improving urban management, which in turn led to the focus on addressing overall 'governance' of cities in order to address service delivery issues (GGNI 2004), and this led to emphasis on undertaking governance reforms.

However, when one deeply examines how this supposedly good system works actually, it really does not give the same impression. This is primarily because of the bureaucracy, or the Executive wing, which actually holds the services delivery process, and these monopolies have been hindering the delivery and distribution of public goods and services (Jain 2003). As a result, the delivery process became rather slow and does not cater the needs, especially in terms of basic services. Bureaucracy, it is claimed , has been an impeding factor in development, with the level and intensity differing amongst cases, as it has become subservient to political parties in power rather than general public (Jain 2003). The citizens are therefore caught between politicians, who are concerned about winning elections (and obtaining power over resources), and bureaucrats, who are only accountable to politicians. This explains the classic governmental failures in the provision of goods and services.

4. Government Initiatives

4.1 Delhi Development Act 1957

Delhi Development Act 1957 is a policy document which lays down the foundation of Delhi Development Authority, a self financing body entrusted with the task of planned development of infrastructure. The main motive of forming such a body is meeting the infrastructural needs, in the form of housing and commercial spaces, of the ever growing population. Formed in 1957 functions under and is answerable to Urban Development Ministry. The Delhi Development Act 1957 is a well made document. The supremacy of the same is reflected in the following salient features of the document.

4.1.1 Salient Features of the Act

1) The Act makes the provision of creating a *need based* system, the contention behind this claim being that the Section 7 (1) says,

"The Authority shall, as soon as may be, carry out a civic survey of, and prepare a master plan for, Delhi."

The civic survey clearly refers to carrying out a survey to gauge the basic standard of living by looking at the parameters like education, sanitation etc.

2) The Act shows a conscious effort at making the *system transparent*. While the Section 9 (2) is all about approval of the plan document by the government, the Section 10(1) mandates the DDA, after

"Draft plan preparation to publish a notice in such form and manner as may be prescribed by rules made in this behalf inviting objections and suggestions from any person with respect to the draft plan before such date as may be specified in the notice."

The above cited statement very clearly shows the intent of the policy makers towards making the system a transparent and participatory in nature. The Section 11 says,

"...naming a place where a copy of the plan may be inspected at all reasonable hours and upon the date of the first publication of the aforesaid notice the plan shall come into operation."

This adds weight to the above mentioned argument of creating scope for transparency in the system.

3) The Act provides ample scope for modifications to plan as suggested by the Central Government or the Authority itself. This is again a strong point of the document, as it leaves space for various opinions and does not restrict it to one party's discretion. The same can be seen in the light of the document's weakness as the clause can be used to alter the plan unnecessarily.

4) The document clearly lays down the rules and regulations applicable to the planned development. These rules are accompanied with the appropriate penalties (as mentioned in Section 29, 30, 31 and 31A). And also provision of strict actions like demolition or sealing *"development being commenced or carried on or has been completed in contravention of the master plan or zonal development plan or without the permission, approval or sanction referred to in section 12..."*

Though the rules are quite clearly defined and also contain remedy to recurrent defaulting, the Act's provisions have been violated de facto. The major lacuna then is a failure to penalize the authorities which are responsible for checking the errant behaviour.

5) The Act also provides a sunset clause for the organization. The Act says, *"Where the Central Government is satisfied that the purpose for which the Authority was established under this Act have been substantially achieved so as to render the continued existence of the Authority in the opinion of the Central Government unnecessary..."* But the major drawback being putting the decision of dissolution of the organization to the discretion of the authorities, it does not talk about any power to the authorities to dissolve the organization in case of underperformance or even to penalize.

4.2 Master Plan – A definition

A Master Plan is a plan for a large area that may address land use, landscaping, infrastructure, circulation or services provision. It can also be defined as a document that explains how a site or series of sites will be developed. It will describe how the proposal will be implemented, and set out the costs, phasing and timing of development.

Post the independence of India, the process of planned development of the National Capital of India started with the enactment of the Delhi Development Act 1957, followed by the promulgation of the Master Plan of Delhi in 1962 (MPD-62).

4.3 Master plan for Delhi 1962

The MPD-62 outlined the broad vision for the macro & micro level development of Delhi, with a view to realizing the development agenda, in line with the vision of the development of the capital of the country. An overall development through large scale acquisition of land, and development of resources was also formulated. Since it was the early stages of the growth of the Indian economy, most development was envisaged to be public sector led & driven. Development through the private sector was not conceptualized, on a mass scale. At that early stage, the process of planned development had little role for the private sector, both in the housing as well as the infrastructure. Cut to today, there is an impending need for a PPP model of development.

The MPD-1962 was prepared with a perspective of 20 years i.e. up to 1981. Based on the experience of the plan and to cater to the increasing population & changing requirements of the city up to year 2001, extensive modifications to MPD-1962 were made under Section 11-A of the DD Act and the Master Plan for Delhi - 2001 was prepared by in house professionals of DDA. The modified plan, MPD-2001 was approved by the GOI and promulgated on 1st July 1990.

4.4 Master Plan for Delhi 2001

Brief Description

- The MPD-1962 was prepared with a perspective of 20 years i.e. upto 1981. Based on the experience of the plan and to cater to the increasing population & changing requirements of the city up to year 2001, extensive modifications to MPD-1962 were made under Section 11-A of the DD Act and the Master Plan for Delhi - 2001 was prepared by in house professionals of DDA.
- The modified plan, MPD-2001 was approved by the GOI and promulgated on 1-8-90.

Salient Features:

- 1) Delhi to be planned as an integral part of its region
- 2) Ecological balance to be maintained.
- 3) The central city area to be treated as "Special Area".
- 4) Urban heritage of Delhi to be conserved.
- 5) The city centre to be decentralized.
- 6) The urban development to be low rise-high density.
- 7) Urban development to be hierarchical.

Objectives:

- 1) The Master Plan of Delhi - 2001 projected population of 128 lakh.
- 2) The plan proposed urbanization of further 18000 - 24000 ha. to accommodate the additional population in urban extension areas like Dwarka, Rohini and Narela sub cities.
- 3) In addition to above the holding capacity of MPD 1962 urban area was increased through the process of low rise high density development.
- 4) The central city area (walled city and its extension and Karol Bagh) to be treated as special areas with appropriate regulations.

5) The city centre to be decentralized, development of district centres, freight complexes and directional terminals etc.

6) Mass Transportation System to be Multi Modal e.g. MRTS, Ring Rail and Road based public transportation system.

