

The Expanding City: Land Development and Urban Planning in Bangalore

**A Thesis submitted to the University of Hyderabad
for the Award of the Degree of
Doctor of Philosophy in Sociology**

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August 2011

DECLARATION

I hereby declare that the work presented in this thesis entitled '***The Expanding City: Land Development and Urban Planning in Bangalore***' has been carried out by me and supervised by Prof. K. Laxmi Narayana in the Department of Sociology, University of Hyderabad. This work has not been submitted for a degree or diploma at any other University.

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This is to certify that the thesis entitled '*The Expanding City: Land Development and Urban Planning in Bangalore*', submitted by Mr. Sudarshan P for the award of the Degree of Doctor of Philosophy in Sociology, is a record of bonafide work carried out by him under my supervision and guidance.

This dissertation has not been submitted either in part or in full to any other university or institution of learning for the award of any other degree.

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Acknowledgements

Being with this study has been very long, uncertain and exhilarating. It was long ago when I had started to think about the problem of/in expansion of Bangalore city. From the times I can remember, growing up in the periphery, when gardens and tanks were present during the 1970s and 1980s; Bangalore was still a 'city' with a vast agricultural hinterland. Now it has become an urban region making inroads into its hinterlands. The forces shaping Bangalore are multiple. Thinking about the local, or if one were to say from the "below", one can see the complete change in the lives of the local village communities of Bangalore region, apart from what the 'garden city' meant for the urban culture for a long time. It seems, as the need for land for urban usage has increased manifold; governmental and other parties, associations, institutions, individuals, enterprises, etc., have been in the lookout for more and more land. This has called for multiple interventions, both from private and the public. In the process land has been seen as a mere 'usable' or exchangeable 'economic' resource. In the process, what is lost is, land as a part of the community that is deeply embedded in social life. As many local communities are drawn into this process, they are completely fragmented, dislocated and disintegrated. This was the motivating point that took the study further and probably I have succeeded in exploring the strategies of planning, law and other forces that shaped/s the city.

That apart, this work has received a lot of help and I would like to thank many people. I'm grateful to my Supervisor Prof. K. Laxmi Narayana, for being interested in my work and finally seeing me through with it. He, being an urban sociologist for long time, has facilitated a good deal in finalizing my work. More than anything he assisted me to come to terms with my own uncertainties while completing this work.

Prof. Sasheej has been persisting and in a way has contributed greatly to shape this work. Being in dialogue and working with him for a long time has instilled a greater commitment of becoming a 'researcher'. His reminders with regard to my doctoral work have been more than useful. I'm grateful to him.

Equally concerned and persevering with my work has been Prof. Janaki Nair. Working with her for a long time has been a learning experience. Introducing me to

different kinds of researchable sources and archival work has been immensely helpful. More than anything, her concern to see me finish this work has been long waiting. Many a thanks are due to her.

I'm indebted to the Department of Sociology, University of Hyderabad. I sincerely thank Prof. Jairath, Prof. Hari Babu, Dr. Janardhan, Dr. Purendra Prasad, and others for being supportive and encouraging. I thank Madhu, Tirupataiah and Suryanarayana for being affectionate and caring.

I thank my parents, brothers, sister and my grandmother for their affection, for standing by me so long and for trusting me that I would finally submit my thesis.

The unconditional sharing, caring, affection, being in dialogue for more than a decade now, on academic/non-academic problems of this world are my friends: Sharmila Sreekumar, Ramesha, Tarakeshwar, Bindu K.C., Nikhila, Madhukar, Muthuraman, Ashok, Gurram, Dharmendra, Rajesha, Shyama, Narendra, Sudhakar, Sudhakar Y, Thirumal, Sowmya Dechamma, Nandu, Shivaram Padikkal, Pavan, Narasaiah, Satish, Satish Chennur, Saravana, Asima Jena, Lenny, Prem, Barath, Praveen, Bipin, Zamir, Seshagiri, Sukumar, R.Vijay, Ravindra, Chandraiah, Sundar, Prabhakar, Dhanraj, Chitti Babu, Roshan, A.S.A, D.S.U, B.S.F and many more.

I sincerely thank Ruquia Begum for helping me prepare many maps which are part of the thesis.

I thank all my respondents.

Sudarshan P

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Chapter-1

Introduction

The study of social existence in city has been a major preoccupation of sociologists through the 20th century. Though urban studies date back to the 19th century, the specific field and its subfields of urban studies took shape only during twentieth century.¹ One of the important aspects of the beginnings of field of urban sociology, and urban studies was the focus on the dynamics of city growth and expansion. Expanding city is a phenomenon generated by massive industrialization and its study has not been new. Right from the days of inception of urban sociology, expansion of the city has been a classic problem which urban sociologists have been articulating. Expanding city signifies two kinds of processes of urbanization and urban planning which are social processes and of state regulation. Increased urbanization and expansion of the cities into the extended urbanization of regions and their connections to the city regions elsewhere forming different kinds of networks, dependencies and interdependencies on various scales has been the focus of urban studies for quite sometime now.

The existence of the city is as old as the existence of human civilization dating back to ten thousand years.² The oldest city Jericho (in Palestine) is about 7000 years old. The social organization of human life, in time and space, took a different turn over last two centuries. The changing mode of living, in the wake of major changes wrought by colonial occupations of various parts of the world on the one hand and industrialization process of the present “advanced societies” on the other, have in many ways been integrating the different socio-economic systems, at various points of time, in various degrees, into a “global ordering”. All these processes have been situated concentrated and stem from the concentrating and expanding spaces known as cities for the last two centuries. Cities grew into metropolises. By the beginning of the 20th century, several cities in the west had expanded into metropolitan regions and in the latter half of twentieth century such regions had started emerging in the third world too. Thus it became a world-wide phenomenon given the nature of structuring of political-

economic transnational integration processes.³ In recent times the factors configuring urban regions are understood to be the changes brought about by the “late capitalism” aided by new information technologies in the ‘advanced’ and other countries. City areas are more and more organized and integrated into the global capitalist system through the dispersal of economic activities into the newly industrializing countries. The “Global City” regions have acted as various kinds of production sites for “products” and “services” on the one hand and on the other the sites of centralized control and management for the dispersal of various industrial and financial activities.⁴ Brenner captures the new global phenomenon and characterizes it in Lefebvrian sense as “‘explosion of spaces’ in which established geographies of industrialization, state power, urbanism, and everyday life were being thoroughly destabilized and rewoven”.⁵ This new phase of expansion of economic activities in recent decades across the world is mediated and aided through a reorientation of the role of state to come to terms with the emerging global economic order. This reorientation has primarily been enabled by spatial strategies of political, economic restructuring operating through select key urban regions against the background of institutional shifts occurring due to ‘the crisis and reorganization of the Keynesian welfare national state, the increasing internationalization of national policy systems, the consolidation of new supranational institutional arrangements, and various putative challenges to national state power associated with geoeconomic integration’⁶. Hitherto various terms of geographical *scales* of various dimensions of social, political, and economic life have been in vogue viz., ‘local’, ‘urban’, ‘regional’, ‘national’, ‘global’, etc., to grasp the “socio-territorial” processes as ‘localization’, ‘urbanization’, ‘regionalization’, ‘nationalization’, ‘globalization’, etc.⁷ However, though various socio-economic processes of growth and development intertwine local, regional, national, and international markets of different kinds, the “*worldwide does not abolish the local...Social spaces interpenetrate one another and/or superimpose themselves upon one another.*”⁸

The objects of the present study are expanding city, land development and urban planning. Though of late, many of the works in urban studies concentrated on the scale of global processes and urban development, the present study would focus on the processes that have the local as a socio-territorially constitutes. Moreover, local planning and policies and law, and unplanned developments are more connected to local and regional socio-economic and political processes which have their own logic

and articulation. But these local processes are not insulated from the global socio-economic and political processes. Thus for Sassen, it is important to recover 'place' in the cities by undertaking ethnographies in the context of advent of 'dominant forces' like globalization and telecommunications which have had an impact of nullifying the significance of 'place' as a local spatial entity. Though the 'macrosocial trends' encompass most of the social conditions, still the 'social reality probably corresponds to older continuing familiar trends. That is why much of urban sociology's traditions and well-established sub-fields will remain important and constitute the heart of the discipline.'⁹

Models of Urban Expansion

The proliferation of urban areas and their expansions across the world through the 20th century have given rise to various kinds of explanations. Urban expansion over a period of time has been conceptualized and mapped in various ways. Various perspectives on urban growth establish causal relationships among various factors/aspects to explain the form, content, and dynamics of city/urban growth and expansion. From the point of the view of the present work, it would be useful to briefly take note of various models of urban expansion. The Chicago School drew upon spatial changes and expansion, for its purpose to demonstrate the 'natural' human condition. Chicago school was engaged with the concentration of populations and their movements in the expanding city. They were sketching the nature of the urban population- its activities, movements, relocation etc. In the course of their engagement of these subjects, space became an unintentional subject/object in their 'urban' study. The Chicago school viewed spatial changes in the urban scene as self-regulatory. For Park, physical growth of the cities occurs due to the changes brought about by the private enterprise. He says:

Physical geography, natural advantages and disadvantages, including means of transportation, determine in advance the general outlines of the urban plan. As the city increases in population, the subtler influences of sympathy, rivalry, and economic necessity tend to control the distribution of population. Business and industry seek advantageous locations and draw around them certain portions of the population. There spring up fashionable residence quarters from which the poorer classes are excluded because of the increased value of the land. Then there grow up slums which are inhabited by great numbers of the poorer classes who are unable to defend themselves from association with the derelict and vicious.¹⁰

