Land Policies and Practices And Their Impact On Informal Settlements in Puducherry City

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List of Acronyms and Abbreviations

CSS	Central Sponsored Scheme
DoSLR	Department of Survey and Land Records
FSI	Floor Space Index
FHS	Free House Sites
GoI	Government of India
GoP	Government of Puducherry
JNNURM	Jawaharlal Nehru National Urban Renewal Mission
LGR	Land Grant Rules
MDG	Millennium Development Goals
MHA	Ministry of Home Affairs
MLA	Member of Local Assembly
MoHUPA	Ministry of Housing and Urban Poverty Alleviation
PBBZR	Puducherry Building Bye-laws and Zonal Regulations
PKHS	*Perunthalaivar Kamarajar* Housing Scheme
PPA	Puducherry Planning Authority
PSCB	Puducherry Slum Clearance Board
PTCPA	Puducherry Town and Country Planning Act
RAY	*Rajiv Awas Yojana*
RGHS	Rajiv Gandhi Housing Scheme
SEOC	State Emergency Operation Centre
SFCPoA	Slum Free City Plan of Action
SoT	Security of Tenure
SSI	Semi-Structured Interview
TCP	Town and Country Planning (Norms)
TCPD	Town and Country Planning Department
TCPB	Town and Country Planning Board
UTP	Union territory of Puducherry

Abstract

Urban poverty is a key global challenge facing humanity. A significant proportion of urban population of the Global South lives in informal settlements without access to: improved water, sanitation facilities, sufficient living area, durable dwellings and security of tenure (SoT). The global debates on urban poverty has identified SoT as a dogmatic factor in alleviating urban poverty which is also a key goal of MDG (Target 11 Goal 7). Hence, public policies aimed at reducing urban poverty should focus on improving the SoT of urban poor. With majority of the urban poor in the developing world living in the secondary cities, understanding the policies and practices in secondary cities is gaining importance as the level of informality there is decided by the policies pursued.

Puducherry, a secondary city in the Union Territory of Puducherry is characterised by high levels of urban informality (slums and unauthorised layouts) with a significant urban poor population living in 140 slums. In this context, the study was undertaken to assess the impact of public policies on land in Puducherry. Qualitative research methods such as semistructured interview and documentary resources were selected to study the public policies on land to assess its impact on the informal settlements in the city. Officials who were involved in land policy formulation and its implementation were chosen as respondents and various relevant documents were also analysed.

The results of the study revealed the lack of suitable policies to address the issue of urban informality in Puducherry. On the issue of urban slums, the unplanned land titling approach is dovetailed with housing subsidy schemes which did not solve the issue of slums due to political involvement in selection of beneficiaries. Furthermore, gentrification and vote bank politics has eroded the benefits of slum housing. On the issue of unauthorised layouts, the study found the prevalence of very high levels of illegal subdivisions resulting in haphazard conditions seriously impacting the orderly urban development in the city.

The study results also indicated that the main reason for the unauthorised development is the lack of an appropriate developmental regulation that takes into account the requirements of the urban poor and land market. This created supply constraints for formal land resulting in open defiance of the developmental regulations by the private property developers. The practice of periodical regularisation of unauthorised constructions by the planning board exacerbates the levels of informality in the city. The results also revealed the current pathway that is pursued by the poor slum dwellers and buyers of illegally subdivided plots for achieving tenure security in Puducherry. Key recommendations such as conduct of regulatory audit of all the public policies on land, creation of an information base on informal settlements and need for a clear policy decision on vertical slum housing were made.

Acknowledgements

Declaration

No portion of the work referred to in the dissertation has been submitted in support of an application for another degree or qualification of this or any other university or other institute of learning.

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Chapter 1 **INTRODUCTION**

This chapter provides a brief background on the global and national trends (India) in the growth of informal settlements. Further, it also brings out the scope and locational context of the study. It briefly informs the reader about the author's personal reasons for choosing the topic for this study. Finally, it lists out the structure and content of the different chapters in the dissertation.

1.1 BACKGROUND AND SCOPE OF THE STUDY

Globally, urbanisation that has happened in the last 50 years is considered important as it resulted in the urban population (56%) exceeding the rural population (44%) for the first time since the origin of human civilisation (United Nations, 2014). This trend is likely to continue and in 2050, the world population is projected to be 66% urban (ibid). Informal settlements are the immediate offshoot of rapid urbanisation and one quarter of the world's population live in the informal settlements and the majority are from Global South (UN-Habitat, 2015). But, between the years 2000 and 2010, the population of urban slum dwellers in the developing countries had decreased 39% to 32% respectively reflecting the strong commitments by the national governments and international agencies (UN-Habitat, 2014). Nevertheless, the continuing existence of millions of slum dwellers cannot be ignored. The inclusion of improving the living standards of slum dwellers in the Millennium Developmental Goals (MDG) reflects the global recognition of the issue of informal settlements and its importance in addressing urban poverty in the Global South. Addressing the issue of slums has also been emphasised in Goal No 11 of the recently finalised Sustainable Development Goals (United Nations, 2015).

Legal recognition of the existing informal settlements and affirmative action by public investment is a key step that denotes a policy shift by the governments to improve Security of Tenure (SoT) in the informal settlements (Payne, 2001a). However, such a policy shift is underwritten by an awareness of best practices at global and national level by the policy makers. Dowall and Ellis (2014) clearly indicated that the extent of prevalence of informal settlements in a city is shaped by the sufficiency or deficiency of the urban land policies pursued by the state. Thus, the role of public policy in this regard need not require much emphasis as government policies at national and state level provides the rationale for all executive actions of the official machinery of any government.

Among the developing countries, India (104 million) ranks number two in urban population living in slums. India has the second highest population in the world (1.2 billion) and the level of urbanisation is projected to increase from 30% in 2010 to 33.9% in 2020 and 39.7% in 2030 (UN-Habitat, 2012). High levels of urbanisation in India not only brings economic development for the country but also, causes unequal distribution of wealth resulting in vast number of urban poor left out of the benefits of growth. Hence, the informal settlements in the country are predominantly the result of the legal, political and economical exclusion of the urban poor and low-income group and it reflects the existing gap between the demand for land and its formal provisioning by the public and private sector as indicated by Durand-Lasserve and Selod, 2009. This scenario calls for a strong policy response to bridge the gap in order to address the various deprivations faced by the urban poor. Among the deprivations faced by the urban poor in a developing country like India, SoT is dogmatic as it decides the levels of other key deprivations faced by the slum dwellers in its cities (UN-Habitat, 2015). Public policies on slum development in India is determined by the political agenda in the state, civil society organisations,

international obligations and commitments, market mechanisms and past experiences (Banerjee, 2002a). Among the instruments which shape the public policies on slum development, the three important ones are legislations, Centrally Sponsored Schemes (CSS) and credit facilities. In India, Government of India (GoI) at the centre lays out national policies using these instruments to push across the national agenda on slum development for implementation through the state governments as land is a state subject.

The study was undertaken in Puducherry City (previously called '*Pondicherry*' by the french colonialists), a secondary city and the capital of Union Territory of Puducherry (UTP). Union territories in India are territorial units of the country that are directly administered by the federal government through the Ministry of Home Affairs (MHA) of GoI (MHA, 2015). UTP shares a special federal relationship with the central government under a specific provision of the Indian constitution (Government of India (GoI), 1962) and do not enjoy complete legislative and financial autonomy like the other 30 states in India (MHA, 2015). UTP comprises of four geographically scattered regions - Puducherry, Karaikal, Yanam and Mahe.

1.2 PERSONAL REASONS

A key stimulus for choosing this research in the locational context of Puducherry arose from the past field experiences of the researcher as a middle level official functionary in Government of Puducherry (GoP) and the observations made while dealing with issues related to informal settlements. This research is 'opportunistic' based on the personal experience that is used as a springboard for the field study by the researcher (Lofland and Lofland, 2006). However, care is taken to use the personal experience of the researcher only as a point of departure and not to get fixated with the ideas that arose out of personal experiences (ibid).

1.3 STRUCTURE OF THE DISSERTATION

In this dissertation, there are five chapters. In this Chapter (Chapter 1), a general background of the study is covered. In Chapter 2, a review of literature on debates on urban poverty and its linkage with urban informality and the various approaches and policy interventions towards enhancing the SoT of the urban poor in the informal settlements is done. Chapter 3 deals with the research approach and the research methods followed in the study and the reasons for choosing the methods are elaborated. Chapter 4 brings out the main results and findings of the research with discussions on the findings made out of the study. Finally, Chapter 5 concludes the findings of the research with key recommendations to improve the informal settlements in Puducherry.

Chapter 2 **LITERATURE REVIEW**

This chapter reviews the literature related to informal settlements, SoT and urban poverty in the global, national and local contexts with specific emphasis on the area of study Puducherry. The review deliberates the land titling and tenure regularisation programmes with specific emphasis on its effectiveness and impact on informal settlements.

2.1 INFORMAL SETTLEMENTS, SoT AND URBAN POVERTY

Informal settlements comprising of slums and unauthorised layouts in cities are places where the urban poor are concentrated (Durand-Lasserve and Royston, 2002). In urban poverty analysis, informal settlements are important because, it provides quick access to the land for the urban poor on the one hand but, on the other hand in the longer run it entraps the urban poor in poverty by preventing their social mobilisation due to denial of basic urban services and unstable SoT (Durand-Lasserve and Selod, 2009). Thus any effort that is directly aimed at addressing urban poverty should ideally begin with improving the various deprivations faced by the people living in informal settlements.

Slums in the Global South are characterised by lack of five common conditions. These deprivations are: (i) access to improved water (ii) access to improved sanitation facilities (iii) sufficient living area (iv) structural dwellings of durable quality and (v) security of tenure (UN-Habitat, 2015). The most common factor that is the root cause for all these deprivations is 'land' and the strength of the relationship urban poor share with land they hold or in other words, the security of land tenure. A socio-economic study by Durand-Lasserve (2006) indicated the strong correlation between urban poverty, tenure status and

access to services and citizenship. Thus, SoT is a key factor in addressing urban poverty and to improve the benefits of citizenship for the urban poor.

Land tenure is defined as "the mode by which land is held or owned, or the set of relationships among people concerning land or its product" (Payne, 2001a). The land tenure policies and practices that prevail in a country/state/city are an important determinant of the SoT enjoyed by its citizens/residents. SoT is described as "an agreement between individuals or groups, with respect to land and residential property, that is governed and regulated by a legal and administrative framework" (UN-Habitat, 2003a). The issues surrounding SoT gained importance in the global policy debate subsequent to its inclusion as a key indicator in the monitoring of Goal 7 Target 11 of the Millennium Development Goals. Goal 7 Target 11 of the Millennium Development Goal was aimed at achieving significant improvement in the lives of at least 100 million slums dwellers, by 2020 (Un-Habitat, 2003b). Even though this target has been achieved early, there are still 863 million people living in urban slums in the global south under insecure tenure status (UN-Habitat, 2014).

Satterthwaite (2009) argues that governments policies and practices affect the urban poor and low-income groups significantly by increasing or decreasing their access to affordable land to meet their housing needs which is very central to their survival and a secure livelihood. They are also aimed to provide SoT and resolve conflict that exist in a system (Lombard, 2012). Payne (2014) also indicate that government policies on provisioning of infrastructure and service investments, developmental regulations like building permits, zoning rules, etc on land directly influences the cost and supply of land for housing. Thus, the political, legal and economic exclusion of the urban poor and low-income groups to affordable land in the market decides the extent of informality in an

urban area as there is no other option left out for the urban poor (Payne, 2014; Durand-Lasserve and Selod, 2009).

To mitigate the various risks associated with poor SoT, the urban poor try to gain certain level of short-term tenure security by availing a 'foundational favour' from the local leader while entering into an informal settlement and protection against official actions like eviction of encroachments (Auyero, 1999). But, this favour they received from the local/political leaders or community gatekeepers is strongly reciprocative and entraps them in a Patron-Broker-Client relationship (Satterthwaite, 2009) which does not benefit the urban poor in the long run. Thus, the urban poor engage in a 'faustian bargain by involving themselves in the clientelistic exploitative practices of the local political forces and forego their freedom of choice and better livelihood and SoT in the longer run for their short term survival needs (Wood, 2004; Sawhney, 2013). Policy solutions aimed at addressing urban poverty should factor these exploitative tendencies of the local political forces and should be ameliorative. Otherwise, it would be difficult to emancipate the urban poor from the vicious cycle of poverty they are trapped in.

2.2 INFORMAL SETTLEMENTS IN INDIA

Urban centres in developing countries like India are undergoing rapid urbanisation due to migration of people from rural areas and natural increase of the urban population (Mishra and Dasgupta, 2014). This exerts considerable pressure on the existing land tenure systems by increasing the demand for land for housing prompting the need for governmental intervention to promote efficient use of land and to enable the urban poor to access land (Payne, 2001a). Risbud (2002) argues that in India, the inability of the government agencies and authorities to meet this increased demand for land has led to

the emergence of squatter settlements of urban poor and unauthorised layouts that are developed illegally in violation of all rules and regulations by the private developers.

Squatter settlements and unauthorised layouts have very low SoT and are prone to eviction by the government agencies either *suo motu* or by judicial orders (Payne, 2004; Durrand-Lasserve and Royston, 2002). Roy (2014) informs that in Indian Cities, informal settlements are already a part of the land and housing market and serve as the main means of shelter for the urban poor in the absence of affordable housing schemes that could match with the actual housing demand by the urban poor. Ironically, with rapid urbanisation, the supply of non-formal land which serves the needs of the urban poor and low-income groups is constrained leading to its commercialisation thereby increasing the cost of even the poorly serviced informal land available for the urban poor (Payne, 2001b). World Bank (2013) reported that the planning norms specified in the master plans, building bye laws, zoning ordinances, etc in India are framed without taking into account the prevailing land market in its cities and hence are out of sync with the ground realities and forces people to break the rules and create informal settlements. Payne (2014) draws attention to the importance of the need to use urban planning that is guided by appropriate policies as a key instrument to shape the nature of urban informality in Indian cities. These arguments lays thrust on the importance of appropriate land policies to address urban informality in India.

2.3 LAND POLICIES AFFECTING SLUMS

According to Banerjhee (2002a), the urban growth dynamics in India varies from state to state and it is very difficult to identify a common pattern in the urban growth dynamics among Indian states. This trend is because of the state specific policies that shape the impact of it on Indian cities (ibid). World Bank (2013) reported that, in general,

the land and building regulations in India are rigid and denies many people access to formal property inside the city and pushes them to the outskirts of the city at the cost of their welfare as significant proportion of their income is spent on commutation. As a result, those who cannot afford to buy a land even in the outskirts of the city get trapped in the urban slums that do not have proper civic infrastructure (ibid; Durand-Lasserve and Selod, 2009).

Even though the SoT is not explicitly stated in the national policies on land in India, it is enshrined in many of its policy documents (Banerjee, 2002a). The Indian constitution, under Article 246 that deals with the distribution of legislative powers between the centre and state governments, confers the legislative powers over the subject 'land' to the state governments (Basu, 1982). The state governments can enact appropriate policies governing land tenure according to the specific needs of the urban poor in the state. Thus, public policies on land in India varies from state to state and there is no single approach that is common throughout the country. The central government makes model regulations on land that can be adopted by state governments after suitable modifications if required. Essentially, this means, the land policies of the state governments is a combination of the policies and programmes of the central government as well the state government's own policies and programmes.

Payne (2014) argues that the public policies on land in India has failed and in turn forced large number of urban poor to live in the informal settlements that the very policy had intended to prevent. Corroborating this, Risbud (2014) reasons out the failure of land policies in India and informs that expected results could not be achieved due to adhocism and lack of sustainability of efforts. The above failures of the legal-administrative system through national and state policies has resulted in increased levels of informality in

most of the urban centres in India (Roy, 2009). The vast increase in the urban population has exacerbated this unsolved problem of informality further leading to the criticism 'India cannot plan its cities' (ibid). This scenario provides the contextual setting for this study. This scenario in India creates a complex situation for which no universal policy solution can address the attendant problems associated with urban informality (Krueckeberg and Paulsen, 2002). Thus, it would be appropriate to study the state specific policies to understand the reasons for failure and to explore state specific solutions.

