

Privatization and Urban Development Policies in Punjab

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Abstract: *The changing development mechanism pertaining to urban growth patterns have been swiftly changing in recent past which gave birth to introduction of private players in the development journey. However, this changed development formula primarily dominated by the private developers was such a successful model for certain sections of societies which in turn lead to changing policy environs and proved to be favourable for ultimate dependence upon private sector developers and thereby replacing public sector authorities almost completely. The problems emerged on account of multiple developers aggressively jumping into the development mechanism led to spotty development which further gave birth to the need of urban development policies for large scale development projects. The larger cities of Punjab and more precisely the peripheral parts of the state's capital became most prone to this development equation, which shall be assessed and analysed by virtue of stringent policies keeping vigil eye on the planning and development progress of private players.*

Keywords: *Private Developers, Mega Projects, Residential Sector, Liberalization.*

1 INTRODUCTION

Privatization is a vast concept which permits the involvement of private players in the management of public sector ventures. The critical analysis of the concept of privatization implies the replacement of a business or a government sector property in private hands. Privatization is a purposeful transfer of state-owned enterprises to private economic operators (Boubakri et al., 2019). The New Industrial Policy was announced in 1991, which revealed a liberalised basis in economic terms.

The trend of privatization got introduced in early 1990's and gradually gathered momentum. During 2004-05 to 2015-16 the investment of private sector in India has contributed 25% in gross-domestic-product (Vinod et al., 2019). In case of Asia, most of the cities are in the process of being developed and funded by private brigade (Hogan et al., 2012). As per "The Economic Survey 2014-15 of India" the share of private sector investments in various projects has been reportedly 2-3 times more in comparison to the public sector investments (Vinod et al., 2019).

The basic motive of all the private firms revolves around a pivot which is governed by pure profit terms. The contribution of corporate sector and public sector in gross-domestic-product for 2015-16 was 15% and 8-8.5% respectively (Vinod et al., 2019). The absence of adequate legislative and evaluative measures to review the development mechanism of private developers is adversely impacting the quality of life of residents (Kosanović & Fikfak, 2016). Also, the private developments and crime has strong interlinking relations with one another (Lacoe et al., 2018).

Public private partnership is an extension of private development in which public sector involvement is also found. In order to tap the sole profit motive and have a stringent check to evaluate the overall progress of private sector developments in qualitative and quantitative terms public private partnership came into picture. The typical example of public private partnership is a case in which a government agency outsources the public sector works to a private company (Oppio & Torrieri, 2016). Public private partnership gives a cohesive environment for both public and private sector to work together and share resources and risks (Stanghellini & Copiello, 2011; Ham & Koppenjan, 2001). Eventually the best form of public private partnership includes the entire land assembly by public sector and later handing over the entire tracts to private sector for actual development and selling purposes (Krabben & Jacobs, 2013; Buitelaar, 2010).

2 RESIDENTIAL DEVELOPMENT

The peri-urban areas being developed near the outer shell of the city limits carries residential area as the most prominent component in quantitative terms. The development mechanism in this area shall provide reasonably economical dwelling units (Kombe, 2005; Liu & Robinson, 2016; Jaffri and Singh 2025). Residential development is that entity in which maximum time period of life of an average human being is spent (Salah & Ayad, 2018; Guo & Bhat, 2007). The typology of residential areas varies considerably as per the function required to be performed from the same. The entire residential stock is being

developed at the cost of fertile agricultural tracts and decay of natural ecosystem (Liu & Robinson, 2016; Heimlich & Anderson, 2001; Choy & Sutherland, 2008).

The prime concern is to pave out ways to curb the residential developments in the green field projects (Liu & Robinson, 2016; Kaplowitz et al., 2008). The long-term and short-term implications of cruel competition being practiced amongst varying land uses to fulfil housing needs of masses needs immediate attention (Liu & Robinson, 2016; Harman & Choy, 2011). Residential development and physical construction of its allied infrastructure is major cause disturbing the environment and landscape of many countries (Hammer et al., 2004). The growth rates for residential developments in recent times in most of the countries have been highest in peri-urban areas (Hammer et al., 2004; Gobster et al., 2000).

