

**SETTLEMENTS OF THE POOR AND GUIDELINES FOR
URBAN UPGRADING:
CASE STUDY OF ALWAR, A SECONDARY TOWN**

Stuti Lall
Professor
Society for Development Studies
UNCHS Regional Institution for Asia Pacific and Arab Regions

May 2001

Settlements of the Poor and Guidelines for Urban Upgrading: Case Study of Alwar, A Secondary Town

Perspective

There is an increasing evidence pointing towards the urbanization of poverty, and its deleterious impact on the quality of life, be it interpreted in terms of vulnerability, inadequate access to basic services, shelter or any other entitlements. As a result, the pool of the poor in the developing world has swelled in terms of numbers, The World Development Report 2000/1 indicates the number to have risen from 1183.2 million in 1987 to 1198.9 in 1998. If China is excluded, the increase would be 12.0 per cent as compared to 1.3 per cent during the same time period, including China.

The UNDP reported the number of deprived in terms of access to clean water to be 1.3 billion in 1999, and an equal number having an income of <\$ 1 a day. In the urban area, a major reason for this phenomenon is the fast growth of the population. About 80.0 per cent of the world's population growth in the last decade has been claimed to have taken place in urban areas and the commensurate solutions were not available. A major impact of it is the impingement upon the limited resources, specially land and their availability to all segments of population.

Over the last 3-4 decades in India and elsewhere, the problem has been largely addressed through access to credit, skills and some habitat services. Field experiences show the limited impact of these interventions as these are all resource-driven (especially finance) and such resources are always in short supply in developing countries, whereas the magnitude of the problem of poverty, linked to in-migration and under employment has been growing at a rate faster than the rate of flow of resources.

An obvious manifestation is the deteriorating built environment. It is often feared that if this phenomenon is not checked, the urban form would take a look of rurbanised settlements. It is not uncommon to find that about 30 to 50 per cent of the urban population lives in spontaneous settlements. In major mega cities like Mumbai, for example, over 50 per cent living in these sub-standard settlements is common. This is partly due to the scarcity of space and inability to pay the regular prices and partly due to the inefficient policy frame work .

In recent years, especially during the later half of the 90s, planners realized the inefficacy of the on-going measures to alleviate poverty and approached the issue through a different route, that of the policy of improving the access environment. UN Habitat Agenda 1996 drew attention to tenure security as a sustainable solution and that has turned into a major Global Campaign. In India, it was launched in Mumbai about a year ago and the Society for the Promotion of Area Resource Centres spearheaded this campaign. The Federation of Slum Dwellers played a key role. Government of Maharashtra announced titles to 50,000 households and HUDCO was to provide loans. The issue is how does it help the households in accessing the facilities including the basic services and to what extent and what is the impact of it on sustainable livelihood. The role of regulations in brining about distributive justice comes in here.

A shocking revelation in the process of recent studies in some of the smaller towns in India including Alwar is the high level of ignorance among the officials about the rules that might impinge upon the poor and their consequences. While the imperatives of regulations to create an enabling environment of the poor can not be set aside, it has also become evident that urban regulations, which had their origin in the development of the cities, have turned out to be, in effect, a regulatory mechanism, mindless of their basic objectives. This situation has arisen due to blind emulation of the orthodox urban regulations, which have very little application to the ground level situation. As such, the poor and informal sector households that constitute a significant chunk of urban population in India, find no space in the regulatory framework.

There is however no doubt that the approach of the government towards the poor, their activities and specially, settlements have changed over the last two decades: from demolition of the settlements to the tolerance of the spatial encroachment, intercepted by evictions and resettlements. In Delhi, where the situation is most volatile, the recent trend is to 'relocate' the irregular settlements from the city centre to the city periphery in the name of utilisation of valuable land and for resource generation. In the process, these settlements of the poor at the new locations are regularized. The Bureau of Indian Standards came out with the low income housing guidelines in early 90s but they are rarely followed. Even in the case of provision of shelters by the government, the standards get often diluted due to financial constraints and new standards come into force.

