

Draft DP 07 – April 2013 – Objections & Suggestions

General

- a. The report reads like a compilation of information obtained from various departments without any effort to analyse the information and add value to it. Draft DP reflects a distinct proclivity towards ignoring standards, norms and government directives to waste public funds on useless projects such as flyovers.
- b. While the draft DP gives the vision formulated by a foreign consultant, it is not followed up with quantifiable objectives for the draft DP. The stated objectives are vague. As such, there is no way to measure the percentage achievement by 2027. The draft DP does not assign responsibilities and targets to officials. As such, this DP too will meet the same fate as the previous ones.
- c. There are no measurable indicators to measure, monitor or improve the quality of life, liveability, cost of living or development of the city.
- d. There is no proposal to track the information to ensure that the plan is being implemented on schedule.

ELU

The date when PMC published the existing land use map and kept it open for inspection is not given. This is the **first basic requirement** that is overlooked.

PLU

After the government modified the draft DP 87 and approved it, PMC should have prepared the proposed land use (PLU) map. This PLU map should have formed part of the draft DP 07 along with an analysis of the same. It should have stated the Town Planning norms for tenements per Ha, land use, public amenities and recreational facilities. It should have further highlighted the shortfalls and formulated a strategy proposed in DP 07 to meet the norms and standards. This is the **second basic requirement** overlooked in the draft DP.

Demographic Projection for DP Revision

Statement 8-1 on page 133 gives the demographic projection for preparation of draft DP. It gives a figure of 26,50,482 population for 2017. PMC has not indicated the source and the figures are wrong. However, there is a mention that the GIPE has made these projections. The demographic section has not identified strategies to contain the growth of the city.

Please refer to http://www.punecorporation.org/pmcwebn/informpdf/Fire_Hazards/3annexurefinal.pdf. By Table 1.1, the population of PMC in 2001 was 2,538,473 according to the census of India with a decadal growth rate of 50.08. Hence, in 2011 the population would be 38,07,709.5. We recommend PMC to recheck the figures given by GIPE because there is a likelihood of error.

Amenities are to be provided for the 10-year population. During the next 4 years up to 2017, the population will go beyond 26.50 lakhs after allotment of TDR and increase in FSI as recommended in the draft DP. Draft DP should, therefore, have included an estimate of the increased population figure and planned to provide for proportionate increases in amenities. This is the **third basic requirement** overlooked by PMC.

Lip Service to NUTP and CMP

In Sections 14.5 to 14.9, draft DP says that NUTP is the focal document. It talks of Comprehensive Mobility Plan being approved but misses out the text of the PMC approval that says, "The General Body will have the powers to modify the Comprehensive Mobility Plan prepared as per the directions of the Central Government and approval is accorded to include in the CMP the changes made by the General Body from time to time." In other words, the PMC has not approved the CMP but has abrogated the mandate of modifying the CMP from transportation professionals to PMC. None in PMC has expert knowledge of the subject. The fact is that the Standing Committee sat over the CMP from Aug. '08 until May '12.

The statements made above about NUTP and CMP are thus hypocritical. This observation is reinforced because of the inclusion of 30 flyovers and 43 subways etc in the draft DP without any study or costing as mandated in the CMP and without CMP including many of these flyovers (Statement 14-5).

HCMTR

The draft DP should have taken into account the changes since 1987 DP. This is the **fourth basic requirement** overlooked. Section 14.4.5 dealing with High Capacity Mass Transportation Route is a repeat of the 1987 DP. Parts of the HCMTR areas have since been merged in reservations in Sector III, TPS-I fully developed in C2 Zone (page 84 of the report). Additionally, PMC has shifted the 80 feet wide HCMTR on existing 90 feet DP road (Senapati Bapat Marg) under Old DC Rule 14.4.1.G and area under HCMTR in final plot nos. 403 and 403A of International Convention Centre of MCCIA and merged in C2 zone.

