



Dynamic Growth of Cities and Tardy Plan Preparation and Approval Processes: A case study of the Development Plan, Nagpur

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Abstract

Since growth and development of cities and towns is dynamic, the author argues that the plan preparation and approval processes are also required to be dynamic and flexible. By taking a case study of preparation and approval processes followed in respect of the Development Plan of Nagpur, the author demonstrates that not only due to certain legal hassles under Maharashtra Regional Town Planning Act, 1966, but due to procedural formalities the plan preparation and approval processes have not only become lengthy and long drawn but tardy as well.

1. INTRODUCTION

Nagpur, the erstwhile capital of the Central Province and Berar till the reorganization of states on linguistic basis in 1960, became the second capital of Maharashtra. Located at the very center of the heartland, almost equidistance from Kolkata, Chennai and New Delhi, it is the largest city in the central belt of the country and the key transport hub, where major national highways and railway lines intersect. At the very center of this national center, is the Zero Mile marked by the stone obelisk and was placed here by the British. Being centrally located and endowed with natural resources like forests and minerals, it continues to develop as an administrative, educational and cultural centre of central India. It also started to develop fast in the field of commerce, industries and transport.

Population of Nagpur as per 2001 Census was 21,29,500 with an average density of 95 persons per ha. Population as per 2011 Census is 25,00,000 (provisional) and it is projected to be 32,00,000 persons by 2021. In the last decade (1991-2001), about 46 percent of population growth was due to immigration. Considering upcoming development projects and investments, economic growth rate of Nagpur will increase as will population growth rate.

2. PLAN PREPARATION AND APPROVAL PROCESSES UNDER MRTP ACT, 1966

As per Section 21 of Maharashtra Regional and Town Planning Act, 1966 (MRTP Act) every Planning Authority shall prepare an Existing Land Use Map and prepare a draft Development Plan not later than three years from the date of its constitution for the area within its jurisdiction in accordance with the provisions of Regional Plan, and submit the draft Development Plan to the state government for sanction. On application made by any Planning Authority, the state government may from time to time by order in writing for adequate reasons to be stated in writing, extend the aforesaid period for a specified period under Section 21 (3) of the Act.

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The procedure to be followed in preparing and sanctioning of development plans is given in Section 23. The Planning Authority before carrying out a survey and preparing an Existing Land Use Map, by adopting a resolution, make a declaration of its intention, to prepare the Development Plan and send to state government along with a copy of the plan showing only the boundary of the entire area proposed to be included in the development plan, which will be published in the official gazette and also in one or more local newspapers inviting suggestions and objections from the public within a period of not less than 60 days from the publication of the notice in official gazette. MRTP Act, 1966 also provides for the preparation of Interim Development Plan pending the preparation of a draft Development Plan by a planning authority, where it considers expedient, and shall when so directed by the state government and publish a notice in official gazette accordingly, under Section 32.

The Act makes it mandatory on a planning authority to appoint a person possessing such qualifications as may be prescribed to be a Town Planning Officer with the prior sanction of the state government for carrying out surveys of the area of a planning authority for preparing an Existing Land Use Map and formulating proposals of Development Plan under Section 24. Planning Officer needs to prepare an Existing Land Use Map indicating the existing use of land not later than six months of such declaration or not later than such further time as the state government may time to time extend under Section 25. To be followed by preparation of the draft Development Plan not later than 2 years from the date of notice published under Section 23, and publish a notice in the official gazette inviting objections and suggestions within a period of sixty days from the date of notice under Section 26. Town Planning Officer, in conformity with Section 27, shall have regard to, and be guided by the proposals made in any the draft Regional Plan while preparing draft Development Plan. Subject to the provisions of Section 26 if any person communicates in writing to the Planning Authority, then under the ambit of Section 28, the Planning Authority or the Town Planning Officer shall forward objections and suggestions received by it to the Planning Committee consisting of three members of the Standing Committee of the Planning Authority and such additional number of persons, but not exceeding four, to be appointed by the state government having special knowledge or practical experience of matters relating to town and country planning. Planning Committee shall on receipt of objections and suggestions make such enquiries and give reasonable opportunity of being heard to any person including representatives of government departments who may file any objection or make any suggestions in respect of the draft Development Plan and submit to Planning Authority or to Town Planning Officer, who shall consider objections and suggestions received by it on Plan and make such modifications or changes in the draft Development Plan not later than three months. Draft Development Plan so modified shall be published in the official gazette not less than one month prior to the submission of the same to the state government for sanction. Where the modifications made



by the Planning Authority or Town Planning Officer in the draft Development Plan are of a substantial nature, then it needs to be published in the official gazette and also in local newspapers inviting objections and suggestions not later than sixty days from the date of such notice under Section 29.

Planning Authority in conformity with Section 30 shall submit the draft Development Plan to the state government for sanction within a period of twelve months from the date of publication of the notice in the official gazette under Section 26. However, the state government may on application by a Planning Authority or Town Planning Officer by an order in writing and for adequate reasons, which should be recorded, extend from time to time the said period. By such further period as may be specified in the order but not in any case exceed twenty four month in the aggregate, subject to the provision of Section 31 (1) and not later than one year from the date of receipt of such plan from the Planning Authority or Town Planning Officer, the state government, after consulting the Director of Town Planning by notification in the Official Gazette, sanction the draft Development Plan for the whole area or separately for any part either without modifications or subject to such modifications as it may consider proper or may return the draft Development Plan to the Planning Authority or Town Planning Officer, as the case may be, for modifying the Plan as it may direct or refuse to accord sanction and direct the Planning Authority or Town Planning Officer to prepare the fresh Development Plan. Where the modifications proposed to be made by the state government are of substantial nature, the state government shall publish a notice in the official gazette and also in local newspapers inviting objections and suggestions in respect of proposed modifications within a period of sixty days from the date of such notice. This section also provides that the state government may appoint an officer and direct him to hear such objections and suggestions and submit his report to the state government. It is mandatory on the state government to consider such objections and suggestions and the report of the officer before according sanction to the draft Development Plan. The state government also needs to fix, in the notification under Sub-Section (1) of Section 31, a date not earlier than one month from its publication on which final Development Plan shall come into operation.