In the face of the realities of the existence of the poor and their supportive role to the city economies, a pro-poor and pro-active development approach is imperative. The growing acceptance of decentralized governance practices demands a participatory process, where every inhabitant of a city is considered as a stakeholder in the development process, first as a voter and then as a tax payer and as a consumer. The socio-economic and spatial plans therefore have to address the concerns of the poor as well and create space for them to develop. An important factor that prevents the poor from emerging out of the poverty syndrome is the official approach to them, which is often iron-jacketed and in that context, regulations become a handy tool to keep the poor outside the system. In a situation of general scarcity of resources, this practice of dumping the poor works out favourably for the so called eligible sections of the society. These observations are more applicable, in the context of the secondary cities, which are in the process of urbanisation and where the urban system is not yet geared to the modern concepts of planning and management and information is cornered by a limited section of the society.

The Paper focuses its attention on the distributive aspects of regulations and discusses the issues in the context of the urban poor. As a case study, it examines the regulatory framework that is in place in a medium sized city, Alwar in Rajasthan.

Why Regulations

The regulations had their original usage as tools of planned development. In the context of urban planning, regulations which are more appropriately termed as development standards, can be considered as the embodiment of the development plan itself as they are fundamental to any systemic attempt to achieve organised and planned development of the human settlement system. The standards therefore, embrace all development parameters

and norms having bearing on spatial planning, intensity and pattern of development in different land-use zones, norms and space standards and service infrastructure. The success of the functioning of the urban system and its sub- system in the context of a time-space frame is therefore, closely dependent upon the adequacy of the standards on the one hand, and the flexibility of them in responding to the changing needs of the system on the other, that would usher an enabling environment and enhance the quality of life in all its ramifications. The standards should also have profound bearing on the physical , social and economic environment of the neighbouring communities.

Present Status : Exclusive Regulations

The experiences in implementation of development standards in India over the last 40 years, point out by and large, a failure on the part of the planners to comprehend the urban characteristics in India and to come out with policies for different stages of the urban hierarchy in the development process of the economy and the role of decentralized planning for each urban area. The development standards that are in place today are basically iron jacketed to suit the needs of developed countries and do not serve the development planning requirements of a dual economy like India.. Also adoption of the existing standards requires a large resource base, in terms of finance, physical resources, specially land, and knowledge infrastructure, which majority of the urban authorities do not possess in commensurate scale. As such, the standards have not been able to respond to the multi-faceted growth characteristics in Indian urban centers, that have developed over the last three decades.

The level of abstraction from the urban reality in India can be gauged from the omission of the greatest reality of the most rapidly growing component of the urban economy, the informal sector, in the urban standards. In spite of its omni presence in the urban life in India, it rarely finds mention in the planning process of the cities. Master Plans in India have seldom earmarked areas for the informal sector residents or their activities with a view to develop infrastructures that are growth encouraging. In recent years, some *ad hoc* space allocation is being provided without any serious assessment of the requirements, a typical slot-filling formula often adopted in planning when the ground level information is not available.

The consequences of bypassing of such gross realities are evident from the illegal invasion of earmarked land and the public roads by the inhabitants of the informal sector. In fact, the informal sector has become an organic part of the cities and is indispensable for the functioning of the city economy. Master Plan of Delhi has taken some cognizance by acknowledging its role in the retail trade of the city and envisages a prospective role in creating lively shopping areas through it (Delhi Master Plan, August 1990). If Resettlement and *Jhuggie Jhopri* –JJ are equated with informal sector households, the Delhi Building Bye- Laws, 1983 (As on 15 th. October,2000) mentions the minimum plot size of a *insitu* house, the maximum net density and the size of path ways. No other issues which affect the livelihood of a large section of workforce have been taken up. As per Delhi City Indicators developed by SDS, the share of the informal sector in 1998 was over 60 percent. There is a continuing debate on the productivity of this sector The National Accounts show its contribution as 60.45 per cent in the year of 1997-98. (CSO: Ministry of Statistics & Programme Implementation, GOI: *National Accounts Statistics 2000*).

Comment [MSOffice1]:

Another typical omission is the absence of regulations that address the location specific issues and the possibilities in the urbanization process. It is common to find that the Master Plans in secondary cities are often close emulation of those of the metro /mega cities, which might be totally inappropriate to these urban centers.

At the housing standard level, a similar anomalous situation is found to be a rule rather than an exception. The building bye-laws in the developing countries across the world are generally found to have little practical value due to the prescribed structural details and service levels that are often borrowed from developed countries and do not fit into local culture and climate; also, these bye-laws encourage the use of scarce building materials and foreign technology, create artificially high priced open market in housing beyond the reach of the common people and widen the social stratification.

