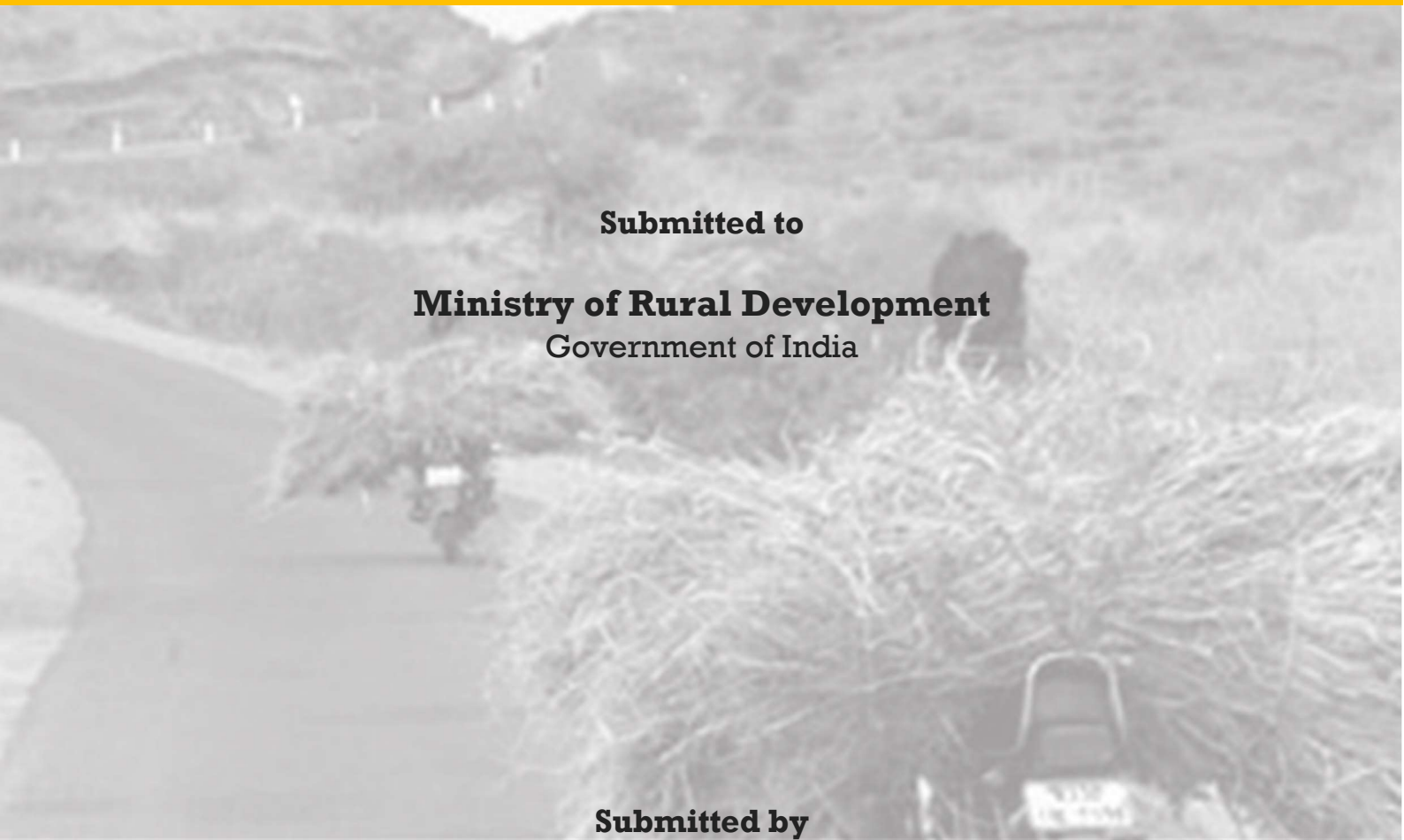




**Framing Guidelines for Model Land Uses,
Development Controls, and Service Level
Benchmarks with Appropriate Enforcement
Mechanisms for Rurban Clusters**



Submitted to

Ministry of Rural Development
Government of India

Submitted by



**School of Planning
and Architecture**
New Delhi

योजना तथा
वास्तुशास्त्र विद्यालय
नई दिल्ली

An "Institution of National Importance" under an Act of Parliament
Ministry of Human Resource Development
Government of India

New Delhi

7 March 2019

RESEARCH TEAM

Prof. Ashok Kumar, Ph.D.

Project Coordinator and Professor of Physical Planning
School of Planning and Architecture, 4 Block B, Indraprastha Estate, New Delhi – 110002

a.kumar@spa.ac.in

Mobile: 9968076056

Prof. Rabidyuti Biswas, Ph.D.

Member and Professor of Physical Planning
School of Planning and Architecture, 4 Block B, Indraprastha Estate, New Delhi – 110002

rabidyuti@gmail.com

Mobile: 9868731874

Prof. P.S.N. Rao, Ph.D.

Member and Director
School of Planning and Architecture, 4 Block B, Indraprastha Estate, New Delhi – 110002

drpsnrao@hotmail.com

Mobile: 9891137388

Ms. Aditi Singh

Consultant
School of Planning and Architecture, 4 Block B, Indraprastha Estate, New Delhi – 110002

aditichhawry@gmail.com

Mobile: 9643837653

Contents

RESEARCH TEAM.....	i
Contents.....	ii
Figures.....	v
ACKNOWLEDGEMENTS	vi
1. INTRODUCTION.....	1
2. LAND USE REGULATIONS AND MODEL LAND USES.....	2
2.1 URDPFI Guidelines, 2015.....	3
2.2 Draft RADPFI Guidelines, 2016	6
2.3 Bhuvan Land Use Classification, 2011	8
2.4 Recommended Land Uses for Rurban Clusters	9
3. DEVELOPMENT CONTROL RULES AND REGULATIONS FOR RURBAN CLUSTERS	11
3.1 Guidelines for Reserving Land for Public Purposes at Cluster Level.....	12
3.2 Guidelines for Reserving Land for Public Purposes at Village Level.....	13
3.3 Road Hierarchy	14
3.4 Building Development Guidelines	14
4. SERVICE LEVEL BENCHMARKS	16
4.1 A Review of Norms, Standards and Service Level Benchmarks	17
4.2 Proposed Benchmarks for Rurban Clusters.....	20
5. ENFORCEMENT MECHANISMS: ORGANIZATIONAL STRUCTURES AND PLANNING PROCESSES	22
5.1 Seventy Third and Seventy Fourth Amendments to the Constitutional, 1992	22
5.1.1 Organizational Framework under the Seventy Third and Seventy Fourth Amendment Acts.....	24
5.2 Fifth Schedule and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.....	25
5.3 Sixth Schedule Provisions.....	26
5.4 State Level Acts and Policies	27
5.4.1 Panchayati Raj Acts	27
5.4.2 Town Planning Acts.....	32
5.4.3 District Planning Committees.....	37

5.5	Gram Panchayat Spatial Development Plan (GPSDP)	42
6.	PROPOSED ORGANIZATIONAL ARRANGEMENTS FOR PLAN MAKING, IMPLEMENTATION AND ENFORCEMENT.....	45
6.1	Spatial Plan Making Process for Rurban Clusters	47
6.2	Land Procurement for Public Purposes	49
6.3	Funding for Cluster Spatial Development Plans	50
7.	CONCLUSIONS	50
	REFERENCES	51

List of Table

Table 1: Hierarchy of Development Plans in the URDPFI Guidelines, 2015	4
Table 2: Specific Investment Plans with some relevance for Rural Development, 2015	5
Table 3: Regional Land Uses 2015	5
Table 4: Rural Land Uses in RADPFI Guidelines, 2016	6
Table 5: Land Use Classification by ISRO, 2014	9
Table 6: Proposed Model Rural Land Uses for Rurban Clusters	10
Table 7: Key Definitions for a Draft Cluster Spatial Plan	11
Table 8: Space Norms for Reservation of Public Land for Amenities at Cluster Level	12
Table 9: Space Requirements for Reservation of Land for Amenities at Village Level	13
Table 10: Road Hierarchy and Relative Functions	14
Table 11: Development Control based on Right of Way of Roads	15
Table 12: Parking Norms Based on Land Use Categories	15
Table 13: Development Controls based on Use Categories	16
Table 14: Norms and Standards in various Government Schemes and Policies ...	18
Table 15: Developing Understanding for Framing Benchmarks	18
Table 16: Proposed Benchmarks for Rurban Clusters for Social Infrastructure and Economic	19
Table 17: Proposed Service Level Benchmarks (SLB) for Rurban Clusters for Physical	20
Table 18: Proposed Service Level Benchmarks (SLB) for Rurban Clusters for Transportation	21
Table 19: Panchayati Raj Acts and Rules in States, 2019	27
Table 20: Town Planning Acts in Selected States	32
Table 21: District Planning Committees in Selected States	37
Table 22: Gram Panchayat Spatial Plans and their Contents	42

Figures

Fig. 1: Land Use and Land Cover in Delhi, 2011	8
Fig. 2: Organizational Structure and Development Plan Preparation, 2019	27
Fig. 3: Planning Process of District Planning Committee	41
Fig. 4: Contents of the Gram Panchayat Spatial Development Plan (GPSDP)	44
Fig. 5: Recommended Organizational Structure for ICAP and CSDP Preparation and Implementation	46
Fig. 6: Composition of the Cluster Planning and Development Committee	46
Fig. 7: Recommended organizational structure for ICAP preparation and implementation	47
Fig. 8: Contents of an Cluster Spatial Development Plan.....	49

ACKNOWLEDGEMENTS

This report is an edited and consolidated version of the two reports prepared separately by the School of Planning and Architecture, New Delhi and the CEPT University, Ahmedabad for the Ministry of Rural Development, Government of India. Both SPA New Delhi and the CEPT University, Ahmedabad would like to thank the Ministry of Rural Development for offering us an opportunity to contribute to the flagship programme, the Rurban Mission, by completing these two projects. SPA New Delhi would particularly like to thank the officers, in particular Mr. Rohit Kumar, IAS, Joint Secretary (PP&M) in the Ministry for offering us the opportunity to prepare this consolidated report. SPA New Delhi would also like to thank the CEPT University for sharing their report with us, which greatly contributed to this consolidated report.

In addition to the Ministry of Rural Development, several other persons need to be acknowledged for their contribution to this work. First, we would like to thank the administration of SPA New Delhi for providing conducive work environment for the completion of this project. In particular, we would like to thank the Head of the Department of Physical Planning, Dean (Academics), and Dean (Research) of SPA, New Delhi. Without the full support of Professor P.S.N. Rao, Director, this work could not have been completed in time.

Thanks are also due to the earlier coordinators Prof. N. Sridharan and Prof. Meenakshi Dhote for holding the fort for a long time. Last but not least, we would like to thank Ms. Aditi Singh, Consultant, for her contributions for the completion of this project.

Prof. Ashok Kumar
Prof. Rabidyuti. Biswas
Prof. P.S.N. Rao

7 March 2019
New Delhi, India

1. INTRODUCTION

In spite of the prevailing dominance of the urban orthodoxy in public policy, even today a vast majority of the Indians live in rural areas. According to the Census of India, nearly 70 per cent population of India still lives in rural areas. Clearly the Ministry of Rural Development is aware of this fact and continuously makes policy efforts for planning and development of rural areas. For example, apart from the flagship policy of the Shyama Prasad Mukherji Rurban Mission (SPMRM), which was launched in 2016, the Ministry of Rural Development has been continuously formulating and implementing various policies like Sansad Adarsh Gram Yojana, 2014 and the National Rural Employment Guarantee Act, 2005 for promoting rural development. However, it is for the first time that a major policy initiative - the Shyama Prasad Mukherji Rurban Mission - with appropriate financial support has been undertaken by the Ministry of Rural Development, which further shows keenness of government to plan and develop rural areas.

For effective planning and development of rural areas, efficient use of rural land and investment for various activities like housing, physical and social infrastructure, transportation, etc. has to be made. This warrants that natural resources particularly rural land is used in an efficient and equitable manner. For the promotion of integrated and inclusive rural development, spatial planning becomes imperative. While for urban areas development controls and other norms and standards have existed for several decades in India, for rural areas development norms and benchmarks are largely non-existent. State governments even do not have organizational appropriate machinery for preparing and implementing integrated development plans in rural areas (Ministry of Rural Development, 2016).

One of the important reasons for not being able to devise organizational arrangements for the preparation and implementation of rural development plans and formulation of development controls, and benchmarks for rural areas is the manner in which 73rd and 74th amendments to the Constitution of India are implemented throughout the country. Although the constitutional amendments provided for the preparation and implementation of various kinds of development plans such as village development plan, block development plan, and district development plan, state governments – when legislating local government acts – did not spatialise these plans with the exception of the state of Kerala (Chettiparamb, 2007; also see Mathew, 1995). Similarly the constitutional amendments provided for elected bodies like village panchayats, block samities and zilla parishads, which have historically acted as development agencies rather than planning agencies for rural areas. As far as village panchayats, block samities and zilla parishads are concerned they have been preparing and implementing development plans, which are sectoral in nature. The plans being prepared and implemented by the existing organizational set up are social and economic plans and not spatial plans. This means that these plans are not integrated plans.

On the other hand, even the National Policy for Farmers (2007) has recommended revival of the existing Land Use Boards and their linkages to district-level land use committees, so that they can provide quality and proactive advice to farmers on land use (Singh, 2017). In addition, these organizations have yet to focus on specific development controls, and benchmarks for rural areas.

In this context, the Shyama Prasad Mukherji Rurban Mission (SPMRM) – launched in 2016 by the Ministry of rural Development - becomes critically significant (Ministry of Rural Development, 2016). This present study is about framing guidelines for model land uses, development controls, and service level benchmarks along with appropriate enforcement mechanisms. This study thus becomes hugely important for planned and inclusive rural development in rural India. This study therefore involves a review of the existing policy guidelines and analysis of organizational arrangements apart from a study of development control norms, if any. After examining the existing situation, we would make recommendations about model land uses, development control norms and standards, service level benchmarks and appropriate enforcement mechanisms for rurban clusters. To start with we focus on model land uses and thereafter, service level benchmarks (SLB) for ‘rurban clusters’ from various sources are examined and proposed for the rurban clusters. Lastly we make proposals for effective organizational arrangements for the preparation and implementation of Integrated Cluster Action Plans (ICAPs) and master plans based on our analysis of the existing governing structures.

Two separate reports were submitted to the Ministry of Rural Development by the School of Planning and Architecture, New Delhi and the CEPT University, Ahmedabad, Gujarat on 23 October 2018. This present report is prepared after summarizing the main aspects of these two reports. Some aspects of both the reports have been left out for the purposes brevity and conciseness.

This study is divided into five sections in addition to this introduction and concluding remarks at the end. The second section includes an analysis of the existing policy literature and policies on model land uses. The third section includes an analysis of the existing situation of development control mechanisms before making recommendations. Similarly service level benchmarks for rurban clusters are discussed in the fourth section and recommendations are made. The fifth section contains a discussion and recommendations on plan making process and enforcement mechanisms before concluding remarks are made.

2. LAND USE REGULATIONS AND MODEL LAND USES

India has a recent but noticeable history of panchayati raj institutions (PRI). The Seventy Third and Seventy Fourth Amendments made to the Constitution of India in 1992 are illustrative of this point. However, these two amendments are not uniformly applied throughout the country. Some states are excluded from the provisions of these constitutional amendments as provided in the Sixth Schedule to the Constitution. The Sixth Schedule entities are autonomous regions governed by local communities such as Bodoland Territorial Autonomous District Council in Assam, and Ladakh Autonomous Hill Development Council in Jammu and

Kashmir, etc. The Fifth Schedule and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 covers 10 states and empowers the existing traditional institutions to continue governing.

Ministry of Rural Development, Ministry of Panchayati Raj, state governments covered under the Seventy Third and Seventy Fourth Amendments to the Constitution, and the regions covered under the Fifth and Sixth Schedule are clearly engaged in rural development. New policies are being framed by central government. For instance, the Ministry of Panchayati Raj, Government of India, has recently prepared the draft Rural Area Development Plan Formulation and Implementation Guidelines (RADPFI), 2016 covering various aspects of rural development including some rural land uses. Prior to this, the Ministry of Urban Development adopted Urban and Regional Development Plan Formulation and Implementation Guidelines (URDPFI) in 2015, a part of which is relevant for rural development. Less emphasis is placed on how these policies and statutes could be put together for the preparation and implementation of the flagship programme - SPMRM - for rural planning and development.