2.3.1 Various options to improve tenure security in slums

Baan Mankong Programme

A number of options are available for improving the SoT of the urban poor living in slums in cities of the Global South. Among them, *Baan Mankong* programme of Thailand is a very promising initiative (Mitlin and Satterthwaite, 2014). The *Baan Mankong* (means secure housing in Thai) programme is a community led initiative that mobilised the urban poor community to organise themselves at city level and upgrade their housing conditions using community lending and government subsidies (Boonyabancha, 2005). The housing improvement options under this initiative are based on the suitability of it in the slum settlement. The various options are: *in-situ* upgradation, land sharing and reconstruction, re-blocking and readjustment and resettlement (ibid). Figure 2.1 shows the process involved in community led housing improvement under *Baan Mankong* programme. By 2012, under this programme 91,000 houses across 270 towns in Thailand were upgraded (Mitlin and Satterthwaite, 2014). The process of slum housing up-gradation through partnerships between community organisation and government agencies effectively addressed the issues of illegality, lack of tenure security and lack of rights faced by the urban poor in Thailand (ibid).
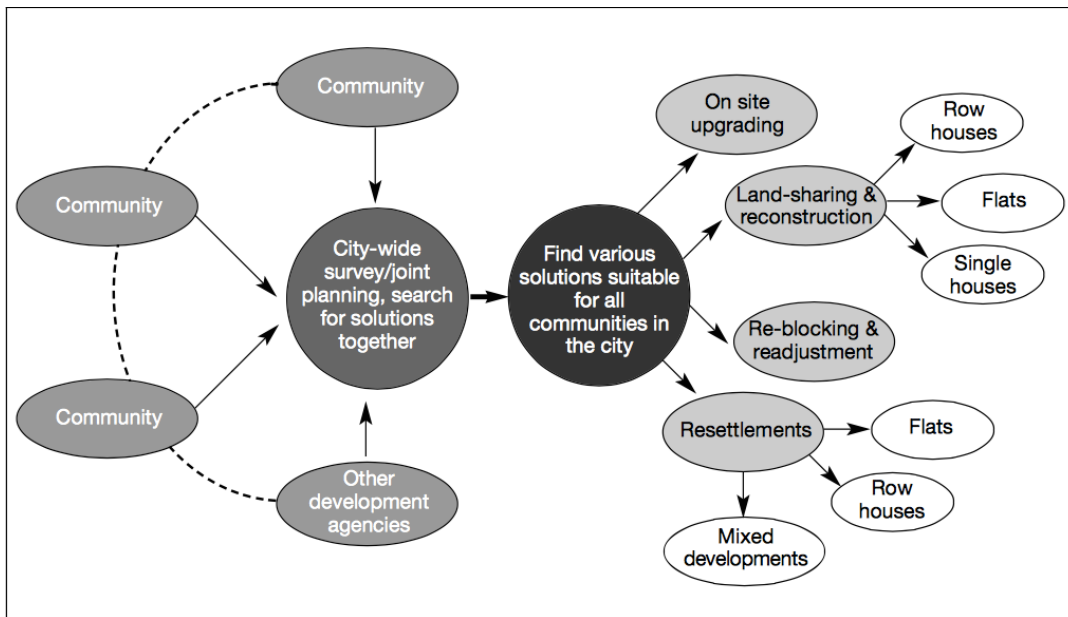
Figure 2.1 Housing options based on the partnership between the community organisations and local authorities in Thailand

Source: Boonyabancha, 2005

Land Titling Programme

Improvement of tenure security by unlocking the 'dead capital' of the urban poor through massive land titling programme had gained popularity in the developing countries especially in Latin America and in some Asian countries (Payne, Durand-Lasserve and Rakodi, 2009). The formalisation of informal land tenure under this approach is aimed at integrating the land held by the urban poor into a system that is recognised by public authorities through i) delivery of real property rights or long-term leaseholds and ii) administrative recognition of occupancy rights by providing temporary and conditional rights over land use and its transfer (Durand-Lasserve and Selod, 2009). In India, it is politically a very appealing concept as it gives significant gains to the Indian political systems pursuing 'vote bank politics' (Kundu, 2013). But, experiences show that the popular idea of land titling which was offered as 'panacea' for all the problems of the poor had failed to yield positive results and is debunked as 'popular myth' (Gilbert, 2012). Further, Experts argue that land titling programmes even though well intended leads to some unintended consequences owing to the following factors:

1. Titling programmes send a signal to the land owners and developers to realise the sudden increase in the value of regularised land by illegal subdivisions and leads to unauthorised developments (Payne, 2001a).

2. The rental tenants in the informal settlements face threat of evictions by the land owners of regularised land due to the rapid value appreciation of land due to regularisation (ibid).

3. Land titling causes downward raiding of the newly regularised land by middle and high income groups resulting in gentrification and market eviction of the low income groups (Payne, 2001a; Payne, Durand-Lasserve and Rakodi, 2009)

4. Land titling that is based on relocation of slum dwellers in the urban peripheries by providing land title adversely affect their livelihood and work opportunities (Payne, Durand-Lasserve and Rakodi, 2009)

5. Tenure formalisation cannot assume compliance to planning, zoning norms and building standards (Durand-Lasserve and Selod, 2009)

6. It could result in negative environmental externalities owing to location disadvantages and vulnerability (ibid).

These adverse effects made Payne, Durand-Lasserve and Rakodi (2009) to raise the most important question: To what extent is land titling an essential requirement for achieving SoT, increased access to institutional credit, housing improvement, reduction of urban poverty and reduction in formation of future slums and unauthorised settlements?

Other promising initiatives in India

'The Alliance' is a community led initiative by the slum dwellers in Mumbai through an alliance consisting of a women led organisation *(Mahila Milan),* slum dwellers community (National Slum Dwellers Federation) and a Non Governmental Organisation (Society for Protection of Area Resource Centre) (Appadurai, 2002). The alliance mobilised

the slum households together using 'community savings' to create community bonding and to demonstrate to the government the community's ability to resolve their common problems like housing, sanitation, etc (ibid). Though it is not a government led initiative, it demonstrates the capability of the slum dwellers in resolving problems associated with housing and basic urban infrastructure through participatory social mobilisation tools such as community savings, enumerating slum households and generation of slum data by mapping and survey and by forging alliances with other slum communities in the city (Mitlin, 2014). Similarly, in Vishakhpatnam a city in the east coast of India, an integrated and inter-sectoral approach to slum improvement by bringing all the governmental programmes under a comprehensive community based initiative led to remarkable improvements in the living conditions of the slum dwellers (Banerjee, 2002b). Such initiatives demonstrate to us the possibility of community led local solutions to resolve all the complexities around urban informality.

While it is indisputable that land tilting leads to increased SoT, there are many other forms of tenure systems that provides high levels of security (Satterthwaite, 2009). Any policy measure that is aimed at improving the SoT should give time for the urban poor communities to consolidate their Informal Settlements through improvement in their living conditions, emergence of a legitimate leadership, identification of rightful beneficiaries, community conflict resolution and adequate time for the government to invest in public infrastructure in the informal settlements (Durand-Lasserve, 2006). Thus, land titling when pursued as a stand alone strategy might lead to unintended consequences. Hence, a basket of approaches aimed at the overall improvement of SoT and wellbeing of the slum dwellers and urban poor is recommended (Payne, 2004). Also, global experiences indicate that such package of measures give effective results than 'single dramatic initiatives' like land titling (ibid).

2.4 LAND POLICIES AFFECTING UNAUTHORISED DEVELOPMENTS

Indian cities are facing a rapid pace of urbanisation which brings immense opportunities for the economic growth and prospects to all the urban residents if proper policies are pursued (Roberts and Hohmann, 2014). Dowal and Ellis (2014) argue that the failure of the urban planners in providing development opportunities to the entrepreneurial forces through increasing the supply of land by increasing densities or by contiguous outward expansion leads to increase in the prices of land and results in the development of informal settlements and slums. Real estate developers utilise the lack of effective land use policies and density regulations and build projects that yields them 'the highest and best use of site' and high profits resulting in the spread of poorly serviced informal settlements that develop into an urban sprawl (ibid).

Land regulations that affect the density of settlements in cities play a major role in deciding housing supply (World Bank, 2013). Floor Space Index (FSI) is an important tool which is under utilised in India to improve the supply of affordable housing in Indian cities (ibid). Table 2.1 compares the FSI[1] in major cities of the world with few indian metropolitan cities to illustrate the under utilisation of such planning tools in indian cities to densify the city and prevent the growth of urban sprawl (ibid). Thus, in India, under utilisation of certain globally accepted urban developmental control tools like FSI together with very rigid developmental regulations are cited as the main reasons for the prevalence of unauthorised layouts (Dowal and Ellis, 2014; World Bank, 2013).

2.5 NEED FOR APPROPRIATE LAND POLICIES

Policy instruments affecting the land tenure in urban areas significantly affects the informal settlements by affecting the supply of legally serviced land. For example, master plans and zoning ordinances, if very restrictive, can constrain the supply of land and lead

[1] FSI - the ratio of the gross floor area of a building on a lot divided by the area of that lot (World Bank, 2013)

Table 2.1- Comparison of FSI among different cities with Indian Cities

City	FSI	City	FSI
Puducherry*	1:1.8	Vancouver, Canada	1:8
Chennai, India	1:1.5	San Francisco, United States	1:9
Delhi, India	1:1.2-1:1.35	Chicago, United States	1:12
Mumbai, India	1:1.33	Hong Kong, China	1:12
Amsterdam, Netherlands	1:1.9	Los Angeles, United States	1:15
Paris, France	1:3	Tokyo, Japan	1:20
Shanghai, China	1:8	Singapore	1:12-1:25

Reference: Lainton, 2011 in World Bank 2013 ,*Town and Country Planning Department (TCPD), 2015

to a rise in the price of land in urban areas and forces the urban poor to encroach urban land or settle down in informal settlements (Dowall and Ellis, 2014). Other key factors to be considered are how transparently the laws and regulations are implemented; and, the gaps in the land policy and its delivery that matches and decides the gaps between the need for land for housing and its availability (Satterthwaite, 2009).

Payne (2014) and Krueckeberg and Paulsen (2002) lay emphasis on public policies that fosters inclusion through public participation can deliver an urban planning system that is more efficient and sustainable in tackling the issue of urban informality. In the current scenario, it is not possible for the urban planners and policy makers to simply prepare master plans or zonal regulations and assume that the developers or land owners will adhere to it unless it also meets their own needs and interests (Payne, 2014). The complex land tenure systems and the more complex inter-relationships in the land sub-markets in cities necessitate a strong understanding of the *de-facto* and *de-jure* tenure systems before attempting any land policy interventions to prevent counter-productive results (Payne, 2001a). Regulatory frameworks that do not factor in the current needs of

the land market and urban poor results in a rigid system with cumbersome procedure for getting developmental approval and property registration (World Bank, 2013). This forces large sections of people to either squat on public land or buy illegally subdivided agricultural land and construct houses without taking official approval. Payne, 2014 informs that the degree of prevalence of informal settlements and unauthorised developments is a clear reflection of the suitability or unsuitability of the regulations and standards that are intended to ensure a planned urban development (ibid). From the discussions, it is clear that the prevalence of slums and informal settlements in a city can serve as a proxy to indicate the failure of the urban land tenure policies pursued by the states.

2.6 BRIDGING THE KNOWLEDGE GAP

Globally, studies on urban informality in general are focussed on mega-cities which comprise only 13% of the world population (Roberts and Hohmann, 2014). Secondary cities in India are undergoing rapid urban growth and are expected to absorb half of the urban expansion in the near future (Storey, 2014). But, there is a lack of information on the administration of land, economy, finance and infrastructure which hampers their ability to manage urbanisation and bring economic prosperity and employment in these secondary cities (Roberts and Hohmann, 2014). There are very limited studies on land policies of the government that affects the SoT of the urban poor in informal settlements in such secondary cities (Durand-Lasserve and Selod, 2009). This leads to significant gaps in our understanding of the issues surrounding land tenure in the informal settlements of secondary cities which are the future of urbanisation in India (Storey, 2014). Whereas, studies that focuses on the public policies and its impact on informal settlements in cities are important to undertake reforms and to ensure that the benefits of urban development are passed on to the urban poor.

Puducherry is one such secondary city where there is a significant gap in our knowledge and understanding of the issues faced by slum dwellers and the inability of policy makers in addressing them. The study of the slum development policies and practices in Puducherry enables us to understand the main issues associated with informal settlements in the city and to evolve suitable policy solutions. Further, it helps to devise critical interventions to improve the overall quality of the living conditions as envisioned in the Target-11 Goal 7 of the MDG (UN-Habitat, 2003b).

Chapter 3 **RESEARCH METHODS**

In this chapter, the city profile of Puducherry is provided to bring out the locational setting of this study. The second section lays out the purpose of the study and research questions. In third section, the research approach and object of study are explained. The research strategy is discussed very briefly in the fourth section. Fifth section deals with the research methods that were used in this study and explains the appropriateness of the methods. Then, a brief explanation on how the research methods were used to develop an understating of the land policies and its impact in Puducherry is given. The penultimate section tells the reader about the qualitative data analysis undertaken using the data collected through semi-structured interviews. Finally, the limitations of the study is briefly covered.

3.1 PUDUCHERRY CITY PROFILE

The Census of India has estimated the total population of Puducherry District as 952,809 in the year 2011 out of which the urban population was 657,209 (Census of India, 2011). Puducherry is ranked as the fifth most urbanised City in India and has 68.33% of the region's population living in it (TCPD, 2014). The report of the Ministry of Housing and Urban Poverty Alleviation (MoHUPA), GoI based on the 2001 census data had reported that the slum population of Puducherry as 74000 (11.4% of the total population in 2001) (MoHUPA, 2010) which has increased to 82,000 at present (Census of India, 2011).

The City of Puducherry (henceforth Puducherry) is not co-terminus with Puducherry District (293 Square Kilometre) but it encompasses the urbanised areas (45 Square Kilometre) in the district (Map 3.1). The city has two municipalities - Puducherry municipality and Olgaret municipality. Puducherry municipality caters to an area of 19.46

Square Kilometre that is more urbanised than the Olgaret municipality which caters to an area of 36.7 Square Kilometre (TCPD, 2015). But, the population of Olgaret municipality (300,150) is higher than the Puducherry municipality (244,377) (Census of India, 2011).
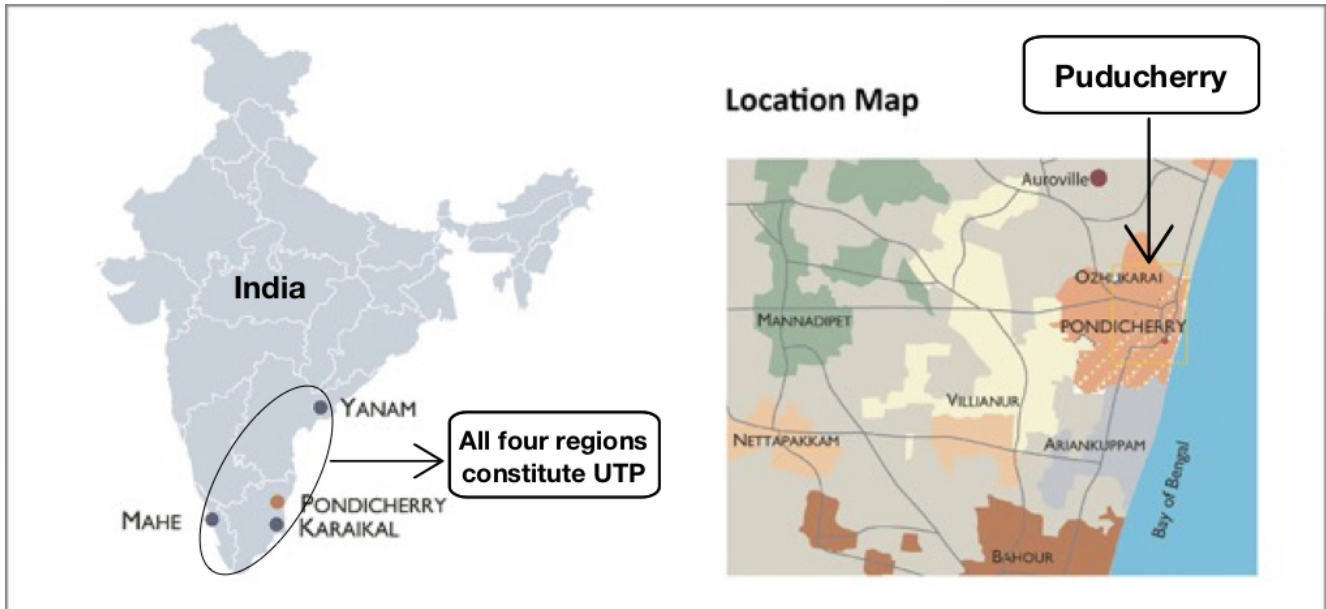
Map 3.1 - Map showing the location of UTP in India. On the map in the right, Puducherry City is shown.

