CHAPTER 7
CONCLUSIONS AND SUGGESTIONS

The study of policy and administration of urban planning in SAS Nagar focused on the administrative aspect of urban planning. It aimed at studying the adequacy of legal and regulatory framework with respect to urban planning; role of various administrative agencies involved in administration of urban planning and analyzing the status of people's participation in streamlining urban planning processes. A comprehensive research methodology was adopted to test the pre-determined hypotheses and to deduce logical conclusions with respect to various administrative aspects of urban planning in the city.

The study used both the primary and secondary data. The secondary data was taken from books, journals, primary government data i.e. annual administrative reports, newspapers and the internet. Primary data was collected from formal and informal interviews. The study focused on the administrative aspect of urban planning; interview schedules were, therefore, prepared to gauge the opinions of the respondents. The observation method was also used. The researcher interviewed at least two officials each from Department of Town and Country Planning, Punjab Urban Development Authority, Greater Mohali Area Development Authority (Annexure V and VI) and Municipal (Annexure VII) Council, SAS Nagar. Various other concerned officials were interviewed, namely, Estate officer, Project Advisor, Land Acquisition Collector and Law officer. Further, interviews were conducted with members of non-government organizations and private developers and builders selected on the basis of convenient random sampling (Annexure VIII). The role of mass media was studied with respect to its participatory role and dissemination of information pertaining to urban planning issues. Newspaper journalists covering urban issues in four newspapers i.e. the Tribune, The Times of India, The Hindustan Times and Dainik Jagran were interviewed (Annexure IX).

7.1 Main Findings

Main findings of the study have been organized hypotheses-wise. An introduction to the context of each hypothesis is followed by sub-hypothesis wise discussion.
Hypothesis I
The existing legal and regulatory framework is not responsive to the changing requirements of urban areas.

“Legislation is something we must have and yet admittedly it is the most unsatisfactory in practice”¹. This remark resonates with respect to the existing legal and regulatory framework for administration of urban planning. The state urban planning legislation i.e. the Punjab Regional and Town Planning and Development (Amendment) Act, 2006 was studied in SAS Nagar with a view analyzing the policy framework, centralized administrative structure, environment consciousness, role of urban local bodies, enforcement mechanism and legislative audit mechanism.

❖ There is absence of requisite urban policy framework.

Policies are “decisions giving directions, coherence and continuity to courses of actions for which the decision making body is responsible”². Therefore, a policy delineates functions and activities which are adopted by an agency. Paradoxically, a well-articulated urban policy was absent in the state of Punjab; urban planning legislations were developed without any policy base. Lack of political will and technical expertise were identified as the stumbling blocks in formulation of an urban policy resulting in non-formulation of unified urban goals.

❖ The legal framework for urban planning provides for highly centralized administrative structure.

The Act provided for a centralized administrative structure; all decision making powers had been vested in the State Government. The urban development authorities i.e. PUDA and GMADA exercised all powers and performed such functions as directed by the State Government. Further, the Act had been completely silent regarding the participation of urban local bodies and civil society in administration of urban planning.

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The urban planning legislations do not display environment consciousness

The non-inclusion of provisions pertaining to environment concerns was another limitation of the Act. The Act did not provide for undertaking environment impact assessment and for integration of green policies and strategies in urban planning such as broad basis for mixed land use, renewable energy and carbon neutral strategies to reduce greenhouse gas emissions, transport strategies to reduce fossil fuel use and so on. There had been absence of explicit provisions for ensuring environment conservation.

The urban planning legislation provides for limited role of urban local bodies.

The Act had curtailed the role of ULB’s in the administration of urban planning. It provided that ULB’s would perform only the planning functions assigned by urban development authorities. In SAS Nagar, the MC was responsible for maintenance of the urban areas developed by GMADA. Hence, the Act had taken away the administration of urban planning from the jurisdiction of ULB’s. This clearly reflects the intentions of State government of retaining and exercising complete control over urban development activities in the State. MC had, therefore, been expropriated from its constitutional responsibility.

The urban planning legislation does not provide for participatory approach.

The Act did not contain provisions for incorporating of participatory approaches in the administration of urban planning, neither at the formulation stage nor at the implementation stage. The Act had neither defined the means for operationalizing participation nor had it defined the potential stakeholders in the urban planning process. Thus, it did not mandate GMADA to secure participation of relevant stakeholders in urban plan preparation and implementation. However, the Act provided for seeking objections/ suggestions of general public with regard to draft master plans prior to final approval by the Government, though such suggestions have not been binding on it.