There are two sets of guidelines that could be examined for spatial planning in rural and peri-urban areas. These are Urban and Regional Development Plan Formulation and Implementation Guidelines (URDPFI) formulated by the Ministry of Urban Development, 2015 and the draft Rural Area Development Plan Formulation and Implementation Guidelines (RADPFI) formulated by the Ministry of Panchayati Raj. RADPFI Guidelines, 2016 attempt to present frameworks for the preparation of village level spatial plans. Apart from the above mentioned two sets of guidelines, we have also analysed land use and land cover classification provided by ISRO in the form of Bhuvan Maps.

2.1 URDPFI Guidelines, 2015

Urban and Regional Development Plan Formulation and Implementation Guidelines were formulated by the Ministry of Urban Development to provide a framework for development plan preparation and implementation processes. The URDPFI Guidelines address various forms of development plans and important aspects of planning processes including land use, regional development and sustainable habitats.

The URDPFI Guidelines recommend a planning framework, which considers various plans to be a part of an urban and regional planning system. The suggested planning system framework is based on a hierarchy, spatial extent, scale of planning, contents of a plan and specialty. Urban and regional planning system has been divided under two heads (a) Core Area Planning and (b) Specific and Investment Planning. Core Area Planning comprises of a set of four interdependent plans (i) a long term Perspective Plan with a vision and policy orientation (ii) a sustainability based long term Regional Plan and District Plan with optimal use of regional resources for development (iii) a comprehensive long term settlement plan called development plan for urban and peri-urban areas (iv) A short term rolling local area plan within the framework of a development plan. Specific and investment planning comprises a set of three

plans: (i) A rolling special purpose plan for special areas within the framework of a development plan (ii) Annual plans to translate physical and fiscal resource requirement of development and local area plans and (iii) Project or research to focus on items of execution (**see Table 1**).

The Shyama Prasad Mukherji Rurban Mission (SPMRM), with which this work is concerned, makes provision for the preparation and implementation of an Integrated Cluster Action Plan (ICAP) for planning and development of rural areas. In this line of thinking, the most appropriate question is: where does an Integrated Cluster Action Plan (ICAP) fit in the URDPFI framework? It appears that the ICAP is much closer to the second head - Specific and Investment Planning - as it requires preparation of special purpose plan for special areas under a special scheme. If any spatial plan is developed for a cluster, it can also be considered as a core area plan with a short term Local Area Plan. However, the Guidelines have an urban character and barely make explicit recommendations for rural areas or peri-urban areas.

According to the URDPFI Guidelines, small towns can be referred to as 'transitional towns' as mentioned in the 74th CAA where a Nagar Panchayat (as a municipality) is to be formed for an area in transition from a rural area to an urban area. These areas could include block headquarters, rural settlements with large population size implying that a cluster should be able to function efficiently like an urban area. Rurban Mission aims to provide infrastructure in such areas, which are envisioned to act as growth nodes in a region.

Table 1: Hierarchy of Development Plans in the URDPFI Guidelines, 2015

Development Plan	Scope of the Development Plan	Provisions for Rural Development
Perspective Plan	To develop a vision for a region and provide policy framework for further urban and regional development.	<ul style="list-style-type: none"> • Can draw on this plan to prepare a district development plan and lower level plans including a village development plan.
Regional Plan	To identify the region and regional resources for development within which settlement (urban and rural) plans could be prepared and regulated by the District Planning Committee.	<ul style="list-style-type: none"> • Planning for peri-urban areas • Plans prepared by village bodies to be compiled and made part of a development plan of a region. • State governments can provide technical support and planning powers to village panchayats.
Development Plan	To prepare a comprehensive development plan for urban areas, peri-urban areas by a development authority or Metropolitan Planning Committee.	<ul style="list-style-type: none"> • Applicable to peri-urban areas under the control of planning bodies • Particularly relevant for cities expanding outwards, converting agriculture land into urban uses.
Local Area Plan	To detail out sub-city land use plan and integration with urban infrastructure, mobility and services.	<ul style="list-style-type: none"> • Local area is used to refer to sub-city level development plan. • However, it is unclear whether LAP can be construed as a reference to rural areas.

Source: Adapted from the Ministry of Urban Development (2015).

Besides spatial development plans mentioned in **Table 1**, there are also specific investment plans as shown in **Table 2**.

Table 2: Specific Investment Plans with some relevance for Rural Development, 2015

Development Plan	Scope of the Plan	Provisions for Rural Development
Special Purpose Plan	Prepared for specific development sectors depending on its economic and environmental importance.	As Specific Purpose Plans are drawn upon the objectives of programme under which it is prepared, rural programme plans can be prepared and mandated as ICAPs.
Annual Plan	A sub-plan prepared within the framework of an approved development plan by a local authority.	No specific guidelines are provided.
Project or Research	Prepared to focus on project related requirements.	No specific guidelines are provided.

Source: Adapted from the Ministry of Urban Development (2015).

Understandably, the URDPFI Guidelines provide few spatial guidelines for rural development as these Guidelines are focussed on urban and regional planning guidelines. But there are enough indications to work around the URDPFI Guidelines to develop a hierarchy of development plans for rural areas including rural clusters. The URDPFI Guidelines go on to specify regional land uses, some of which are useful for carrying out rural development at a cluster level as envisaged under the SPMRM (also see **Table 3** particularly text in bold).

Table 3: Regional Land Uses 2015

Level I			Level II		
N	A-N	Use Zone	N	A-N	Use Zone
1.	U	Urbanisable Zone	11	U-1	Existing Zone
			12	U-2	New Area Zone
			13	U-3	Potential for Urban Development Zones
2.	I	Industrial Zone			
3.	T	Transport and Communication Zone	31	T-1	Roads and BRTS
			32	T-2	Railways and MRTS
			33	T-3	Airport
			34	T-4	Seaports, Dockyards and Dry ports
			35	T-5	Bus Depots, Truck Terminals and freight complexes
			36	T-6	Transmission and Communication
4.	PA	Primary Activity Zone	41	PA-1	Agriculture
			42	PA-2	Poultry and Dairy Farming
			43	PA-3	Rural Settlements
			44	PA-4	Brick Kiln and Extractive Areas
5.	O	Open Area Zone	51	O-1	Recreation area
			52	O-2	Green buffer zone
6.	E	Protective and Eco-sensitive Zone	61	E-1	Water bodies
			62	E-2	Special recreation

					zone/protective areas such as sanctuaries/reserve forests
			63	E-3	Forest Zone
			64	E-4	Coastal Zone
			65	E-5	Undevelopable Use Zone
7.	S	Special Area Zone	71	S-1	Heritage and Conservation Areas
			72	S-2	Scenic Value Areas and Tourism Zone
			73	S-3	Government Restricted Area such as Defence
			74	S-4	Other Uses and Spot Zone

Note: Bold text in the last column implies that it is relevant to making proposals for model land use for rural clusters. N = Numeric code; A-N = alpha-numeric code

Source: Adapted from the Ministry of Urban Development (2015).

The URDPFI Guidelines also provide a simplified classification of land uses, several of which are relevant for planning and development of rural clusters; for example, poultry and dairy farming and brick kilns and extractive areas (see Table 3).

2.2 Draft RADPFI Guidelines, 2016

In order to achieve inclusivity and high economic growth in rural areas, we need to have spatial development plans, which are purposive, dynamic, integrative and multi-dimensional in nature. However, there is no mention of spatial development plans for gram panchayats in the Eleventh Schedule of the Seventy Third Amendment to the Indian Constitution. If overall rural development is to be ensured, it is imperative that new thinking is deployed to create relevant village level spatial development plans. It is in this context that the draft RADPFI Guidelines was formulated by the Ministry of Panchayati Raj in 2016. However, these guidelines are yet to be finalized and adopted. These Guidelines envision setting up a framework for spatial planning of villages in order to ensure integrated rural development. The Guidelines focus on gram panchayat plan formulation, contents of Gram Panchayat Development Plan (GPDP), land use, norms and standards for rural infrastructure planning and other aspects of plan formulation. However, these land uses do not follow conventionally recognized system of land use classification. Land use of forestry is not recognized in RADPFI Guidelines. Further, the RADPFI propose the preparation of Gram Panchayat Spatial Development Plans. Draft guidelines suggest the gram panchayat boundary as a planning boundary for Gram Panchayat Spatial Development Plans, which is akin to revenue boundary of a village. The RADPFI Guidelines also make some specific provisions for rural land uses. These Guidelines cover various land uses including built-up areas and non-built-up areas (see **Table 4** for details).

Table 4: Rural Land Uses in RADPFI Guidelines, 2016

Aspect	Use Category	Activities Permitted
Built up Area	Residential	Residences
	Commercial or Economic	Retail shopping
	Commercial or Economic	Informal shop
	Commercial or Economic	Daily market, weekly market, informal market,

	Industry	regulated and specialised markets
		Godowns, storage grounds
		Service and light industry (MSMEs), household industries, agro-based industries, khadi industries, cottage industries, industry dependent on indigenous raw materials and, art and craft
	Industry	SEZs and big industries
	Educational	School
	Educational Health	Anganwadis
		Training centres
		College
		Skill development institute or organisation
		Sub-centre, PHC, CHC
	Health Utilities and Services	Dispensary
		Private clinics
		Veterinary hospitals and clinics
		Hospitals
		Bank
	Utilities and Services Special Area	ATMs
		Credit Society
		Police Thana
		Cremation ground, burial ground and crematorium
		Community hall
		Dharamshala
		Public toilet
		Social Welfare Centre
		Temple
	Special Area Recreational	Heritage area
		Scenic value area
		Government restricted areas
		Playground
	Recreational Transportation and Communication	Garden
		Chaupal
		Public open space
		NH, SH, MDR, ODR, and VR
	Transportation and Communication Area under non- agricultural use	Village access roads
		Railways
		Bypass
		Bus stand, railway station, and integrated customs
		--
Non- built up area	Barren and Un- culturable use	--
	Permanent pasture and other grazing land	--
	Land under miscellaneous tree crops	Agricultural land, cultivable land or culturable land
	Culturable waste land	Agricultural land, cultivable land or culturable land
	Fallow land other than current fallows	Agricultural land, cultivable land or culturable land
	Current fallows	
	Net sown area	

Note: Bold text in the last column implies that it is relevant to making proposals for land use for rural clusters. Bold in the second column means new broad land use categories are introduced by the research team.

Source: Adapted from Ministry of Panchayat Raj (2016: 34).

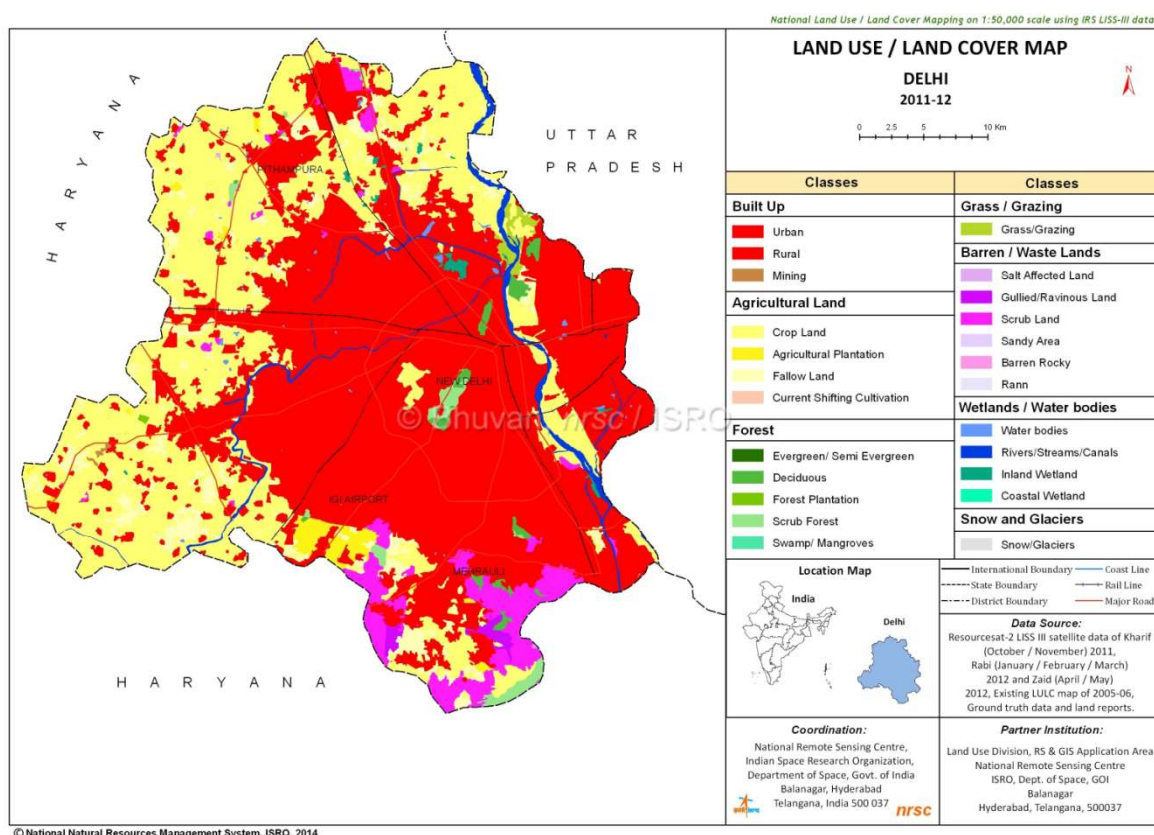
2.3 Bhuvan Land Use Classification, 2011

Bhuvan is a Geoportal of the Indian Space Research Organisation, which allows thematic map displays and analyses, and project specific GIS applications are developed using open source geospatial solutions. It employs database driven frameworks, which can be extended to any number of cities and regions. Land use and land cover are periodically monitored as part of the Natural Resources Census on an annual basis.

National Level Annual Land Use and Land Cover maps using multi-temporal data were generated at 1:250,000 scale including related statistics for the years 2004-05 to 2011-12. Data has been hosted on Bhuvan, a web portal. This data has been extensively used by various government organisations, NGOs and academia as input for their planning and research, particularly spatial modelling, environmental planning, watershed management, etc.

The first cycle of the nation-wide land use and land cover mapping on 1:50,000 scale was completed for the entire country in 2005-06 using Resourcesat (LISS-III) data and an atlas was prepared. The second cycle of mapping was initiated during 2011-12. National Remote Sensing Centre (NRSC) plans to map and depict areas with major changes between these two time periods (see Fig. 1).

Fig. 1: Land Use and Land Cover in Delhi, 2011



Source: National Natural Resource Management System, ISRO (2014).

Bhuvan web portal uses colour coding for different classes of land uses. Built-up class is rendered with red colour while agriculture land is designated with varying shades of yellow (see **Table 5**).

Table 5: Land Use Classification by ISRO, 2014














Class	Land Use	Colour Code
Built-up	Urban	
	Rural	
	Mining	
Agricultural Land	Crop Land	
	Agricultural Plantation	
	Fallow Land	
	Current Shifting Cultivation	
Forest	Evergreen and Semi-evergreen	
	Deciduous	
	Forest Plantation	
	Scrub Forest	
	Swamps and Mangroves	
Grass/Grazing	Grass and grazing	
Barren/Wastelands	Salt affected land	
	Gullied and ravenous land	
	Scrub land	
	Sandy area	
	Barren rocky	
	Rann	
Wetlands/Water Bodies	Water Bodies	
	River, streams and canals	
	Inland wetland	
	Coastal wetland	
Snow and Glaciers	Snow and glacier	



Bhuvan being an open source portal has an advantage that land use and land cover maps can be developed easily without support of any professionals. This is specifically useful in supplementing various plans with land use and land cover data for villages and clusters.

