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THE word "architecture" does not appear anywhere in the Constitution of India. Nor does the term "urban planning", and neither "town planning".

In his address to the nation on the June 24, 2004, the Prime Minister expressed his concern quite clearly:

"A striking feature of development in our country has been the rapid increase in urbanisation. There are now more than 30 cities with a population of more than a million. The rapid and unplanned growth of these cities has contributed to increased urban pollution, crime, and absence of the required infrastructure like access to drinking water, sanitation, roads, footpaths for pedestrians, land for public spaces, parks and greenery is making life in urban India a living hell for many. Most of the responsibility for this rests with states and municipal governments. It will be our effort to give special attention to poli-

Indian cities remain catastrophically unplanned. A colonial mentality is resulting in rapid decay of urban conglomerates

cies that can encourage urban development and urban renewal. We will actively seek public-private partnership in building urban infrastructure in a planned manner."

The states of India draw the powers to control urban development by virtue of an innocuous little word which appears in the State list (List II of the Seventh Schedule), as enacted in Article 246 of the Constitution. It says — in entry at serial 18 of this list:

"Land, that is to say, rights in or over land, land tenures including the relationship of landlord and tenant,



Landing into the growing mess of the Indian metropolises

and the collection of rents; transfers and alienation of agricultural land; land improvement and agricultural loans; colonisation."

That one little word — colonisation — is all how our founding fathers of the Constitution described my profession. Architecture and urban planning. That one little word.

Perhaps the times were

such — 55 years ago — that the founding fathers had little exposure to how important planned urban habitat is to a civilised society. In 1949, only four Municipal Acts were in place. A legacy of the British, who were — perhaps rightly so — only bothered about the administration of Bombay, Shimla, Calcutta, and other places which were

of value to the Raj.

But now, a half century later, things have changed tremendously. Twenty-two per cent of our country lives in what the Government recognises as urban conglomerates. As the PM himself states, we have 30 cities which have a population of a million persons or more. Sixty-two per cent of Mumbai lives in slums, and about 45 per cent of India's capital city is unplanned growth fuelled by hungry councillors and corporators for their petty private gains.

In many states of the union, the Municipality Acts were enacted nearly 25 years after we became a republic. The example of Himachal Pradesh is apt. Its Act of 1976 encourages untrained personnel to design and construct buildings. The irony is that 70 per cent of the State is on unstable Earthquake Zone 5 area. Yet the urban laws are so weak that un-

planned growth, without a wee bit of town planning, carries on regardless. And when a lake in China threatens to overflow, we panic because we know that most of the urban dwellings in the State are built without any planning on the banks of the rivers. Shimla is okay because it is on the ridge, not in the valley!

The crux of the problem is that, as per the Constitution, the MoUD (Ministry of Urban Development) at the Centre has jurisdiction only over the 30-odd square kilometres of the country — the NDMC area, and has no say in any of the enactments which govern urban development in any other part of the country. While one argument which has been often quoted is that this — urban development, planning and architecture etc is a state subject, and that this is a ticklish issue concerning Centre-

State relations etc — the result has been catastrophic.

In merely 50-odd years of development, we have started talking about urban renewal as if our cities are ancient ruins which need to be redone. These are, unfortunately, new towns which we have allowed to come up without any proper professional planning.

The truth of the matter is that urban laws and regulations have not received enough attention of the Government at all. We have situations like the NCRPB Act (the National Capital Region Planning Board Act — a Central Act) which has been consigned to the dustbin by the very states which are, by statute, a party to the Act. So, while we build super-fast highways linking our cities, the regional and urban planning which needs to be done in consonance by all the stakeholders is just missing.

Even though these signs of urban decay were recognised about two decades back, and the 73rd and the 74th amendments to the Constitu-

tion were enacted in the early 1990's, the statutes have not been translated into the Urban Planning and Municipality laws of the states. Parliament's statutes remain pieces of paper without any action on the ground.

The PM has talked about public-private partnership in this sector of the economy in his address. But without a regulatory mechanism in place, such growth, if allowed to just take place haphazardly shall be another catastrophe.

We have enough professionals in the country to do the job. Most of our town planners and architects take the first flight available to the developed world mainly because our regulatory framework in India is non-existent. Not weak, but non-existent. Putting such laws into place is not difficult. It only needs a political will.

It remains to be seen whether the PM shall follow up his speech with action or not.

The writer is an architect