Source: INTACH, Puducherry

Puducherry is grappling with twin problems associated with urban population increase due to i) migration of people from the neighbouring state of Tamilnadu and ii) natural increase of the population that has already migrated (Census of India, 2011; Mishra and Dasgupta, 2014)**.** The relatively high density of population of Puducherry (3232 persons per Square Kilometre) (Census of India,2011) together with the increasing slum population as a result of above reasons prompts the need to study the policies of GoP and its impact on the slum settlements in the city. Furthermore, Puducherry is one of the 100 cities that is provisionally selected for the Smart Cities Mission of the GoI (GoI, 2015). Hence, an understanding of the impacts of the policies of the GoP on informal settlements is critical for the success of any mission to make the city a smart city.

3.2 PURPOSE OF THE STUDY AND RESEARCH QUESTIONS

Globally, there are two common categories of informal settlements viz., Slums and Unauthorised Constructions (Durand-Lasserve, 2006). Understanding the nature and prevalence of informal settlements in Puducherry is a basic prerequisite before making any policy intervention that affects the SoT in any informal settlements. An understanding of the land typologies and tenurial arrangements in such settlements enables us to ensure no unintended consequences happen during the course of implementing policies aimed at addressing them (Payne, 2001a). For this, an understanding of the current public policies and practices affecting land tenure and SoT of the people living in the informal settlements is important in order to assess the effectiveness of such policies. The impact of public policies on land is shaped by the growth dynamics of the city (Banerjee, 2002a) and the way they are implemented (Dowall and Ellis, 2014). To assess the impact of any policy, it should be context specific (Durand-Lasserve and Selod, 2009) and the case of Puducherry provides the specificity required for studying the impact of the GoP's public policies on land.

To achieve the above objective, the following research questions were formulated:

1. What is the nature and prevalence of informal settlements in Puducherry City?

2. What are the existing policies and practices that affect the informal settlements in the city?

3. What are the impacts of the public policies on land that affect the informal settlements in the city?

The answers to these questions are crucial to develop an understanding of the GoP's public policies on land and to assess whether the policy response of GoP in addressing the issue of urban informality in Puducherry is sufficient to resolve the problems associated with it.

3.3 RESEARCH APPROACH AND OBJECT OF STUDY

Chapter 2 has brought out the debates around the issue of SoT and the role of public policies in addressing them. It also provided the rationale for choosing an inductive approach to answer the research questions framed under the study. The research approach based on inductive theory guides the qualitative research strategy adopted for this study (Bryman, 2012). In a qualitative research like this based on an inductive approach, a theory is evolved at the end of the research based on observations and findings by the researcher during the course of research (ibid). But, in this case, evolving a theory is beyond the scope of this research and hence the study is restricted to understanding the nature of informal settlements in Puducherry, the policies of GoP and the impact of policies on the informal settlements in the city.

Taking cue from the knowledge gained from the literature review where the global debates on issues of land tenure and its relationship with urban poverty are discussed, we can position the object of this study in the wide canvas of urban poverty that is shaped by global, national and state policies. Figure-3.1 depicts how the policies at global, national and state level affects the informal settlements in Puducherry City and how the object of the study of this thesis is positioned in the broad canvas of urban poverty.

3.4 RESEARCH METHODS

This section explains the reasons for choosing the mixed research methods i.e semi-structured interview (SSI) and documentary analysis to understand the land tenure policies of GoP and its impact on the informal settlements in Puducherry.
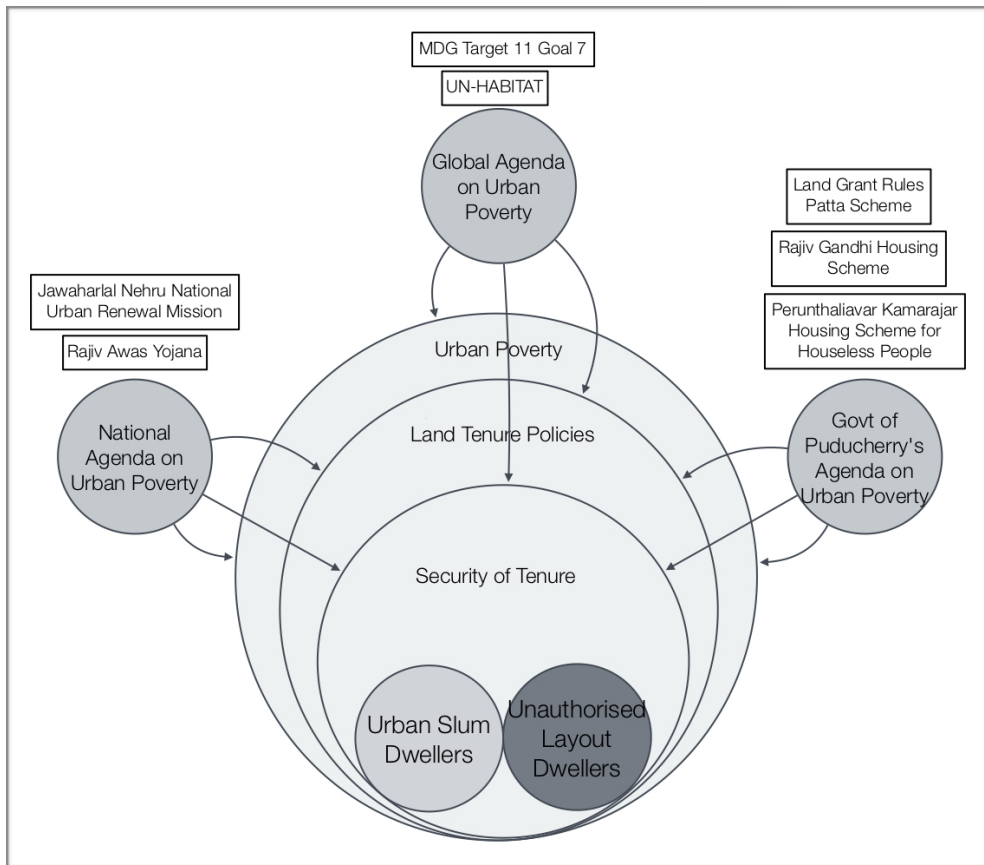
Figure 3.1 Object of study

3.4.1 Semi-structured Interviews

Semi-structured interview is a technique wherein the researcher carries a set of standard questions in the form of an interview guide or aide-memoire and seeks a complete response from the respondent by engaging in a casual conversation (Bryman, 2012). It is a primary data collection method in policy research as it enables the researcher to engage in a conversation with the respondent and can probe into the details on certain information that helps in developing a complete understanding of the subject under inquiry (Harrell and Bradley, 2009). The interviewer need not follow the questions in the way outlined in his schedule and can pick up questions from the responses given by the interviewee to probe into detail on the point under conversation (ibid). This method is ideally suited for this study as it is exploratory and interpretive in nature. Policy studies of this nature need an exploratory style of data gathering to understand first the issues at

hand and to further probe why certain problems could not be solved or certain things could not be implemented or enforced successfully.

SSI unlike structured interviews have a flexible and fluid structure which allows the interviewee and interviewer to build good rapport and enables coproduction of knowledge (Mason, 2004). This method also allows the interview to be shaped by both the researcher's interest and the interviewee's depth of understanding of the issue under investigation (ibid).

SSI is also a good complementary data collection technique for policy research when combined with methods like documentary analysis (Harrell and Bradley, 2009). Land policies of GoP is not a single document where one can find all the information required for the study to develop a comprehensive understanding. It requires interviews with key officials who might throw light on the availability of various regulations, rules, government orders, office orders, etc many of which are not available in the governmental websites but lies scattered with different official departments in Puducherry. The primary key to access all these scattered documents is gathered from the responses given by the interviewees during the semi-structured interview process. The data generated could be very personal or confidential in a semi-structured interview as the interviewee shares certain information with the researcher based on trust and rapport (Mason, 2004). Thus, maintaining the confidentiality of the data generated through SSI is paramount and it attracts ethical considerations.

Selection of Interview Subjects: The subjects interviewed in this study are government officials across the hierarchy. It included officials from grassroot level to the highest policy maker in departments that play a role in policy making and its implementation. The official

functions of the interviewees are tabulated and provided in Appendix-1 to highlight their appropriateness for this study. As they are experts in their functional domain, interviews (Kvale and Brinkmann, 2015) were held to elicit response which helped to understand the land tenure policies in a holistic perspective through the different levels of implementing officials and policy makers. The hierarchy of officials who participated in the research process was drawn from the existing hierarchy of officials whose functional domain is relevant for the purpose of this study. Figure 3.2 shows the hierarchy of officials who participated in the research and the knowledge production from bottom-up of the official hierarchy during the course of interview in the study.
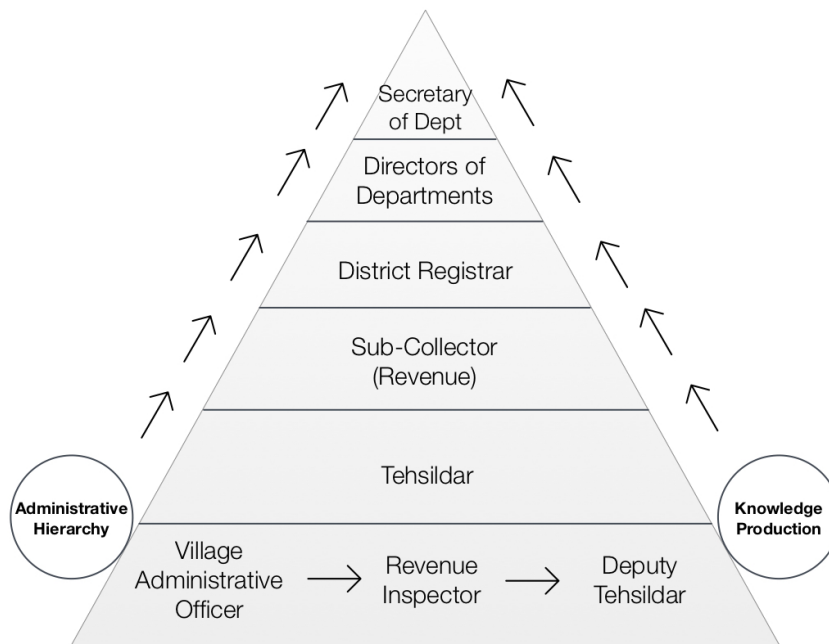
Figure 3.2 Knowledge production across the official hierarchy in GoP

Altogether 19 interviews were conducted in this study. However, 11 interviews were transcribed as they were found be useful for analysis. The remaining 8 interviews were not transcribed and the information gathered during these interviews were used for the purpose of identifying documentary resources and other respondents with domain knowledge on the subject. The list of the interviewed officials were provided in

Appendix-2. To protect their identity, codes were given against their names. The aide-memoire used by the researcher for conducting the interview is provided in Appendix-3.

3.4.2 Documentary Analysis

Documentary analysis is a good complementary tool to SSI as it enables to triangulate the responses of the interviewee and validate the data collected during the conversation. In this study, the focus of using documents as a research method is for its 'content' (Prior, 2011) as it serves as a rich repository of resources on land policies and practices of GoP. Atkinson and Coffey (2011) emphasise that without documentary materials, the research questions cannot be investigated properly and advises the social researchers to not merely treat it as a secondary data or as surrogates for other kinds of data.

Documents in its own right should be regarded as a distinct data and provides information through "documentary version of social reality" (ibid). However, documentary sources of data are produced on a particular context, the risk of using it for another context by uncritical adoption is high (May, 2011). Documentary sources must pass the test of authenticity, credibility, representativeness and meaning (Scott, 2006). Bryman (2012) warns researchers of the temptation in treating documents as the reflections of the social reality and stresses the need to employ other sources of data regarding that reality and the contexts within which the documents are produced. The researcher should be aware of the pitfalls in using official documents in research by critically adapting it and subject it to inquiry based on the data gathered from other sources (May, 2011). These precautions were taken by the researcher during the collection and analysis of the documentary resources.

Documentary Resources Used: The choice of documentary resources that are used for the study evolved during the course of the interview with the respondents. Also, it helped to gather certain basic information and to frame appropriate questions before conducting interviews. Documents that are inter-linked to each other were obtained from varied sources. The GoP website, secretariat library and documents from other offices were the main sources from which documentary resources were obtained. Policy documents of GoP, inter-departmental communication, official reports, news items in newspapers, land records, maps and photographs were used. Necessary permissions were taken from the department or library to access the documents.

3.5 QUALITATIVE DATA ANALYSIS

The qualitative data analysis is based on grounded theory that involves use of tools like theoretical sampling, coding, theoretical saturation and constant comparison (Bryman, 2012). During the data analysis, the primary data collected during SSI were transcribed and memos were made and then, selective coding of the interview transcript is undertaken in order to evolve concepts by constant comparison till a stage of theoretical saturation of concepts is achieved from the interview transcripts. The concepts that evolved were then assembled into suitable categories from which broader themes were constructed using thematic analysis of the categories. The themes that evolved during the analysis were interpreted as findings which are brought out in Chapter 4. Figure-3.3 shows the framework of qualitative data analysis based on the grounded theory (Bryman, 2012).
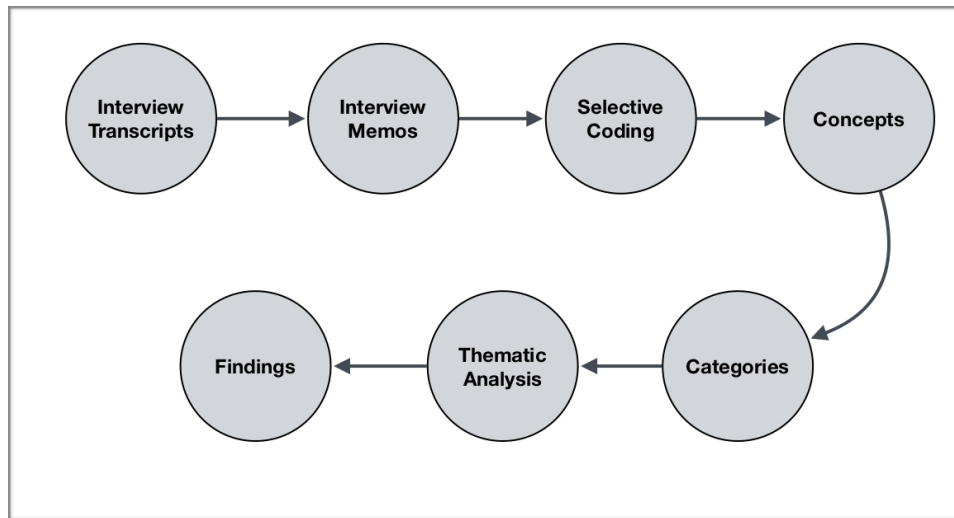
Figure 3.3 Framework of qualitative data analysis
Bryman, 2012

3.6 LIMITATIONS

The researcher studied the GoP's public policies on land and its impact through the government officials who also play a key role in framing the policies and implementing them. This might have caused a certain bias in their response. To ameliorate this, the researcher triangulated the key information/data collected during interview with official documentary resources including certain inter-departmental communications and also by interviewing and discussing with additional respondents of similar status. Also, the familiarity of the researcher with some of the respondents helped to create a better degree of frankness in their responses. Any contradictory information provided by the respondents was cross-verified with other officials in the same department or with the other respondents in order to arrive at the factual position of their claims. This helped to mitigate this problem to some extent.

Chapter 4 **MAIN FINDINGS AND DISCUSSIONS**

Analysis of the data gathered during the study based on documentary resources and semi-structured interviews with key officials in Puducherry led to the evolution of three themes that serves the purpose of answering the research question. The themes relevant to the research questions are:

1. Nature and prevalence of informal settlements in Puducherry

2. Policies, practices and programmes currently implemented in the city that regulate the informal settlements

3. Impacts of the policies and practices on the informal settlements in the city

In this chapter, the findings and discussions of the research are dealt in the light of its implications for the research questions of the study. In the first section, findings on the nature and prevalence of informal settlements and land tenure typologies prevalent in the city are explained. Second section lists out the current policies and practices of the GoP that are focussed on the informal settlements in the city and discusses its implementation. In the third and most important section, the impact of the policies and practices on the informal settlements is elucidated followed by a detailed discussion. As the policies that regulate the slums are different from that of unauthorised constructions separate discussions are brought out in every section for slums and unauthorised layouts.

