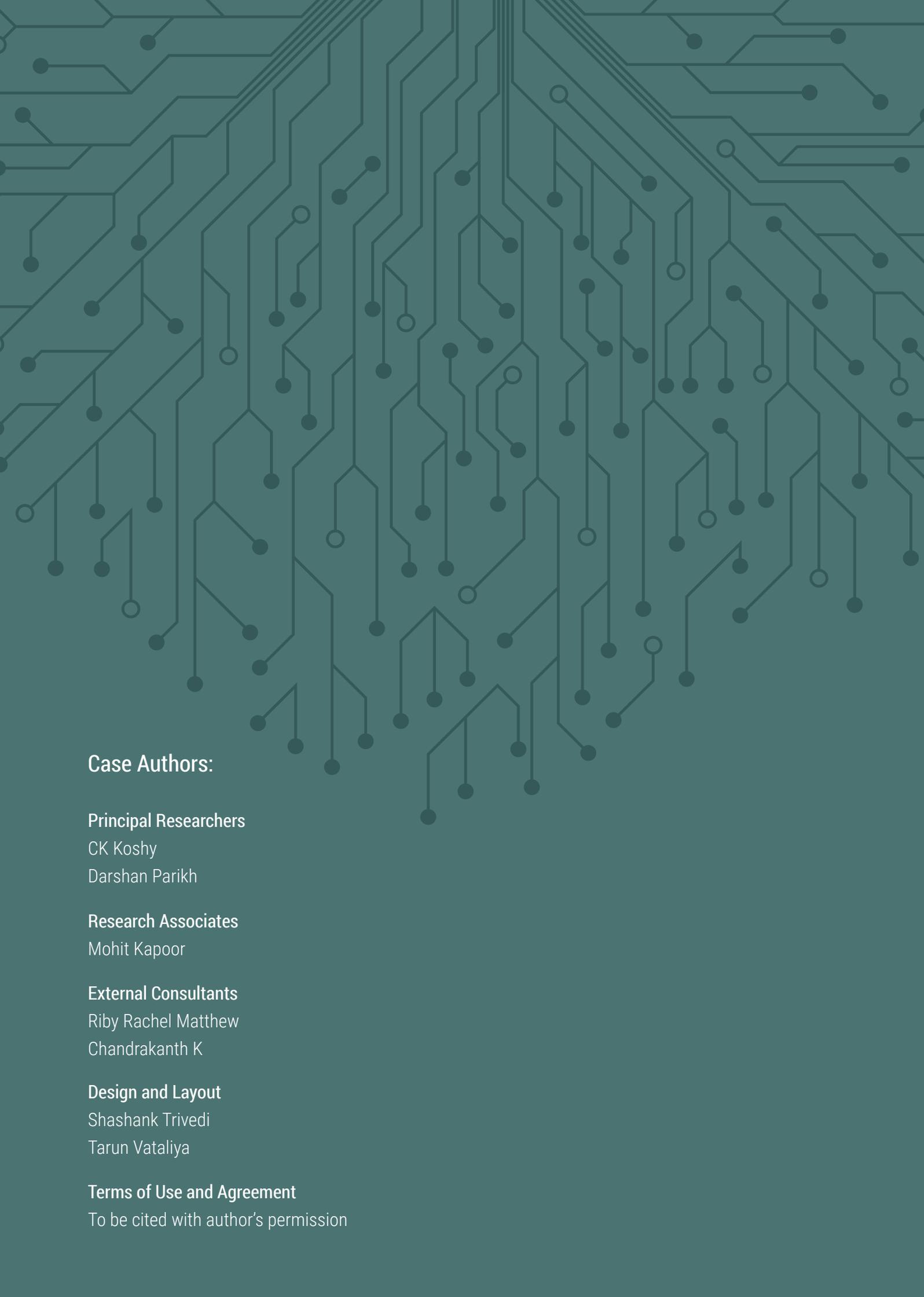


A CRITICAL ANALYSIS OF THE EFFICACY OF INSTITUTIONAL FRAMEWORK IN THE URBAN PLANNING PROCESS OF KOCHI AND COIMBATORE

CASE STUDY: INTEGRATED URBAN DEVELOPMENT | FOLDER - B

A Case Study conceptualised as part of the GIZ Sustainable Urban Development
- Smart Cities (SUD-SC) initiative





Case Authors:

Principal Researchers

CK Koshy

Darshan Parikh

Research Associates

Mohit Kapoor

External Consultants

Riby Rachel Matthew

Chandrakanth K

Design and Layout

Shashank Trivedi

Tarun Vataliya

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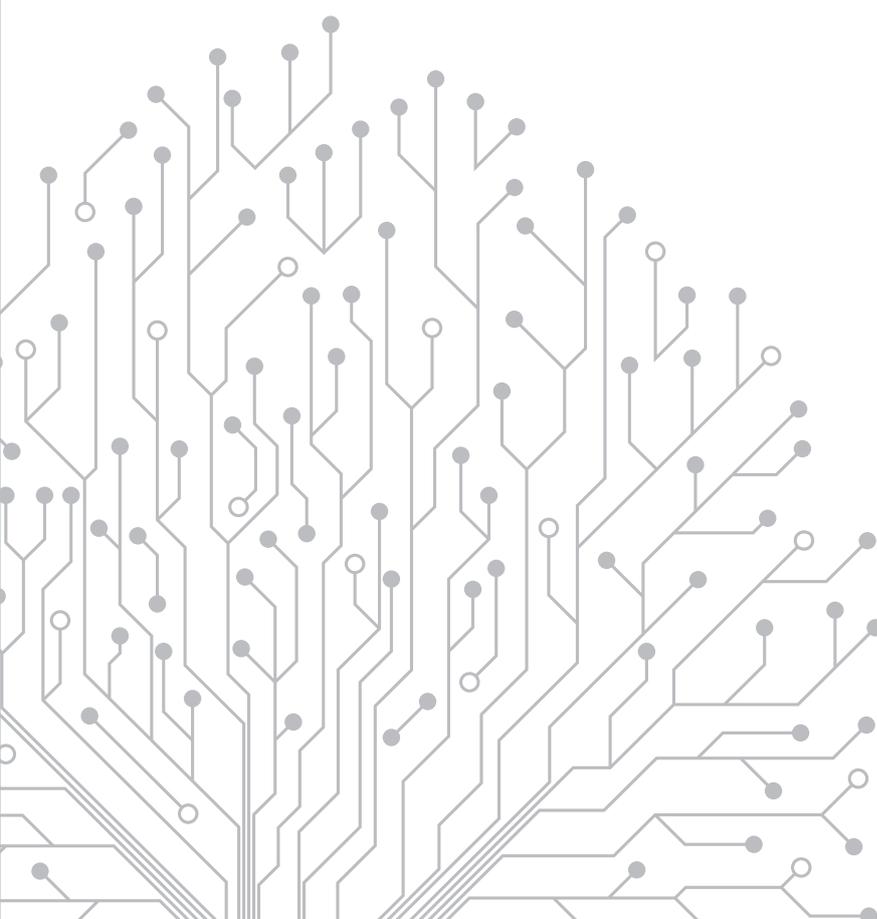
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FOLDER-B

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CONTENTS

1	ABSTRACT	5
2	INTRODUCTION	7
3	PLANNING IN INDIA	13
4	OVERVIEW OF THE PLANNING FRAMEWORK AND PROCESS IN KOCHI AND COIMBATORE	19
	4.1 KOCHI	21
	4.2 COIMBATORE	27
	4.3 COMPARATIVE ANALYSIS	35
5	STATUS OF MASTER PLANS IN KOCHI AND COIMBATORE	39
	5.1 KOCHI	40
	5.2 COIMBATORE	42

6	DISCUSSION ON THE INSTITUTIONAL FRAMEWORK AND ITS ANALYSIS	43
	6.1 STATE'S CONTROL PLAYS A KEY ROLE	44
	6.2 DECENTRALIZATION ISSUES	45
	6.3 MULTIPLE INSTITUTIONS, MULTIPLE MANDATES, DIVIDED RESPONSIBILITIES	46
	6.4 THE LEGISLATIVE FRAMEWORK IS PRESCRIPTIVE WITH LITTLE ROOM FOR MANOEUVRE	47
	6.5 INTEGRATED URBAN PLANNING LIMITATIONS IN THE CURRENT CONTEXT	48
	6.6 KOCHI'S UNIQUE SITUATION	49
WAY FORWARD		50
REFERENCE READINGS		52

LIST OF FIGURES

Figure 1	: Hierarchy of Plan Making as per URDPFI Guidelines 2014, Vol (I)	16
Figure 2	: Institutions and jurisdictions for planning in Kochi	22
Figure 3	: Institutions for urban planning in Kochi	23
Figure 4	: Organogram of LSGD	25
Figure 5	: Institutions and jurisdictions for planning in Coimbatore	29
Figure 6	: Institutions for urban planning in Coimbatore	30
Figure 7	: Master Plan preparation timeline for Coimbatore	32

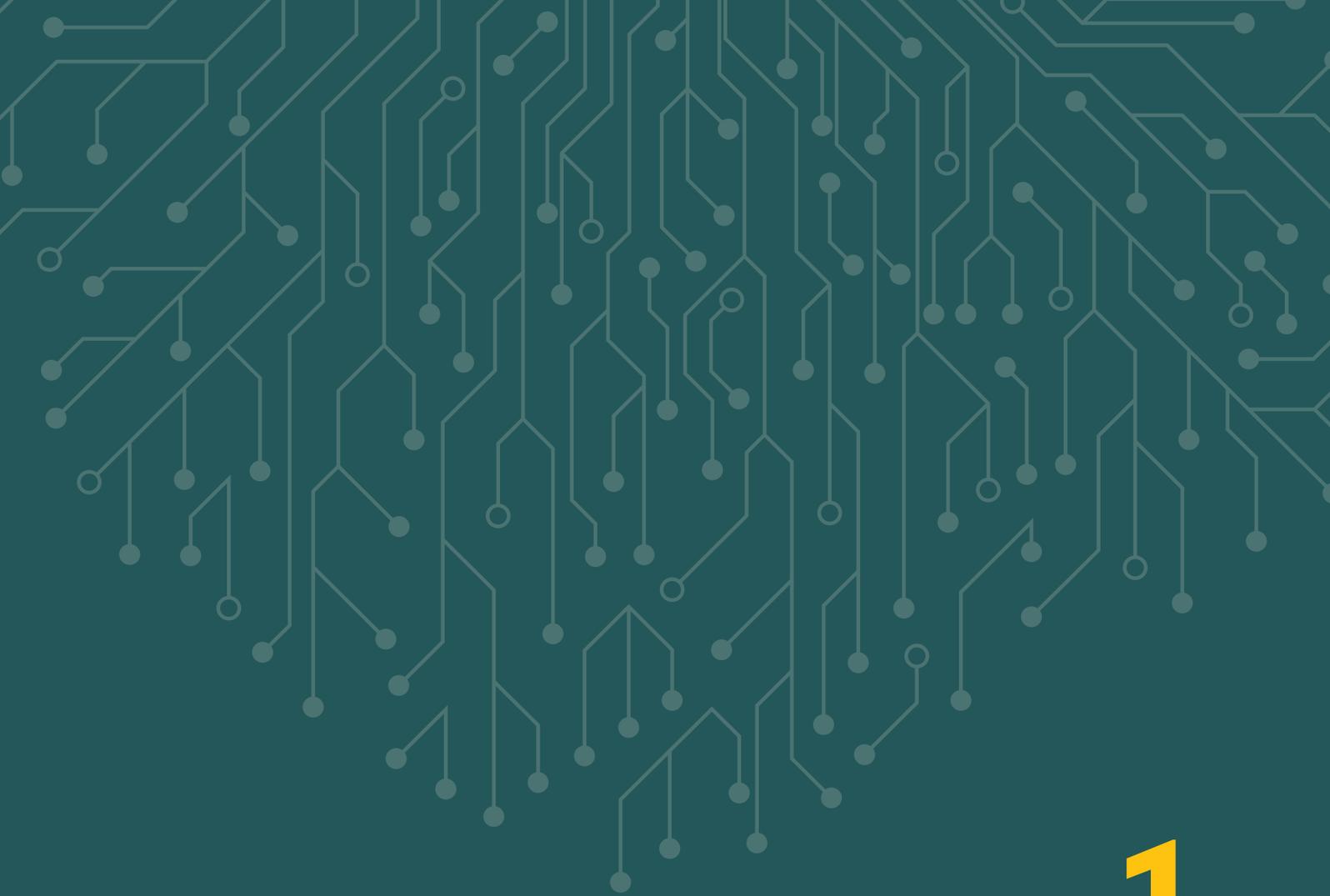
LIST OF TABLES

Table 1	: Organization in Coimbatore and their functions	31
Table 2	: Different planning frameworks in the four states	35
Table 3	: Distribution of planning responsibilities of state and local governments	36
Table 4	: Various planning efforts in Kochi	40
Table 5	: Various planning efforts in Coimbatore	42



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1

ABSTRACT

With India's urban population inching towards 40% of total population and cities expected to contribute 75% of National GDP by 2030, it becomes all the more important to adopt an integrated approach to city planning and urban management. This shall enable sustainable growth of cities and improved efficiencies ensuring cross-sectoral linkages. Town planning or urban planning is considered to be an important instrument to plan and achieve integrated urban development. To achieve this, a robust institutional framework in the urban planning process is essential that harmonizes the working of a large number of specialized departments and authorities responsible for urban plan preparation.

