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Chakbandi - A futile exercise in Delhi

By Ramesh Menon

Ever since the new State Government in Delhi headed by Mr. Arvind Kejriwal has assumed office, there have been a few discussions to invigorate earlier initiatives for the development of the villages (so called Rural villages) in Delhi.

Agreed, such initiatives should be supported wholeheartedly, and by all. However, the tools that are being planned for deployment are (in many cases) irrelevant and some reek of technical ignorance.

One such discussion is about “**Extending the Laldora**” of the villages which are covered under the Land pooling, to accommodate the additional population migrating into the villages. That precisely is **WRONG ASSUMPTION # 1.**

So, to increase the land area under Lal Dora, the government has to provide more land for conversion into residential plots. There are only two ways to reach that goal.

- Acquire land directly from farmers
- Initiate Chakbandi of the entire ‘Raqba’ of the village

Acquire one cannot, as the tenets of the Land acquisition rehabilitation & resettlement bill 2014 has kicked in. Also, when the government acquires, it pays a much lower compensation than the market price. The Delhi farmers are much more knowledgeable & informed to allow ego tussles between two wings of the government to subject them to monetary loss.

That brings us to the second option of Consolidation.

What exactly is the ‘Chak bandi’ or Consolidation exercise?

The basic premise of the ‘Chakbandi’ exercise is to amalgamate and redistribute all or any of the land in any revenue

village, so as to reduce the number of plots in the holding. It is done under the East Punjab Holdings (consolidation & prevention of fragmentation) Act 1954.

Historically, the consolidation process of any village does not get completed within the defined time limits and have taken upward of 15 to 20 years !!! Here is a list of some villages whose consolidation exercise hasn’t seen the light of the day since the past many decades.



Name of Village	Year Chakbandi initiated in
Alipur	1988-89
Badusarai	1997-98
Bijwasan	1985-86
Kanjhawala	1997-98
Khera Kalan	1997-98
Nangli Poona	1972-73
Pindwala Khurd	2005-06
Puth Khurd	1997-98
Singhola	1997-98

There are also villages like Ladpur where this exercise hasn’t been initiated in independent India. (Since last 68 years)

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Let's take the next argument of **Demography of villages**. The pro voices would argue that the population of villages in on the increase, and that the area of Lal Dora should be increased, thereby provide shelter to the villagers.

Let's take a look of data from the census 2001 & 2011 of some randomly drawn sample villages.

Zone L				
15	Dichaon Kalan	15179	27255	79.56
16	Chhawla	9047	14662	62.06
17	Pindwala Kalan	3007	3779	25.67
18	Khera Dabar	2289	2723	18.96
19	Kharkhari Jatmal	1119	1284	14.75
20	Asalatpur Khadar	373	422	13.14
21	Daryapur Khurd	1745	1858	6.48
22	Daulatpur	1794	1985	10.65
23	Hasanpur	1048	1197	14.22
24	Jafarpur Kalan	5065	6573	29.77
25	Jhuljhuli	1306	1662	27.26
26	Khera	6208	7220	16.30
27	Malikpurzer	2661	2795	5.04
28	Dindarpur Khurd	12216	35856	193.52

Zone P 2				
29	Hamidpur	3897	3469	-10.98
30	Akbarpur Majra	4418	3446	-22.00
31	Hiranki	3474	3791	9.12
32	Palla	4310	4221	-2.06
33	Bakhtawarpur	8658	12716	46.87
34	Ibrahampur	10062	10614	5.49

We can be sure that any increase in the village population has been owing to some economic activity trigger in the surrounding areas. With the urbanization of sub cities like Dwarka & Rohini, many families from the surrounding rural areas have already moved to these sub cities owing to the quality of life, physical – social –recreational infrastructure.