The weak enforcement of urban planning legislations have allowed rampant violations

Exponential rise in encroachments, illegal occupations and contraventions in land use have highlighted the inherent weakness of enforcement mechanism. Development regulations lack transparency i.e. high degree of ambiguity in understanding and implementing these controls. The ambiguous rules and
regulations had flawed their interpretation and application by several agencies; resulting in rampant violation of regulations. Further, lack of administrative will for enforcing urban regulations in spirit was the most serious lacuna. The administrators were hand in glove with the violators, reinforcing one another’s vested interests. Thus, such corrupt ‘self-serving networks’, from top to bottom, provide impetus to rampant violations in the city.

- **There has been absence of regular audit of urban planning legislations to study the impact of planning regulations, standards and procedures.**

  Urban legislations need to be audited for incorporating the geographic, demographic and economic specificities of local areas or regions, from time to time. No system of scheduled regulatory audit had been adopted till date for urban planning legislations by the Government of Punjab. GMADA, a statutory authority, was an implementing agency; therefore, amending or eliminating any urban legislation falls within the purview of State Government - the policy making agency. The Government, however, reviewed the existing urban planning legislations and regulations as and when required. Thus, audit of rules and regulations was not considered as an integral part of urban planning administration.

  Hence, the primary and secondary data supported the hypothesis that the existing legal and regulatory framework is not responsive to the changing requirements of urban areas.

Hypothesis II

The existing organizational structure for administration of urban planning is highly complex

A formal structure of urban planning is imperative for achieving collective action in the realms of urban affairs, for integration of diverse institutions and interests in decision making processes and for management of urban change. It is so because “planning is not just about formulating ideas, policies and programmes, but also about implementing these through collective actions”.


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urban planning in SAS Nagar to analyze the role of concerned urban agencies, their functional jurisdiction, existing coordination and enforcement mechanism in administration of urban planning.

- There have been multiple agencies for administration of urban planning in SAS Nagar.

The administration of urban planning in SAS Nagar was characterized by existence of multiple agencies. The study found that the State Government had established agencies for every activity of urban planning i.e. TCP for urban plan formulation; the State Government and the Board for plan approval; GMADA for plan implementation and for provision of social housing; PSIEC for provision of industrial housing and MC for maintenance of developed areas. Further, the function of water supply and sanitation was looked after by the Department of Public Health on behalf of the MC; the MC was responsible for construction and maintenance of inner roads i.e. roads within the city. This arrangement, therefore, transformed the city into a “contested territory” where each agency unabashedly passed on the buck for non performance of functions.

- There has been duplication of functions among concerned urban agencies in SAS Nagar.

A major fallout of the existence of multiple agencies has been the duplication of functions of various agencies. This phenomenon has been common to all urban areas in the country. In SAS Nagar, several functions assigned to Municipal Council were performed by various other urban agencies. Thus, a state of confusion existed with the agencies blaming each other for non-performance. It was found that the function of removal of encroachment was being performed by the Council and GMADA; provision of water supply in the city was undertaken together by the Council and Department of Public Health; Water and Sanitation Department looked after the construction and maintenance of sewerage facilities on behalf of the Council; construction and maintenance of roads and bridges in SAS Nagar was partially performed by GMADA, PWD (B&R) and the Council. Such duplication of functions had not only expropriated the Council of its constitutional duties, it also resulted in delay in performance of functions as the Council had to depend on these agencies for the delivery of functions nor was there any coordination between the implementing agencies.
The administration of urban planning suffers due to weak enforcement control mechanism in SAS Nagar.

The rising number of violations in the form of encroachments, misuse of prescribed land use and illegal construction highlighted the inefficiency of the encroachment control mechanism of the Authority. While discussing the problem of encroachments, officials of GMADA admitted the Authority’s failure to check encroachment. They did not deny the existence of a nexus between the officials and encroachers, which had been the force behind such violations. They said that the defect lay in socio-economic structures of society which facilitated the growth and sustenance of such activities. Hence, enforcement of urban development regulations was weak due to absence of willingness to enforce them; not due to dearth of rules and regulations.

There has been lack of political will for curbing detractions to urban planning and administration in SAS Nagar.

Effective urban planning requires both political will and support for its success. Political support is essential for creating requisite urban development institutions and curbing urban violations. However, the nexus between political elements, officials and land & building mafias has defeated the noble objectives of urban planning administration. Discussions with the officials of GMADA, Municipal Council and District Planning Committee revealed that lack of political will was, to a large extent, responsible for non-devolution of urban planning function to MC and for non-institutionalization of participation of people in urban planning processes. Further, the officials lamented that violations and encroachments could not be controlled because many residents enjoyed political patronage; in case any action was initiated against such persons political pressure was mounted on the Authority to abort the action.

Hence, the primary and secondary data proved the hypothesis that the existing organization structure for administration of urban planning is highly complex.

Hypothesis III

There has been lack of coordination among various agencies involved in urban planning and administration in SAS Nagar.