4.1 NATURE OF INFORMAL SETTLEMENTS IN PUDUCHERRY

4.1.1 Nature and Prevalence of Slums in Puducherry City

Slums in Puducherry are specifically characterised by people who had migrated from the neighbouring state of Tamilnadu in two distinctive phases. The first wave of migrants came to the city immediately after the years following the *de facto* transfer of

powers from the French Colonial Government to the Government of India in 1954 and UTP became a part of the Republic of India (TCPD, 2007). The sudden inflow of migrants was a result of removal of restrictions on the movement of people from Tamilnadu to Puducherry that prevailed during the French colonial rule of Puducherry which paved the way for migrants to migrate and settle down in Puducherry. The second wave of migrants came to Puducherry between 1970 to 2000 when GoP promoted industrial development with attractive policies that mobilised the labour groups from Tamilnadu to migrate and settle in the City (PM2, Interview, 03 June 2015).

This increase in the population of the city due to migration created a demand for urban housing which could not possibly be fulfilled by GoP. It resulted in settlements in and around the main work centres in the city that led to the creation of slums as a consequence of the demand-supply gap in affordable urban housing market. The chief town planner of Puducherry reflecting on the origin of slums in the city said:

> Most of the migrants are poor and they were not in a position to pay rents and they occupy [land] and settle in roadside vacant areas and later become a beneficiary under the land and housing schemes of the government (PM2, Interview, 03 June 2015).

PSCB was created to tackle the issue of slum settlements and for up-grading the basic infrastructure in slums in 1986. The PSCB has recently identified 303 slums in the UTP out of which, 195 slums exist in Puducherry district (PSCB, 2014). In the city limits, there are 140 slum settlements out of which 60 slum settlements are notified under the Slum Areas Act, 1986 and 80 slums are identified during the course of preparing the SFCPoA as mandated under the *Rajiv Awas Yojana* (RAY) Programme of GoI (ibid).

To demonstrate the prevalence of slums in the city visually, satellite imageries that are prepared with the assistance of the State Emergency Operation Centre (SEOC),

Puducherry are provided. Map 4.1 shows the satellite imagery of *Uppalam* constituency with the boundaries of slum settlements clearly demarcated and Map 4.2 shows the satellite image of slums located in the central part of the city.

One can infer from the Maps 4.1 and 4.2 that the slum locations are scattered in the city. The only portion of the city that is free from slums is the boulevard that was originally planned by Dutch colonisers and later adopted by the French colonisers while building the City of *Póndicherry* (Deloche, 2005). Except the boulevard, the city has wide spread slum pockets amidst residential and commercial areas of the city. Photographs showing the slum pockets of *Poyya Kulam* and *Rasu Udayar Thottam* in the city are provided in Appendix-4.

The quality of life in the slums in the city is not uniform throughout. There are wide variations in the levels of basic infrastructure in the slums and it depends on largely whether the slum exists in a public land or a private land. The slums that are located in public land generally enjoy better basic infrastructure and those in the private land do not have the basic infrastructure as that of the former. Slum like *Ambedkar Nagar (Attupatti)* (marked yellow in Map 4.2- Puducherry Central) that is located in disputed private land do not have good basic infrastructure (EX11, Interview, 02 June, 2015) and whereas slums which are located in public land like *Anitha Nagar* and *K.C. Nagar (Nellithope)* have been provided with better basic infrastructure (marked white in Map 4.2). On the contrary, slums like *Rasu Udayar Thottam* and *Fransuva Thottam* (marked red in Map 4.1) located in private lands could enjoy better basic infrastructure and SoT as it falls under the constituency of a local Member of Legislative Assembly (MLA) who is very vocal and could get public investments for providing basic infrastructure in these two slum settlements (ibid). Thus, the nature and condition of slums in Puducherry is shaped by

Map 4.1- Satellite image showing slum pockets in Uppalam Constituency in Puducherry

Fransuva Thottam
Identified Slum
Located in Private Land
Number of households: 179
Population: 722

Note: Yellow mark indicates the boundaries of slum settlements

Source: TCPD, 2014

Courtesy: SEOC, Puducherry

UPPALAM - IDENTIFIED SLUMS

N

3:Naipatty (Vambakeerapalayam)
2:Atlier Shanthi
5:Rajiv Gandhi Nagar
9:Asokan street
8:Fransuva Thottam
6:Muslim Kallarai Street
4:Rodiarpet
7.Thiruvalluvar Street
10:Udayar Thottam

Map 4.2- Satellite image showing slum pockets in central parts of Puducherry

Courtesy: SEOC, Puducherry

4.Vaithikuppam sea shore
1.Vaithikuppam
2.Kudirzikulam
5.Kurdchikuppam North
6.Panaigramani hotam
5.Vyajkulam hift thottam
6.Pazhaigramanhithotam(Kuppam (Sourf)
3.Kuruchikuppam sea shore
M's Agragaram
8.EV Nagar 2
1.Therkanayagam Pillai Thottam
6.EV Nagar(Annasekkumuru)
5.Chinnayapuram
3. (ottakal Mudaliar Thottam
7.EV Nagar2(Bharathi Street)
7.EV Nagar
6.Kumaraguruvallan
2. Mottaithoppu
8. Chinnanainmedu
2. Narimedu
1. Poraiyakulam
7 Ellaiyanman Nagar
3.Chinnayanpet
1. Velanthoppu
5.Boonkulam(Syram)
4.Sakthi Nagar
5.Vinobe Nagar (Maruamman Nagar)
 daiyanpet (Ramalinga Gramamthottam)
2.karpet
3.Govindsalai
2.Pudu Nagar (Govindsalai)
4.Ambedkar Nagar (Attupatti)
1.Kann(Doctor Thottam
1.Doongulam (Kennedy Nagar)
1.Sikiipolaiyam & Arunthathipuram
3.Jafrabai Thottam
2.Petryar Thottam
2.KC Nagar
1.Sikiipolaiyam (Nellithoppu)
2.Chinnakuyavarpalayam

Ambedkar Nagar (Attupatti)
Category:- Notified Slum
Located in Private Land
Number of households - 91
Population - 431

KC Nagar
Category:- Identified Slum
Located in Public Land
Number of households - 30
Population - 102

Source: TCPD, 2014

factors such as the legal status of land, its location and the political influence of the constituency MLA.

4.1.2 Nature of unauthorised development in Puducherry

In Puducherry, unauthorised developments occur due to construction of residential buildings in illegally subdivided agricultural land. Construction of houses in agricultural land is not allowed without the approval of the TCPD. The TCPD allows construction in agricultural land after following certain official procedures which is explained in the next section. Unauthorised developments are those which take place in land which are classified for a different use.

The residential land market in Puducherry is purely market driven and the public demand for land is catered by private property developers (Interviews). The land market functions under a totally unregulated policy environment. At present, no residential layouts are sold after getting the mandatory approval from the TCPD (PM4, Interview, 05 June 2015).

In effect, this practice means there is no formal land market and any person desirous of building a house have to buy the land from the property developers who sell plots by illegally subdividing agricultural land. There is a *de facto* SoT for the persons who purchase thee plots and construct houses as the enforcement of developmental regulations in the city is very weak.

4.1.3 Land Typologies of the Informal Settlements in the City

In cities of the developing countries there are different subgroups of urban poor with different priorities and needs with respect to tenure and property based rights

(Payne, 2004). To evolve a suitable policy response, recognition of these different priorities of the urban poor subgroups is important (Durrand-Lasserve and Royston, 2002). Further, before making a policy intervention, understanding the nature of land tenure and land typologies is crucial to ensure that the policy response does not lead to unintended consequences (ibid). Keeping this in mind, during the study, an attempt was made to identify the different land typologies and the degree of SoT that exists in the informal settlements in the city. Based on Payne's (2001a) typology framework and responses of the field functionaries in the Department of Revenue, Directorate of Survey and Land Records (DoSLR) and PSCB, the common land typologies prevalent in the informal settlements and the degree of SoT enjoyed by them in Puducherry was constructed and provided in Figure 4.1.
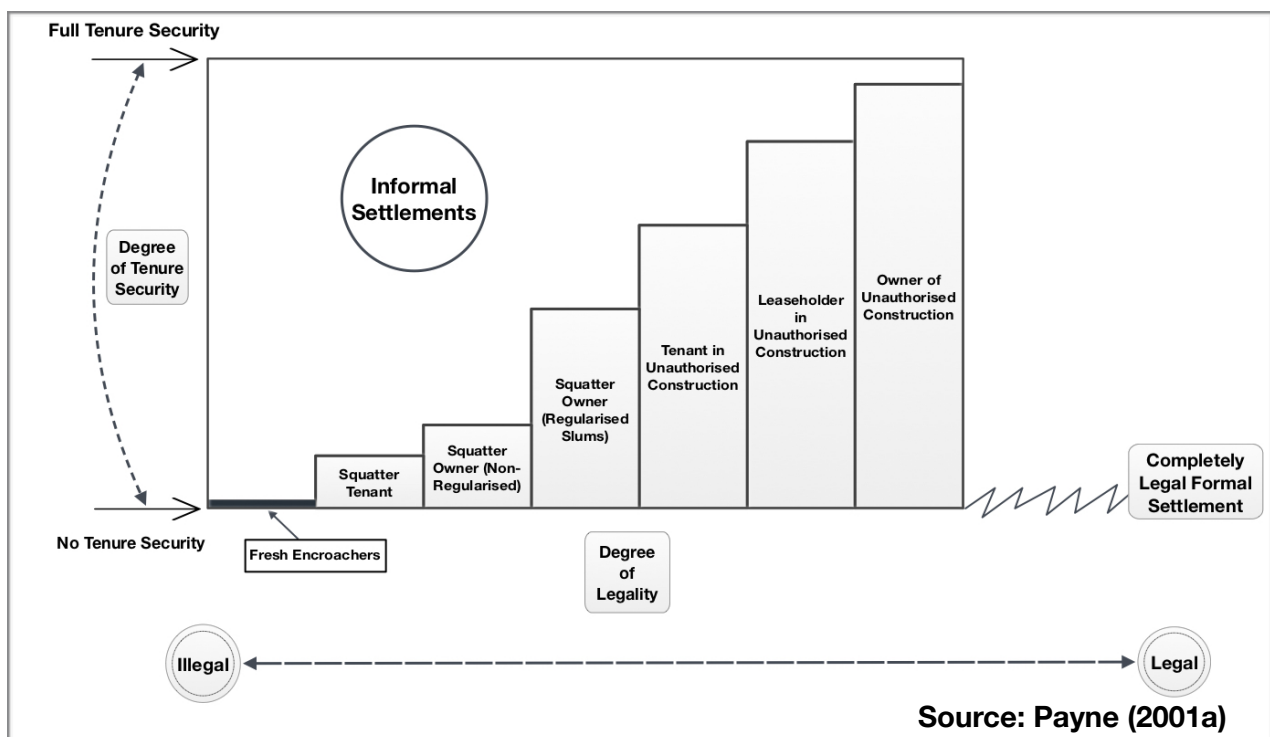
Figure 4.1 Land typologies observed in the informal settlements of Puducherry

The land typology framework indicates that fresh encroachers who encroach upon the public land have very low SoT as the enforcement agencies summarily evict any fresh encroachments that come up in the city. There is a regular practice of removing fresh

encroachments in the city especially on land which is non-tenable like in those land abutting drainage channels, river banks, etc as they are vulnerable locations and prone to flooding during the monsoon. Other tenure categories in slums enjoy significant level of SoT. In case of unauthorised layouts in the city, there is a high perception of SoT which is strengthened by lack of enforcement of developmental regulations by TCPD (EX5, Interview, 03 June 2015).

4.2 POLICIES AND PROGRAMMES

4.2.1 Policies and practices that regulate slums in the city

The GoP's policies that impact the slums in the city includes regulations, programmes and practices that are aimed at regularisation of encroachments by slum dwellers, allotment of free house sites, subsidised schemes for house construction, up gradation of basic infrastructure in slums and public investments in multi-storey slum housing projects, etc. Such policies have a direct bearing on the land tenure on the slum dwellers and in turn their SoT. In respect of welfare of slum dwellers, the policies of GoP is focussed on achieving a 'hut free state' (The Hindu, 2014). The GoP is implementing a number of programmes that are aimed at improving the conditions of the urban slums by investing in basic urban infrastructure like roads, housing, water supply, drainage, sanitation, etc. Some of the programmes are centrally sponsored and some are implemented by the GoP using its own state funds. Table 4.1 lists the policies and programmes implemented in Puducherry that impact its urban slums.

Table-4.1: Policies and Programmes that are currently implemented by the GoP for Slum Development

Policies	Objectives	Comments	Implementing Agency
The Slum Areas (Improvement and Clearance) (Puducherry Amendment) Act, 1986	Act that provides for the improvement and clearance of slum areas in certain territories and for the protection of tenants in such areas from eviction	The PSCB notifies slums based on this act. Notification of slums is the first step towards official recognition of the issues on basic infrastructure and SoT in slum settlements (Edelman and Mitra, 2006).	PSCB
The Public Premises (Eviction of Unauthorised Occupants) Act, 1971	This act is enacted to provide for a speedy machinery for the eviction of unauthorised occupants in public premises	Revenue officials and municipalities use the provisions of this act to remove encroachments in public places and government land.	Revenue Department and Municipalities
The Pondicherry Land Grant Rules (LGR), 1975 (G.O.Ms.No.91 dated 4th August, 1975) [LGR Scheme]	To assign Free House Sites (FHS) to the landless people in Puducherry to enable them to construct house and to improve their SoT.	The Directorate of Survey assigns FHS to eligible persons under the rules. In the town area, land area of an extent of 450 Square Feet per person is allotted for house site. This is an important rules based on which the Land Titling Programme of Puducherry is implemented.	DoSLR
Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act, 2014	The act provides the basis for acquisition of land for 'public purposes' replacing the old Land Acquisition Act, 1894.	Due to paucity of government land in Puducherry, PSCB has to acquire land to provide FHS to the landless people under this act. This act is not able to be implemented because of lack of model rules that has to be framed by GoI.	Revenue Department
Puducherry Kamarajar Housing Scheme (PKHS) for Houseless Poor	This scheme provides financial assistance to the families below the poverty line category to construct a house on their own plot to achieve the objective of a 'hut free state'.	This scheme is one of the most popular scheme for slum housing as it is dovetailed with LGR Scheme and covers the FHS beneficiaries for construction of house. It covers 10,000 eligible families every year and provides ₹200,000 in three instalments for constructing a concrete house.	PSCB
Rajiv Gandhi Housing Scheme (RGHS)	This scheme provides housing subsidy for construction of house for the homeless scheduled caste and economically backward class people in Puducherry.	This is another popular scheme that is dovetailed with the LGR Scheme. It provides ₹400,000 in three instalments for constructing a concrete house.	Adi-dravidar Welfare Department
Environmental Improvement of Urban Slums	This is a CSS aimed at improving the environmental conditions in the existing slums by providing basic infrastructure like roads, water supply, toilets, drainage service, etc.		PSCB
Rajiv Awas Yojana (RAY)	It is a CSS aimed at creation of a 'slum free India' by providing access to urban civic amenities, social amenities and decent shelter for the urban poor.	RAY is a flagship programme of GoI and is implemented in phases. The UTP is in the process of preparing a SFCPoA. RAY has made the participation of slum dwellers mandatory in the implementation of SFCPoA. Recently, GoI has launched **Pradhan Mantri Awas Yojana** which will replace RAY. The programme will be implemented between 2015-2022 (MoHUPA, 2015)	PSCB
Jawaharlal Nehru National Urban Renewal Mission (JNNURM)	JNNURM is a CSS aimed at creating better urban services in the cities of India.	GoI has launched Atal Mission for Rejuvenation and Urban Transformation by replacing JNNURM. However, the scheme is yet to be implemented (Ministry of Urban Development, 2015).	PSCB

Source: Law Department, Government of Puducherry, n.d.
$1=₹63.77 (As on 06 August 2015)

4.2.2 Policies and practices that regulate unauthorised developments

The developmental activities in the city is governed by a master plan that was prepared in 1982 and reviewed again in 1997 (TCPD, 2015). The current master plan covers an area of only 42 Square Kilometre (ibid) of the city and whereas the urban agglomeration of Puducherry is much bigger than the area covered by the current master plan. Many parts of the city are urbanised and fit to be officially recognised as a part of the city. Recognising this, the TCPD is in the process of preparing a master plan covering the entire Puducherry district which has an extent of 293 Square Kilometre (ibid). Apart from the master plan, the other policies that regulate the unauthorised developments are summarised in Table 4.2.