2.4 Recommended Land Uses for Rurban Clusters

Based on the previous analyses, we could make a number of recommendations in relation to model land uses for rurban clusters (see **Table 6**):

Table 6: Proposed Model Rural Land Uses for Rurban Clusters

Land Use Category	Proposed Permitted Activities	Colour Code
Residential	Predominantly residential may house a small shop, tiny industrial unit (non-hazardous), cattle and poultry shed, small storage for own agricultural produce, and home tuition space	
Commercial	Formal commercial activities: Retail shops, market complex, godowns, storage units; grain and vegetables mandi, slaughter house. Informal commercial activities: Weekly markets, haats and space for selling cattle	
Industrial	Medium, small and micro enterprises (MSMEs), household industries, agro-based industries, khadi and cottage industries, small SEZ, heavy industry	
Public and Semi-Public	Anganwadis, school, training institute, skill development centre, sub health centre, dispensaries, primary health centre, maternity centre, community health centre, hospital, private clinic, veterinary clinic and hospital, community hall, dharmashala, social welfare centre, bank and ATM, RO plant, cooperative and credit society, police post and station, cremation ground, burial ground, temple, mosque, church, and other religious institutions, government and private offices, panchayat ghar, chaupal, common village land, and government land	
Utilities	Water (W), wastewater (S), drainage (D), solid waste (SW), electricity (E)	
Transportation and Communications	National and state highway, district road, village road, cycle track, railway line, railway station, bus stand, freight complex, truck terminal, water ways, ferry ghat, transmission and communications	
Recreational	Park, playground and maidan or public open space	
Agriculture and Current Fallow	Agriculture, horticulture, sericulture, animal husbandry, poultry, dairy farm, fish farming area, aqua-culture, nursery, land used for growing animal fodder, <i>gaushala</i> , and land currently being used for non-agricultural activities (tube well shed, storage space, etc.) incidental to agriculture	
Fallow land	Cattle grazing	
Mining	Brick kiln and shallow mining, stone crushing	
Waste land	Cattle grazing	
Protected Forests	Wood and fodder for cattle by local population as per government guidelines, tourism, tracking	
Water Bodies	River, canal, lake, well, pond, backwater, lagoon, wetland, mangroves, marshy lands, salt pans	

Heritage zone (Development Zone)	Heritage and conservation areas; buildings and structures of architectural and historic importance as defined by statutory authorities	
Eco - sensitive zone (Development Zone)	Protected forests; water bodies; endangered species and their habitats as defined by statutory authorities	

Note: **Public:** It is provided by government; **Semi-Public:** It is provided by private sector; Both are meant for the public use at large. **Current Fallow:** Agriculture land that is not being used for cultivation for less than six months; **Fallow land:** Agriculture land that is not being used for cultivation for more than six months; **Waste land:** Barren land, pastures land, sand dune; **Protected Forests:** As declared by government under a statute or policy.

3. DEVELOPMENT CONTROL RULES AND REGULATIONS FOR RURBAN CLUSTERS

Development control regulations give shape and form to the built environment. So far no such provisions exist specifically for rural areas. This section aims to sketch an initial framework of development control regulations for rural areas. Before attempting development control rules and regulations for rurban clusters, we need to clearly define relevant terms.

The key definitions that are relevant for the preparation of a Draft Cluster Spatial Plan (DCSP) should be included in the contents of a plan. Examples of common key definitions are given below. This list may be changed, modified and updated as per requirements of each state (see **Table 7**).

Table 7: Key Definitions for a Draft Cluster Spatial Plan

S. No.	Terms	Definitions
1.	Cluster	A rurban cluster would be a cluster of geographically contiguous villages with a population of about 25,000 to 50,000 in plains and coastal areas, and with a population of 5,000 to 15,000 in desert, hilly or tribal areas. Clusters of villages would follow administrative convergence units of gram panchayats and shall be within a single block or tehsil for administrative convenience.
2.	Development	With all its variations and cognate expressions, development means the carrying out of any building, engineering, mining, or other operations in, on, over and under land or the making of any material changes in any building or land or in the case of use of any building or land and includes layout and sub-division of any land.
3.	Cluster Development Area	An area declared to be a cluster development area as per notification by a state government or by any other relevant authority.
4.	Draft Cluster Spatial Development Plan	A plan for the development or redevelopment or improvement of a cluster within a declared development area.
5.	Agriculture	Agriculture includes horticulture, farming, growing crops, fruits, etc., breeding and keeping of livestock, use of land for any purpose, which is ancillary to cultivation or to any other agriculture purposes.
6.	Amenity	It includes roads, streets, open spaces, parks, playgrounds, recreational grounds, water and electric supply, street lighting, sewerage, drainage, public works and other agriculture purposes.
7.	Appropriate Authority	In relation to development area, it means an area development authority or an urban development authority, as the case may be.
8.	Authorized Officer	An officer appointed by a state government.

9.	District	A district constituted from time to time under the Land Revenue Code or any other relevant state act in force in a state.
10.	District Development Officer	Such officer as a state government may appoint to be the district development officer for the purposes of this act or officer of a similar rank.
11.	District Panchayat	A district panchayat (zilla panchayat) as per the relevant state panchayati raj act.
12.	Land	This includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth.
13.	Land Revenue Act	A prescribed act under the rules enacted by a state government.
14.	Village Panchayat	A village panchayat, taluka or block panchayat, or district panchayat as constituted under a state panchayati raj act.
15.	Regulations	Regulations made by a block samiti would include development regulations and any other regulations made as a part of a cluster development plan.
16.	Revenue Village	Revenue village is a small administrative unit with defined borders. One revenue village may contain many hamlets.
17.	Sarpanch	An elected head of a village panchayat may be called a Sarpanch.
18.	Taluka	Taluka means a taluka as constituted from time to time under a relevant state act.
19.	Taluka Development Officer	Taluka panchayat means a panchayat constituted from time to time under a panchayati raj act.
20.	Tax	Tax, cess, or rate imposed under an act of a state government, which does not include a fee.

3.1 Guidelines for Reserving Land for Public Purposes at Cluster Level

Guidelines for reserving land for public purposes at a cluster level related to reservation of public land for amenities shall be considered as mentioned in **Table 8**. These guidelines also recommend that available government land should be reserved for public purposes and earmarked for amenities as per **Table 8**. These guidelines are derived from appropriate national level guidelines such as URDPFI, CPHEEO, etc., and national schemes such as PMKVY, PMGSY, SBM, NCMP, NHM, etc. These guidelines are based on population and are suggestive in nature, and hence open to modifications. Appropriate modifications in these guidelines could be made by the proposed Cluster Development Authority or Committee based on the circumstances on ground, and cluster or village level requirements.

Table 8: Space Norms for Reservation of Public Land for Amenities at Cluster Level

S. No.	Amenities at Cluster Level	Population Range	Area Requirements	Related Road Widths
1.	Skill Development Center	2,000 for hilly areas, 5,000 for plain areas	Minimum 500 sq m	For hilly areas ≥ 6 m; For plain area ≥ 9 m
2.	Agriculture Services and Processing Center	One for 10,000	Minimum 500 sq m, Ground Coverage 60 per cent	For hilly areas ≥ 6 m For plain area ≥ 9 m

3.	Warehouses for Cold and Dry Storage	One for 10,000	Minimum 1,000 sq m Ground Coverage 60 per cent	For hilly areas ≥ 6 m For plain area ≥ 9 m
4.	Higher Secondary School	One for 7,500 people	Area per school is 1.80 ha; Maximum ground coverage 50 per cent	For hilly areas ≥ 6 m For plain area ≥ 9 m
5.	Primary Health Centre	One for 20,000 in hilly areas and 30,000 in plain areas	0.20 - 0.30 ha	For hilly areas ≥ 6 m For plain area ≥ 9 m
6.	Decentralized Wastewater Treatment System	5,000	500 sq m	For hilly areas ≥ 6 m For plain area ≥ 9 m
7.	Decentralised Solid Waste Processing Site	5,000	500 sq m	For hilly areas ≥ 6 m For plain area ≥ 9 m
8.	Vermi-Composting Plant	For 5,000	500 sq m	Minimum 6 m
9.	Water Treatment Plan (RO Plant)	For 5,000	500 sq m	Minimum 6 m
10.	Common Service Center	For 5,000	500 sq m	Minimum 6 m

Note: The space norms provided are indicative and can be applied as per the suitability and decisions taken by a local plan preparing agency.

3.2 Guidelines for Reserving Land for Public Purposes at Village Level

Guidelines related to reservation of public land for amenities at village level shall be as mentioned in **Table 9**. The guidelines also recommends that the available government land should be reserved for public purpose, and earmarked for amenities as per below given table. These guidelines are derived from appropriate national level guidelines such as URDPFI, CPHEEO, etc. as well as norms stipulated in the flagship programmes and policies including the Pradhan Mantri Kaushal Vikas Yojana, Pradhan Mantri Gram Sadak Yojana, Swachh Bharat Mission-Gramin. These guidelines are based on population and are suggestive in nature, and hence open to modifications. Appropriate modifications in the guidelines can be undertaken by the Cluster Development Authority or Committee based on circumstances prevalent on ground.

Table 9: Space Requirements for Reservation of Land for Amenities at Village Level

S. No.	Amenities at Village Level	Population Range	Area Requirements in sq m	Related Road widths
1.	Skill Development Center	1,000 - 5,000	300 - 500	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m
2.	Agriculture Services and Processing Center	1,000 - 5,000	300 - 500	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m
3.	Warehouses for Cold and Dry Storage	1,000 – 5,000	300 - 500	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m
4.	Primary School	One for 2,500	800	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m

5.	Secondary School	One for 5,000	4,000	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m
6.	Health Sub – Center	3,000-5,000	800 – 1,200	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m
7.	LPG Distribution Center	2,500	100	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m
8.	Common Service Center	1,000	100	Hilly areas is ≥ 4 m and for plain areas it is ≥ 6 m

Note: The space norms provided are indicative and can be applied as per the suitability and decisions taken by a local plan preparing agency.

3.3 Road Hierarchy

Road network shall be provided with proper road hierarchy, and as per standard right of way of roads. Authorities should comply with norms stipulated by the Indian Road Congress (see **Table 10**).

Table 10: Road Hierarchy and Relative Functions

S. No.	Road Type	Road Description	Road Widths	Functions and Remarks
1.	R 1	Internal Village Road	3 m – 4.5 m	Village lanes meant for internal movement within a village.
2.	R 2	Village Road	Above 4.5 m – up to 6.0 m	These roads facilitate inter-village connections.
3.	R 3	Collector Street	Above 6.0 m up to 9.0m	Roads meant to take major traffic to village. Village roads with a drain on both sides to facilitate drainage system in a village
4.	R 4	Other Village Road	Above 9.0 m up to 12.0 m	Roads meant for connecting a village to nearby areas, connecting villages or cluster of villages with each other to the nearest road of a higher category. They also connects to major village activity nodes such as market place, lake, social amenities, etc.
5.	R 5	Other District Road	12.0 m above	Roads serving rural areas and providing them with outlets to market centers, taluka headquarters, block headquarters or major district roads, and serves to connect villages with a population of 1,000 and above or a cluster of villages.

3.4 Building Development Guidelines

Building development guidelines provide guidelines related to buildings in a rural settlement area and settlement extension area or buffer area. These guidelines are based on road widths so as to avoid congestion and to ensure sufficient spaces for provision of infrastructure. In these areas, development shall be regulated according to the width of roads on which development is located as per the details given in **Table 11**.

Table 11: Development Control based on Right of Way of Roads

Road Width in meter	Minimum Plot Size (sq m)	Uses Permissible	Front Setback in m	Side Setback in m	Rear Setback in m	Maximum Permissible Building Height and Maximum Ground Coverage
<9	<100	Residential and Commercial	A = 1.5 AE = 1.5	A = 1.0 AE = 1.0	A = 1.0 AE = 1.0	MPBH = 7 m GC = 60 % Others = 75 %
9-12	100	Residential, and Commercial	A = 1.5 AE = 3	A = 1.0 AE = 1.0	A = 1.5 AE = 1.5	MPBH = 10 GC = 60 % Others = 75 %
12-18	100	Residential, Commercial, public semi-public	A = 1.5 AE = 3	A = 1.0 AE = 2.25	A = 1.5 AE = 3.0	MPBH = 15 GC = 50 % Others = 60 %
18-24	100	Residential, Commercial, public semi-public, and Industrial	A = 3 AE = 3	A = 1.5 AE = 2.25	A = 2.25 AE = 3.0	MPBH = 15 GC = 50 % Others = 60 %
24-30	250	Residential, commercial public semi-public, and Industrial	A = 3 AE = 4.5	A = 1.5 AE = 2.25	A = 2.25 AE = 3.0	MPBH = 15 GI = 50 % Others = 50 %
>30	250	Residential, commercial, public semi-public, and Industrial	A = 4.5 AE = 4.5	A = 2.25 AE = 3.0	A = 3.0 AE = 3.0	MPBH = 15 GI = 50 % Others = 50 %

Note: A = Abadi; AE = Abadi Extension

Note: Commercial, and public semi-public uses are permitted to the maximum extent of 20 per cent of the plot area on a residential plot of 100 sq m or more.

Note: Animal crossing in the form of underpass to be provided if village animals will have to cross a road with a right of way of 18 metre or more.

Note: MPBH = Maximum permissible building height; GC = Ground Coverage for Commercial Use; GI = Ground Coverage for Industrial Use; O = Ground Coverage for Other Uses

Parking of vehicles is likely to become a critical issue in rural clusters as more people and households would own more private vehicles per person with rising economic development. Thus another important aspect of planning for rural clusters is parking norms based on land use categories as shown in **Table 12**.

Table 12: Parking Norms Based on Land Use Categories

Land Use Category	Parking Norms
Residential	1 ECS for 100 sq m of built space
Commercial	2 ECS for 100 sq m of built space

Public Semi-Public	2 ECS for 100 sq m of built space
Mandi and Godowns	2 ECS for 100 sq m of plot area
Industry	2 ECS for 100 sq m of built space
Bus Terminal	4 bus bays

Note: Each rural cluster will have one bus terminal on a minimum plot of 500 sq m. Each village will have one designated space as IPT stand with a minimum area of 100 sq m.

Source: Adapted from RADPFI Guidelines (2016: 39).

Special category areas or development zones need to be protected from unfettered economic activities. **Table 13** shows development controls based on use categories.

Table 13: Development Controls based on Use Categories

Land Use Category	Proposed Permitted Activities	Development Controls
Water Bodies	River, canal, lake, well, pond, backwater, lagoon, wetland, mangroves, marshy lands, salt pans	Government rules and regulations to be followed except in the case of wells and ponds within premises.
Heritage zone	Heritage and conservation areas; buildings and structures of architectural and historic importance as defined by statutory authorities	Government rules and regulations to be followed
Protective and Eco - sensitive zone	Forests and water bodies; and endangered species and habitats	Government rules and regulations to be followed

4. SERVICE LEVEL BENCHMARKS

Benchmarking is a process through which an organization measures its services and practices. Benchmarking is also a tool for determining whether the organization is performing particular functions and activities efficiently against an external standard. Benchmarking enables government agencies to enhance their performance relative to citizens' expectations. It also helps government to understand accurate and efficient means of performing an activity or its service delivery. The objective of benchmarking is to identify areas needing improvement to attain achievable goals as set forth in a development plan.

Benchmarking is an important mechanism for introducing accountability in service delivery. It also involves measuring and monitoring of service providers' performance on a systematic and sustained basis. Sustained benchmarking can help utilities to identify performance gaps and introduce improvements through sharing of information and best practices, ultimately resulting in better services to the people.

Norms and standards for infrastructure provision are listed in various national and state level policy documents, both statutory and non-statutory. These norms

which are largely prepared for urban areas and enforced by relevant statutory authorities but compliance in rural areas are virtually non-existent. In this context, a general benchmarking framework can be suggested for rural clusters for better implementation of ICAPs. There are **14 desirable components** enumerated in the Rural Mission, which we have further clubbed together into four categories. These are:

(a) Economic Support Systems

- Skill development and training
- Agro processing, agri-services

(b) Social Infrastructure

- Fully equipped mobile health units
- Schools and higher education facilities

(c) Physical Infrastructure

- Sanitation
- Piped water supply
- Solid and liquid waste management
- Streets and drains
- Street lights
- Inter-village road connectivity
- Public transport
- LPG gas connections

(d) Digital Infrastructure

- Digital literacy
- Citizen service centres

For proposed benchmarking, some aspects of infrastructure and support systems should be given priority. These aspects are subject to change and revision over the medium time period, say, five years.

4.1 A Review of Norms, Standards and Service Level Benchmarks

We have developed proposed benchmarks on the basis of analyses of the existing norms, standards, and benchmarks provided in the Handbook of Service Level Benchmarks prepared by the Ministry of Urban Development, URDPFI, RADPFI, Indian Road Congress (IRC) Code, Central Public Health and Environmental Engineering Organization's Manuals, National Building Code 2005, and various national schemes, etc. Specifically, the Handbook of Service Level Benchmarking prepared by the MoUD appears to be a good starting point for making proposals for physical infrastructure (water supply, sewerage, drainage and solid waste management) in rural clusters. Further, standards and

norms for physical infrastructure are provided by the Central Public Health and Environmental Engineering Organisation. Similarly, other government agencies have provided benchmarks for social infrastructure, digital infrastructure, and economic support systems (see **Table 14**).