Coordination is a key component for achieving organizational efficacy, requiring all the agencies engaged in urban planning administration to work
together in an integrated manner. Administrative coordination could be achieved through various means such as inter-departmental advisory meetings, inter-organizational meetings, appointment of coordinating officers, standardization of procedures and methods, consultation, references, clearance and so on. The study, however, found that an effective coordination mechanism was missing. This state of affairs could be attributed to the absence of any legal base in urban development legislation for setting up a system for facilitating coordination. The study had comprehensively studied the relationship of GMADA with other urban agencies operating in SAS Nagar. There was no coordination between the generalist and specialist officials since the function of urban plan formulation was separated from urban plan implementation. Discussions with officials revealed that they did not feel the need for establishing a well-defined coordination system; GMADA itself coordinates with the concerned agencies as and when required. The officials’ perspective on instances of ‘poor coordination’ was that of seeing these as trivial issues arising from administrative delays; not lack of coordination. Thus, the recommendation of Hogwood and Gunn for existence of single implementing agency and minimal dependency relationships, in reality, had been found to be compromising with the requisite administrative processes.

Hence, the primary and secondary data proved the hypothesis that there has been lack of coordination among various agencies involved in urban planning and administration in SAS Nagar.

Hypothesis IV

The administrative agencies have been ineffective in discharging the functions of urban planning and administration in terms of land use, housing and infrastructure facilities.

The administration of urban planning is concerned with effective management of land resources, infrastructure and housing facilities. The study, therefore, studied the administration of these components in SAS Nagar. For the purpose of the study, the term “effective” denotes how far the agencies have been successful in reducing the gap between demand and supply of the facility. Factors impacting effectiveness includes institutional arrangements, enforcement machinery, inter-organizational coordination, monitoring and evaluation.
The land use planning has been developed in systematic manner in SAS Nagar.

Land use planning is imperative for orderly disposition of land, resources, facilities and services to attain physical, social and economic efficiency of urban and rural communities. It has been found that the existing land use planning in SAS Nagar has adopted a systematic approach. Land has been classified into various functional uses. Further, for each functional use specific data regarding its size, value, zoning, slope, soil, building and existing and proposed use has been given due consideration in accordance to their importance. The land use pattern has, therefore, been developed in a clearly defined manner. However, certain issues still need to be addressed, namely, uneven population distribution, burgeoning slums, contraventions of land use and industrial housing.

There has been a gap between demand and supply of housing facilities in SAS Nagar.

The basic aim of urban planning has been to ensure affordable housing to every citizen in an urban area. Thus, it is essential to identify housing needs within the urban planning process. However, the Punjab Regional and Town Planning and Development Act, 2006 did not provide for integrating housing facilities in an urban plan. Reservation of residential zones has been provided in the master plans. However, several issues related to housing such as absence of provisions pertaining to social integration i.e. reservation of residential zones for EWS/urban poor, absence of quantitative targets such as 50% affordable housing, absence of provisions integrating transport plans with housing i.e. taking cognizance of proximity to work place, provisions with respect to population density so as to ensure equitable distribution of population in urban areas and so on have not been given due attention. These provisions, therefore, have been crucial for enhanced supply of land for housing in urban areas. Further, the general aggregate data with respect to provision of housing facilities in SAS Nagar was not satisfactory; there was a mismatch between demand and supply of housing facilities in the city. Since 2002 no new houses have been constructed and allotted in the city. The officials, while responding to the
existing state of affairs, expressed their helplessness and did not reveal much simply saying that it all depended on the decisions of the state government.

- There has been a gap between demand and supply of infrastructure facilities in SAS Nagar.

Infrastructure facilities have been a significant component of urban planning both from social use value perspective and market value perspective.\(^4\) Integration of infrastructure facilities in an urban plan is crucial for shaping the spatial structure of cities and for creating sustainable urban environment. In SAS Nagar, provision of infrastructure facilities i.e. water supply, sanitation and roads has been undertaken both by government agencies i.e. the MC, PWD & Department of Public Health and by the parastatal agency GMADA. It was learnt that the original construction of infrastructure facilities was undertaken by GMADA, while the government agencies were responsible only for the maintenance of these facilities. Evidently parastatal bodies have over-shadowed government agencies. Also, it was found that provision of these facilities suffered on several counts such as absence of provisions for integration of infrastructure facilities in urban plans, existence of multiple urban agencies, and non-accountability of parastatal bodies to urban local bodies.

Hence, the primary and secondary data supported the hypothesis that the administrative agencies have been ineffective in discharging the functions of urban planning and administration in terms of land use, housing and infrastructure facilities.

Hypothesis V

The urban local bodies have been unable to discharge their constitutional duties conferred by the 74\(^{th}\) Constitutional Amendment Act, 1992 pertaining to urban planning and administration in SAS Nagar.