The most important aspect of the uniform standards is that they keep out a large section of households from enjoying the basic services and thereby, facilitate the richer section of the society in enjoying a larger share of services. The net result is that coverage of the regulations generally remains highly restrictive and large sections of the society are priced out from the legal market. The same forces are found to operate in cities in India.

Development Framework for Urban Regulations

Ideally the functions of urban regulations would introduce an enabling and inclusive environment for a systemic growth of the city that meets the development needs of the different sectors of the economy and different segments of the people in the society. These should be manifested in the built environment, in the quality of services and the resiliency of the regulatory system in responding to the new situations that may arise out of emerging socio-economic compulsions. To achieve these functions it would require in the first place, a thorough understanding of the city characteristics in their ramifications by the city authorities. Second, it should have a capacity to provide the services as per the identified needs of different sections of the society and to monitor the implementation of the services within the designed framework of regulations. Further, as in the case of India, land is a high valued resource, that is usually acquired by the local authorities for planned development of the urban area. All these are resource-intensive activities and according to the fiscal theories, a large part of the resources is to be recovered from the user beneficiaries of the system. As such, regulations involve payment of service costs.

The above issues bring out two crucial points to the forefront. One is the targeted/functional provision of services by the urban authorities and the other is the affordability of the community to meet the regulation costs. To retain the basic development objectives, a regulatory framework should be able to integrate these two functional needs and factors for every section of the community through feasible trade offs. If the regulatory framework fails to be inclusive which is often the case, a large section of the community in countries like India has either to whoop out a hefty amount in order to remain within the service net work or to get out of it. Needless to mention, a non-inclusive regulation system encourages development of alternative systems including illegal ones, which work out costly for the urban authorities and in the long run, go against the development interests of the community. There are other implications as well. A high cost regulatory system would encourage distortion in economic behaviour through diversification of activities into areas that fall outside the purview of the regulations or where the possibility of evasion of regulations is

high. It would also encourage development of informal settlements, which apart from having deleterious impact on the built environment, would lead to higher share of non-complined houses, having their repercussion on the housing market. The last issue raises the vital point of implementation of urban regulations. A system without enough teeth, would fan corruption and the rental elements of a non-complined system would encourage political interventions.

In the housing sector, the regulations are intended in the first place, to improve the sanitized environment and urban forms and these are likely to improve the investment value. The marketability of the products also would increase. Development control regulations are introduced by the city managers with a view to manage the externality issues such as the environment, health and safety of the people. It also helps the residents not only in terms of physical security but also enhances the ready marketability of the products.

In developing countries, due to the scarcity of the developed land, one of the basic objectives of regulation should be improvement in the climate for access to adequate quantity of land. However, the implications of any rigid rules are many. In the first place, a regulation by dint of its nature, is distorting as it adds on to the price of products. Second, in the case of an uniform levy, which is often the case, it brings distortions in the burden, introducing a disproportionate burden to the poor. In a political situation that is not free of corrupt practices, this type of regulations is unwelcome as it takes away the rent seeking power of the politicians. As such, there is more often resistance than compliance to the regulations.

Pro- poor Regulations in India

Over the last decade, a few regulations and standards have been introduced in India to facilitate the process of integrating the illegal and other habitats of the poor to the mainstream economy. One such endeavour was to introduce a minimum standard of housing for low income families in the urban areas by the Bureau of Indian Standards (BIS) in 1978 in terms of permissible relaxation in National Building Code and planning norms. The BIS Guide provides for a flexible plot size, varying from 40 sq. m to < 30 sq. m but not less than 5 sq. m.. for different locations and population size. It also provided the density norm for plotted development and mixed development per hectare for different city sizes. Norms are also provided for other requirements such as kitchen, sanitation, ventilation and scope for extension. The standard made it compulsory for all the buildings to have water seal latrines. However, the fire safety, structural design, building services and plumbing services were to be as per national building code. One-fourth of the total shopping area was to be reserved for informal use such as road side shops.

It is, however, observed that very little interest is found in their implementation by the official agencies in charge of delivering housing products to the poor or marginalised groups. The size and the required density, leave alone other specifications of National Building Code, applicable to these houses are respected or adhered to only in the regular housing programmes of the Government. In housing programme for the poor, these are followed, subject to the availability of funds and land and the number of houses to be delivered. As a result a wide range of houses with different size and service standards are available in Indian cities, which should be considered "standard" houses as per the BIS specifications but are not.