There is a provision under Section 38 for the revision of Development Plan at least in twenty years (which before 1994 was ten years) from the date on which a Development Plan has come into operation, a Planning Authority may and shall at any time when so directed by the state government revise the Development Plan either wholly or in parts separately.

3. PLAN PREPARATION PROCESS OF DEVELOPMENT PLAN, NAGPUR

Nagpur Municipal Committee was established in the year 1869 and a Sub-committee was constituted for the development of town with an area of 3.8 sq km. While in the year 1937, the Government of Central Province and Berar



passed a bill for the establishment of Town Development Authority, this in fact was the beginning of the Nagpur Improvement Trust (NIT) whose working was governed by the Board of Trustees. NIT in the year 1946 prepared the Master Plan for Nagpur which addressed the issues of financial policy, development control, zoning regulations and also envisaged development schemes. However, taking into consideration, development potentials, rapid increase in population, and importance of the city, the two municipalities and adjoining villages were merged together in 1951 to form, what is today known as, Nagpur Municipal Corporation.

3.1 Interim Development Plan

Government of Maharashtra gave the status of Planning Authority to Nagpur Improvement Trust (NIT) and it started exercising powers as a Planning Authority from 6 October 1967. Under Section 23 (i) of MRTP Act, 1966, NIT declared its intention to prepare the Development Plan for the entire area falling within its jurisdiction. The said notice was published in Maharashtra Government Gazette and in local newspapers. Objections and suggestions from the public were invited within a stipulated time limit of sixty days from the publication of the notice in official gazette. Under Section 24 the Town Planning Officer was appointed to prepare the Existing Land Use Map and formulate proposals of Development Plan. Existing Land Use Map was prepared within stipulated time as per Section 25 i.e. six months. The Board decided to prepare an Interim Development Plan pending the preparation of draft Development Plan as it received a number of diversion and layout cases. The Board, by adopting a resolution published the said Interim Development Plan in accordance with Section 32 (i) read with Section 27 (i) of the Act. The Interim Development Plan was published in the state government gazette and suggestions and objections from public were invited. After considering objections and suggestions received on the Plan, the NIT submitted the Interim Development Plan to the state government for sanction in 1971.

3.2 Development Plan, 1976

Nagpur Improvement Trust submitted the Interim Development Plan and requested the government for extension of time for the preparation and publication of the draft Development Plan. Under Section 27(2) the NIT published the draft Development Plan and invited suggestions and objections on the proposals within a period of 60 days. There were 76 written suggestions and objections received by the NIT from the public on the proposals of draft Development Plan. As required under Section 28 of the Act, the NIT gave due opportunity to hear the persons who filed suggestions and objections. After hearing of suggestions and objections, the NIT made modifications to the Plan. Some modifications were of minor nature and several of substantial in nature. However, as due to several major modifications, the Board resolved to publish modifications under Section 29 in official gazette and local newspapers. Objections and suggestions from the public with respect to the said modifications were received within the period of 60 days. Forty suggestions and objections were heard by following the



procedure laid down in Section 28 of the Act. NIT in the meantime requested the state government for extension of time limit upto the end of October 1974 for submission of the draft Development Plan to state government for sanction. The draft Development Plan was sanctioned after submitting the Plans and reports which came into effect from 3 June 1976. The total time taken for the preparation, submission and sanction of the Development Plan worked out to be over seven years.

3.3 Development Plan for Nagpur, 2000

NIT - a Planning Authority under the provisions of Section 38 and 23 of MRTPL Act, 1966, declared its intention to prepare the revised Development Plan vide resolution of 27 September 1982. The notice in this respect was published in the Maharashtra Government Gazette dated 9 June 1983 and also in local newspapers. Under the provision of Section 24, the NIT in its Board meeting resolved to appoint a Town Planning Officer for preparation of the Existing Land Use Map under Section 25 of the Act within the sanctioned extended time limit. In order to provide a guiding framework state government by their resolution dated 13 September 1985 constituted an Advisory Committee under the chairmanship of Commissioner, Nagpur Division, Nagpur. NIT thought it necessary to benefit from the expertise of the Director, Town Planning, Maharashtra State for the preparation of the revised Development Plan as the city was experiencing problems of rapid urbanization. Therefore, state government sanctioned a Special Development Plan Unit for the same under the Deputy Director of Town Planning on 7 February 1986. The Town Planning Cell was created on 24 November 1986 and the actual work on the revision of the Development Plan started from the date of appointment of Deputy Director, 1 January 1987.