There have been no spikes in population in villages, which are covered under the Land pooling policy. **Seasonal migration of temporary farm workers does not constitute incremental population.**

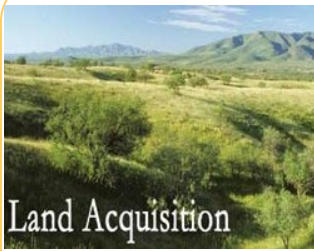
Hence, that argument too can be ruled out.

Let's look at the potency of argument No. 03 – **Land Pooling vs. Chakbandi exercise**

Why Consolidation (Chak Bandi) of Land in Delhi villages cannot be undertaken before Land pooling exercise.

The process of Consolidation is **irrelevant in the context of Land pooling** owing to the following key reasons.

- The average land holding in Delhi (like in rest of India) is less than One hectare, and almost 90% of the land parcels are in that category.
- Land parcels are under the joint holding of family members, and the provisions of the Delhi Land reforms act 1954 do not allow the land to be fragmented amongst the family members.
- The consolidation exercise needs 80% consent through an application to the LG, of the villagers, who today do not see an impending need to consolidate their lands. They would rather **monetize their land parcels through the recently announced 'Land Pooling scheme'** of DDA.
- Even where the consolidation was ordered, the process is extremely lengthy and **consolidation exercise takes anywhere between 10-20 years** for completion. (*Please see chart attached)



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Why the Farmers would be against Chakbandi & extension of Lal Dora in each village

The Landowners are notionally considered 'Be'Dakhal'

Let's examine the **specific benefit under the Land pooling.**

- When the administration undertakes the consolidation exercise in any village, the norm is to return back about 30-40% of the surrendered plot back to each villager, as approved Lal Dora RESIDENTIAL land, after a wait of almost 20 years.
- Under the Land pooling policy, **DDA has notified that they would give back 48-60% land back, in the form of a developable plot of land, wherein the land owner is allowed to develop multi storeyed residential dwelling units.**
- The landowner could also monetize his re-allotted land by trading the FSI to another developer, OR, enter into a relationship of a Joint venture partner OR developer.
- The DDA has issued timelines wherein they endeavor to re-allot the 'converted residential plot' within an approved sector of the new sub city, within 18-24 months. (Whereas, under Chakbandi, it would take decades).
- Under the land pooling policy, the plot of land re-allotted back to the land owner would be LIQUID, and he could not just trade, but also leverage loans on the land. Lal Dora lands in the village do not qualify for loans, currently, owing to the lack of an integrated layout plan of the entire village.

There is data that post extension of the village 'Abadi land' by allotting them Lal Dora plots, the economic sphere of the farmer hasn't changed one bit, but rather, it has declined.

This author has undertaken substantial ground level research at the Delhi villages, and can authoritatively state that the villages of Delhi are a world apart from the villages in many other states. The constituents of villagers in Delhi are not only educated but also gainfully employed in the industry. They are well versed with the urbanisation process and have the ability to protect themselves against any unlawful land acquisition. . Possibly, like many other authori-

ties, the Delhi Government too is mistaken about the eco-system of Delhi villages.

Why the Farmers would be against Chakbandi & extension of Lal Dora in each village

- Under the Land pooling policy, DDA would pool the land submitted by the villagers, and give them "Residential Plots" in lieu of the land surrendered. Contrary to the acquisition process wherein the Landowner was losing his land assets, livelihood & quality of life, the Land pooling process actually enhances all three, multifold.
- Every Land owner knows that under Land pooling, they can upgrade their quality of life by participating in the development process, and that even if they part monetize their assets, they can actually buy a larger piece of land in surrounding villages, which are either notified as LDRA villages, or in Haryana.
- Even if the process of 'Chakbandi' is initiated in any village, the villagers are sure that the same cannot be completed in a time bound manner, thereby, depriving them of the opportunity to participate in the development process, and monetize their assets. **(During the process of 'Chakbandi', the Landowners are notionally considered 'Be'Dakhal' from their land, and they cannot sell, lease, monetize OR engage in any activity whereby they establish any ownership rights).**
- When the Farmers are extended the benefits of the Incentivized redevelopment scheme, the Existing Abadi area of Lal Dora lands too would be consolidated and redeveloped with all modern infrastructure & amenities.
- **The villagers are being given two options under the Land pooling scheme, which are easily monetized.**
 - ◆ Plot of land against Land surrendered
 - ◆ Tradable FAR
- The above would add much more to individual earnings, than the extension of Lal Dora abadi land (which would take decades to consummate)