Table 14: Norms and Standards in various Government Schemes and Policies

Category	Components in Rurban Mission	Norms and Standards from various sources
Economic Support Systems	Skill development and training linked to economic activities	Based on the ICAPs; National Policy on Skill Development and Entrepreneurship, 2015
	Agro Processing, Agri-Services	Based on the ICAPs
Physical Infrastructure	Sanitation	CPHEEO Manual on Sewerage and Sewage Treatment Systems; MoUD Handbook of Service level benchmarking
	Piped water supply	CPHEEO Manual on Water Supply and Treatment; CPHEEO Manual on Operation and Maintenance of Water Supply System; MoUD Handbook of Service level benchmarking
	Solid and liquid waste management	CPHEEO Manual on Municipal Solid Waste Management; CPHEEO Manual on Sewerage and Sewage Treatment Systems; MoUD Handbook of Service level benchmarking
	Village streets and drains	Based on the ICAPs
	Street lights	Based on the ICAPs
	Inter-village road connectivity	IRC 73: 1980; Pradhan Mantri Gram Sadak Yojna, 2000
	Public transport	JnNURM, 2005
	LPG gas connections	Pradhan Mantri Ujjwala Yojana, 2016
Social Infrastructure	Fully equipped mobile health unit	National Building Code, 2016
	Upgrading school and higher education facilities	National Building Code, 2016
Digital Infrastructure	Digital Literacy	National Fibre Optic Network, 2011; MGDISHA, 2015
	Citizen Service Centres	National Fibre Optic Network, 2011

Source: Compiled from various sources (2018).

By examining a number of government policies and schemes, an understanding for rurban was developed, which is explained in detail in **Table 15**.

Table 15: Developing Understanding for Framing Benchmarks

Category	Components in Rurban Mission	Norms and Standards
Infrastructure components related to Economic activities	Skill development and training linked to economic activities	Based on the ICAPs; National Policy on Skill Development and Entrepreneurship, 2015
	Agro Processing, Agri-Services	Based on the ICAPs

Basic Infrastructure	Sanitation	CPHEEO Manual on Sewerage and Sewage Treatment Systems; MoUD Handbook of Service level benchmarking
	Piped water supply	CPHEEO Manual on Water Supply and Treatment; CPHEEO Manual on Operation and Maintenance of Water Supply System; MoUD Handbook of Service level benchmarking
Basic Infrastructure	Solid and liquid waste management	CPHEEO Manual on Municipal Solid Waste Management CPHEEO Manual on Sewerage and Sewage Treatment Systems MoUD Handbook of Service level benchmarking
	Village streets and drains	Based on the ICAPs
	Street lights	Based on the ICAPs
	Inter-village road connectivity	IRC 73: 1980; Pradhan Mantri Gram Sadak Yojna, 2000
	Public transport	JnNURM, 2005
	LPG gas connections	Pradhan Mantri Ujjwala Yojana, 2016
Infrastructure components related to Social Infrastructure	Fully equipped mobile health unit	National Building Code, 2016
	Upgrading school/higher education facilities	National Building Code, 2016
Infrastructure components related to digital services	Digital Literacy	National Fibre Optic Network, 2011; E-DISHA, 2015
	Citizen Service Centres	National Fibre Optic Network, 2011

Proposed benchmarks are to be achieved within the time frame of the project period as mentioned in the ICAPs, which could range from three to five years as per government notification (see Table 16).

Table 16: Proposed Benchmarks for Rurban Clusters for Social Infrastructure and Economic Activities

Components	Facility	Applicable Standard	SLB (per cent)	Source (s)
Skills Development and Training	Number of people employed in gainful economic activities	Minimum one person per household	50	--
	Number of skilled members in a household	Minimum one person per household	50	--
Agro Processing, Agri-services	Distance to agri-processing services	At least one within 10 kilometre	100	Based on already prepared ICAPs
	Distance to market facilities like mandis and agro markets	At least One within 5 kilometre	100	Based on already prepared ICAPs
Health (Human)	Community Health Centre	1 for every 50,000 population	100	URDPFI Guidelines (2015); National Building Code (2016); National Rural Health
	Primary Health Centre (minimum 6 beds for observation)	1 for every 20,000 in hilly areas and 30,000 in plain areas	100	

	purposes)			Mission and Indian Public Health Standards (2012).
	Sub-centre	1 for every 5,000 in plain areas and 3,000 in hill areas	100	
	Dispensary	1 for every 5,000	100	
Health (Animal)	Veterinary Hospital	1 for every 50,000 persons	100	URDPFI Guidelines (2015); National Building Code (2016); Sarva Siksha Abhiyan (2002).
	Veterinary Clinic or Centre	1 for every 5,000 persons	100	
Education	Primary School	1 for every 2,500 and within 1 km distance from every habitation	100	
	Secondary School	1 for every 5,000	100	
	Higher Secondary School	1 for every 7,500	100	
Digital Literacy	Number of households with at least one digital literate	At least one person per household	100	National Fibre Optics Network, 2011; E-DISHA
	Number of people with digital know-how	At least 20 percent population	50	
	Internet connectivity through fibre optic cables	Each village is connected with fibre optic network	100	
Citizen Service Centre	Citizen service centres at the village level	1 for every 5,000 persons or 1 per village panchayat (Gram Sabha)	100	National Fibre Optics Network, 2011
LPG Gas Connections	Access to LPG connections at the household level	Each household should have access to LPG	100	Pradhan Mantri Ujjwala Yojana (2016)
	Access to LPG distributary services at village level	One LPG agency per 1,800 households	100	

4.2 Proposed Benchmarks for Rurban Clusters

Based on our understanding and analyses of norms and standards, service level benchmarks, guidelines as discussed above and foundational principles of planning, we have devised the following benchmarks for rural development generally and rurban clusters more specifically (see **Table 17**).

Table 17: Proposed Service Level Benchmarks (SLB) for Rurban Clusters for Physical Infrastructure

Components	Facility	Applicable Standard	SLB (per cent)	Source (s)
Sanitation Facilities	Individual household toilets	One in every household	100	SPMRM (2016)
	Provision of wastewater collection network	One in a rurban cluster	50	CPHEEO Manual on Sewerage and Sewage Treatment Systems; MOUD Handbook of Service Level

	Collection of wastewater	One in a rural cluster	50	Benchmarking (2010).
	Existence of wastewater treatment facility	One for 25,000 people in a rural cluster	50	
Piped Water Supply	Household water supply connections	One connection per household	100	MoUD Handbook of Service Level Benchmarking (2010); CPHEEO Manual on Water Supply and Treatment; Manual on operation and Maintenance of Water Supply System
	Per capita supply of water	70 Litres Per Capita Per Day	100	
	Duration of water supply	A minimum of two hours uninterrupted water supply every day	100	
	Quality of water supplied	pH value 6.5 – 8.5; E. Coli is nil; TDS less than 500.	100	IS 10500: 2012 (Bureau of Indian Standards, 2012).
Solid Waste Management	Household level coverage	Door to door collection	50	CPHEEO Manual on Municipal Solid Waste Management; MoUD Handbook of Service Level Benchmarking (2010).
	Efficiency of collection of solid waste	Coverage of all households	50	
	Extent of segregation	Bio-degradable and non-biodegradable	50	Solid Waste Management Rules, 2016
	Extent of scientific disposal	Landfill sites	50	MoUD Handbook of Service Level Benchmarking (2010).

Source: Compiled from various sources as mentioned in Table 8 (2018).

We have also proposed service level benchmarks for street-lights, inter-village road connectivity and intra-village road connectivity. We have further proposed service level benchmarks for public transport (buses owned by public and private sector), LPG gas connections, digital literacy, and citizen service centre (see **Table 18**).

Table 18: Proposed Service Level Benchmarks (SLB) for Rural Clusters for Transportation and Social Infrastructure

Components	Facility	Applicable Standard	SLB (per cent)	Source (s)
Street Lights	Coverage of village streets with lights with a pole height of 6-9 m and spacing between poles from 30 to 45 m	Single side mounting on streets <10m	100	Based on ICAPs
	Coverage of village streets with lights with a pole height of 15 m and spacing between poles 45 m to 50 m	Staggered mounting on streets <15m	100	

Village Streets and Drains	Coverage of village streets and drains	Drain channel on one side of a road with ROW less than 9 meter	100	IRC 073: 1980 Geometric design for rural roads
Inter-village Road Connectivity	Road connectivity between villages	All weather roads with ROW 9 meter for plain areas and 6 meter in hill areas	100	IRC 073: 1980 Geometric design for rural roads
Intra-village Road Connectivity	Road connectivity within a village	All weather roads with ROW 5 meter for plain areas and 3 meter in hill areas	100	
Public Transport (buses owned by public and private sector)	Connectivity between villages	At least minimum one bus or mini-bus plying between villages per route	100 (2 trips per day)	--
	Connectivity to block headquarters cluster office	At least minimum two buses plying from villages to block headquarters per route	100 (4 trips per day)	--
	Connectivity to nearest town from cluster	At least minimum four buses plying from block headquarter to nearest town per route	100 (8 trips per day)	--

Source: Compiled from various sources as mentioned in Table 8 (2018).

Proposed benchmarks are to be achieved within the time frame of the project period as mentioned in the ICAPs or proposed Cluster Spatial Development Plans (CSDPs), which could range from five to ten years as per state government notifications.

5. ENFORCEMENT MECHANISMS: ORGANIZATIONAL STRUCTURES AND PLANNING PROCESSES

Preparation and implementation of ICAPs and CSDPs is contingent on national and state level statutes, rules and regulations. This part of the report provides an overview of the existing national and state level statutory framework.

5.1 Seventy Third and Seventy Fourth Amendments to the Constitutional, 1992

The 73rd and 74th Constitutional Amendment Acts, 1993, gave Constitutional status to Panchayati Raj Institutions (PRIs) and Urban Local Bodies (ULBs) respectively in order to bring about greater decentralization and increase the involvement of local communities in planning and implementation of development schemes and thus increasing accountability and transparency in their functioning.

The issue of empowering PRIs by transferring the triple Fs (functions, funds and functionaries) to them has been at the center of discussion between central and states governments over the last 20 years. The erstwhile Planning Commission,

Ministry of Rural Development and Ministry of Panchayati Raj have repeatedly impressed upon the state governments about the need to transfer these three Fs in respect of 29 items listed in the Eleventh Schedule of the Constitution.

With increasing level of urbanization, the need for integrated planning is becoming ever more important. Articles 243ZD and 243ZE specify the creation of a District Planning Committee (DPC) in each district, and a Metropolitan Planning Committee (MPC) in every metropolitan area, defined as an area with at least ten lakh population of two or more municipalities or panchayats or other contiguous areas as specified by the Governor. The rationale for having these committees is to provide consistent and integrated planning for contiguous urban and rural areas. These committees should provide new dimensions to the roles of citizens and their elected representatives for the preparation of regional plans, and plans meant for infrastructure development. Participatory plans need to play important roles for deciding investment policies and project priorities. Article 243ZD of the 74th CAA, on the DPC reads as follows:

“Every District Planning Committee shall, in preparing the draft development plan,

(a) Have regard to:

(i) matters of common interest between the Panchayats and the Municipalities including spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation;”

The above provision is a radical statement as far as spatial planning of rural clusters is concerned. The idea of carrying out ‘integrated development of infrastructure and environmental conservation’ implies that specific local government boundaries could be ignored when planning for development in adjoining local government bodies, be these urban or rural local bodies. Furthermore, the word ‘spatial planning’ occurs before the term ‘integrated development’ which clarifies that integration here means integration as implied by rural and regional planners. So a review of the Seventy Third and Seventy Fourth Amendments to the Constitution of India, 1992, among other things, shows that:

- Spatial plans are to be prepared by district planning committees
- District planning committees are largely non-functional except in the state of Kerala
- Spatial plans are being prepared by zilla parishads, block samities and village panchayats.
- Village development plans provide useful data and identification of projects for making ICAPs and CSDPs.

DPCs and MPCs are similar in design, but serve different size of population and areas. DPCs have more rigorously defined jurisdictions consistent with India’s district based administrative structures. In contrast, MPCs are based on urban areas and its surrounding rural settlements, and therefore its boundaries are more amorphous over time. Hence, an MPC could theoretically cut across multiple districts. These committees formally recognize the emerging need of

institutional arrangements for planning at an appropriate spatial level, which could serve as a platform for coordination between local aspirations and common issues of development at district or metropolitan level.

Article 243ZD clearly talks about the preparation of District Development Plans that include spatial planning and sharing of resources for integrated development. While most states carried out amendments to their respective state acts in conformity with the 73rd and 74th Amendments, the implementation of these provisions was not uniform in all cases. Block level integration of rural and urban plans and preparation of spatial plans was not taken up. Ineffective functioning of DPCs remains one of the neglected areas of district level planning and development. An Expert Group for Planning at the Grassroots Level chaired by V. Ramachandran was set up in 2005 that laid out detailed guidelines for the district level planning process and the role of DPCs.

Mandate of the Ministry of Panchayat Raj on 13 April 2016 ensured the compliance of the provisions of Part IX of the Constitution for achieving the vision of the Ministry i.e. to attain decentralized and participatory local self-government through PRIs. Mandates are given for spatial planning of urbanizing panchayats. Applying spatial planning methodologies to rural areas, facilitating preparation of spatial planning and implementation guidelines, provision of technical assistance for operationalization, etc. are mandates under spatial planning. Monitoring transition of urbanizing panchayats and peri-urban areas into urban local governments, facilitation of spatial planning, assisting urbanizing and peri-urban panchayats to handle civic issues, etc. are mandates for urbanising panchayats.

The Ministry of Panchayat Raj has suggested preparation of village level master plans for land use planning in the suggested Roadmap 2011-17. Considering the haphazard growth of the rural areas, particularly in the vicinity of urban areas, they have provided suggestions to bring about changes in the Model Laws. States of Rajasthan and Goa have already taken initiatives in regard to spatial planning. As per the roadmap, the definition of local planning area under Section 37 (1) of the Model Law needs to be extended to include rural areas. MoPR has requested the Ministry of Urban Development to amend related sections including section 37 (1) of the Model Legislation to facilitate this initiative to be carried forward by the states.

5.1.1 Organizational Framework under the Seventy Third and Seventy Fourth Amendment Acts

The Seventy Third and Seventy Fourth amendments added two new parts to the Constitution of India. 73rd Amendment added Part IX titled 'The Panchayats' and 74th Amendment added Part IXA titled 'The Municipalities'. The Amendment Acts envisaged three types of institutions:

- Institutions directly and indirectly elected to serve at local level
 - Panchayats

- Village Panchayat
- Block Panchayat
- District Panchayat
- Municipalities
 - Nagar Panchayat
 - Municipal Council
 - Municipal Corporation
- Constitutionally mandated committees for planning and development at regional level including rural areas:
 - District Planning Committee
 - Metropolitan Planning Committee
- Institution for financial management at state level
 - State Finance Commission

We must also note that major decisions impacting a village must be ratified by the Gram Sabha, a body of persons eligible for voting in order to elect members of a panchayat. Similar provisos exist in areas covered under the PESA Act, 1996.

The 73rd Constitutional Amendment Act, 1993 mandates to create a uniform three-tier structure of PRIs, provides transfer of responsibilities and tax powers from state governments to the gram panchayats. Three-tier structure comprises of gram panchayat at base level, an intermediate body at block level and district panchayat at district level. However exception i.e. not to have three tier system was made for states with population below 20 lakhs. Panchayats are also required to prepare plans for economic development and infrastructure development in respect of subjects as devolved by law at various levels of panchayats including the subjects as listed in the Eleventh Schedule (Article 243G).

The 74th Amendment provides for a District Planning Committee to consolidate the plans prepared by panchayats and municipalities and prepare a draft development plan for the district as a whole. It has been left to the discretion of the state legislatures to make provisions for the composition of the district planning committees.