These actions have virtually killed the HCMTR because large parts of HCMTR will now have to be elevated for which PMC has no funds. On page 200 of the draft DP, PMC says, “It is evident that a persistent funding gap exists for city transportation needs”. Even then, the PMC has kept the same alignment in the draft DP. On the other hand, PMC is very keen to construct parts of the HCMTR, especially in areas that are eco-sensitive and converting adjoining areas into C2 Zone in anticipation of construction of these road stretches. Hence, PMC should not be permitted to acquire land piecemeal for HCMTR until a DPR is made to study the feasibility of the project. Otherwise, HCMTR will meet the same fate as the BRTS of PMC and there will be another ‘scam’.

BRTS

Figure 14.2 on page 252 gives 3-D view of BRT corridor. This is the biggest joke of the century because PMC BRTS corridors have no commonality with Figure 14.2. The concept of BRTS is only one with seven essential basic features, which are: 1. Continuous dedicated bus ways; 2. Pre-board ticketing; 3. Bus Stations (not bus stops or bus shelters); 4. Intelligent Transportation System (ITS); 5. Adequate and frequent bus service; 6. Low-floor buses so that boarding and alighting is convenient and rapid; and 7. Integration of bus routes. Unfortunately, for the public of Pune, draft DP does not mention these essential basic features and none of the so-called BRTS in PMC areas have these basic features.

In Section 14.9, draft DP has planned BRTS in small “corridors” e.g. 1.40 km against all norms of BRTS and global standards. Further, PMC has planned BRTS on congested roads e.g. Shivaji Road, Bajirao Road etc where it will not be possible to provide continuous dedicated bus ways. In fact, draft DP has completely overlooked this crucial factor in planning BRTS in Pune for which over Rs. 2000 crores have been spent or earmarked. In sum, there is no BRTS in Pune but our revered councillors are making available large funds to our venerable officials to spend on contracts.

The draft DP mentions “Intelligence Transportation System” meaning ‘Intelligent’ in Section 14.5.6 on page 265. ITS is an essential component of BRTS but the draft DP mentions it only for traffic control and policing duties when it says it is, “installing surveillance camera at different locations; a special cell has been established at Swargate BRT office, for this purpose, which is monitored by PMC.” Even this use of ITS is not functional because our respected councillors and officials have not provided any funds for its operation.

ITS can be effectively used for lane control, automated traffic signalling to allow priority to BRTS buses and digitised traveller information both in the buses and at bus stops. Section 14.4.2.4 also does not talk of applying ITS for BRTS.

It is necessary to mandate GPS on busses and then extended to all heavy vehicles: water-tankers, trucks, cranes, JCBs, pokelands etc. This single change would regulate traffic and control illegal activities.

Chapter 15 - Environmental Planning

The most striking omission is that the draft DP does not include the following six recommendations of the Ministry of Environment and Forests (MoEF), which are approved by the Bombay High Court on 26 April 2012 in PIL 41 of 2011:

- i. The natural drainage sections are found shallow, silted and filled with vegetations and debris. Frequent flooding at certain stretches implies inadequate carrying capacity of the drains. The proposed drainage sections should accommodate recommended intensity of rainfall, which may be considered for future 30-50 years of development in the catchments area. Consequently, the width of the section may be determined / revised based on acceptable future hydraulic loading as practiced by PMC.
- ii. As agreed by PMC vide letter dated 09.08.2011, shall not provide bed treatment / bed concrete except fencing wall where natural section available is adequate to carry design flood discharge. At location where natural section is not adequate to carry the design flood discharge, PMC shall explore non-concretetisation techniques for lining of the storm water drain.
- iii. Necessary prior permission shall be obtained for cutting of trees from the competent authority. Compensatory afforestation shall be carried out. Also shall identify / acquire the 7-9 m wide corridor on either side of the drain for raising the appropriate green belt consulting Forests Department / botanical experts wherever possible. Encroachments should be strongly dealt with as per the law.
- iv. The PMC shall relocate the sewer line outside the drains immediately so as to prevent ground water contamination through percolation. This should include measures to intercept and diversion sewers for preventing sewage out falling into drainage channels.

