



Housekeeping tips

THE Delhi High Court's observations on the issues confronting the Municipal Corporation of Delhi (MCD) — especially the latest Wednesday's order to go after the "big fish" violating building bylaws — come as a breath of fresh air in an otherwise polluted and confused political environment. In a manner — seen from the larger point of view of the fact that the courts have better things to do with their time — this is a case of justice being blind, but not judges. For, as the court rightly observed, the urban mess which we see around us in the country's Capital does not need any special vision. It is a pity that both India's political and commercial capitals are in a state of urban decay. And that, just as we seem poised, after a decade of the reform process, to show results, we are plagued by problems of inadequate infrastructure, imbalanced real estate prices, and horrible cities.

But can we expect the MCD, which has bogged itself down with being part of the problem, to find solutions for the mess it has been largely responsible for? Or do we need out-of-the-box thinkers and professionals to bring about systemic changes in issues concerning urban governance? One of the court's orders has hit at a fundamental tool of urban and municipal administration — the issue of supplying utilities like power, water and sewage connections, to illegal buildings. This simple executive tool — the power to control utilities — can be used to control both illegal construction and use. But over the last few decades, the MCD has conveniently diluted the tool and also trashed the need for the completion certificate. Why should an illegal building be given all the benefits of the city?

Now, if we are to correct this mess, we need even tougher measures to perform the surgery which the city needs for its survival. First, remove the inspector raj and bring in more transparency. Use IT tools like the internet to let every citizen



End the widespread decay of our cities through reform and legislation

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know what is legal and what is not. This business of clouding all municipal laws with layers of secrecy must stop. Link illegal buildings with the trade of such stock — do not allow them to be bought or sold until they have been brought back to the shape and use they were designed for. This should be done for the whole building in the plot, not in the portion or floor which is illegal. By doing this, one will generate internal pressure by the law abiding person who wants to live in peace.

Second, all notices and challans issued by the municipal body should be available for all on the internet. The normal tricks of the in-

even various zones or boroughs of the Capital. For instance, the Delhi CM says that the MCD should be trifurcated. This is not enough. Why not 12 parts, each for every administrative zone, and let every one work to be better than the other. Just like the NDMC zone of 27 sq km is better governed than the MCD's areas, why can't we break up the city, and get a credible head to oversee each part? This is done all over the world. We now need to bring in global best practises in city management systems, and not leave it to the lowly JE or AEs to interpret laws in the manner which best suits their pockets.

In the present crises, we need to

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spector raj are to issue challans, and to create file documents which cover their acts, and then use these instruments to extort money from the wrong-doer. If traffic offences are now computerised, why not municipal records and notices? If the Income Tax departments are IT enabled enough to send us an SMS reminding us to pay our taxes on time, and if the government spends crores on ads teaching our children the values of correct taxation, what is so sacred about municipal laws and civic violations that they cannot adopt the transparent methods now available with India becoming a software warehouse?

Thirdly, create systems which encourage healthy competition betw-

create an atmosphere where wrongdoers feel the need to correct the mess themselves — without waiting for the painful indignity of the bulldozer's visit. Again, we could link this to the supply of public utilities. If there are extra floors beyond the permissible limit, cut off supply of all utilities to the building and allow self correction to take place. It would be the MCD's job to accept their misdemeanours honourably and find ways to correct the mess they have been party to, than to meet the ire of people who have to face the indignity of destroying their own illegal buildings.

At the same time, there is a need to catch the culprits who have made it their business to abuse urban law

— whether they be within or outside the government's executive machinery. Merely dismissing them will not be enough. Most have made enough money in a decade to retire into luxury and oblivion. Mere departmental inquiries will not do — if illegal construction is a criminally punishable offence, then conniving to allow it to happen with impunity should also have similar criminal penalties. Finding them is not difficult — it only needs the right political and administrative will.

On a larger plane, we need new laws to regulate the so-called builder's industry. There is more good than harm in the industry. Builders have learnt to manage men, materials, and finances quite admirably, although not with adequate safety or quality. But they do serve a purpose. Can we allow — in today's world of specialised regulators — SEBI, TRAI, DERC, etc — this large chunk of the city's economy to run amuck, help in breaking urban laws, and disappear? How is it that they operate with shadowy efficiency and put buildings up, sell them, convert their land use illegally, and then vanish?

Perhaps the situation is akin to the reforms in the policing and security systems of previous years: when the local police failed to protect our airports, the CISF airport security establishment was created. When Delhi Police's own men assassinated a prime minister, the SPG was created. Laws changed, and corrections were done. Whenever a stock market scam is detected, new measures are brought in to correct the market manipulators. Urban laws and urban management need similar surgery to cleanse the system of the cancer that we see spreading in our cities today. Mere cosmetics won't do. And the result of such systemic changes — if the government has the political will to institute them — shall be appreciated by the common man.

The writer, an architect, is part of a team drafting Delhi's building bylaws