7) Urban development to be hierarchical containing essential facilities e.g. housing clusters, housing area, neighbourhood, community and district.

In addition, MPD-2001 introduced the following new concepts for further detailing at Zonal Plan Level.

- Mixed Use
- Pedestrianisation
- Urban Design & Policy on Tall Buildings
- Environment
- Heritage Conservation

Achievements:

- Wider variety of housing types.
- Development of new urban integration projects such as Rohini, Dwarka and Narela.
- Shelter facilities to over 10.0 lakh families.
- About 2.8 lakh squatters' families provided accommodation.
- 21 districts centres planned.
- About 2600 ha industrial area developed.
- MRTS network planned to bring much needed connectivity.
- About 5000 ha area under greens developed at various levels.
- Land fill sites converted into large greens such as Indraprastha Park.
- 14 sports centres developed for variety of sports activities.

Guiding Principles:

- Effective development of NCR to contain the rapid population growth was proposed.
- Restricted mixed use was permitted.
- Selective densification of urban areas except Lutyen's Bungalow Zone.
- Detailed industrial policy and parameters prescribed keeping in view of NCR framework.

4.5 MASTER PLAN FOR DELHI 2021

Vision-2021, the guiding principle for the framework, formulation and subsequent / forthcoming rollout / implementation of the Master Plan- Delhi 2021 is to make "Delhi a global metropolis and a world-class city", wherein people resources would have conducive atmosphere and infrastructure to conduct themselves in productive work with a better quality of life, living in a sustainable environment. This will, amongst other things, necessitate planning and action to meet the challenge of population growth and in- migration into Delhi; provision of adequate housing, particularly for the weaker sections of the society; addressing the problems of small enterprises, particularly in the unorganized informal sector; dealing with the issue of slums, up-gradation of old and dilapidated areas of the city; provision of adequate infrastructure services; conservation of the environment; preservation of Delhi's heritage and blending it with the new and complex modern patterns of development; and doing all this within a framework of sustainable development, public-private and community participation and a spirit of ownership and a sense of belonging among its citizens.

Post the independence of India, the process of planned development of the National Capital of India started with the enactment of the Delhi Development Act 1957, followed by the promulgation of the Master Plan of Delhi in 1962 (MPD-62).

The MPD-62 outlined the broad vision for the macro & micro level development of Delhi, with a view to realizing the development agenda, in line with the vision of the development of the capital of the country. An overall development through large scale acquisition of land, and

development of resources was also formulated. Since it was the early stages of the growth of the Indian economy, most development was envisaged to be public sector led & driven. Development through the private sector was not conceptualized, on a mass scale. At that early stage, the process of planned development had little role for the private sector, both in the housing as well as the infrastructure. Cut to today, there is an impending need for a PPP model of development.

The Master Plan for Delhi 2001 (MPD-2001) takes into account the above, and tries to evolve and develop a more inclusive development model, in both the housing as well as infrastructural sectors. The land use plans, the zonal plans and the layout plans are reflective of this line of thought.

The somewhat skewed and sketched development of Delhi over the preceding few years can be attributed to the growth in population to 138 lakhs, against the projection of 128 lakhs, under the MPD 2001. This growth wasn't factored in for shelter, as well as the suffocation of the resources of infrastructure & facilities.

Some of these above issues were raised and considered as directions for the policy guidelines for the Delhi master plan 2021, as below:

- (i) Review of the scheme of large scale development and acquisition and its relevance in the present context.
- (ii) Alternative options for development of areas identified for urbanization in MPD-2021.
- (iii) Evolving a system under which planning for, and provision of basic infrastructure could take place simultaneously with reference to (i) and (ii) above.
- (iv) Involving the private sector in the assembly and development of land and provision of infrastructure services.

The challenges of the phenomenon of unplanned growth of unauthorized colonies and jhuggi clusters were also taken into consideration. It was recognised that this reality will have to be dealt with not only in its present manifestation, but also in terms of future growth and proliferation.

The phenomenal growth of vehicle traffic in Delhi was another concern area accounted for, and the issues like congestion, pollution, parking, safety of travel etc. also need to be addressed. Due thought was afforded to it too.

The aspect of redevelopment and densification of the existing urban areas of Delhi is an important component of the new Delhi master plan.

It aims to address issues like:

- a) Accommodating a larger population
- b) Strengthening of infrastructure
- c) Creation of more open spaces
- d) Redevelopment of congested areas

METHODOLOGY ADOPTED FOR PLAN PREPARATION

- A fair and democratic procedure is understood to have been undertaken while the draft plans for the Delhi master plan (MPD-2021) was being prepared. Detailed consultations were understood to have been undertaken with the public, the public representatives, the government(s), local bodies, public sector agencies, resident welfare associations, non-profit agencies, professional bodies and groups etc.
- In 2003, the Ministry of Urban development issued guidelines and activated the think tank for the preparation of the MPD 2021. It emphasized the emerging need to explore alternate methods of land assembly, private sector participation, and flexible land use and development norms.
- The reports of earlier studies undertaken by expert groups comprising from important sectors like housing, demography, infrastructure, environment conservation, transportation, industry - trade and commerce etc. were also considered.
- Various seminars were organized wherein participation was encouraged from trade bodies, representatives, local bodies and NGOs.

- Various presentations were made by the DDA, regarding the draft master plan of Delhi to the stakeholders, including policy makers and various committees. Interest groups like lawyers, practitioners of chartered accountancy, traders & industry representatives, residents, welfare associations also made representations, which were considered for the draft plan of Delhi master plan – 2021.
- The Draft Master Plan was notified for inviting public objections and suggestions through Gazette Notification in March' 2005 and notices were published in newspapers in April' 2005.
- A large number of responses, both objections and suggestions to the draft master plan of Delhi were received. (estimated at approx. 7000 nos)
- The board of inquiry met on many occasions to accord utmost attention to the objections to the draft master pan, and in many cases, also accorded personal hearings to the suggestions and objections.
- The revised master plan of Delhi was reviewed on many occasions between 2006-2007, before it was sent to the Ministry of urban development, for consideration of approval.
- The final approval was accorded, in the present form, after dues consideration of all the factors.

MAJOR HIGHLIGHTS OF THE DRAFT DELHI MASTER PLAN - 2021

A fair amount of creative and constructive thinking and introspection has been invested into the planning, formulation and intended implementation of the Delhi Master Plan 2021. Innovation and reform, affecting the Delhi population positively were the considered factors.

Some of the salient highlights of the plan are listed below.