For Park, the city acquires the character and qualities of its residents over a period of time. The organization of the city and the character of the urban environment are determined by the size of the population, its concentration and distribution within the city area.¹¹ Burgess's study of the expansion and restructuring process in the city indicates the growth in the form of concentric circles. For Burgess, in each inner zone the tendency of 'invasion' over the zone next to it which is followed by 'succession' (Burgess 1974). Burgess' model of "Concentric Zone Theory" of Chicago city's growth and its attendant social processes focused on the local growth dominating the region. Population pressures cause the city expansion which in turn generate 'a dual process of central agglomeration and commercial de-centralization'. New activities which seek the central areas of city give rise to competition for space. With the new activities occupying the central areas of the city, the already established activities in the central areas are repelled to the fringe areas, and competition in the fringe areas is further expanding the city in the shape of concentric circles. The activities which lost out in competition in Central Business District (CBD) are relocated to the shifting periphery.¹² Contradicting the Concentric Zone model the "Sector Model" was proposed by Homer Hoyt. Homer Hoyt (1939) studied block by block, the residential patterns of high-rent districts in 142 cities. His study gave him a diversified comparative base to draw conclusions. He also examined his cities in three different time periods: 1900, 1915 and 1936. This added an important historical dimension. Hoyt's another historical study of Chicago focused on the land prices of the previous century i.e., from the earlier period of 19th century to the earlier period of 20th century. Hoyt argued that cities fashioned were not in the form of concentric zones, but asymmetrically shaped sectors. Within these uneven sectors heterogeneous activities had developed propensity to converge. The underlying basis for congregation of activities was the competition for locations within a capitalist market in real estate which signified the functional needs which manifested in the form of land prices. Manufacturing and retail sectors chose their locations in outward expansions of cities, whereas functionally specialized economic activities were left behind at the central business district. Similarly Chauncy Harris and Edward Ullman's 'The Multiple Nuclei Model' demonstrates the convergence of various activities in uneven sectors than in the shape of concentric zones, under pressure of real estate competition between users with different needs. This model too, views central business district to remain prominent. The central business district spins off activities which form in separate smaller centres. These smaller centres are

interrelated 'homogeneous urban districts' which are organized around central business district.¹³

When compared to the other models of urban expansion, the 'Central Place Theory' and 'Growth Pole theory' look beyond the city to explain urban spatial structuring. Christaller (1933) and Losch's (1945) central place theory provides two explanations to the urban phenomenon: a. prevalence of urban hierarchy based on the city's rank in the hierarchy is determined by the highest number of functions in relation to others and significance of those functions to other cities lower in the rank; and b. spatial structure of the urban system i.e., the relationship between different cities in a given region. In the French context, 'regional growth poles' perspective of urban growth was advanced. An urban growth pole is one with existence of set of industries that can propel growth in the economy. This model took into consideration the inter-sectoral or inter-industry linkages. It ignored the external effects of flow of goods and people. Growth poles were promoted for the deconcentration of urban areas.¹⁴

The 20th century urban expansion in Europe and the USA has been Multiple-Centred Metropolitan Region and Polycentric Urban Regions. The urbanized regions are characterized by different centres dominated by various functions viz., consumption, white collar office operations, manufacturing of various kinds, residential areas, recreational and leisure activities, etc. The traditional city's core continues to play an important role as place of business or consumption etc., without playing a predominant role in the existence of the urban region. These extended urban regions were the result of government programs of housing subsidies and expansion of highway and road networks across the country. These twin processes aided the real-estate developments and home-ownership and growth of towns in the hinterlands and usage of automobiles to reach places across extended urban regions. Polycentric Urban Region in Europe is viewed as a variant of Multi-Centered Metropolitan Region and it comprised of 'a set of neighbouring but spatially separate regions'. Two processes of *de-centralization* and *re-centralization* give rise to the growth of the extended multi-centered metropolitan regions. De-centralization happens due to total reduction of number of people and activities from the traditional city, which signifies the dispersal of social organization. Decentralization of various activities also leads to 'leveling of population density' which is termed as *deconcentration*. The forward link to the process of decentralization

is referred to as re-centralization process. Recentralization involves the reorganization of activities and people in relatively concentrated places with reworked form of social connections which reflects the 'closer proximity'. The increasing concentration of population is termed as *reconcentration*.¹⁵

The Debate on the Theory of Urban Space and Land Development

Various kinds of social, economic, cultural and political processes characterize the urban areas. What kinds of processes do these theorizations of urban space articulate? What is the epistemological basis and ontological status given to the existence of the city or urban areas? What is the nature of physical/real space in the form of urban land? Before going into the idea and process of land development, it is important to take note of the articulations on space. The articulations on space and urban space were rendered by Marxists scholars.

Castells' Theory of Space

The ecological view of Chicago School drew critique from Manuel Castells. We have taken note of how the Chicago School attributes expansion of the city to the increasing and expanding usage of land. Underlying the expansion of the city is an ecological/natural process of land use by various social groups. This view was critiqued by Manuel Castells. According to him, in the Chicago School,

under the cover of ecological organicism, a fundamental feature of the human species is neglected, namely, the contradictory differentiation of social groups, the fact that the appropriation of space forms part of a process of struggle concerning the whole of the social product, and that this structure is not a matter of pure individual competition but that it sets in opposition the groups formed by the differential attribution of individuals to the various components of the social structure – whereas 'the ecological complex presents a distinction without showing a difference'.¹⁶

Though Castells thought that the perspective of the ecological school was inadequate in its understanding of social structure, he considered its object of study useful for establishing a theory of space. For him, "Space is a material, in relation with other material elements – among others, men, who themselves enter into particular social relations, which give to space...a form, a function, a social signification"¹⁷.

Space is a historical ensemble in which a societal type is specified. Given those properties of space it was the task for Castells to discover the structural laws that govern the production and functioning of the spatial forms¹⁸. Any thematic could be organized around the space of given social structure, because 'the vagueness and the historical relativity of the criteria concerning the urban'¹⁹.

For what is space? Whatever theoretical perspective one adopts, one will have to accept that all space is constructed and that, consequently, the theoretical non-delimitation of the space being dealt with (for example, by calling it urban space or the space of exchange, etc.) amounts to accepting a culturally prescribed (and therefore ideological) segmentation. Since physical space is the deployment of matter as a whole, a study 'without *a priori*' of any 'spatial' form and manifestation will amount to establishing a history of matter. By this *reductio ad absurdum*,...[Castells was] trying to explode the evidence of this 'space' and to recall the following elementary epistemological postulate: the necessary construction, whether theoretical or ideological (when it is 'given') of any object of analysis.²⁰

Given that, urban space is organized by the social processes which are at work, at various points in time and expresses what determines in each historical type of social organization.²¹ For Castells the spatial aspect finds its meaning only in relation to fundamental instances of social structure. In that sense, ontologically space and social structure are indivisible. Then the specific 'urban' character of social structure is determined ideologically, by politico-juridical instance and by economic instance. The contemporary urban units are divided, determined and characterized by units of economic system.²² But, still what specifies the urban unit? Castells views organization of various means of production and labour power belonging to various realms as interrelated. The organization of means of production viz., technological elements of production, movements of capital, etc., is a regional question which develops in the historical process and the result of contradictions within the social formation, whereas the labour power and its reproduction characterizes the urban spatiality.

Castells' approach emphasizes the sociological analysis of the space connected to collective consumption. Within the classification of space the activities of production, consumption, exchange and management, are seen as elements in a given social system.²³ In the urban system management plays a dominant role. Management is political intervention in urban affairs, i.e., the decisions on the control of the urban processes is centralized by the state. State intervention in the urban sphere is conceived in terms of Urban Planning. The process of planning: the intervention of the political in the different instances of a social formation (including the political) and/or in their

relations, which aim of assuring the extended reproduction of the system, of regulating the non-antagonistic relations and of repressing the antagonistic contradictions, thus assuring the interests of the dominant social class and the structural reproduction of the dominant mode of production.²⁴

Urban planning is designed to provide for the goods and services of 'Collective Consumption'. The idea is that individuals or individual entrepreneurs do not volunteer to invest in the production of goods and services that are consumed collectively. It is very simple; capitalists are disinterested to produce/invest in such projects since profit margin is negligible. Goods and services consumed collectively, draws state's investment due to the inevitable nature of consumption daily. Without roads, electricity, water, hospital, housing, etc., life in the city would come to an end. Apart from that, the question of 'reproduction of labour power' and 'reproduction of means of production' are at stake since they are essential elements in the production process. Thus to maintain the capitalist production process, state invests in production of collectively consumed goods. Therefore the 'Urban Question' is about the organization of means of collective consumption. The concrete problems which crop up are related to those of collective means of consumption which underlie organization of daily life. Collective consumption reflects urban stratification and segregation and also new sources of inequality. Professional status, level of education, ethnic group, age group, opportunities, etc., are determinants of inequality. Zoning plays a major role in separating various groups of the urban social structure. The urban is not simple arrangement of social activities or groups over space. It signifies the process of collective treatment of the daily consumption patterns of households. The crisis in the deterioration of physical environment is not so deeply perceived. To understand that, it may be seen as 'framework of life' and 'the quality of life' signifying 'the way of living ' and 'the very meaning of life' as structured unequally. The given locations of social groups are ordered hierarchically over space defining the degree of access to collective consumption; hence such inequalities give rise to contradictions.²⁵ To sum up, Castell's theory of space is characterized by Althusserian approach to explain production of the built environment, and 'it represents an attempt to rescue the term "urban" by defining it theoretically as a spatial unit within the structural system which produces the built environment'.²⁶

Lefebvre's Theory of Space

In contrast to Castells' articulation of various elements of social structure as embedded in space, Lefebvre finds autonomy of space. Reduction of space to 'social relations of property ownership is a problem, because space represents multiple 'sociomaterial' aspects viz., it is a 'geographical site of action and possibility for engaging in action...it not only represents location where events take place (the container function) but also signifies the social permission to engage in these events (the social order function)',²⁷. At structural level it is at once a means of production as land and also part of the social forces of production as space. For Lefebvre, spatial design should be accounted as one of the significant elements among productive forces of society which include also technology, human knowledge, labour power, etc., which add to the "productive potential".²⁸ - All properties of space accounted so far, are termed as 'first nature of the role of space in production'. Beyond that, inherent to space is its 'second nature'. That is the 'dialectical properties of spatial relations articulate with the externalized properties of the mode of production at a number of levels' which signify that the quest for the control over spatial relations and design holds equally revolutionary potential as the control over other means of production.²⁹ Its material form determined by exchange value is a commodity but unlike any other commodity produced viz., sugar, cloth, etc. Nor is it like other commodities aggregated: Places or locations cannot be put together or heaped together. However, state and its institutions fashion space according to their requirements. Moreover, space is polyvalent in form. In terms of ownership of land space is inherent to property relationships, and is directly interwoven with the forces of production in terms of imposition of form on the land. This dual nature is at once formal and material.³⁰ It is at once 'externalized realization of human labor and the condensation of social relations of production', again at once 'medium of social actions because it structures them, and a product of those actions. There 'space is produced as a multimanifested concrete abstraction'.³¹ According to Lefebvre:

Neither capitalism nor the state can maintain the chaotic, contradictory space they have produced. We witness, at all levels, this *explosion of space*. At the level of the immediate and the lived, space is exploding on all sides, whether this be living space, personal space, scholastic space, prison space, army space, or hospital space. Everywhere, people are realizing that spatial relations are also social relations. At the level of cities, we see not only the explosion of the historical city but also that of all the administrative frameworks in which they had wanted to enclose the urban phenomenon. At the level of regions, the peripheries are fighting

for their autonomy or for a certain degree of independence. . . Finally, at the international level, not only the actions of the so-called supranational companies, but also those of the great world strategies, prepare for and render inevitable new explosions of space.³² (emphasis added)

Explosion of spaces is a consequence of fragmentation or division of spaces at various levels and claims of space made by large number of actors and institutions. This represents the ‘the multiple articulation of stratified social relations with space’ which represents the chaos of contradictory space. Contradictory spaces generate sociospatial conflicts. These conflicts are not mere representations of class struggles or their relocation beyond the work site but are a reflection of ‘concrete difference between people as a consequence of the domination of abstract over social space’.³³ Since the conflicts are not generated by relations of production only, spatial conflicts cut across the class lines. Central to spatial contradiction of society is the conflicts between ‘abstract space, or the externalization of economic and political practice originating with the capitalist class and the state, and social space, or the space of use values produced by the complex interaction of all classes in the pursuit of everyday life’.³⁴ Given this spatial contradictions, Lefebvre thought that the prerequisites for revolutionary transformation of society are ‘the freedom to use space’, ‘the existential right to space’, ‘abolition of system of private property relations and institutional forms of regulating space which produces economic and political domination’, etc.³⁵

For Lefebvre, ‘transformation of modern society into a humanist society’ can come about through “urban revolution” i.e., by undoing the alienating spatial design. It involves “spatial praxis” which is a radical activity that reorganizes social relations. Such a view is supported by Marxian theory of space.³⁶ Lefebvre thought that Marx’s work was incomplete, partially due to illness, but more significantly because for the reason that it did not address the problem of space.

This is especially needful at a time when capitalism, and more generally development, have demonstrated that their survival depends on their being able to extend their reach to space in its entirety: to the *land* (in the process absorbing the towns and agriculture, an outcome already foreseeable in the nineteenth century, but also, and less predictably, creating new sectors altogether – notably that of leisure); to the underground resources lying deep in the earth and beneath the sea-bed – energy, raw materials, and so on; and lastly to what might be called the *above-ground* sphere, i.e., to volumes or constructions considered in terms of their height, to the space of mountains and even of the planets.³⁷

Further Lefebvre says:

Space in the sense of the earth, the ground, has not disappeared, nor has it been incorporated into industrial production, on the contrary, once integrated into capitalism, it only gains in strength as a specific element or function in capitalism’s expansion. This expansion has been an active one, a forward leap of the forces of production, of new modalities of production, but it has occurred without breaking out of the mode and the relations of the capitalist production system; as a consequence, this extension of production and of the

productive forces has continued to be accompanied by a *reproduction of the relations of production* which cannot have failed to leave its imprint upon the total occupation of all pre-existing space and upon the production of a new space. Not only has capitalism laid hold of pre-existing space, of the Earth, but it also tends to produce a space of its own. How can this be? The answer is: through and by means of urbanization, under the pressure of the world market; and, in accordance with the law of the reproducible and the repetitive, by abolishing spatial and temporal differences, by destroying nature and nature's time.³⁸

Expanding urban areas, for Lefebvre, are the sites where capitalism is spatialized through production of space. Lefebvre was attempting at an understanding of cities in a new context. He says:

After all...the creation of new towns and the redevelopment of existing ones was quite a new approach compared with the classic descriptions of urban phenomena. However, my initiation was neither from the point of view of philosophy, nor sociology, though these were present implicitly, nor was it historical or geographical. Rather, it was the emergence of a new social and political practice.³⁹

Lefebvre's idea of urban consciousness and decomposition of urban order is a running theme throughout his discourse of city. Interference of state and bureaucratic rationality and all other social elements in the public sphere, to alter the everyday life and process of industrialization, consequent changes in the everyday life and nature of urban life have been significant. It reflects the nature modernization of city and its human consciousness. It is a welter of classes' strategy, state and planning strategy, consumption, modernity, etc., and influence of these aspects on the whole of ramified consciousness of everyday life and its transformation. He visualizes change in terms of transformation from, in the modern world, industrialized to the urbanized society. Urban society indicates the urbanization of whole society. It is also implicit in his analysis that it reflects a kind of a project of capitalist modernization being complete, by spreading, expanding and encompassing the whole of space, with its measure as exchange value, applied to a whole range of phenomenon.

Cities have been conceived as beautiful oeuvres. Lefebvre views city which is representational of use values as a place of money and commerce and exchange and products. 'Oeuvre is a use value and the product is exchange value.' Streets, squares, edifices, monuments, etc., are representational of the every day festival of unproductive consumption of space for pleasure and prestige signifying use values. These use values are replaced by the dominant tendency of industrialization 'subordinating the city and urban reality' signifying exchange values.⁴⁰

Basically, Lefebvre conceives the transformation of the urban space, i.e., oeuvre (use value) with its own community sentiment ('social space') centred being converted into product (exchange value) fragmented and expansive city ('abstract space'), producing suburbanization. What it indicates is the city's transformation from-centredness to de-centredness, coherent-unified entity to fragmented entity and in general terms from concentration to expansion. In his urban discourse, concentration to expansion represents the changing nature of social formation generally and the rationality of the capitalist mode of production itself. Lefebvre's advancement and acknowledgement is of the Engelsian understanding of political economy of urban development and its dynamics which is determined by rent, profit, value, the organic composition of capital, etc., which are the phenomenal form of factory space that signified the relations of capitalism for Marx. Engels studied in an extended form – the phenomenal form the production and consumption – in the 19th century industrial city which included housing and community life of various classes. According to Lefebvre, Engel's formulation, apart from reflecting the industrial production, demonstrates that the economy has two sectors- the primary and secondary circuits of capital. Primary circuit of capital includes manufacturing, commercial banking, retailing, etc., and the secondary circuit of capital includes real estate industry- its banks and other financial conduits, real estate agents, owners of property and its markets, which are instrumental in bringing about changes in the metropolitan environments. The logic of secondary circuit of capital is relatively autonomous from the logic of primary production. The flow of capital in and out of second circuit compounds and complicates the crisis cycles in the primary circuit.⁴¹

"Real estate," as they call it, plays the role of a second sector, of a parallel circuit to that of industrial production working for the market of nondurable "goods," or at least those that are less durable than buildings. At times of depression capital flows in its direction. At first it makes fabulous profits, but soon it gets bogged down. In this sector the "multiplier" effects are weak: there is little secondary activity.

Capital is immobilized in building. The general (so-called national) economy soon suffers from this. However, the role and function of this sector never stops growing. To the extent that the principal circuit, that of the current industrial production of "movable" goods slows down, capital is invested in the second circuit, that of real estate. It can even happen that real estate speculation becomes the principal source, the almost exclusive place of the "formation of capital," that is, of the realization of surplus value. While the part of overall surplus value formed and realized in industry decreases, the part of surplus value formed and realized in speculation and through construction increases. From the accidental it becomes the essential. But this is an unhealthy situation as the economists say.⁴²

Lefebvre is worried about 'use value' being lost in the process of the growth industrialized city life to the new transformed, ever expanding urbanized society.

Industrialized society, for Lefebvre, in becoming a production centre has brought in its train new concentration of population and material and conditions of existence. The guiding principle of this new city habitation has been the exchange value which has replaced the use value/urban sense or what he otherwise terms it as *oeuvre*. Exchange value- the notion of product, permeates into all spheres of human activity.

[C]ity and urban reality are related to use value. Exchange value and the generalization of commodities by industrialization tend to destroy it by subordinating the city and urban reality which are refuges of use value, the origins of a virtual predominance and revalorization of use.⁴³

For instance, he says that one of the underlying aspects of *oeuvre*, is the notion to inhabit i.e., "meant to take part in a social life, a community, village or city. Urban life had, among other qualities, this attribute. It gave the right to inhabit, it allowed townsmen-citizens to inhabit."⁴⁴ This was replaced by the notion of habitat. Habitat is created by the planned actions of the state by creating a space by expanding city, which happens in the form of suburbanization. Suburbanization reflects two things- firstly, society is oriented to focus on problems other than production. In the expansive city, people are ideologically oriented towards consumption. Secondly, suburbanization de-centres the city which breaks down the sense *oeuvre* and urban consciousness.

With 'suburbanization' a process is set into motion which de-centres the city. Isolated from the city, the proletariat will end its sense of the *oeuvre*. Isolated from places of production, available from a sector of habitation for scattered firms, the proletariat will allow its creative capacity to diminish in its conscience. Urban consciousness will vanish.⁴⁵

This process Lefebvre terms it as, whether done consciously or unconsciously, the class strategy.⁴⁶ Coming to the notions of to inhabit and habitat, former indicates the plasticity in ordering and using space whereas latter restricts use of space and is ordered by speculation. So to inhabit reflects use value and the habitat- exchange value.⁴⁷ Lefebvre treats these ideas in a refined manner by linking them to the 'social space'. Both use values and exchange values derive from the same social space. The market is not inimical to everyday life; it only promotes a particular kind of form or style of living. The actual differences between the use and exchange values of space must be understood in terms of the way the state and capital produce or use space. The opposite of social space is the 'abstract space' which is 'two-dimensional, instrumental space of planning, state intervention, and capitalist exploitation, '[i]t is when space, together with the daily life it represents, becomes an abstraction and an object of

manipulation that it takes on its alienating form. Abstract space is the structural correlate of instrumental human action. It can be exploited through state intervention, as well as by capital.’⁴⁸

In the capitalist context, the general formulation of the land development process is associated with the idea of *abstract space* which is indicative of the role of state and the planning mechanism in producing space.