Technical Group and Advisory Committee held a number of meetings and prepared a Policy Plan spelling out guidelines for framing proposals of the revised Development Plan. Policy Plan was published on 2 January 1988 and suggestions and objections were invited from public before publishing draft Development Plan. Under the provision of Section 38 of the Act, the revised Development Plan was published on 4 May 1989 in state government gazette (within the sanctioned extended time limit) and suggestions and objections on the proposals of the draft Development Plan were invited within a period of sixty days from the date of notification in the official gazette. A total of 585 suggestions and objections were received within the stipulated time limit. Under Section 28 (2), Planning Committee was also constituted. Planning Committee gave reasonable opportunity of being heard to the persons who filed their suggestions and objections and submitted its report to the NIT on 2 May 1990. The Board of Trustees of NIT considered the report of Planning Committee and made such modifications in the draft Development Plan, as it considered necessary. The draft revised Development Plan then was submitted to the state government for sanction on 11 October 1990 (within extended sanctioned time limit). The State Government,



after consulting the Director of Town Planning, returned the draft Development Plan to NIT vide its notification dated 14 January 1993 in exercise of powers confirmed by Sub-Section (1) of Section 31 of the Act and directed the Planning Authority to modify the draft Development Plan considering its own letter dated 25 March 1992 and letter dated 9 June 1992 from the Director of Town Planning, Maharashtra State. State Government desired to modify the said Development Plan, wherever necessary and if required to follow the procedure under Section 29 and resubmit the same to state government in accordance with Section 30 of the Act. Under Section 24 of the Act, NIT in their Board meeting of 25 February 1993 resolved to appoint Assistant Director of Town Planning as Town Planning Officer to prepare and modify this Plan. Formal orders of appointment of the said Town Planning Officer were issued on 27 October 1993. As per the directives of the state government the revised draft Development Plan was modified and as the modifications made were of substantial nature, it was published under the provisions of Section 29 of the Act, in government gazette on 17 March 1994 and also in local newspapers on 21 March 1994 and suggestions and objections invited within stipulated period of sixty days.

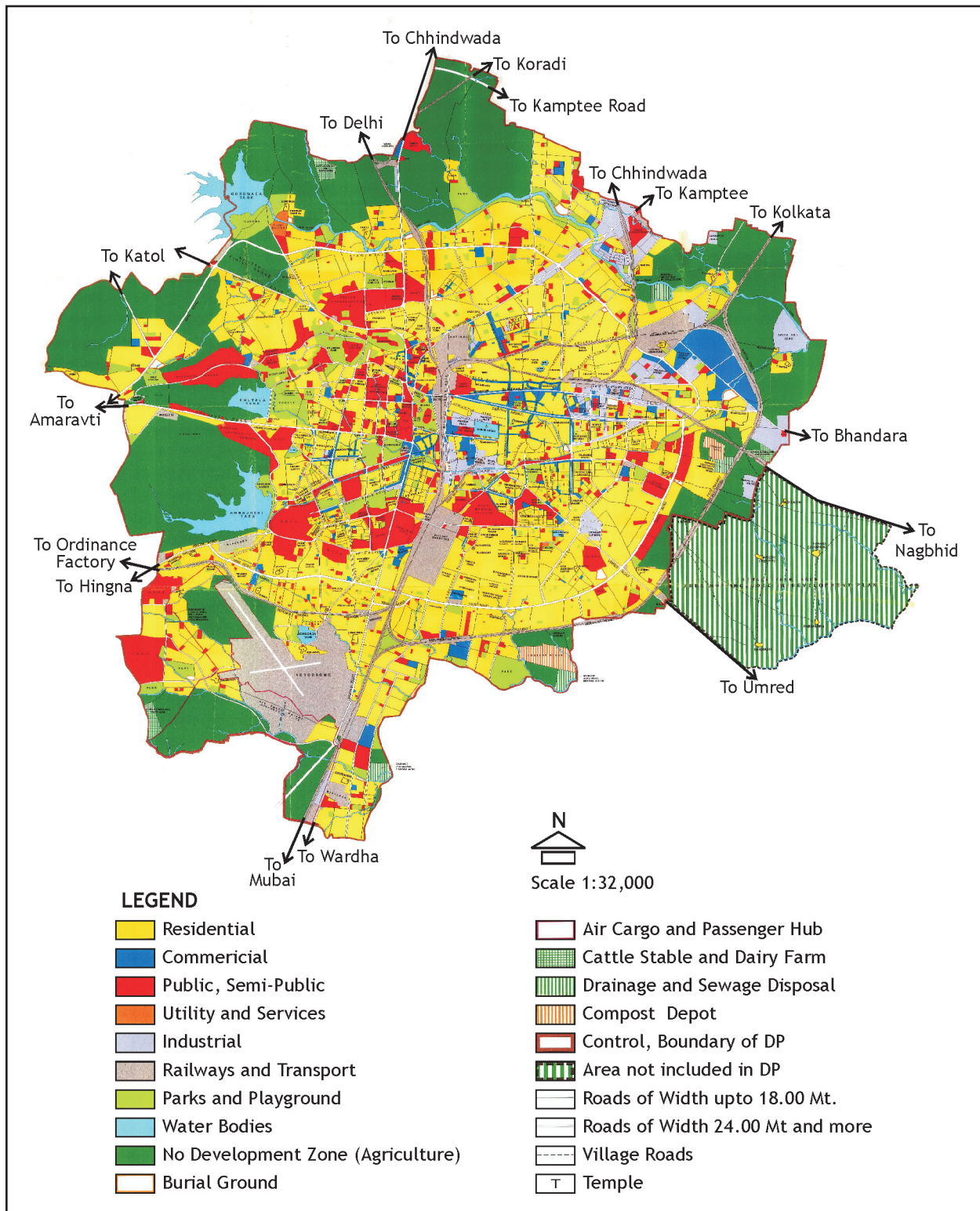
Planning Committee was constituted under Section 28 (4) for scrutinizing objections and suggestions on 23 May 1994. Planning Committee submitted its report regarding recommendations to the invited objections and suggestions on the proposal of Modified Revised Development Plan (MRDP) within the sanctioned extended time limit. Before publishing, an informal Technical Scrutiny Committee consisting of 22 departmental heads of various departments was also formed for reviewing and finalizing the sites reserved. NIT finalized the report of Planning Committee and published the Modified Revised Draft Development Plan, with modifications as under Section 28 (4) of the Act on 30 November 1995 in Government Gazette and local newspapers for public inspection. NIT submitted the Modified Revised Development Plan to the state government for sanction on 29 February 1996. Government decided to sanction the modified Revised Draft Plan in parts and fixed 1 March 2000 to be the date on which final Development Plan of Nagpur shall come into force (Fig. 1). Thus, the total time taken for the preparation, submission and sanction of the Plan worked out to be more than 17 years.

