Urban Development Planning : The Need for a New Parasdigm

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Abstract

Planning solutions are viewed as a strategy for building new cities and as a means for upgrading existing cities. Little clarity, however, exists about the constituents of possible new paradigms of urban planning. This paper has two objectives. The first is to draw some conclusions from past experience on building new cities and upgrading existing ones.

The DP and its process should not be used to reify boundaries between legality and illegality as interpretations of what is legal and illegal are subject to change and are unduly influenced by certain groups. Rather, it should focus on enhancing the functionality of the city. An important strategy for operationalizing this is to promote the viability of the informal sector. This will enhance the quality of life of many people as well as the growth of the formal economy to which the informal sector is closely linked.

1.   INTRODUCTION

New and better ways of urban planning are increasingly being identified as a solution to the challenges of urbanization going forward. Questions addressed include: Has building new cities in India resulted in better planned cities? What kind of impact has traditional city planning initiatives (such as the Development Plan) as well as newer initiatives (such as the City Development Plan)had on our cities? Will more such planning result in more livable cities? The second objective is to build on these conclusions to argue for a new paradigm of planning. This involves re-thinking what is planning and how it is practiced in the Indian city context, a process that will help make plans that are more appropriate to lived realities and that are more functional places for both living and working.

(a)   Building New Cities : A Mixed Picture

The term 'greenfield' is usually understood to mean constructing on unused land where there is no need to remodel or demolish existing structures1. More than 100 greenfield towns (company-towns like Jamshedpur and administrative towns like Chandigarh) were built in the three decades post independence when the state was at the commanding heights of the economy. Their contribution has been quite limited in comparison with organically developing towns. Criticism has been wide-ranging emphasising the fact that planned cities ignored lived realities particularly of poorer sections (e.g. locating their housing close to their places of work) and that engineering complex inter-connected systems comprising city economies is extremely difficult.

New planned settlements adjoining metro cities, such as Mumbai and Delhi, have fared much better although being somewhat unrecognizable today as planned cities. For, in these locations, it is the everyday practices of people that have prevailed over the plan. Despite the best efforts of CIDCO, the planning authority for Navi Mumbai, illegal constructions and 'encroachments' abound and basic service delivery is uneven although growth is rapid.

Gurgaon, on the other hand, represents a highly privatized and marketized form of planning with households and buildings purchasing services such as sanitation, solid waste management and street lighting from the market. Widely successful from the point of attracting investments, industries and people, Gurgaon's model has very high environmental and social costs. Growth in both places is characterised by booming land markets and a dynamism that renders the Development Plans (DPs) for the area subject to ongoing adjustments. While the DP is considered a top-down, comprehensive plan by experts that fixes allocations of land and resources over a 20- ...plans that were supposed to bring in orderly development are contested, modified and appropriated over time through local practices and politics resulting in a messy, albeit functional, reality. This raises the question of whether complex city-systems shaped by numerous forces and actors can ever be reduced to the singular logic of a DP built with top-down 'expert' knowledge. Year period, plans in both places seem to be evolving, with many land owners developers, architects, contractors and state agencies acting to shape the plan as they want it (Shettyet al 2012).Since land values have risen dramatically, the plan, which regulates the development potential of land, becomes an important document for a range of groups who wish to influence it.

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(b)   Development Plan : Relevance to the 'lived' City

The Development Plan, inherited from the British, constitutes the traditional vehicle for forecasting and managing cities' growth. While the British went on to amend their planning practice to make it more relevant to their needs, our Planning Acts have seen little fundamental change. This accounts for the considerable mismatch between the DP and the 'lived' city.

Typically, the DP covers only a limited proportion of the city it purportedly plans for. The area under slums, for instance is not included, as slums are considered illegal. In fact what is usually labeled the informal sector is not included within the plan. This is a fundamental flaw in the planning process because the informal sector provides a majority of jobs and contributes substantially to city's GDP, Far from being peripheral to the city, engaging in low productivity trading and low demand services, it sits at the centre of the city's economy and is inextricably linked to the formal economy (Mukhopadhyay 2011).A third of the workforce in Indian cities engaged in economic activity in places that are not traditionally considered as workplaces - the home or the street (NSS Report 519 2004-05), and 75 per cent of the workforce is informal (NSSO 2005). If such large numbers of people find no place in the plan, how do they access land and services within the city? They get infrastructure upgraded through local municipal or Councilor/MLA/MP funds, especially at the time of ejections. This form of city building that is incremental, mixed use, and connected to everyday politics is the dominant urbanism (Benjamin 2010).