- Facilitating public - private partnerships.
- Incentivizing re-development / modernizing of the old buildings and locations
- Re-structuring the physical infrastructure of the city through better coordination & augmentation of resources and services.

- Proposal for the master plan of Delhi planned till the year 2021, to be reviewed at intervals of every 05 years, and take into account the fact changing needs, aspirations and requirements of Delhi city.
- Participatory approach - Involving the private sector in the assembly and development of land. Public participation in policy & implementation
- Incentivized re-development with additional FAR, wherever applicable
- Influence zones – alongside MRTS and major transport corridor

The plan has divided the targets for the planned period of 20 years, counted till 2021, into different phases. The believed contention behind this was to keep a close watch on the development process. The tables given in the Annexure 1 give an account of the plans charted out. (See Annexure 1)

5. A Review of Building Bye-Laws

The urban landscape of Delhi is diverse and historical. It encompasses the city of Shahjahanabad which is five hundred years old. It envelopes the Lutyens Bungalow Zone which is one hundred years old. It is expanding to the extremities of Delhi's borders as a city planned by the Delhi Development Authority. It is dotted with organic unplanned settlements in the form of unauthorized colonies. It strains to redefine its character from rural to urban in the form of "urbanized villages".

All these kaleidoscopic urban forms were sought to be seen through a single prism of the Unified Building Bye-laws framed in 1983. Prior to these, the building bye-laws of different local bodies were different and underwent changes in 1959 and 1967.

The need of the hour is thus to create new Building Bye-laws which can encompass and correspond to the diversity of the city.

Accordingly, in December 2003, a Steering Committee was constituted by the Municipal Corporation of Delhi (MCD) to provide the policy guidelines for the new regulatory framework for building regulations for Delhi and scrutinize the evolving policy agenda so that the interests of all the stakeholders are duly protected.

Some of the aspects which were considered for preparation/revision and enforcement of Building Bye-laws were –

i) Administration - It was felt that the existing administrative framework to enforce the building bye-laws, and the procedures for getting the building plans scrutinized or sanctioned are too cumbersome and dilatory. The citizen is often subjected to undue harassment and avoidable expenditure.

ii) Rigidity of Building Bye-laws - Many difficulties originate from the fact that the building bye-laws are too rigid and have failed to take into account the changing technology of construction industry, etc. Most of the standards prescribed in the bye-laws are often found to be obsolete and outdated as some of them had been framed a couple of decades ago. There are uniform

bye-laws applicable throughout the city, irrespective of the needs of various zones or localities depending on land uses and development patterns.

iii) *Uniformity in Bye-laws* - Though inter-city variations need to be reflected in the bye-laws, the uniformity of standards, in essence, was considered to be helpful both to the citizen and to the city Government, as qualified architects could then attain more inter-city mobility. There is a need to achieve the goal of "uniformity with diversity".

One of the basic hurdles in the programme of framing an ideal set of building bye-laws was the so-called incompatibility between the low cost housing and the requirements of building bye-laws.

The existing mushroom growth of unauthorized colonies and encroachments could be attributed to the prodigal standards adopted in our development control regulations.

iv) *Jurisdictions of enforcement agencies are unclear* - The task of enforcing building bye-laws is that of DDA in areas under its jurisdiction and that of Local Authorities for their areas. In theory, whenever an area is sufficiently developed, DDA transfers the responsibility of enforcing bye-laws for subsequent additions and alterations to Local Authorities. In practice however, particularly from the viewpoint of the public, jurisdiction are not sufficiently well established causing considerable hardship. MCD's involvement in the planning and sanction of DDA's developments is limited. This handicaps MCD in effectively enforcing regulations when areas are transferred to it.

To ensure higher compliance it is imperative that hardship to applicant be reduced. Therefore, first and foremost it is necessary to clearly define the jurisdictions of various enforcement agencies. It will also be necessary to formulate a clear policy for transferring responsibility from the DDA to Local Authorities. It will also be necessary to streamline the process of transfer so that, once an area is handed over, the Local Authority can effectively enforce bye-laws there.

v) Professionals are insufficiently responsible for ensuring compliance- Enforcement procedures follow *traditional* formats. Area under MCD's jurisdiction is divided under twelve Zonal Offices. Applications for building on residential plot up to 400 sq. yds. and issue of Occupancy Certificates for all buildings are dealt with by Zonal Offices. The Head Office deals with applications for all other buildings, policy issues and interpretation of building bye-laws and Master Plan. Generally speaking, the enforcement regime does not positively involve professionals (architects, engineers etc) making enforcement primarily the responsibility of the Authority and therefore difficult.

Higher compliance cannot be ensured without also significantly making it a responsibility of professionals involved in the building process. At present no effective citywide system for testing competence and empanelling professional exists. Professionals are also insufficiently empowered to stay construction if owners build without compliance to sanctioned plans. In addition to this, no system exists to penalize professionals who abet non-compliant construction. On the contrary there is a provision allowing regularization of unsanctioned construction by paying compounding fees, which provides a perverse incentive to bypass official procedure.

A new regulatory framework for building regulation in Delhi including a draft of the Delhi Municipal Corporation (Amendment) Bill, 2005 which aim to replace chapter XVI on "Building Regulations" and Chapter XXI on "Improvement" of the Delhi Municipal Corporation Act, 1957 was prepared in a manner so as to be applicable to all the local bodies in Delhi including the Municipal Corporation of Delhi, the New Delhi Municipal Council, the Delhi Development Authority and the Delhi Cantonment Board. It included following notable additions:-

Streamlining procedures for obtaining various permits, easing monitoring during construction, and improving compliance. The emphasis is on clarifying procedures, making them time-bound and addressing all eventualities. Procedures for appeals and for obtaining variance to the byelaws

are instituted. Roles of different agencies involved in the process viz. authority, owner, architect, advocate, structural engineer and construction engineer clearly defined.

The bye-laws focus on setting performance standards rather than prescriptive rules. A clear distinction has been made between mandatory aspects of design and specifications as against the recommendatory ones. The new byelaws leave many aspects of building design entirely to the Architect on Record. Emerging concerns such as accessibility and disaster mitigation have also been accommodated.

Another mainstay of the new building byelaws is professional self-certification. This new approach vests far greater responsibility on the professional, combined with commensurate power, autonomy and privilege. To ensure quality services and ethical use of these privileges, a state-level Special Purpose Vehicle for chartering professionals and monitoring their performance is proposed.