In Delhi, a city that I am more familiar with, different sizes and service levels have been provided by the city authorities in different areas, the deciding criteria of which are anything but affordability of the households. It is the period of migration to the city that determines the entitlements, be it size of the shelter, location of it and even the quality of the services. The longer the period of stay, the better is the standard of facility. At present the general building norms for low-income housing vary between 15.0 sq. m and 12.5 sq. m. The plot size has varied from 80 sq. m to 21sq. m prior to 1960s, depending upon the magnitude of the problems and the physical and financial constraints.

Regarding urban upgrading, there are instances of them in many cities in India but they have rarely been taken up in a scale that had impact on the city planning. Master Plan of Delhi proposed some provision for the informal settlements and their activities in its earlier plans but did not address them in any special way. CIDCO has also provided for space in the Navai Mumbai Plan.

The latest Guidelines on Urban Development Plans Formulation and Implementation (Vol. 1, Ministry of Urban Affairs & Employment, Government of India, August, 1996) mentions for the first time about the need to identify the existing characteristics and potential of the small and medium towns with respect to, among others, informal sector economic activities and shelters for developing a comprehensive Perspective Plan. In fact the Guidelines, with its emphasis on inclusive policies and strategies on informal economic activities, informal sector housing, slum upgradation and resettlement, has given a clear signal to the impending role of promotion rather than that of the control of the informal sector in city planning.

The area of investigation is settlements of the poor in Alwar. The major focus is to identify the problems that the residents may face due to the absence of productive regulations that prevents them from developing their habitat in full scale. This leads to examining the problems that the poor encounter due to non-compliance of the existing rules, such as, unapproved houses run the danger of being demolished and the household members being harassed with punitive actions / eviction/ non transfer rights.

Alwar: a Secondary Town Case Study

a. Strategic Location

Alwar is a medium sized city in Rajasthan state in northern part of India. Its exact location is midway between Jaipur, the capital city of Rajasthan and Delhi, the capital city of India. Alwar nestles in the foot hills of the Aravali Ranges which traverse the town south-west. The distance of Alwar from Delhi is 160 kms. in south-western direction and from Jaipur it is about 150 kms. Alwar is well connected to both the cities by railways and roadways. The town is situated at the junction of three State roads, namely, State highway No. 13 from Delhi to Ahmedabad and Highways Nos. 14 & 25, connecting important towns of tourist attraction and industries. The town is easily accessible from Haryana as well as from Uttar Pradesh, the two adjoining States to Rajasthan. Because of its strategic location, Alwar was selected as a regional priority town in the National Capital Regional Plan of the Government of India.

b. Physical Features

Climatically, Alwar enjoys a semi-arid micro climate with hot summer and cold winter with a short monsoon break. The average annual rainfall is 70 cm. Alwar is agriculturally fertile with about 72 per cent of the total area in the district being covered under cultivation. This factor has been instrumental in promoting agro-based industries in Alwar. The town of Alwar covers an area about 9,735 acres of which only 5,500 acres are developed.

c. History of Town Growth

The city of Alwar was founded two centuries ago when it was selected as the capital of a princely state. The city was protected by four ramparts and moats till early 40s, when a few development schemes outside the walled area, were conceived under Alwar Town Development Scheme and the ramparts were leveled. It was in late 40s, when a large scale migration from west Pakistan created over congestion that the need for better infrastructure was realized. By the end of the 60s, a major portion of the town had been developed. It may be kept in view that till 40s, the town was guided by the princely regulations.

The entry of Rajasthan Industrial Development and Investment Corporation in the early 70s was a the starting point of the high growth rate in Alwar. It was also the decade of growth in infrastructure although it never kept pace with the population growth. About 1,600 acres of land near the Palace was acquired for developing it into a new industrial area but commensurate economic and social infrastructure did not follow. The development prospects also led to a large scale conversion of agricultural land for urban activities and led to the haphazard growth in the town and the conceptualization of Master Plan of Alwar. The town growth chart indicates the pressure of population increased from 38.1 per cent to 45.4 per cent in 1981 and came down a little to 45.0 per cent in 1991. The town grew from a population strength of 100,000 in 1971 to 210,000 in 1991. The high population growth during 1971-91 was fueled by migration to the extent of 43.0 per cent. The estimated population in 2001, as per Alwar city indicators is 240,000.

