CHAPTER II
The beginning of governmental interest in housing can be traced back to the 19th century when the problem of sanitation and control over disease began to impress themselves upon the national conscience. Sanitation and housing were regarded as twin problems which oppressed the homeless poor. Poor sanitation was a direct consequence of poor housing. The problems invited the attention of Chadwick who was in a position to mould the government's social thought. Therefore the earliest legislation on housing was concerned with sanitary conditions.¹

The sanitary condition in India in the middle of the 19th century was so deplorable that it managed to attract the attention of the British Raj which appointed the Sanitary Commission in 1864 in the three Presidencies of Madras, Bengal and Bombay. The purpose of the appointment of the commission was to give advice and assistance in sanitation and prevention of epidemic diseases.²

The enormity of sanitary problems led to more attention being paid to the housing situation. As part of sanitary measures,


the municipalities were advised in the All India Sanitary Conference to remove end houses in blind lanes, provide standard plans for houses of different sizes and to insist on minimum breadth of houses. Further, new building regulations were suggested which would give power to the Health Officers to prevent the erection of insanitary houses. This is indicative of the fact that housing was far from satisfactory in Madras.

The magnitude and complexity of housing and town planning problem in India was so piquant that it made Lord Lyde, the then Governor of Bombay, to describe the problem, in his letter to Montagu, as "a nightmare". And it was more of a nightmare in Madras than in any other city. The condition of housing which had a direct bearing upon sanitation, was at its worst in Madras. This was amply corroborated by the fact that death rate due to intestinal diseases was as much as 8.10% in Madras in 1925.

This miserable state of affairs, however, had not been noticed and only occasional references were made about housing in the official reports prior to 1925. And a complete absence of any clear cut governmental policy regarding housing was rather prominent. Governmental intervention was at its lowest


ebb. In fact, the then existing provisions for creation of provincial town planning fund were not utilized. Even the Madras City and Suburban Town Planning Trust which died an unwarranted death, was not utilized to its fullest capacity. All its efforts proved to be abortive. This was mainly due to the dubious financial basis it had.

The housing situation was aggravated by the constant and ever increasing influx of population from the villages. As much as 53.4% of the total population of Madras was constituted by immigrants. This coupled with bad housing proved to be the cause of the phenomenal death rate due to various epidemics. This evoked the government to pay some attention to the disturbing increase in death rate and to constitute the City High Mortality Committee in 1927 to inquire into the causes of high mortality and offer remedial suggestions. After the enquiry, the Committee observed that the private enterprises had done nothing worthy of mention to the poor classes, confining their activities only to building luxury houses for the high income groups. It was also suggested that the Madras Town Planning Trust be allowed to function, not merely as an


advisory body, but with financial viability and an effective executive. For this purpose the committee urged the government to give financial assistance to the Madras Town Planning Trust through allocation of funds. The committee also brought to light the aversion on the part of the Government to draining the resources, however imperative the real need may be, and resented such an attitude which was a stumbling block in the way of any efforts towards better housing. Despite the recommendations of the committee, nothing worthwhile seemed to be underway.

The Royal Commission on Labour in India which visited India in 1929-30 found that no attempt had been made either by the Government or by private industries, with the possible exception of the Buckingham and Carnatic Mills, to solve the accommodation problem of the workers. Even in those quarters where attempts were made to accommodate workers, only about 10% of the workers had managed to get accommodation.

The reports of various committees induced the Corporation of Madras rather reluctantly to take certain timid steps in housing. A few minor housing schemes were embarked upon by way of providing shelter to the Corporation sweepers and cart-

drivers, with small financial commitments. But nothing in the nature of general rehousing, which would involve larger financial commitments, was attempted. And the pressure that was exerted on the private slum landlords to improve the condition of the slums was feeble and went unheeded. 9

The general apathy on the part of the government prompted Mr. Govinda Pillai, the then Health Officer of Madras, to express the need for a frontal and decisive attack on the problem of housing. A comprehensive scheme for the entire city, based on scientific as well as human points of view would be the only plausible solution, he asserted. 10

However, his suggestion evoked little response from the corporation which did not relish the idea of dipping its hands into the public purse. It was mainly because any significant financial commitment would involve increased taxation, which in turn would run counter to certain vested interests. This tendency of the government is made evident by the 3½% reduction in the property tax effected in order to satisfy private interests. The consequent reduction in revenue hampered housing development to an uncertain extent. 11

11. Ibid., p.95.
The period of piecemeal intervention (1930-45):

The phase of laissez-faire was followed by a period in which there was what may be called 'piecemeal intervention' by the Government. This period saw sporadic intervention by the government, but nothing similar to development planning in concrete shape was achieved. In the year 1930, the Corporation of Madras received a grant of Rs.5 lakhs from the government towards initiation of housing scheme. This enabled the Corporation to launch re-housing programmes in the needy areas. However, the activities were confined to small scale programmes and a comprehensive policy was scarcely contemplated.