The villages in Delhi are much different than the villages in other states. The average level of education as well as awareness is much higher, and every village is within 7-10 kms of existing urbanized areas. There is at least one member of each family who is either gainfully employed in Govt. departments like Govt of NCT, DDA, MCD, Delhi Police etc.

Every village is aware of the development of 'SMART CITIES' and such new concepts, whereby the government plans to set up ultra modern city on the land contributed by the farmers. They certainly do not wish to be excluded from the development process, and would like to be a stakeholder in the same. Today, the villagers of Delhi are seeking that Knowledge based industrial parks be set up, and that their skill levels be enhanced on industries like ITeS, Financial services, manufacturing etc. rather than old economy skills on Farming & handicraft.

The villages are already moving towards a surplus entrepreneurial ecosystem from a subsistence economy.

This author feels that an exercise for the sake of the same need not be undertaken unless there is an intentional plan to throw spanner in to Land Pooling Policy of DDA.

Extension of Lal Dora land under the process of "Chakbandi"

Like in all urban areas, the rural population also increases with the passage of time. The process of consolidation every 20 years defined the need and increased the 'Abadi Area' of the village. Since the residential plots were allowed to be built by the villager, for self-consumption, the MCD has exempted it from strict compliance to the building byelaws.

Please find below excerpts from the MCD guidelines.

REGULATIONS OF BUILDING ACTIVITIES IN LAL DORA (ABADI) OF RURAL VILLAGES

MCD's Notification dated 24th August 1963 exempts rural abadi areas (within Lal Dora/extended Lal Dora) from certain sections of the DMC Act, under the Chapter 'Bldg. Regulations'. This notification only exempts the residents of abadi area from the sanction of Building Plans for their residential units. It, however, does not exempt the buildings from the purview of Building Bye-laws.

Lal Dora is basically the abadi, the residential area, where the landowners of agricultural land around, dwell. The extension of the Lal Dora is also meant for meeting the residential needs of the landowners. Any activity contrary to above cannot be regarded as permissible activity in the Lal Dora.

It has been observed that the zonal offices of MCD and the staff responsible for controlling the building activities have been mis-interpreting the above notification, thereby permitting all sorts of illegal and unauthorized construction within Lal Dora. It is further clarified that only a building, residential in character, and not going beyond 2-1/2 storeys and owned by the original resident/his descendant is to be permitted. Any other building in Lal Dora/extended Lal Dora requires prior approval and sanction of the Building Plans from the Municipal Corporation of Delhi, as per the provisions of MPD-2001, Zonal Plan and Building Bye-laws.

It is, needless to mention that, once a village is urbanized, there is no Lal Dora and no exemption and all buildings come under the purview of sanction of Building Plans.

Now that the villages are being classified as 'Urban villages' and that the village folk are aware of the projects like 'Smart city' and other economic opportunities, there is no move towards extension of Lal Dora.

There are three key strategies suggested that would ensure that the Landowners in villages would be participative towards development of villages through the Land pooling scheme, rather than the 'Chakbandi' exercise.

- DDA to integrate the villages in the development process, and create access to infrastructure & civic services
- Each village has existing **Gram Sabha lands**, which can be leveraged to create common services & benefits for the exclusive use of the villagers
- Through the land-pooling scheme, the villagers can monetize their land parcels, through multi fold returns compared to the acquisition process. The urbanization process not just creates employment opportunities, but also helps them be part of the economic activity, as entrepreneurs.

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