4. PLAN PREPARATION AND APPROVAL PROCESS OF THE DEVELOPMENT PLAN FOR NAGPUR, 2000: ISSUES EMERGED

In Chapter V of the Development Plan for Nagpur, 2000 'Policy adopted for the Revised Development Plan' has been enunciated under the heading 'Regional Plan' in which it is stated that as per Section 27 of MRTP Act, 1966, the revised draft Development Plan will have to fall in line with the policies prescribed under Regional Plan prepared for the area for which the Development Plan is being prepared. It further states that as the Regional Plan for Nagpur Metropolitan Region



Fig. 1: Development Plan, Nagpur - 2000





was sanctioned by the state government in 1976. Therefore, the broad policies contained in the Regional Plan will have to be followed while preparing revised Development Plan. So also proposals of the revised Regional Plan published under Section 16 of the MRTP Act, 1966 will have to be followed. Important policies laid down in the Regional Plan relevant to the Nagpur Municipal Corporation area are described in following paragraphs:

Approach for the Revision of the Development Plan: Approach proposed for the revised Development Plan submitted to state government for sanction on 11 October 1990 states that Master Plan for Nagpur was prepared in 1951 by the Nagpur Improvement Trust. The Maharashtra Regional and Town Planning Act, 1966 came into operation with effect from 11 January 1967. As per this Act the Development Plan was prepared by NIT in the year 1972 and it was sanctioned by the state government in the year 1976. As per the provision of Section 38 of this Act, a Development Plan is required to be revised at least once in 10 years. Development Plan of Nagpur sanctioned to take effect from 30 July 1976, therefore, became due for revision on 31 July 1986. But Nagpur Improvement Trust declared its intension on 9 June 1983 to prepare a revised Development Plan and Town Planning Officer under Section 25 of this Act was appointed on 7 January 1984.

Plans to be Prepared: The Development Plan sanctioned in 1976 consists of a map on the scale 1:660. A base map of which does not show structures on the existing streets. A base map is now prepared to the scale of 1:8,000 for the entire area. This map is divided into 47 equal size sheets, each sheet measuring 30 cm x 37.5 cm. The existing land use shows draft proposals to be published for the entire area within the Nagpur Corporation limit and is drawn on these sheets instead of combining the sheets it is proposed to keep sheets separately in a folder since it would be easier to handle the sheets. Properties in the city *gaathan* are very small in area and they cannot be identified clearly on the 1:8,000 scale map. Therefore, the existing land use map and draft Development Plan to be published in so far as city *gaathan* is concerned would be drawn on 1:2,000 scale sheets. Thus, so far the plans to be submitted to state government are concerned these will consist of two size maps (i) map to a scale of 1:8,000 for the entire area within Nagpur Municipal Corporation limits (ii) maps to a scale of 1:2,000 as inset map for Nagpur city *gaathan*. Other large scale maps would be available for day to day working.

4.1 Matters requiring Attention

- Proposals which conform broadly to the proposals and recommendations of the sanctioned Nagpur Metropolitan Region Plan.
- Evaluation of sanctioned Development Plan with particular reference to its effectiveness and desirability in the present circumstances.



- Economic and physical constraints likely to guide and control future city development.
- Possibility of maximum utilization of surplus vacant land obtainable under the Urban Land Act for public purposes.
- The slum Improvement, thinning of slums, rehousing of slum dwellers, etc.
- Identification of self generating and self sustaining area development projects and urban renewal areas.
- Planning for traffic as per zoning and social facilities plan.
- Coordinated development of Nagpur Corporation area and proposed New Nagpur area on Amravati road.
- Detailed planning proposals for all the isolated villages within the municipal area.
- Conceptual plan for the future form, structure and components of development as a basis for formulation of detailed plan proposals. Proposal for aesthetics, tourism and afforestation and services, etc.

Surveys: Revised Development Plan proposals would be a combination mainly of land use zoning proposals, designation of sites for various public purposes, and proposals for transportation routes and detailed area development proposals. For facilitating planning of proposals in these respects, area within Nagpur Municipal Corporation limits has been divided into planning sectors/neighborhoods and data obtained through surveys are being tabulated sectorwise. In addition to the Existing Land Use Surveys and preparation of the Existing Land Use Plan, which are required as per the provisions of the Maharashtra Regional and Town Planning Act, following additional surveys need to be carried out for enabling the planning team to frame proposals in all respects mentioned under Section 22 of the Act.

- **Education:** Secondary data will be obtained in respect of primary, secondary and college education to enable proposals in respect of educational facilities in order to make up deficiencies if any.
- **Health:** Secondary data in this respect will be collected from three different sources (a) State Government, (b) Nagpur Municipal Corporation, and (c) Private Sector. These would also appear on the Existing Land Use Map to make up for deficiencies.
- **Recreation, Sports and Shopping Facilities:** No separate surveys for these aspects would be carried out since spatial aspects in respect of these facilities would appear in the Existing Land Use Map itself.
- **Services:** Qualitative and quantitative aspects of water supply and drainage will be obtained from the Nagpur Municipal Corporation. Secondary data for electricity, telephones and gas will be obtained from the concerned departments.