Table 4.2 Rules and Regulations that affect the Unauthorised Developments in Puducherry City

Policy	Objectives	Comments	Implementing Agencies
Registration Act, 1908	Act which regulates the registration of deeds. Registration of deeds of sale-purchase serves as an evidence for land held by a person.	Registration of sale transactions in illegally subdivided land in Puducherry is allowed under this act as apparently there is no provisions under this act to stop registration of sale transaction in illegally subdivided land. This practice promotes informality.	Registration Department
The Puducherry Town and Country Planning Act, 1969 (PTCPA) (Act No.13 of 1970)	Act to provide for the development and use of rural and urban land in the Union Territory of Puducherry and for purposes connected therewith.	A new master plan is under preparation for the whole district as it has become highly urbanised. This act regulates the unauthorised developments and has strong enforcement mechanism. But, its enforcement is very weak.	TCPD/ Puducherry Planning Authority (PPA)
Puducherry Building Bye-laws and Zoning Regulations, 2012 (PBBZR)	Act that regulates the building standards, building safety and procedures for issuing building permits in the Master Plan Area. It has penal provisions for violations.	It regulates the developmental activities in conformity with the land use classification prescribed under the master plan. Unauthorised layouts in Puducherry are in existence partly because of its poor enforcement. Also, certain standards are unrealistic and practically not possible to implement (EX6, 13 June 2015).	TCPD/PPA
Puducherry Municipalities Act, 1973	This act provides for provisioning of basic infrastructure and municipal services like drainage, water and lighting in the city.	This act has provisions for removal of encroachments in municipal land. The urban local bodies in Puducherry does not enjoy complete autonomy as the elections were not held by the GoP since 2011. This hampers the capacity of the municipality to generate revenue for providing better services for the urban poor (EX4, Interview, 16 June 2015).	Local Administration Department

Source: Law Department, Government of Puducherry, n.d.

The process of construction of a house in a residential layout in adherence to the rules and regulations mentioned in Table 4.2 involves a series of stages depending upon

the legal nature of the land purchased by the person who intends to construct a house.

The provisions of Section 37 of PTCPA, 1969 in this regard is provided in Appendix-5.

Figure 4.2 shows the actual legal procedure to be followed for getting an approval to

construct a house when the residential plots are sold after getting permission for land use

(for example, from agricultural to house site) conversion by the property developers.

However, the situation on ground indicates that the informal land market that has

developed on the agricultural land in Olgaret Municipality area (PM4, Interview, 05 June,

2015) are not in adherence to the provisions of PTCPA, 1969 and PBBZR, 1974. The

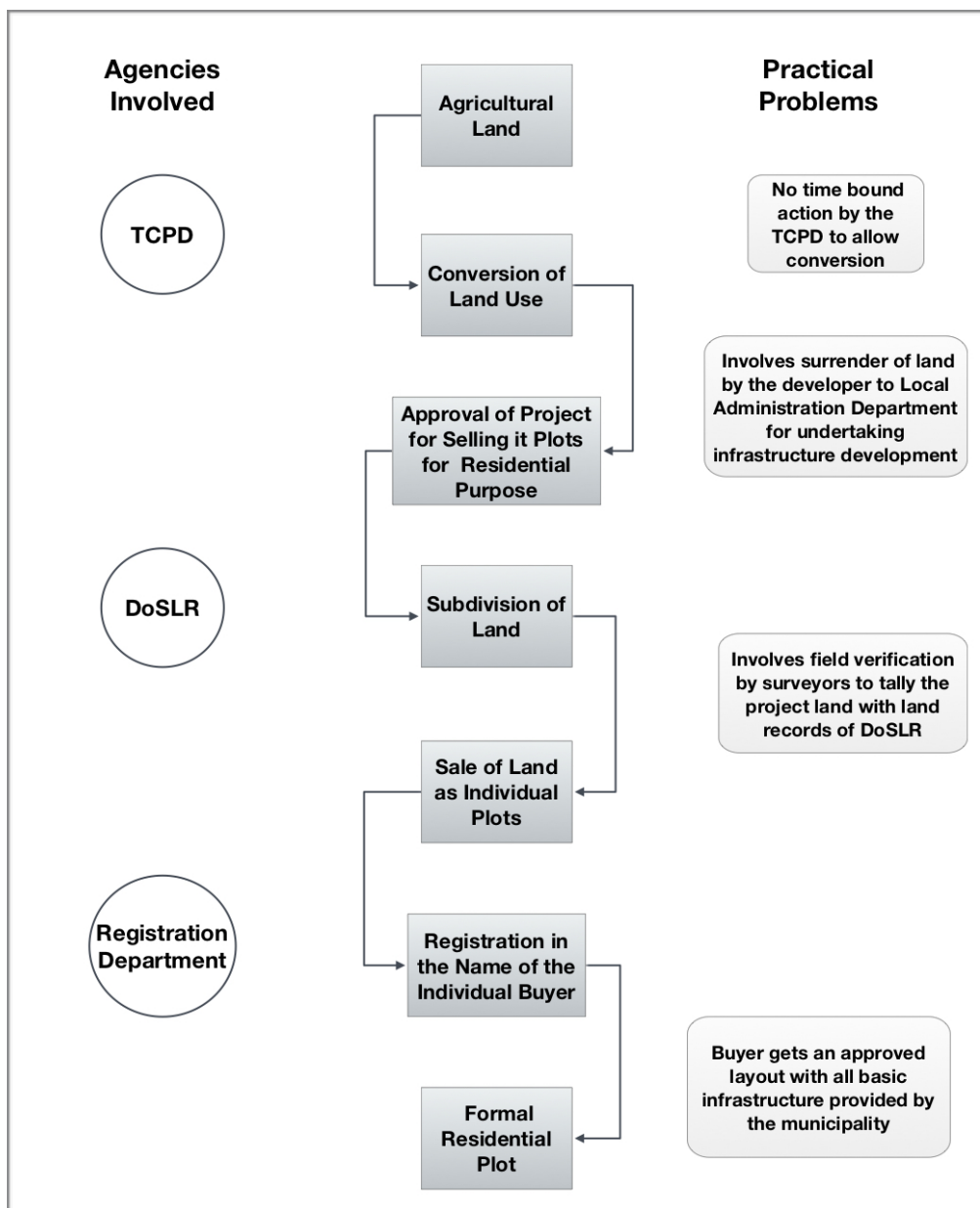response of an official from DoSLR in this regard reassures this observation

Figure 4.2 Legal procedure for getting an approval for a residential plot

In case of Puducherry municipality, town survey has been completed and brought as urban area. Whereas, in Olgaret Municipality, no town survey has been undertaken so far. This leads to a situation where the land use remains to be agricultural and this leads to development of more informal settlements in Olgaret Municipality (PM4, Interview, 05 June, 2015).

Thus, the non-revision of land use in the land records by DoSLR of those land (which are agricultural land according to the land records) in Olgaret Municipality is one of the reasons for illegal conversion and subdivision of agricultural land due to high demand for land in the city.

4.3 IMPACTS OF POLICIES ON SLUMS IN THE CITY

4.3.1 Land Titling Programme and Vote Bank Politics

The policy of GoP in addressing the SoT of the slum dwellers is based on two approaches. One, **Land Titling Programme** by issuing Free House Sites (FHS) under the LGR scheme in vacant government land or by acquiring land under and its distribution as individual housing plots. Two, *in-situ* **Regularisation of Encroachment** on government land on 'as is where is' basis based on the land actually held by the slum dweller who had encroached it. Under both the approaches, the SoT of the slum dweller increases to a greater extent due to the housing subsidy schemes that are dovetailed with the land titling and *in-situ* regularisation programmes. Thus, Concomitant to getting land titles, the beneficiary becomes eligible for housing subsidy under PKHS and RGHS which are the flagship housing schemes in Puducherry (Table 4.1). Accompanied by this, public investments on basic urban infrastructure are undertaken in these places as the beneficiaries of these schemes start demanding their right which they never did before.

Another aspect of the popular land titling programme and housing subsidy schemes in Puducherry is the political returns it gives to the ruling government.

Successive governments in UTP implemented this programme with strong commitments as a result of its popularity and the ability of the schemes to fetch them good votes in return (The Hindu, 2015a; EX2, Interview, 09 June 2015). The distribution of FHS in a land scarce city is pursued to consolidate the vote-bank of the MLA's at the cost of appropriating land earmarked for recreational purposes or other public utilities. A revenue official commented " …the issue with issuing free house sites in city limit is, there is a serious paucity of land…there are various instances wherein the recreational areas were converted into house sites by allotting LGR *patta*[2] (EX1, Interview, 10 June 2015. Similarly, an official from PSCB expressed his concern as:

> The current trend of regularising encroachment and allotment of LGR FHS unscrupulously is being fuelled by the political ambition of the political leaders and executives. For instance, *requests are pouring in from the MLA's for providing FHS in land area that are currently used as landfill, public parks, drainage channels*, etc (EX3, Interview, 12 June 2015).

While the objective of the schemes are good, the way it is implemented need to be examined from the point of view of SoT of the beneficiaries and those who are yet to get benefitted and continue to live in the slums. As politics play a major role in the way the slum development policies are implemented, its reflection can be seen in the practices of the agencies implementing the schemes. Certain practices worth mentioning to strengthen these claims are:

1. There is no clear roster of beneficiaries maintained by the DoSLR while selecting the beneficiaries. In other words, there is no waiting list maintained by the implementing agency.

2. The method of selecting beneficiaries is based on a discretionary 'pick and choose' by the local MLA of the constituency (DoSLR, 2013) who is just a member of the advisory committee constituted for selection of beneficiaries for issuing FHS under

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[2] *Patta* - land title document of the free house sites issued under LGR Scheme

the LGR Scheme (Department of Revenue, 2003). The following responses from a key

official reassures the finding in this regard.

> The present practice is, the local MLA who is the member of the LGR beneficiary
> selection committee brings a list of beneficiaries from his constituency and hands it
> over to the Chairman [who is the Director of Survey] of the Committee for
> verification and subsequent issuance of LGR title…the Director of Survey and Land
> Records has placed it in record that the Committee is empowered to hand pick the
> beneficiaries for allotment of free house site patta (EX2, Interview, 09 June 2015).

(3) Lack of effective monitoring and poor targeting in the implementation of the

programme has led to problems of double claims and perpetuation of slums.

Consequently, it creates an impression among encroachers that occupying government

land and taking a foundational favour (Auyero, 1999) from the MLA leads to regularisation

of encroachment by default after few years.

4.3.2 Slum housing in a land scarce city - Vertical versus horizontal

Slum housing is a key priority of the PSCB and the programmes provided in Table

4.1 such as PKHS and RGHS are specifically aimed at creating a 'hut free state' with

target of benefitting 55,000 and 16,500 households respectively (TCPD, 2014). Out of the

overall scheme target of 55,000 households under PKHS, 28,000 households have been

covered and for the next five years a target of 22,500 households is fixed (ibid).

Puducherry city suffers from land scarcity owing to its liberal approach in

distributing FHS to the slum dwellers and houseless people in the city without

consolidating the settlements or re-blocking the existing slum households to create space

for public amenities like roads, drains and open spaces. Ironically, the distribution of FHS

to the urban poor in the city is continuing in a time when there is no adequate space for

undertaking even key urban infrastructure projects . There is no clear policy decision at

present to move towards vertical expansion of slum housing projects in Puducherry City

(PM5, Interview, 20 June 2015). One of the often cited response during the interview was,

the slum dwellers do not have a 'preference' for vertical tenements as it hampers the

incremental expansion of the households that are allotted to them (Interviews). But, there

is a strong realisation that the current trend of distributing FHS cannot continue (ibid). The

following response from the Secretary, Housing and Urban Planning mirrors the

recognition of this problem.

> The fact is Government of Puducherry has little land. Most of the land are private
> holdings…LGR Scheme [Land Titling Scheme] will automatically be rolled off…
> Owing to the scarcity of land and the high costs of land acquisition for housing the
> urban poor, *the GoP in the future will be forced to take up vertical expansion* as a
> policy measure and will go for multi storey tenements (PM5, Interview, 20 June
> 2015).

4.3.3 Slum remains a slum after development - One way entry policy

There is no clear picture on how the policies and programmes that are intended to

significantly impact the SoT of slum dwellers in Puducherry are able to achieve its

objectives. Since, its inception the PSCB has been engaged in the development of slums

by identifying and notifying slums and undertaking housing, infrastructure and other

developmental works. But, there is no follow up by PSCB or by any other agency after the

development project is completed in a slum. This essentially means, the PSCB has been

functioning without a measurable benchmark to signify the 'development' of a slum. Till

now, there is not a single slum area that is 'de-notified' as no measurable indicators

(Risbud, 2010) are framed to de-notify slums in Puducherry. This situation might create a

false impression about the extent and prevalence of slums in the city as newly identified

slums are cumulated to the existing list of slums where the developmental activities had

been completed long back (Interviews). Certain slums that were developed in the past has

been mainstreamed and merged with the city and it is difficult to call them as a 'slum' as

they had undergone vast changes in structure, nature and character. This practice of not

de-notifying the already mainstreamed slums in the city seems to be a 'one-way entry policy' and is a wrong practice. The guidelines of RAY indicate that the state governments should update the list of existing slums after delisting or de-notifying the already developed slums (MoHUPA, 2013). However, a key official from local administration department highlighted the difficulties involved in the process of de-notification of slums.

> Most of the people living in slums are below the poverty line. There has been a change in the physical infrastructure in the area. Whereas, the people are still living with a low income and their economic standards are poor. But, there are also slum areas where people have improved economically and whereas a few other families living there have not improved their livelihood. Hence, it is difficult to distinguish between them and de-notify a slum area (PM1, Interview, 10 June 2015).

But, the fact on ground is, no effort has been taken to set a criteria for assessing the developmental status of any slum that had improved significantly for the purpose of de-notification.

4.3.4 Gentrification in slum housing projects and erosion of SoT

Slum developmental programmes in Puducherry are implemented as a key welfare initiative of the GoP and is well intended to make a strong impact on the housing needs of the urban poor and to provide them SoT. But, it is not participative in nature and there is no noticeable effort to involve the slum dwellers in the planning or execution of the slum development projects. There are no community organisations of slum dwellers and they are merely seen as 'beneficiary' of government projects. Efforts on slum development are compartmentalised and restricted largely to housing improvement. There is no coordination between developmental departments while executing any projects. This 'silo' approach has led to conditions wherein the slum dwellers might get a better house but not a better livelihood. This results in the intrusion of market forces on regularised slum areas and leads to the gradual eviction of the original beneficiaries. Gentrification is a common feature in almost all the slums that are developed and no study has been

conducted to document this in Puducherry so far. The policies of GoP that are aimed at improving the SoT of slum dwellers is seriously undermined by gentrification of slums in the city. A key municipal official responding to the gentrification situation said, "In the case of LGR FHS Scheme, most of the FHS were sold off to buyers and the original assignees go back to another area to encroach or shift somewhere else" (EX4, Interview, 16 June 2015). Another key revenue official reasoned out as:

> The reasons for alienation [i.e selling FHS] is lack of livelihood, need for money for social requirements like children's marriage, education etc. The allottees sell the FHS and go back to where they came from and continue to live as encroacher (EX1, Interview, 10 June 2015).

There are no mechanisms to stop the sell-off by the beneficiary of the slum housing projects. The chief executive officer, PSCB is in agreement with this point and his response helped to clarify it better.

> There are provisions in the allotment order not to sell the tenement or house site allotted to a beneficiary. But, sale happens through informal channels which cannot be prevented. This gradually leads to a replacement of the original allottees causing gentrification (PM3, Interview, 04 June 2015).

Visual inspection of a gentrified locality *(Sakthi Nagar)* helped to understand the extent of gentrification in the city (Photograph 4.1).

Photograph 4.1 Photograph of *Sakthi Nagar,* a gentrified slum in Puducherry

4.4 DISCUSSION ON THE IMPACT OF POLICIES ON SLUMS

On the levels of SoT for the slum dwellers in the city, the findings indicate that, there is no serious threat to tenure security of the informal settlement dwellers living in different tenurial conditions except the fresh encroachers who are often removed from the site of encroachments due to official actions. Fresh encroachments over river banks, drainage canals, roadsides, etc are often removed as it is generally perceived as untenable by the official machinery. But, there is a higher degree of tolerance by the officials for other categories of encroachments other than fresh encroachments. The slum dwellers in the city also adopt different strategies to protect themselves from any official action. The most common among the strategies is the political support which they muster through their numerical strength as it appeals to the political establishments as 'vote banks' (The Hindu, 2015b). This strategy of the urban poor in Puducherry echoes with Wood's (2004) 'faustian bargain' a strategy adopted by the poor for gaining short term SoT by engaging themselves in the Patron-Broker-Client network that exploits them politically in the long term (Auyero, 1999; Sawhney, 2013). Thus, the SoT of urban slum dwellers in Puducherry is shaped by the location and tenability of the site which they encroach, the tolerance of official machinery and the level of political support to the urban poor living in a slum.