- v. The malba / excess earth material / debris from the drain vicinity shall be removed and disposed off at the approved sites.
- vi. PMC shall maintain the width of nallah as mentioned in the Development Plan sanctioned vide Notification No. TPS-1807/39/CR-1070/07/UD-13 dated 18.09.2007.

In Sections 15.2 and 20.3.4, the draft DP allows jogging tracks, cycle tracks and skating along nallahs although it provides for a buffer zone but does not mention mandatory 7-9 meters green belts. As the width of the nallas is to be maintained as per DP notification, the widths should be correctly marked and properly demarcated in the Development Plan. Our study reveals that the DP maps are on a very large scale (1:15000) and it is difficult to precisely measure the DP widths. Hence, draft DP should have maps on a scale of 1:1000. We also wish to record that the alignments marked by Primove are wrong and need a high level team with a representative of the revenue department to mark the correct alignments on DP maps.

The statements made in paragraph 15.2.2, “PMC has undertaken many rivers improvements in the past years. Dredging of rivers is one such important project. Channelization of rivers in the city limits is nearly complete” are totally wrong. There are no improvements in the rivers but PMC has narrowed the widths and malba has been dumped in parts of rivers under the garb of “restoration” so that illegal construction can take place. There is no provision for dredging of rivers in the PMC budgets over the years unless some contractor has done the dredging free of cost. There is a stay from the Bombay High court on concrete channelization in terms of the MoEF recommendations quoted above.

The most shocking revelation that exposes the real intent of the draft DP is on pages 6-7 of Annexure E. The draft DP has vitiated the green belts and hilltops and hill slopes by stating that amusement parks & entertainment centres are allowed on hill top-hill slopes zones and on green belts. Even art & craft village land is also shown as permitted in these zones. The scale is given as one location for 5 to 10 acres. Although the draft DP does not quote the authority that has permitted this, we can guess it to be the CREDAI for whatever reasons.

Water bodies do not have survey numbers and cannot be owned by private individuals; the government owns these. A serious error in the draft DP is that the alignment does not follow the end of survey numbers and hence is wrong.

It is therefore possible to draw the alignments of natural water bodies correctly by delineating the boundaries of areas with survey numbers and drawing the outline of the water bodies. This is a very important aspect that the draft DP completely misses out. A change in alignments of natural water bodies and reducing widths to grab large areas along them causes floods. No matter what other methods are put into effect, floods will always afflict PMC.

Resource Mobilisation

Total cost of the DP is shown as Rs. 25806 Crores. However, how these resources would be mobilised is not known to the PMC. Draft DP has not shown the present day cost of acquiring land for reservations, which is a mandatory requirement in the preparation of development plans. Our experience is that PMC always says that there is a funds crunch for items of public interest but there is no shortage where vested interests are involved. We have the following suggestions:

- a. Parking fees should be enhanced and parking should be treated as a demand management tool and not to create vote banks. High parking fees will discourage use of personalised transport and give a fillip to public transport. Section 19.3.1 should be amended.
- b. Expensive and non-utilitarian items such as flyovers should be discouraged to save on resources to be diverted for use by larger sections of society. Statement 14-5 should be deleted.
- c. 50 % of all fines collected by RTO and the police should be ploughed back into public transportation i.e. to PMPML. 50 % of tax on petrol and diesel should be allotted for improving infrastructure for public transportation and for introducing ITS on a large scale, especially for BRTS.
- d. Taking a cue from Kerala Government, Maharashtra too should give 75 % of stamp duty proceeds to the ULB because stamp duty is a function of land use.
- e. PMC collected about Rs. 33 crores in the last 10 years as Tree Cess as per Section 18 of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act at the rate of 1% of the rateable value of the property. An RTI query to the Garden Department for its use drew a blank.

- f. Development charges are collected by the ULB. However, there is no separate accounting for the same.
- g. PMC collects NA tax @ 3 % of the value of the land for residential use, 1 ½ times for industrial use and 3 times of commercial use. Even if 40 % TDR is used on the land, the tax remains the same. It is necessary to relate the tax to the FSI consumed on the land.