The occupational characteristics of workforce had also improved in the 70s with the industrial boom in the city. There was a significant decrease in the undefined nature of work of labour; from 40 per cent in 60s, it came down to 32 per cent in 70s. The formal sector industry had engaged around 25 per cent of workforce in 70s as compared to only 18.5 per cent in 60s. The demographic forecasts suggest that informal sector would account for 58 per cent of the total employment in Alwar (1. NCRPB, 1994 : *Development of New Township Alongside The Priority Town of Alwar National Capital Region*; 2. Vinay D. Lall, 1989, *Informal Sector in the National Capital Region*, SDS; 3. Vinay D. Lall, 1994, *Informal Sector in Alwar*, SDS)

The industrial activities in seventies and part of eighties increased the density of the residential areas and the growth in officially defined slum settlements (*Master Plan for Alwar, 1988- 200.*, Government of Rajasthan Jaipur, prepared under the Rajasthan Urban Improvement Act, 1959).

The number of slums identified in 1981 was 28 and these settlements were mainly inhabited by new migrants who had come from the rural areas of Rajasthan. They were also from the socially and economically backward sections of the society from Alwar town . In

1991, the number of slum designated settlements did not increase but the population had increased from 13,000 to 16,824 during this period. Out of 48 sq. km. of town space in 1991, they occupied 1.12 sq. km (2.3 percent), leading to a density of 15,021 persons per sq. km.

d. Settlements of the "Poor"

i. Walled City

According to the latest income poverty survey of Alwar Municipal Council, the poverty level in the city is 35.0 per cent (1994). Majority of the poor reside in the old city area, covering an approximate area of 4 sq. kms. and having the highest density in the city. About 80 per cent of them reside in officially defined slum areas, on government and agriculture land and some of the old settlements. The rest of the poor are mostly settled in the same area of the city in the old settlements (Map No.1). The typical housing situation of these poor are legally built houses affected in the process of decay, conversion and sub-division of structures. These settlements have been predominated by the socially backward classes, many of whom are settled there for generations, going beyond 200 years. In majority of the cases, the land was gifted by the royal family of Alwar for patronizing local artisans. As such, the residents of these settlements have the original title to their land which at present is shared by the heirs and with passage of time, the ownership of the residences have been multi-furcated, leading to a low per capita space and increase in the service deficiency.

Few of such settlements were classified as slums in 1981 due to very poor conditions of the settlements and lack of basic facilities. The construction pattern and internal arrangements in many settlements indicate that were intended to be used by the poor / not so well off families. Majority of the houses are used for mixed purposes, residence and home-based enterprises manufacturing mainly the traditional crafts of Alwar. There is a clear difference in the characteristics of the settlements of the poor between a secondary city like Alwar and the mega and metropolitan cities.

Other sectors of the old city area are classified as regular settlements. Majority of these settlements are now inhabited by a large number of the income poor. Multiple subdivision of the structures is common in these settlements as well and has led to very high density. These settlements are characterized by inadequate infrastructure and basic services and dilapidated shelter conditions. The area is conspicuous by the absence of individual wet area. Roads are as narrow as four feet, allowing no scope for the regular size vehicles including ambulances to enter into. In some of these settlements, the services are negligent, the assets are provided but the service quality is poor or some are non-existent. The drainage system is open. The same is true of maintenance. In such cases, the residents make their own arrangements. The only advantage is the central location of the settlements, in the midst of major commercial activities.

So far as development regulations are concerned, the approach of the city authorities is clear towards the identified slums within the old city area. Apart from supply of water through stand posts and installation of electric poles, the Urban Improvement Trust (UIT), the town planning and regulatory agency, demands development fees from these areas, which is not appreciated by the residents on the ground that the UIT has not recognised their special status and the services that have been provided are irregular. They also feel that UIT

does not have the moral right to demand development charges in quest of regularization of these settlements, after two decade of its existence.

The approach of the local authorities to the other settlements, not identified as slums and which were once upon a time legal settlements, is ambiguous. It is clear that the present building bye-laws and spatial planning regulations are not applicable as these settlements were designed much before the UIT came into being. In these areas, it is common to find the economic activities of the households which are mainly home-based, are spilled over on the roads, creating inconvenience to the pedestrians and to the home-based entrepreneurs. There is no sewerage line in this area. That was the normal practice in the town, before the "modern" planning guidelines came into existence.