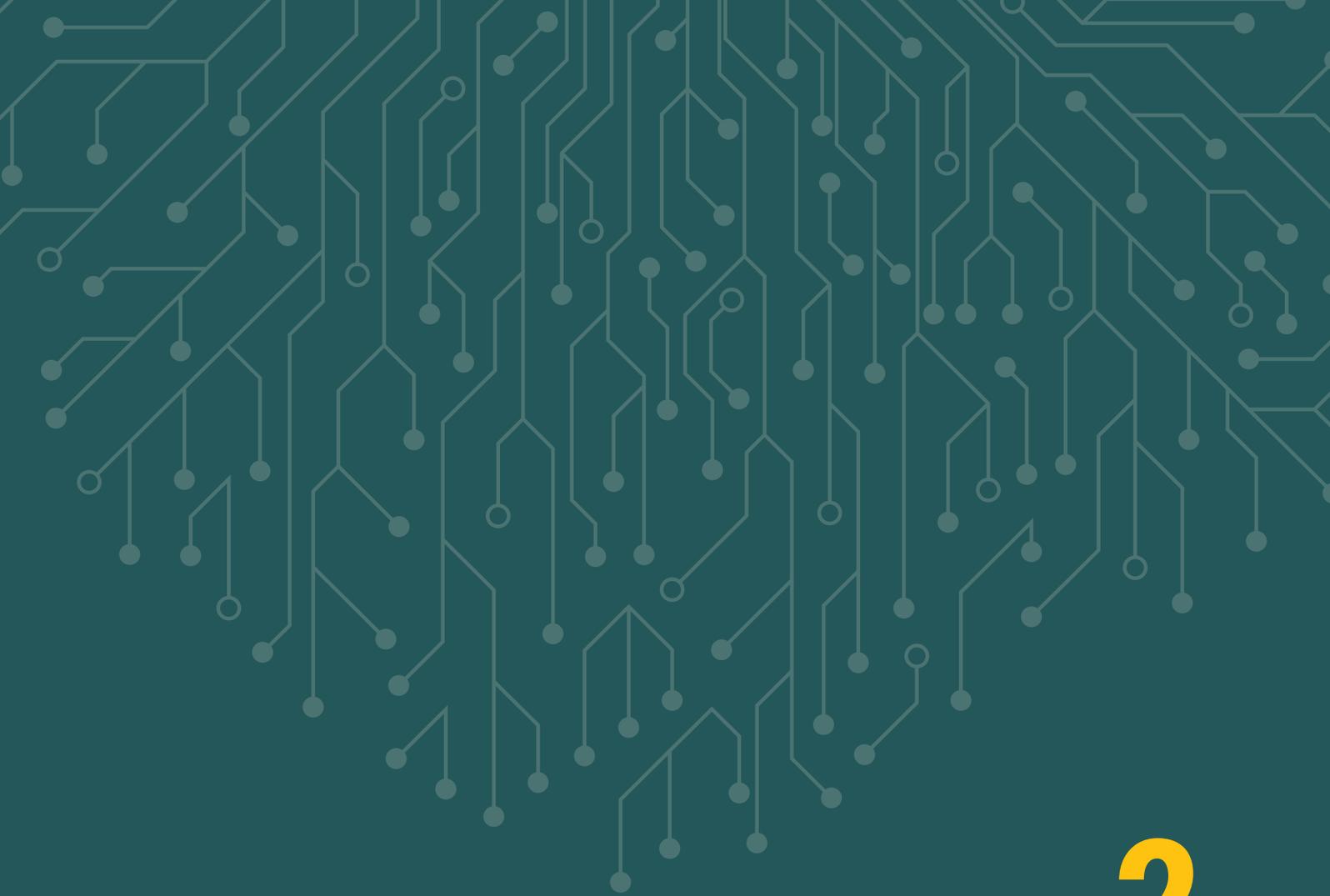
In this context, the present study focuses on the role of institutional framework in the formulation of integrated urban development plans for two important cities in South India - Kochi and Coimbatore. For this purpose, the institutional framework is reviewed through three lenses - legal, organizational and administrative structures for urban planning. The master plan preparation process and recent attempts to prepare a master plan for Kochi and Coimbatore are also studied.

Owing to the different urban planning legislations in Kochi and Coimbatore, as per respective state acts, the process for plan preparation cannot be compared. Both the cities have attempted to prepare a comprehensive master plan for the urban agglomeration areas; however, they have not been sanctioned and the earlier master plans prepared in 1990s are still under implementation.

It is observed that the land use planning systems have weakened in Kerala after the incorporation of 74th CAA, as the priority of ULBs are on Annual Planning process for promoting socio-economic development in comparison to the spatial planning systems with long term strategies. Similarly, in Coimbatore, multiple amendments in the constitution of Local Planning Authorities (LPA) and rules pertaining to its functioning and jurisdiction, has significantly contributed to the non-implementation of sanctioned master plan and frequent delay in preparation and approval of new master plan.

This study helps establish the top-down nature of urban development where States continue to exercise a significant degree of control over the functioning of ULBs. While urban planning was one of the 18 functions that was to be devolved to ULBs as per the 74th CAA, both the cities have been unable to fully undertake this function either due to lack of human resources, funds or internal capacities. In both cases, a multiplicity of institutions, ergo, fragmentation of jurisdictions and responsibilities is observed. Within the same jurisdiction, there are multiple institutions with multiple and overlapping mandates which has resulted into divided responsibilities. Another critical aspect is that the integrated urban planning concept requires that urban planning professionals must be trained to look at the plans from the vantage point of comprehensiveness and not limited to specialization in one's own field.

In conclusion, this study has attempted to put a spotlight on the institutional issues impacting the efficacy of the planning process. As urban areas expand and complexity increases, an appropriate institutional framework is critical for ensuring integrated plans and sustainable growth of cities. The current framework of multiple institutions playing a role in the planning process has left a wide room for improvement.



2

INTRODUCTION



There is a consensus among planners that India is in the throes of a major demographic shift. Rapid urbanization is the dominant trend in successive census enumerations. While the 2011 Census of India put the urban population of the country at 31.16% of the total population, the 15th Finance Commission quotes a World Bank study which puts the share of India's population living in areas with "urban-like" features at 55.3% in 2010. Economists acknowledge that cities are engines that drive the economic growth of a nation and if India must record sustainable growth, the key lies in managing the explosive growth of its cities.

As cities grow dramatically, they face myriad problems ranging from the challenge of providing essential public services to the chaotic peripheral sprawls. Till recently, cities found themselves ill equipped to manage these challenges. They were not only strapped for financial resources but seriously deficient in skilled manpower to manage the emerging complexities of municipal administration. In short, urban governance lacked the capacity to manage the tsunami like wave of population migrating from the rural areas.

Government's first response was the 74th Constitutional Amendment of 1992 which for the first time acknowledged local bodies as the legitimate third tier of Government. It aimed to free the municipal administration from the tyranny of Governmental control and sought to empower them to assume responsibility to become masters of their destiny. Since power without financial resources would be an empty dream, Government launched the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) in 2005 which involved the largest transfer of financial resources to city administrations in the history of the country. This was followed by a series of capital-intensive flagship projects post 2014 to bolster the capacity of cities to undertake infrastructure projects and to make them future ready to squarely face the challenges of rapid urbanisation.

The competitiveness of a city is often the benchmark to ascertain how well the city responds to the demands of multiple stakeholders. This implies not only economic opportunities on offer, but also the economic and physical infrastructure, liveability, connectivity, social security and much more. Enabling cities to become competent on all these parameters requires a detailed and workable plan that can propel the development in the right directions. In modern times, such a plan, at least in India, is commonly known as the development plan or the master plan. Urban development in India is a State subject (as defined in the Constitution of India) and by extension, the urban planning function is also under the State and its governance framework.

Deeply influenced by the Town and Country Planning Act of 1947 in the UK, Govt of India issued the Model Town and Country Planning and Development Law in 1962 and later revised in 1985. This formed the basis on which many states enacted their own legislation for guiding urban development. These Acts mandated the preparation of Development/Master Plans for each City. Thus, urban planning in India was endowed with statutory authority and it was incumbent on the government to draw up development plans for all urban areas. The Jawaharlal Nehru National Urban Renewal Mission (JNNURM) made it compulsory for each city to draw up a City Development Plan before they could be considered eligible for financial assistance.

Thus, on the face of it, Government succeeded in substantially reforming the urban sector by not only empowering local bodies but also by pumping in the much-needed financial resources for creating infrastructure. However, to make these bold reforms work, there were serious gaps in the urban policy matrix that needed urgent attention. This is evinced by the fact that after almost three decades of 74th Constitutional Amendment and seven years after the release of the guidelines for Master plan development, the ground reality for plan formulation, approval and implementation in India appears to be in disarray. Out of 7933 cities and towns in India only 2717 have approved master plans.

In her paper titled Planning for Urban Development in India, (ICRIER January 2015) Isher Judge Ahluwalia says that “in Delhi and Mumbai, it has taken over 10 years to complete the preparation of the Master Plans. Mumbai probably holds the record of 17 years, exhausting two thirds of the Master Plan period in its preparation. The Delhi Master Plan 2021 started in the late 1990s as an extensive modification of the earlier 2001 Plan but came into force only in 2007.” The situation in many other cities, some of them important commercial centres on a fast growth trajectory, is no different.

Obviously, there are many serious challenges both in the formulation as well as the approval and implementation of the Master Plans across the country.

This study looks at these challenges through the prism of the institutional framework and how it has enabled or otherwise, the planning process. To this end, it is critical to appreciate that there are some inherent issues that need to be deliberated. A quick overview of these issues is provided below.

The newly empowered local bodies, especially in cities, realized that along with the authority came the onerous responsibility of functioning as the third tier of Government. In every sense of the word, they became ‘government’ at the grass root level. The urban local bodies were not prepared to manage the enormous complexities of modern governance involving a high degree of technical expertise and consensus building in a multi-cultural and diverse society. An institutional framework working in sync with statal and para statal bodies is needed to support the city government and empower it to take on these new challenges.

As state governments became more technology driven, at the city level, local administration found that they needed the competence to harmonize the working of a large number of specialized departments both statal and para statal all working within their individual silos. Many of them were not under the control of either the Mayor or the Commissioner and yet the city needed their pro-active cooperation in the development plans. There is an imperative need to draw up a matrix which represents the institutional framework of a city and to devise an administrative structure which would bring all the diverse agencies on a common platform. This would be the first step in the conceptualization of an organic development plan for the city which would seamlessly integrate the plans of the various agencies both statal and parastatal.

The concept of spatial planning underwent a drastic change. From documents which addressed land use, floor space index and building norms, development plans were forced to confront a vast array of development issues. These ranged from heritage

conservation and transit-oriented development to climate change and natural disaster management. Thus, was born the need to have 'integrated urban development' and development plans which reflected and captured the spirit of comprehensive development. In 2014 the Govt of India made a sincere attempt to draft guidelines on how such a document could be prepared by issuing the Urban and Regional Development Plans Formulation and Implementation Guidelines (URDPFI). While these were generally welcomed it failed to enthuse states and cities to embark on the difficult task of formulating comprehensive development plans. A new planning document which truly captured the aspirations of the people and all stake holders needed to be conceptualized and a blueprint on how to achieve this needed to be drawn up. Clearly this cannot be achieved without a robust institutionalised grid of key institutions working in tandem with the urban local body to bring about a convergence of development plans.

While the need for well structured, comprehensive, integrated Urban Development Plan for cities cannot be overemphasized there are serious challenges that prevent this ideal from being achieved. Comprehensive Plans cannot be restricted to the boundaries of a city and limited to the jurisdiction of a Municipality or a Corporation. Urban Development does not respect legal boundaries. Development plans must therefore encompass regions beyond the jurisdiction of the city to include all continuous areas with high potential for urban development. Thus, the targeted planning area would per force include the geographical area of other local bodies/panchayats or Municipalities. And therein lies the challenge. If the planned area includes multiple local bodies, who will then be responsible for the formulation of plans?

An unintended consequence of the 74th Amendment seems to have been that in empowering local bodies and mandating them to undertake development plans, the ability to think of regional plans for contiguous areas with urban potential seems to have been ignored. The Planning process embedded in the Smart Cities Mission and AMRUT Schemes only reinforced the notion of planning for areas within the jurisdiction of the local body. There appeared to be no space for conceptualizing integrated development plans for urban agglomerations which are spread across the jurisdictional area of several local bodies. An institutionalised framework which addresses the geographical and jurisdictional divide seems to be the need of the hour.

The Report of the 15th Finance Commission highlights this very starkly as follows:

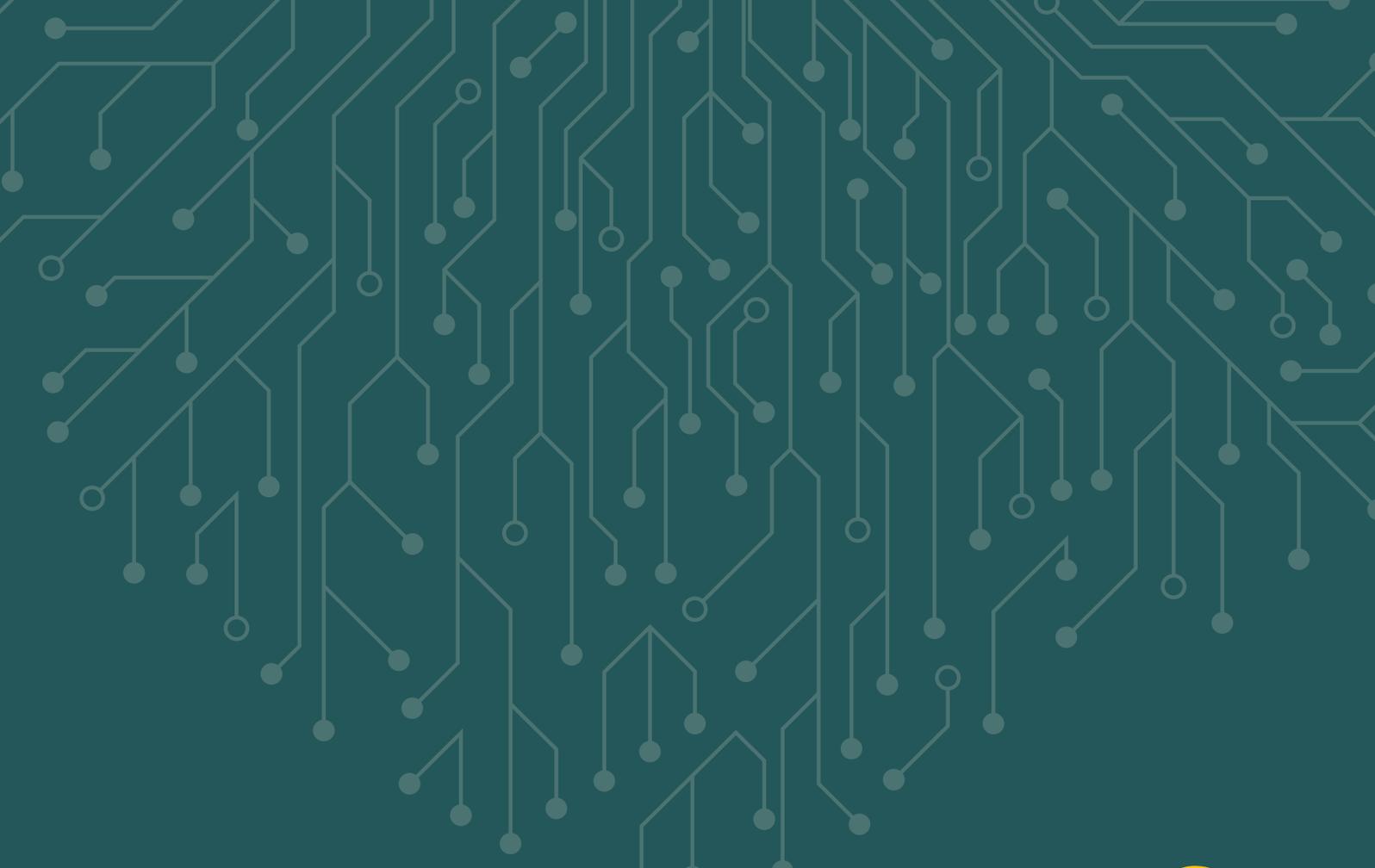
"Out of the total urban population of 377 million (Census 2011), 61 per cent (229 million) live in 475 urban agglomerations that include urban local bodies, census towns and outgrowths. However, till now, urban agglomerations find no place in the urban governance paradigm and is only a census term. Instead, urban agglomerations should be the demographic basis of metropolitan governance in India. According to Census 2011, urban agglomerations with more than a million people contained almost 40 per cent of the total urban population".