Regarding the policies of GoP aimed at improving the SoT of the slum dwellers in the city, the land tilting programme which is dovetailed with slum housing programme through housing subsidies does not benefit the slum dwellers in the longer run. Because, it was observed that the SoT of the beneficiaries under these two programmes is eroded by market evictions due to non-resolution of the problems associated with livelihood and social organisation of the slum dwellers. Secondly, the coverage of these programmes are limited to the slums which are officially notified and there are more number of slums that

are identified in the recent survey of slums for preparing the SFCPoA (PSCB, 2014) which are yet to be notified and hence not covered under the land tilting programme. Further, the continuation of land titling programme in the city is inappropriate when land in the city is very scarce even for expansion of urban infrastructure like roads, drains and open spaces to match the growing urban population. But, the present approach was being continued for many years and in the city limits a tipping point has been reached as practically no vacant government land is available for issuing FHS. Realising the lack of sustainability of this approach, the GoP is in the transitory phase of a major policy shift towards vertical slum housing projects. The GoP is awaiting the outcome of a big housing project under JNNURM in the city that can accommodate approximately 800 landless households in the city (Photograph 4.2).

Photograph 4.2 - Multi-storey tenements that is under construction at *Lambert Saravanan Nagar* in Puducherry under JNNURM. It signifies the shift in policy focus on slum housing in the City.

To ameliorate this situation, firstly, there should be an official recognition of all the slums in the city as indicated by Edelman and Mitra (2006); secondly, the slum

regularisation policies of the GoP should be implemented in combination with measures that prevent the formation of new slums (Durand-Lasserve and Selod, 2009; Durand-Lasserve *et al*, 2002) and thirdly, other policy measures that provides the slum dwellers a *de facto* SoT (Durand-Lasserve and Royston, 2002) be promoted.

Another wrong practice in the city, is the non de-notification of slums (since 1990 when the first (and the last) official notification of slums was done) that are already developed and mainstreamed into the city. Now, after 25 years, the list of notified slums (under the Slum Areas Act, 1986) remains the same. The recent survey of slums in the city for the purpose of preparing SFCPoA has listed 140 slums out of which only 60 are notified (PSCB, 2014). Edelman and Mitra (2006) argue that official recognition of the slums is the first step towards improving the living standards of slum dwellers and strongly reflects the broad political support for their cause. But, in the case of Puducherry non-notification of 80 slums [140 - 60 (totally listed slums) - (notified slums)] reflects the poor recognition of the problem and lack of political support for cause of slum dwellers. Sawhney (2013) emphasises that formal notification of slums gives an identity to the slum dwellers and enables them to exercise their right. The non de-notification of already developed slums in Puducherry indicates the political apathy in undertaking the development of non notified slums in the city and the need for giving an identity to the slum dwellers in the city.

On land tilting and regularisation policies, Werlin (1999) rebukes those attempts at improving slums through regularisation without resolving its attendant problems like livelihood opportunities, community participation, resolving land disputes, etc as a 'myth'. The short term gains in the land titling approach could not be leveraged into long term real gains by the slum dwellers in the city due to the lack of a strong organised social

network and weak social capital among the slum dwellers (Edelman and Mitra, 2006). International experiences in providing SoT indicates that an incremental tenure up gradation process is more appropriate in preventing market evictions and consolidating the gains for the urban poor (Durand-Lasserve and Selod, 2009). To increase the coverage of urban poor housing to prevent market eviction that follows immediately after regularisation, micro-credit programmes are very effective (UN-Habitat, 2005). Unfortunately, there are no micro-credit programmes to promote incremental housing in the city.

Overall, the policies of GoP in addressing the issues faced by slum dwellers based on the results suggest that there is a lack of futuristic policy perspective in continuing the current programmes on the slum settlements in the city. But, there is no magic solutions to solve all the problems associated with SoT in slums as they are complex and accompanied by inherent problems (Krueckeberg and Paulsen, 2000). Nevertheless, there is a need to evolve positive policy solutions to address the issue of SoT for urban poor by integrating them with broader programmes (ibid) aimed at the eradication of slum like conditions from the city by improving the overall standard of living of the urban poor.

For Puducherry, CSS such as RAY provides a promising future for the urban poor of the city as it mandates stakeholder participation at every stage of its implementation (MoHUPA, 2013). But, Roy (2014) argues that RAY aims to achieve Indian cities free from slums by issuing free land titles, it might again leads to displacement of poor tenants from the slums and might give no housing option for new migrants into the city. She also points out that RAY is an indirect intervention to reduce urban poverty unlike the Brazilian and Mexican direct approach in reducing urban poverty through direct cash

transfers (ibid). Also, to achieve all the objectives of the slum development programmes, a strong political will (Durand-Lasserve and Selod, 2009) and a powerful and humanistic bureaucracy is required (Werlin, 1999) which unfortunately Puducherry does not have at present. Nevertheless, GoP is hoping that improvement in the lives of slum dwellers in the city can be made through the implementation of SFCPoA (under RAY) and Smart City mission. However, caution needs to be exercised while implementing such measures as any real improvements in the SoT and living conditions of the urban poor are bound to erode the political and economic power of their political gatekeepers whose interests lie in maintaining the poor in a state of insecurity for political exploitation to sustain themselves (Krueckeberg and Paulsen, 2000). A strong recognition of these complexities by the policy makers is vital while formulating implementation strategies and to ensure participation of the urban poor in programmes that are aimed at improving their SoT.

4.5 IMPACTS ON UNAUTHORISED DEVELOPMENTS IN THE CITY

4.5.1 Non-adherence to TCP norms

One of the observations made in the study on the development of unauthorised residential layouts in Puducherry is that the provisions of the PTCPA are not adhered to by the property developers in the city. Adding to the issue of non-adherence is the non-enforcement of the penal provisions of the act by PPA. Sections 43 to 46 confers the PPA with powers to levy penalty, stop or remove any developmental activity that is unauthorised or non-conforming to the provisions of the Act (PTCPA, 1963). However, there are no evidences of any penal actions taken by the TCPD in the past or at present (Interviews). The following responses of officials reflects the ineffective implementation of PTCPA as the reason for the present levels of informality in residential areas.

The problem of the existing informality in Puducherry City is due to the *lack of enforcement* of TCP norms by the concerned agencies.The PPA and TCPD are people with knowledge but, they don't have a machinery to enforce or implement the act.There is no monitoring mechanisms as such and because of this they are not aware of the developments that happen on a day to day basis (EX6, Interview, 13 June 2015).

Puducherry completely lacks convergence on regulation of IS in Puducherry. Agencies like TCP, DoSLR, Municipalities, Puducherry Urban Development Authority, etc perform their specific agenda in urban development. But, they lack a coordinated effort to regulate the development of the city in an orderly fashion (EX1, Interview, 10 June 2013).

As a result of this, unapproved residential layouts are rampant in the city and the individual applicants have to go through a circuitous route to get approval for the housing plot purchased in the informal land market. Figure 4.3 shows the circuitous procedure for getting approval for residential plots that is in total contrast to the official procedure explained in Figure 4.2.

4.5.2 Registration and *ex-post facto* regularisation - Common practice

The most common means of buying a plot for residential purpose in the city is to buy illegally subdivided agricultural land in the Olgaret Municipality limits and the suburban parts of the city which has agricultural lands as per revenue records (PM4, Interview, 05 June 2015). Registration of such plots (normal size is 1800 square feet) are permitted by the Registration Department. Most of the respondents informed that allowing registration of illegally subdivided plots is one of the main reasons for the perpetuation of unauthorised developments in the city. One of the interviewed official's response summarises the problem as follows:

The Puducherry Town and Country Planning Act has provisions for compulsory approval of house site layouts by developers. However, the Registration Act has over-riding powers over the PTCPA and hence the provisions of PTCPA which prevents/regulates unplanned development remains to be *toothless and impotent*. As a result TCPD could not enforce the provisions of the act (EX1, Interview, 10 June 2015)
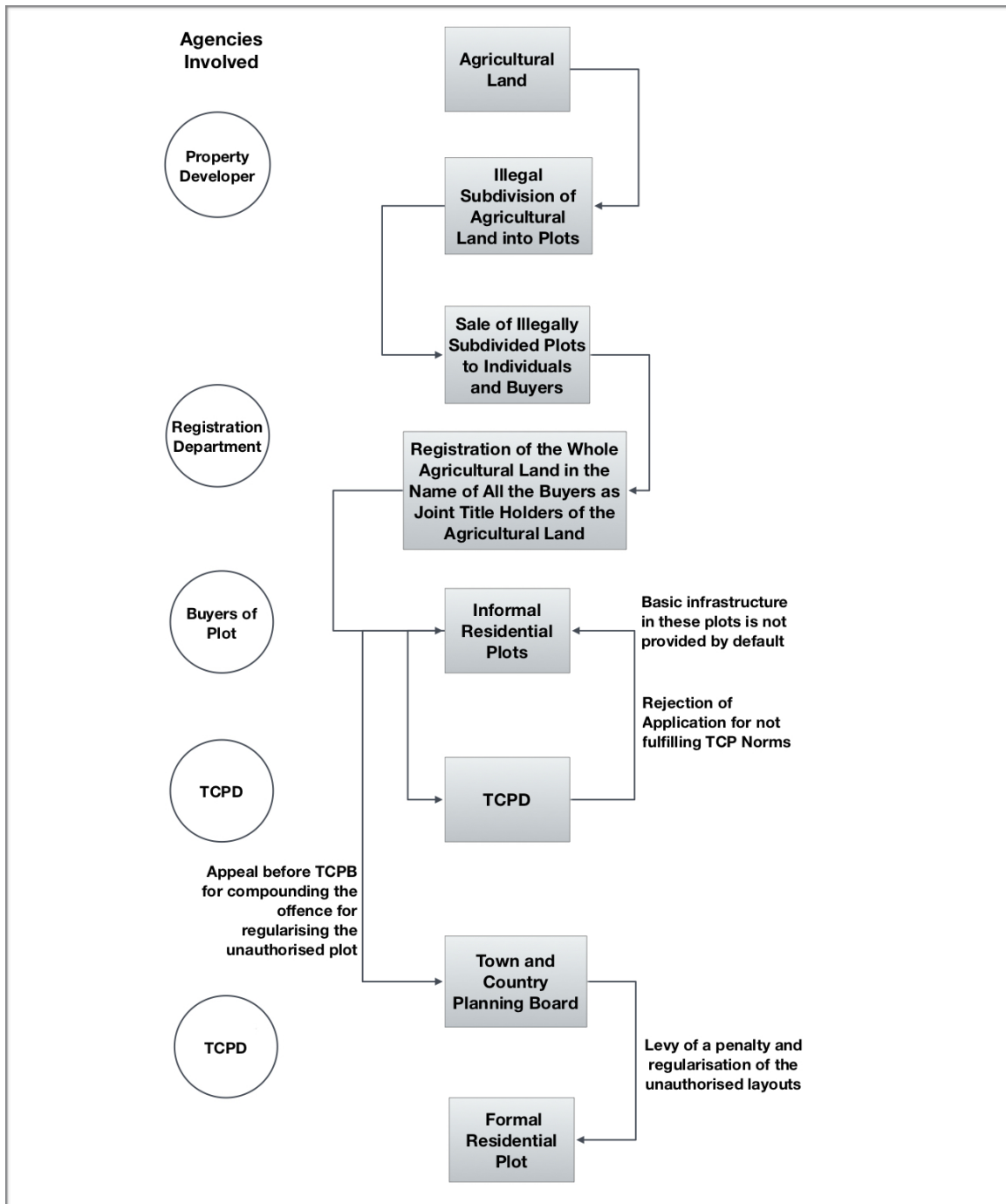
Figure 4.3 Current practice on ground for getting an approval for residential plot

Corroborating this, a key official from the Registration Department informed that: "…the real estate developers come and force us to register [the illegally subdivided plots] citing relevant provisions of the Registration Act which permits such registrations" (EX6, 13 June 2015).

To curtail this trend, an official order was passed to prevent the sale transaction on illegally subdivided plot (EX6, Interview, 13 June 2015; PM5, Interview, 20 June 2015). But, it was quashed by local civil court when the developers challenged the official order in the court. Therefore, registration of such transactions are being continued as there is no administrative instruction that is currently in force at present to not register land transactions that are not in adherence to Town and Country Planning (TCP) norms. This situation, unfortunately, has emboldened the private property developers to continue to sell illegally subdivided plots as the sale transactions are registered without any problem.

Subsequent to the registration, the buyer approaches the TCPD for conversion of land use and seeks approval of the residential plot. If that request is denied by the TCPD, the person concerned goes for an appeal before the Town and Country Planning Board (TCPB) that is currently headed by the chief minister and it is generally regularised after compounding the offence by levying a fine (EX5, Interview, 03 June 2015). This practice has lead to development of residential areas in an unplanned manner without any legal basis. Such unauthorised residential developments had created an *ex-post facto* approval trend in the residential housing market in Puducherry.

4.6 DISCUSSION ON THE IMPACT OF POLICIES ON UNAUTHORISED DEVELOPMENTS

In the case of unauthorised constructions, there is a high degree of tolerance by the PPA and generally harsh enforcement procedures like demolition of the construction and removal of violations based on the building bye laws are not resorted to. There is no proof of any stringent action in this regard by the PPA in the past. There is also very high level of acceptance of informal residential plots among the middle class buyers in the hope of getting it regularised later through the TCPB. SoT of unauthorised constructions

is perceived to be very high by the buyers of the illegally subdivided land in Puducherry. The above scenario creates a difficult scenario for the urban local bodies like Puducherry Municipality and Olgaret Municipality to create infrastructure in such residential layouts as they do not conform to the TCP norms. These residential layouts generally do not adhere to the mandatory spacing prescribed by the TCPD which results in difficulties for developing public infrastructure like roads and drains due to their haphazard nature. In this regard, the case of Puducherry is similar to that of the *gecekondus* (unauthorised constructions) in Turkey where the residents seek government support after developing a residential layout through self-help for common civic infrastructure like roads and public transportation (Payne, 2014).

The high levels of informality due to unauthorised developments in the city reflects the rigidity (World Bank, 2013) and unsuitability of planning regulations and standards that are intended to ensure a planned development (Payne, 2014). Further, urban planning is done without regard to the land market which demands for an increase in the supply of land, contiguous outwards expansion and increase in density (Dowall and Ellis, 2014). This had resulted in a reduced supply of formal land due to stringent official standards and administrative procedures (Payne, 2001b) which makes it difficult for the urban poor and low-income groups to get a housing plot at an affordable price as the 'cost' of getting an approval is very high. The TCPD should think of 'lowering the ladder' (ibid) by relaxing the planning norms and density regulations to match the expectations of all sections of people by providing pluralistic housing supply systems and wide range of tenure options (Payne, 2014) in a fast growing city like Puducherry.