Informal Sector

Draft DP (page 304) mentions about providing zones and policies for informal sector. Section 19.4.3 states, “The city is facing the problems of informal sector mainly hawkers encroaching the road spaces, footpaths etc. To overcome this problem, provision of 1% affordable work spaces in the layouts of area more than 0.4 ha and 2% in layouts of area more than 2 ha each having an area of 5 sq. m., has been made in the DC regulations.” This system is likely to lead to misuse of shops for selling snacks as it is presently happening all over the old city, causing hygiene-sanitation problems in the absence of running water and other necessary facilities e.g. basins, sinks, chimneys etc. The draft DP or the DC Rules does not precisely define the scope of a Tea Shop or Amrittulya shop (page 53 DCR). This again has led to unsanitary conditions all over the city. This particular provision is not enforceable and will lead to unplanned occupation of such shops. Due to the draft DP not earmarking specific spaces for resettling of hawkers and leaving the resettlement on a voluntary surrender of area by developers, the very purpose of resettling the informal sector will be defeated.

Standards for Public Amenities & Recreational Facilities

Page 3 of Annexure E states that the planning norms for DP 87 & extended villages based on Government circular (reference not given) are similar e.g. PG/CPG 0.4 Ha & 0.2/1000 population for parks/garden the draft DP. PMC has misled the public because the enclosed extract from a table in DP for extended villages clearly shows that PMC has given wrong figures. Please also see our remarks under “Demographic Projection” to understand the real import of reducing spaces for recreation and amenities.

Standards applicable for these public amenities and recreational facilities in DP 87 are 0.6 Ha/1000 population for playgrounds and children’s playgrounds (PG/CPG) and 0.4 for parks and gardens. The standards for DP 07 should be on par with those of DP 87. The standards in DP for extended villages also are lower than DP 87 and the same as in draft DP.

Solid Waste Management

Section 11.12.5 misses out all the important points that PMC should follow as per existing orders and laws. We cover only the major points given below:

- a. Garbage is not being segregated at source contrary to existing instructions and laws.
- b. Rag pickers with PMC's blessings mix the segregated garbage while separating the plastics. PMC accepts segregated garbage because it has established projects of Hanjer and Rochem that accept segregated garbage as feedstock/raw material.
- c. Hanjer plant at Uruli is polluting ground water and water from wells in the vicinity is not potable. Draft DP should have catered for machinery for monitoring the atmosphere and ground water in the vicinity of all PMC's plants.
- d. Rochem plant is within 50 meters of large residential colonies, which is against existing order and laws. Funds should have been earmarked to remedy this situation.

Water Treatment and Supply

11.12.4 dealing with the above topic is all waffle because it has missed out the two most important points given below and has not made any provision for it in the draft DP:

- a. PMC has not complied with the condition imposed by the irrigation department over two decades back to treat a certain amount of sewage and put it back in the canal for irrigation purposes so that that much water is saved from Khadakwasla Dam. Presently, PMC treats in sewage treatment plants about 600 MLD of sewage but does not plough even a drop of treated sewage back into the canal. Draft DP should have catered resources for construction of pumping station and storage for all treated water for putting it back into the canal.
- b. PMC, since its inception in 1950 i.e. for 63 years has not provided meters to measure the quantity of water that is received from Khadakwasla dam and given at various points e.g. Warje. In the absence of proper metering, it is not possible to quantify the amount of water that PMC uses. Perhaps it suits the political bosses because they can then divert the water for illegal purposes and blame Pune-kars for their habit of having bath twice in a day!

Additional Environment Points

The HTHS region in Pune should be preserved as they are and not converted to Recreational zone - such as at S. No. 44 or at the reservation marked as PK9 in sheet 5 of Sector III. The road going to the proposed reservation PK9 should not be made as it will vitiate the environment on the hilltop.