However, in spite of these characteristics of irregularities as per the present byelaws, the settlements are treated on par with the others. The result is that they end up in paying the service charges and yet they do not reap commensurate benefits. This calls for clear demarcation of settlements of the poor of different status in the spatial plans of the city so that development plans can be objective. In the name of paucity of funds, no move has been made to redesign the settlements or improve the quality of living of the residents.

ii. Housing Colonies on Agricultural Land

The third category of settlements of the poor in Alwar are the unauthorized colonies, built on the parceled out agricultural land within the notified areas of the city. These settlements account for one-third of the declared settlements of the poor. The residents of these settlements possess title to land, subject to the regulations. The cost of these lands are cheaper than those sold by UIT to the Economically Weaker Sections (EWS) of the population. These are self-sufficient settlements in terms of basic services. They acquire water supply from bore-wells dug in their premises and obtain electricity connection from the electricity board on payment of charges. They often build connecting roads to the main areas. No wet area is attached to the shelter. Open sky is good enough for the residents. This solution turns out to be much cheaper as compared to the housing solutions offered by the UIT. A rough calculation shows that this type of house costs one-half of the other solutions. At the moment, no regulations are applied to them as these are located outside the planning areas of the UIT. Scarcity of monitoring personnel may be one reason for not taking up these cases.

iii. Squatter Settlements

The fourth category of settlements of the poor is the squatter settlements, built on the land of the central and state governments. These are located mainly on the foothill of the Aravali range on the north-western side of the city and some are situated towards east on both the sides of the Railway lines. These residents were originally migrants from rural areas. Depending upon the period of stay in the settlements and the resource availability with the city authorities, people are provided free water supply through stand posts and a few electrical poles are also installed. There is no subsidized rate for electricity charges. It is interesting to note that about 50 per cent of these settlements have very good quality of paved roads with 15 mt width, usually financed by the elected representatives at the ward level in the Municipal Council.

iv. Formal Settlements for the Poor

The fifth category is the formal settlements of the officially defined income poor, provided by the UIT of Alwar. There is a range of facilities provided and terms and conditions vary. These settlements cater to the housing needs of 3,000 households. The terms and conditions of acquiring these houses are poor-friendly; the total cost is to be paid over a period of 10 to 15 years and the ownership is for 99 years.

e. Policy Framework

The official policy of the state and local authorities is to regularize the settlements of the poor without regular tenure. During the last 2 years, the authorities have lost a significant opportunity of availing international funds for development of the settlement of the poor due to the lack of clear policy on this issue. While interventions in terms of provision of services is the starting point of regularization of these settlements and was in practice for the last one decade, the most important regulation that has been introduced recently (late 1999) is the provision of *Patta*, an ownership title for the land. However, it is not a clear title as this was provided without lease. Keeping in view the socio-economic compulsions, the tenure is to be provided on joint ownership basis.

i. Regularisation of Plots

Similar regulations are also available for regularization of the settlements on the agricultural land. The settlements can be converted into residential areas through payment of a reserve price on the basis of 99 years lease. In this case the Master plan is changed accordingly.

The SDS survey reveals that people do not see the first solution as beneficial as it does not reduce their vulnerability by ensuring surety in the period of stay. The lack of effective teeth of the urban authorities and the political influence of the area Corporator are good enough security for them to continue with irregular ownership. The Corporator has interest in maintaining the irregular status of the poor as part of his strategy to have "secure tenure" of his vote bank; the more secure the land tenure of the community, the less will they be dependent upon the political leaders. In fact, the residents of the Sonawar colony, now settled on the central government land at the foothill of the mountain, pointed out to the facilities they enjoy through the benevolence of the political patronage. They have highest quality of road that cuts across the colony and they get water connections curtsy of the local corporator. Under the regularized system, they do not expect better treatment and fear that they would end up paying more for the services.

Actually the cost of regularization in an environment of availability of cheaper alternatives and political back up, works out costly for the households. In a regularized settlement, the service charges are to be paid at the standard rates. The installation charges for services have also to be paid. Speed money is a common payment. In fact, the cost of non-regulation is low in Alwar due to the weak implementing machinery.

Regularisation of shelter or services have other implications also. The experiences of regular households indicate increase in corruption rates as the visits of implementing officials also increase and faults are regularly found by the officials. There is also a strong fear that regularization of shelters and better services would attract the better offs segment of the people and chances of transfer of them to non-regularized environment would go up. In Alwar, because of the slow down of industrial activities during the last few years, the

pressure on land is not as high as it was in 80s. Hence there may be a possibility of improving the settlements.