Introduction and acceptance, even by the Delhi Development Authority of the concept of framing area-specific building bye-laws based on Local Area Plans prepared at the municipal level, having due regard to the mandates of the Master Plans and Zonal Plans as prepared and enforced by DDA. These local area plans would help create an interface between the macro-level plans at the metropolitan and zonal levels to the neighbourhood plans at the micro-levels.

The development of a special purpose vehicle by CRISIL styled as the Professional and Service Provider Rating Agency which would grade the qualifications, experience and actual professional inputs of advocates, architects, engineers and other professionals who are proposed to be assigned new roles in the scrutiny and sanction of building plans so that the mammoth task of disciplining the activities of builders and developers on the one hand, and the small plot owners on the other, could be streamlined to enable the official agencies to concentrate more on regulation of building activities which influence the urban fabric on larger scales.

It may be mentioned here that report has been prepared with consultative process at all key stages. The concern for proper codification of building bye-laws on the one hand to meet modern standard and on the other, about the capacities of low income groups to satisfy any high level of construction codes were duly taken into account. The building bye-laws have been approved by the Government of NCT of Delhi and Ministry of Home Affairs, Government of India (GOI). It is presently under consideration of the Ministry of Law & Justice, Government of India.

6. LAND POLICY- A critical analysis

Land is an important input for producing goods and services for urban development. Sustainable urban development takes account of social and environmental effects and means balance between the development of the areas and protection of the environment with an eye to equity in employment, shelter, basic services, social infrastructure and transportation in the urban areas. For this to happen, one has to ensure that land is properly used to meet these objectives. Urban India is plagued by shortage of housing facilities and scarcity of land for social overheads like roads, footpaths, parks, schools and so on. The roots of these problems can be found in the inadequate, inefficient, iniquitous land policy of the country. This is why it is important to have an effective and appropriate land policy that would promote sustainable development.

National Commission on Urbanisation of India (NCU, 1988) recognized the need for adequate supply of land, efficiency and equity in allocation of land and promotion of flexibility in land use. Thus it mentioned that the objectives of urban land policy should be

- To achieve an optimum social use of urban land,
- To make land available in adequate quantity to both public authorities and individuals at reasonable prices
- To encourage cooperative community effort as well as individual builders to develop land and construct houses,
- To prevent concentration of land in few hands,
- To use land to finance urban development,
- To encourage socially and economically efficient allocation of land so that land development conserves resources and land utilization is optimal,
- To promote flexibility in land use in response to a growing city. Also, the Eleventh Five Year Plan (2007-12) of India emphasizes, "Governments at appropriate levels

including local authorities have to strive to remove all possible obstacles that may hamper equitable access to land”.

It identifies failure to adopt appropriate urban land policies and land management practices as the primary cause of inequity and poverty. Thus the Eleventh Five year Plan calls for a flexible land policy which will make conversion from one use to another, cost efficient and promote equity. It judges that urban planning tools like master planning, zoning and regulations are not enough for the requirement of land supply for rapid urbanization. The problem has also been addressed somewhat by Jawaharlal Nehru Urban Renewal Mission in India.

Inherited problems

- Failures of rule of law – large portions of Delhi, are illegally constructed. Rampant misuse of village lands and encroachment of public lands exists, by all sections of society. Moreover all the violations become sanctified by amendments to the MPD.
- Dire environmental stress – polluted air water ways and overdrawng of ground water unmanageable quantum of waste.
- Slums and squatters settlements – there is a lack of basic services and provision for health and hygiene; de facto tenancy rights on public land claimed by the urban poor.
- Inadequate infrastructure – provision for water supply, sanitation, sewage, solid waste disposal and drainage are inadequate, poorly designed, obsolete and overburdened.
- In appropriate style of special planning – unsustainable segregation of land uses requires inordinate amount of licensing, certification and monitoring.
- Bad physical design and execution – system of public works is wasteful, and does not encourage high quality design inputs, periodic review of standardized details, innovation and efficient and timely execution.

KEY CHALLENGES FOR DELHI

- Enforcing the rule of law – it is important that planning guidelines and building bye – laws should be logical, simple, tenable and enforceable. Consumer laws and torts need to be reinforced in order to contain the adverse effects of negligence by individuals, companies, agencies and organizations.
- Ensuring supply of basic services in all localities - at present a number of areas designated as slums unauthorized colonies, and urban villages. Have severe shortage of basic services and cannot legally access the public infrastructure.
- Ensuring universal access to space and services – the city should be designed effectively for the universal access of all socio economic sections of the society.
- Augmentation of infrastructure – physical infrastructure public facilities are old and inadequate for its growing population. These required to be augmented on a high priority as they determine the capacity of the city to grow in a sustainable manner.
- Promoting mixed use – mixed use has been the norm for all world cities for centuries the benefits of mixed land used are synergy between living and working areas and reducing the pressure on transportation while also providing for a vibrant city life. Introducing mixed use into the city like Delhi where land uses have been segregated will require a careful redevelopment of all areas and the formation of flexible user friendly guidelines for new development areas.
- Dealing with unauthorized constructions – Delhi's current system of planning and development regulation are very broken, for a variety of reasons and one of the results has been unauthorized constructions and misuse of buildings. In principle, there should be zero tolerance for violation of standards and guidelines.
- Inter agency coordination – as per the implications of the 74th amendment the devolution of all municipal powers to a single authority will require a huge effort of transferring jurisdictions from the existing multiple agencies, the GNCTD and MCD

have explode this implication. This will require political will and efficient and exhaustive transfer of data.

Some of the solutions to the aforementioned problems and challenges, especially with regard to commercial land use can be solved in the following manner:

- **Encouraging Mixed Use**

1) The coexistence of a variety of uses in a single building or area can only be an asset to the city if it is implemented with care. While this policy is an overarching policy, its application must be backed with sound financial modelling, such that the virtues of segregated land use are not lost.

2) Mixed land use should not have any externalities such as:

- a) Causing health hazards for the public.
 - b) Compromising public safety
 - c) Causing hindrances to the free movement of pedestrians and vehicles on the street and/or public open spaces abutting the property.
 - d) Claiming illegal or unsanctioned access to public infrastructure and utilities.
 - e) Any activity that causes air, water, or sound pollution.
- Discouraging misuse of premises
 - Ensuring structural safety
 - Enhancing FAR(Floor Area Ratio)
 - Providing space for the informal sector
 - Providing public facilities
 - Improving physical planning and design

VARIOUS VIEWS

As discussed in the previous sections there is a need for planned development and for the same purpose the requisite planning was indeed done but there was a dearth of its implementation. So much so that burdened by the population pressures there surfaced a serious problem of mushrooming illegal establishment, merging of residential and commercial use area and thus creating environmental hazards. This problem of illegal establishments went unchecked for a long time and was brought to the fore only in 1985 when a few concerned residents of the Green Park area filed a court case, this case has continued since then and gained prominence from 2002 onwards. The following is a brief history of the court case mentioned

RWA APPEALS TO SUPREME COURT: This is the case which is continuing. (See Annexure 2 for the timeline)

The primary research conducted in the form of interviews with various stakeholders highlighted a number of problems. The views were also very distinct. The following is the broad analysis of the same.