The vigour with which new small scale programmes were pursued was significant and this led to increased investments being made in slum clearance. Sites were replanned so as to provide congested areas with roads, water, drainage and lights. Building schemes were implemented in new housing areas. In more cases plinths were erected on planned sites. Old and unhygienic houses were demolished and new houses were erected by the Corporation. New roads were laid out in order to reduce congestion and such schemes were launched on a larger scale. A noteworthy feature of this period was the indication of a sense of citizens participation in the housing efforts.

The period of Social Administration (1945—date)

The evolution of a systematic and comprehensive housing policy in Madras was marked by the creation of the City Improvement Trust in 1946. The relative delay in the creation of the City Improvement Trust in Madras as compared with those in other cities in India bears out the reluctance the government displayed in making any concrete move towards planned intervention in housing.  

The delay in the constitution of the Madras City Improvement Trust was for fear of financial implications, though the Civic Council was constantly being urged to create the Trust from as early as 1936. The constitution of the Trust was deemed the best method of effecting speedy redressal of the grievances of the population of Madras. In the Council meeting held on the 9th September 1936, the following resolution was made. "This council requests the government to undertake necessary legislation at a very early date for the constitution of an Improvement Trust for the City of Madras as suggested by the Mayor in his note dated 26.6.1936."  

14. The first city to have its City Improvement Trust in India was Bombay in 1898, followed by Nagaon in 1906. The United Provinces Town Improvement Act of 1919 led to the creation of Improvement Trusts for Lucknow in 1919, Allahabad in 1920, Lahore in 1939 and Nagpur in 1937. Delhi had its development trust only as late as 1937.  

In its persistent effort, the Council once again resolved in its meeting on 25.9.1940 that the immediate constitution of the City Improvement Trust was imperative. It also spelt out what the objectives of the City Improvement Trust should be. The City Improvement Trust was envisaged to plan and execute housing and Slum Clearance Programmes. It would also pay attention to the sanitary aspects of housing by opening up congested areas, opening out blind lanes and streets, moving insanitary spots unfit for human inhabitation and the construction of sanitary dwellings with ample ventilation. It would also take measures to improve the Buckingham Canal, the Coovum River and the Otteri Sullah. It would be concerned with such activities as developing and controlling open spaces, reclaiming low-lying areas, and acquiring lands and demolishing constructions and buildings in order to layout streets. All this would be done through the instrumentality of an exhaustive and carefully designed plan so as to save time and money.

As for the structures of the City Improvement Trust the Council prescribed that a President, who would be a full-time salaried officer, be appointed.

Apart from the President, the City Improvement Trust would comprise the Mayor of the Corporation of Madras, the Commissioner of the Corporation of Madras, one representative alternatively from the Railways and the Fort Trust, four
councillors of the Corporation of Madras, the Superintending Engineer of the Madras Circle of the Public Works Department, the Director of Town Planning, the Collector of Madras and two non-official members based on their knowledge of the problem.

The sources of income as envisaged by the Council were, surcharge on stamp duty leviable on transfers of immovable property within the city and surcharges on sales tax within the city. Apart from it, the betterment tax, tax on open spaces, annual contribution of Rs.2 lakhs from the Corporation and loan raised from the government would form additional sources of income for the City Improvement Trust.

Further, the Council resolved that the Land Acquisition Act might be suitably amended so as to provide for reduction in the compensation with reference to the failure of the owner of the land to discharge the responsibilities under the City Municipal Act which he might be called upon to perform.

Secondly, it also called upon the government to provide a simpler and more effective process for acquisition of lands. It was also recommended that the City Improvement Trust be constituted at the first instance for a period of twenty years extendable for a further period based on satisfactory function and subject to government approval.
In the resolution the Council dealt the 'Coup de Grace' to the already almost lifeless Madras City and Suburban Town Planning Trust, by seeking its dissolution. The above resolution of the Council was accepted by the government which appointed Mr. K. Ramunni Menon, I.C.S., to formulate the constitution of the Madras City Improvement Trust. This eventually led to the passing of the City Improvement Act in 1946.

With the governmental intervention in housing thus becoming full fledged, such headway was made in the direction of improved housing. The activities of the Trust were further catalysed by the freedom from colonial rule as made evident by the appointment of the Madras Provincial Housing Committee, in 1947. The Committee went into the details of housing situation in the province and reported that one-third of the total number of houses in Madras city were slums which required to be demolished and replaced. In Madras City high densities of 1,000 to 1,500 persons per acre were found to be predominant and about fifteen families had to share one common water tap. Another committee which made enquiries and threw such light on the housing conditions was the Madras Provincial Town Planning

17. G.O.No.R150, Public Special Department, dated 19th March 1941.
Enquiring Committee set up in 1949. 20

The Madras City Improvement Trust which was constituted in 1945 lacked the power to raise revenue for its sustenance. The Trust had no power to levy taxes. It had control over miscellaneous items of revenue such as betterment fees and income from investments and lands only. The Government and the Corporation contributed only Rs. 2.5 lakhs annually to it.