The dominant urbanism is one that doesn't work through the DP but in opposition to it, clearly establishing the DP's limited relevance for the 'lived' city.

Planning acts typically require only the final draft plan to be published for suggestions and objections. Having little space to intervene during the making of the plan, challenges to the DP by citizens and political networks, therefore, manifest in a long-drawn out and conflicted process of planning that arises after the plan has been prepared. Sundaresan (2014) reports on how a group of citizens filed a Public Interest Litigation in the High Court of Karnataka questioning the rationale of the environmental plans, land use zoning strategy and traffic plans made by the Bangalore Master Plan(2005-15) for their neighbourhood. In 2012, the court cancelled the mixed land use strategy proposed by the Plan. Numerous such changes were made

between the time of submission of the final draft of the Plan to the planning authority, the Bangalore Development Authority and its final approval two years later. On the other hand, the Corporation, that was responsible for plan implementation, selectively exploited greater construction rights granted by the new Plan without formulating appropriate building regulations that would ensure enforcement and regulation of this new construction (Mohan and Rajagopal 2010). The end result was greater construction, congestion and burden on infrastructure, problems that the new Plan was supposed to have addressed.

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(c)   Failure in Plan Implementation or Planning by Deregulation?

Most of the frustrations about the poor quality of life of Indian cities are seen to arise from planning violations. Slums populated by urban poor groups are seen to perpetrate such illegalities but they are not the only ones to benefit from illegalities. Globally, informal urbanization benefits middle and upper class urbanites and suburbanites much more than slum dwellers especially in the urban peripheries through informal plotting and sale of layouts (Roy 2009). Informality is thus, not synonymous with poverty (ibid).

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Scholars writing on cities in India (Sarin on Chandigarh. Baviskar on Delhi, Benjamin and Nair on Bangalore) emphasise that the existence and growth of slums and illegalities of the middle and upper classes need to be understood not as 'failures of planning' but as an essential part of the planning process. Roy (2009) argues that rather than being about forecasting and managing growth, urban planning in India is about the management of land resources through ever-shifting processes of informality. She argues that India's planning regime is marked by deregulation (Roy 2009). Deregulation, as opposed to unregulation, indicates a "calculated informality", where the state deliberately withdraws regulatory power and this ambiguity shapes processes of urban development.

Kamath and Deekshit (2014) describe the case of reservations in Solapur, a town of nine lakhs in Maharashtra, to better understand how planning by deregulation actually works. In the Maharashtra Town and Country Planning Act, reservations represent an instrument whereby the planning authority can reserve certain lands for public amenities like schools or gardens and acquire the land in the public interest. If lands are reserved in the plan, then building permissions cannot be given for another use nor can the building be regularized if construction has been done. While in practice, the City Corporation rarely acquires or develops reserved lands as intended in the plan (usually citing lack of funds), politicians use the threat of putting reservations on land as a political strategy for winning support. The flexible use of reservations for political gain rather than the planning purpose of orderly development has meant that reserving, and in turn, de-reserving or cancelling the reservation become negotiable processes. This power enables control of the land market. On the ground meanwhile almost all reservations have been informally developed as slums or layouts with only 6-9 per cent being acquired by the Corporation. This informal development has been facilitated by matching needs: (poor) communities need land for housing, land owners/ developers want to earn

money off reserved land that they cannot legally develop, and planners/officials profit from turning a blind eye to such development. The entire process reveals local actors' sophisticated understanding of land dynamics and their cognition of planning instruments as a resource over which negotiations take place.

A characteristic feature of the informalised nature of planning is the shifting relationship between legality and illegality. This is exemplified in the manner in which the state wields its power to decide that what is illegal today can be regularized and made legal tomorrow. It makes a distinction however between illegalities of the rich and those of the poor. The Akshardham temple on the banks of the Yamuna, has been regularized and celebrated despite numerous planning violations, while Yamuna Pushta, a large slum on the very same riverbank, was demolished citing plan violations.

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Such an understanding of the regime of planning in India strongly suggests that more such planning cannot solve the problems of Indian cities as planning itself is implicated in the production of such cities and their problems.

(d)   Planning through Projects : Becoming World-Class Cities?