To be fair, the 74th Amendment recognized this contradiction and sought to solve the dilemma by suggesting the creation of a Metropolitan Planning Committee precisely to meet this anomaly. A review would however show that Metropolitan Planning Committees have hardly delivered master plans for the Metropolitan region of for

which they were intended to be created. Thus, far from solving the problems hindering urban planning, the 74th amendment seem to have created a new hurdle by vesting the planning function with the local body thus inhibiting the initiation of development plans for wider areas with multiple local bodies.

The present study attempts to look at these issues and the way two important cities in South India, Kochi and Coimbatore confronted these challenges. At this stage it is perhaps necessary to spell out quite clearly that this study is NOT an attempt to critique the contents of the development plans of the two selected cities. Nor does it purport to offer any solutions or suggest recommendations on how to formulate future development plans. It is also not the intention of the authors to compare the two plans which are distinctly contextual and were developed in the cultural and political milieu of each of the States.

What this study has however adopted as its objective is to closely examine how the two cities attempted to address the four challenges mentioned above. In the process it is hoped that the study will make a valuable contribution to an area largely neglected by academicians and planners alike, namely, the role of the institutional framework in the formulation of integrated urban development plans for the two cities.



3

PLANNING IN INDIA

Town planning, or urban planning, is an important instrument to plan and achieve urban development. History is replete with examples of the rich urban culture of India. Mohenjo-Daro, Harappa, Lothal and Dholavira all bear testimony to the fact that ancient India was proficient in the sophisticated methods of town planning. Not only were these cities spatially well planned, but they presented extraordinary models of water supply management, sanitation, provision of recreational spaces and aesthetics. Thus, elements of an integrated approach to town planning were already deeply embedded in our psyche.

However, much of the current town planning system in India owes its origins to the British town planning system. Municipal governance in India has existed since the year 1688, with the formation of Madras Municipal Corporation which is generally acknowledged to be the second oldest Municipal Corporation in the world outside the UK. But it was only in 1850 that the East India Company passed an Act called the Improvement in Towns Act (Act 26 of 1850) for raising finances for municipal activities. This led to the setting up of the first City Improvement Trust in Bombay in 1896 to relook at the planning of the city and its hygiene to address issues of public health.

Subsequently, Patrick Geddes the Scotsman, who would be remembered as the “Father of Town Planning” brought the idea of developing regional master plans incorporating a holistic approach for Indian cities and contributed to policy development. This also led to the enactment of Town Planning Act of Bombay in 1915, followed by Hyderabad, Mysore and Madras in the next few years.

Post-Independence

After India gained independence in 1947, the country adopted a federal structure of government with functions of the Centre and the States clearly defined in the Central, State and Concurrent List in the Seventh Schedule of the Constitution. Town Planning or Urban Development is covered under the item describing land as well as economic and social planning in the State and Concurrent List.

In 1951, the state of Bihar enacted a Town Planning and Improvement Trust Act enabling local bodies to implement urban development schemes within the framework of an overall master plan. In line with the recommendations of the Bhore Committee, the state of Bombay then took the lead in 1954, comprehensively amending the existing town planning act to include preparation of urban development plans. The new act made it mandatory for local authorities to prepare Development Plans for their jurisdictions within which town planning schemes could be prepared. In 1966, the state of Maharashtra enacted the first Regional and Town Planning Act anywhere in the country, superseding the 1954 legislation (Bapat, 1990: 1502). The act also laid down the procedure for preparing and sanctioning development plans while giving power to the local authorities to ensure the preparation and implementation of town planning schemes (TPS).

Institutional arrangements too vary across states and cities. For example, Bombay, Delhi, and Calcutta demonstrate different variations in institutional framework for the planning and development functions. In the case of Bombay, city planning and urban

development functions are carried out by separate organizations, whereas in case of Delhi, a single authority undertakes both activities. In the case of Calcutta, the state of West Bengal created the Calcutta Metropolitan Development Authority (CMDA) entrusted with both city- and regional-level planning and development functions for the entire metropolitan area, envisaged as the overall command and coordinating agency.

One can therefore see a distinct difference in the way planning and development functions were organized during the colonial period and post-independence period.

It was evident that under the federal structure, each state could set up its own planning machinery. It was therefore felt that there was need for the Government of India to come out with some guidelines for planning legislation to avoid high level of ambiguity. In 1962, the Institute of Town Planners India (ITPI) came out with a document called the Model Town and Regional Planning and Development Law. This model was revised by the Town and Country Planning Organisation (TCPO) under the Ministry of Urban Development in 1985 which came out with a new model legislation called the “Model Regional and Town Planning and Development Law”. In retrospect however, this Model Law did not address the issues of integrated urban development. Though it mentions need to develop “comprehensive” development plans, there is hardly any attempt to focus on the components of such a plan.

In 1986, the Government of India formed a National Commission on Urbanization with the task of making a comprehensive and in-depth study of the various facets of the process of urbanization, and the issues arising therefrom, especially concerning urban planning and development, structure, organization, powers, functions, and the status of the existing urban local government institutions, including the mechanism of their management. The Commission recognized that cities were the driving force of the Indian economy and thus there was an imperative need to integrate spatial and economic planning.

In 1992, the Parliament enacted the 74th Constitutional Amendment Act referred to as “the single greatest event in the evolution of democracy in India” and considered one of the most significant milestones in the history of local self-government in India. The 74th Constitutional Amendment was provoked by the harsh reality that despite decades of attempts at reform, municipal governance was in a deep crisis. They had become arenas of bitter political conflict, most of the municipalities were facing serious financial crisis and they were ill equipped to handle the challenges of the rapid urbanization sweeping the country. It is very significant that the Act states that “Urban planning including town planning” shall be delegated to the local self-government authority and there shall be constituted in every Metropolitan area a Metropolitan Planning Committee to prepare a draft development plan for the Metropolitan area.

The grand vision of empowering local self-governing institutions and thus taking democracy to the grass root level remained unfulfilled to a large extent. There are two main reasons for this partial failure. Firstly, under our federal system of governance, the Constitutional Amendment had to be ratified by individual enactments by each State. Further, each State had to issue orders transferring powers listed in the Twelfth Schedule to the Municipalities. States were loath to effect this transfer as it meant letting go of powers over the affairs of the municipalities. Secondly, the Municipalities

themselves found that they were ill-equipped to handle the responsibilities. They neither had the resources nor the trained manpower to discharge the onerous responsibilities suddenly cast on their shoulders. Consequently, even despite an attempt to incentivize the reform by the Finance Commission, progress was slow and unsatisfactory.

By the turn of the century, it was becoming increasingly clear that merely transferring responsibilities to the local bodies could not solve the serious problems faced by urban local bodies. What was required was a massive infusion of funds to enable the local bodies to effectively deal with the challenges of rapid urbanisation especially in the creation of infrastructure.

Subsequently, in 2005, the Government of India launched a flagship project - Jawaharlal Nehru National Urban Renewal Mission (JnNURM) for 65 Indian cities with an aim to promote integrated development of infrastructure services and formulate City Development Plans (CDPs) developing a city-wide framework for planning and governance. The JNNURM launched in 2005 was initially meant to run till for seven years till 2012. It was extended by two years and finally closed in 2014. During the entire period of the JNNURM, there was a feeling that the preparation of the development plans were not picking up. The reasons were also well known. Lack of expertise and in-depth knowledge, and the lack of resources were the primary factors. Since the subject of formulating such Plans was squarely within the jurisdiction of the States, The Government of India could do little to directly influence the States in this regard. Instead, The Ministry of Urban Development initiated action to draw up a kind of manual which would provide guidelines for the preparation of these plans. The Urban and Regional Development Plans Formulation and Implementation (URDPFI) Guidelines was thus released in 2014. These Guidelines, in two Volumes, was an elaborate document which attempted to cover every aspect of Master Plan formulation. Though there is no specific and explicit reference to Integrated Urban Development, the breadth and scope of the guidelines for the formulating development plans clearly embraces the principles embodied in the concept of integrated urban planning.

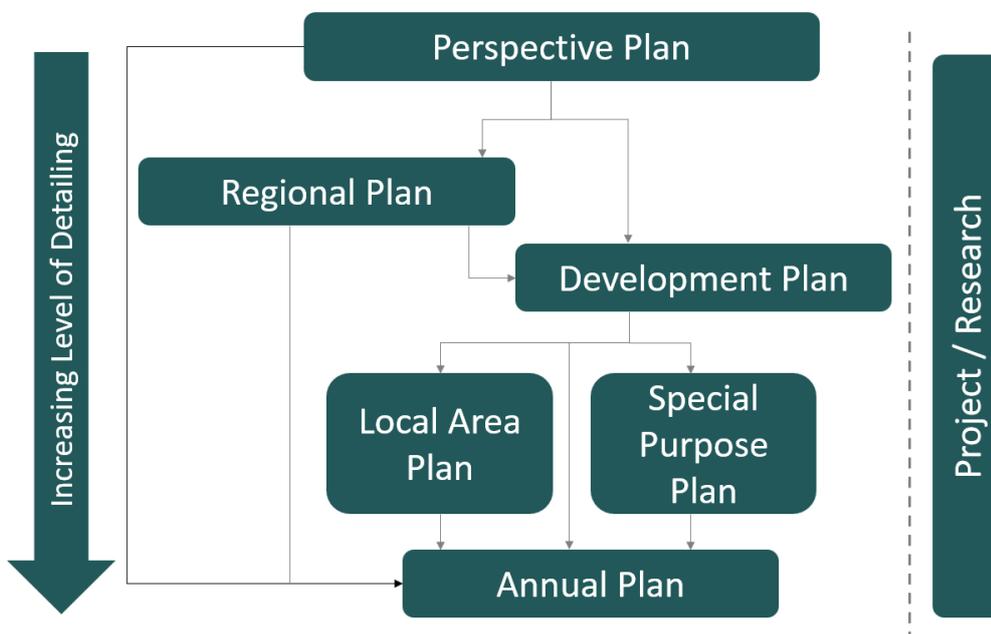


Figure 1: Hierarchy of Plan Making as per URDPFI Guidelines 2014, Vol (I)

It would be abundantly clear from the above diagram that what was sought to be achieved in India was a Planning system which is hierarchical in nature from the Perspective Plan at the State level to the micro level Local Area Plan at the lowest rung. It was envisaged that the plan at each level below the State Perspective Plan would be neatly dovetailed both to the plan above as well as below in the hierarchy. However, while this was the grand design as revealed in the URDPFI 2014, the planning scene in India did not quite unfold in the way it was hoped it would.

Recent Schemes by Government of India

Government of India launched the Atal Mission for Rejuvenation and Urban Transformation (AMRUT), popularly known as the AMRUT Mission covering 500 cities with a population of over one lakh. While both the Smart City Mission and the AMRUT complimented each other, it is significant to note that great emphasis was placed on the formulation of GIS-based Master Plans under the AMRUT Mission. The objective here is to develop common digital geo-referenced base maps and land use maps using Geographical Information System (GIS) in each AMRUT city to formulate Master Plans.

In most cases, GIS based Master Plans are being developed for the city limits (or only ULB jurisdiction), and not for the entire urban agglomeration, thereby leaving out the urban agglomeration area that requires utmost attention in any master planning document. Moreover, GIS based Master Plans do not have statutory backing under any state legislations.





4

OVERVIEW OF THE PLANNING FRAMEWORK AND PROCESS IN KOCHI AND COIMBATORE

4.1 KOCHI

- Legal framework for urban planning
- Institutional framework for urban planning
- Organizational framework for urban planning
- Reform efforts

4.2 COIMBATORE

- Legal framework for urban planning
- Institutional framework for urban planning
- Organizational framework for urban planning
- Reform efforts

4.3 COMPARATIVE ANALYSIS

The present study attempts to critically look at the planning framework in Kochi and Coimbatore with special emphasis on the legal framework, institutional framework and the reform efforts in the urban planning process. Both the cities have adopted uniquely different approaches to the challenges of urban planning. Since planning is a State subject, it is but natural that the State Governments of Kerala and Tamil Nadu have come up with different policies for the development of these two cities.



Source: shorturl.at/pjR59

4.1 KOCHI

Kochi is one of the port cities in the West Coast of Indian sub-continent and is the only Indian city featured among the future cities listed by Cognizant in 2021. Kochi being one of oldest port settlement, there had been focused efforts for systematic planning since the formation of Kerala State in 1956. However, since the enactment of Kerala Municipal Act 1994, no statutory plans are sanctioned in Kochi.

4.1.1 Legal framework for urban planning

Kerala is one the first states to enact the Municipal Act in accordance with the 74th Constitutional Amendment Act (CAA). The Kerala Municipal Act 1994 governs the functions of Local Governments in the State. The Act has provisions for enabling Local Governments to carry out all the functions listed under the 12th schedule of the 74th CAA except for Fire & Rescue.

In effect, one can emphatically say that the urban planning including town planning function has been devolved to the local governments. However, the financing for urban planning and the requisite manpower continue to be with the Town and Country Planning Department under Local Self Government Department (LSGD) of State Government.

Later in 2016, the State enacted Kerala Town Planning Act with the objective to provide for the promotion of planned development and regulation of growth of urban and rural areas in the State with focus on scientific spatial planning and to secure to their present and future inhabitants, sanitary conditions, amenity and convenience and for other matters connected therewith. Till the enactment of TP Act 2016, the spatial planning in Kerala was guided by Madras Town Planning Act and Travancore Town & Country Planning Act 1945.

The Town Planning Act 2016 has been formulated in the spirit of 74th CAA and mandates the preparation of plans at various levels for different agencies. The State Perspective Plans and Regional Plans are to be prepared by the State Town and Country Planning Board. The Perspective Plans for Districts and Metropolitan Areas are to be prepared by District Planning Committees and Metropolitan Planning Committees respectively. However, the Local Governments are given the sole power to prepare the Master Plans, Detail Town Planning Schemes and Development Control Regulations. In accordance with the KM Act 1994, the responsibility of spatial plan preparation is vested with the DPC/Local Self Government Institutions (LSGIs). The State Town and Country Planning Department provides the technical assistance to the LSGIs in preparing the spatial plans.

The Act seeks to clothe the Authorities with powers to “promote planned development as envisaged in the Plans for the development authority area” and “co-ordinate the implementation of Plans under this Act in the Development Authority area”. In other words, the Authority no longer has the power to formulate plans on its own but is more of a facilitating and co-ordinating agency.