5.2 Fifth Schedule and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996

The Fifth Schedule under Article 244 (1) of the Constitution of India essentially provides a historic guarantee to tribal people in the country and is essential to the legal framework in the tribal areas. The Schedule deals with the administration and control of specified areas termed as Scheduled Areas and the tribes living in these areas. Most importantly, the tribal people have the right under this

Schedule that they cannot be alienated from their lands through land transfer regulations. No land or immovable property in these areas can be transferred by way of sale or lease to persons other than the tribal. At present, Scheduled Areas have been declared in the States of Andhra Pradesh (including Telangana), Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Rajasthan.

Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 extends panchayats to tribal areas of ten states with certain modifications as provided under Article 243M (4) (b) of the Constitution. This legislation has not only extended development, planning and audit functions to the gram sabha in the Fifth Schedule Areas but has also endowed it with the management and control of natural resources and adjudication of justice in accordance with traditions and customs. The gram sabha was recognized as being competent to act on a range of powers, including the power to prepare and implement local plans, and manage resources for such plans including tribal sub-plans. PESA Act provides the right to gram sabhas to be consulted before land acquisition. However, more stringent provisions exist in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Gram sabhas and panchayats under the PESA Act have been vested with greater powers, which include approval of plans, programmes and projects for social and economic development, mandatory consultation before acquisition of land in the schedule areas for the development projects and before resettling or rehabilitating persons affected by such projects, mandatory recommendations prior to grant of prospecting licence or mining lease and grant of concessions for exploitation of minor minerals in scheduled areas. Panchayats and gram sabhas, in the scheduled areas have been endowed with such powers and authority as may be necessary to enable them to function as institutions of self-government. In short, PESA Act mainly aims to protect tribal population from exploitation by making gram sabhas and gram panchayat centers of self-governance and has laid special emphasis on empowering gram sabhas, which have not been conferred with any other act in a state.

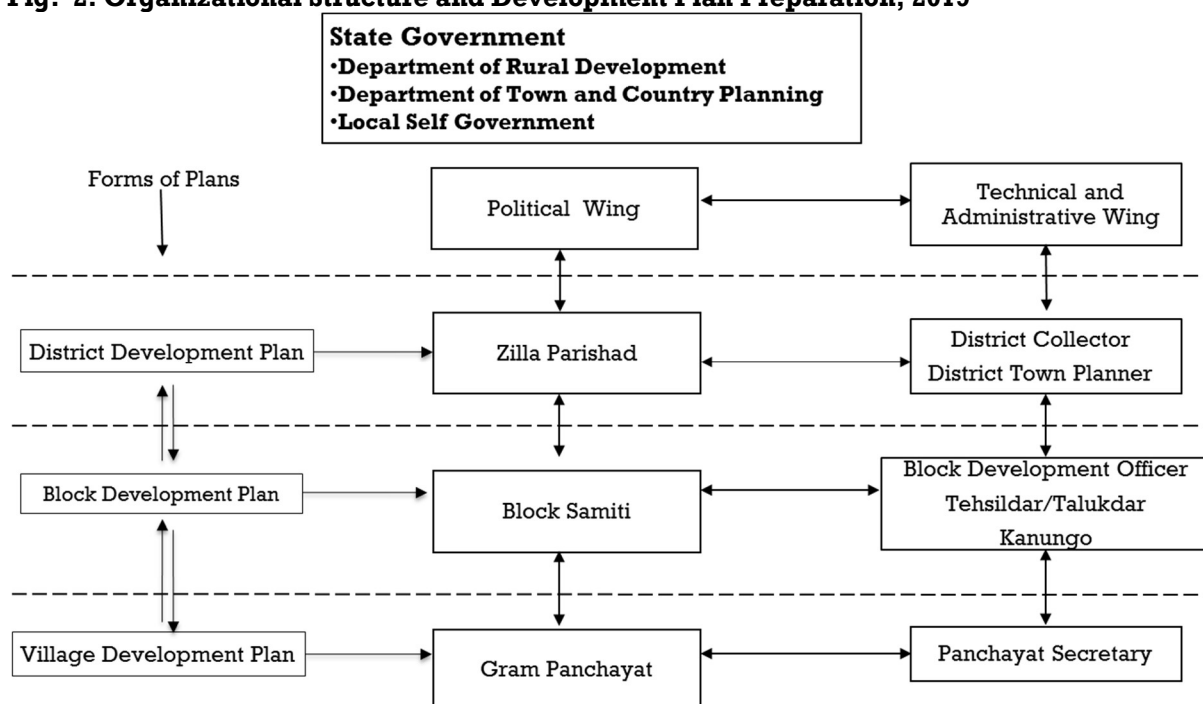
5.3 Sixth Schedule Provisions

Tribal areas generally mean areas having preponderance of tribal population. However, the Constitution of India refers tribal areas within the states of Assam, Meghalaya, Tripura and Mizoram as those areas specified in Parts I, II, IIA and III of the table appended to paragraph 20 of the Sixth Schedule. In other words, areas where provisions of the Sixth Schedule are applicable are known as tribal areas. These areas are governed by the autonomous councils.

It is in this national context that we find that generally speaking rural development plans at all the three geographical levels are being prepared as socio-economic plans and not as spatial plans. However, we regard rural cluster level spatial planning as a continuous and dynamic process and planning work spans from data and information collection, analysis of data and information, preparation of alternative scenarios, selection of a scenario, plan implementation,

plan monitoring and to plan review. Enforcement of planning policies, development controls, norms and service level benchmarks completes the planning process. However, for efficient plan formulation, implementation, monitoring and review, an effective organizational set up is required. Before we propose effective organizational framework for preparation and implementation of ICAPs and CSDPs, it is important to examine the existing statutory structures as shown in **Fig. 2**.

Fig. 2: Organizational Structure and Development Plan Preparation, 2019



Ineffectiveness of the existing system is made visible by the fact that except in Kerala, in remaining seven states analysed by SPA New Delhi, plan making in rural areas is not taken seriously. Jharkhand could be placed at the lowest level in this group of eight states. The next section provides a brief overview of rural planning system and governance in the selected eight states.

5.4 State Level Acts and Policies

A review of the selected state level acts and policies having a bearing on rural planning and development are discussed in this part of the report.

5.4.1 Panchayati Raj Acts

A summary of the state level acts and rules is provided in **Table 19** before discussing these in greater detail (for an overview of statutes see **Table 19**).

Table 19: Panchayati Raj Acts and Rules in States, 2019

States	Name of the Statutes
Haryana	The Haryana Panchayati Raj Act, 1994; Haryana Panchayati Raj Rules, 1995
Uttar Pradesh	U.P. Panchayat Raj Act, 1947; Uttar Pradesh [Kshetra Panchayats and Zilla Panchayats] Adhiniyam, 1961

Andhra Pradesh	The Andhra Pradesh Panchayat Raj Act, 1994; Andhra Pradesh Panchayats Extension to Scheduled Areas (PESA) Rules, 2011
Assam	The Assam Panchayat Raj Act, 1994; The Assam Panchayat (Constitution) Rules, 1995; The Assam Panchayat (Administrative) Rules, 2002; The Provisions of The Panchayats (Extension To The Scheduled Areas) Act, 1996
Jammu and Kashmir	Jammu and Kashmir Panchayati Raj Act, 1989; Panchayati Raj Rules, 1996
Jharkhand	The Jharkhand Panchayat Raj Act, 2001
Kerala	Kerala Panchayati Raj Act, 1994; The Kerala Panchayat Raj (Procedure for the making of Bye Laws) Rules, 1995; The Kerala Panchayat Raj (Constitution of working committees and Joint committees and procedure for the meeting) Rules, 1995
Tripura	The Tripura Panchayats Act, 1993; The Tripura Panchayats (Rules) 1996
Chhattisgarh	The Chhattisgarh Panchayat Raj Adhiniyam, 1993
Gujarat	The Gujarat Panchayats Act, 1961; Gujarat Panchayats Act, 1993
Madhya Pradesh	The M.P. Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993
Maharashtra	Maharashtra Village Panchayats Act, 1959
Odisha	The Orissa Panchayat Samiti Act 1960; The Orissa Gram Panchayat Act 1964; The Orissa Zilla Parishad Act 1991; PISA Act, 1996
Rajasthan	The Rajasthan Panchayati Raj Act, 1994
Tamil Nadu	The Tamil Nadu Panchayats Act, 1994
West Bengal	The West Bengal Panchayati Raj Act, 1973.

Now we move on to discuss statutes of each of the eight states in detail and reflect on the scope, strengths and limitations of these acts for rural clusters.

(a) Haryana

Pursuant to the 73rd Constitutional amendment in 1992, the Haryana Panchayati Raj Act, 1994 was framed which came into force with effect from 22 April 1994. Prior to that the Punjab Gram Panchayat Act, 1952 was applicable. Haryana Panchayati Rules, 1995 are followed as notified on 16 February 1995. The Haryana Panchayati Raj Act 1994 incorporated all essential features of the 73rd Constitutional Amendment Act. Several functions have been entrusted to the gram sabhas such as review of annual statement of accounts and the report on administrative activities, and development affairs of the panchayats like the location of schemes and other works, including consideration of the budget prepared by the gram panchayats and the execution of future development programmes and plans. Haryana Panchayat Raj Act states that District Planning Committees constituted under the Haryana Municipal Act, 1973, shall consolidate the plans prepared by the gram panchayats, panchayat samities and zilla parishads and also prepare a draft development plan for the district.¹ However, it is also noted that as a general function of the Panchayat Samiti to consider and consolidate annual plans of all Gram Panchayats in a block and submit the consolidated plans to the Zilla Parishad. The Zilla Parishad is further given powers to coordinate and consolidate development plans prepared in respect of Panchayat Samities.

¹ Section 214, The Haryana Panchayati Raj Act, 1994

(b) Uttar Pradesh

Uttar Pradesh Panchayat Raj Act was enacted in 1947 and amended in 1994 after 73rd Constitution Amendment Act came into force. Amendments were also made to the Uttar Pradesh Kshetra Samities and Zilla Parishads Adhiniyam 1961. Names of Panchayati Raj Institutions at village, intermediate (block) and district levels are changed from 'Gaon Panchayat' to 'Gram Panchayats', 'Kshetra Samiti' to 'Kshetra Panchayat' and 'Zilla Parishad' to 'Zilla Panchayat' respectively. Each of the tiers has its functions and duties. It is given under powers, duties, functions and administration of gram panchayats that a gram panchayat should prepare a development plan every year for the panchayat area and submit it to the Kshetra Panchayat concerned. Gram panchayat should also assist the state government and other agencies in land development, land reforms and also assist in land consolidation.

There is also a provision for a Bhumi Prabandhak Samiti (Land Management Committee) in the Act, where a gram panchayat would function as a Bhumi Prabandhak Samiti with the Pradhan as the Chairman of the Samiti.² Bhumi Prabandhak Samiti is charged with duties related to general management of land and maintenance and development of *abadi* areas.³

(c) Andhra Pradesh

Present pattern of panchayati raj institutions in Andhra Pradesh is functioning under the Andhra Pradesh Panchayati Raj Act, 1994, which was enacted on 21 April 1994. The Andhra Pradesh Panchayati Raj Act, 1994 has incorporated all the requirements of the 73rd Constitution Amendment Act. As per the Act, the three tiers of panchayati raj structure in the state were slightly modified from the act of 1986. The intermediate panchayats in the state is known as Mandal Parishad.

Control over local plans is given to gram panchayats. There is a Standing Committee for planning and finance to take care of subjects related to District Plan. State government of Andhra Pradesh is yet to amend its state subject laws related with land acquisition to comply with PESA provisions. Later on the state drafted the Model Rules for PESA and also notified the same in 2011.

(d) Assam

Assam Panchayat Act, 1994 extends to the whole of rural Assam except the autonomous districts under the Sixth Schedule of the Constitution of India. The Act established the current three tier system with Zilla Parishad, Anchalik Panchayat and Gaon Panchayat. Preparation of Annual Plans for the development of the Gaon Panchayat area is stated as one of the general functions of the Gaon Panchayat. Further, all three panchayat raj institutions in the state are expected to carry out land improvements. The Panchayat Act, 1994 not only provided for

² Section 28-A, The U.P. Panchayat Raj Act, 1947

³ Section 28-B, The U.P. Panchayat Raj Act, 1947

Gaon Sabha but also District Planning Committee for making development plans at the district level for rural and urban areas taken together.⁴

For the preparation of development plans it is provided that every Gaon Panchayat shall prepare every year a development plan and submit it to the Anchalik Panchayat as prescribed by Districts Planning Committee. Similarly, Every Anchalik Panchayat is to prepare a development plan for its area after including development plans prepared by Gaon Panchayats and submit it to the Zilla Parishad. The Zilla Parishad is to prepare a development plan of the district after including the development plans of the Anchalik Panchayat and submit it to the District Planning Committee.⁵

Since the Sixth Schedule has mentioned a separate administrative arrangement for the hill tribes of the Northeast, three autonomous District Councils are established in Assam namely, (a) Dima Hasao Autonomous Council (b) Karbi Anglong Autonomous council (c) Bodoland Territorial Areas District Council. These district councils have powers to make laws with respect to land and revenue and town and country planning.

(e) Jammu and Kashmir

Jammu and Kashmir Panchayat Raj Act was enacted in 1989. The Act of 1989 provides for a three tier panchayati raj system comprising of Halqa Panchayat, Block Development Council and District Planning and Development Board for the Village, Block and District respectively. Government has failed to implement 73rd Constitutional Amendment Act, 1993 unlike other states in the country. Government of Jammu and Kashmir has rejected implementation of the 73rd Amendment citing provisions of Article 370 (Jamtani, 2017). However, the State framed 'The Jammu and Kashmir Panchayat Rules, 1996 based on its own Panchayati Raj Act of 1989.

According to the Act, Halqa Panchayat is to make provision for the preparation and implementation of plans for development of the Halqa. Preparation of special development plans for various central and state government programmes is also entrusted to the Halqa Panchayat. Act also provides for strict control over any construction of buildings in a panchayat area. No construction or reconstruction of a house or building or any alteration is allowed within a panchayat area without the prior approval of the Halqa Panchayat.

Jammu and Kashmir has two autonomous administrative divisions, Ladakh Autonomous Hill Development Council, Leh (formed in 1995) and Ladakh Autonomous Hill Development Council, Kargil (formed in 2003). The Ladakh Autonomous Hill Development Councils Act, 1995 came into force in the middle of 1995. The council is deemed as the district planning and development board and is responsible for the implementation and review of development plan in the

⁴ Section 3 and 4, The Assam Panchayat Act, 1994

⁵ Section 126, The Assam Panchayat Act, 1994

council areas (Beek, 1999). Traditionally, the local self-governance system practiced in Ladakh is known as Goba system (Pirie, 2007). In some areas, the panchayat system and Goba system are practiced in parallel.

(f) Jharkhand

Following its constitution as a separate state, Jharkhand has enacted Jharkhand Panchayati Raj Act, 2001. This has been done in accordance with the provisions of the 73rd Amendment to the Constitution and that of the Panchayat Extension to the Scheduled Areas) Act, 1996. State Government of Jharkhand has not yet framed PESA Rules. There are 16 districts in Jharkhand, which are notified as the Fifth Schedule Areas.

Panchayati raj institutions at the district, block, and village level are known as the Zilla Panchayat, Panchayat Samiti, and the Gram Panchayat respectively.

(g) Kerala

Kerala panchayati raj system came into operation on 30 September 1995 and powers were formally transferred on 2 October 1995. Consequently, Village Panchayat at village level, Block Panchayat at intermediate level and District Panchayat at district level were formed.

Functions related to the preparation of development plan is assigned to Village Panchayats and consolidation of such plans is further assigned to Block Panchayats and District Panchayats. Review and directing changes in the draft development plans to be made by the District Planning Committees.⁶ Most importantly, the Kerala Panchayat Raj Act lays emphasis on preparation of spatial planning for infrastructure development in addition to socio-economic plans and annual plans. A standing committee is entrusted to deal with subjects related to spatial planning.⁷ All Village Panchayats, Block Panchayats and District Panchayats would have standing committees, each assigned with certain subjects. Standing committees were to be coordinated with a steering committee consisting of the President, Vice President of the Panchayat and the chairpersons of the standing committees.

(h) Tripura

Tripura is a small state with 8 districts. In Tripura, soon after the enforcement of the 73rd Constitution Amendment, the Tripura Panchayats Act, 1993 was enacted, which came into force in November 1993.⁸ Since then the three tier system is put in place with Gram Panchayats at the village level, Panchayat Samiti intermediate level i.e., Block level and Zilla Parishad at the District level.