- 1) Traders-the community most affected by the supreme court ruling, of demolition and sealing of 'illegal establishments', illegal as per the Master Plan for Delhi was disappointed by such a move and there is discontent amongst them. While they believe that they form the lifeline of the city by contributing to state's revenues by way of taxes. The problem comes out to be that of inadequate relocation facilities for the traders whose shops have been sealed. In one case a chemical trader was relocated to build a warehouse in Narela, he recounts that the land given to him, at the current market prices, was covered with bushes and not in an immediate operational condition. This shows that relocation alone isn't the need of the hour. There needs to a follow up mechanism too to ensure timely and proper relocation. Also the possibility of providing such land at subsidised rates, to those who can't economically afford the costs, should be considered by the government.

Other prominent problems that surfaced were mainly that of an inherent system of paying bribes. Some of the traders very strongly felt that such demarcation of land and not allowing commercial activities in residential areas even where land is available will just lead to wastage of available.

- 2) Residents' Welfare Association- the result of interactions with the RWAs showed that the main concern on their part remains that of following rule of law. The presence of such commercial establishments disturbs the environment and one of the major problem is that of parking space.
- 3) Policy Makers- the policy makers seem to be ecstatic about the Master Plans made and boast of the fact that MPD 2021 was awarded by International Society of City and Regional Planners (ISOCARP). However, in an interview with an ex-town planner, DDA, the person accepted to the fact that there is inefficiency on the part of implementers of the plan document i.e, the local urban bodies.
- 4) Service Providers- Most of the important people in the Urban local bodies like DDA were very tacit in their approach and answers. A high level official in the planning department of DDA said that the task of monitoring the implementation in terms of infrastructural development as per the MPD 2021(see annexure 1) lies with them, but has not been undertaken till now and the follow is done by individual departments only.
- 5) Monitoring Committee- the Supreme Court, to monitor the task of Sealings in Delhi made In a Committee. The SC in this respect read as under.

"In order to over-see the implementation of the law, namely sealing of offending premises in terms of the letter and spirit of this Court's directions, it is necessary to appoint a monitoring committee instead of leaving any discretion with the officers of the MCD. Accordingly, we appoint a Monitoring Committee comprising of Mr. K.J.Rao, Former Advisor to Election Commissioner, Mr.Bhure Lal, Chairman, and E.P.C.A. And Maj.Genl.(Retd.) Som Jhingan. We direct that all necessary

facilities shall be supplied by MCD to the members of the Monitoring Committee, including the facility of transport, secretarial services, honorarium etc."

In an interaction with monitoring committee official it was realized that there is a lack of coordination and mismatch of opinion between the government and the said committee.

7. RECOMMENDATIONS

On analyzing the harms that have surfaced due to the planned development problems faced in Delhi the most practical solutions come out to be creating space for civil societies and making the system more participatory. Forging partnerships between the Urban Local Bodies and various Civil Society/Community groups is also a step forward to solving such problems. The following are some methods suggested for encouraging the aforesaid goals.

Participatory approaches

Two broad approaches of structuring participation may be outlined. They include the following:

- a) Priority problem approach
- b) Sectoral or municipal services approach

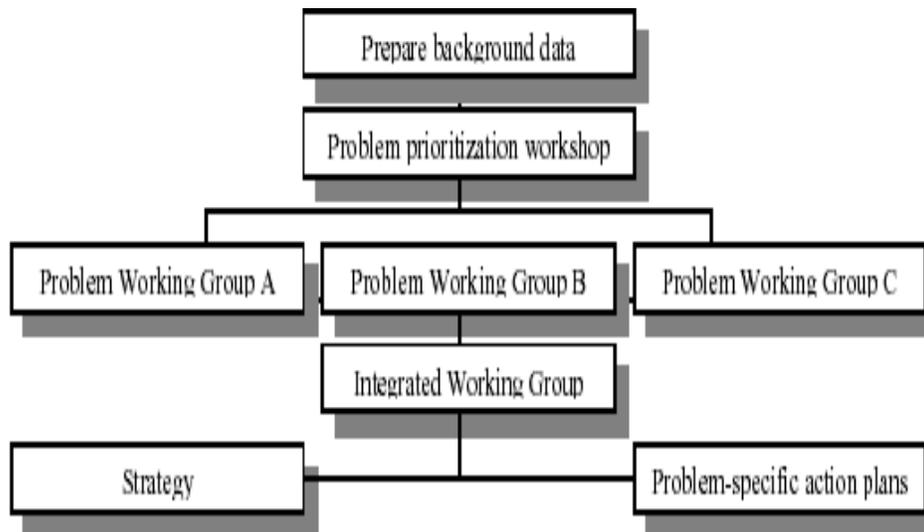
Priority problem approach

The most commonly used means of structuring public involvement at a local level (e.g. city or part of a city) is to involve stakeholders in determining priority urban problems and then structure participation around key problem areas.

The process is as follows:

- 1) Background or baseline information on the city's urban environment is prepared (e.g. urban infrastructure data and a "State of the Urbanisation" report) if available
- 2) A stakeholder workshop is held to discuss the background information and prioritize urban problems
- 3) Stakeholder working groups are created around the 2-6 highest priority problems
- 4) The working groups identify and prioritize options for solving the problems
- 5) A panel with representatives from each working group, along with experts, develops an integrated strategy and individual action plans for each priority problem.

Priority Problem Approach Flow Chart



The Priority Problem approach requires:

- a) Consensus on which problems are the most important;
- b) Consensus within each problem area as to priority options; and
- c) Participation of relevant stakeholders, especially decision-makers. Its advantages are that it focuses on addressing the most important issues and promotes an integrated approach to strategy development. Its disadvantages are that real-life problems may be different from identified priorities if the process takes too long and it may be difficult to achieve consensus on priority problems and options.