4.1.2 Institutional framework for urban planning

Kochi is one of the fastest growing agglomerations in Kerala; this is evidenced by the growth of the geographical area from 330 sq. km to 440 sq. km between 2001-11. The number of LSGs had also increased from 24 to 52 during the period. This is indicative that the peri urban region of Kochi, will likely undergo significant structural changes with the transition of rural areas in to urban. These developments are primarily guided by the demand generated by various commercial establishments and industrial townships.

Urban Planning is the responsibility of the local Government, however multiple state and para-statal agencies are involved in the land management, infrastructure planning, execution, operation, and maintenance.

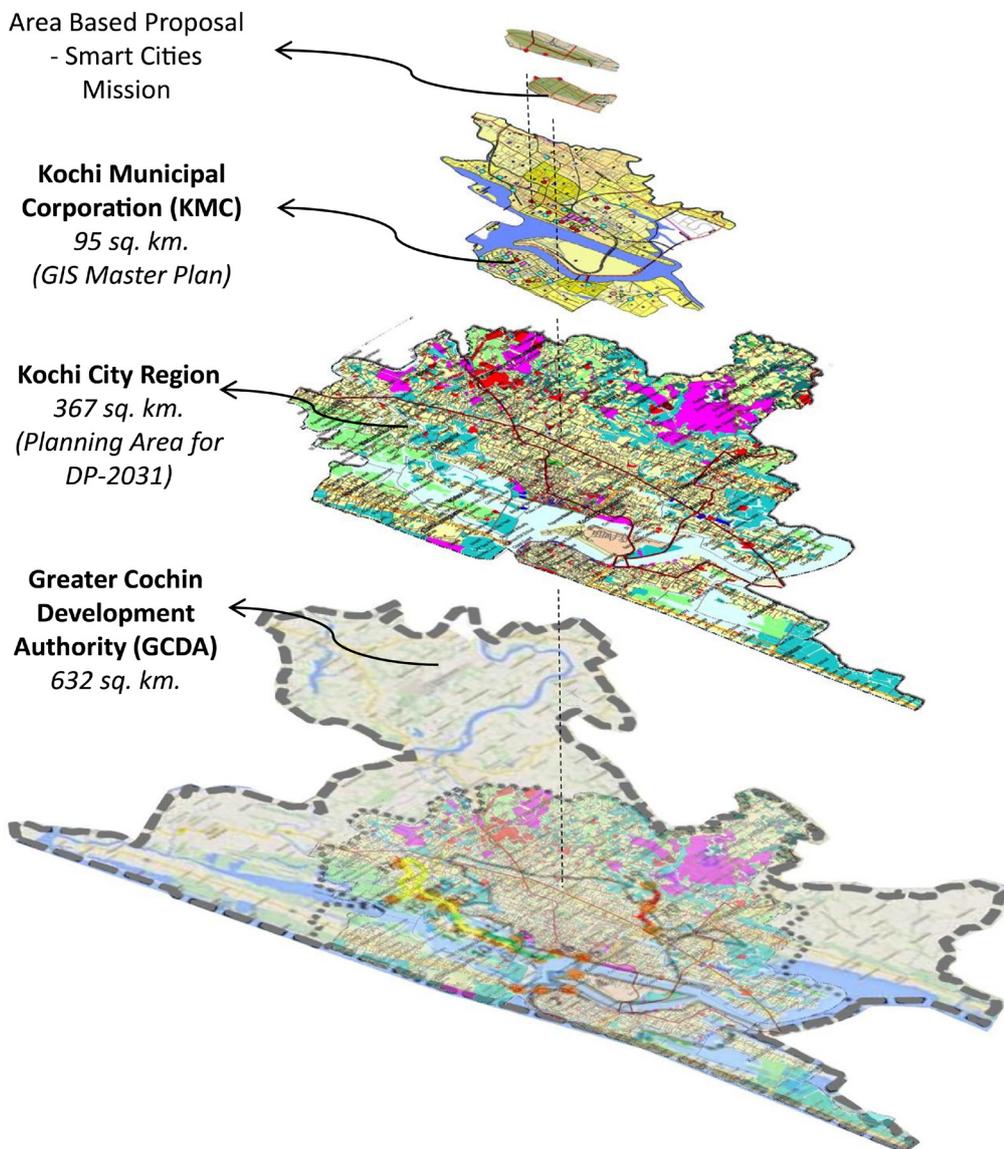
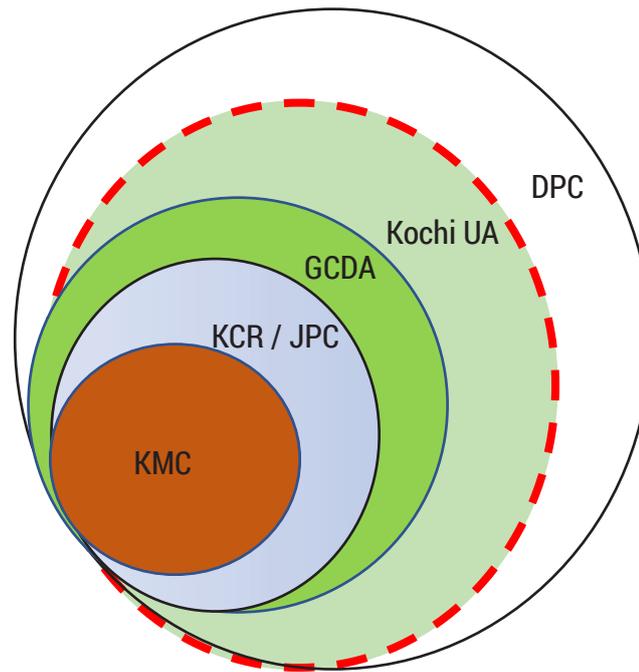


Figure 2: Institutions and jurisdictions for planning in Kochi

Source: Authors



- DPC:** District Planning Committee
Kochi UA: Kochi Urban Agglomeration
GCDA: Greater Cochin Development Authority
KCR: Kochi City Region
JPC: Joint Planning Committee
KMC: Kochi Municipal Corporation

Figure 3: Institutions for urban planning in Kochi

Source: Authors

It is evident from the Figure 3, that multiple institutions are involved in the development and governance. However, there is no single agency to ensure the scientific planning and sustainable growth of the city region.

There are multiple Local, State and National level institutions within Kochi that contribute to the building of City as a system. The fact of the matter is that there are also institutions that are powerful than LSGs and strengths are attributed to sectoral significance, financial resource availability, administrative control etc.

For Urban Planning alone there are four agencies, including the LSGIs, GCDA, GIDA and Office of RTP, and all are under a single umbrella i.e. the LSG Department at State level. Similarly, in the case of Urban Mobility, there are dominant National and State level players deciding upon the agenda leaving no room for the LGIs to participate. In fact, Kochi is the first city in India to set up an umbrella agency 'Unified Metropolitan Transport Authority (UMTA)' to coordinate the Urban Traffic and Transport services. Though establishing UMTA is a promising attempt to bring all the agencies to a common platform and to promote Mobility as a Service (MaaS), the institutional mechanism is not effectively stitched in. UMTA has been established under State Transport Department and there is limited clarity on how the system will interact with the LSGIs in integrating the Land use with Transport.

The agencies of national importance like Cochin Port Trust, Cochin Shipyard, Southern Naval Command, CIAL etc functions by a set of their own strategy. However, local departments are often under pressure to ensure efficient service delivery in these protected territories as well.

More than 12% of the area in Kochi is categorized as wetland and waterbodies. Vembanadu lake, one of the Ramsar site falls within the Kochi City Region. Reclamation of wetland have been a trend across the city region in the last two decades till the Supreme Court verdict to demolish the flats in Maradu Municipality. There is neither an agency nor a plan for the protection and conservation of the environmentally sensitive region in the city.

In the absence of a clear framework for institutional coordination at city level, LSGs in the city region doesn't have a platform not only to interact with each other but also to interact among various line departments and para-statal agencies. Besides, with current technical and financial resources, LSGs cannot initiate strategic planning with long term perspective. Therefore, to ensure integrated urban development it is essential to restructure the existing institutional coordination by creating a single agency to coordinate both spatial planning, infrastructure project formulation and implementation through a participatory process.

Kochi is one of strategic cities in terms of geographic location, industrial growth, and National security. Therefore, it is challenging for the Local Government Institutions in the city region to deal with the growth dynamics. In the absence of an umbrella agency, it is difficult to bring various National, State and Local agencies to a common platform to strategies Kochi's growth perspective. As discussed in the previous sections there are multiple agencies involved in each of the sectors and it is necessary to chalk out a comprehensive plan to satisfy the requirements of each of the agencies but without compromising the need of local citizens.

4.1.3 Organizational framework for urban planning

4.1.3.1 Kochi Municipal Corporation

As per the KM Act Local Governments are responsible for the preparation and execution of Annual Plan, Five Year Plan and Master Plans and the agency for enforcing Master Plan regulations. However, none of the LSGs including Kochi Municipal Corporation have dedicated staffs or budget provisions to carry out the spatial planning process. It is also interesting to note that the Town Planning Department has been appointed as the nodal agency for the ongoing GIS based master plan preparation process under AMRUT.

4.1.3.2 Town Planning Department

To ensure planned development of urban settlements, the Department of Town Planning was established in 1957. Later, considering the unique scattered development with rural urban continuum prevailing in the state, the functions of the Department was extended to cover the rural settlements as well. Accordingly, in 1999 the department was renamed as the 'Department of Town and Country Planning'.

The functions of the town planning department include - to give technical assistance in the preparation of various plans at state, district and local level plans, statutory approvals for constructions and land developments, drafting legislations and government policies on settlement planning and development, technical secretariat of the Art & Heritage commission, advise LSGIs and Government on matters related to planning and development of settlements, and acts as a spatial planning wing of the DPC.

The district offices are the spatial planning wings of DPC's and officers of this Department are nominated as members of various sectoral committees of Corporations and Municipalities to advice spatial planning activities. Although the master plan preparation must be done by the local government as per Town Planning Act, the role of town planning department district offices gains prominence to ensure smooth coordination between local governments and panchayats in the urban agglomeration that forms the planning area.

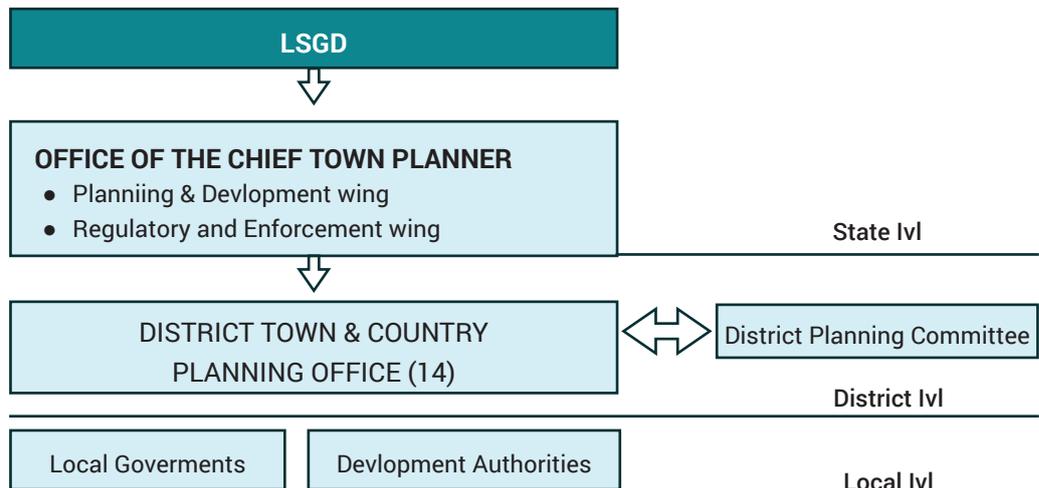


Figure 4: Organogram of LSGD

4.1.4 Reform efforts

Several reform efforts to improve the urban planning framework and process have been attempted in Kerala. The Kerala Municipal Act 1994 had been formulated in the spirit of empowering Local Governance as envisaged in the 74th CAA. The Act has provisions to empower the ULBs by Transferring Functions, Functionaries and Fund to the Local Governments. The Janakiya Asoothranam Campaign of 1996 constituted focused campaigns to empower Local Governments to prepare comprehensive plans through participatory planning process, institutionalising the ward sabhas, optimal distribution of sectoral resources etc.

In 1999, the Kerala Municipal Building Rule was enacted to guide the infrastructure development in the urban areas. A decade later, the State Government allocated budget provisions for the preparation of Master Plans for Statutory towns in the State.

Later in 2016, the state formulated Town and Country Planning Act, enabling Local Governments to prepare Local Level Master Plan through participatory planning process. The State was severely affected by flood in 2018 and 2019, subsequently the State initiated Rebuilding Kerala Initiative with objective to build back better. In this context, the Town and Country Planning Act 2016 was amended in 2021 to incorporate Risk informed Master Planning along with provisions for priority action plans at Local Governments to identify and implement projects, and also special area planning provisions for addressing the immediate planning demands of local region.

Although the Kerala Municipal Act 1994 transferred town planning function to the local governments, even today they are not equipped with Funds and Functionaries to prepare the comprehensive plans and the Town and Country Planning Department continues to be the technical support division for plan preparation.

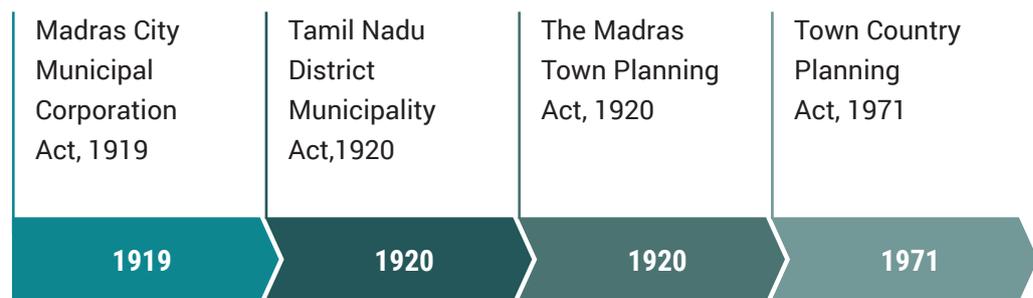


4.2 COIMBATORE

Coimbatore is the second largest city next to Chennai in Tamil Nadu state. The city is referred as 'Manchester of South India' due to its cotton production and textile industries. Coimbatore does not have any notified Master plan since the 1994 approved Master plan, and this has contributed to haphazard development in the urban agglomeration area known as Local Planning Authority (LPA) area.

4.2.1 Legal framework for urban planning

The first example of Local Self-Governance during the British era is the enactment of the Madras Municipal Corporation Act, 1919 which was first of its kind in British India. Later, the Madras District Municipality Act (now referred to as 'Tamil Nadu District Municipality Act') was adopted in 1920. This act shaped the development schemes for Municipal and other local areas within urban centers. There was assigned use of land parcels and regulations were specified to supervise each type of development.