- **Climatology:** Data on temperature, rainfall, wind and variation in these aspects in being obtained from meteorological department.
- **Classified Highways:** This data would be obtained from the concerned highways authority.
- **Evaluation of the Sanctioned Plan:** Before formulating proposals for the revised Development Plan, it would be necessary to evaluate the sanctioned Development Plan and to know the causes of the non-implementation or lack of implementation. The work of evaluation would be carried out for two different needs (a) acquisition and development of designated sites, and (b) implementation of road proposals.
- **Projections of Demographic Characteristics:** It is expected that the sanctioned revised Development Plan will come into operation in 1988. For enabling the planning team to make proposals for the future population of Nagpur Municipal Corporation, it is necessary to project demographic characteristics upto 1988 and 2006.

In addition, in the same chapter under the heading 'Policy Plan and Structure Plan for the Revised Draft Development Plan', it is stated that the Policy Plan and Structure Plan paper setting out the broad policies for preparing the revised draft Development Plan were prepared, which includes the following important decisions.

- With a view to reducing commuting, jobs should be distributed by developing sub-centers all around the city.
- To enable the Planning Authority and Nagpur Housing and Area Development Board to provide public housing under Site and Services Scheme for industrial workers, persons from economically weaker sections and few slum dwellers, sufficient land from Residential Zone and land declared as surplus under the Urban Land (Ceiling and Regulation) Act, 1976 should be reserved for this category. Adequate area in the outskirts should also be reserved for developing dairy farming colonies for removing and relocating milk giving cattle from the city.
- The environment in the city should be enhanced by large scale afforestation of catchments areas of lakes and sewage farm areas.

Traffic and Transportation: One of the recommendations of the Regional Plan was to immediately undertake detailed studies and prepare a Traffic and Transportation Plan for the Metropolitan Region. Accordingly, the policies and proposals under such plan within Nagpur Municipal Corporation limits have been dovetailed with proposals of the revised Development Plan. Broad policies have been incorporated in the revised draft Development Plan are:



- Where pedestrian traffic is heavy, it should be segregated by developing pedestrianisation schemes and pedestrian segregation facilities.
- Entry to mechanized vehicles should be controlled progressively in the central part of the city where pedestrian and cycle traffic is very heavy deserving priority.
- Vulnerable cycle traffic should be segregated from motorized vehicular traffic by developing an independent cycle lane on the city roads with facilities for level segregation or time segregation at important intersections on the arterial network.
- Parking spaces should be developed for bringing control on movements of motorized vehicles in the central parts of the city and by making full capacity of existing road network available for traffic movement.
- Fast moving through traffic and local traffic on highways should be segregated by developing a system of service roads along the highways or by diverting the highways along ring road of the city.
- With a view to providing a cheap mode of transport, an alternative system for the cyclists and users of other modes and to reduce congestion on the arterial roads, mass transportation services should be augmented substantially by developing high capacity mass transportation systems of buses and railway and creating necessary infrastructure for these purposes.
- Movement of goods vehicles should be controlled by providing necessary infrastructure facilities for goods transport such as truck terminals, parking and repairs facilities.
- For reducing traffic congestion, hawkers and other road encroachers should be removed to other outer areas and main traffic roads will have to be made shopping free roads. Parking of vehicles will be insisted upon

Table 1: Population Projections adopted in Master Plan - 2000

S l . No.	Year	Population (in lakh)	Rate of Increase Per Year
1.	1981	12.19	1.7%
2.	1986	13.22	1.6%
3.	1991	14.27	1.5%
4.	1996	15.34	1.4%
5.	2001	16.41	1.3%
6.	2006	17.47	1.2%
7.	2011	18.50	1.1%

within the compounds of the premises.

- Missing link roads will be necessary to streamline the existing road system.

Policy Plan: The following policies are adopted in the revised draft Development Plan for Nagpur, 2011:

- Population of 23,00,000, 25,00,000 and 28,00,000 to be adopted for the metropolis by the year 2001, 2006 and 2011 respectively. The decadal population is given in Table 1.
- Participation rate of 25.20 percent for 2001 to be adopted for the metropolis.



- The occupancy load of 6 sq mt, 10 sq mt, and 30 sq mt per job as per the National Building Code is adopted to work out worker densities in office-cum-commercial areas, industrial production and storage areas respectively.
- Average worker density of 220 pph is adopted to work out requirement of areas under Industrial Zone. Average worker density of 500 pph is adopted for areas in Commercial Zones.
- The employment structure of Nagpur for 2011 is adapted to manufacturing, household trade, commerce and the city plays marginal role in all other activities of construction, communication, utility services, etc.
- Residential encroachments in Industrial Zones are seen in east and hence, about 132 hectare is to be re-zoned. Major portion towards north on which Kamptee Road Industrial Area Street Scheme and towards south on which Chinchbhuwan Industrial Area Street Scheme of NIT were proposed in industrial use. But due to low demand of public for industrial use and also rejection of the scheme by state government on the ground that the scheme is not suitable for industrial purpose and that large industrial areas coming up at Butibori, these lands be proposed in the Residential Zone.
- Areas in the southwestern entrance were proposed in Residential Zone in the Development Plan, 1976. These areas were converted into Agricultural Zone due to probable expansion of Airport in the revised Development Plan submitted to the state government in 1990. However, most of the area is declared surplus under the Urban Land Ceiling Act and also Airport Authority informed of not having any plan of future expansion towards this side. Hence, this area is proposed again as Residential Zone.
- To achieve restructuring by the polynucleated development, sites are identified for district centers at Babulkheda, Bidpeth, Wadhoda, Chikhli, Warjri, Indora, Takli, Hazaripahed, and Parsodi.
- Central area of the city is full of mixed land use i.e. industrial, residential, commercial, and transport with heavy concentration in the latter half of eastern part of the city. In view of population distribution from the last census and analyzing the existing land use survey findings, it is revealed that the net residential density is 700 pph in the central area.
- Net FSI consumed in these wards is however not more. It is also revealed that the occupancy rate (built up area in sq mt per person) is minimum here. Roads in the city area are comparatively narrow to meet traffic requirements due to the above intense development. It would, therefore, be first and foremost important to stop further growth of wholesale trade in the central parts of the city and to make efforts to widen a few major roads passing through the central area.