2.1 Gated Communities

The sophisticated and large residential development projects in peri-urban areas often have an added feature of having a fortified wall and dedicated entry exit points and termed as a gated community (Goix, 2015). The gated communities are being designed on safe township concept to omit the worry of burglary and crime (Tahir & Hussin, 2012). Moreover, the gated communities are being planned to serve the needs of nuclear families and check trespassing activities (Goix, 2015; Davidson, 2011).

In ancient times the developments in core city were strengthened while in recent times the residential estates being developed in peri-urban areas are armed (Atkinson & Blandy, 2012). The concept of gated communities is best suited for the needs of non-resident Indians (Dupont, 2016). The gated community concept has been catching momentum worldwide and has become prominent feature of neo-liberal age (Zhang & Zheng, 2019; Rosen & Razin, 2008).

2.2 Mega Projects

The Department of Housing and Urban Development of Punjab government considers a project to be a Mega Project if it covers more than 100 acres area or has an investment of more than 100 crores (Development of Mega Projects, 2005). The various types of mega projects permissible in case of Punjab include housing, manufacturing, industrial, hotels, multiplexes etc. The government of Punjab has made nodal agencies for approval of applications for a mega project. The concerned agency for housing projects is Punjab Urban Planning and Development Authority (Nodal Agency for Mega Projects, 2005), for agro processing projects and Udyog Sahayak is Punjab Agro Industries Corporation while Department of Industries will process all the applications pertaining to projects associated with Industrial, Manufacturing, Multiplexes, Hotels and any other left out category project.

Table 1 Details of Approved Mega projects in Punjab

| S No | Location | Number of Residential Projects approved | Area (Acres) | Number of Industrial Projects approved | Area (Acres) | Number of Commercial Projects approved | Area (Acres) |
|------|--------------------------|---|--------------|--|--------------|--|--------------|
| 1 | Mohali Periphery | 16 | 3348.26 | 6 | 775.18 | 4 | 36.36 |
| 2 | L.P.A. of New Chandigarh | 4 | 1159.82 | - | - | - | - |
| 3 | Ludhiana | 8 | 1171.15 | - | - | - | - |
| 4 | Amritsar | 3 | 291.16 | - | - | - | - |
| 5 | Bathinda | 2 | 206.03 | - | - | - | - |

Source: <http://puda.gov.in/?q=list-mega-housing-projects>.

As per a survey conducted in February 2019, a total of 33 mega residential projects has been approved in case of Punjab from 29 different developers. Sixteen Mega projects from twelve developers have been approved in Mohali periphery constituting an area of 3348.26 acres. Four mega residential projects in Local Planning Area of New Chandigarh having an area of 1159.82 acres have been approved. Another three districts of Punjab namely Ludhiana, Amritsar and Bathinda have got eight, three and two mega residential projects approved respectively, refer Table 1. As per the official website of Punjab Urban Planning and Development Authority, 10 Industrial Mega projects along with their approved layout plans have been depicted. Out of these ten projects first 6 projects comprising an area of 775.18 acres are industrial projects, while four commercial projects having a cumulative area of 36.36 acres have been approved by Punjab Government.

2.3 P.A.P.R.A. projects

The approved residential projects from Punjab government can be classified in two categories i.e. mega projects and licensed colonies. The licensed colonies are residential projects approved under Punjab Apartment and Property Regulation Act, 1995. The guidelines for getting permissions for change of land use and other terms and conditions for setting up a residential venture under P.A.P.R. Act 1995 have been documented in an information guide published by Department of Housing and Urban Development of Punjab Government. The minimum area requirements for setting up a residential project under Punjab Apartment and Property Regulation Act, 1995 are being changed by Punjab government from time to time by notifying various policies. The share of P.A.P.R.A. approved residential projects by various development authorities as per February 2019 have been tabulated in Table 2.