All commercial malls/offices should have a compulsory reservation for a public transport facility such as a BRT/Metro stop on the ground or first floor.

Transport integration of Metro and BRT has not been done on the DP for the next twenty years before drawing new roads, creating crowded new junctions (such as by joining of the proposed HCMTR).

The HCMTR passes through forestland as well as HTHS area for a length of over two kilometres at Bhamburda forest and should be scrapped in this section.

Tunnels shown under the Vetal Hills from SB road to Paud road, at Pashan and near Sahakar Nagar are without a traffic survey or an EIA. In any case, most of the hills in and around Pune are designated as 'heritage' and as such, it is callous of PMC to make constructions to destroy these heritages.

The FSI of 4 500 metres on either side of mass transit routes will include not just the present two Metro lines but six metro lines planned for the future. Counting the increase in built up area as a result will mean adding almost double the population of Pune over the present geographical limits of the city. We are sure that the FSI will be given post haste and Metro will take umpteen number of years to come, if at all. This has only been suggested as one of the means to raise revenue by the DMRC.

The TDR provision is being perpetuated by the PMC. This is akin to opening a new mint for the PMC as it creates wealth at the cost of liveability of the city. The FSI is designed to make the city liveable for its citizens. Loading this with the TDR means more people will live in an area that is not able to cope with the needs such as water supply, roads, transport and sewage. The city is unable to supply water and take care of sewage for its present residents. To load it with an increased FSI of 4 and then adding the TDR provision means the city will generate many times more water and generate treble the sewage it presently generates. This is completely detrimental to the growth of the city in an ideal manner as corresponding amenities and recreation spaces will not be available. It seems 2013 is going to be a dark chapter for Pune-kars.

N-2.6.1-DC Rules IT and ITEs

All facilities shown on page 247 are antiquated because governments are now withdrawing facilities given to IT and ITEs. The reason is that IT and ITEs are now standing on their own and making good profits. They do not need any special treatment. Allowing residential construction in no-development is sheer madness.

PMC and the officers responsible to prepare this deadly document are obviously not aware of GR of GoM dated 13 July 2009 from the Department of Environment, which give river zone regulations and specifies no-development zones along rivers. Thus these blanket facilities are loaded with extraneous reasons and should be totally scrapped. DC Rules are meant to facilitate implementation of the DP. If a subject is not even mentioned in the draft DP, how does it suddenly appear in the DC Rules? Why this devious and surreptitious manner of pushing in stuff that is against the interest of the citizens?

DC Rule 5.2: Special Townships in Agricultural / Green Zone / No Development Zone

This provision is completely in violation of the GR dated 13 July 2009 quoted above, High Court order dated 26 April 2012 (in PIL 41 of 2011), the Tree Act etc. Instead of planting trees and developing bio-diversity parks, PMC is unabashedly recommending so-called 'special townships'. This item also does not figure in the draft DP.

N-2.6.9-DC Rules Special Economic Zone

This whole section is meaningless, especially because it has no co-relation with the draft DP, as it is not even mentioned in the draft DP.

R-13-DC Rules - Fire Brigade

This rule is meaningless and appears to have been made to first reserve land for a fire brigade in the congested area where it is not required and then change its reservation to residential to favour the favourites. We strongly oppose this Rule for the simple fact that PMC already has sufficient sites in congested areas and draft DP does not substantiate its need. Further, the allotment is left at the willingness of the owners, unless of course PMC is trying to regularise an already committed irregularity.

Conclusion

In view of the serious irregularities; lack of transparency and violation of existing norms, guidelines, industry practices and the prevalent laws in the preparation of the draft DP and the corresponding DC Rules as brought out above, which smack of clear extraneous pressure on the Commissioner and others who are involved in the making of the draft DP, ***Nagrik Chetna Manch*** strongly recommends scrapping of this draft DP and nominating an outside agency to do the same.

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Note:

As PMC has hidden documents from the public, we too are not enclosing government resolutions and other documents quoted in the above paragraphs. We shall disclose them at the appropriate time and forum.