

The confrontation between the SC and a municipal body is a bad omen. What signal does it convey to the rest of the country?

Setting a bad example

The past week has seen much media attention being focussed on issues and court cases which concern urban and municipal governance. Around the same time the Prime Minister launched the National Urban Renewal Mission (NURM), albeit without much fanfare. The NURM, and its possible impact on urban governance and laws, will provide fodder for much analysis in the coming months. Meanwhile, another issue has arisen, which deserves our attention.

Both the High Court at Delhi, as well as the Supreme Court, have been hearing cases regarding abuse of municipal laws in the capital. The issues before the High Court pertain to illegal construction in the city, fixing responsibility on municipal officials for mis-governance, their connivance with lawbreakers, not to mention how municipal laws should be enforced.

One such matter has been argued over the past month in the Supreme Court, and is now due for final judgement. It's a simple issue, and one wonders why it needed to be adjudicated at the level of the apex court. Simply put,

it deals with the question of whether or not the Municipal Corporation of Delhi (MCD) has the powers to seal and shut down buildings that have been abusing land-use laws. This issue has been before the Supreme Court for three years now. In any other civil society, such a mundane issue - concerning urban local governance - would not have got the attention of the country's apex court.

Another disconcerting fact that emerged this week involves the speed with which the Delhi government is attempting to 'regularise' the actions of a section of society that has broken the law. We seem to be moving to another phase of mis-management, where the

local government first connives with law breakers and then, when the matter awaits judgement in the Supreme Court, attempts to change the law, in effect rewarding those who break it.

This apparent confrontation between the Supreme Court and a local municipal body seems to be a dangerous omen. The question one must ask here is what signal will such a con-

frontation send out to other local, municipal bodies all over the country. Those bodies which are supposed engender urban renewal, based on the systems and conditions set out by the NURM?

The cases, currently at the level of the High Court, pertain to unauthorised construction. In one of the cases, the Court has ordered illegally built structures to be demolished, as well as asked to see a list of builders indulging in illegal constructions. The Court is looking at fixing responsibility on municipal officials, holding them accountable for the areas under them.

While this was going on, the recent fire at a factory in Delhi's Vishwas Nagar brought into focus the issue of how urban laws need to be implemented. The area is home to numerous illegal factories. The Supreme Court had ordered closure of these factories as they were running in a residential area. The order, however, was not followed. The building was locked up in the morning, after the workers began the day's work, and the fire resulted in the death of 12 workers. This incident should reopen a long-overdue debate. Merely issuing 'regularisation' diktats will not solve the problem. Such hazards are man made and can be avoided. All it takes is the will to do so. ♦

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