It is true that it [abstract space] dissolves and incorporates such former ‘subjects’ as the village and the town; it is also true that it replaces them. It sets itself up as the space of power, which will (or at any rate may) eventually lead to its own dissolution on account of conflicts (contradictions) arising within it. What we seem to have, then, is an apparent subject, an impersonal pseudo-subject, the abstract ‘one’ of modern social space, and – hidden namely state (political) power. Within this space, and on the subject of this space, everything is openly declared: everything is said or written. Save for the fact that there is very little to be said – and even less to be ‘lived’, for lived experience is crushed, vanquished by what is ‘conceived of’.⁴⁹

Further Lefebvre (1993) observes that abstract space is instrumental in its milieu and locus which is manipulated by the authorities who own up the capitalism which is on the ascendance that engenders ‘social entropy’ (pp.51-52). Capitalism and neo-capitalism has produced abstract space which includes the world of commodities and their logic, power of the state (ibid: 54). What is the nature of the abstract space? Lefebvre talks about “false consciousness” of abstract space and an “objective falseness of space”. In a way it stems from the “common sense” or an expression of “common sense” perception of the ‘visual order that reduces objects to specular and spectacular abstraction which is not different or distinct from analytical procedures of “scientific abstraction”. Therefore it is reductionist.

The fact is that this procedure abolishes differences from the outset, whereas descriptive approach preserves differences in their discreteness and then plunges into the poorly charted realm of the specific.

In its most extreme form, reductionism entails the reduction of time to space, the reduction of use value to exchange value, the reduction of objects to signs, and the reduction of ‘reality’ to the semiosphere; it also means that the movement of the dialectic is reduced to a logic, and social space to purely formal mental space.⁵⁰

Therefore there is a need to address the analysis of space by understanding it through the lens of political economy and it as a production activity. Thus the investigation has to focus on ‘social practice’ within ‘economic and political’ spheres (ibid: 298-299). But then what is this object ‘abstract space’ is? Abstract space can be conceived in terms of its ‘content’ i.e., ‘by means of a practice that deals with it’ and it contains contractions.

Abstract space can only be grasped abstractly by a thought that is prepared to separate logic from the dialectic, to reduce contradictions to a false coherence, and to confuse the residua of that reduction (for example, logic and social practice). Viewed as an instrument- and not merely as social appearance – abstract space is first of all the locus of nature, the tool that would dominate it and that therefore envisages its (ultimate) destruction. This same space corresponds to the broadening of that (social practice which gives rise to ever vaster and denser networks on the surface of the earth, as also above and below it.⁵¹

Properties of abstract space are- i. It is a medium of ‘exchange’ which tends to absorb ‘use’ interchangeably; ii. It has political use- it is a space where strategies of state domination and violence are put to effect. iii. It is space for the deployment of world of commodities which involves accumulation and growth, calculation, planning and programming; iv. It engenders the process of homogenization by erasure of the former meanings by the process of pressure tactics and repression and it creates a semantic void viz., plans play such a role which is distinct from the given social language and apart from that it is a space of bureaucracy with its inbuilt potential to create a ‘spectacle’ and ‘violence’ by using ‘hypertrophied analytic intellect’ and ‘pure knowledge and discourse of power’; and v. Thus actually it is political in the sense of the fusion of power & knowledge. From the modern point of reference, the abstract space, has within it a legitimating ideology to justify and motivate actions by creation of ‘neutral medium’ which is primordial in character and employed to create fragmentary contents- the disjointed things, people and habitats.⁵² Thus the production of space creates disjunction rather than conjunction between abstract space and lived or everyday life.

Urban Land and Land Development

For Chicago/Ecological School the city would take a natural form of expansion mediated by the natural process of ‘selection’, ‘competition’, ‘invasion’, ‘succession’, etc., which configure and structure the land uses. During the heydays of Ecological/Chicago School of Urban Sociology William H. Form called for the need for a ‘sociological analysis of economic behaviour’ and take into account ‘social forces operating in the land market’ to understand urban land use. The reason for such exhortation came in the wake of Ecological School’s articulation of urban land use in terms of “sub-social non-organization orientations”. He observed:

Obviously the image of a free and unorganized market in which individuals compete impersonally for land must be abandoned. The reason for this is that the land market is highly organized and dominated by a

number of interacting organizations. Most of the latter are formally organized, highly self-conscious, and purposeful in character. Although at times their values and interests are conflicting, they are often overlapping and harmonious. That is, their relationships tend to become structured over a period of time. From a study of this emerging structure one obtains a picture of the parameters of ecological behavior, the patterns of land use change, and the institutional pressure which maintain the ecological order.⁵³

‘Land development is a process of land use change most often initiated by the private sector, managed by the public sector, and subject to intense social conflict as existing and future interests collide. This is almost always true, regardless of the place of land development—whether in an urban neighborhood or at the city’s edge.’⁵⁴ Land development process takes place with different kinds of actors who have interest/use in land, these actors belong to private or public sector, and in the process of production of particular kinds of spaces.

These two different representative macro theories of urban space only articulate its ontologies and the urban processes that determine spatial configuration and vice versa. Both the theorists of space- Lefebvre and Castells have not addressed the question of urban land directly. Gottdiener says “our two main theorists of urban space, Lefebvre and Castells, have effectively sidestepped these issues [viz., rent, location, etc] by choosing not to address the question of the determination of urban land values at all”⁵⁵. There are general approaches to land and urban land in particular: Harvey’s ‘capital accumulation and built-environment’ and Scott’s ‘urban land rent’ and Gottdiener’s ‘real-estate’.

Harvey’s Production of Built Environment

David Harvey’s explanation of the production of space, among other things, focuses on the capital accumulation in space. For Harvey, one of the manifestations of capital accumulation is the built environment in the city, which is the result of mobilization, extraction, geographic concentration and circulation of surplus value. These processes spatially pattern the city form which in turn is contingent on the social, economic, technological and institutional possibilities that govern the nature of management and generation of surplus value with it. ‘A different combination of these possibilities, therefore, would result in a different role for the city as a node in the space economy.’⁵⁶ Thus they attain functional differences within the system of cities. The

drive for capital accumulation through the appropriation of surplus value generates conflicts with labour which in turn produces a complex social structure within the capitalist class by dividing them into various fractions. Capitalists are divided into three fractions who realize surplus value in space in the forms of rent, interest, and profit. These three fractions operate in the production of built environment.

The first fraction of capital concentrates on rent and appropriates it either directly, as in the case of landlords, or indirectly, as exhibited by financial interests which operate through real estate speculation. The second fraction of capital seeks both interest and profit through construction – adding directly to the built environment either by engaging in construction or financing the work of others. There is a third fraction of capital that operates in the interests of the class as a whole. Harvey calls this “capital in general,” because it regards the built environment as a site for the effective appropriation of surplus value, which supports capital accumulation. This last fraction is interventionist by nature, and it has operated...most directly through state-supported and state-administered a program which attempts to insure the survival of the capitalist class.⁵⁷

Apart from the struggle at work place, the class conflict is displaced to the local community spaces too. Labour in seeking to improve their living standards would come into conflict over various issues of creation, management and use of built environment. How are these conflicts addressed? These conflicts are addressed by the intervention of the state. Since conflicts occur with different fractions of capital over the matters of ‘quality of life’ and the built environment. ‘Capital in general’ can ill-afford the outcome of struggle between labour and various fractions of capital. Therefore capital in general intervenes through the agency of the state.⁵⁸ Harvey distinguishes between primary, secondary, and tertiary circuits of capital. Primary circuit is the organization of production by employing wage labour and application of machinery to produce commodities for profit. Capital in this circuit tends to overaccumulate. Over accumulation crisis is due to the individual capitalists who work in self-interest under the competitive conditions which runs counter to their class interests. The result appears in various ‘guises’: a. ‘Overproduction of commodities-a glut on the market’; b. ‘Falling rate of profit’- in terms of pricing; c. ‘Surplus capital’ can manifest in the form of ‘idle productive capacity’ or ‘money capital lacking opportunities for profitable employment; and d. ‘Surplus labour and/or rising rate of exploitation of labour power’.⁵⁹ The temporary solution to the over accumulation of problem, which occurs periodically, would be the ‘switch of capital flows into the secondary circuit’. Secondary circuit is constituted of “built environment for production” and “built environment for consumption”. Built environment for production, also known as ‘fixed capital’, comprises of ‘physical framework for production’ and built environment for consumption provided ‘physical framework for

consumption’. ‘Investment in the built environment therefore entails the creation of a whole physical landscape for purpose of production, circulation, exchange, and consumption.’⁶⁰ There is one major constraint, i.e., the individual capitalists tending to under invest in the built environment and simultaneously they tend to over accumulate. For various reasons, individual capitalists cannot directly invest in the built environment because these investments are large-scale and long lasting. They cannot be priced in an ordinary way and many cases they are open to collective use by all capitalists. The switch of overaccumulated resources is contingent on the conversion mechanisms. The switch of overaccumulated capital can happen only through money supply and the credit system that creates “fictional capital”. Though the financial and state institutions are autonomous, but in the times of crisis of over accumulation, these institutions play a coordinating and mediating role for smooth switch over from primary to secondary circuit. The idle capital is siphoned off via financial and state institutions and further into the generation of fictional capital in the credit system, which finds deployed in the built environment. State also invests in the tertiary circuits i.e., in science and technology and in social expenditures for the reproduction of labour power.⁶¹

Further, to examine the “productivity” of the capital that is switched over to the secondary circuit from primary, Harvey postulates that

[t]he problem – which besets the capitalists as much as it confuses us – is to identify the conditions and means which will allow this potential to be realized...Investment in new machinery... is directly productive if it expands the basis of producing surplus value and unproductive if these benefits fail to materialize...But what of invest in roads, housing, health care and education, police forces and the military, and so on?...How can the capitalist class identify, with reasonable precision, the opportunities for indirectly and directly productive investment in the secondary and tertiary circuits of capital?⁶²

Harvey answer these questions by taking note of the ‘main thrust of the modern commitment to planning (whether state or corporate level)’ testified by a whole apparatus of cost-benefit analysis, of programming and budgeting, analysis of social benefits, notions with regard to investments in human capital, etc., and is an indicator of the complexity of the problem. However the questions of ‘bad investment decision – investments which do not contribute directly or indirectly to accumulation of capital – must emerge somewhere’.⁶³ The tendencies of overaccumulation, manifests in the form of “over-investment” in the secondary and tertiary circuits. Overinvestment is solely in connection to the needs of capital than to the needs of people, which certainly would

remain unfulfilled. Thus the crisis would arise in both secondary and tertiary circuits of capital. Crisis occurs with regard to 'valuation of assets'. 'Chronic overproduction' in secondary and tertiary circuits leads to 'devaluation of built environment for production and consumption'. This crisis in these spheres would automatically be 'registered as a crisis within the financial and state structure'.⁶⁴