- In the sanctioned Development Plan, 1976, it is observed that areas have been zoned liberally for commercial activities. Commercial Strip Zoning was also proposed on either side of the major roads. It is also observed from the Existing Land Use Map that such commercial zones are not fully occupied by commercial and office activities but residential developments are also taking place in between them. Looking at the present traffic, residential plots may in due course of time be converted into commercial and office developments, which in turn add to more concentration of such activities, which is not desirable. It is, therefore, decided to adopt the policy of consuming as minimum areas as possible for commercial activities (shopping) to keep them free for fast moving traffic. Existing commercial establishments in the Residential Zone and existing office activities in Commercial Zone have to be tolerated. However, Commercial Strip Zoning proposed in the Development Plan, 1976 will be retained so as to coordinate proposals of the revised plan with the sanctioned one. As for local commercial activities within the reach of resident population, this will be met adequately with shopping allowed on 9 mt to 12 mt wide roads.
- From the existing Land Use Plan it could be observed that industries are scattered in the city. Some of them are hazardous and others do not create nuisance since they provide employment to local people. It is the current thinking that they should be allowed to continue, if they do not cause nuisance to the surrounding areas as per the performance characteristics. Although this would be acceptable for the outer areas, it cannot be totally adopted for city area since there is over concentration of employment. With this emphasis, the following policies are proposed:
 - to define minimum area predominantly occupied by commercial and office activities under commercial zone;
 - to adopt zonal boundaries as far as possible along roads without skirting or cutting any plot in the interior;
 - to make provisions in Development Control Rules for permitting the existing commercial development in Residential Zone and existing office activities in Commercial Zone;
 - to retain industries if they are confirming as per performance characteristics
- Once the boundaries of different zones are finalized, the Metropolitan Area is to be divided into a number of Planning Areas bounded by natural or manmade barriers such as hillocks, railway lines, highways, traffic zones, etc; so that each sector can be made self-contained for the provision of various basic amenities and facilities so as to avoid undesirable developments across such barriers.



- It was also observed that there is great deficiency of public amenities and facilities. Open lands are not normally available in the city area for development of public amenities and facilities to meet the deficiencies. Thus, it is likely that certain reserved sites of the sanctioned Development Plan could be modified for such use. With this and other practical considerations in view, the following policies are suggested:
 - to designate in Development Plan, public sites as primary schools, secondary schools, hospitals, maternity homes, dispensaries, parks, markets, cremation grounds, fire stations, bus stations, play grounds, etc; conducted by charitable trusts and registered institutions, or by any authority in its own premises or in rented premises occupying more than 50 percent of the built up area or equivalent ideal area required for a particular amenity;
 - to consider compatible public uses to group them in available sites to meet deficiencies;
 - to earmark only those sites for which land uses by appropriate authorities are already defined;
 - to see the possibility of extending public sites, either developed or proposed, looking to the life of structures in adjoining or nearby plots so as to upgrade substandard public sites with a view to providing playground sites as near as possible to the school sites;
 - to propose road widening mainly for major roads wherever required and the width be not less than 12.20 mt and 27.44 mt respectively;
 - to provide proper access to the existing and proposed public sites;
 - to earmark Urban Renewal Scheme around reserved sites comprising more area wherever feasible for future life of structures to be included so that tenements affected by reservations can be rehoused in such schemes without causing dislocation;
 - to decide priorities of acute deficiencies in each sector or sub-sector and re-designate the sites for future life of structures involved in the sites so that they can be made available in early phases of implementation to meet felt deficiencies;
 - to keep the aspect of minimum cost of acquisition and dislocation of the occupants while selecting sites for public purposes;
 - to delete or modify proposed sites of roads if buildings are found to be of permanent nature;
 - to earmark as far as practicable the sites for various authorities as per requirements communicated by them;
 - to earmark sites at appropriate places in 'No Development Zone' for rehabilitating people involved in dairy farming;



- to consider involvement of public participation for developing various sites;
- to give more weightage to eastern parts of the city while proposing public amenity sites to rectify the imbalance that exists between east and west parts of the city

Standards of Social Amenities: The standards prescribed by the state government for providing social amenities have been adopted in the revised Development Plan.

Proposals in the Revised Development Plan: In addition to the above mentioned policies, the revised Development Plan published and modified in accordance with the directives given by the state government vide its notification no. TPS-2489/1505/CR-102 dated 14 January 1993 to modify the revised Development Plan in accordance with the objections raised by Director of Town Planning, Maharashtra State, on the Plan vide letter No. DP/Nagpur (R)/TPV-273257 dated 9 June 1992. They are briefly described as follows:

- Objective of revision of the Development Plan is to evaluate sanctioned Development Plan and modify it wherever necessary. But the revised Development Plan is prepared without coordinating and considering proposals of the sanctioned Development Plan, 1976.
- NIT implements the schemes prepared and sanctioned under the provisions of Nagpur Improvement Trust Act, 1936. However, no such schemes with the sites reserved for public purpose is prominently shown in the revised draft Development Plan. Moreover, proposals contained in the revised draft Development Plan differ from the sanctioned scheme. It is essential to show the existing and developed sites of the scheme prominently on the Plan.
- It is necessary to differentiate between the existing and proposed roads, proposed road widening and to show width of such roads which is not done in the proposed land use map of the revised draft Development Plan.
- NIT has granted building permissions in accordance with the proposals of roads of sanctioned Development Plan. But such road proposals are modified at some places and bigger road widening are proposed in congested localities. Implementation of such road proposals is just not possible.
- Existing residential localities are shown in Agricultural Zone or in reservations in many places.
- Any modifications in the proposals of a plan published under Section 26 of the MRTP Act, 1966 are to be carried out under Section 28. But many



changes are made in the proposals of the plan submitted to the state government under Section 30 without approval of Planning Committee and Planning Authority.