⁶ Section 175, Kerala Panchayat Raj Act, 1994, Substituted by Act 13 of 1999

⁷ Section 162 A, , Kerala Panchayat Raj Act, 1994

⁸<http://tripurainfo.com/AboutTripura/panchayat.html>

According to the Act, Gram Panchayat is to assist in the formulation and implementation of schemes and annual plans of the state. Consideration of the annual plans of the Gram Panchayats in the Samiti area and submission of the consolidated plan to the Zilla Parishad is to be done by the Panchayat Samiti. The Panchayat Samiti too is to prepare annual plans in respect of the scheme entrusted to it and those assigned to it by the state government or the Zilla Parishad and submit to the Zilla Parishad or the prescribed authority for integration with the District Plan. In addition to consolidation of plans, the Zilla Parishad is supposed to prepare plans for economic development of a district.

The Act also suggests constitution of a District Planning Committee to consolidate the draft development plans. Gram Panchayat is entitled to perform functions related to land improvement. Panchayat Samiti is to assist the government and Zilla Parishad in the implementation of land improvement programmes. Panchayat Department of Government of Tripura has also formulated Guidelines for Gram Panchayat Development Plan (GPDP).

Tripura also has one Tripura Tribal Areas Autonomous District Council (TTAADC), which accounts for 70 per cent of the state's geographical area and 30 per cent of state's population. In TTAADC, the lowest tier is the Village Committee at village level in ADC area headed by a chairman who is functionally equivalent to the gram pradhan of a gram panchayat. Panchayat secretaries are posted by the PR department at both the place, which is Village Committee and Gram Panchayat. Panchayat secretaries are deputed as village secretaries in the ADC villages.

From the analysis of the state acts, it is evident that in conformity with panchayati raj acts, the panchayati raj institutions generally deal with land related subjects in their geographical boundaries. Land related subjects include management, improvement and revenue. Village panchayats are supposed to prepare development plans for socio-economic development, implementation schemes and annual plans. However, with the exception of the state of Kerala, none of other 8 selected states have acts making provisions for the preparation of spatial plans. References to the preparation of plans are made vaguely as there are no guidelines for the preparation of plans.

5.4.2 Town Planning Acts

Town and country planning acts of most the state have provisions predominantly for urban settlements, and regional planning but they lack provisions and norms specific to rural areas. Few states have different acts for rural area development, but these mainly focus on socio-economic aspects of planning and do not focus on spatial aspects of planning (see **Table 20**).

Table 20: Town Planning Acts in Selected States

States	Name of the Statutes
Haryana	Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963
Uttar Pradesh	UP Urban Planning and Development Act 1973
Andhra Pradesh	The Andhra Pradesh (Andhra Area) Town-Planning Act, 1920 Andhra Pradesh Capital Region Development Authority Act, 2014

Assam	The Assam Town and Country Planning Act, 1959
Jammu and Kashmir	State Town Planning Act, 1963 The Jammu and Kashmir Development Act, 1970
Jharkhand	Bihar Urban and Regional Planning Act, 2012, Mineral Area Development Authority Act, 1986 Chotanagpur Tenancy Act, 1908 and Santhal Pargana Tenancy Act, 1949
Kerala	The Kerala Town and Country Planning Act, 2016
Tripura	The Tripura Town and Country Planning Act, 1975
Chhattisgarh	Chhattisgarh Town and Country Planning Act, 1973
Gujarat	Gujarat Town Planning and Urban Development Act, 1976
Madhya Pradesh	Madhya Pradesh Nagar Thatha Gram Nivesh Adhiniyam, 1973
Maharashtra	Maharashtra Regional and Town Planning Act, 1966
Odisha	Orissa town Planning and Improvement Trust Act, 1956; Orissa Development Authorities Act, 1982
Rajasthan	Rajasthan Urban Improvement Act, 1959; Jaipur Development Authority Act, 1982; Jodhpur Development Authority Act, 2009; Ajmer Development Authority Act, 2013
Tamil Nadu	Tamil Nadu Town and Country Planning Act, 1971
West Bengal	West Bengal Town and Country (Planning and Development) Act, 1979

(a) Andhra Pradesh

Andhra Pradesh (Andhra Area) Town-Planning Act, 1920 has provisions predominantly for urban areas. A general town planning scheme shall determine the lines on which the improvement and development of the area within the municipality and in this vicinity shall proceed. In Andhra Pradesh, the Capital Region Development Authority Act, 2014 has been enacted.

(b) Haryana

Haryana has multiple town and country planning acts applicable to different areas of the state. For example, Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 regulates areas around towns and public institutions for preparation of their development plans and sectoral plans for planned urban development. To regulate the development of colonies in order to prevent ill-planned and haphazard urbanization in or around towns is placed under the provision of the Haryana Development and Regulation of Urban Areas Act, 1975. Prevention of unauthorized constructions and regulation of planned urban development is placed under the provision of the Punjab New Capital Periphery (Control) (Haryana Amendment) Act, 1971 and is applicable around Chandigarh in Panchkula district. Since a significant portion of the state falls in the National Capital Region, 14 districts in Haryana are also covered under National Capital Region Planning Board Act, 1985.

(c) Jammu and Kashmir

The Jammu and Kashmir Development Act, 1970 provides guidelines for declaration of local area and constitution of the development authority concerning it. It also lays out guidelines for preparation of master plans and development plans. Every master plan and (zonal plan) shall, as soon as may be after its preparation, be submitted by the Authority to the Government along with

a proposal relating the date of operation of the zonal plan and the Government may either approve the plan and the proposal without necessary modification or with such modifications as it may consider or reject the plan with directions to the Authority to prepare a fresh plan according to such directions.

(d) Jharkhand

Jharkhand has adopted its parent State's Town and Country Planning Act. According to the Bihar Urban Planning and Development Rules, 2014; the government may, for the purpose of securing planned development of regions or areas within the states, on the advice of a development board, declare by notification, any such area for development and prepare development plans for it.

(e) Kerala

The Town and Country Planning Act, 2016 of Kerala has the provision for municipal corporation, municipal council, town panchayat or village panchayat, at any time, by resolution, to decide to prepare or adopt a Master Plan for the Local Planning Area or part thereof.

(f) Tripura and Assam

Subject to the provisions of the Town and Country Planning Act, Tripura and the rules framed thereunder, the functions of the Town and Country Planning Board shall be to guide, direct and assist the planning authorities to advise the State Government on matters relating to the planning, development and use of rural and urban land in the State of Tripura, and to perform such other functions as the State Government may, from time to time, assign to the Board.

The Sixth Schedule deals with the details of the mechanism and institutions essential for governance of the autonomous districts in Assam, Meghalaya, Tripura and Mizoram. These autonomous districts are directly administered by the Governor. The Sixth Schedule deals with the constitution, powers and functions of District Councils and Regional Councils in these autonomous districts. It lays down a framework of autonomous decentralized governance with legislative and executive powers over subjects like water, soil, land, local customs and culture.⁹The District Councils that exist in the states of Assam and Tripura are given below.¹⁰

- Tripura Tribal Areas Autonomous District Council
- Bodoland Territorial Council
- Karbi Anglong Autonomous Council
- Dima Hasao Autonomous District Council.

⁹Retrieved on 20 May, 2017 from <http://vle.du.ac.in/mod/book/print.php?id=12256&chapterid=25073>

¹⁰Retrieved on 20 May, 2017 from <http://www.gktoday.in/sixth-schedule-and-the-autonomous-administrative-areas-in-north-east-india/>

(g) Uttar Pradesh

Under the Uttar Pradesh Urban Planning and Development Act, 1973, the state has the power to notify any desirable area as a development area and establish a development authority for this purpose. The section 15-A of the UP Panchayat Raj Act (1947) has the provision of Plan preparation by under the Panchayati Raj Institution.

15A-Preparation of plan – A Gram Panchayat shall prepare every year a development plan for the Panchayat area and submit it to the Kshetra Panchayat concerned before such date and in such form and manner as may be prescribed.

(h) Chhattisgarh

Like other states, Chhattisgarh Nagar Tatha Gram Nivesh Adhiniyam, 1973 makes provision for the preparation and implementation of development plans. Implementation will take place through town development schemes under section 18, which are similar to town planning schemes in Gujarat. The Act provides for the constitution of Town and Country Development Authority. Regional plans could be also prepared under this act.

(i) Gujarat

The Gujarat Town Planning and Urban Development Act, 1976 provides for the preparation of development plans meant for planning, redevelopment and improvement in declared development area under section 3 of the Act. Section 22 of the Act makes provisions for the establishment of area development authorities by the state government. Development plans are implemented through town planning schemes under section 40. Town planning schemes could be prepared and implemented for greenfield or brownfield lands and redevelopment could be carried out in such areas after appropriate approvals.

(j) Madhya Pradesh

Madhya Pradesh through the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 establishes a planning system containing regional plans, development plans and zoning plans. The Act also states that if union or state government intends to carry out development of any land for the purposes of any project or construction, provisions could be made complying with the provisions of acts, rules and bye-laws.

(k) Maharashtra

Maharashtra Regional and Town Planning Act, 1966 makes provisions for planning and use of land in regions established for these purposes and for the constitution of Regional Planning Boards. There are provisions too for the compulsory acquisition of land required for public purposes in respect of the plans and for other similar purposes.

(l) Odisha

Under the Orissa Town Planning and Improvement Trust Act, 1956, provisions are made for the preparation of master plans for urban areas and setting up of urban improvement trusts. However little is given about areas beyond the urban boundaries in the state. Orissa Development Authorities Act, 1982 also provides for the development of urban and rural areas according to the plan. Development areas can be declared for the purposes of proper development of such areas under this act.

(m) Rajasthan

The Rajasthan Urban Improvement Act, 1959 is an act for the improvement of urban areas of Rajasthan. The metropolitan regions of Jaipur, Jodhpur and Ajmer are governed by their respective acts - Jaipur Development Authority Act, 1982, Jodhpur Development Authority Act, 2009 and Ajmer Development Authority Act, 2013. All the acts specifically direct these urban areas to have master plans.

The Rajasthan Regional and Urban Planning Bill, 2018 seeks to prepare regional plans, which shall also include plans of the revenue villages within the area under the plan.

(n) Tamil Nadu

The Tamil Nadu Town and Country Planning Act, 1971 has mandate for the preparation of regional plans. The regional plans would provide for the identification of urban and rural growth centres and new town sites. The Act also provides that the Tamil Nadu Town and Country Planning Board shall guide, direct and assist in matters relating to planning and development and use of urban as well as rural lands in the state and to perform functions as the state government allocates to them.

(o) West Bengal

West Bengal Town and Country (Planning and Development) Act, 1979 has provisions for the declaration of planning areas whereby the state government can declare any area in the state as planning area. Planning area could be placed under the jurisdiction of a development authority, a local authority and a state government department. Such bodies are required to make Land Use Map, Outline Development Plan and Detailed Development Plan and enforce them within its area. The Act also proposes to make Development Schemes for the purpose of implementing proposals given in a development plan for the area within its scope.

Town planning acts in the above states provide for the preparation of plans at various scales – regional, urban and local area. Detailed planning process has also been mentioned in these legislations. However, most of these legislations understandably focus on urban areas. Town planning acts of almost all states provided for setting up of authorities.

5.4.3 District Planning Committees

As mentioned earlier, 74th Amendment provides for a District Planning Committee (DPC) to consolidate the plans prepared by panchayats and municipalities and prepare a draft development plan for the district as a whole. It is left to the discretion of the state governments to make provisions for the composition of the District Planning Committees. Some states have made provisions in their modified Panchayat Acts to establish DPCs while other states have enacted separate enabling legislation for the constitution of DPCs. District Planning Committees are the only link between 73rd and 74th Amendment Acts.

Subsequent to the amendment acts, as per Article 243 ZD of the Constitution, all the states must accordingly enact legislations for the constitution of the DPCs and issue notifications bringing them into effect. Since the states have modelled their own legislative provisions for DPCs on Article 243 ZD, the role and functions of DPCs in the State Acts is similar (see **Table 21**).

Consolidation of rural and urban plans and preparation of draft district development plan is one of the key tasks of the DPC and is also of great significance in the light of growing problems related to urban expansion into rural areas. The sequence to be followed in consolidation of rural and urban plans can be summarised as follows:

- Gram Panchayats prepare Participatory Plans and send to Intermediate Panchayat
- Intermediate Panchayat compiles information sent by the GPs in the block and along with its own information, prepares a Block Plan and sends to ZP
- Zilla Parishad compiles information from Block Panchayats and along with its own information, sends to the DPC
- Urban Local Bodies transmit plans to DPC
- DPC compiles information from Zilla Parishad and ULBs to form Draft Development plan (DDP)

Table 21: District Planning Committees in Selected States

S. No.	State	State Acts	Status of constitution of DPC	DPC Functions as listed in State Act
1.	Andhra Pradesh	40 of 2005, Dated 17-11-2005	DPCs have been set up in all districts	<ul style="list-style-type: none"> • Consolidate the Plans prepared by Gram Panchayat, Panchayat Samiti, Zilla Parishad and Municipalities in the district • Review from time to time the implementation of the development plan and monitor the achievements at the district level against the targets set under development or performance indicators. • Formulate draft five year plans of the district their socio economic, temporal and spatial dimensions. • Make necessary recommendations to the Government concerning the

S. No.	State	State Acts	Status of constitution of DPC	DPC Functions as listed in State Act
				development of the district.
2.	Assam	No. XVIII of 1994, Dated 06-05-1994	DPCs have been set up in all the non-scheduled districts of the state	<ul style="list-style-type: none"> • Consolidate the plan prepared by the Zilla Parishad, Anchalik Panchayats and Gaon Panchayats, Town Committees, Municipalities and Municipal Corporation in the District • Prepare a draft development plan for the District as a whole • The apex PRI tier is responsible for preparing an integrated annual plan for the district for rural as well as urban areas through District Planning Committees (DPCs)
3.	Haryana	GSR 57/HA 24/73/Ss, 203B and 257/97, Dated 12-03-1997	DPCs have been set up in all districts	<ul style="list-style-type: none"> • Consolidate the plans prepared by the Panchayats and Municipalities in the district. • Prepare a draft development plan for the district as a whole.
4.	Jammu and Kashmir	The Jammu and Kashmir Panchayati Raj Act, 1989; Ladakh Autonomous Hill Development Council Act, 1995	District Planning Development Boards have been set up. Ladakh Autonomous Hill Development Council is also set up.	<ul style="list-style-type: none"> • Consider and guide the formulation of development programmes for the District • Function as a working group for formulation of periodic and annual plans for the District • Formulate and finalize the plan and non-plan budget for the District
5.	Jharkhand	Jharkhand Panchayat Raj Act, 2001.	DPCs have not been constituted.	<ul style="list-style-type: none"> • District plans for all the districts (except East Singhbhum district) have been prepared.
6.	Kerala	Kerala District Planning Committee (Selection of members and meeting procedure) Rules, 1995.	DPCs have been constituted in all the districts	<ul style="list-style-type: none"> • Consolidate the plans prepared by PRIs and Municipalities and prepare a draft development plan for the district as a whole. • Matters of common interest between the Panchayats and Municipalities including spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environment conservation, type of available resources, whether finance or otherwise will be taken into consideration while preparing plan. • Technical advisory committees have sectoral sub-committees to study respective chapters of the district plan. • The DPC consults with their working groups of technical experts.
7.	Tripura	The Tripura Tribal Areas	Tripura Tribal Areas	<ul style="list-style-type: none"> • DPC are not yet constituted but autonomous council have been

S. No.	State	State Acts	Status of constitution of DPC	DPC Functions as listed in State Act
		Autonomous District Council Act 1979	Autonomous District Council, 2015 and Tripura Tribal Areas Autonomous District Council, 2010 have been set up.	established, one in 2010 and the other in 2015.
8.	Uttar Pradesh	No. 32 of 1999, dated 29.07.1999	Constituted in 70 districts.	<ul style="list-style-type: none"> • Collect, compile and up dated information relating to natural and human resources of the district to create a sound data base for decentralised planning and preparation of district and block resources profiles • determine policies, programmes and priorities for development of the district • modify or amend and consolidate the draft Five Year or Annual Development Plan prepared for the rural and urban areas; keeping in view the overall plan objectives and strategies • Prepare estimate of financial resources for financing the district plan
9.	Chhattisgarh	114-009/2003/2001-03, dated 29-7-2006	DPCs have been constituted in all the districts with state minister as Chairman	<ul style="list-style-type: none"> • Consolidate the plans prepared by the Gram Panchayats, Panchayat Samities, Zilla Parishads and Municipalities.
10.	Gujarat	G/GNR/2 dated 29 March, 2008	District Planning Boards have been constituted in all districts of the state.	<ul style="list-style-type: none"> • Consolidate the plans prepared by gram panchayat, and municipalities in the district. • Prepare a draft development plan for the district as a whole.
11.	Madhya Pradesh	3/2000, Dated 4 January, 2000	DPCs have been constituted in all the districts with state.	<ul style="list-style-type: none"> • Consolidate the plans prepared by Gram Panchayat, Panchayat Samiti, Zilla Parishad and Municipalities.
12.	Maharashtra	XXIV of 1998 with amendment XXX of 2000, Dated 4 May,	DPCs have been constituted in all the districts of the state with	<ul style="list-style-type: none"> • Consolidate the plans prepared by Gram Panchayat, Panchayat Samiti, Zilla Parishad and Municipalities and to prepare draft development plan for the district as a whole.