Town and Country Planning Act, 1971

This act came into existence in 1971 by replacing Madras Town Planning Act, 1920 which was applicable to only urban areas. The T&CP Act took away the planning functions and entrusted them to specialized planning authorities such as CMDA (Chennai Metropolitan Development Authority), Local Planning Authorities (LPAs) and New Town Development Authorities. It provides for the notification of the areas and the constitution of the planning and the development authorities, preparation, and implementation of the Master Plans (ccmc.gov.in).

The Act has provision for preparation of Master Plans, Zonal Plans, Local Area Plans, Detailed Development Plan, prepared under on a scale 1:10,000 or higher indicating precise boundaries of the various land use zones. Such plans will be statutory plans that can be enforced at local/plot level. All plans prepared under the framework of settlement level land use plans will be in accordance with Tamil Nadu Town and Country Planning Act 1971 (Act 35 of 1972) and will be guided by Urban and Regional Development Plan Formulation and Implementation (URDPFI) Guidelines of Government of India in urban areas (ccmc.gov.in).

The Master Plan (Preparation, Publication and Sanction) Rules were passed in 1983 in coherence with the Tamil Nadu Town and Country Planning Act 1971. The rules permit Local Planning Authorities (LPAs) to prepare master plans including land and building

use maps in a time bound manner in consultation with regional planning authority and other administrative authorities within the planning jurisdiction. As per the Rules, the draft master plan is to be submitted to State Government for consent and later to be published in public domain inviting suggestions/objections.

Master Plan (Preparation, Publication and Sanction) Rules 1983

The Master Plan (Preparation, Publication and Sanction) Rules were passed in 1983 in coherence with the Tamil Nadu Town and Country Planning Act 1971. The rules permit Local Planning Authorities (LPAs) to prepare master plans including land and building use maps in a time bound manner in consultation with regional planning authority and other administrative authorities within the planning jurisdiction. As per the Rules, the draft master plan is to be submitted to State Government for consent and later to be published in public domain inviting suggestions/objections.

74th Constitutional Amendment in Tamil Nadu

The 74th Constitutional Amendment not only allows greater devolution of functions and resources to ULBs from the Centre and State but also provides a significant thrust to participatory planning process. However, in the case of Tamil Nadu it is observed that fresh laws were not worked out post the passage of 73rd & 74th Constitutional Amendment Acts.

Through 74th Constitutional Amendment Act, out of the 18 functions to be devolved to ULBs, only 7 functions are fully devolved whereas 7 other functions are partially devolved, and 4 functions are retained with the State. As a result of the planning function being partially devolved, the ULBs merely collect data required for master plan preparation and share it with Local Planning Authorities, who are mandated to anchor the master planning process as per T&CP Act 1971.

4.2.2 Institutional framework for urban planning

In Tamil Nadu, there are 3 levels of authorities preparing different scales of plans: Regional Plans for identified region (including districts), Master Plans for Urban Agglomerations (LPA Area) and Detailed Town Planning Schemes or other area/city level plans by Urban Local Bodies. A total of 123 towns have prepared Master Plans or New Town Development Plans and this process is anchored by regional DTCP office, LPA & NTDA. Since there are no Metropolitan Planning Committees across Tamil Nadu, there are no spatial plans such as perspective plans or metropolitan area plans being developed.

Under Section 19 and 26 of T&CP Act 1971, the Development Plan/Master Plan may be prepared by the Local Planning Authority for any land within its planning area. The Development Plan/Master Plan is considered a statutory plan for the local planning area since it is prepared and approved under the T&CP Act 1971. Tamil Nadu appears to have solved the jurisdiction problem faced by Kerala for master plan preparation by constituting Local Planning Authorities.

The Master plan for Coimbatore LPA area was prepared for the delineated area of 1287 sq.km. along with the Coimbatore corporation area in 1992 with a horizon period of 20 years. For the preparation of new Master Plan, as per the G.O. (MS) No 41 dated 26.04.2014, the Coimbatore Local Planning area was expanded to 2869 sq.km. Ever since the enactment of T&CP Act 1971, multiple amendments have been made to the constitution of LPA and rules pertaining to its functioning and jurisdiction. This has significantly contributed to the non-implementation of the sanctioned master plan, and frequent delay in approval of new master plans for Coimbatore LPA area.

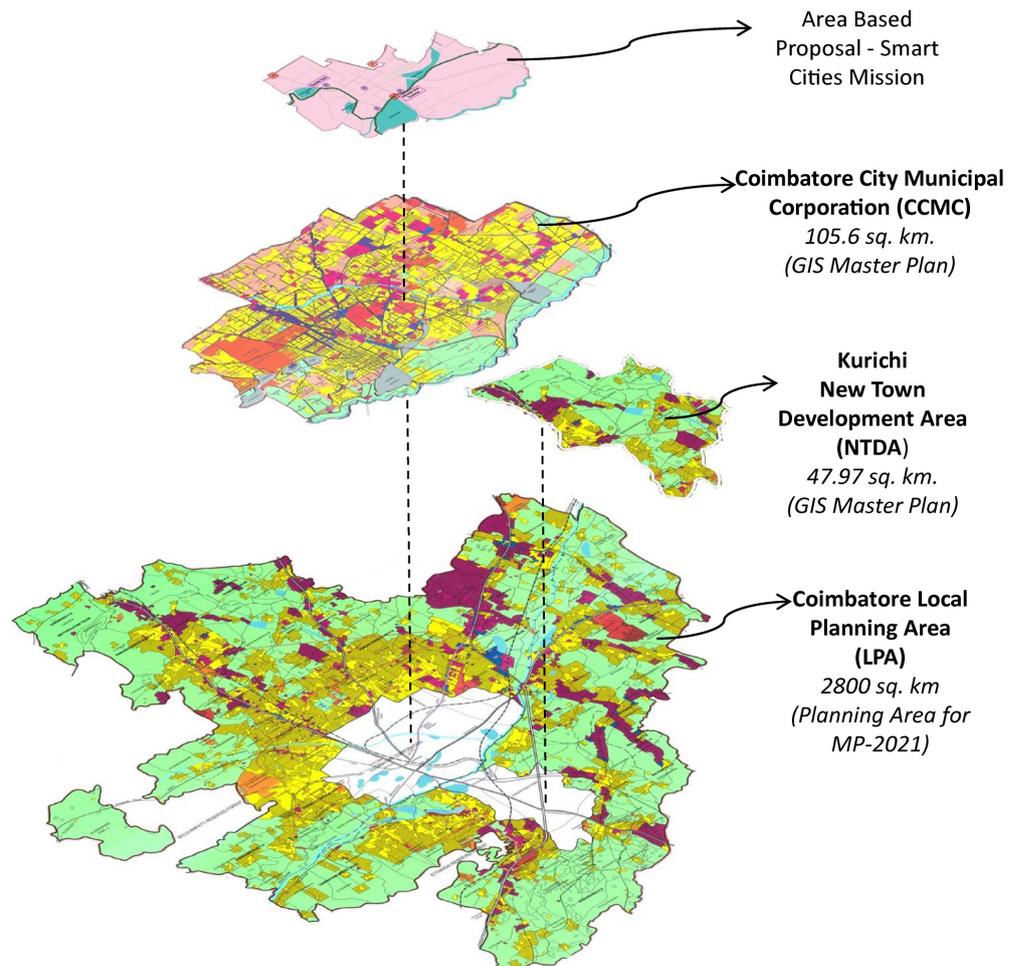


Figure 5: Institutions and jurisdictions for planning in Coimbatore

Source: Authors

The figure above indicates the institutional overlaps in Coimbatore LPA area in terms of planning jurisdiction and plan development responsibilities.

DTCP Coimbatore is a regional office and anchors the plan preparation process through coordination with CCMC and other municipalities and town panchayats in the Coimbatore LPA Area. Although the Coimbatore Local Planning Authority (LPA) is not an independent institution, but a functional authority anchored at DTCP Coimbatore, it is mandated to prepare and anchor the master plan preparation process for the entire Coimbatore LPA area.

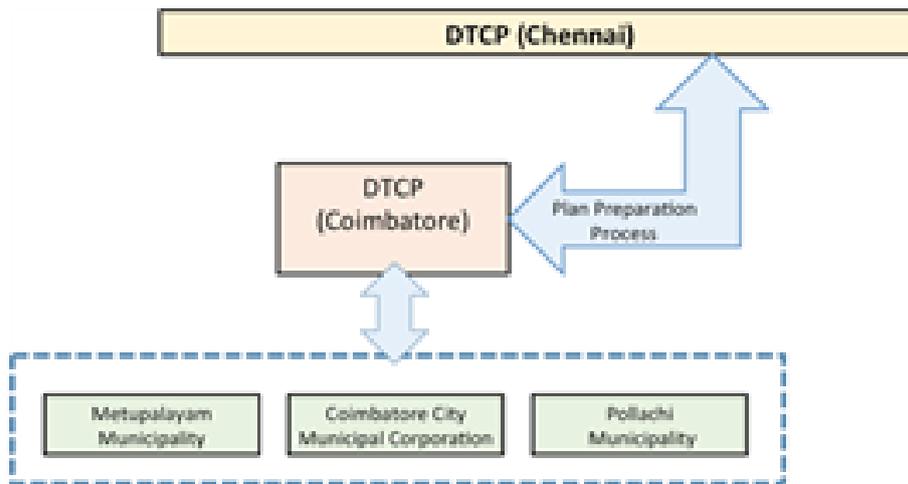


Figure 6: Institutions for urban planning in Coimbatore

The Collector (Coimbatore) is Chairperson of Coimbatore LPA and Regional Director of DTCP is the Member Secretary. The Government of Tamil Nadu nominates 1 MLA from the LPA area and 3 other members to be part of LPA. Furthermore, at least 1 representative from each municipality/municipal corporation in LPA area is a member of LPA. In this case, Municipal Commissioner, Coimbatore City Municipal Corporation (CCMC) holds an important position in Coimbatore LPA. As per the Tamil Nadu Planning Authorities Procedure and Transaction of Business Regulations, 1980, the Collector is mandated to conduct regular meetings monthly to ensure smooth coordination between the line departments. These monthly meetings are also important to ensure integration of sectoral plans during the preparation of proposed master plan.

However, it is found that the agenda for these monthly meetings is to primarily review and monitoring of district-level projects and addressing existing issues. Hence, master plan formulation is not taken up on a priority basis; as a result, there have been multiple delays in the formulation of new master plan for Coimbatore LPA area.

The following institutions are mapped to analyse the inter-departmental and inter-sectoral coordination for formulation of Coimbatore Master Plan:

Table 1: Organization in Coimbatore and their functions

Functions	Organizations										
	Collectorate	DTCP (Coimbatore + Chennai)	LPA	CCMC	PWD	TWAD	TNSC RTO UMTA	TNHB TNSCB	TANGEDCO TNEB, TEDA	TUFIDCO	NHAI IAF Army Railways
Urban Governance	✓	✓		✓							
Spatial Planning		✓	✓								
Water Supply				✓	✓	✓					
Drainage & Sewerage				✓	✓	✓					
Solid Waste Management				✓							
Traffic & Transport				✓			✓				
Roads & Bridges			✓	✓	✓						
Parks & Open Spaces			✓	✓							
Energy Management								✓			
Housing								✓			
Financial Assistance									✓		
Sectoral Functions by Major National Institutions											✓

Additionally, through the interviews and research, it is found that Coimbatore LPA has not convened face-to-face meetings with various line departments working in Coimbatore region, specifically to discuss futuristic sectoral plans of these departments. Instead, this consultation is done through letters to all line departments and information is sought in exchange. This highlights the absence of structured stakeholder consultations, which are an important aspect in the urban planning process.

For an integrated approach in urban planning, the inter-departmental co-ordination plays a vital role. To strengthen such coordination, generally a committee should be formed consisting of experts from other departments (CCMC, TWAD board, TNSCB, TNHB, TANGEDCO, Transport etc.) and they must meet regularly to discuss and identify master plan projects and proposals.

However, it is observed that:

- The coordination between LPA/DTCP and other line departments are only through letters, i.e., paper communication with a sole purpose of collecting data and future sectoral plans. Hence, no regular face-to-face meetings are organized to pro-actively discuss and formulate an integrated vision for LPA.
- However, it is to be noted that as per Tamil Nadu Planning Authorities Procedure and Transaction of Business Regulations, 1980 the Collector must conduct regular meetings on a monthly basis to ensure smooth coordination between line departments.
- No sectoral/thematic committees were formed during plan formulation. As a result, in-depth and comprehensive sectoral proposals are not developed.

4.2.3 Organizational framework for urban planning

Coimbatore Local Planning Authority took the initiative for preparing the Master plan for the city because of its rapid development in the recent years. As per the G.O.(MS) No. 41 dated on 26.04.2014, the Coimbatore Local Planning area was expanded due to the amalgamation of Mettupalayam and Pollachi local planning area with Coimbatore local planning area. The Master Plan, 2031 preparation started in 2017.

As per T&CP Act 1971, the ideal time taken to prepare and approve the master plan must be 41 months 15 days without any rejection by the government. However, after the previous master plan was approved in 1994, it has been more than 27 years since a revised or new master plan for Coimbatore LPA area has been approved. The below timeline indicates the delays and reasons for delays in the plan approval.

The Coimbatore LPA Area also includes the jurisdiction of Coimbatore City Municipal Corporation (CCMC) and hence it is important to understand the role of the urban local body in master plan preparation and implementation process.

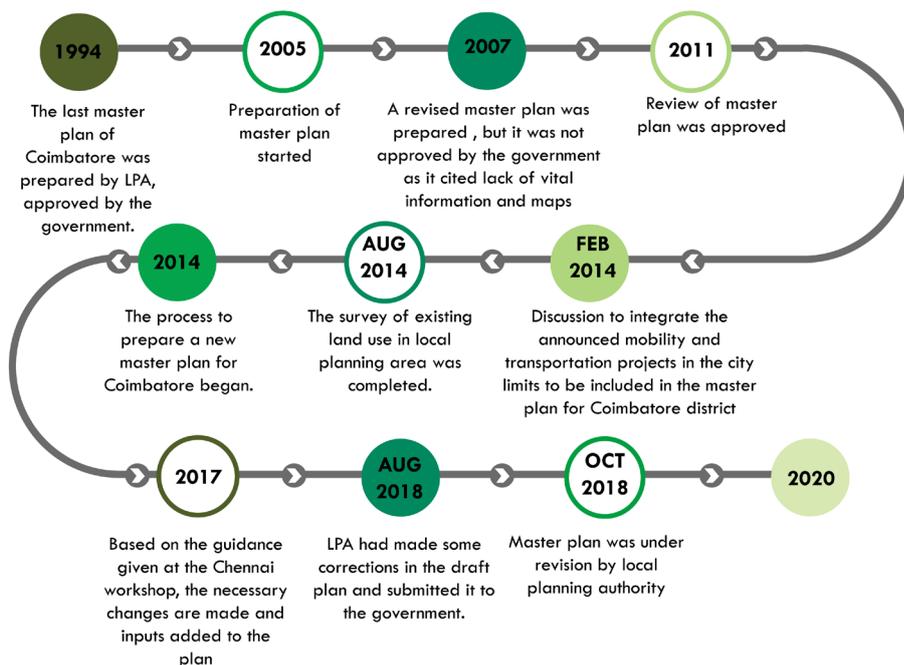


Figure 7: Master Plan preparation timeline for Coimbatore

Town Planning Section at CCMC

As ordered by the Government in GO.Ms.No.237 in 1997 the Town Planning Section in all the Corporations including Coimbatore City Municipal Corporation (CCMC) has merged with Engineering section, and as per the Town and Country Planning Act, 1971, the Town Planning functions and powers are vested with the DTCP.