- Some, 315 sites are reserved as open spaces in the plan inspite of clear instructions issued by the Directorate of Town Planning to reserve such sites as playground or park in accordance with planning requirements. It is essential to change the nomenclature of such sites accordingly.
- Some, 193 sites are reserved for parking measuring 0.40 to 1 hectare blocking about 107.18 hectare of land. The cost of acquisition of these lands is estimated to be Rs. 11,67,000. Some of these reservations are proposed on built up properties and they are more than required in number and area.
- Two relevant sheets of the proposed land use map if joined do not coordinate with each other at some places. Some lands coming in between two sheets are totally missing from the map i.e. proposals on such lands are totally missing from the plan.
- Area of *Gaothan* and congested localities are not specifically shown on the proposed land use map.
- Centralized commercial center such as Sitabuldi is proposed for residential purpose. Development permission for commercial purpose cannot be granted on the land.
- Existing National Bureau of Soil Survey and Land Use Planning and Remote Sensing Center to the northern side of Amravati road is not shown properly on the map so also land use on both sides of Amravati road is not shown properly.
- Existing unauthorized residential use is proposed in agricultural zone in the Plan. It is necessary to propose such existing residential use for residential though unauthorized.
- Reservations of garden and MSEB are proposed on Bhandara road on the land of Bohra *Kabrastan*, it is not proper to propose reservations on *Kabrastan*.
- Areas of notified slums are not shown specifically on the proposed land use map.
- NIT has regularized some of the 572 unauthorized layouts. Residential use is proposed, restricted to such lands and the area surrounding such lands are developing unauthorized and in unplanned manner. Access to such lands is not available for public purpose.
- Development Control Rules submitted by the NIT are defective in some respects.



5. LEGAL HASSLES AND PROCEDURAL FORMALITIES IN PLAN PREPARATION AND APPROVAL PROCESSES

As per the Development Plan preparation and approval processes prescribed in MRTP Act, 1966 (as narrated in Section 2 of this paper), the Planning Authority before carrying out survey and preparing an Existing Land Use Map needs to adopt a resolution to declare the intention to prepare a Development Plan and send the same to the state government along with a copy of Plan showing only the boundary of the entire area proposed to be included in the Development Plan, which will be published in the official gazette for public objections and suggestions within a period of not less than 60 days. NIT as a Planning Authority is quite aware of the area under its jurisdiction including the additional areas added to its boundaries besides the State Government as well. Therefore, issuing notification and calling suggestions and objections appears to be a formality and if this stage is eliminated, it can save a lot of time.

There is a provision under the various sections of MRTP Act, 1966, for example, to publish a notice in the official gazette for inviting suggestions or objections at the time of declaration of intent (Section 23); publish a notice in the official gazette stating that Development Plan has been prepared (Section 26); the Planning Committee on receipt of objections and suggestions makes such enquiries and gives reasonable opportunity of being heard to any person and modify the draft Development Plan and publish in official gazette (Section 28); modifications made by Planning Authority needs to be published by giving notice in the official gazette (Section 29); the State Government, after consulting the Director of Town Planning by notification in official gazette (Section 31). The draft Development Plan so modified at the final stage again has to go through the same drill. Thus, there is a need to revisit the various provisions of inviting objections or suggestions at every stage and to examine whether it would be possible to invite objections or suggestions only at the final stage of approval of draft Development Plan.

It would also be relevant to note that as per MRTP Act 1966 Section 38, till 1994, there was a provision that Planning Authority may revise the Development Plan at least once in 10 years, which was subsequently extended to 20 years. In fact, the process of preparation of revised Development Plan started in the year 1982, but Development Plan came into force in 2000. This will automatically get extended to another 20 years i.e. 2020 unless it is directed by the state government to revise the same. Thus, the provisions of the Development Plan, 1976 remain in force till 2000 i.e. for 24 years. In fact it is due to this reason that the whole process of preparation of Development Plan is labeled as static. However, it is not the Development Plan as an instrument of planning which is static but the process of approval is quite tardy and static. The Development Plan of Nagpur got bogged down in observing the procedures and formalities as per prescriptions of the MRTP Act, 1966.



Under Section 25, 26, 28, 30, there is provision to extend the period, from time to time, of course for adequate reasons. This develops the tendency in Planning Authority to ask for extension of time limits again and again as it happened in the present case.

After the enforcement of MRTP Act, 1966, Nagpur Improvement Trust declared its intention in the year 1969 to prepare the Development Plan of Nagpur, but since it would take a long time, and the NIT was receiving a number of layouts and diversion cases, it was realized to prepare first, the Interim Development Plan (as narrated in Section 3 of this paper) under Section 32 of MRTP, Act. Accordingly, Interim Development Plan for Nagpur was prepared and published in the year 1970 and submitted for sanction in the year 1971. After submission of the Interim Development Plan, the draft Development Plan was prepared and published in the year 1972. This was republished in the year 1974. State government finally sanctioned the plan on 3 June 1976 and it came into force on 30 July 1976 i.e. after five years.