Table 2. Details of Approved P.A.P.R.A. projects in Punjab

| S No. | Name of the Development Authority | Number of approved projects |
|-------|---|-----------------------------|
| 1 | Amritsar Development Authority | 95 |
| 2 | Bathinda Development Authority | 20 |
| 3 | Greater Ludhiana Area Development Authority | 124 |
| 4 | Greater Mohali Area Development Authority | 172 |
| 5 | Jalandhar Development Authority | 315 |
| 6 | Patiala Development Authority | 72 |

Source: <http://pbhousing.gov.in/>.

2.4 Land Owners Become Partners (L.O.B.P.) projects

Third and the last category of approved residential projects include layouts prepared and approved under the extension of Land Pooling Policy named Land Owners Become Partners Policy. The said policy permits the land owners to get involved in the development process to share the net outputs in the form of profits in the end. The Punjab Government has made this proposed development mechanism operational by notifying L.O.B.P. policy on 19/06/2013. However, the Himachal Pradesh government also framed a similar policy by allowing the land owners to enter in an agreement with H.I.M.U.D.A. (Himachal Pradesh Housing and Urban Development Authority) and notified the same on 31/10/2015.

3 DEVELOPMENT AND RELOCATEES

The spatial restructuring often leads to an uproot movement from original place of residence getting displaced to new destinations and the persons thus affected are known as relocatees. In past decades China has been in the process of relocation drive at a fast pace as sub-standard housings are getting demolished and downtown areas are getting reformed (Guan & Xu, 2018). In suburbanization process of China migrants have to shift their living places to peri-urban areas on account of sky rocking housings costs and inflated rents in downtown areas (Day & Cervero, 2010).

The most adversely affected segment of population in relocation mechanism is the poor strata, its accessibility and social welfare undergoes a sudden change (Kapoor et al., 2004). In the national capital of India, a forced relocation of economically weaker income groups has adversely affected its livelihood parameter (Anand & Tiwari, 2006).

4 LIBERALIZATION AND GLOBALIZATION

In 1991 liberalization and globalization of economies took place, which in turn lead to the development of the urban cities just like engines of economic growth (Aksoylu, 2015). It further resulted in making of urban centres a source of employment generation and attracting in-migration as well. The urban centres failed to accommodate heavy volumes and cheaper land prices available in surrounding areas of urban nodes became the most favourite destination for settling of the migrants. The rural urban interactions have become more indigenous and the rural areas are becoming soft targets for investors from foreign and local players to create job avenues in rural areas. The lower land prices and availability of cheap labour is a boom for investors. Slowly and gradually the development of such areas leads to further expansion and termed as peri-urban areas.

4.1 Neo-liberal policies

Neo-liberal urban policies contain a core connection between public sector and a competitive investment mechanism (Sager, 2011). Neo-liberal policies have deep impacts on the spatial planning environment (Brenner et al., 2010a). The ideology of Neo-liberalism is in contrast to the interference of public sector agencies in development process (Sager, 2011). Neo-liberal policy dictates a swift transition from planning

process dealt by public sector to more competitive economic bidders to serve their business establishments (Brenner et al., 2010a).

The concept behind evolution of Neo-liberal policies considers public sector interferences in negative tone and calls them intrusions (Munck, 2005). The present neo-liberalisation in various setups is considered to be a privatised environment, degrading social welfare means and the sanctity of government leading a country (Harvey, 2007). The neo-liberalist ambitions have been thinly achieved through the urban planning proposals and executions (McGuirk, 2005).

5 PLANNING STRATEGIES

The planning strategies formulated for allocation of resources and depicting the direction of growth forms the basis for strategic planning. The strategic planning is based upon concrete ideas to mobilise the resources and execute the pre-determined goals. In recent past the large-scale changes in urban planning means have been recorded all over the World and an inclination towards strategic planning both on ground and in academics has been reported (Graaf & Dewulf, 2010).

The strategic urban planning reveals an environment lead by public sector to determine the present worth and anticipate its future through holistic means (Graaf & Dewulf, 2010; Albrechts, 2004). Strategic planning is pre requisite for guiding the course of action in urban areas and is not only responsible for development mechanism but also for the entire land use changes that happens within the city limits (Hersperger et al., 2018).