A Neoricardian Approach to Built Environment

For Scott and Roweiss, the generation of rent, wage, price, and interest in relation to the production of built environment are epiphenomenal i.e., they are reified manifestations of the market relations, but what underlies all that are the relations of production and their reproduction particular to capitalism. Urbanization processes and urban land problems are not merely about 'competitive bidding for land'. What underlies it is the 'deep structure of urban property relations'. This perspective emphasizes the 'contradictory nature of the value of urban land'. Cumulative consequences of countless individual, social and economic activities determine 'use value' of urban land. Generally land development in the first phase would be "unplanned and socially undecidable" in the initial phase of the city growth. Later the results of land-use are the 'result of the political calculations of the state, which exerts direct control over the quality, location and time of public work'.⁶⁵ Generally the process of land development in the first phase is triggered under the control of private, but the rationalization of the land development by the state intervention and control cannot salvage the use values of space from private expropriation. State regulation is in many ways and in various degrees fail. Therefore the urban land development process certainly would be 'anarchical, and leads persistently to outcomes that are neither intended nor socially decided'.⁶⁶

Scott's analysis points out the contradictions internal to the land development process itself. These are captured by what he calls the urban land nexus- the dense, embedded system of practices by which private and public decision making interact in a pattern which is contingent in nature. On the one hand: "This contingency of land-use outcomes in capitalist cities is the direct result of the existence of private, legal control. In brief, precisely because urban land development is privately controlled, the final aggregate outcomes of this process are necessarily and paradoxically out of control" (1980: 137). On the other hand, the state intervenes to offset the irrational nature of market processes, yet it is itself constrained by the social relations of capitalism from coordination in a way which can correct such inadequacies in the general interest.⁶⁷

Further, the contingent, non-functional process of uneven development which is due to the contradictions inherent to capitalist production process generates asymmetrical

urban landscape. The occurrences of fluctuations in the property sector, differential spatial patterns of residential areas, speculation, etc., are all the result of the capitalist land development process which is uncoordinated and anarchical.⁶⁸

How is land development process structured? Urban land development is structured by:

(a) A 'larger cultural momentum that is itself embedded in, and grows out of, a global, social/historical process'- the intermeshing social, political and legal relations determine the production and exchange of urban land. Individual aspirations, intentions, choices, preferences, tastes, decisions and 'life projects' are moulded and derived within the context of a specific mode of production and social formation, than derived from a 'capricious and abstract subjectivity'.⁶⁹

(b) Social and property relations determine the production, exchange, and utilization of urban land. Though the space is collectively produced human product but the specific use values stem from the uncontrolled manner in which it is privately utilized. And collectively produced product yields rents which is appropriated privately.⁷⁰

(c) The intervention of State depends on its constitutive nature and the 'logic of public policy formulation'. State derives its rationality from the rationality of the civil society and is historically embedded within it. One the one hand, land holding and land development activities are only part of the broader capitalist logic and on the other are part of the juridical arrangements of liberal capitalist State.⁷¹

Then what is central to configuring of urban space? Central to the configuration urban space is the commodity production. It happens on the land. Urban space take shape through the land uses for 'commodity production' i.e., 'production space', 'residential activity' i.e., 'reproduction space' and for 'transport' i.e., 'circulation space'. Value of the land depends on its relative location and determines its exchange price in terms of high or low. This is reflected in the rent differentials based on the locational advantages.⁷²

Gottdiener's Production of Urban Social Space and Wealth

According to Gottdiener, Lefebvre's concerns were with the predominance of exchange over use values within the capitalist context. In

spatial terms, this would mean a conflict between interests organized around social space, as the site of social use values and the deployment of communal relations in space, and around abstract space as the space of real estate development and government administration – the combined articulation between economic and political modes of domination. While this approach means that space involves many more aspects than those associated with landownership and development.⁷³

Whereas for Marxists and others have restricted their understanding 'to analyzing abstract space expressed as the economic contradictions which are internal to the process of capital accumulation and externalized in real estate development – that is, in a space reduced to land – the political economists' built environment'. And other approaches to political economy focus on rent and economic analysis of land without taking into account the 'struggle over social space'.⁷⁴

For Gottdiener, Lefebvre's articulation of secondary circuit of capital is of interest. In the advanced capitalist countries landownership is wide spread throughout the social order and provides scope for acquiring wealth in addition to the 'institutionalized returns to capital and labour'. There a separate fraction of class or coalitions of class fractions and interests are organized and deal in land. These interests are socially produced property relations of capitalism which are organized around land and are one of the aspects of spatial relations. Space is a force of production and generates profit too. Land as 'real estate' is a spatial environment which comprises of developed and undeveloped land including, the structures built upon land and the infrastructural improvement. Real estate is a commodity within its own market. The determination of value of real estate is contingent on 'socio-spatial matrix of locations and activities associated with the production of wealth, which then endows particular urban sites with use value as a function of that socially determined spatial pattern rather than from an intrinsic quality of the resource'.⁷⁵ The returns from the monopolistic market of real estate is contingent on the capability of the various capitalists' groups to coordinate the real estate activities by aligning with the state to pool resources and plan development in particular directions spatially. So the intervention of State aids not only in the non-monopolistic interests but also the monopolistic interests in real estate which

gain in the way land uses are planned and patterned. Both the non-monopolistic (various social groups) and monopolistic (fractions of real estate) interests work in alignments. 'The property sector, therefore, involves both structural determinants and the social actions of groups; the synthesis which is to follow will capture the production of space in terms of this action-structure dialectic',⁷⁶ The real estate market is diverse and heterogeneous in terms of pricing⁷⁷, markets in land uses and users⁷⁸ and strategies in land development. Same piece of land developed can assume variety of uses depending upon the social context. Some builders might invest in land and wait for longer duration for the returns whereas some might look for immediate returns. Some land investors use the sale of other assets to finance their ventures. While some may use other people's money, engaging in a complex process of financing involving a variety of institutions such as banks, trust companies, savings and loan associations and development corporations',⁷⁹ and so on. Land development process has been observed to be uncoordinated and chaotic. This occurs in the context of rapidly expanding fringe of metropolitan regions. The turnover and development of land take place within a loose framework of business and institutional arrangements⁸⁰. It is uncoordinated because essential apparatuses/arrangements to plan adequately do not exist (in the context of the United States of America).

Beyond the economic considerations, there is social space 'which is defined more by culture and politics...which requires analysis in sociospatial conflict'.⁸¹ '[I]t is only through an analysis of the interaction between class fractions and racial, gender, ethnic, and consumption groupings that the new sociospatial cleavages can be grasped'.⁸² 'Community as social space' sustains and survives on the basis of communal ties which are tempered by reciprocity, stability and affection. Community bondages cannot be reduced to the field of economic relations only. They are based on 'communal values' and 'consociation' which have their origins in the mode of social organization which predates capitalism. What sustains community relations are kinship bonds, spatial proximity, voluntary associations, shared political connections, recreation, religious participation, familial life, child rearing, etc., than the class. All these activities are dependent on shared common needs and therefore are irreducible to economic aspects. Struggles over 'quality of life' cut across class lines and are community based viz., the struggle between pro-growth and no-growth advocates, struggles over environmental quality, issues of pollution, crime, etc.⁸³

Urban Planning and Land Development

The theories of spaces address various aspects of intervention of the state in the urban sphere. Urban planning is viewed as a mechanism or the apparatus of the state to intervene in the anarchical or chaotic growth of the city, to offset the problems of the economy itself, to redistribute urban goods and services, etc. Urban policies of the state are planned before implementation. This brings us to the question of nature of planning⁸⁴ and urban planning process, and the issues – theoretical or non-theoretical – involved. Urban planning borrows from the general theory and developments in the planning process of various fields and its literature, over a period of time. Thus planning and urban planning are used synonymously in the following text. As Peter Hall puts it- “it seems that urban planning...is a special case of general planning, which does include the plan-making, or representational, component”⁸⁵. He further says:

Broadly, in practice this does prove to be the case. It is simply impossible to think of this type of planning without some spatial representation- without a map, in other words. And whatever the precise organizational sequence of such planning, in practice it does tend to proceed from very general (and rather diagrammatic) maps to very precise ones, or blueprints. For the final output of such a process is the act of physical development (or, in some cases, the decision not to develop, but to leave the land as it is). And physical development, in the form of buildings, will require an exact design.⁸⁶

The focus of understanding of the urban planning field has been straddling between three areas of its concerns – theory, method and practice – given its quasi-academic or quasi-practical existence, and many kinds of actors involved in the field- academicians, businesspersons, planners working for the government, etc.⁸⁷ In this section, the purpose is to delineate to some extent the models of planning as adopted in the urban planning process. One would outline here the articulation on the existing urban planning theories, and the approaches or the theoretical frameworks of urban planning itself.

Urban planning means “planning with a spatial or geographical component” with an objective for the creation of a spatial structure for the activities which is ‘better’ than the existing one. It is basically physical-spatial planning. Land use and development still play a major role in urban planning, though it was obscured by the

controversies with regard to the planning. It was insisted that planning should 'concentrate much more on the broad principles rather on details; it should stress the process, or time sequence, by which the goal was to be reached, rather than present the desired end-state in detail; it should start from a highly generalized and diagrammatic picture of the spatial distributions at any point of time, only filling in the details as they needed to be filled in, bit by bit'.⁸⁸

It is observed that the modern urban spatial planning exercise has progressed from the model-process of master planning to the systems planning and to a more complex transition to participative-conflict planning, with underlying different methods and conceptual frames. Master planning was modelled on the basis of the model invented by Patrick Geddes. In brief, to arrive at a plan the planners were supposed to undertake survey of a given urban spatial jurisdiction, analyze the data collected and then formulate or arrive at a plan accordingly. As Hall puts it- "The old planning tended to proceed through a simple sequence, best set out in the terse instructions of Patrick Geddes^[89]; Survey-Analysis-Plan. The existing situation would be surveyed; analysis of the survey would show the remedial actions that needed to be taken; the fixed plan would embody these actions" (2002: 229).⁹⁰ From such a modelling, the mode of planning experienced a gradual shift towards 'systems planning'.⁹¹ According to this conception of planning, it pertained to the 'management' and 'control' of the urban and regional system. Planning was visualized as a continuous process which sought information of the functional aspects of the control system through the observation to ascertain the effectiveness of the control system or else to bring subsequent modifications to create a more effective control system. The old planning system that produced the master plans provided a comprehensive representation of preferred future end state which was to be achieved within a given period of time and master plan embodied within it the desired detailed land-use patterns and maps. In contrast to the master plan, the systems planning focused on the objectives of planning and alternative ways of achieving them. Planners have partial knowledge of urban development processes because of the plurality of policies and complexity of urban and regional systems. Therefore it is suggested that they should have a better or comprehensive knowledge of the overall development processes in the cities.⁹²

What kinds of problems do these theories or perspectives of planning address? Mainly a whole lot of articulations on planning stem from the understanding that planners' methods in conceiving the plans for the city lack social component for which it is being formulated. The advocates of various approaches to planning emphasize various aspects while representing the economic-political-social subjects who are at the receiving end in the condition of constant flux in which planning and the production of city has been taking place. The method and practice of urban planning, over time, has undergone major changes. Since the focus of the study being the sociological aspects of spatial planning, this section would take note of the models and processes of urban spatial planning.