The major cost of continuing with irregular status could be on the access to proper and regular facilities of sanitation and treated water, both of which have long term implications on the health and productive capacity of the people. The most important aspect of development that needs regulation is the development of settlements of the poor. The typical examples of settlements of the poor in Alwar bring out the inefficiency of the regulations in achieving minimum acceptable basic services and sanitized environment. While some of the settlements can not have access to the services due to the irregularity / non abiding/ non-fulfillment of the regulatory guidelines, there are other settlements that are deprived of the facility of accessing services due to the standards in place that are not relevant. The crux of the issue therefore is the development of the appropriate standards as per the situations prevailing in a city.

ii. Conversion of Agricultural Land to Residential Land

In the absence of a clear cut policy on the expansion activity of UIT and lack of adequate resources to buy land in large scale and utilize them, land conversion is the easiest option to regularize the illegal activities through the back door and avoiding the problems that are likely to arise in the process of regularization of the irregular activities. It is reported that this scheme has been successful in regularising the agricultural land into residential plots. However, there is no clause in this arrangement that would ensure regular services. Since majority of these settlements in Alwar have sprung up as a response to the inadequate availability of formal sector housing stock, the lower income category households are left with no alternative to the present system.

The illegal land can be converted into regularised residential plots with payment of a reserve price of Rs. 45- 80 per sq. yd., the exact price depends upon the location. This would provides ownership on the basis of 99 years lease. In cases of large land areas, the Master Plan is changed accordingly. The impact of such concessionary approach of UIT may put the Master Plan in dump. It also encourages speculation on land.

In the regular course of its activities, the UIT converts the agricultural land with the help of Land Conversion Scheme: it buys private agricultural land from the land holders at a price fixed by it, as per their own estimate. Needless to mention, this price is much below the market price and therefore, the acquisition rate is very slow. At the same time, the sale cost is very high due to a number of stages involved in the process of selling and provision of infrastructure, both on site and off site.

Urban Regulations and Livelihood of the Poor

i. Negative Impact

The study clearly indicates a negative impact of the regulations on the poor as the existing regulations promote exclusive land use and not inclusive land use. In the context of Alwar, it can not be overlooked that the process of shelter and settlement development is basically people's driven and people's managed and the settlement regulations were evolved much

earlier than the present ones. This observation is particularly applicable to Alwar, which remained a princely state till late 40s.

The experience of Alwar clearly brings out the evolutionary process of the people's initiatives in developing a protective cover in a semi-desert physical environment, linked to traditional craft based income generating activities that have close linkages with the traditional agricultural activities. As a result, people have evolved their own safety norms for the structures. Because of the harsh climate and fertile agricultural land, they have evolved the dual use norms to integrate shelter and economic activities, now being a global catch word. Neither the Master Plan nor the housing regulations have considered these approaches, still relevant to more than two- third of the people in Alwar.

Equally important is the concerns of the poor to provide protection to their life supporting agents, the livestock which serve the dual purpose of food and transport mode. The present western norms were unilaterally adopted without considering the ground level realities that resulted in growing disparities between the official norms and regulations and those of the people. The problems cropped up when the official norms based settlements started encroaching on the traditional settlements. The issue therefore is whether the official norms are encroaching the people's norms and people's right to livelihood.

ii. Desirability of "Lowering" the Standards

The above observations should not be taken as an advocacy for lowering the standards in terms of building materials or other costs.. The main issue here is the wider acceptability of the traditional court yard type buildings that has close connection with sustenance of livelihood and therefore sustainable for a large section of the population in Alwar. The crucial issue is to make the regulations self targeted.

However the officials in Alwar hold an orthodox view on this issue and considering the crucial importance of shelter to the poor and the power of the officials in exploiting the situation, their stand is understandable. Their point is that once this concept is adopted (any standard other than the stipulated standard is considered by them as low standard), there will be pressure for lowering it and that may land up in a undesirable situation. Politicians also belong to this school of thought. Actually, acceptance of a so called lower standard would reduce their hold on the poor of both the stake holders as it will go against their interest. This brings again the imperative of designing the services and their distribution pattern on the basis of local experiences and information.