Another key reason for the informality is the growth of urban sprawl in the city due to under-utilisation of the density regulations by the urban planners in Puducherry. Due to

the low FSI (1:1.8) in Puducherry, the developers cannot utilise the land efficiently resulting in a higher cost of land in the city. This pushes the buyers outside the city to purchase land resulting in an increased cost of land in the suburban parts of the city. To offset the higher cost of land in the suburban areas, the buyers purchase an illegally subdivided agricultural land which is sold at a lower cost than the formal land. This 'trade-off' is detrimental to the buyer as the procedure for getting approval of illegally subdivided plot is very cumbersome (Figure 4.3). Unfortunately, the stringent TCP regulations that are aimed to achieve a planned growth in the city results in informality which it intends to prevent. All these factors had resulted in a housing development practice in the city that follows a parallel but reverse pattern to the legal procedure (Figure 4.4). The existence of formal pattern in the city is very minimal or even non-existent.
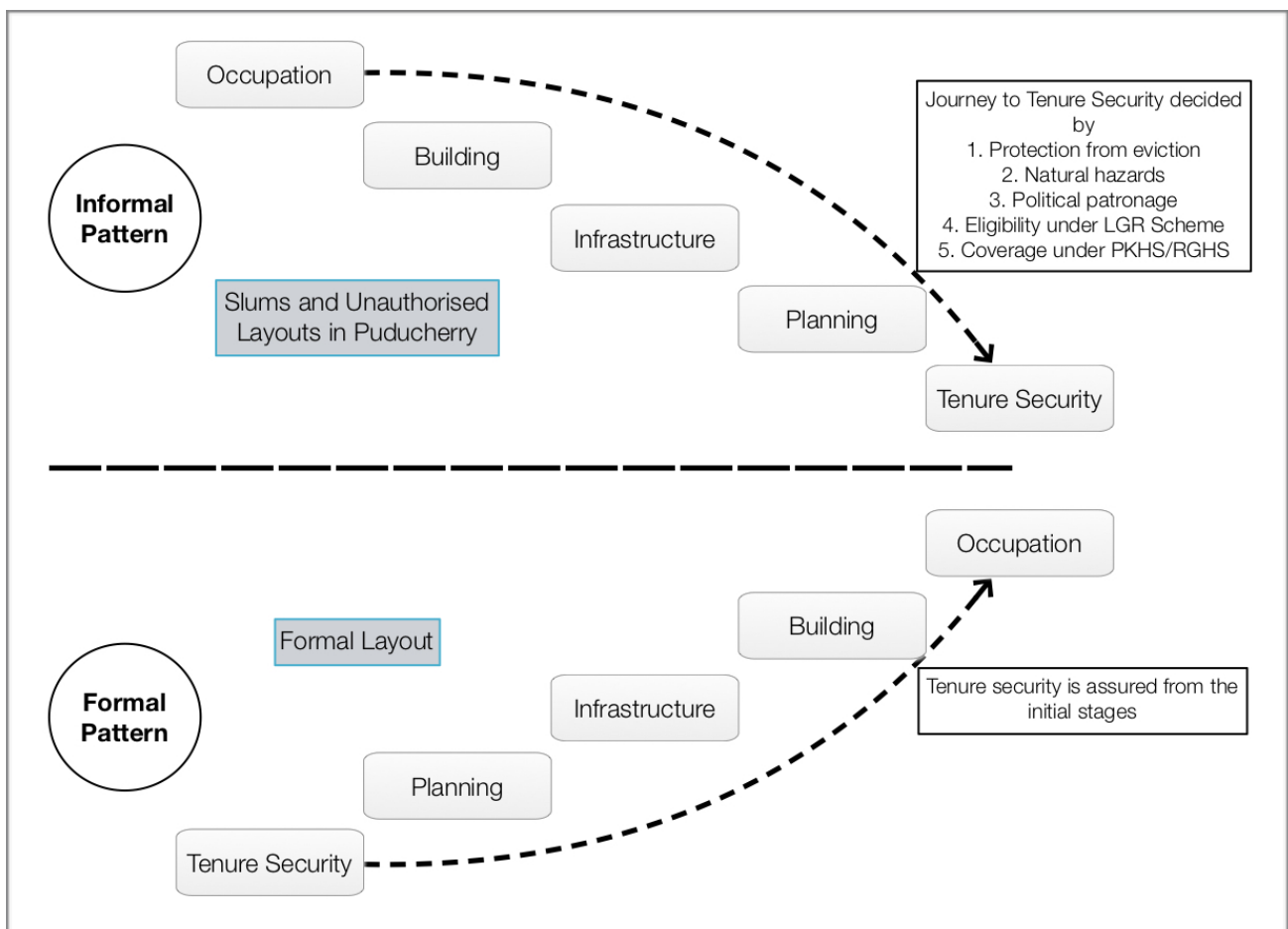
Figure 4.4 Parallel but reverse pattern of formation of informal settlements in Puducherry

Adapted from Barnes and Hillerman, 1997 in Macedo, 2008

Even though the process shown in Figure 4.4 is incremental and results in SoT for the

informal settlement dwellers, there is a continuous formation of new slums and

unauthorised layouts in the city and its suburbs. There is no evidence of existence of any

plan by the GoP to prevent their formation by 'lowering the ladder' (Payne, 2001b)

through relaxing and modifying existing standards, regulation and administrative

procedures.

Chapter 5 **CONCLUSIONS AND RECOMMENDATIONS**

In this chapter, conclusions are drawn based on the main findings of the research followed by a set of policy recommendations to improve the situation of informal settlements in the city. A brief note on the scope for further research is included at the end.

5.1 CONCLUSIONS

The prevalence of slums in Puducherry is a result of years of policy inadequacies coupled with inappropriate solutions that was adopted in the past and continuing till now. Puducherry is a small city and hence land is a scarce commodity. This demands for policies that makes efficient use of land for housing the landless people living in slums in the city. Contrarily, the GoP pursued land titling programme since 1975 and the standard practice has been to allot land in the city limits to accommodate people who are landless. We had seen in Chapter 4 that this strategy did not work and failed in providing SoT to the slum dwellers by causing gentrification and perpetuation of slums in the city. This was essentially due to the lack of information about the slum dwellers, lack of clear procedures for selecting beneficiaries, vote bank politics and non-coordinated approach towards slum development. Thus, the case of Puducherry is yet another case where the land titling programme advocated by de Soto was enthusiastically adopted (Payne, 2001a) but failed to achieve its objective. Further, the findings uphold the validity of criticisms of the idea of land titling by experts like Payne (2001a and 2004), Payne, Durand-Lasserve and Rakodi (2009) and Gilbert (2012).

The situation of unauthorised development in the city requires equally important attention as there is almost no legal development of land for residential purposes in the

city. This seriously erodes the whole set of efforts by TCPD whose function is to ensure an orderly urban development in the city. The illegal land development is supported by a policy of continuous regularisation of unauthorised developments on a case-by-case basis by the TCPB in Puducherry.

The SFCPoA under RAY programme and Smart Cities Mission of GoI provides a good opportunity for GoP to bring in gradual changes to its legal framework to regulate the informal settlements and achieve significant results in slum eradication and orderly urban development. However, in this process, there is a need to avoid a dramatic policy response but, to build on the existing laws and practices rather than replacing them altogether (Payne and Durand-Lasserve, 2012). This ensures no sudden and unintended consequences happen for the urban poor.

5.2 RECOMMENDATIONS

The recommendations are drawn from the review of literature on global best practices and policy advocacy by experts in land tenure policies for the Global South. The recommendations are categorised into short term, medium term and long term to emphasise the need for a gradual shift in the policy and to avoid a dramatic response (Payne, 2004).

5.2.1 Short term policy strategy

• Create an information and knowledge base on the nature, prevalence and conditions of the existing slums and informal settlements in the city.
• Immediate official recognition of the slums in the city by notifying all the slums under the Slum Areas Act, 1986.

- To arrest gentrification, community ownership of slum housing projects as done successfully in *Bann Mankong* Project in Thailand can be adopted (Boonyabancha, 2009).

- Regulatory audit of the current policies, regulations and rules that impact the informal settlements in the city before initiating any reformatory measures (Payne, 2004).

- Quick policy decision on slum housing in city limits through vertical housing projects rather than free house sites in the city. This is an urgent need as the UTP is facing general elections in 2016 and there is a strong tendency among the political establishments to distribute FHS to appease their vote bank.

- Embark on an interim strategy of relaxing the developmental regulations (before making a comprehensive reform) in the city to increase the supply of formal land in the land market to arrest the trend of growing urban informality.

- Setting up developmental parameters or benchmark indicators to monitor the progress of slum development. This helps to de-notify the slums which are taken up for project oriented development under the mission.

5.2.2 Medium term policy strategy

- All aspects of slum development undertaken by developmental agencies like PSCB, Municipalities, Public Works Department, Electricity Department, Health Department and Revenue Department should be brought under an umbrella mission under a single authority with specific time bound targets for eradicating slum like conditions from the city.

- After the relaxation of developmental regulations, the current practice of allowing registration of illegally subdivided agricultural lands and re-sale of houses built under slum housing development schemes like PKHS and RGHS should be stopped to arrest the formation of unauthorised layouts and gentrification respectively.

- Prepare a comprehensive but flexible master plan for entire Puducherry region comprising 293 Square Kilometre. Although it is in progress in Puducherry, it needs to be dynamic and done at a fast pace. The changing needs of the urban poor needs to be factored in.

- Augment the urban services in the city limits to prepare towards densification of the city in the future to increase housing supply and arrest the formation of urban sprawl (Dowall and Ellis, 2014).

5.2.3 Long term policy strategy

- Amendments to the zoning regulations to be undertaken to densify the city by increasing the FSI in the urban areas to match the augmented urban services (Dowall and Ellis, 2014).

- Municipalities to undertake a bigger role in providing urban services and regulations of unauthorised developments. This enables the city to prepare towards the future in a better way.

5.3 FURTHER RESEARCH

During the course of the study, the need for conducting similar studies in other secondary cities in India was strongly felt. Under the Indian federal arrangement, land as a subject falls under the policy domain of states. Puducherry is a unique case where the federal influence is felt strongly in its policies owing to the lack of complete autonomy in its policy making powers. But, the case of secondary cities in other states with functional autonomy need to be studied at this juncture as between 2001 and 2011, 91 million people are added in urban areas of the city (Nijman, 2015; Bhagat, 2011) and a majority of them are absorbed by the secondary cities.

Another area of study is the need for an ethnographic account on the impact of slum development policies in Puducherry as it would help to fill the gap that is left unfilled by this study. Besides that, it could throw significant insights on the issue of gentrification from the perspective of the beneficiaries of slum housing project.

Bibliography

Appadurai, A. (2002) Deep democracy: urban governmentality and the horizon of politics. *Public Culture*, 14(1), 21-47.

Atkinson, P., and Coffey, A. (2011) Analysing documentary realities. In: D.Silverman (ed.) *Qualitative Research: Issues of Theory, Methods and Practice.* 3rd edition. London: Sage.

Auyero, J. (1999) From the client's point (s) of view: How poor people perceive and evaluate political clientelism. *Theory and Society*, *28*(2) 297-334.

Banerjee,B. (2002a) Security of tenure in Indian cities. In: Durrand-Lasserve,A. and Royston, L (eds.) *Holding their ground: Secure land tenure for the urban poor in developing countries*, Earthscan: London, pp.59-74.

Banerjee,B. (2002b) Security of tenure of irregular settlements in Visakhapatnam. In: Durrand-Lasserve,A. and Royston, L (eds.) *Holding their ground: Secure land tenure for the urban poor in developing countries*, Earthscan: London, pp.86-97.

Basu, D. D. (1982) *Introduction to the Constitution of India*. 21st edition. New Delhi: LexisNexis.

Bhagat, R.B. (2011) Emerging pattern of urbanisation in India. *Economic and political weekly*, (46) 10-12.

Boonyabancha, S. (2009) Land for housing the poor—by the poor: experiences from the *Baan Mankong* nationwide slum upgrading programme in Thailand. *Environment and Urbanization*, *21*(2) 309-329.

Bryman, A. (2012) *Social research methods*. 4th edition. Oxford university press: New York.

Census of India (2011). *Census of India*. [online] Available from: http://
statistics.puducherry.gov.in/Pop%20census%202011/pop
%20census2011.htm [Accessed 9 February 2015].

Deloche, J. (2005) *Origins of the Urban Development of Pondicherry according to the seventeenth century Dutch plans.* Français de Pondichéry. 57pp.

Department of Revenue (2003) Order G.O.Ms.No.7 dated 11 August 2003 regarding distribution of FHS in the UTP. Puducherry: Department of Revenue.

DoSLR (2013) Response of Director of Survey and Land Records to Director, Information Technology dated 27/05/2013. Puducherry: DoSLR.

Dowall, E.D and Ellis, P. (2014) Making cities Work: Planning And Managing Land Use. *In: Inclusive Urban Planning - State Of The Urban Poor Report 2013,* Ministry Of Housing And Urban Poverty Alleviation, Government Of India. New Delhi: Oxford university press, 43-63.

Durand-Lasserve, A., Fernandes, E., Payne, G. and Smolka, M. (2002) Secure tenure for the urban poor. *CIVIS, Cities Alliance*, *3*.

Durand-Lasserve, A and Royston, L. (2002) International trends and country contexts- From tenure regularisation to tenure security. In: Durrand-Lasserve,A. and Royston, L. (eds.) *Holding their ground: Secure land tenure for the urban poor in developing countries.* Earthscan: London, 1-26.

Durand-Lasserve, A. (2006) Informal settlements and the Millennium Development Goals: global policy debates on property ownership and security of tenure. *Global Urban Development*, 2(1) 1-15.

Durand-Lasserve, A. and Selod, H. (2009) The formalization of urban land tenure in developing countries. In: *Urban Land Markets.* Netherlands: Springer, 101-132.

Edelman, B. and Mitra, A. (2006) Slum dwellers' access to basic amenities: the role of political contact, its determinants and adverse effects. *Review of Urban & Regional Development Studies*, 18(1) 25-40.

EX1 (2015) *Interview on land tenure policies, practices and situation of informal settlements in Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 10 June.

EX2 (2015) *Interview on land tenure policies, practices and situation of informal settlements in Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 9 June.

EX3 (2015) *Interview on land tenure policies, practices and situation of informal settlements in Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 12 June.

EX4 (2015) *Interview on land tenure policies, practices and situation of informal settlements in Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 16 June.

EX5 (2015) *Interview on land tenure policies, practices and situation of informal settlements in Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 3 June.

EX6 (2015) *Interview on land tenure policies, practices and situation of informal settlements in Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 13 June.

EX11 (2015) *Interview on the situation of informal settlements in Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 02 June.

Gilbert, A. (2012) De Soto's The Mystery of Capital: reflections on the book's public impact. *International development planning review*, 34(3) v-xviii.

GoI (2015) *Smart cities - Mission statement and guidelines.* [online] Available from: http://smartcities.gov.in/writereaddata/SmartCityGuidelines.pdf. Ministry of Urban Development [Accessed: 13 July 2105].

GoI (1962) *The Constitution (fourteenth amendment) Act, 1962.* [online] Available from: http://indiacode.nic.in/coiweb/amend/amend14.htm [Accessed: 23 July 2015].

Harrell, M. C. and Bradley, M. A. (2009) *Data collection methods. Semi-structured interviews and focus groups*. Rand National Defence Research Institute, Santa Monica, CA.

INTACH (2014) *Heritage conservation in Pondicherry.* [online] Available from: http://intachpondicherry.org/images/about_Pondy/About_pondy_01.jpg [Accessed 30 July 2015].

Krueckeberg, D. A. and Paulsen, K. G. (2002) Evaluating the experience of Brazilian, South African and Indian urban tenure programmes. In: Durand-Lasserve and Royston (eds.) *Holding their ground: securing land tenure for the urban poor in developing countries.* London, UK: Earthscan Publications, 233-244.

Kundu, A. (2013) *Why Delhi continues to legalise settlements despite land grabbing.* [online] Available from: http://www.firstpost.com/printpage.php?idno=928039&sr_no=0 [Accessed 17 July 2015].

Kvale, S. and Brinkmann, S. (2015) *Interviews: Learning the craft of qualitative research interviewing.* Third Edition. London: Sage.

Law Department, Government of Puducherry, (n.d) *The Puducherry Code*. [online] Available from: http://law.puducherry.gov.in/DOWNLOAD.html [Accessed 03 August 2015].

Lofland, J. and Lofland, L. H. (2006) *Analyzing social settings: A Guide to Qualitative Observation and Analysis*. 4th edition. Belmont, CA: Wadsworth Publishing Company.

Lombard, M (2012) Land tenure and urban conflict: A review of the literature. *GURC Working Paper #8, SEED, University of Manchester, Manchester.*

Macedo, J. (2008) Urban land policy and new land tenure paradigms: Legitimacy vs. legality in Brazilian cities. *Land Use Policy*, 25(2) 259-270.

Mason, J. (2004) Semistructured Interview. In: Lewis-Beck, M.S., Bryman, A. and Liao, T.F. (eds.), *Encyclopedia of Social Science Research Methods.* Thousand Oaks, CA: Sage.

May, T. (2011) *Social research*. 4th edition. Berkshire, UK: McGraw-Hill Education.

MHA (2015) *Union territories division*. [online] Available from: http://mha.nic.in/Union_Territory_Division [Accessed 14 August 2015].

Ministry of Urban Development (2015) *AMRUT: Mission statement and guidelines*. [online] Available from:http://amrut.gov.in/writereaddata/AMRUT %20Guidelines%20.pdf [Accessed 24 July 2015].

Mishra, A.K. and Dasgupta, S. (2014) Evolution of National Policies for Basic Services, Affordable Housing and Livelihoods for the Urban Poor. In: *Inclusive Urban Planning: State of the Urban Poor Report 2013.* New Delhi: Oxford University Press, 3-23.

Mitlin, D. (2014) The urban poor and strategies for a pro-poor politics: reflections on shack/slum dwellers international. In: Parnell, S. and Oldfield, S.

(eds.) *The Routledge handbook on cities of the Global South*. Oxon: Routledge, 296-308.

Mitlin, D. and Satterthwaite, D. (2014) *Urban poverty in the global south: scale and nature*. Oxon (UK): Routledge.

MoHUPA (2010) *Report on the committee on slum statistics/census*. [online] Available from: http//mhupa.gov.in/w_new/slum_report_nbo.pdf [Accessed 13 August 2015].

MoHUPA (2013) *Guidelines for Preparation of Slum Free City Plan of Action*. [online] Available from: http://mhupa.gov.in/ray/RAYGuidelinesSFCP.pdf [Accessed 4 August 2015].