Subsequently under the provisions of Section 38 and Section 23, the NIT as the Planning Authority declared its intention to prepare the revised Development Plan in 1982. The notice in this respect was published in Maharashtra Government Gazette on 9 June 1983. The plan was also supplemented by another document of 'Policy Plan', prepared under the guidance of an Advisory Committee. Revised Development Plan was prepared and published in 1989 and was sent to the state government for sanction in 1990. It was returned in 1993 to the NIT for modifications as it was prepared without considering the schemes of NIT and reservations of the Development Plan of 1976, which was again modified and published in 1994 and re-submitted to the state government in 1996. State government sanctioned the revised Development Plan under Section 31 of the MRTP Act, which came into force from 1 March 2000 that is to say the whole process of sanctioning the plan took almost 19 years after the intention to prepare revised Development Plan was declared and 11 years after the revised Development Plan was first published. It can further be observed that till the final approval of the Revised Master Plan in 2000, the Master Plan of 1976 was in force i.e. for 24 years.

In the Development Plan finally approved by the state government, which came into force from 2000, in Chapter V, (as narrated in Section 4.0 of this paper) details regarding the policies adopted for revised Development Plan has been spelt out. It includes approach for revision of Development Plan, which in fact is not the approach in true sense but account of declaration of intent by NIT, the Planning Authority. In the same paragraph it is mentioned that 'Approach to be adopted in formulating the proposals of the revised Development Plan', in which the details are given regarding the plans to be prepared and scales of the maps to be prepared, which again is neither the policy nor the approach but



are the requirements of the Development Plan. In the next paragraph matters requiring attention has been given and later on Surveys to be conducted for the activities like education, health, recreation and sports, and shopping facilities and services, classified highways, evaluation of sanction plan and projections of demographic character, etc; are narrated. In fact, these are the guidelines given by the state government for the preparation of Development Plan and need not form the part of Development Plan.

Similarly for traffic and transportation also certain recommendations like segregation of fast moving and slow moving traffic has been given, which in fact need to be followed in all the Development Plans to be prepared. Certain observations derived after studying Existing Land Use Map are also termed as policy. In addition the comments of the Director, Town Planning on the draft Development Plan have also been included in the Development Plan which in fact is the correspondence between the state government and Director, Town Planning and necessarily not required to become part of Development Plan except taking action on the points raised by the Director, Town Planning. Some such issues can very well be dealt, discussed and deliberated before the process of preparation of draft Development Plan starts and accordingly guidelines can be issued to the Planning Authority and certainly are not required to be brought in the final Report of Development Plan to be submitted to the state government for approval. If certain guidelines are issued in advance on the procedure to be adopted, it would save a lot of time and would save Development Plans from becoming absolute and out dated.

Development Plan of Nagpur, 1976 was based on 1971 Census data, when the population of Nagpur was 8,66,076, while the revised Development Plan was approved in 2000 i.e. the Development Plan, 1976 was catering to the population of 16,22,000 (1991) and to the population of 20,50,000 (2001) and to the population of 25,00,000 (2011) i.e. more than three times population, making all the infrastructure facilities and services over burdened and over stressed.

As per provisions of MRTP Act 1966, there is no provision for the preparation of alternative proposals and therefore, there is no alternative but to accept the single proposal compulsorily which becomes fait accompli.

It would also not be out of place to mention that under MTRP Act, 1966, there is no provision to have the feasibility analysis. Therefore, it can be construed that no feasibility study has been done for the proposals of Development Plan, 1976 and 2000 because there is no provision in the Act as such.

Directives of the state government or Director, Town Planning, if communicated to Planning Authority soon after the resolution of the intention of preparation of draft Development Plan is adopted, it could save a lot of time and avoid



publication of draft Development Plan in official gazette for calling public objections and suggestions again and again.

6. CONCLUSIONS

Taking into consideration forthcoming development projects and investments, economic growth rate of Nagpur will increase and population would also increase at a faster pace. Plan preparation and approval processes prescribed in Maharashtra Regional and Town Planning Act, 1966 are not only lengthy but quite tardy. This is quite evident from the fact that NIT declared its intention to prepare revised Development Plan on 27 September 1982 and notice to this effect was published in official gazette on 9 July 1983, and final Development Plan became operational in 2000. Therefore, there is a need to revisit the provisions of MRTPA Act, 1966 specifically in the light of latest technological innovations like Remote Sensing and GIS, which not only facilitate but expedite the preparation of Base Maps, Existing Land Use Maps, etc. In addition it would be more appropriate that the concerned agencies issue guidelines and basic requirements of the maps to be prepared and surveys to be carried out, etc., in the initial stages itself that is as soon as the Planning Authority adopts the resolution to declare its intention to prepare draft Development Plan, instead of entering in correspondence of procedures and formalities to be adopted and observed.

As the period for Development Plan is generally of 20 to 25 years and revision and modifications in the Development Plan are a time consuming process, it would be appropriate that feasibility of proposals is carried out because certain proposals of Development Plan of Nagpur for Industrial Zone i.e. Kamptee Road Industrial Area Scheme (narrated in Section 4 of this paper, under the heading - The Policy Plan) and Chinchbhuwan Industrial Area proposals were rejected by the state government due to low demand. Similarly some areas in Residential Zone which were converted to Agricultural Zone to meet expansion of Airport, however, these areas have again been proposed for Residential Zone. It would also be more appropriate to give alternate proposals, so that whatever is more feasible and appropriate can be accepted by the state government after calling public objections and suggestions.

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