Sectoral or municipal service approach

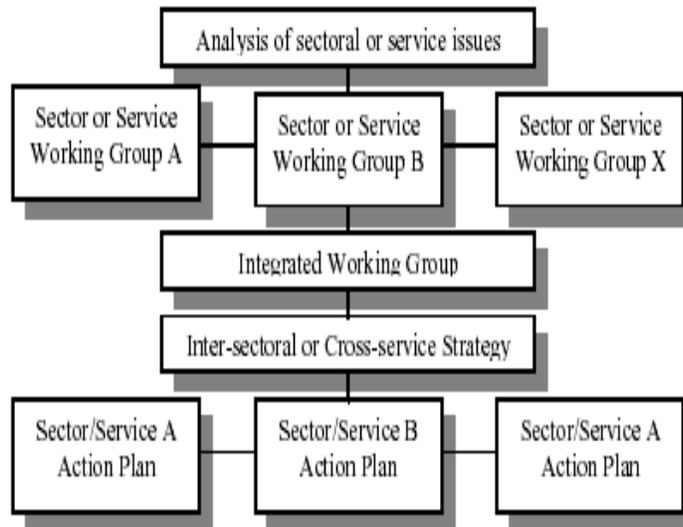
This approach is based on the urban environmental dimensions of a city's existing sectors or municipal services. The process is as follows:

- 1) An analysis is made of sector-by-sector or service-by-service issues, either by experts or by a stakeholder workshop.
- 2) Stakeholder working groups are established for each key sector or municipal service.

3) Working groups prioritize issues, identify options and prioritize options for each sector or service.

4) An integrated working group develops an inter-sectoral or cross-service strategy and sector- or service-specific action plans.

Sectoral or Municipal Service Approach



The sector- or service-specific approach requires the active participation of key sectoral actors (e.g. the water and sanitation company directors as well as representatives of their industrial, commercial and residential customers) and a willingness to evaluate real problems in each sector or service. The advantages of this approach are that it focuses on operational problems in each sector or service and that it results in practical, institution-specific recommendations. The disadvantages are that it may not identify and address the most important issues in a city and it tends to reinforce the existing sectoral structure or service delivery system.

Workshop based methods

Sometimes called 'action planning workshops', these are used to bring stakeholders together to design development projects. The purpose of such workshops is to begin and sustain stakeholder collaboration and foster a "learning by doing" atmosphere. A trained facilitator guides

stakeholders, who have diverse knowledge and interests, through a series of activities to build consensus. Appreciation Influence Control (AIC), Objectives-Oriented Project Planning (OOPP), and Team Up are three such methods.

Methods for stakeholder consultation

Beneficiary assessment (BA) is one of the techniques that focus on listening and consultation among a range of stakeholder groups. BA has been used throughout World Bank regions, in both projects and participatory poverty assessments (PPAs). The method intends to serve clients better by making donors and service providers aware of client priorities, preferences, and feedback.

Beneficiary assessment (BA)

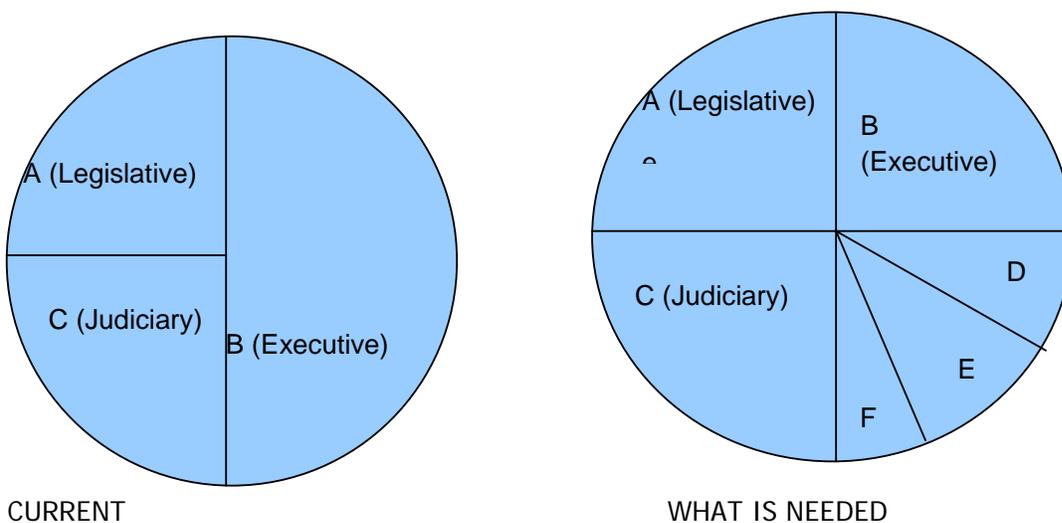
BA is a systematic investigation of the perceptions of beneficiaries and other stakeholders to ensure that their concerns are heard and incorporated into project and policy formulation. BA's general purposes are to

- (a) Undertake systematic listening to "give voice" to poor and other hard-to-reach beneficiaries, thereby highlighting constraints to beneficiary participation and
- (b) Obtain feedback on development intervention.

Essentially, the failures of public institutions in providing efficient and effective governance can lead to the emergence of institutions to fill-in the vacuum. In case of government failures, alternative institutions could be public-private partnerships, or non-government organisations such as non-profits, cooperative societies or commercial organisation (Virmani 2005). These partnerships offer a space for deliberation, collaboration, co-working and networking of different stakeholders-public and private. It is important to view such innovations in the light of broader objective of good governance, which at the moment is more concerned about governance

reform. These autonomous institutions need to be nurtured as complimentary institutions working towards better provision of services to citizen.

Conventional and Redefined Governance Models



D-Private Sector, E-Local Government, F-Civil Society/Community

Slum networking project in Ahmedabad

The Slum Networking Project was launched in 1995 by Ahmedabad Municipal Corporation (AMC), in partnership with SAATH and Arvind Mills. The Slum Networking Project (SNP), Ahmedabad is an innovative approach for the improvement of slums. The residents contribute a part of the total cost of infrastructure, while the AMC provides hardcore physical infrastructure. The NGO is responsible for community organization and mobilization. The SNP provides basic infrastructure in an affordable and sustainable way to the slums. The project motivates and facilitates the target communities, local NGOs and the private sector to work together in a unique partnership. The basic premise behind Slum Networking Programme is to provide the same level and quality of services as provided to a mainstream citizen of Ahmedabad city. SNP has been scaled up with other local NGOs.

This is an excellent paradigm of partnership between the urban local bodies and civil societies. This example can be replicated in Delhi for the development of commercial spaces and thus solves the problem of inadequate infrastructure.

Other suggestions

- 1) It was also observed during the study that even though the plans are good in theory they have failed to materialise. The reason for this is primarily inefficiency on the part of the employees. So it is suggested that some leadership and other training sessions should be conducted for the officials to enhance their performance.