Coimbatore City Municipal Corporation (CCMC) must interact with the Coimbatore Local Planning Authority to ensure that its projects were developed according to the land use norms delineated in the plan, even though it had little input into the original plan. This has made managing the city's growth a cumbersome process. As a result, observers have noted that a great deal of Coimbatore's recent development has been unauthorized (ccmc.gov.in).

Town Planning Standing Committee at CCMC

It is a statutory standing Committee on Town Planning headed by a Chairperson and 15 members, who are the elected representatives. The Committee is supposed to meet once in a month to discuss the issues related to town Planning and recommend the Council to take a decision. No power has been delegated to the Town Planning Standing Committee either by the Government or the council and hence it is functioning as an advisory body to the Council (ccmc.gov.in).

Thus, CCMC can exercise the limited powers under the delegated power from the DTCP, and it is the responsibility of the Planning Authority to enforce planning regulations, while the CCMC is responsible for enforcement of building regulations.

4.2.4 Reform efforts

With the notification of the Town and Country Planning Act in 1971, Tamil Nadu formulated Local Planning Authority to prepare master plans for a designated planning area and it will be considered a statutory plan. Tamil Nadu appears to have solved the jurisdiction problem faced by Kerala for master plan preparation by constituting Local Planning Authorities. Since there is no Metropolitan Planning Committee for Coimbatore, it is to be ascertained whether the Coimbatore Local Planning Authority fulfills that function.

Earlier in 1976, the Chairperson of ULB was the Chairperson of LPA and the Town Planning Officer of ULB was its Member Secretary. Considering the LPA area included surrounding municipalities and panchayat areas in the planning area, the District Collector was considered to be the LPA Chairperson and Regional Director of DTCP as its Member Secretary 1993 onwards. As per the Tamil Nadu Planning Authorities Procedure and Transaction of Business Regulations, 1980, the Collector is mandated to conduct regular meetings on a monthly basis to ensure smooth coordination between the line departments. These monthly meetings are also important to ensure integration of sectoral plans during the preparation of proposed master plan.

DTCP has a regional office in Coimbatore and anchors the plan preparation process through coordination with CCMC and other municipalities and town panchayats in the Coimbatore LPA Area. In 2020, DTCP decided to have at least one DTCP regional office in all districts of Tamil Nadu to decentralize the planning process and prepare master plans for 123 towns across Tamil Nadu.

At present there are no qualified urban planners employed at DTCP Coimbatore and as a result the latest draft Master plan of Coimbatore LPA 2031 was primarily prepared by Planning Assistant and Supervisor. Owing to the Tamil Nadu Planners' Recruitment Rules, the qualification for planning positions in DTCP has to be of engineering background instead of urban planning background, which is a major drawback. Reform efforts are required to fill the vacant posts for urban planning, involve sectoral experts and master planning consultants with the department.

4.3 COMPARATIVE ANALYSIS

The urban planning framework in Kerala and Tamil Nadu varies based on the State Planning legislations - in terms of plan preparation, approval and implementation authorities and its functions. To analyse and understand where these two states stand in comparison with some of the other states having robust planning frameworks, a comparative analysis is done with Gujarat and Maharashtra.

The matrix below highlights the key differences between the four states having varying levels of urbanization and different planning frameworks.

Table 2: Different planning frameworks in the four states

Parameters	Gujarat	Maharashtra	Kerala	Tamil Nadu
City	Ahmedabad	Greater Mumbai	Kochi	Coimbatore
Act	GTPUD Act, 1976	MRTTP Act 1966	KTCP act .2016	DTCP Act 1971
Statutory Plans as per Act			State Perspective Plan	
		Regional Plan		Regional Plan
			District Perspective Plan	
		Metropolitan Perspective Plan		
	Development plan	Development Plan	Master Plan	Master Plan/New town development plan
	Town planning Scheme	Town Planning Schemes	Execution Plan	Detailed Town Planning Scheme
Statutory Plan to be reviewed	Development plan	Greater Mumbai Development Plan 2014-2034	Draft Kochi Master Plan 2010	Coimbatore Master Plan 1994. Draft Master Plan for Coimbatore LPA 2031.
Preparatory Authority for DP / MP	AUDA	MCGM in collaboration with EGIS Geoplan Consultant	KMC & TCP	DTCP
Approving Authority for DP / MP	State Government	State Government	State Government	State Government
Total Time taken for preparation & approval process as per Act	3 years	3.6 years	3.5 years	3.5 years
Urbanization percent state wise	46%	45.20%	48%	48.40%

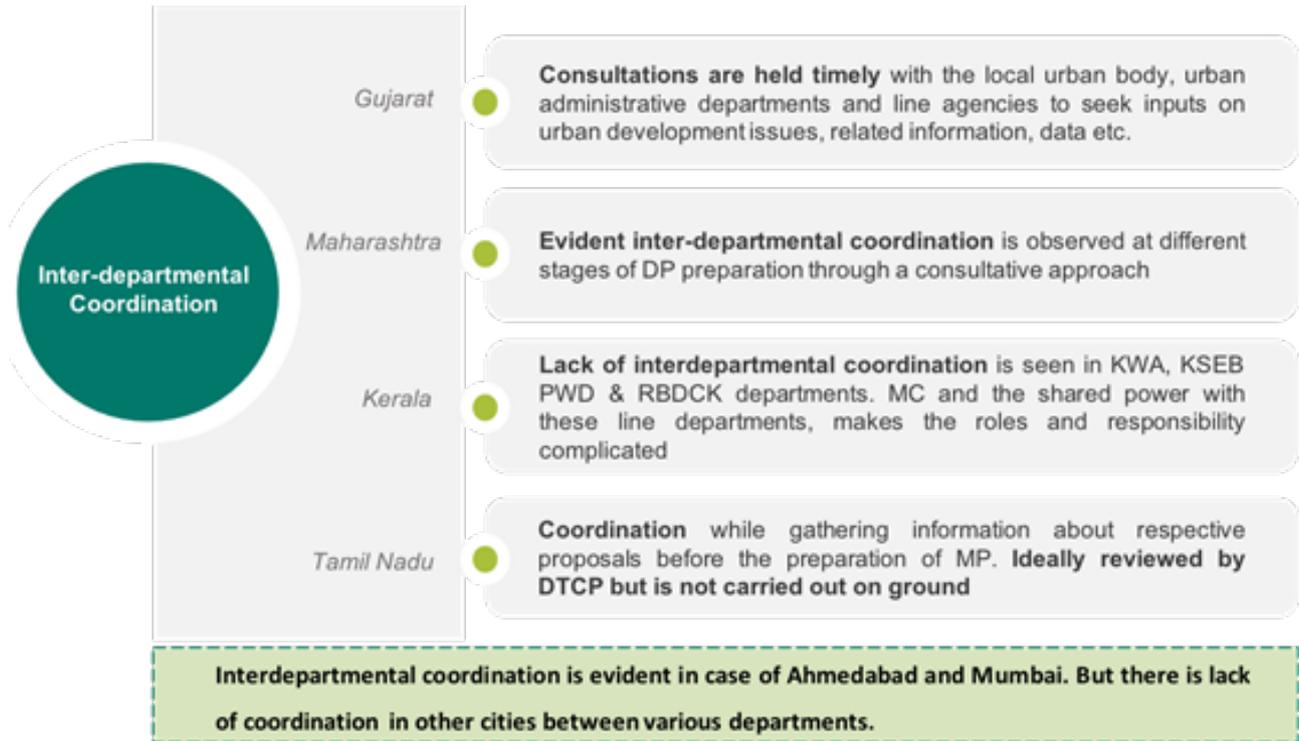
The table below indicates the roles and responsibilities of state and local governments for master plan preparation, approval and implementation:

Table 3: Distribution of planning responsibilities of state and local governments

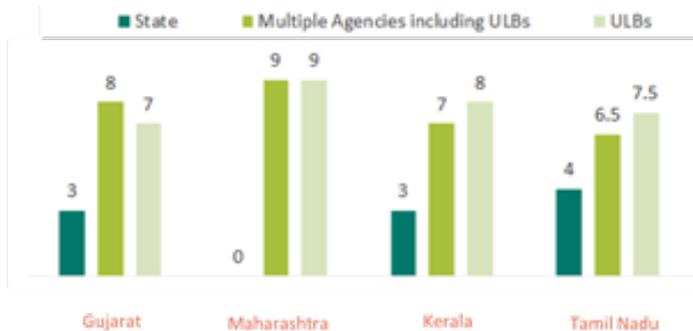
State, City	Distribution of Responsibilities	
	State	Local
Gujarat, Ahmedabad	<ul style="list-style-type: none"> State Gov. sanctions the DP, suggests modifications to AUDA. And has the power to appoint and discharge the members of AUDA. 	<ul style="list-style-type: none"> AUDA prepares DP & TP, monitors & controls urban & infrastructure development, within AUDA area. AMC is implements DP & TP and to provide infrastructure and other basic civic amenities within AMC limits
Maharashtra, Greater Mumbai	<ul style="list-style-type: none"> State Gov. Consults with director of TP approves area declaration, DP, extensions, coordinates objections & suggestions, appoints a qualified TPO 	<ul style="list-style-type: none"> MCGM prepares the DP, carry out survey, prepare ELU maps, makes list of modifications/changes to be done in Draft DP
Kerala, Kochi	<ul style="list-style-type: none"> State Gov. Sanctions the MPs (LSGD Principal Secretary signatory) T&C under LSGD: prepares the MPs (Role of a consultant) 	<ul style="list-style-type: none"> ULB has the ownership of the MP & is an active player throughout the process. They enforce regulations & sanctions building approvals.
Tamil Nadu, Coimbatore	<ul style="list-style-type: none"> State Gov. approves the area declaration and MPs DTCP : prepares the MPs, reviews interdepartmental coordination, declares planning areas 	<ul style="list-style-type: none"> LPA - statutorily responsible for preparing MPs but they only provide DTCP with the required data. ULBs are not involved in the master planning process. Only collects data & gives to LPA.
Inferences	<ul style="list-style-type: none"> Similar roles & responsibilities can be seen all the state government. 	<ul style="list-style-type: none"> ULBs assist in providing relevant information during the MP preparation. In Kerala, Gujarat and Maharashtra (Mumbai) the municipal corporation holds major power in carrying out the process and is liable to suggest alterations. In Tamil Nadu, the ULB assist the LPA and DTCP in data collection but not involved in master planning process.

All four State Town Planning Acts mention the formation of committees and structured consultations between state and local government departments to ensure efficient inter-departmental coordination. However, through stakeholder consultations this study makes the following observations:

As per the 74th Constitution Amendment Act, all 18 listed functions must be devolved to local governments, i.e., Urban Local Bodies. This is not the case in reality. Partial devolution can be seen in Kerala and Tamil Nadu. The analysis below indicates the devolution of planning function including town planning in these states:



Decentralization: Extent of devolution of 74th Amendment Act



In case of devolution of powers through 74th Amendment, Maharashtra has most powers devolved to ULBs.

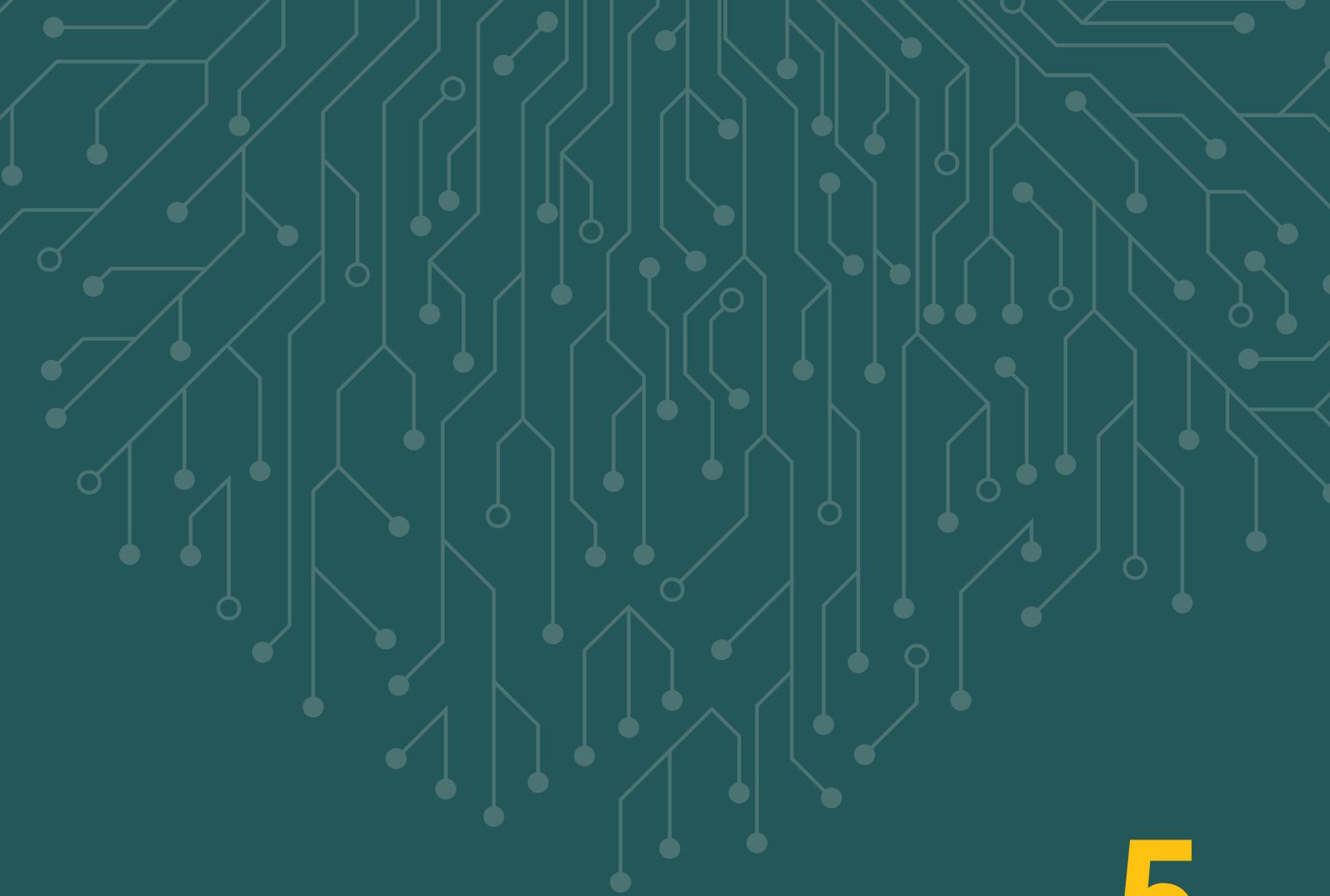
First 2 Functions: Devolution of Planning functions

Function	Gujarat	Maharashtra	Kerala	Tamil Nadu
Urban Planning including town planning	<p><i>Functions</i> Spatial plans are prepared by LPA. ULB provides data & inputs for area under its limits</p> <p><i>Authorities</i> AUDA, TSP, AMC</p>	<p><i>Functions</i> Devolved to MCGM but Multiple authorities involved.</p> <p><i>Authorities</i> MMRDA, MHADA & MSRDC, MCGM</p>	<p><i>Functions</i> TCP department as a consultant for preparing the master plan but MC / JPC Has the ownership.</p> <p><i>Authorities</i> TCP, MC or JPC</p>	<p><i>Functions</i> DTCP prepares plans and LPA coordinates with the data collection.</p> <p><i>Authorities</i> DTCP & LPA</p>
Regulation of land-use & construction of buildings	<p><i>Functions</i> ULB is responsible for building plan approval & decisions related to unauthorized construction</p> <p><i>Authorities</i> TSP, AMC</p>	<p><i>Functions</i> Multiple authorities involved.</p> <p><i>Authorities</i> MCGM, MMRDA</p>	<p><i>Functions</i> Land use planning is with TCP department . Approval of certain buildings is with the city government.</p> <p><i>Authorities</i> TCP & MC</p>	<p><i>Functions</i> ULBs have no power LPA approves till 1 Ha if urban land & 2 Ha if rural beyond which approved by DTCP.</p> <p><i>Authorities</i> DTCP & LPA</p>

Partial devolution can be seen in all the states except in Maharashtra (Mumbai). ULBs coordinates with planning authorities/departments in urban planning process.