In recent times, planning theories while addressing the modalities of planning have answered the question as to 'how to plan?'⁹³ What are the core concerns and issues the planners have to take into consideration before they plan. Los makes a distinction between 'theory in planning' and 'theory of planning' to indicate the differences between 'social knowledge' about planning and 'social action' of planning at one level and the link between the two at the other level. Most of the literature on planning has been concerned about the theory of planning which is interested in 'how planning ought to be done and a positive (or explanatory, or empirical) theory of planning concerned with how planning is being done or with the social nature of planning itself'⁹⁴. Different approaches to planning are classified on the basis of emphasis each approach places on the issues for planning.

Models/Designs of Urban Planning

In Europe and the United States of America, in the 19th century and 20th centuries, there were various thought processes at play in planning cities as physical entities with people. Different models of city designs were proposed and advocated, and many of them lent themselves to the experiments or trials. Here it is important to take note of these urban models to see what they enunciate.

Social City

Ebenezer Howard is viewed as a pioneer of urban planning who for the first time articulated the plan and design for a town. Howard had proposed to decentralize

industry from the inner parts of the city. New towns were advocated to be built around the industrial plants, combining working and living in a healthy environment. All that meant cities and countryside had their own permanent mixture of advantages and disadvantages. The advantages the city offered were in terms of job opportunities and urban services, but the disadvantages arose from the anomalous natural environment. The countryside offered the healthy natural environment but the disadvantage was that it lacked job opportunities and urban services.⁹⁵

Howard argued that a new type of settlement – Town–Country, or Garden City...so created would be deliberately outside normal commuter range of the old city. It would be fairly small –Howard suggested 30,000 people – and it would be surrounded by a large green belt, easily accessible to everyone. Howard advised that when the town was established, 6,000 acres (2,400 ha) should be purchased: of this, no less than 5,000 acres (2,000 ha) would be left as green belt, the town itself occupying the remainder... Howard called this polycentric settlement the ‘Social City’... Social City could grow without limit.⁹⁶

Further, Howard was very explicit about how new communities could be established. He emphasized that private enterprise could take up the task to establish towns by borrowing money to buy cheap land in the open countryside for the town. With the consequent effect the establishment of the town the land values would increase which would make way for the new town company to repay the loans and the profits could also be used for improvement of the town or add more units to the Social City.⁹⁷

Further, Howard’s ideas and work were carried forward by his followers between 1900-1940, by further advancing it. Raymond Unwin and Barry Parker built garden town in the significant suburbs of London. The feature of this town was its experiment with the creation of a socially mixed community living in the skilfully designed different types of housing. Though they varied in size but were compatible in a locality, and were termed as ‘triumphs of twentieth century British design’.⁹⁸ They emphasized lower densities and need for ‘background of open space’⁹⁹ Barry Parker introduced another significant idea of ‘neighbourhood unit’ into town-making which was derived from Howard’s idea of Garden City. The neighbourhood unit would contain certain services at a walking distance at the central place for a moderately small local community of a few thousand people. Further Clarence Perry, as part of *New York Regional Plan* during the 1920s, had developed ‘neighbourhood unit’ idea as not merely a practical instrument, but ‘as a deliberate piece of social engineering which would help people to achieve a sense of identity with the community and with the place’. In response to ‘neighbourhood unit’ idea, Christopher Alexandar in his paper A

City Is Not a Tree exposed the falsity of the idea. He found that people had diversity of needs for local services, and ‘principle of choice’ was overriding in the context where complex settlement structure of the city needed overlapping fields of shops, schools, etc., So the planners should have ‘variety and freedom of choice’ as part of their goals. Neighbourhood concept was further improvised by Clarence Stein, an architect-planner working in the New York region. For him, in the age of mass ownership of a private car as means of transport, the need was felt to separate pedestrian routes for local journeys from routes used by car traffic.¹⁰⁰

Settlement Patterns and Local Economic Environment: Patrick Geddes’ work *Cities in Evolution* published in 1915 focused on the forces shaping the growth and change in modern cities. The underlying idea was to demonstrate the human ecology: the relationship between humans and their environment. Geddes work underlined the symbiotic and delicate relationships that were present between human habitation and the land which was characterized through the local economy. Geddes’ work likened the P.G.F. le Play’s articulation of the relationship between Place-Work-Folk signifying the ‘people living in and on their land’. Thus planning was visualized pragmatically as embedded in reality. Thus focus was to find the empirical links between settlement patterns and local economic environment. Planning was to be associated with the broader phenomenon of region than only the town itself. Geddes developed a sequence of working methods to arrive at the actual plan. The first level involved a survey of the region in terms of its characteristics and trends. The second level involved the analysis of the survey and third, the generation of plan for the region. The growth in regions had generated suburban growth and the expansions had led to the growth of giant urban agglomerations or *conurbations*. Thus it was advocated that planning had to subsume town and country planning to plan for interrelated urban areas in a given region. Thus, this articulation gave logical structure to planning. Geddes logically concluded that due to pressure of economic and social forces, the growth and expansion of urban regions would continue. Therefore town and country had to be commonly planned on regional scale.¹⁰¹

The above ideas derived from various advocacies were adopted and grafted onto *Greater London Plan* of 1944 by Patrick Abercrombie.

Abercrombie's great achievement was to weld this complex of ideas, from Howard through Geddes to Unwin, and turn them into a graphic blueprint for the future development of a great region – a region centred on the metropolis but extending for 30 miles (50 km) around it in every direction, and encompassing over 10 million people. The broad aim of the plan was essentially Howard's: it was the planned decentralization of hundreds of thousands of people from an overcrowded giant city and their re-establishment in a great series of new planned communities, which from the beginning would be self-contained towns for living and working. The method was essentially Geddes's survey of the area as it was, including the historical trends which could be observed, followed by systematic analysis of the problem, followed by production of the plan. But the great sweep of the study, its characteristic assurance, and its quality of almost cartoon-like clarity were essentially Abercrombie's own.¹⁰²

Frank Lloyd Wright's Broadacre City: When all new advocacies and experiments in planning was taking place in England and North America, Frank Lloyd Wright was advocating another approach. Wright prescribed the conservation of independent rural life. When motor car was and put to use on a mass scale by farmers of North America's countryside and with the availability of electricity at cheaper rates, he suggested that cities were to be allowed to be spread in countryside. Wright perceived that the days of concentration of activities in the centre of cities were over. The future would be patterned by low density dispersion of homes and jobs. Therefore it was thought that such developments had to be planned and termed them as Broadacre City¹⁰³.

In France and Germany their own original models were developed and tried out.¹⁰⁴ In Spain the *Linear City* model was proposed. The Linear city was to be developed along an axis of high-speed, high intensity transportation route from an existing city. Linear city was proposed to run across Europe with a total distance of 1,800 miles.¹⁰⁵ The most famous and significant of all the urban planners was Le Corbusier's work. Le Corbusier was one of the main creators of the modern movement in architecture. His famous works were the Villa Savoye at Passy (1929-30), the chapel of Notre Dame en Haut at Ronchamp near Belfort (1950-53), Unite d'Habitation (1946-52) at Marseilles in France, and the city of Chandigarh (1950-57). He viewed urban planning as a grand scale exercise. Peter Hall summarizes the ideas of his books – *The City of Tomorrow* (1922) and *The Radiant City* (1933) – in a few propositions. a. The traditional city has become functionally obsolete due to increasing size and congestion in the central city. It has become exceedingly difficult to maintain communications of the central areas due to the strain generated by congestion in the central business district where most of businesses seek accessibility. b. The problem of congestion can be solved by increasing the density of people in any given area. That is by increased density at one scale of analysis and decreased density at another. High densities can be locally maintained by building massive form of tall structures but in the surroundings of

these tall structures greater proportion of ground space should be left open/unused. c. Corbusier has proposed equal densities across the city. As a result the pressure on the central business district or anywhere in the city would disappear. d. This 'new urban form could accommodate a new and highly efficient urban transportation system, incorporating both railway lines and completely segregated elevated motorways, running above the ground level, though of course, below the levels at which most people lived'.¹⁰⁶

The models outlined so far were criticized for the following reasons- a. These models did not take into account the changing world in which they had to operate. They were only blueprints, or statements of the future end state of the city/region. Planner was perceived to have had all the knowledge to produce a new settlement form, by erasing the old, without s/he being brought into question. Planning was oblivious to the demands of mixed economy where private interests play a major role and in a participatory democracy differences in perceptions and views are bound to occur. Howard and Geddes were still exceptions, and Howard was a utopian, never forgot to bring his planning ideas down to practical details. Geddes advocated that planning should take stock of the world in terms of trends in economy and society, and begin with understanding of world the way it is, than imposing subjective view of the world. b. These pioneer planners were prophetic and their visions did not explore any other options. c. These planners were mainly physical planners, who offered only narrow physical or spatial solutions to the problems of the city/region.¹⁰⁷

Critics and Advocacies of Planning

First critics of planning began with the attack on scientific claims of planning. Systems planning came under attack by some planners, in a way the critique nullified the scientific claims¹⁰⁸ which the systems planning claimed. The planning which was conceived as scientific was non-participatory and apolitical in nature. The emphasis on the involvement of citizenry in the planning exercise by merely consulting them struck at the roots of the role of a planner being 'superior' 'scientific expert'¹⁰⁹.