Apart from the above inhibiting factors, a major constraint in revising the existing regulations would arise from their sources of origin. A major part of the regulations are framed at the state level. A great deal of commitment and movement by the people is required for this purpose.

iii. Dual Standards

An important issue that came up very clearly from the discussions in the Workshop in Mumbai on May 9-10,2001 was the inevitability of dual standards. It was clear that in majority of cases, the existing standards are beyond the affordability of the poor and at the same time it is essential to have a planning standard with which they can reach out to the facilities that are associated with it. It also came out that when one talks of regular settlements, they may not be the standard settlements or for that matter, standard houses.

Therefore, dual standard may be an inevitable choice, if the poor are to reap the advantages. The crucial issues are the gap between the 'regular' and 'non-regular' standards and the scope for achieving the regular standards by the poor. A built in extension / upgradation clause seems to be an acceptable solution. A lot would depend upon the attitude of the planners and the flexibility in the approach to the related issues in other sectors.

iv. Issues of Development Regulations

The study of urban regulations in Alwar brought out another issue to the forefront. It relates to provision of services and density restriction. It comes out that the present high density in the old city area is not the creation of the people in the area. The rather high standard of the building regulations and the long list of formalities that need to be fulfilled have pushed the poor to share the existing shelters and create higher density. Much of the formalisation process of the residential areas in Alwar can start if the restrictive regulations are reduced. The second aspect of regulation would require regular supply of minimum acceptable quantity of water and creation of sanitized environment. While the poor can manage the distribution of water, the regulations are required to be introduced to ensure its supply. A minimum standard of sanitation is another issue.

iv. Capacity Building for Appropriate Regulations

The first impediment to the wide-scale implementation of regulations is the absence of knowledge about the regulatory details and their legal implications. This is applicable both at the consumers level and at the implementation agency's level. A major factor that has come out from the analysis of the spectrum of regulations that are in force in Alwar is the essentiality of designing the regulations as per the prevailing local situation and target group-oriented. It is quite possible that a positive impact of a regulation may interact negatively with other regulations and for this reason a comprehensive understanding of the regulations in their ramifications is essential. It is often the case that implementing agencies are not well aware of the regulations in the first place, and their implications especially on the livelihoods of the poor.

In this context, capacity building is required, which will disseminate key knowledge and information on the set of regulations to be implemented, information on the ground level situation, particularly about the poor, and equally important, will develop skills to be flexible in interpretation and implementation of the regulations, keeping in view the critical livelihood issues of the poor.

v. Operational Matrix

It is a basic knowledge that regulatory practices should be stakeholder-friendly, in the true spirit of the UN Habitat Agenda and in the Indian context, the 74th Constitutional Amendment Act. Each stakeholder should know fully about the regulations and their respective obligations, responsibilities and rights. Flexibility has to be the guiding spirit and ward and local planning committees should be directly involved.

Chart A presents an operational matrix to suggest the nature of impact of each of the key stakeholder groups in context of the regulatory system in Alwar.

vi. Issues for Consideration

The Alwar experiences bring out a few critical issues for consideration. These are:

Are formal habitat regulations relevant and useful to the informal habitats of the poor, which are generally unlikely to be exclusive shelter units.

A non-inclusive regulatory system encourages development of alternative systems including illegal ones, which might work out costly for urban authorities in the long run and may go against the development interests of the community.

A regulatory system without enough teeth, would fan corruption and the rental elements of a non-complied system would encourage political interventions.

In the absence of access to habitat services due to non-inclusion by the formal regulations, what have been the routes adopted by the poor to get access and the quality of the access.

Uniform regulatory levies brings distortions in burden, introducing major burden on the poor, promoting and sustaining a dependency syndrome and resulting in more resistance than compliance to the regulations.

Role of community participation in developing own services and standards and whether these are sustainable.

Cost of following the formal sector regulations by the poor and the impact on their affordability to shelter provisions.

In an old township like Alwar, already developed before the dawn of the new concept of regulations, who are the encroachers: the old settlements that do not fall within the provisions of present regulations or the new regulations-based settlements that are coming up within and around the old settlements.

What should be the minimum components of a regulatory framework in a growing urban area.

CHART A : OPTIONS OF URBAN REGULATIONS AND DEREGULATIONS

STAKEHOLDER	ALL COMPLIANCE	NO COMPLIANCE	PART COMPLIANCE
Municipal Council			
Politicians			
UIT Alwar			
Pvt. Infrastructure Providers			
Residents			
a. Legal			
b. Inherited Title			
c. Squatters			
d. Illegal			
e. Others			