The theory of quality of life is based upon the living standard, costs incurred in living and a feel of satisfaction, which are in turn the net resultant of strategic policies framed and implemented (Khalil, 2012). The strategic planning was first employed in military and corporate roots, while a gradual introduction of the same in urban planning was deployed in later phase (Rahman, 2016). The various characteristic features of strategic planning which make it best suited for urban planning process include: flexible methodological approach, suitable for sustainability, involves participatory mechanism, collaborative model and a dynamic tool to address future uncertainties (Steinberg, 2005).

6 DEVELOPMENT STRATEGIES

A strategic framework to govern and inspect the implementation means of planned principles require a systematic approach known as development strategies. The major challenge in post-independence time period was to frame out development strategies to eradicate hunger and build a self-sustaining economy (Shaban, 2016). The development strategies being prepared from spatial perspective are of prime importance, as location and distribution of educational, health and public semi-public facilities determine the quality and efficiency of the area.

The dominance of market led development scenario after economic liberalization has motivated the planners to adjust according to the neo-classical growth theories and accept the merger of regional economies (Swan, 1956; Solow, 1956; Barro & Martin, 2004). Spatial development strategies encompass inter-disciplinary concepts that are governed by socio-economic character of the area in question. Punjab, Haryana, western and coastal Maharashtra, western Uttar Pradesh, Karnataka and Tamil Nadu are amongst top priorities for investments by private sector and F.D.I. (Shaban, 2016).

7 DEVELOPMENT POLICIES AND MEGA PROJECTS

The Punjab Government vide notification no. 17/65/2005-1HG/dated 27/12/05 has made Punjab Urban Development Authority (PUDA) a nodal authority and Chief Administrator, PUDA has been made responsible for processing various proposals of housing and infrastructure oriented Mega Projects (Nodal Agency for Mega Projects 2005). The synopsis of the project accompanied with the details of the promoter, location of the project, employment potential, and estimated capital investment is required to be submitted to Punjab Urban Development Authority. The proposal prepared by the promoter shall reach all the concerned departments within seven days of its receipt in the office. Duration of fifteen days is given to all the departments to give their remarks/comments. After receiving the comments on the proposal, the same is being put up in front of the screening committee.

The screening committee is headed by the Chief Secretary and the administrative secretaries from the Department of Finance, Housing, Industries, Environment, Power, Excise & taxation etc. The proposal if found in order may be recommended for the Empowered Committee. After the approval of Empowered Committee, the Letter of Intent (L.O.I.) is issued within 15 days along with the draft agreement. After the conditions of Letter of Intent are fulfilled the agreement between the Government and the promoter

is being signed in the office of the nodal agency and the copy of signed agreement is then sent to all the departments.

The project has to be completed normally in a period of three years from the date of signing the agreement. However, an extension of one year may be granted to the promoter for completion of unfinished tasks. The reasons of delay will be recorded in writing before the extension is permitted.

7.1 Conditions of Letter of Intent

The company should have a minimum of 50% of ownership of land in its name before signing the agreement. Up to 25% of land may be collected for development purposes through land pooling policy. 15% of land of the project area may be under agreement between the land owner and the promoter stating that land owner will sell his land to the promoter within a time period of six months. The remaining 10% of the land may be kept under compulsory land acquisition. The Punjab Government helps the promoters in filling the critical gaps by acquiring a maximum of 10% of the project land at the cost of developer. It is mandatory for the promoter to pay External Development Charges (E.D.C.) and license fee. The land use also needs to be converted i.e. the Conversion of Land Use (C.L.U.) charges fixed from time to time by Housing and Urban Development will have to be paid.

The promoter can neither launch the project nor collect any money against the sale of a plot, flat or any space till the zoning plan is being approved by the competent authority.