The 74\(^{th}\) Constitutional Amendment Act, 1992 provided constitutional status to urban local bodies and delineated the urban functions to be performed by them. Urban planning is one of the functions conferred to ULBs by the Act. The study, thus, examined the status of Municipal Council, SAS Nagar, in

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There has been incomplete devolution of functions at the local level as provided in the 74th Constitutional Amendment Act, 1992 in SAS Nagar.

There was incomplete devolution of functions at local level i.e. the function of urban planning including town planning was not assigned to the Council. The officials of the Council said that the Council neither undertook urban planning nor played any role in urban plan formulation and implementation. The Council was given responsibility only for the maintenance of urban areas developed by GMADA under the Punjab Regional and Town Planning and Development Act, 2006. However, discussions with the officials of GMADA and PUDA revealed that the function of urban planning in SAS Nagar was performed by urban development authorities i.e. PHDB, prior to the establishment of the Municipal Council. Therefore, even after its establishment in 1995, the urban planning function continued to be the part of the functional domain of the urban development authorities i.e. PUDA (1995) and later on GMADA (2006) in SAS Nagar. Thus, it could be concluded that urban development authorities had overshadowed the constitutional position of the Council and had reduced it to a subordinate agency working for urban development authorities. The Council had, therefore, been robbed of its constitutional duty by PUDA and GMADA.

The municipal act does not contain adequate provisions for the discharge of urban planning function by the urban local body.

The municipal acts have been framed long ago when there was hardly any problem relating to urbanization and urban planning and thus, did not provide comprehensive explanation regarding the powers and functions of the ULBs pertaining to urban planning process i.e. formulation and implementation. The ULBs in Punjab are governed by the Punjab Municipal Act, 1911 which has been amended in 1994. The Municipal Council of SAS Nagar has been established under this Act in 1995. The Act has assigned the function of urban planning including town planning to the Council. However, it was found that
the Act does not detail the administrative modalities in relation to the performance of the function i.e. whether a separate planning department should be set up in the Council, the kind of technical expertise required, the departments that are to be involved, the relationship between the Council and other concerned departments, the nature and level of autonomy (administrative & financial) to be enjoyed by the Council and so on. Thus, absence of clear provisions in the Act has jeopardized the constitutional position of the Council. Consequently, the Council was incapacitated to perform the function independently and the function of urban planning continued to be performed by the urban development authority i.e. GMADA.

Hence, the primary and secondary data supported that the urban local bodies have been unable to discharge their constitutional duties conferred by the 74th Constitutional Amendment Act, 1992 pertaining to urban planning and administration.

Hypothesis VI

There are several administrative impediments in devolution of urban planning function to urban local bodies in SAS Nagar.

The administration of urban planning has been the municipal function under the 74th Constitutional Amendment Act, 1992. It was however, learnt that the function did not fall within the purview of ULBs. The study, therefore, analyzed the various factors pertaining to constitution of local planning institutions, financial autonomy of ULBs, allocation of municipal funds to urban development and technical expertise that influence the devolution of urban planning function to ULBs.

- The state government and parastatal bodies are indifferent towards involving urban local bodies in urban planning administration in SAS Nagar.

The 74th Constitutional Amendment Act, 1992 under article 243ZD provides for the establishment of District Planning Committees (DPCs) for integration of development plans of rural and urban areas within a district. However, it was found that in Punjab, DPCs had not been constituted till 2005. An ex-municipal official cited lack of political will as the main reason for non-establishment of DPCs for such a long period of time. According to him
creation of DPCs would enhance public accountability and peoples' participation resulting in non-fulfillment of political vested interests.

In SAS Nagar, DPC was constituted in 2009. However, the Committee still has to assume the role of a grass root institution of planning. It was learnt that DPC was a toothless body that functioned under the direction of the Punjab State Planning Board. It was engaged only in formulation and consolidation of district development plans. Further, the Committee did not participate in urban planning administration. An official of DPC said that absence of adequate provisions in the Punjab District Planning Committee Act, 2005 and the Punjab Regional and Town Planning and Development Act, 2006 was responsible for its exclusion from the urban planning process. GMADA did not involve the Committee in urban plan formulation or in implementation. Therefore, it was evident that both the State government and parastatal bodies are indifferent towards involvement of urban local bodies in urban planning administration.

The parastatal bodies have encroached upon the financial autonomy of urban local bodies in SAS Nagar.