Advocacy Planning: By the 1960s a greater need was felt in the emerging new socio-political context of 'pluralist planning' or 'advocacy planning' formulated by Paul

Davidoff. The other critiques brought out the non-participatory nature of planning. The involvement of the citizenry in the planning exercise for themselves, than merely consulting the public, made the planner a “superior”-‘scientific expert’¹¹⁰. In the 1960’s itself a greater need was felt in the given socio-political context for “pluralist planning” or “advocacy planning”. After the advent of advocacy planning, there was a clear picture of what planning has to consider. In other words it has been considered as a process involving non-technical realm/domain consisting of different kinds of actors which planners have to take into account. The question– ‘Planning for whom?’¹¹¹ – became a serious question. Political and social equality became a central question for advocacy planning. Planners while planning the city had to take into consideration “new social goals” as enunciated by the Supreme Court of United States of America– “equal opportunity to all citizens” in initiating the welfare measures and while designing metropolitan system.¹¹²

In reality the existence of diverse interest groups calls for “public interest” in the pluralist planning. What follows such a proposition is the advocacy for the “inclusiveness” of all interested groups or all the constituents concerned in the planning exercise. Welfare of all and the welfare of minorities should be the concern of the public authorities. ‘Planning must be so structured and so practiced as to account for this unavoidable bifurcation of the public interest.’¹¹³ What would be due process if all the interests are ought to be guarded or protected?

The idealized political process in a democracy serves the search for truth in much the same manner as due process in law. Fair notice and hearings, production of supporting evidence, cross-examination, reasoned decision are all means employed to arrive at relative truth, a just decision. Due process and two (or more) party political contention both rely heavily upon strong advocacy by a professional. The advocate represents an individual, group or organization. He affirms their position in language understandable to his client and to the decision makers he keeps to convince.¹¹⁴

It is not only that citizens are heard but “also means allowing them to become well informed about the underlying reasons for planning proposals, and to respond to these in the technical language of professional planners”¹¹⁵. This kind of planning is supposed to happen in the context of government planning. In this context work is to plead for his or his client’s point of view. An advocate who “would plead for his own and his client’s view of the society”¹¹⁶, which actually means the planner would not be the rational technocrat but “a proponent of specific substantive solutions”¹¹⁷.

The role of planning and the planner were conceived as a two way or a interactive, participatory and communicative process. But what was to be planned remained to be the prerogative of the planner representing the government. Advocacy was only for the participation of the citizens on the issues related to plans, plan proposals, which would actually mean negotiation, bargaining, dissent, opposition, etc., in the planning process which the planner had to take into consideration. Planning, the urban area was advocated to change the perspective from mere physical planning to social aspects in planning. Generally the historical approach of city planning profession has considered ‘physical structures and land as servants to those who use them’¹¹⁸.

Physical relations and conditions have no meaning or quality apart from the way they serve their uses. But this is forgotten every time a physical condition is described as good or bad without relation to a specified group of users. High density, low density, green belts, mixed uses, cluster developments, centralized or decentralized business centers as per se neither good nor bad. They describe physical relations or conditions but take on value only when has seen in terms of their social, economic, psychological, physiological, or aesthetic effects upon different uses.¹¹⁹

This perspective that emphasized non-physical dimensions in addition to physical planning was considering several aspects of inclusion, participation, plurality of actions, relation between the planners and the aims of the social actors, the ideals of equality in planning, the social-legal meaning of the planning as reflected in the physical environment, public interest and the sociality involved in the whole planning exercise itself.

Non-Euclidian Mode of Planning: With the weakening of the argument for scientific planning which had stood for of value-neutrality, utopian or visionary nature of physical planning, for later academic theories of planning advanced the prescriptions for planners to follow. Friedman ([1993]2003) pointed out ‘the collapse of the Euclidian world order of stable entities and common sense assumptions which had ruled the imagination in the past two hundred years’¹²⁰. Thus the definition of planning was redefined- ‘Planning is that professional practice that specifically seeks to connect forms of knowledge with forms of actions in the public domain.’¹²¹ This definition was reconceived, and it was alternative to the definition of planning in engineering science¹²².

This non-Euclidian planning is not without the considerations of time and space. The non-Euclidian planning will have to function within the context of “contemporary collapse of time and space continuum”. Then what would be the “appropriate time-

space” for a non-Euclidian form of planning? ‘real time of everyday events rather than the imagined future time’. Central to a non-Euclidian planning model are planners acting as responsible, thinking urban professionals rather than as faceless bureaucrats engaged in the production of anonymous documents. Face-to-Face interaction in real time is the new model of planning’.¹²³ Though planning will have to be futuristic, but at the same time planners will have to be operating in “actual or real-time”.

What about space? For Friedmann, space mainly represents the local and regional level. Planning must be sensitive to the local and regional differences; given the accepted decision-making process by involving the groups of the civil society, the local and regional levels become significant; region and localities are spaces where everyday life happens/takes place; and with focus as regional and localized planning efforts, planning itself becomes democratic.¹²⁴

Communicative Planning Theory: Communicative planning theory mainly focuses on the urban environmental problems. Within the context of widespread consciousness about the changed economy – fragmented economic and political orders – the urban regions and city neighborhoods display greater diversity. The post-Fordist economy and social welfare strategies of governance have collapsed. Urban regions have become ‘containers’ of multiple social and economic relations and coexistence has engendered, consciously or unwittingly, tensions and conflicts over the opportunities. ‘Protest groups hold up the development process. Development projects trample on the finegrained neighborhood resources of those who move in a spatially confined lifeworld.’¹²⁵ Development has led to the environmental degradation within the context where urban regions have become the locus of economic development and urban regions compete with other urban regions neglecting local economies and neighborhoods. Therefore, Healey ([1996] 2003) raises the questions: what kind of spatial strategy is necessary to overcome the problems? ‘How do we get to understand the complex and diffused dynamics of urban regions? How do we get to agree on what the problems are, and what we want to promote and safeguard? How can we translate agreement into influence on the ongoing flow of activities through which our regions are considerably being reshaped?’¹²⁶

For the above raised questions communicative planning is prescribed through “public argumentation and communicative policy”.¹²⁷ This prescription is developed on the basis of a critique of the previous theories and critiques of urban planning.¹²⁸ More important than its critique what it enunciates is significant. The communicative planning theory wants to bring out “the fine grain of economic and social relations, about the diversity of ways of using and valuing places, and were uncomfortable in the face of rising concern about the survival of the planet’s species mix”¹²⁹. So the communicative planning theorists were concerned with the “diversity”. Apart from such a macro focus, the communicative planning theory develops ‘potentially very varied ways of seeing the world, of identifying our interests and values, of reasoning about them, and of thinking about our relations with others’¹³⁰. Such diversity of interests, values, reasoning and relating to them in different ways by different groups of people is potential for conflict. Thus to resolve such problems of conflictual nature the communicative planning theory advocates discussion of issues in the public realms with various actors; based on normative principles to judge discussions and ‘build interrelations across the differences to undertake strategic consensus building work for the creation of interculturally sensitive strategies for managing for managing our common concerns in urban region space’¹³¹.

Mainly the idea is to reconstruct the “democratic practice” to replace “paternalism” by making the planning process participatory and broad based i.e. “inclusionary augmentation”¹³² The communicative theory of planning emphasizes (a) the role of community– in the sense that the place based ‘political community’ oriented to acting on a set of problems and as ‘the wider community of stakeholders’; (b) Given the diversity and differences of various sorts from the point of view of argumentative or dialogical approach it is not merely the “voices” need to be heard or voicing as a mere ritualistic exercise.

An inclusionary approach will therefore mean actively discussing and choosing a style of discussion, and recognizing that not everyone will be comfortable in it to begin with. The growth of facilitation in environmental mediation and community development is an illustration of the importance of this work, where such facilitation moves beyond getting the issues out to considering how to discuss them.¹³³

(c) The issue of language- Participants in a dialogue might find it hard to understand each other and “talk past” to each other by means of different ways of expressing¹³⁴ and (d) the issue of how the members of a political community are accorded respect.¹³⁵ Further arguments will have to be sorted out by acknowledging facts, different moral

and aesthetic values, and rights and the multiplicity of claims; grasping different points of views by being open to meaning with regard to various issues in a strategic spatial planning. Based on such an understanding one could 'draw out common threads to work out what to do'¹³⁶.

Apart from communicative approach, the other approach to planning is termed 'new urbanism' which is a design-oriented approach to planned urban development. The new urbanists aim to create spatial relations which are in congruence with a 'close-knit social community that allows diverse elements to interact'. According to this arrangement an urban design includes a 'variety of buildings types, mixed uses, intermingling of housing for different income groups, and a strong privileging of the "public realm".' The basic unit of planning is the neighborhood, which is limited in physical size, has a well defined edge and has a focused center: "The daily needs of life are accessible within the five minute –walk"¹³⁷. The justification for such a development is based on the critique of the suburbia which is not only creating traffic congestion on the freeway but also 'aesthetically unappealing strip-mall development and also a producer of crime and anomie. New urbanism not only critiqued suburban development, but also was nostalgic about the traditional forms. Unlike communicative theorists, the new urbanists subscribe to the role of "persuasive sales persons for a particular point of view and deployers of strategies aimed at co-opting people".¹³⁸

Just City Advocacy: The last model for consideration is the 'Just City' urban planning model. The just city model underlines the need to face the problem of formulating goals and identifying agents within the structure of social domination, the forces globalization, sectarianism and the repressive state apparatus which have rendered people defenseless. The people might offer some resistance whereas the macro forces viz., state, would work towards maintaining the stasis.¹³⁹ The just city theory would view planning theorists' role as advocates of a programme and not necessarily advocates of a particular group as enunciated by Davidoff's planning theory. Just city theorists are classified into two categories- radical democrats and political economists. Radical democrats see a greater role for civil society with its direct involvement than as participatory stakeholders as viewed by communicative theorists' and they accept conflictual views of society. They seek 'progressive social change' through the exercise of power by participating groups which were hitherto excluded from the governance

and planning. Second groups of theorists termed as political economy theorists take an exclusive normative position of distribution of social benefits while going beyond neo-Marxian view of analyzing distributive outcomes for various classes. Political economy theorists focus on non-economic forms of domination without merging with class categories. The main purpose of this set of theorists is to specify the nature of “good city”. The political economy theorists of the just city are concerned about the participation of powerless groups in decision making process and its equitable outcomes. They are concerned about economic outcomes of such decision making and are equally concerned with evaluation of outcomes with regard to groups defined by gender, race and secular orientation. They emphasize the role of an entrepreneurial state which not only provides welfare but also generates wealth.¹⁴⁰

There are other issues, apart from the issues discussed above. For quite sometime now, normative and ethical-moral frameworks have become significant in the context of city growth/expansion and development, and the way *public interest* has been pursued by the planning agencies to justify their actions. The role of planners have become complex and uncertain in the stance taken between public and private sectors¹⁴¹; the role of planners is divided between serving employers, fellow planners, and the public which brings into question the contested loyalties and “what remains of the once accepted cornerstone of planning: serving the public interest?”¹⁴², “what values and/or duties lie at the heart of the public interest and what does this imply for the goals and actions of politicians and professional staff?”¹⁴³ And “what is the appropriate balance between the rights of property interests, the socially or economically excluded and the non-human world?”¹⁴⁴. Broadly one could view it as an ‘appropriate relationship between state, society and the individual’¹⁴⁵.