Growing disillusionment with the ability of DPs to create orderly cities has led to experimentation with a new mode of planning: strategic project-based plans. Planning through (mega) economic and infrastructure projects aims at leveraging the potential of cities as growth engines and it 15 hoped, will lead to the formation of world- class cities. The Jawaharlal Nehru National Urban Renewal Mission (JNNURM), a central programme launched in 2005 for 65 selected cities in the country, epitomized such a trend. The Mission required the preparation of numerous plans

and the rollout of 23 governance reforms in return for getting finances for infrastructure projects. Needing funds but being hard pressed to prepare a City Investment Plan (CIP), City Development Plan (CDP), City Sanitation Plan (CSP), City Mobility Plan (CMP) to name a few, already weak urban local bodies (ULBs) have outsourced plan preparation to external consultants. While the CDP is supposed to represent a holistic vision for the city outlining strategic areas for priority and investment, it has ended up being a collection of individual projects that has little buy-in because it was not prepared with the involvement of the ULB or people themselves (Hazards Centre 2008). All the Mission plans constitute parallel planning processes that have no relation with the DP or each other and have no legal backing. They remain an exercise to get funds rather than to plan holistically for the needs of the city.

No attempt was made to understand the prevailing governance system and political realities of differently sized, capacitated and historicized cities so as to match the Mission to the needs of different stakeholders. in turn states and cities have responded tactically to the Mission revealing resistance, subversion, negotiation and compliance where it suited their political and financial interests. Rather than a failure of implementation, these responses have to be understood as a political strategy by local and state level actors that have appropriated a mission planning process that gave them no rote and was unsuited to their reality.

While provision of affordable housing and basic services to the urban poor was one of the major objectives of the mission, citizen groups and scholars criticize the JNNURM for not achieving this objective. Large infrastructure projects serving the better-off have received mere funding than basic services that are exclusively targeted towards the poor (Mahadevia 2011). In many cities, infrastructure projects have led to eviction and displacement of slum dwellers and forced resettlement in the outskirts (Citizen Groups 2009;Mahadevia 2011).Similar to the DP, most CDPs do not plan for the informal sector.

Overall, the Mission has fared poorly in addressing its goals of providing infrastructure and reforming urban governance (Kamath and Zachariah 2013). The evidence suggests that this was because the Missions theory of change for Indian cities has been 'one-size- fits-all' in its imagination of what infrastructure and governance reforms are needed by different towns and cities and how they are to be provided to different urban dwellers. No attempt was made to understand the prevailing governance system and political realities of differently sized, capacitated and historicized cities so as to match the Mission to the needs of different stakeholders. In turn, states and cities have responded tactically to the Mission revealing resistance, subversion, negotiation and compliance where it suited their political and financial interests. Rather than a failure of implementation, these responses have to be understood as a political strategy by local and state level actors that have appropriated a mission planning process that gave them no role and was unsuited to their reality.

2.   CONCLUSION

Clearly, new town planning, master planning, and more recent project-based planning have not automatically led to better planned or more livable cities. The striking commonality in these expert-driven planning approaches is the stark divide between the plan and the lived realities of those being planned for and the resultant challenging and modification of the plans. So how do we expand the outdated planning process to make it more amenable to existing structures of governance and political realities while achieving certain normative goals?

First, we need to rethink our understanding of planning based on actual practice. This involves conceptualising planning as a dialectic between technocratic and political dimensions: the static plan document prepared via a formal legal process and the dynamic and informalized process of planning constituted by back-room negotiations and outright challenges over allocation of development rights. This requires a dialogue between formal and infomralised processes, net a sequential pcvfcni e as hoppers now.

It also calls for people and not just experts to be centrally involved in plan-making.

Currently the planning authority of ULBs, although mandated by the 74thConstitionai Amendment Act, has been usurped by parastatals that operate without public accountability. Elected representatives have no official role in the preparation of the plan (which is typically the domain of experts) while they are key players in the informalized planning process, negotiating exemptions and practicing deregulation. The lack of a formal role with executive authority gives them license to intervene without being held accountable and incentivizes individual action (whether problem-solving or rent-seeking) rather than seeking more enduring institutional solutions to urban problems through the ULB.

Second, we need to reverse efforts at planning that have been marked by centralization and depoliticization. We need to enhance the scope for decentralized, negotiated rule and broader and deeper public participation in the planning and land allocation process at the local level. Currently the planning authority of ULBs, although mandated by the 74thConstitutional Amendment Act, has been usurped by parastatals that operate without public accountability. Elected representatives have no official role in the preparation of the plan (which is typically the domain of experts) while they are key players in the informalized planning process, negotiating exemptions and practicing deregulation. The lack of a formal role with executive authority gives them license to intervene without being held accountable and incentivizes individual action (whether problem-solving or rent-seeking) rather than seeking more enduring institutional solutions to urban problems through the ULB. Planning is not a purely technocratic exercise but requires political involvement at multiple scales, from neighbourhood to pan-state, in order to address contemporary global realities.

Finally, we need to acknowledge that much of the city develops outside or prior to the DP and the DP cannot be the sole document that defines it.

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