Financial autonomy is a pre-requisite for efficient performance of administrative functions. For ensuring the financial autonomy of ULBs, the 74th Constitutional Amendment Act, 1992 empowered them to impose and collect taxes within a municipal area. However, their financial autonomy, to a large extent, has been curbed by state governments resulting in incomplete devolution of functions. Likewise, in SAS Nagar, the financial autonomy of MC was compromised by GMADA. Firstly, it was found that building application fee and extension fee, which rightly belonged to MC, was imposed and collected by GMADA. Secondly, certain taxes like profession tax and vehicle tax were not imposed in the city. Also, property tax was imposed only on commercial property in the city and not on residential property. Encroachment of financial resources by GMADA and non-imposition of certain taxes have, therefore, undermined the financial condition of MC. As a result, MC was not considered equal to the task of undertaking the function of urban planning.
There has been non-standard approach of allocation of funds for urban development in municipal budget in SAS Nagar.

Proper and systematic allocation of financial resources is essential for enhanced administrative efficiency and economy. It was found that the budget of MC, SAS Nagar was mainly divided into three heads i.e. Personnel, Contingency and Development. However, the number of sub-heads varied largely from year to year. Further, the Development head was divided into two categories i.e. Committed and Non-committed expenditure. It was found that the items of expenditure under these two categories were non-uniform. Thus, it was evident that there has been an absence of pre-defined items of expenditure. In addition, the items of expenditure that constituted the important components of urban development were listed mainly under non-committed expenditure. Hence, it could be concluded that the Council has adopted a non-standard approach towards the subject of urban development and included the items of expenditure as and when required.

There has been lack of technical expertise with respect to urban planning and administration in SAS Nagar.

Urban planning and administration is a highly technical function. However, ULBs, usually, have been found deficient in requisite technical skills for urban planning. The MC of SAS Nagar suffered from similar lacunae. According to the official sources, the MC did not have a separate town planning wing or architectural wing for preparation of urban plans. Thus, the MC lacked the much needed professional approach for urban plans formulation and implementation. This, consequently, became a constraint in devolution of urban planning function to the Council.

Hence, the primary and secondary data showed that several administrative impediments have been responsible for non-devolution of urban planning function to urban local bodies.

Hypothesis VII

The peoples' participation in urban planning and administration has been limited in nature in SAS Nagar.

Peoples' participation refers to the mechanism and modalities by which citizens exercise control over resources and influence the decision making
process that directly impacts their lives. Theoretically, peoples’ participation in governance enhances and improves upon the traditional form of representative democracy and transforms it into a more responsive and a participative grassroots democracy\(^5\). The study, therefore, examined the status of peoples’ participation in administration of urban planning. For this purpose the role of Non-government Organizations, Public Private Partnerships and Mass Media was studied. Also, various factors influencing participation of people in urban planning have been discussed.

\*\*\* NGO’s play a passive role in administration of urban planning processes in SAS Nagar.\*\*

NGOs, world over, have emerged instrumental in achievement of socio-economic objectives. They have provided a platform for enhanced citizens’ participation in administrative processes. The study, therefore, examined the role of NGOs in urban planning in SAS Nagar. It was learnt that the number of NGOs existing in SAS Nagar was very few; those mainly focused on women and child welfare, AIDS awareness, drug abuse, health, education and so on. None of the NGOs were found to be engaged in urban development because their weak financial position did not allow them to take up urban development initiatives. Discussions with members of NGOs highlighted that GMADA did not seek their participation in any form (i.e. seeking information & suggestions, participation in decision making etc.) in urban plan formulation and implementation. They stated that the Punjab Regional and Town Planning and Development Act, 2006 did not provide for participation of people in urban planning process; thus, GMADA was not obligated to encourage participation of people in administration of urban planning. NGOs believed that the government officials considered their participation as a threat to their vested interests. The citizens have not been treated as partners in urban development; they have been provided with tailor made urban plans prepared by the government and parastatal bodies.

There has been limited scope for public private partnership in urban planning processes in SAS Nagar.

In SAS Nagar, the participation of private sector has been governed by the Punjab Apartments and Property Regulation Act, 2006. It was found that the private builders and developers were mainly engaged in provision of housing facilities and development of urban estates; an official commented that private builders and developers were interested only in profit generating activities. The nexus between the officials and builders had flourished largely in recent times. From top to bottom, specific rates were defined for getting approval for different kinds of urban activities. This, therefore, questions the participation of private developers and builders in urban planning process. Officials opined that with low technical and professional qualifications private builders and developers were not in a position to meaningfully contribute to urban plan formulation and implementation; the private developers operating in the city also supported this view point. It was learnt that private developers equated urban planning with construction of infrastructure and development of urban estates. They said that centralization of decision making in the government bodies has curbed all participative initiatives. Thus, their opinion and suggestions did not hold much value to the concerned officials and GMADA.

Mass Media does not play a participatory role in SAS Nagar.

Mass media has evolved as a strong medium for facilitating peoples’ participation in administrative process; a medium which channelizes peoples’ perception and grievances with respect to on-going administrative procedures and processes. It was, however, found that mass media could play the role of participatory media with respect to administration of urban planning.