Regulations related to building and layout approval are carried out by ULBs except in TamilNadu.





5

STATUS OF MASTER PLANS IN KOCHI AND COIMBATORE

5.1 KOCHI

5.2 COIMBATORE

5.1 KOCHI

Kochi being one of oldest port settlement in Southern India, there has been focused efforts for systematic planning since the formation of Kerala State in 1956. The Interim Development Plan of 1966 was the first spatial plan prepared for Kochi city region, for an area of 1102 sq. km., however, in the subsequent planning efforts the planning area gradually reduced and the latest plan in action - Structural Plan 2001 has an area limited to 275.85 sq. km. only.

Statutory plans	Interim Development Plan (1966)	Development Plan (1976)	Structure Plan (1991)	Kochi City Region DP (2010)
Area (sqkm)	1102	691.92	275.85	369.72

Table 4: Various planning efforts in Kochi

S. No	Plan	Planning Area descriptions
1	Interim Development Plan for Cochin - Plan Period: (1966-81)	<ul style="list-style-type: none"> The planning area covered 1101.61 sq km and had a population of 11.88 lakhs in 1961. 6 towns and 51 surrounding panchayats form the planning region. The urban core of Cochin Region with an area of 94.88 sq km and had a population of 4.39 lakhs. Designated as Cochin Municipal corporation in 1966.
2	Development Plan for Cochin Region, 1976	<ul style="list-style-type: none"> The Development Plan for Cochin Region was prepared to stimulate balanced growth in the region with a long-term perspective (1971 to1991). Delineated Planning area of Cochin region reduced to an area of 691.92 sq. km but having a population of 12.48 lakhs as per 1971 census
3	Structure Plan for Central City, Kochi, 2001	<ul style="list-style-type: none"> The Structure Plan was prepared for a period from 1991 to 2001.The planning area further reduced to Core city and immediate influential area covering 275.85 sq. km. with population of 8.55 lakhs.
4	Kochi City Region Development Plan 2031 (first draft in 2010, not yet published for public consultation)	<ul style="list-style-type: none"> As the structural Plan for Central City lapsed in 2001, KMC initiated the Development Plan preparation in Dec 2004. However later it was handed over to TCPD. The TCPD prepared draft Development Plan for Kochi City Region for a plan period up to 2030. The planning area covers an area of 360 sq. km. Draft Plan approved by Kochi MC in 2010, however the plan was updated later to incorporate the provision of Kerala Town Planning Act 2016.
5	GIS based master plan for Kochi under AMRUT (2017-ongoing)	<ul style="list-style-type: none"> The GIS based master plan preparation by TCPD with technical support from NRSC and funding support from AMRUT. The Planning Area is limited to the limits of Kochi Municipal Corporation only, 94 sq. km.

Source: Kochi City Region Development Plan 2031

Interestingly, later in 2017, the TCPD again initiated GIS based mapping and master plan preparation under the reform component of AMRUT mission. However, the planning area was limited to Kochi Municipal Corporation. Recently TCPD has proposed GoK to update the land use and traffic-transport plans prepared as part of Draft Greater Kochi Development Plan, as all the surveys and studies were conducted during 2004 - 06. Besides KMC has initiated the discussions with GoK and TCPD to revive the master Planning preparation process in the City Region.

The Land use planning systems have weakened in the region (State) after the incorporation of 74 CAA, as the priority of Local Governments are on Annul Planning process for promoting socio-economic development while the spatial planning systems with long term strategies lost its priority. It is important to note that since 2001 Kochi city region does not have a sanctioned Master Plan or any statutory guidelines either to guide or to regulate the physical growth within the region. However, there were continued attempt to prepare various policy and project documents to streamline the developments in Kochi. Major infrastructure developments in the city are guided by ad-hoc system of planning, as mandated by various externally aided projects.



Source: pixy.org

5.2 COIMBATORE

The Master plan approved by the State Government in 1994 was prepared for the delineated area along with the Coimbatore corporation area in 1992 with a period of 20 years. The implementation of the Master Plan was to be carried out in two phases (1992-2002, 2002-2012). But the unplanned area as per Master Plan 1992-2002 were facing critical problems due to high population growth trend, housing demands, water supply, drainage etc. This triggered the process to review the existing Master Plan in 2010 and update land uses and sectoral proposals for Coimbatore LPA.

As per the G.O.(MS). No. 41 dated 26.04.2014, the Coimbatore Local Planning area was expanded which include the amalgamation of Mettupalayam and Pollachi local planning area with Coimbatore local planning area, and the preparation of Master Plan 2031 started. The ideal time taken to prepare and approve the master plan must be 41 months 15 days (as per T&CP Act 1971). However, a new master plan for Coimbatore LPA area has not been approved since 1994. As per the stakeholder consultations, it is revealed that the Draft Coimbatore LPA Master Plan 2031 is pending with the State Government for approval.

Master plan	For Master Plan 1994	For Review of Master Plan 2010	For Draft Master Plan 2031
Area (sq.km)	1287	1287	2869

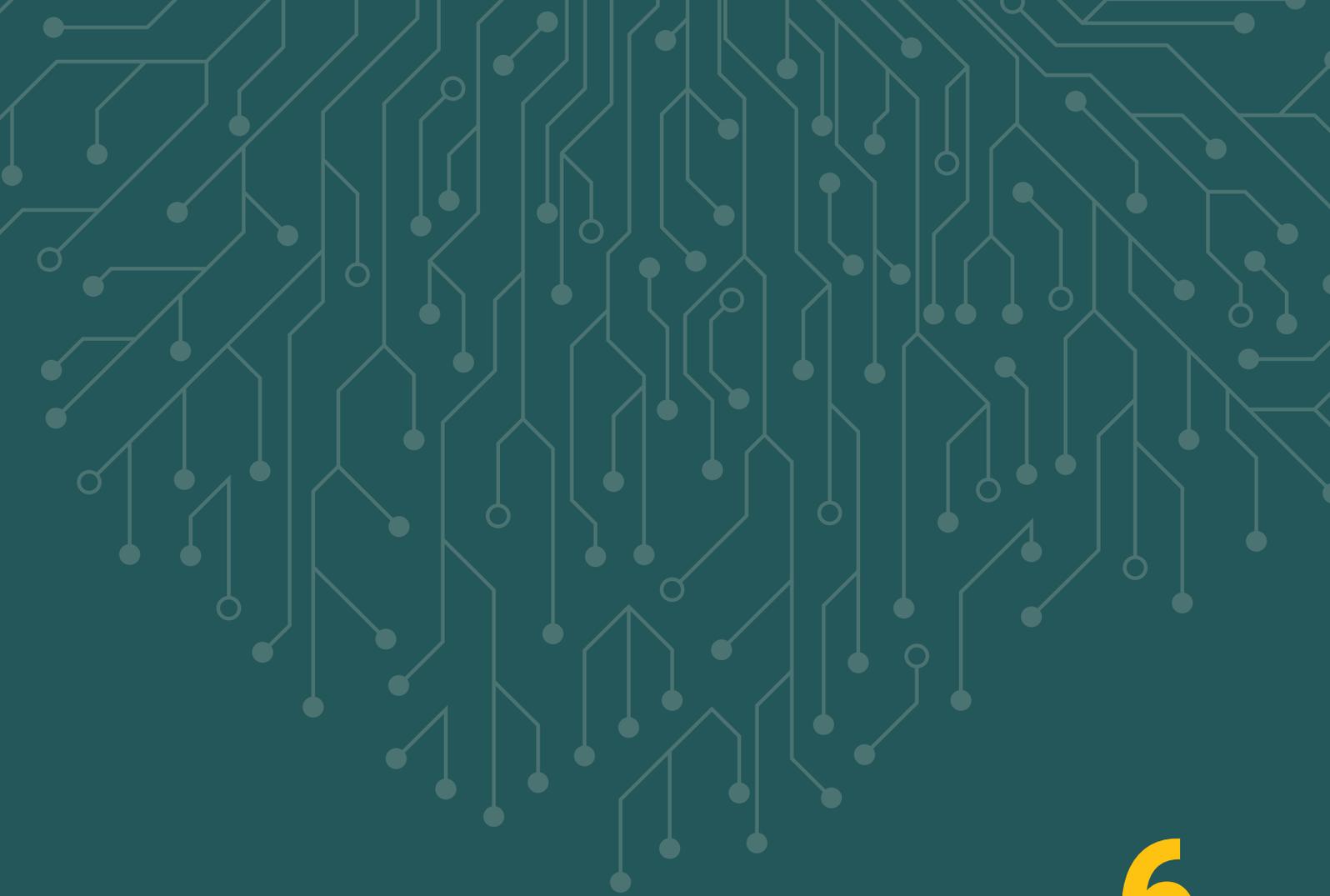
Table 5: Various planning efforts in Coimbatore

S. No	Plan	Planning Area descriptions
1	1994 (approved)	<ul style="list-style-type: none"> The delineated area for the local planning area consists of Coimbatore Municipal Corporation, Madukkarai Township, 31 census towns and 55 revenue villages. The total planning area is 1287 sq. km.
2	2010 (review draft)	<ul style="list-style-type: none"> Coimbatore Review Master plan was prepared in 2010. A fresh study made and updated to the report. The total planning area remained same, i.e., 1287 sq. km.
3	2031 (draft)	<ul style="list-style-type: none"> The draft master plan prepared in 2017-18 jointly by DTCP Coimbatore and DTCP Chennai. The planning area included Mettupalayam and Pollachi local planning area. The total planning area is 2869 sq. km.

Source: Kochi City Region Development Plan 2031

The Master Plan (1992-2002) is still in practice and multiple attempts have been made to review and prepare a revised/new master plan for Coimbatore LPA area after 1994, with no success.

Ever since the enactment of T&CP Act 1971, multiple amendments have been made to the constitution of LPA and rules pertaining to its functioning and jurisdiction. This has significantly contributed to the non-implementation of the sanctioned master plan, and frequent delay in approval of new master plans for Coimbatore LPA area.



6

DISCUSSION ON THE INSTITUTIONAL FRAMEWORK AND ITS ANALYSIS

6.1 STATE'S CONTROL PLAYS A KEY ROLE

6.2 DECENTRALIZATION ISSUES

**6.3 MULTIPLE INSTITUTIONS, MULTIPLE
MANDATES, DIVIDED RESPONSIBILITIES**

**6.4 THE LEGISLATIVE FRAMEWORK IS
PRESCRIPTIVE WITH LITTLE ROOM FOR
MANOEUVRE**

**6.5 INTEGRATED URBAN PLANNING
LIMITATIONS IN THE CURRENT CONTEXT**

6.6 KOCHI'S UNIQUE SITUATION

6.1 STATE'S CONTROL PLAYS A KEY ROLE

The previous sections have discussed the overall institutional framework for urban planning in the case of Kochi and Coimbatore. It is evident that the institutional framework for a city cannot be discussed in isolation i.e., without looking at the overall state level framework, it offers little value to focus on the city level.

The top-down nature (State directing what cities should do) of urban development as a subject is evident everywhere even in the case of the cities that are the subject of this discussion. While powers and functions are said to be devolved to the urban local bodies in keeping with the spirit of the 74th Constitutional Amendment, it is very apparent that the State continues to exercise a significant degree of control either through the Urban Development Department or through para-statal agencies that remain fully under the control of the State.

This centralization gives rise to 'structural issues' within the urban planning function. While the function is said to be devolved, several parts of the overall urban planning system (by extension, the integrated urban development paradigm), continue to remain exclusively in the State's domain. For instance, economic planning is not within the domain the city and while the Master/Development Plan can discuss the economic aspects and articulate an economic vision for the city, the city government has no control over the economic policy function. The State, in its own wisdom, may or may not push the economic vision of the city forward. Additionally, with economic planning being out of the city government's remit, the resource allocation (a consequence of economic planning!) has no input from the city government.

Similarly, the building regulation function while 'devolved' to the urban local bodies (ULBs), the State continues to determine the overall building regulations with little flexibility available to the cities to make changes to the regulations. Additionally, while the urban planning function is devolved, the functionaries are still managed by the State and only 'deputed' to the ULBs.

In the case of Coimbatore, this structural issue is even more apparent. The ULB, does not have powers for the urban planning function and therefore they are confined to prepare more operational documents such as the City Business Plan, which while attempts some level of visioning, but is again constrained by the limitations of the powers available to the city government. The urban planning function is enshrined in the para-statal agency and while making the right noises about 'participation' of the relevant stakeholders, the city government has very little influence over what happens to the Master/ Development Plan.

6.2 DECENTRALIZATION ISSUES

Kerala is a leader in implementing the 74th Constitutional Amendment and empowering its city governments. On the other hand, Tamil Nadu has only partially implemented these amendments. In case of Kerala, barring the exception of three functions, all the functions have been either fully transferred to the city governments or shared between state and city governments. In case of Tamil Nadu, seven functions have been fully transferred to the city governments while the remaining functions primarily rest with the state government and parastatal agencies.

