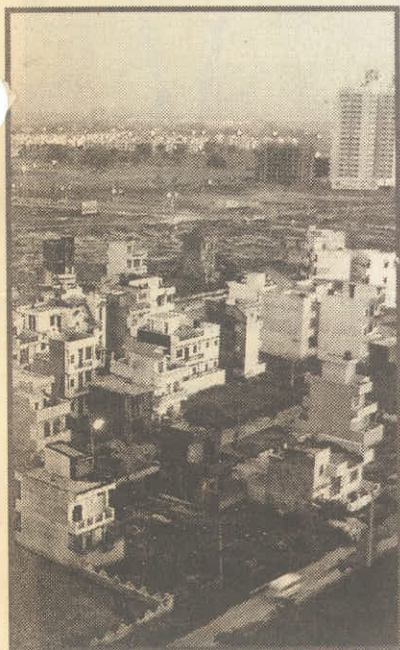


Without masterplan, civic body, Gurgaon no-man's land

SUDHIR VOHRA

NO one in Gurgaon seems to have read the Constitution of India — particularly the 73rd and 74th Amendments. Enacted about 10 years ago, Article 243 ZD of the Constitution gave the citizens the right to “spatial integrated planning” and having all the rights and duties of a municipality.

Let's first consider the constitutional rights of Gurgaon's citizens, as conveyed through Article 243 ZD. In layman's terms, what this means is that every resident of Gurgaon has the right to be represented in all matters relating to urban planning and habitat. The amendment made to the Constitution a decade or so ago said that all governments had a period of one year in



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which to amend their municipality and other laws to be in consonance with it. That one-year period expired a long time ago.

Just like Delhi, Gurgaon should have got a Masterplan which should have been put up for public scrutiny and participation and then ratified by a democratically elected body. In Delhi, every alteration to the Masterplan is presented to the public and promulgated only after the elected body (in Delhi's case, Parliament) has had the occasion to reflect on it.

In Gurgaon, issues like parks being consumed by real estate developers (even after 25 years of the colonies having been sold off), shopping malls coming up in backyards, highways being diverted in front of homes and schools etc are now becoming increasingly frequent.

But the residents of Gurgaon are only addressing the symptoms of the problem and not the malaise. Leave alone the right to scrutinise any change in the town planning schemes, a resident of Gurgaon does not have the simple right to being part of a municipality.

Which brings us to the second basic issue. Gurgaon has a municipal council — not even a municipal cor-



poration (like even poor neighbouring cousin Faridabad has). The municipal council's territory extends only to the old Gurgaon town — an area of about 5 square kilometres. All the new colonies and apartment blocks which are now the new gold rush destinations — conveniently hyped up with slick adverts issued by private developers — are not within any municipality control.

Put simply, the existing Municipalities Act of Haryana (which still has some value though it has not yet recognised the 74th Amendment to the Constitution) does not apply to New Gurgaon.

Which means that the private developer can conveniently collude with



the district town planning authority and do whatever suits both pockets best — convert any piece of open land into, say, a shopping mall or a hospital (under the convenient guise of a dispensary) or a private school. And what about police stations, nursery schools, convenience (corner shops) stores, motor repair garages, petrol stations etc? These are low down on the list. By the time the citizens of Gurgaon realise what has gone wrong, it may be too late!

(Sudhir Vohra is an architect and writes actively on urban issues. He is now part of a team of experts which is rewriting the Delhi Municipal Corporation Act and the Delhi Building Bylaws.)