In SAS Nagar, except newspapers other means of communication i.e. radio and television has been found to be dormant. Even for undertaking this study, the researcher has relied mainly on newspapers’ articles and editorials. This is therefore, evident that newspaper has assumed the role of participatory watchdog; highlighting the plight of urban planning administration from time to time. Interviews with the journalist revealed that newspapers have never been utilized by urban planning agencies i.e. TCP and GMADA for connecting with
relevant stakeholders. The agencies did not initiate participative measures such as collective dialogue, public polling, feedback surveys and so on for taking on people centered urban planning. It was found that newspapers were mainly utilized by urban development agencies for advertising, i.e. publication of tender notices, auction notices and display of draft master plan notices.

Furthermore, it was found that internet has not been used as a participatory medium for involving people and seeking their feedback on prevailing urban issues in the city. The internet, however, has been used by the Authority for dissemination of information with respect to their various urban initiatives in the city.

Hence, the primary and secondary data supported that the peoples’ participation in urban planning and administration has been limited in nature.

Hypothesis VIII
There are several administrative obstacles in institutionalization of peoples’ participation in administration of urban planning in SAS Nagar.

Citizen-centric administration is one of the most critical components of good governance. It aims at maximizing citizens’ welfare and transforming public organizations into citizen-friendly institutions. In SAS Nagar, however, peoples’ participation in administration of urban planning was found wanting. Several administrative obstacles existed in securing meaningful participation of people. Firstly, peoples’ participation could not be legitimized because of the absence of a state urban policy providing for adoption of participatory approaches. Secondly, the urban planning legislations i.e. the 2006 Act did not contain explicit provisions for engaging people in urban planning process. Thirdly, existence of centralized decision-making processes provided no opportunity for the institutionalization of participatory approaches. Fourthly, well-defined modes of communication and decision-making for gauging collective views and opinions of potential stakeholders were inadequately developed. Fifthly, indifferent attitude of officials towards integrating the relevant stakeholders was another stumbling block. Sixthly, absence of feedback mechanism denied the opportunity for public participation in urban planning administrations. Finally, the nature of peoples’ participation was found to be
passive and, therefore, could not exert significant enough influence to direct future urban plan formulation and implementation.

Hence the primary and secondary data supported that there are several administrative obstacles in institutionalization of peoples’ participation in administration of urban planning.

7.2 Recommendations

Effective urban planning and management is the most important driver that creates a favorable environment for enhancing the prosperity of cities. It envisions creating compact, efficient and sustainable urban development. This implies that urban planning is the pivot around which the five dimensions, i.e. productivity, infrastructure development, quality of life, equity and social inclusion and environment sustainability, of urban prosperity revolves.\(^6\) The study, in view of the above conclusion, therefore, proposed the following recommendations pertaining to legal and regulatory framework of urban planning, organizational structure of urban planning and peoples’ participation in urban planning process. The recommendations have been organized under four main heads:

- Recommendations for requisite Urban Policies
- Recommendations for Legal and Regulatory Framework
- Recommendations for Administration of Urban Planning
- Recommendations for Peoples’ Participation

7.2.1 Recommendations for requisite State Urban Policies

- There is need to formulate a state urbanization policy to indicate the emerging pattern of urbanization and measures to channelize the future urban growth in an equitable and sustainable manner. A strategic policy framework would help in reducing spatial disparities.
- There is need to formulate state sanitation policy for ensuring integration of urban sanitation issues in the urban planning processes. The policy should lay down norms and standards for solid waste management, establishment of urban sewerage systems, disposal of industrial and other hazardous wastes and provision of affordable sanitation facilities.

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There is need to formulate a state transport policy which should lay down guidelines for integration of transport planning in land use planning, for equitable allocation of road space and for encouraging use of public transport.

There is need to formulate state ground water legislation based on the model ground water legislation brought out by the Central Ground Water Board (CGWB).

The state urban planning legislation i.e. the Punjab Regional and Town Planning and Development Act, 2006 should incorporate provisions for enhanced peoples’ participation.

There is need to make provisions in the 2006 Act for linking “green (natural environment) and brown (man-made environment) agendas”.

7.2.2 Recommendations for Legal and Regulatory Framework

Laws and regulations serve as the most fundamental instrument that shapes urban development since they are the proximate reflections of society’s values and political and social relations. The Punjab Regional and Town Planning and Development Act, 1995 was amended in 2006 for accelerating the urban planning processes in Punjab. However, some gaps persist in the state urban planning legislations and therefore, need to be addressed. It is suggested that:

- There is need to incorporate provisions for fostering greater decentralization. This implies that provisions should be included for enhancing the role of municipal bodies and district level planning institutions i.e. District Planning Committees in administration of urban planning.
- There is need to integrate environment planning with urban planning. Thus, the related legislation needs to be reviewed for addressing urban environment issues. Such provisions should integrate the ‘green agenda’ (natural environment) with ‘brown agenda’ (human built environment).