- 2) Accounting reforms are also suggested to ensure better management and usage of funds.

8. REFERENCES and ANNEXURES

REFERENCES

Chattopadhyay, Basudha. *Sustainable Urban Development in India:Some Issues*. New Delhi: National Institute of Urban Affairs, 2008.

Chattopadhyay, Dr. Basudha. *SUSTAINABLE URBAN DEVELOPMENT IN INDIA: SOME ISSUES*. New Delhi: National Institute of Urban Affairs, 2008.

Dr. Shreekant Gupta, Jagan Shah, Kanak Tiwari, Parminder Singh Marwaha. *Perspective Plan for Delhi*. New Delhi: National Institute of Urban Affairs, 2007.

Note on New Regulatory Framework for Building Regulations in India. New Delhi: National Institute of Urban Affairs, 2008.

Paramita Datta, Shreekant Gupta. *Community Oriented City Development Plans*. New Delhi: National Institute of Urban Affairs, 2006.

Planning, Delhi. *Economic Survey of Delhi 2007-08*. New Delhi: Delhi Government, 2008.

Causes for Rural-Urban Migration: A Study of Repeat Movers in the City of Bangalore , by Lingaraju, M and M Johnson Samuel, XXIV(2)2004: 33-56.

Development of the NCR: Issues and Problems, by Kumar, Barun, XXIII(2)2003: 33-60.

Institutional Innovations of Urban Governance: Some Examples of Indian Cities, byNallathiga, Ramakrishna,XXV(2)2005: 1-28.

Pattern of Urbanisation in Karnataka: Issues and Policy, by Sastry, G.S., XXVI(1)2006:33-63

Planning Urban Settlements for People: A Social Agenda, by Gill, Rajesh, XXIII(1)2003: 39-50.

ANNEXURES

ANNEXURE

1

Table 18.1 Monitoring Framework for Development

Components	Unit	Period of Monitoring	Phase I Upto 2011		Phase II 2011-2016		Phase III 2016-2021		Target Upto 2021	
I. POPULATION	Lakhs		138-182		182-199		199-230		230	
(For Infrastructure Provision)										
II. NEW HOUSING	No. in lakhs DUs		7		9.0		8.0		24lakhs DUs	
			R*	N*	R	N	R	N	R	N
			3.5	3.5	3.5	5.5	3.0	5.0	10	14
a. Housing for Urban poor through Slum & JJ approaches	No. in lakhs	2 years	0.7	1.0	0.7	1.6	0.6	1.4	2.0	4.0
b. Houses as Independent Plots and Redevelopment	No. in lakhs	2 years	0.35	0.2	0.35	0.3	0.3	0.3	1.0	0.8
c. Group Housing (35% of total DU's mandatory not to exceed 2 room or less)	No. in lakhs	2 years	0.84	1.9	0.84	3.0	0.72	2.7	2.4	7.6
d. Employer Housing	No. in lakhs	1 year	0.14	0.15	0.14	0.25	0.12	0.2	0.4	0.6
e. Unauthorized Regularised colonies**	No. in lakhs	1 year	1.05	0.15	1.05	0.25	0.9	0.2	3.0	0.6
f. Other Housing areas Upgradation of Old areas Traditional/Villages**	No. in lakhs	4 years	0.42	0.1	0.42	0.16	0.36	0.14	1.2	0.4
* Includes backlog housing stock & replacement										
III. PHYSICAL INFRASTRUCTURE										
a. Augmentation of water distribution	Mgd	5 years	351		139		240		730	
b. Construction of new treatment plants	Mgd	5 years	129		51		89		269	
c. Augmentation of sewerage T Plants.	Mgd	15 years	282		112		194		588	
d. Construction of new sewerage treatment plants	Mgd	5 years	140		56		97		293	
e. Augmentation of power distribution system	MW	2 years	3744		1447		2639		7830	
f. Development of sanitary landfill sites	Ha	5 years	98		39		68		205	
g. Construction/ development of compost/ incineration plants	Ha	5 years	15		6		11		32.0	
h. Municipal Solid Waste	Tons	1 Year	4900		1939		3368		10207	
IV. SOCIAL INFRASTRUCTURE										
a. Health										
(i) Hospital A (501 beds & above)	No.	2 years	9		3		6		18	
(ii) Hospital B (201 beds to 500 beds)	No.	1 year	18		6		12		36	
(iii) Hospital C (101 beds to 200 beds)	No.	1 year	43		17		30		90	
(iv) Hospital D (Upto 100 beds)	No.	1 year	43		17		30		90	
(v) Veterinary hospitals	No.	1 year	6		6		6		18	

130	THE GAZETTE OF INDIA : EXTRAORDINARY				[PART II—SEC. 3(ii)]		
(vi) Dispensary for pet animals	No.	1 year	43	17	30	90	
b. Education							
(i) School for physically handicapped	No.	2 year	4	2	3	9	
(ii) School for mentally handicapped	No.	2 year	4	2	3	9	
(iii) Vocational Training Centre	No.	1 year	9	3	6	18	
(iv) General college	No.	5 year	9	3	6	18	
(v) Professional College	No.	10 years	9	3	6	18	
(vi) Medical college	No.	10 year	4	2	3	9	
(vii) Nursing and Paramedic Institute	No.	5 year	4	2	3	9	
(viii) Training -Cum-Research Institute in Veterinary Sciences					As per requirement		
(ix) University Campus Including International Education Centre (IEC)	No.	10 years		4 sites in Urban Extension			
c. Communication							
(i) Headpost office-administrative office	No.	5 year	4	2	3	9	
(ii) Telephone Exchange	No.	5 year	4	2	3	9	
d. Security- Police							
(i) Police Station	No.	1 year	17	7	12	36	
(ii) Police line	No.	1 year		1 for each administrative zone			
(iii) District jail	No.	5 years	1	1	1	4	
(iv) District office and battalion	No.	1 year		1 for each administrative Zone			
(v) Police training institute/ college	City level	5 years		As per demand			
(vi) Police firing range	City level	5 years		As per demand			
(vii) Traffic and police control room	City level	5 years		As per demand			
e. Safety- Fire							
(i) Fire station	No.	1 year		As per demand			
(ii) Disaster Management Centre	No.	1 year		1 in each administrative Zone			
(iii) Fire Training Institute	No.	1 year		City level (One site in Urban Extension)			
f. Socio-cultural facilities							
(i) Multipurpose community hall	No.	5 years		As per residential development phase			
(ii) Community Recreational Club	No.	5 years					
(iii) Recreational Club	No.	5 years	9	3	6	18	
(iv) Socio Cultural Activities Centre	No.	5 years	43	17	30	90	
(v) Exhibition sites	No.	5 years		2 sites in Urban Extension			
g. Other community facilities							
(i) Old Age Home	No.	5 years	9	3	6	18	
(ii) Working women hostels	No.	5 years	9	3	6	18	
(iii) Night Shelters	No.	5 years	9	3	6	18	
(iv) Care centre for mentally and physically challenged	No.	5 years	9	3	6	18	
(v) Adult Educational centres	No.	5 years	9	3	6	18	
(vi) Orphanage	No.	5 years	9	3	6	18	
(vii) Science Centre	No		4	2	3	9	
(viii) Religious Premises							
At sub city level in urban extension	No	10 years	5	2	2	9	
i. Cremation grounds	No.	10 years	9	3	6	18	
● Cemetery / burial grounds	No.	10 years	4	2	3	9	
V. TRADE AND COMMERCE							
a. Metropolitan City Centre							
(i) Preparation of integrated schemes & specific projects	No.	5 years	1	-	1	2	