7.2 Planning Guidelines for Mega Projects

The planning guidelines have been formulated by Town and Country Planning Department, Punjab vide letter no. 2634-38/CTP(Pb)/SP-458 dated 18/05/06 (Planning guidelines for Mega Projects, 2006). These instructions have been elaborated in detail to facilitate the promoters in preparing their layout plans.

a) Roads

The promoters are required to provide 35' wide service road within the project area along the 100' or 150' wide sector road as per Master Plan. The promoters are required to provide two 80' wide roads intersecting the sector horizontally and vertically. These horizontal and vertical 80' wide roads shall form preferably a cross junction with the adjoining sector otherwise a T junction at a distance of 250' from central line of each T junction. The two hierarchies of road fixed for internal sector road are 60' and 40' width.

b) Commercial Area

The commercial area is required in a residential township for routine shopping as well as daily needs. The land use break-up fixed for commercial area in mega projects is 5%. Floor Area Ratio (F.A.R.) for commercial areas shall be fixed by the empowered committee. The commercial area shall be located on 80' wide road and for convenient shopping the minimum road width shall be 60' wide. The parking shall be 35% of the permitted Floor Area Ratio. The minimum width of the parking space shall be 35' wide which shall include a single lane drive way of 15' width.

c) Parks/Open Spaces

For Mega Project guidelines minimum 5% of the project area shall be dedicated for an organized park or a playground or a green space. The minimum width of these organized parks or play grounds or green space should be 50', otherwise they would not be considered for 5% computation of parks/open spaces. The open area or green area of schools or any other public building shall not be considered for this 5% of the area. For 100 acres project at least one park of 2.5 acres with a minimum width of 150' is mandatory.

d) Health Facility

The health facilities are required to be provided in each residential sector irrespective of already proposed site as per Master Plan guidelines. For a residential project of 100 acres minimum site to be reserved for health facilities should be of 0.5 acre.

e) Educational Facilities

The educational facilities shall be provided within a residential project. The project area measuring 100 acres in size shall have one high school and two primary/nursery schools of 2.5 acres and 2500 sq yds each respectively. If the project area exceeds 100 acres for every additional 25 acres one primary/nursery school shall be provided of the same area norms.

f) Group Housing

The Mega housing projects are allowed to have a vertical development component i.e. group housing projects within its project boundary. The maximum limit for providing group housing is up to 20% of the project area, also the minimum size of the chunk dedicated for group housing shall be having an area

of 400 sq mts. Floor Area Ratio permitted for these projects is 1.5, however the F.A.R. may also be changed with the permission of Empowered Committee. The maximum permissible ground coverage for group housing projects was 40% earlier, but later the same was reduced to 30% vide Punjab Government Gazette notification dated 29/10/2013. Out of the total constructed flats 10% of the flats shall be reserved for EWS and constructed area of the flat shall range from 20 sqm to 40 sqm. The maximum permissible height has been fixed as 71'-6" as per PUDA building rules. Also, another parameter to govern the height of the building is defined as the maximum height of the building shall not be more than the sum of front setback and half width of the front road. The minimum width of side and rear setbacks has also been fixed as 30' or 1/3 height of the building (whichever is more). The parking area shall be designed equivalent to 35% of the permitted F.A.R. Basement shall be permissible beneath the building but only up to the extent of the coverage of ground floor and shall not be used for habitable purposes. Area under stilt parking shall not be computed for calculation of F.A.R. Minimum 15% area of the chunk provided for Group housing shall be developed as an organized park. Also, the area under balconies shall not exceed 15% of the plinth area of the flat. Maximum depth of balconies permitted shall be 6'.

g) Other Items

A residential mega project shall not be complete in all respects without the following sites provided within the project area: One site for a club or community centre shall be earmarked with a minimum area of 1.5 acre. 0.5 acre site shall be dedicated for a religious place within the residential sector. The sites of suitable sizes (as per technologies used) shall be provided at appropriate locations for Electric Grid Stations (E.G.S.), solid waste disposal, sewerage treatment plant along with the measures devised for disposal of treated waste water and rain water harvesting scheme. The clear height for the basement shall be 8'-6" and clear height may be reduced to 8' in case of framed structure.

8 CONCLUSIONS

The three mechanisms for approval of residential development namely Mega Projects, Licensed colonies or Residential colonies approved under Punjab Apartment and Property Regulations Act 1995 and Land Owners become Partners have been discussed. A stress upon cohesive environment for the developers by virtue of the policy environs have been laid and focus has been made upon the comprehensive development for the overall growth of the residential districts. The various zoning guidelines and building bye laws necessarily required for the approval purpose and making the habitable areas more meaningful have been reported.

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