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The urban planning legislation had overlooked the participatory approach in urban planning administration. Hence, the bottom-up approach of policy formulation and implementation should be included in urban legislations. This implies that incorporation of provisions for empowering the potential stakeholders’ and for ensuring the participation of multiple actors in urban plan formulation and implementation has become imperative.

There is a need to lay down clear and simple guidelines for rural hinterland of towns in urban planning legislations so as to regulate the unauthorized growth on the urban periphery.

The enforcement mechanism can be strengthened by introducing participatory monitoring and evaluation, encouraging citizen groups as well as professional organizations to certify compliance and report violations of regulations to the concerned authorities.

For effective implementation of development regulations, it is essential that regulatory framework should be clear and transparent. The simplified rules and regulations would act as deterrent against violations and at the same time would be instrumental for checking violations.

Rules and regulations should be audited and reviewed from time to time to make urban planning legislation responsive to on-going urban problems and issues.

7.2.3 Recommendations for Administration of Urban Planning

For urban planning to be effective, there is need to overhaul the urban planning system. This calls for adopting an integrated approach to urban planning. Here, “integration consists of three basic features; firstly, “comprehensiveness” i.e. recognizing a broader scope of policy consequences in terms of time, space, actors and issues. Second, “aggregation” i.e. a minimal extent to which policy alternatives are evaluated from an overall perspective. Thirdly, “consistency” i.e. a minimal extent to which a policy penetrates all policy levels and all government agencies.” The administration of urban planning include three most important dimensions i.e.

preparation of urban plans, organization structure for urban planning and administration of urban planning.

7.2.3 (a) **Recommendations for preparation of urban plans.**

- There is need to establish urban planning as an important tool for future development of cities. It should be an innovative activity that should respond to recent urban issues such as climate change, economic crisis, income inequality, cultural diversity, peri-urbanization and linking green and brown agenda.
- There is need to adopt the concept of glocalization in the urban planning system i.e. urban plans could be formulated by following the best practices in urban design; however, they should be adapted to local conditions.
- There is need to adopt a shift in urban planning paradigm i.e. from master planning approach to adoption of strategic planning approach that calls for greater flexibility, integration, action and implementation.
- There is need to adopt ‘proactive planning approaches’ in place of ‘incremental implementation’. Such approaches would enable foresight of future trends of urban development.
- The planning process should be able to keep pace with on-going urban changes so that urban plans should not become obsolete at the time of implementation.
- Urban planning should be conceptualized at three levels: “(i) broad perspective plan for a large urban area (usually called the master plan); (ii) zonal plans within an urban area (actual detailing of land use pattern) and (iii) layout plans (focusing on neighborhoods and infrastructure service linkage)”

- To accommodate dynamic city development, there is need to prepare more flexible urban plans to incorporate rapidly changing peoples’ requirement.
- The urban plans should be revised periodically in view of current dynamics of population growth and economic change. The revision should

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be all-embracing in nature i.e. a co-ordinated revision of all components of urban planning should be undertaken.

7.2.3 (b) Recommendations pertaining to organizational arrangement for urban planning

➢ There is need to merge both the planning and implementation process. This implies that in place of multiple agencies, the functions of planning and implementing an urban plan should be vested in a single agency.

➢ To make urban planning more responsive, there is need to restructure the formal urban governance structure. The new formal structure should emphasize on decentralization, few hierarchical levels and involvement of non-state actors.

➢ The municipal legislations should define how, when and who (within the ULBs) should make the development plan. The position of an urban planner within the ULBs and the relationship of the planner with other functionaries within the ULBs should be defined.

➢ There is need to amend the municipal legislations for defining a plan process which is participatory in nature and also, a plan ratification process must also be described.

➢ The ULBs should be empowered to undertake the mandate of the 74th Constitutional Amendment Act, 1992. The function of urban planning should be transferred to ULBs in place of urban development authorities.

➢ There is need to establish and strengthen urban local planning institutions. This implies that DPCs should prepare plans for the regional levels i.e. master plans and zonal plans. Layout plans should be prepared by municipal bodies. The High Powered Expert Committee for urban infrastructure services\textsuperscript{11} also recommended making DPCs as the focal point for all activities related to regional planning

➢ The urban development authorities should provide technical assistance to DPCs and assist them in regional planning. The regional plans should be integrated into state governments’ spatial and socio-economic plans.

The role of urban local bodies in relation to urban development authorities should be well-defined i.e. their responsibilities should be clearly spelt out to overcome mutual conflicts and confusion.