S. No.	State	State Acts	Status of constitution of DPC	DPC Functions as listed in State Act
		2001; Maharashtra District Planning and Metropolitan Planning Committees (Constitution and Functions) Act, 1994	minister in-charge of the district chairman.	<ul style="list-style-type: none"> Consider the five year plans and perspective plans prepared by the panchayats and the municipalities and coordinate and prepare draft five year plan and perspective development plan for entire district. Review and monitor the progress of district annual plan and suggest re-appropriation of approved provision of the district annual plan.
13.	Odisha	No. 1282 Cuttack, October 8, 1998	DPCs have been constituted in 26 districts of the state with an MLA from the district as chairman.	<ul style="list-style-type: none"> Consolidate the plans prepared by the Panchayats and the Municipalities in the district. Prepare a draft development plan for the district as a whole. Review implementation and municipalities and to make such recommendation as demand appropriate. Inspect the functioning of Panchayat.
14.	Rajasthan	Rajasthan Panchayati Raj Act, 1994; Rajasthan Municipalities Act, 1994 and Rules; Rajasthan Panchayati Raj Rules, 1996	DPCs have been constituted in all districts of the state.	<ul style="list-style-type: none"> Consolidation of the plans prepared by the panchayats and the municipalities in the district Prepare a draft development plan for the district as a whole
15.	Tamil Nadu	Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994); The Tamil Nadu Metropolitan Planning Committee Act, 2009	DPCs have been constituted in all districts of the state.	<ul style="list-style-type: none"> Consolidation of the plans prepared by the panchayats and the municipalities in the district Prepare a draft development plan for the district as a whole
16.	West Bengal	No. 779 L dated 3 May 1994	DPCs have been constituted in all districts of the state.	<ul style="list-style-type: none"> Consolidation of the plans prepared by the panchayats and the municipalities in the district Prepare a draft development plan for the district as a whole

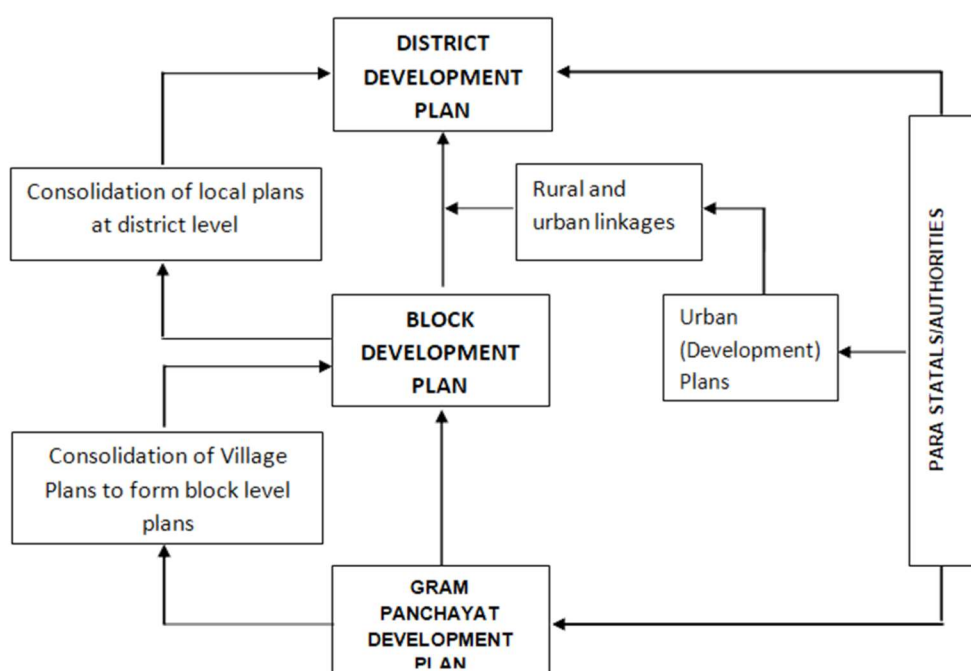
Source: Various state legislations and Planning Commission's Report on Grassroots Level Planning

Four-fifth of the DPC members is generally elected members of local bodies within a district, both rural and urban, as well as some nominated members. The number of members varies with the population size of districts. The ratio of

members from panchayats and ULBs is based on the ratio in which the population of the district is divided between rural and urban areas.

The 74th CAA also mandated the establishment of District Planning Committees as the formal body for the preparation of the District Development Plans by the consolidation of plans prepared by village panchayats and municipalities in the district. District Planning Committees need to be constituted as per Article 243 ZD of the Constitution in all the states except Meghalaya, Mizoram and Nagaland. Most states follow a standard planning process as shown below (see **Fig. 3**).

Fig. 3: Planning Process of District Planning Committee



District Planning Committees are not functional in most of the states. In a few states, they are not yet even been constituted such as Jharkhand, while in most of the states they are constituted but not as per constitutional requirements. In Jammu and Kashmir DPCs are not set up but the state has provided District Planning and Development Boards, which have similar functions as envisaged for DPCs. Uttar Pradesh has only selected districts in which District Planning Committees have been constituted. DPCs have not been able to effectively enable rural urban linkages. Coordinated planning is not taking place and any joint project planning has not necessarily resulted in integrated project implementation. In most of the states, only constitutional formality is done. Another important point is that in several states, DPCs are chaired by ministers and MLAs in-charge of a particular district. Centralization of leadership power in MLAs or state ministers goes against the spirit of the constitutional amendments, which are focussed on the devolution of powers from the state governments to local governments.

5.5 Gram Panchayat Spatial Development Plan (GPSDP)

Apart from the contents of the Rural Disaster Resilience Strategy and Plan, the RADPFI Guidelines also specify contents of Gram Panchayat Spatial Plans in a comprehensive manner as shown in **Table 22**.

Table 22: Gram Panchayat Spatial Plans and their Contents

Name of the Plan	Major Heads of the Plans
Gram Panchayat Development Plan	<ul style="list-style-type: none">• Regional setting• Demography• Land Utilisation and Land management• Economic Base• Infrastructure• Disaster and Climate Resilience• Resources and Potential• Local level governance• Resource Mobilisation options• Convergence of Central/State funded schemes• Special needs of Gram Panchayat
Rural Disaster Resilience Strategy and Plan	<ul style="list-style-type: none">• Resilience Assessment• Building a resilience plan• Plan Implementation

Source: Adapted from the Ministry of Panchayat Raj (2016).

Preparation of a Gram Panchayat Development Plan (GPDP) follows a certain procedure as outlined in the RADPFI Guidelines. Devolution of powers i.e. funds, functions and functionaries to the PRIs and revision of centrally sponsored scheme guidelines for providing roles and responsibilities to the PRIs for planning, monitoring and implementation are important aspects of decentralised planning. Article 243G of the Indian Constitution mandates preparation of plans for economic development and social justice by panchayats and through this process panchayats are expected to evolve into institutions of local self-government. For optimum utilisation of resources for the benefit of the citizens, preparation of integrated development plans by gram panchayats has become a legal necessity.

Gram Panchayat Development Plan should ideally match peoples' needs and priorities with available resources and additionally mobilise local resources through a fair, inclusive, transparent and participatory processes. The focus should be placed on local development issues, local aspirations, needs and priorities, local analysis of problems and solutions, local resources management within a collective local vision shaped by local communities. According to the Ministry of Rural Development, a typical Gram Panchayat Spatial Development Plan (GPSDP) should pursue the following planning process (RADPFI Guidelines, 2016: Chapter 2):

- Gram Panchayat Planning Committee to prepare the GPSDP
- Declaration of Gram Panchayat Planning area under Town and Country Planning Act or Panchayat Act

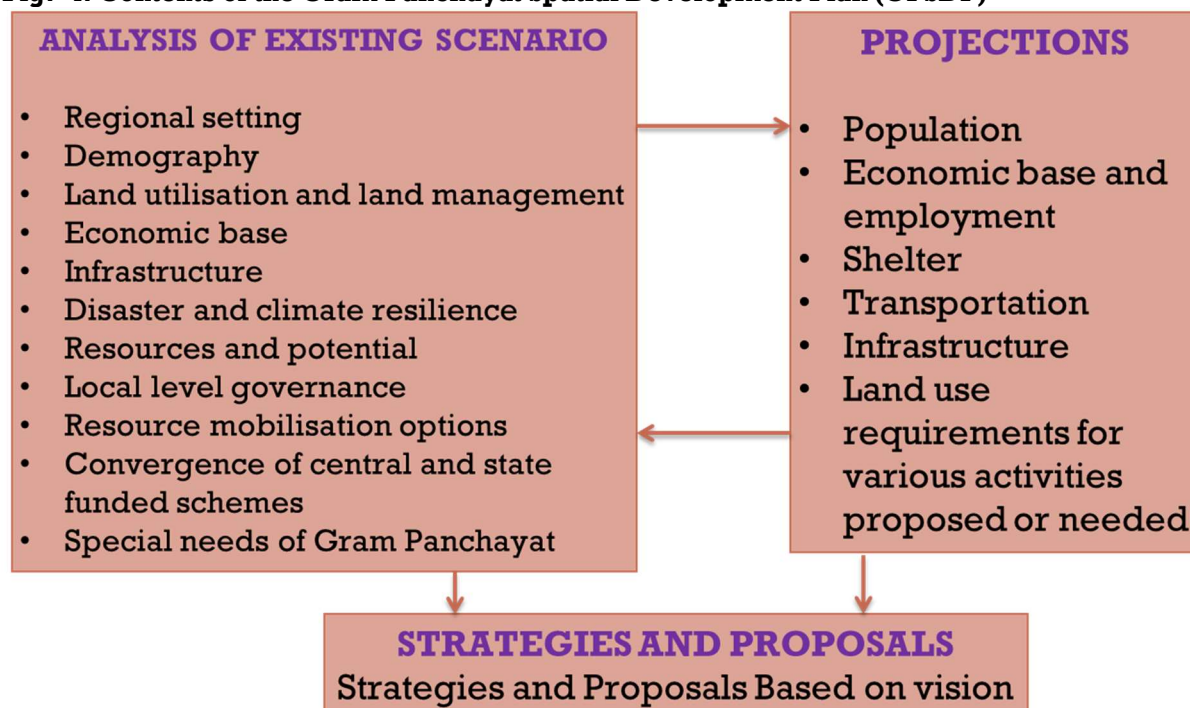
- Publication of Draft GPSDP for inviting objections and suggestions
- Review of draft GPSDP based on objections and suggestions
- Passing of GPSDP by Gram Panchayat resolution
- Submission of GPSDP to DPC
- Recommendation of DPC to state government for final notification under relevant act

GPDP is a comprehensive plan for effective development of a village panchayat area. GPDP aims to expand governing space of a village panchayat and to empower it as a development institution. GPDP is generally aimed at:

- Improving basic amenities in a village panchayat. This includes sanitation, connectivity, drinking water, storm water drainage, burial grounds, etc.
- Improving standard of living of poor families in a panchayat area.
- Eradication of absolute and relative poverty through convergence of government programmes and policies.
- Prevention and control of communicable diseases with the support of the health department.
- Providing social security to all sections of marginalised communities.
- Effective management of natural resources and sustainable development of livelihoods.
- Conserving soil and water.
- Ensuring 100 per cent enrolment in schools.
- Ensuring gender equality and equity in all aspects of development.
- Development of governing capability of village panchayats.
- Strengthening a gram sabha and improving the quality of a gram sabha.

In the RADPFI Guidelines (2016: Chapter 4), the Ministry of Rural Development has also provided the contents of a typical Gram Panchayat Spatial Development Plan (GPSDP) as shown in **Fig. 4** below:

Fig. 4: Contents of the Gram Panchayat Spatial Development Plan (GPSDP)



Source: Ministry of Panchayati Raj (2016: Chapter Four).

However, our view is that there is no need to prepare the Gram Panchayat Spatial Development Plan (GPSDP) for the following reasons:

- Village on its own is too small in terms of area and population for a viable integrated plan and it creates avoidable officialdom.
- Cluster or carefully selected group of villages with a population between 20,000 – 50,000 is a reasonable size for integrated planning with average area of about 15 sq km.
- There is no capacity to prepare a spatial development plan at gram panchayat level. Creation of new capacity would require large investments.
- Constitutionally mandated village development plans are already being prepared. So we should place more emphasis on implementation of proposed cluster spatial development plans.
- We regard that the proposed cluster spatial development plans would suffice

There are different programmes and schemes aimed at achieving the above mentioned objectives. These programmes and schemes are being implemented in panchayats by different departments and agencies. Panchayats can act as a platform to integrate all these activities to effectively address development

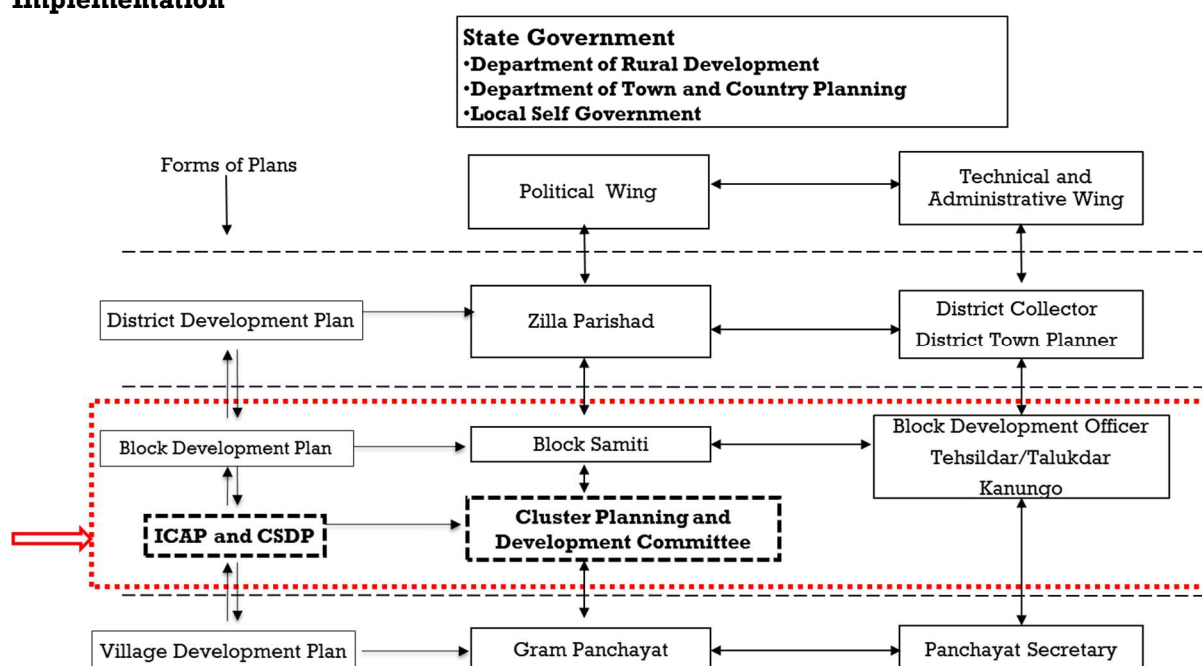
issues. GPDP is intended as a comprehensive plan to build such a platform, and promote integrated and inclusive rural development.