b. District Centre/ Sub CBD

(i) Upgradation of existing areas	No.	5 Years	6	2	2	10
(ii) Under implementation	No.	5 Years	9	2	2	13
(iii) New locations in urban extension	To be located along major arterial road as per norms.					

c. Community Centre

(i) Upgradation of existing areas	No.	5 Years	20	10	10	40
(ii) Under implementation in DUA -81	No.	5 Years	22	10	10	42
(iii) New locations in urban extension/ Projects	To be located along major arterial road as per norms					

VI. TRANSPORT

a. Fully/Partially segregated cycle tracks.	No.	1 year	As per requirements			
b. MRTS	Length in K.m.	5 years	120	47.5	82.5	250
c. Construction of grade separators	No.	2 years	Should coincide with 5 year plan and monitored on regular basis.			
d. Development of urban relief roads	No.	2 Years				
e. Construction of interstate bus terminals	No.	1 Year				
f. Construction of Metropolitan Passenger Terminals	No.	5 Years	5			
g. Integrated Freight Complexes	No.	1 Year	5			
h. Petrol pumps & CNG stations	No.	1 Year	As per norms			

VII. RESTRUCTURING ALONG MRTS NETWORK

(i) Upgradation of existing areas	No.	2 years	As per phasing of MRTS Network			
(ii) New locations in urban extension	No.	2 years				

VIII. INDUSTRIES

(i) Redeveloped / Upgradation	No.	3 years	To be Redeveloped / Upgraded as per norms			
(ii) New locations in urban extension	No.	3 years	To be located as per norms			

IX. GOVERNMENT OFFICES / DISTRICT COURT

(i) Redeveloped / Upgradation	No.	3 years	Area located in MRTS influence zone			
(ii) New locations in urban extension	No.	3 years				

X. ENVIRONMENT

New landscape/Recreational area.

(i) City park	No.	10 years	4	2	3	9
(ii) District Park	No.	5 years	9	3	6	18
(iii) Community Park	No.	1 year	43	17	30	90
(iv) City Multipurpose ground	No.	10 years	4	2	3	9
(v) District Multipurpose ground	No.	5 years	9	3	6	18
(vi) Community Multipurpose ground	No.	1 year	43	17	30	90
(vii) Divisional Sports Centres	No.	5 years	4	2	3	9
(viii) District Sports Centres	No.	1 year	9	3	6	18
(ix) Community Sports Centres	No.	5 years	43	17	30	90

*R- Redevelopment

N- New Housing

**No additional land required

18.2 MAJOR ISSUES

1. The Planning process needs reforms and capacity building to meet projected targets adequately, such as preparation of Sub-Regional Plan, Zonal Plans etc.

ANNEXURE 2

IMPORTANT DATES OF SEALING MATTER	
DATES	EVENT
16 Feb. 2006	Supreme Court orders sealing in a case named MC Mehta Vs Union of India case no, Writ Petition (Civil) 4977 of 1985.
24 March, 2006	Supreme Court appoints Monitoring Committee
28 March, 2006	Government notifies chapter on mixed land use amending master plan 2001.
23 May, 2006	Delhi laws special provision act's validity is challenged through WP(C) 263 of 2006 in the case filed by Delhi Pradesh Citizen's Council V/s Union of India seeking to stay the implementations of the act.
21 July, 2006	Government Issues Notification asking for objection/suggestion for mixed land use change
10 August, 2006	Supreme Court accepts the petition of Delhi Pradesh Citizen's Council and orders the Govt. to withdraw certain provisions of the Delhi Special laws Act.
16 August, 2006	Government withdraws few exemptions under Delhi Special Laws.
01 Sept. 2006	Sealings are to re-commence for all who have not filed affidavits.
07 Sept. 2006	Government issues notification amending the 2001 Master Plan chapter on Mixed land use (MLU) Creation of ABCDEFG categories. Notifications

	So. No. 1456 published in gazette of India extraordinary part II, Sec. 3, sub section (ii)
15 Sept. 2006	Delhi Government issues notification including 2183 streets in above notification. Published in Delhi gazette F.13/46/2006-UD/16071 and followed by notification F.13/46/2006-UD/16085.
20 Sept. 2006	Strike in Delhi In view of sealings 4 killed in Seelampur.
22 Sept. 2006	Notification issued vides So. No. 1591 (E) published in gazette of India extraordinary amending building bye laws.
29 Sept. 2006	Supreme Court extends time up to 31 Oct. in view of festivals. Gives relief to 22 categories of trades to function in residential premises.
18 Oct. 2006	In case no. 4677 of 1985 M.C. Mehta V/s UOI : Date extended from 10 November to 31 January for filing affidavits on shops etc operating from notified streets. No small shops to function from residential premises in A, B colonies. Liberalization of view on basements
01 Nov. 2006	Request to court for relaxing the date upto 31.01.2007 for persons already filed affidavits on notified streets. Supreme Court rejects the request and orders sealing to start immediately.
03 Nov. 2006	SEALING STARTS.
15 Nov. 2006	Supreme court directs the traders who had filed affidavits to comply with undertaking/affidavit by 19 November 2006 and file an undertaking informing the monitoring committee of having stopped the misuse.

23 Nov. 2006	Supreme Court temporarily relives 18000 odd establishments on notified streets who filed the undertakings placing them on par with undertakings those covered by direction no. 3 of order dated 29 July, 2006.
--------------	--