Financial autonomy of municipal bodies should be improved by broadening the tax base of ULBs and by assigning more flexible and buoyant taxes to them. Also, the sources of income of ULBs and urban development authorities should be well-defined to evade encroachment of financial resources.

The Government should aim at overcoming “skills shortage in town planning” by enhancing investment in technically qualified planning experts to upgrade inter-disciplinary skills for integrated planning.

For greater coordination, efforts should be made to institutionalize the formal coordination system; integrating concerned departments both at horizontal and vertical levels. Efforts should also be made to ensure greater coordination between the generalist and specialist officials.

To strengthen the enforcement of urban development regulations, there is need to institutionalize mechanisms to monitor and periodically update urban plans. Monitoring and evaluation should be considered an integral part of urban planning systems.

7.2.3 (c) Recommendations pertaining to administration of urban planning

To create compact cities, urban land management should emphasize encouraging mixed land-uses in place of single-use zoning.

There is need to integrate land-use planning and transport planning to address marginalization of footpaths and to create adequate road space for pedestrians & slow moving carriages. Also, safety of pedestrians and cyclists should be given due attention. There is need to address issues of hawking in public space that results in traffic congestion.

To encourage use of public transport, a transport plan should include provision for housing the poor along transit corridors. It has been suggested
by the High Powered Expert Committee\textsuperscript{12} on urban infrastructure services that for integration of transportation with land use planning, requisite institutions for co-coordinating the planning and management of land and transport investments should be established

- The large infrastructure gaps in water supply and sanitation services could be overcome by opting for public-private partnerships (PPP) both for development of infrastructure and operation and maintenance of the same.

The \textit{Approach paper to the Twelfth five year plan (2012-17)}\textsuperscript{13} also advocated massive private investment in all areas of urban infrastructure, including large infrastructure projects; urban projects of drinking water supply, waste water recycling and treatment of urban sewerage. It recommended the extended ‘4P’ framework—People-Private-Public-Partnerships-where “people” could play a crucial role in designing urban projects.

\subsection*{7.2.4 Recommendations for Peoples’ Participation}

Peoples’ participation is not only concerned with involvement of people in administrative processes; rather it embraces a large array of activities. It calls for organization of people, identification of peoples’ needs and engagement in policy design, implementation and evaluation. Hence, a citizen centric administration aims at involvement & empowerment of people irrespective of gender in development process, cost sharing and resource mobilization, capacity building of community and greater accessibility of services. In view of its significance, the second ARC has addressed the need for inclusive, transparent and citizen centric administration in all its reports. In urban planning citizen participation has been found to be lacking on several counts. The study, therefore, makes the following recommendations for enhanced peoples’ participation in urban planning administration:

\begin{itemize}
\item \textsuperscript{13} Government of India, \textit{Approach Paper to the Twelfth Five Year Plan (2012-2017)}, Planning Commission, New Delhi, p. 112, www.planningcommission.nic.in
\end{itemize}
There is need for a paradigm shift in administration of urban planning i.e. a shift from "top-bottom" to "bottom-up" approach; since urban planning decisions affect the lives of citizens directly.

For enhanced peoples' participation, the pattern of participation should evolve and assume different degrees and intensity over a period i.e. starting from consultation to gauge peoples' opinions and perceptions, evolving into consultation meetings, customer feedback, home visits and so on. Further, more extensive form of peoples' participation could be attained by their active involvement in planning, budgeting and monitoring of programs through their memberships in various committees.

Peoples' participation in urban planning should be all embracing i.e. participation should be sought from all sections of society (women, children, physically challenged, minority groups and so on) to include their needs and demands in mainstream urban planning.

The participation of non-government organizations should be encouraged in administration of urban planning. They should be viewed as "catalytic agents" that help to synergize the relationship between people and various institutions i.e. public or private. They are in a better position to enunciate the needs and preferences of communities and at the same time communicating the government rules and regulations to the people.

The public-private partnerships should be encouraged for effective implementation of urban plans and for efficient delivery of urban basic services.

The role of media could be improved in urban plan preparation and implementation by utilizing various means of communication for dissemination of information and for ascertaining public opinion.

For improving efficiency of urban plans, a system of regular citizens' feedback & survey, periodic consultations with citizens' group, a system of registration of complaints, a system of registration of complaints, a system of schedule time for response & resolution and citizens' report cards should be evolved.
Thus, urban planning, in recent times, calls for an integrated approach for all embracing urban development. Figure 7.1 depicts the missing convergence in urban planning.\footnote{Government of India \textit{Report on Indian Urban Infrastructure and Services (2011)} Ministry of Urban Development, New Delhi, p. 96}

**Figure 7.1**
Missing Convergence in Urban Planning

The study, therefore, corroborates the recent Report on Indian Urban Infrastructure and Services recommendation of convergence among all these components in an urban plan for requisite infrastructure building and for efficient public service delivery.