MoHUPA (2015) *Launch of Pradhan Mantri Awas Yojana on June 25, 2015*. [online] Available from: http://mhupa.gov.in/pmay/index.htm [Accessed 23 July 2015].

Nijman, J. (2015) India's Urban Future: Views From the Slum. *American behavioural scientist,* 59(3) 406-423.

Payne, G. (2001a) Urban land tenure policy options: titles or rights? *Habitat International*, 25 415-429.

Payne, G. (2001b) Lowering the ladder: regulatory frameworks for sustainable development. *Development in Practice*, 11(2-3) 308-318.

Payne, G. (2004) Land tenure and property rights: an introduction. *Habitat international*, 28 167-179.

Payne, G., Durand-Lasserve, A. and Rakodi, C. (2009) The limits of land titling and home ownership. *Environment and Urbanization*, 21(2) 443-462.

Payne, G. and Durand-Lasserve, A. (2012) Holding On: Security of Tenure–Types, Policies, Practices and Challenges. In: *Research paper prepared for an*

expert group meeting on Security of Tenure convened by the UN Special Rapporteur on Adequate Housing, 22-23 October 2012.

Payne, G. (2014) Institutional, regulatory and legislative framework for urban planning - lessons from international experiences. In: *Inclusive Urban Planning: State of the Urban Poor Report 2013.* New Delhi: Oxford University Press. pp. 180-193.

PM1 (2015) Interview *on land policies of Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 10 June.

PM2 (2015) *Interview on land policies of Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 3 June.

PM3 (2015) *Interview on land policies of Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 4 June.

PM4 (2015) *Interview on land policies of Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 5 June.

PM5 (2015) *Interview on land policies of Puducherry*. [interview] Interviewed by Jawahar Packirisamy, 20 June.

Prior, L. (2011) Using documents in social research. In: D.Silverman (ed.), *Qualitative Research: Issues of Theory, Methods and Practice*. 3rd edition. London: Sage.

PSCB (2014) *Slum data verification and preparation of slum free city plan of action in urban area of UT of Puducherry*. Puducherry: PSCB.

PTCPA (1969) *The Puducherry town and country planning act, 1963*. [online] Available from: http://tcpd.puducherry.gov.in/act.html [Accessed 19 July 2015].

Risbud,N. (2002) Policies for tenure security in Delhi. In: Durand-Lasserve and Royston (eds.) *Holding their ground: securing land tenure for the urban*

poor in developing countries. London, UK: Earthscan Publications, 37-58.

Risbud, N. (2010) Typology of slums and land tenure in Indian cities. In *Presentation at the National Workshop on Land Tenure Issues in Slum Free Planning, Ahmadabad, India*.

Risbud, N. (2014) Experience of Security of Tenure Towards Inclusion - Indore and Jaipur. In: Durand-Lasserve and Royston (eds.) *Holding their ground: securing land tenure for the urban poor in developing countries.* London, UK: Earthscan Publications*,* 286-305.

Roberts, B. and Hohmann, R.P. (2014) *The systems of secondary cities: the neglected drivers of urbanising economies*. [online] Available from: www.citiesalliance.org [Accessed at: 20 July, 2015].

Roy, A. (2009) Why India cannot plan its cities: informality, insurgence and the idiom of urbanization. *Planning theory*, *8*(1) 76-87.

Roy, A. (2014) The inclusive city-a new paradigm of urban planning in India? In: *Inclusive Urban Planning: State of the Urban Poor Report 2013.* New Delhi: Oxford University Press. 135-147.

Satterthwaite, D. (2009) Getting land for housing; what's strategies work for low-income groups? *Environment and Urbanization*, 21(2) 299-307.

Sawhney, U. (2013) Slum population in India: Extent and policy response. *International journal of research in business and social science*, 2(1) 47-56.

Scott, J. (Ed.) (2006) *Documentary research*. Sage.

Storey, D. (2014) Setting the scene: The rise of secondary cities*. In: Asia Development Dialogue: Building Resilience and Effective Governance of Emerging Cities in ASEAN,* Singapore City. 31 March-1 April, Singapore.

TCPD (2007) *Puducherry city development plan*. Puducherry: Town and Country Planning Department, Government of Puducherry.

TCPD (2014) *Concept note on housing shortage in the UT of Puducherry*. Puducherry: Town and Country Planning Department, Government of Puducherry.

TCPD (2015) *Comprehensive development plans*. [online] Available from: http:// tcpd.puducherry.gov.in/Masterplan.html [Accessed 12 August 2015].

The Hindu (2013) *Kamaraj housing scheme to be revived at once: Chief Minister.* [online] Available from: http://www.thehindu.com/todays-paper/tp-national/tp-tamilnadu/kamaraj-housing-scheme-to-be-revived-at-once-chief-minister/article4947711.ece. (Accessed 4 August 2015).

The Hindu (2014) *Top priority to project of making Puducherry a hutless State: Minister*. [online] Available from: http://www.thehindu.com/todays-paper/tp-national/tp-tamilnadu/top-priority-to-project-of-making-puducherry-a-hutless-state-minister/article6179552.ece [Accessed: 03 August 2015].

The Hindu (2015a) *L-G urged to reconsider distribution of freebies*. [online] Available from: http://www.thehindu.com/news/cities/puducherry/lg-urged-to-reconsider-distribution-of-freebies/article7344780.ece. [Accessed 03 August 2015].

The Hindu (2015b) *Remove encroachment in Boulevard area first, says AIADMK* . Available from: http://www.thehindu.com/news/cities/puducherry/remove-encroachment-in-boulevard-area-first-says-aiadmk/article7014174.ece [Accessed 12 August 2015].

UN-Habitat (2003a) *The challenge of slums: Global report on human settlements 2003.* London: Earthscan.

UN-Habitat (2003b) *Guide to Monitoring Target 11: Improving the Lives of 100 Million Slum Dwellers*. Nairobi: UN-Habitat.

UN-Habitat (2005) *Financing urban shelter: global report on human settlements 2005*. London: Earthscan.

UN-Habitat (2012) *State of the World's Cities 2012/2013: Prosperity of cities*. [online] Available from: https://sustainabledevelopment.un.org/content/documents/745habitat.pdf [Accessed 13 August 2015].

UN-Habitat (2014) *Background paper: Voice from slums. Nairobi*. [online] Available from: http://unhabitat.org/wp-content/uploads/2014/07/WHD-2014-Background-Paper.pdf [Accessed 13 August 2015].

UN-Habitat (2015) *Informal Settlements. Habitat III issue papers*. New York.

United Nations (2014) *World urbanisation prospects: The 2014 revision, Highlights*. Department of Economic and Social Affairs, Population division (ST/ESA/SER.A/352).

United Nations (2015) *Open Working Group proposal for Sustainable Development Goals*. Department of Economic and Social Affairs. [online] Available at: https://sustainabledevelopment.un.org/focussdgs.html [Accessed 12 August 2015].

Walliman, N. (2011) *Your research project: designing and planning your work*. 3rd edition. London: Sage.

Werlin, H. (1999) The slum upgrading myth. *Urban Studies*, *36*(9) 1523-1534.

Wood, G. (2003) Staying secure, staying poor: the "Faustian Bargain". *World Development*, 31(3) 455-471.

World Bank (2013) *Urbanization beyond Municipal Boundaries: Nurturing Metropolitan Economies and Connecting Peri-Urban Areas in India*. Directions in Development. Washington, DC: World Bank. doi:

Appendices

Appendix-1: Officials interviewed and their official functions

Officials interviewed during the research and their functional domain that served as a criteria for their selection as respondents in this research

Sl.No	Official Designation	Department	Functions
1	Secretary	Revenue and Disaster Management; Town and Country Plannin	High official functionary in land policy making. He reports to the Minister of Revenue, GoP directly. Key policy decisions are decided by the Minister in consultation with the Secretary.
2	Chief Town Planner	DTCP	As Chief town planner of UTP, the officer is responsible for framing town and country planning norms (building bye laws, standards, setback standards etc) and implementing them. The Master Plan is formulated and enforced by this department.
3	Director	Local Administration Department (LAD)	Director LAD is responsible for providing the key inputs on policy matters related to local governance and urban local bodies (municipalities and panchayats) to the Secretary, LAD. LAD is the key department in implementing urban infrastructure projects in slums and informal settlements through the Public Works Department.
4	Director	Directortate of Survey and Land Records (DoSLR)	Responsible for allocation of Free House Sites (FHS) to the landless poor people in the UTP. He is the Chairman of the Committee for selection of beneficiaries for allocation of FHS. DoSLR is the main agency that allots land to the urban poor. DoSLR is the official custodian of all land records in the UTP. DoSLR gives permission for subdivision of land.
5	Chief Executive Officer	Slum Clearance Board (SCB)	SCB is a semi-autonomous body that is responsible for slum redevelopment and in implementing slum housing and rehabilitation projects.
6	Estate Officer	Slum Clearance Board (SCB)	Estate office of SCB deals with the maintenance of land allotted to SCB for slum rehabilitation and acquisition of land for executing slum housing projects.
7	District Registrar	Department of Registration (DoR)	DoR is responsible for registration of sale transactions on land. DoR is the custodian of documents on sale transactions on land and property titles.
8	Member Secretary	Puducherry Planning Authority	PPA is responsible for the enforcement of Town and Country Planning Norms in Puducherry.
9	Municipal Commissioner	Puducherry and Olgaret Muncipalities	Municipal Commissioners are responsible for urban administration and infrastructure provisioning in Puducherry City. The City falls under two municipalities namely Puducherry and Olgaret Municipalities.
10	Sub-Collector (Revenue)	DRDM	Sub-collector is responsible for the collection of land revenue, land administration, removal of encroachment and unauthorised occupation from government land and the custodian of all government land under his jurisdiction at sub-divisional level.

Sl.No	Official Designation	Department	Functions
11	Tehsildar	DRDM	Sub-collector is responsible for the collection of land revenue, land administration, removal of encroachment and unauthorised occupation from government land and the custodian of all government land under his jurisdiction at Tehsil level.
12	Revenue Inspector	DRDM	Sub-collector is responsible for the collection of land revenue, land administration, removal of encroachment and unauthorised occupation from government land and the custodian of all government land under his jurisdiction at Firka level.
13	Village Administrative Officer	DRDM	Sub-collector is responsible for the collection of land revenue, land administration, removal of encroachment and unauthorised occupation from government land and the custodian of all government land under his jurisdiction at village level.

Appendix-2: Respondent code of officials interviewed

Details of government officials who participated in the study from the Union Territory of Puducherry (Interviews Transcribed)

Sl.No	Respondent Code	Designation of the Respondent	Duration of Interview	Date of Interview
1	EX1	Sub-Collector (Revenue), Sub-division South, Puducherry	67 minutes	10 June 2015
2	EX2	Tehsildar (Survey-I) Directorate of Survey and Land Records	52 minutes	09 June 2015
3	EX3	Estate Officer, Puducherry Slum Clearance Board	46 minutes	12 June 2015
4	EX4	Commissioner, Puducherry Municipality	61 minutes	16 June 2015
5	EX5	Member Secretary, Puducherry Planning Authority	35 minutes	03 June 2015
6	EX6	District Registrar, Department of Registration, Puducherry	55 minutes	13 June 2015
7	PM1	Director, Local Administration Department	40 minutes	10 June 2015
8	PM2	Chief Town and Country Planner, Town and Country Planning Department	67 minutes	03 June 2015
9	PM3	Chief Executive Officer, Puducherry Slum Clearance Board	72 minutes	04 June 2015
10	PM4	Director of Survey and Land Records, Directorate of Survey and Land Records	70 minutes	05 June 2015
11	PM5	Secretary, Revenue; Housing and Urban Planning	30 minutes	20 June 2015

Details of officials who were interviewed to gather basic evidence for the study (interviews not transcribed)

Sl.No	Respondent Code	Designation of the Respondent	Duration of Interview	Date of Interview
1	EX7	Tehsildar, Survey-II, Directorate of Survey and Land Records	42 minutes	09 June 2015
2	EX8	Tehsildar, Olgaret Taluk	36 minutes	04 June 2015
3	EX9	Deputy Tehsildar, Olgaret Taluk	48 minutes	04 June 2015
4	EX10	Revenue Inspector, Puducherry Firka (Cluster of Revenue Villages)	19 minutes	02 June 2015
5	EX11	Village Administrative Officer, *Pudupalayam* Revenue Village	17 minutes	02 June 2015
6	EX12	Village Administrative Officer, *Puducherry* Revenue Village	12 minutes	13 June 2015
7	EX13	Special Officer, Collectorate	46 minutes	12 June 2015
8	EX14	Commissioner, Olgaret Municipality	42 minutes	03 June 2015

Appendix-3: Aide-memoire of the researcher for interview

Objective-1: To understand the nature of Informal Settlements in Puducherry City

- What Is the nature and extent of existence of slums and informal settlement a problem for administration in Puducherry City

- What are the problems that general public face in Puducherry City due to informal settlements?

- Why do you think informal settlements exists in Puducherry

- What are the areas in the city where informal settlements exists?

- What are the government departments responsible for addressing the issue of informality?

- Since when did the informal settlements became a problem for the Puducherry administration?

- What type of land typology exist in the informal settlements in Puducherry?

- Who are the main actors in the informal land tenure systems in Puducherry City?

- What tenure categories and land rights are found in the informal settlements in the city

- How are informal land rights transferred and how are the disputes settled in an informal settlements?

Objective-2: To understand the existing Land Tenure policies that affects the informal settlements in the city

- What are the kinds of policies, practices and programmes that regulate the slum areas and unauthorised layouts in the city?

- What are the GoP's programmes that enable the slum dwellers to improve their living conditions?

- Are you able to implement these policies that addresses the issue of informality in Puducherry?

If yes,

- Then why is there a problem of informal settlement in Puducherry?

- Is there a lack of awareness of the extent of existence of informal settlement in Puducherry?

- Do you think the current law and rules (land tenure policies) are sufficient to address the issue of informal settlements (slums) in Puducherry City?

If not,

- What are the problems in framing suitable land tenure policies that addresses the problem of informality?

- What kind of policies do you think would address the issue of informal settlements?

If yes,

- If the policy is sufficient, then why does the informal settlements exist?

- What are the reasons for the ineffectiveness in implementation of the land tenure policies?

Objective-3: To understand the impact of public policies on land in the informal settlements in the city

- Why does the government pursue issuing free house sites as an important response to solve the problem of slums when the land is very scarce in the city?

- Is there any policy to go for vertical expansion of slum housing projects in the near future? If not, when will such a policy decision be taken?

- Is gentrification happening in the slum areas that are already developed using the existing schemes and programmes? If so, what is the extent of gentrification in those areas?

- Is there any good practices that you have come across that addresses the problem of informal settlements effectively?

  If yes,

    - Can you elaborate on the good practice? How does it work?

    - Is it possible to emulate the good practice in Puducherry City?

- Do you think it is practically possible to enforce the provisions of the current master plan?

- When will the new master plan come into force?

- Is there any plan to relax the rigid standards prescribed in the PCTPA, 1969 to enable people to go for taking building approval before they construct their houses?

Appendix-4: Photographs showing two slum pockets in the city

Slum pocket in Poyyakulam surrounded by formal residential layouts. This slum colony was originally an encroachment in a pond. Government regularised it before the elections in 2006.

Slum pocket in Rasu Udayar Thottam showing non-regularised encroachments in a private land. The land belongs is a private land belonging to a french expatriate citizen who resides in France.

Appendix-5: Section 37 of PTCPA, 1969

The Town and Country Planning Act, 1969 has strong provisions under Section 37 of the Act to regulate the development of any land covered under the Master Plan. Section. 37 (1 and 2) of the act says:

(1)…no development, institution or change of use, of any land shall be undertaken or carried out in that area [area covered under the master plan] –

(a) without obtaining a certificate from the Planning Authority certifying that the development charge as leviable under this Act has been paid or that no such development charge is leviable; and

(b)without obtaining the permission in writing …

… …

(2) (a) any person or body (including a department of Central Government or the Government or local authority) intending to carry out any development on any land shall make an application in writing to the Planning Authority for the permission in such form and containing such particulars and accompanied by such documents and plans as may be prescribed by the rules or the regulations:

(PTCPA, 1969)

Rule 43 of the Town and Country Planning Rules, 1974 corresponding to the above provision of the Town and Country Planning Act, 1969 says that:

Application for permission for development or change in use of land shall be made in Form III with the particulars, documents and plans referred in the said form so as to accompany the applications.

The above legal provisions indicate that procedures are well laid out in the act and no developmental activities should be undertaken in the land covered by the Master Plan.