While transfer of functions is necessary, creation and support for bolstering the city governments' capacity to handle these functions is equally, if not more, important. With local capacities, city governments can take decisions that are context specific, focused and matched with the demand. However, this where the urban development agenda has faltered for almost the entire country.

While the transfer of functions was 'reported' to achieve a certain reform compliance score, the real transfer was only in parts and a stop-start arrangement. For any city government system to perform, three elements are critical viz., fund, function, and functionaries.

Urban planning was one of the functions that was to be devolved to the city governments.

While Kerala did transfer the urban planning function to the city governments, the funds and functionaries continue to be with the Town Planning Department which is under the Local Self Government department. While the Kochi Municipal Corporation is supposed to prepare a plan for its jurisdiction, there is no internal capacity to do the same.

In the case of Tamil Nadu, the urban planning function is with the para-statal bodies. There is no manpower, funds, or any other capacity available within the city government for undertaking the urban planning function. Even building regulation is overseen by the para-statal planning agency.

These half-hearted measures make it very difficult for the city governments of Kochi and Coimbatore to make any meaningful plans or to build capacities for the longer term. Thus, the decentralization agenda can be said to be on crutches and that it has left the city governments in a quandary about what are they eventually expected to do.

6.3 MULTIPLE INSTITUTIONS, MULTIPLE MANDATES, DIVIDED RESPONSIBILITIES

The urban development as a subject has always been a set of paradoxes in one way or the other. A simple example of such a paradox - while one of the functions of the city governments is to provide water supply services to its citizens, in the case of Kochi for instance, this responsibility lies with the Kerala Water Authority. Similarly, while the 74th Constitutional Amendment exhorts decentralization, in the case of Coimbatore, the urban planning function is not with the city government, but is instead vested, in a para-statal agency.

There are several such paradoxes. But if the focus is solely on the urban planning function, it is apparent that this is one area which has not received adequate attention and thought in terms of how cities can be nurtured to grow systematically using integrated urban planning as an enabling mechanism.

In the case of Kochi and Coimbatore, It is observed there a multiplicity of institutions, ergo, fragmentation of jurisdictions and responsibilities. In Kochi, for the urban planning function alone, the Kochi Municipal Corporation has jurisdiction of ~95 sq. kms and is expected to prepare a plan for this jurisdiction. However, the city growth has expanded much beyond these ~95 sq. kms and has engulfed various panchayats and smaller urban centres into the city sprawl. This area of ~367 sq. kms was the focus of the Development Plan being attempted, which unfortunately has not seen the light of the day (Kochi Metropolitan Region, DP 2031). However, The Greater Cochin Development Authority (GCDA), which was expected to plan for a much bigger area (~632 sq. kms), is now rendered powerless and has little to do in terms of actual planning work. Thus, the paradox plays out again - KMC lacks capabilities to prepare plans independently, and at the same time, GCDA is on the verge of being defunct. The future for urban planning in Kochi, therefore, is quite hazy - who takes the lead to plan and plan for what jurisdiction!

In the case of Coimbatore, this multiplicity of institutions and fragmentation of responsibilities is bipolar as far as urban planning is concerned. The Coimbatore City Municipal Corporation (CCMC, area of ~257 sq. kms) does not have the mandate to prepare an urban development plan under the urban planning legislation. This responsibility is enshrined in the Coimbatore Local Planning Area Authority (CLPAA, area of 2800 sq. kms). The CLPAA, prepares a Master Plan which subsumes the areas under the CCMC and includes other town development authorities, urban local bodies, and panchayats. While the CCMC is expected to manage the urban systems, it has no locus standi in deciding how the urban systems are planned.

The focus is on the urban planning function since it is the subject of this case. However, this argument can be extended to practically every function available to the city governments and may end up finding functional duplication, fragmentation of responsibilities and other similar issues.

It is obvious that over-institutionalization of functions results in a complex, slow moving, fragmented and less efficient governance systems. It remains to be seen whether a business process reengineering can help bring more efficiency in the systems.

Furthermore, the para-statal agencies and other statutory bodies present within the city jurisdiction (or even in urban periphery), having a reporting line different from that of the city government. Their plans, programmes and performance are not subject to scrutiny by the city governments. Thus, city governments are in no position to direct the other agencies.

6.4 THE LEGISLATIVE FRAMEWORK IS PRESCRIPTIVE WITH LITTLE ROOM FOR MANOEUVRE

The legislative framework often shapes institutions and governance systems and how these become efficient or otherwise. The legislative framework not only comprises the laws that define the basics of what, how and who is going to do it, it also encompasses the rules that define the operational framework which in turn informs organisational frameworks and the systems and processes to be adopted.

Thus, the legislative framework is the bedrock of the overall function for any State or city government. Apropos, the urban planning legislations lay down how the planning system will operate in the respective states. These legislations lay down the powers and functions of the planning authorities, discuss the overall framework for the various levels of plans to be prepared and lay down the broad contents of what each of these plans would consist of. While this is desirable to ensure that an overarching framework for urban planning is available and can be followed, the legislative framework also in itself can become a constraint.

Integrated urban planning requires looking at not only spatial interventions and transportation networks, but also at the economy, social fabric, environment, equity, and multiple other aspects (discussed in the previous sections). The existing urban planning legislative framework under which the two cities operate, are rather barebone and focus on land use, transportation, and physical aspects of city development. The legislative frameworks do not mandate (or even passingly encourage) the planning authorities to focus on strategic development paradigms (the frameworks don't dissuade looking at these aspects either), therefore, these aspects rarely get built into the plans. An additional issue is that the laws are often 'regulation' oriented rather than 'development' oriented. For instance, the Urban Planning legislation defines what all must be done in terms of preparing a Master Plan; the legislation advocates inter-department coordination, but is found wanting on public participation!

A key breakaway from this practice has been the Draft Master Plan, 2031 for Kochi. This plan not only discusses spatial interventions, land-use, transportation, and other physical aspects, but also touches upon several softer aspects of economy, culture, recreation, equity etc. However, this Draft Master Plan is yet to be administratively approved!

6.5 INTEGRATED URBAN PLANNING LIMITATIONS IN THE CURRENT CONTEXT

Integrated urban planning as a concept is underpinned by the need to look at urban development planning through a prism of comprehensiveness. Moving beyond spatial interventions / plans, this concept is rooted in the argument that the spatial interventions cannot be viewed and planned in isolation; the economy of the city, the social structure, environmental considerations etc., all have a role to play in the urban growth and that the development plans should encompass all these aspects.

In the context of the two cities of Kochi and Coimbatore, while attempts have been made to develop comprehensive planning documents, the current institutional structure, and concomitant responsibilities of the planning authorities continue to be at odds to the comprehensive urban planning agenda.

This can be explained by a very simple illustration – while the planning document may talk about an economic agenda for the city, the local government does not have any mandate for economic interventions, except perhaps, allotting a land parcel for a production unit. However, this function is in the domain of the industrial development authority (or a para-statal agency, nomenclature may differ from state to state).

In the case of Kochi, while the local government is expected to look at utilities within the city, within the current institutional framework, water supply is managed by the Kerala Water Authority!

Another critical aspect is that the integrated urban planning concept requires that professionals working in the field of urban planning are also trained to look at the plans from the vantage point of comprehensiveness. Current professional training structures focus on specialisation in one or the other fields (land-use, regional, transport, environment etc.). Without training for integrated planning, professionals tend to learn on the job, and this creates unique limitations in perspectives. For instance, a firm that specialises in environmental planning will almost always look at the planning exercise with an unconscious bias towards environment and may end up unwittingly compromising on other aspects.

6.6 KOCHI'S UNIQUE SITUATION

As highlighted in the section 6.2, the funds and functionaries for the urban planning function, continue to be with the para-statal body. While some functionaries have been deputed to the Kochi Municipal Corporation (KMC), the lack of technical expertise at these functionaries' level and lack of institutional capacity for undertaking an exercise in urban planning at the KMC, make the KMC incapable of spearheading and preparing the plan entirely on their own. While the option to hire private sector expertise for planning is always available, these skills have not been utilised so far.

Thus, the only option for KMC is to circle back and rely on the Town and Country Planning Department for plan preparation and later for the sanction of such plans. Therein is a conflict of sorts. The very agency that is expected to scrutinise and, eventually, approve the plan, is the very agency that will be preparing the plan at the behest of the KMC.

This is a unique arrangement in the case of Kochi - while there is a larger planning body present, Greater Cochin Development Authority (GCDA), there is no attempt to utilise this larger planning authority and instead, the KMC relies on the para-statal agency to help in their plan preparation and sanction.

Given the nature of the Draft Master Plan 2031 prepared for the Kochi Metropolitan Region, Kochi was in a unique position to showcase that integrated urban planning could be conceptualised and implemented in good measure. However, the institutional structures and their complexity has meant that the plan has not seen the light of the day (only in terms of official sanction for implementation).

WAY FORWARD

Master Plans and their formulation is a decades old practice. The formulation of a plan alone, however, is not enough to guide the growth of the city. Master Plan proposals must be converted into an action agenda and must be implemented for a city's systematic growth. A contrary argument is that the growth of the city continues 'despite' the master plan – this line of argument is rooted in the premise that the Master Plan proposals, often, are asynchronous with the constantly evolving behemoth that is the city and that market efficiencies have a way of balancing demand and supply pressures.

As urban areas expand and complexity increases, an appropriate institutional framework is critical for ensuring integrated plans and sustainable growth of cities. The current framework of multiple institutions playing a role in the planning process with variable stakes has left a wide room for improvement. With the limitations (more accurately, complexity) around the institutional framework it is critical to realise that downstream, the impacts will be far and wide and therefore, agility both within the planning processes and the institutional framework will be critical for cities to continue being the engines of growth.

This study has attempted to put a spotlight on the institutional issues impacting the efficacy of the planning process. This is but an initial effort with the aim of opening conversations around the subject of institutional impacts. The popular literature within the urban development domain is varied and covers several important issues. The institutional framework and its impact on urban development has received some attention, albeit indirectly.

Going forward, using this discussion as a base, the following interesting possibilities are foreseen:

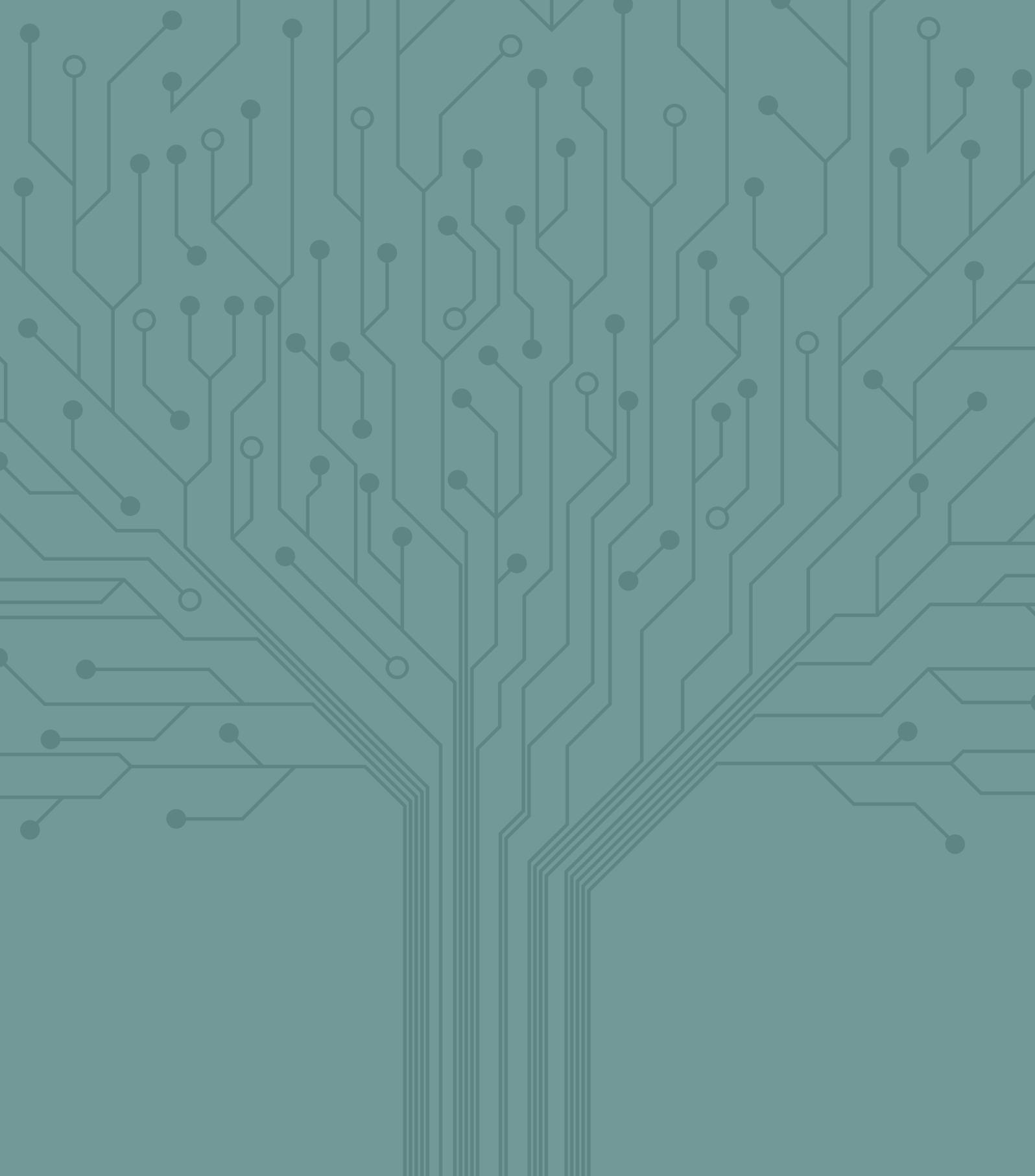
1. The study is used to stimulate discussions in the classroom - case led teaching is quite popular in the management domain. Within the urban planning domain, cross-cutting subjects (and this is one such case) can use the case method to highlight not only the complex realities students will face in the professional practice, but also to stimulate thinking around the potential conflicts, contradictions, limitations that need to be overcome.

2. The study becomes a starting point for research into the institutional framework with wider focus - the complex institutional framework within which the city governments operate, create limitations and sometimes, opportunities. The focus of research within the urban domain has largely been on urban systems, urban finance, reforms, governance, etc. For enhancing workability, agile institutional frameworks play a critical role and thus, research in this area is quite necessary.
3. Some of the observations in this study are used for training purposes - capacity building has been a major thrust area in the urban sector; lack of capacities to govern/manage hold back a city's systematic growth. For practitioners, full cognizance of these issues can, hopefully, enable better decision making with a pan-stakeholder perspective.

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