The Trust began to feel the burden of finance as it had to maintain the administrative machinery to carry out developmental activities. Further, the amendment which was enacted in the year 1947 through the Madras Act XV with respect to section 91 of the Madras City Improvement Act of 1945 further reduced the financial powers of the Trust.

The Act, as amended by the Madras Act XV of 1947, was re-enacted temporarily up to 29th April 1950 by the Madras Re-enacting Act 1949 (Madras Act X, 1949). The intention of the government was to watch carefully its working and bring it with suitable modification for a permanent adoption. Thus, the 1945 Madras City Improvement Act was re-enacted permanently with certain modifications in the year 1951. 21

The Madras City Improvement Trust created under the act of 1951, like its predecessors, began to suffer from inadequate finance. The contribution of Rs.5 lakhs by the Corporation and the government was hardly sufficient to meet the cost of management.

Since the government had to launch many socio-economic projects for reconstruction, the Trust was not able to attract the attention of the government nor was it able to borrow money from it. The open market never gave enough encouragement for the Trust to raise money for its developmental projects. The plea to raise the government contribution to atleast a crore of rupees went unheeded by the government.\footnote{22}

The Madras City Improvement Trust was very active in the beginning and it was able to implement many town improvement and housing schemes. But soon it began to concentrate on areas which would give adequate returns to it. As a consequence, the city centres and other older areas were neglected. The Madras City Improvement Trust was not in a position to undertake the preparation of a master plan for the entire city of Madras, for it lacked financial viability. The paucity of funds coupled with inadequate staff prompted the City Improvement Trust to divert its attention only towards street widening and land

\footnote{22. MS No.122, dated 5th March 1951, (Secretariat of Madras Legislature).}
development, without giving consideration to the creation of basic infrastructure in urban centres such as construction of schools, hospitals, amusement centres, recreation parks and open spaces.

In Madras, there were then in existence, many other housing schemes, apart from those formulated by the Madras City Improvement Trust. They comprised such activities as providing housing for the industrial workers, Harijans and so on, which were carried out by the various government departments. When planned development became a national objective it was thought that bringing the various housing activities under a single head, namely a housing board, would facilitate co-ordination and improve efficiency, because the Town Planning Director, the Chief Engineer, the Registrar of Co-operative Societies and the Labour Commissioner would be members of the Board and this would render discussions easier and more fruitful with regard to planned housing development.23

The Madras Housing Board was created on an experimental basis and without legal sanction in 1958.24 However, it was felt that legal sanction for the Board would be imperative for getting loans from organisations like Housing and Urban Development Corporation, Life Insurance Corporation, etc., and for

entering into contracts. Also, such sanctions were necessary to ensure prompt recovery of loans and collection of rents. So, the Madras Housing Board was sought to be made into a statutory board and to this effect a bill was initiated in the legislature and it was passed as the Tamil Nadu Housing Board Act of 1961.

During the Assembly discussions on this bill, a point was raised for clarification regarding the nature of the Board whether it should be a governing board or an advisory board. In response to this, the government asserted that it would be a governing board. At this juncture, it was pointed out by some members that any such move would lead to a loss of legislative control over the board, for its autonomy could not be infringed upon. However, after independence, public sector was playing an increasingly important role in the socio-economic sphere and many statutory corporations were created. Therefore, in keeping with the national trend, the Tamil Nadu Housing Board was made a statutory body.

The Tamil Nadu Housing Board has been entrusted with various functions of complex, yet developmental character. They are:

- the acquisition by purchase, exchange, or otherwise of any property necessary for or affected by the execution of the scheme;
- the laying or re-laying out of any land comprised in the scheme;
the distribution or re-distribution of sites belonging to owners of the property comprised in the scheme;
the closure or demolition of dwellings or portions of dwellings unfit for human habitation;
the demolition of obstructive buildings or portions of buildings;
the construction and reconstruction of buildings;
the sale, lease or exchange of any property comprised in the scheme;
the construction and alteration of roads, streets, back lanes, bridges, culverts and causeways;
the draining, water-supply and lighting of the streets included in the scheme;
the provision of open parks, playing fields and open spaces for the benefit of any area comprised in the scheme or any adjoining area, and the enlargement of existing parks, playing fields, open spaces and approaches;
the provision of sanitary arrangements required for the area comprised in the scheme, including the conservation of and prevention of injury or contamination to rivers or other sources and means of water-supply;
the provision of accommodation for any class of inhabitants;
the advance of money for the purposes of the scheme;
the provision of facilities for communication and transport;
the collection of such information and statistics as may be necessary for the purposes of this Act; the reclamation or reservation of lands for markets, gardens, playing fields and afforestation; the provision of schools, parks, swimming pools, restaurants, shops, markets, fuel depots, laundries, hair dressing saloons and other amenities in the scheme; and any other matter for which, in the opinion of the government, it is expedient to make provision with a view to provide house accommodation and to the improvement of any area comprised in the scheme, or of any adjoining area or the general efficiency of the scheme.