6. PROPOSED ORGANIZATIONAL ARRANGEMENTS FOR PLAN MAKING, IMPLEMENTATION AND ENFORCEMENT

In line with the essence of 73rd and 74th amendments to the Constitution of India, we propose to strengthen the existing organizational set up at the block level. First, we propose that the Integrated Cluster Action Plan (ICAP) as well as Cluster Spatial Development Plan (CSDP) should be treated as spatial plans. ICAPs and CSDPs will draw data and information from village development plans, which are decidedly social and economic plans and not spatial plans. Second, we propose that ICAPs and CSDPs should be prepared at the existing block or intermediate level by a specially constituted committee called the Cluster Planning and Development Committee (CPDC). A block may have a number of cluster planning and development committees. All sarpanches of concerned villages making a rural cluster would be members of a CPDC. Some members (say 10 per cent) on the CPDC would be indirectly elected from among the Block Samiti members.

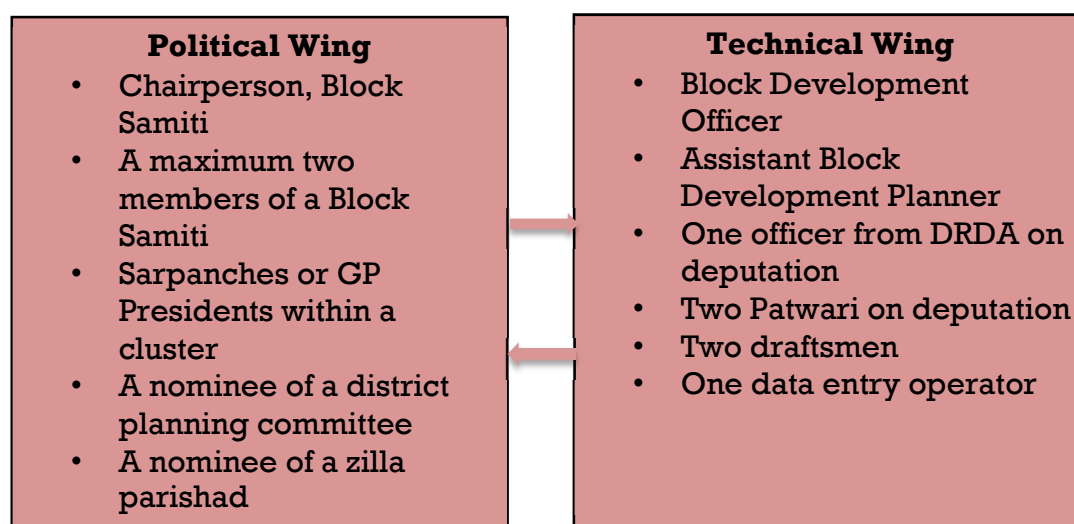
Elected CPDC members would require technical and administrative support and financial resources. We propose that each CPDC should be supported by an assistant spatial planner, block development officer, assistant civil engineer and patwaris who would be responsible for the preparation of a CSDP on the basis of data and information contained in village development plans and stakeholder consultations with concerned village residents. Once a CSDP is recommended by the CPDC on behalf of the block samiti, it should be approved by the District Planning Committee. Thereafter block samiti and village panchayats would take up CSDPs for implementation with the technical help of the concerned line departments. Assistant spatial planner would be responsible for the monitoring of CSDPs (see **Fig. 5**).

Fig. 5: Recommended Organizational Structure for ICAP and CSDP Preparation and Implementation



We view the Cluster Planning and Development Committee as an important Standing Committee of a Block Samiti, which is responsible (with the help of their technical staff) for the preparation and implementation of the cluster master plan along with constituent village panchayats. Being an important standing committee, we have proposed that it will have two wings i.e. political wing and technical wing to be coordinated by the concerned block development officer (see Fig. 6).

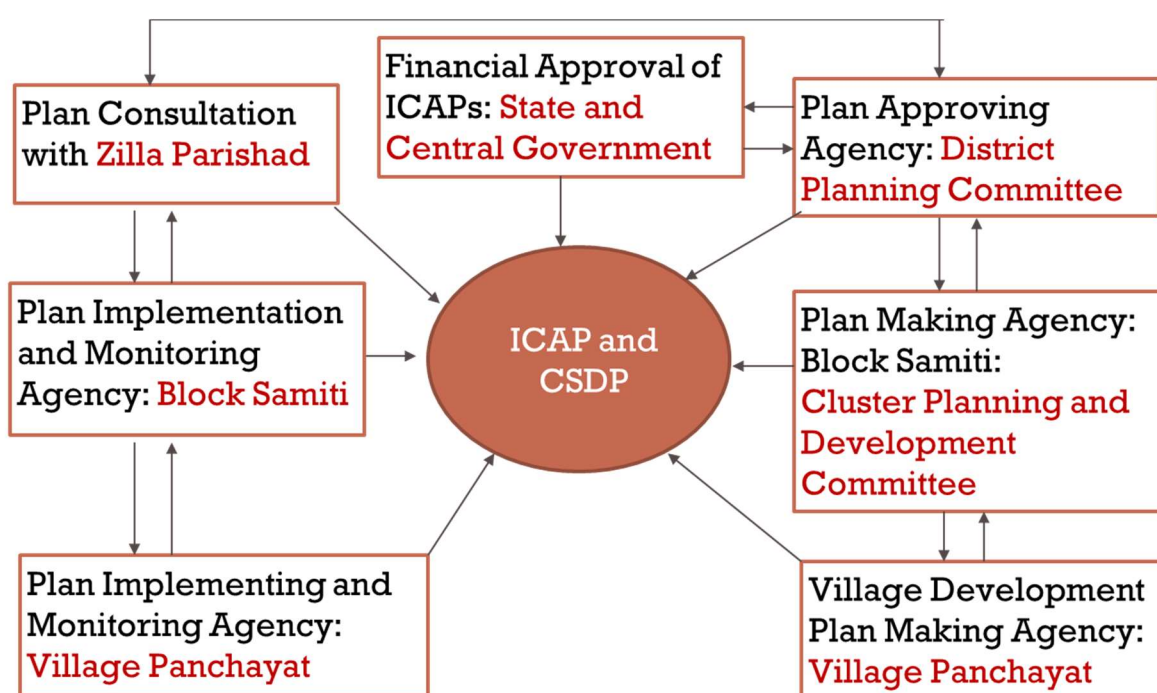
Fig. 6: Composition of the Cluster Planning and Development Committee (Standing Committee)



We further recommend that the block samiti should prepare, implement and also monitor ICAPs and CSDPs. Village panchayats would share implementation responsibilities as well as provide useful inputs including data and information

for the preparation of ICAPs and CSDPs. District Planning Committee is recommended to be the ICAP and CSDP approving authority with the provision that the state government would be able to recall any ICAP or CSDP if it deems the plan is in contravention of any of the state government's planning and development programmes and schemes. Zilla Parishad in each district would be consulted before finally approving ICAPs and CSDPs. Financial approvals would be accorded by the state and central government in accordance with the prevailing rules of the Rurban Mission (see **Fig. 7**).

Fig. 7: Recommended organizational structure for ICAP preparation and implementation



6.1 Spatial Plan Making Process for Rurban Clusters

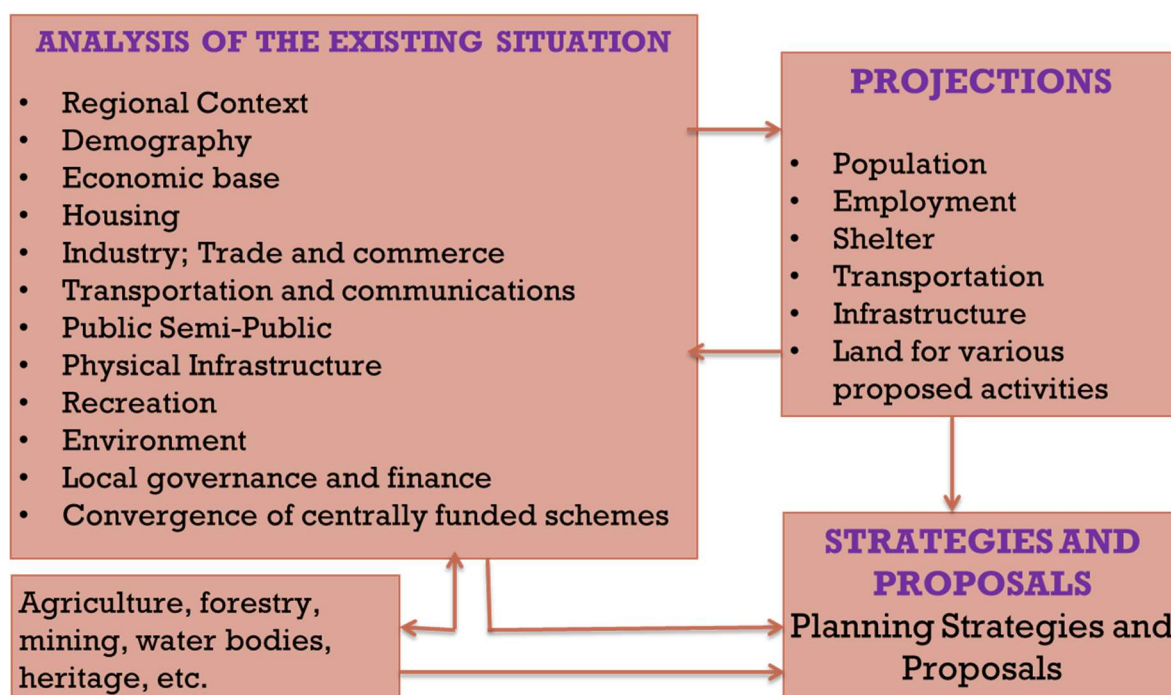
Cluster Spatial Development Plan will be prepared on the basis of the existing planning laws and rules. Cluster Planning and Development Committee will procure village revenue maps (cadastral maps) with clearly demarcated *abadi* areas and revenue boundaries. The Committee will then put these maps together on a digital platform to make a rurban cluster base map at a scale of 1:4,000 or whatever is the scale of cadastral maps in a particular state. Collection of all data and information including data collected through primary surveys for a rurban cluster forms the next step. Analysis of all data and information for a rurban cluster would lead to the preparation of land use matrix and existing land use map. Based on population projections and employment projections, proposals for planning and development of a cluster would be prepared for a period of ten years. After this, a draft Spatial Development Plan for a rurban cluster will be prepared and notified by the Cluster Planning and Development Committee for

securing peoples' and other organizations' views. Having concluded the exercise of public participation and statutory consultations on the draft Cluster Spatial Development Plan with statutory consultant agencies like zilla parishads, the Cluster Planning and Development Committee will consider the objections and suggestions and appropriately incorporate the same in the Cluster Spatial Development Plan before sending the plan for final approval to the District Planning Committee. Once the approved Cluster Spatial Development Plan is received, implementing agencies such as village panchayats and block samiti and its constituent departments will start implementing the plan. If required in future, the Cluster Development Authority may be also established to help the Cluster Planning and Development Committee for the preparation and implementation of the Cluster Spatial Development Plan.

Implementation of the final approved Cluster Spatial Development Plan will be carried out through Detailed Project Reports and convergence of missions and schemes, etc. of the central government. Monitoring and review of the Cluster Spatial **Development** Plan would be carried out by the staff of a concerned block samiti leading to the preparation of a new Cluster Spatial Development Plan.

The next major question is about the contents of a Cluster Spatial Development Plan. Ministry of Panchayati Raj (2016) in the Chapter Four has mentioned contents of an Integrated Cluster Development Plan as shown in **Fig. 8**, which was further modified to suit the scope of a Cluster Spatial Development Plan. So we recommend that the contents of a Cluster Spatial Plan as shown in **Fig. 8** may be adopted to make a Cluster Spatial Development Plan.

Fig. 8: Contents of an Cluster Spatial Development Plan



Source: Adapted from the Ministry of Panchayati Raj (2016: Chapter Four).

Change of land use is an integral part of the plan making process. We propose that legally eligible applicants should be allowed to apply for land use changes in a predesigned and specified proforma. Having made an application to the Cluster Planning and Development Committee, it will consider proposed changes in land uses based on planning considerations such as impact on surrounding activities and land uses, environmental, heritage, etc. Decision of the Cluster Planning and Development Committee will be final and conveyed to the applicant within 60 days failing which it would be regarded as a deemed permission. New uses for emerging activities should be included after following the due process of change.

6.2 Land Procurement for Public Purposes

Land for any activity declared as 'public interest' in line with the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013* will be acquired by a designated officer of the state government by following the due legal process. In the first instance, village common lands or other unused government lands should be used, if required, for public purposes, for the implementation of spatial plans of rural clusters. For all other purposes, land may be procured by a government agency or a private entity or PPP organization through land pooling, negotiated land purchases, or any other suitable and transparent land procurement method.

When preparing cluster spatial development plans, state governments should ensure that plans particularly take into land requirements for hawkers and street vendors at appropriate places in order to make planning inclusive. Hawkers and

Street Vender Groups may be formed under intimation to the proposed Cluster Planning and Development Committee. Hawkers and Street Vender Groups would represent the interests of these groups before the proposed Cluster Planning and Development Committee during the preparation and implementation of the Cluster Spatial Development Plan.

6.3 Funding for Cluster Spatial Development Plans

State governments would prepare spatial development plans for rural clusters through consultants identified by the MoRD. Cluster Spatial Development Plans would be vetted by planning schools and institutions throughout the country. Ministry of Rural Development will set aside funds to financially support consultants identified by the MoRD for the preparation of the first round of master plans and DPRs.

7. CONCLUSIONS

This report has analysed the existing policies, statutes, development control norms and standards offered by different governments and concerned agencies with a focus on land uses, development controls, service level benchmarks for utilities and services, and enforcement mechanisms for plan preparation and implementation. We also examined in detail 16 selected state legislations and found that district planning has yet to take off in earnest. Village planning and development is not spatial in nature as envisaged under the Shyama Prasad Mukherji Rural Mission, 2016. After analyses, we have made proposals on rural land uses, development control mechanisms, service level benchmarks for utilities and services, and enforcement mechanisms for the preparation and implementation of the ICAPs as provided under the Shyama Prasad Mukherji Rural Mission, 2016. We hope that our proposals will help in the implementation of the flagship programme, the Shyama Prasad Mukherji Rural Mission, 2016, particularly in preparing better ICAPs and Cluster Spatial Development Plans with effective implementation and governance.

REFERENCES

- Agnihotri, V.K. and Vardhan, C.A. (eds.) (2002) *Socio-economic Profile of Rural India: North-East India (Assam, Manipur, Tripura, Nagaland)*, Centre for Rural Studies, L.B.S. National Academy of Administration, Missouri.
- Beek, M.V. (1999) Hill Councils, Development, and Democracy: Assumptions and Experiences from Ladakh, *Alternatives*, Vol. 24, No. 4, pp. 435 - 460.
- Chettiparamb, A. (2007) Re-conceptualizing Public Participation in Planning: A View through Autopoiesis, *Planning Theory*, Vol. 6, No. 3, pp. 263-281.
- Gazette of India (1996) *The Provision of Panchayat (Extension to Scheduled Areas) Act, 1996; Act 40, 24 December 1996.*
- Jamtani, P. (2017) *73rd Constitution Amendment in Jammu and Kashmir*. Retrieved August 15, 2018, from Lawyers Club India: <http://www.lawyersclubindia.com/articles/73rd-Constitution-Amendment-in-Jammu-Kashmir-8647.asp>
- Mathew, G. (1995) *Status of Panchayati Raj in the States of India 1994*, Concept Publishing Company, New Delhi.
- Ministry of Panchayati Raj (2016) *Rural Area Development Plan Formulation and Implementation Guidelines*, Government of India, New Delhi.
- Ministry of Rural Development (2016) *Shyama Prasad Mukherji Rurban Mission*, Ministry of Rural Development, Government of India, New Delhi.
- Ministry of Urban Development (2015) *Urban and Regional Development Plans Formulation and Implementation Guidelines*, Government of India, New Delhi.
- Participatory Research in Asia (November 2009) *Status and Functioning of District Planning Committees in India*, New Delhi.
- Pirie, F. (2007) 'Order, individualism and responsibility: contrasting dynamics on the Tibetan plateau', in K.V. Benda-Beckmann and F. Pirie (eds.) *Order and Disorder: Anthropological Perspectives* (pp. 54-73), New York.
- Singh, S. (2017) *Commercialization of Hinterland and Dynamics of Class, Caste and Gender in Rural India*, Cambridge Scholars Publishing, Newcastle.