Planning functions stretch beyond the simply technical functions in the context of social, economic and environmental challenges on the one hand and the values of democracy, equality and efficiency which are most of the times are in conflict. Thus planners have the task of reconciling the goals of economic development, social justice, and environmental protection. Given that, public interest¹⁴⁶ continues to occupy the central place in the planning discourse.

What has endured is the persistent question of the public interest. Planning continues to face the central controversy of whether there is indeed a single public interest and of whether planners recognize and serve it. Incremental planners claimed that the excessive complexity of the comprehensive public interest prevented the planner from serving it directly, while advocate planners argued that what was portrayed as the public interest in fact represented merely the interests of the privileged. More recently, postmodernists have challenged the universal master narrative that gives voice to the public interest, seeing instead a heterogeneous public with many voices and interests. Finally, the persistence of fundamentalist thinking and community identity based on religious, rather than secular, municipal values undermines the ability to find a consensual public interest.¹⁴⁷

Despite all those perspectival differences¹⁴⁸, '[a] belief in the public interest is the foundation for a set of values that planners hold dear: equal protection and equal opportunity, public space, and a sense of civic community and social responsibility'¹⁴⁹. All these issues are connected to political, legal and moral-ethical frameworks. (a) Planning is a 'mechanism for social reform' and 'a device to facilitate market interests' especially in the contexts concerning allocation of land uses and the need to mediate in land and property markets. Since it is basically a state-based activity which determines the individual's access to resources through institutionalized practices or directly connected to party politics, it is political in nature. (b) Problematic concerning legal frameworks that support planning as a form of state regulation to guide the planners to act appropriately has been 'partisan and ambiguous' at the same time. Since law is fashioned by its context and reflects the dominant ideology. This dominant ideology is divided to three competing ideologies- (a) first concerning the importance given to the private property and its institutions; (b) 'the public interest ideology, promotes the idea of the amelioration of private interest in order to safeguard collective goals through the power of professional/expert administrators'; (c) the radical alternative suggested against the dominant ideologies is the emphasis on public participation. Planning reflects the ideology of the governing elite which strives to maintain the status quo of the property relations. (c) Thus what follows are the ethics which are 'fundamental to the daily practice of planning' and 'its underlying rationale'. Most significant of the themes in the ethical debates is the distinction between teleological and deontological frames of reference. The terms of teleological formulation concentrates on 'outcomes of action' as evaluated in terms of good or bad, whereas the deontological frame of reference focuses on the 'rightness of the action' itself. (i) Teleological formulation refers to the moral consequences of action which is evaluated in terms of 'the balance of pleasure over pain' which is measured in terms of 'summation individual self-interests rather than by any broader notion of collective well being' – it is signified in the classical utilitarian phrase – 'the greatest happiness of the greatest number' and when narrowed down to monetary values the 'goodness' of results are measured through the

method of cost-benefit analysis. (ii) Whereas, in distinction the deontological ethical frames of reference emphasizes individual rights, fairness of approach and justice all of which would boil down to procedural rules founded on the postulation that ‘the best means of achieving consistent, universal and impartial decisions and therefore of protecting individual rights’. Further advanced, deontological ethical formulation emphasizes ‘justice’ which is the ‘first virtue of social institutions’ which would mean that though in a ‘just society’ individuals could pursue their own ends in congruent with the analogous freedom for others to follow similarly but since individuals begin on unequal terms albeit individual liberty being maximized ‘the least advantaged should receive the greatest benefit’ from the planning and public policies.¹⁵⁰

The planning perspectives in general have moved away from the ‘objective’ understanding or Euclidean/physical-geometrical way of perceiving and configuring the city. Mere physical configuring of the city by not taking into account the non-physical aspects of city formation has come into question across the perspectives. Over time the perspectives have been advancing or adding over under different labels. The idea and modes of democratic planning, issues of participation, negotiation, norms and ethics, justice, laws, communicative-argumentation, etc., have figured across the perspectives each emphasizing different issues in their own manner given their own social theoretical predilections. Thus in a way, the view that planning as a specialized scientific activity has been debunked. Apparent diversity of ethical perspectives/frameworks throw up few similarities across upon examination in terms of the domination of procedural questions in the articulations, ‘rejection of universalism in favour of relativity and subjectivity and focus on individual interests rather than a more general concern with the common good’. They do not touch upon the issues of ends and values¹⁵¹.

A whole lot of responses among academic theorists of planning have tried to reinvent, salvage, restitute, resuscitate and restore through a reformist trend in the field have been to save the day for planning from the anti-foundationalist trend unleashed by the post-modernist project which in a way is up to dislodge or dismantle planning (at least at the theoretical level). Despite such attempts by the reformist perspectives, they have succumbed to the post-modernist lure of relativism and subjectivity which are not in favour of universalism, homogeneity, objectivity, etc.¹⁵²

Communicative planning theory has evaded the issue of universalism by developing a general procedural ethic without substantive content. The new urbanists claim that their design prescriptions incorporate diversity and provide people what they really want rather than what archaic zoning laws and greedy developers impose on them. Thus, even though they have been criticized for imposing a particular formula on others, they defend themselves by arguing that their conception incorporates difference. Just-city theorists work from "the basic premise...that any distributional conception of social justice will inevitably be linked to the broader way of life in which people engage"...The argument is that although there may be no universal standards of good and bad, there are criteria for judging better and worse.¹⁵³

To build a "good city" the planning's theoretical effort has taken the shape of advocacy in one form or other. How to plan? and, For whom to plan? are the significant questions in the context of different kinds of social asymmetries and problems in the city and city building. Therefore the questions of social equality, participation, dialogue, discussion, negotiation, distributive justice, etc., ought to be part of the materiality of city building and be inbuilt part of the technical decisions. That is advocacy; there exists pessimism with regard to whether the issues addressed by the planning theorists would be taken into account in the planning process earnestly. Then one could end up saying that- 'It's hard to produce a plan that at once captures the conditions of the citizens experiencing the problems society is mobilized to process. It's hard to be both scopic and comprehensive and immediate and individually responsive.'¹⁵⁴ And less pessimistic view takes note that in recent times the theory does not only focus on the critique but also in 'offering a more appealing prospect of the future. But one could sustain such optimism only when the planning translates it into practice.'¹⁵⁵

What is the way out for practicing planners? For the planners who confront the everyday assignments related to the allocation of land uses, '[i]t is difficult to see how such frameworks would assist practicing planners to identify appropriate courses of action, faced as they are by a world of social exclusion, economic polarization and degradation of the non-human environment'¹⁵⁶. Since the planning theories have had procedural focus for ethical guidance or advocacy, have not been able to make any difference to the planning practice. They have not been able to nullify the idea and practice of planning by underlining or privileging the relativism and subjectivity which would 'reduce planning to an empty box' because it negates the ideal of collective welfare or social justice for which the planning stands for. Planning is conceived to create a 'better' future. If one were to consider still larger issues like collective welfare or social justice which are important, it becomes imperative that planning has a greater

role to play. If planning has a role to play, how would one assess planning and make planning effectively work? It is argued that planning will have to be 'judged by its outcomes'.¹⁵⁷

Then what are kinds of articulation on planning and land development? Planning and land development belong to the realm of spatiality. Planning is 'a dialectically determined synchrony of public interventions generated by and in response to the order and chaos of the industrial city'¹⁵⁸. Whether it is land use planning or comprehensive planning, it all belongs to the spatiality of planning¹⁵⁹. The spatial production of various sites- work places, homes, neighbourhoods, etc., is dependent on allocations of land for various uses/purposes and the way in which it is developed. The Planners just do not "make plans" viz., master plans, they "make space" which is at once a 'facsimile of power and an act of exclusion and domination'.¹⁶⁰ One of the resulting features in the production of abstract space is to bring in the logic of the commodity i.e., pricing or the exchange value (which is interchangeable to use too). Planning promotes land development which is described as secondary circuit of capital¹⁶¹. Lefebvre terms it as "planning of developers"- 'They conceive and realize without hiding it, for the market, with profit in mind. What is new and recent is that they are no longer selling housing or buildings, but *planning*. With or without ideology, planning becomes an exchange value'¹⁶².

Social production of urban space- Land and property developments take place within the ever expanding metropolitan regions connected to various socio-economic processes on a global scale (Gottdiener 1997). Generally in the 20th century massive expansion of the urban areas in North America had given rise to urban land problems in its collective production and utilization in context of high economic growth.¹⁶³ The studies of land development across Atlantic have focused on the form of redevelopment- the creation of new built environment in the dilapidated or deteriorating cores of the cities. Thinning of the core areas and decentralization of functions to suburbia has been happening since the early 1970s to the densification/concentration of activities in the urban centers in the west.¹⁶⁴

Urbanization, Urban Planning and Land Development in the Developing Countries

The developing countries in the second half 20th century, have witnessed rapid expansion of their cities. ‘Megalopolises’ – not only in the developed world but also in the developing world have emerged.¹⁶⁵ The urban problems of the developing world are related to expansion of the cities which have given rise to ‘demand for more utilities, housing, commercial and industrial sites- and with the increasing difficulties raised by the huge areas being incorporated in the metropolis, rather than with the niceties of redevelopment, aesthetic considerations and environmental reclamation’¹⁶⁶.

Governments in the developing countries design urban land policy objectives depending on wide range of policy tools and institutions to realize them. Planning agencies of the government prepare master plans, zoning regulations, subdivision regulations, building codes, and other public policies to give shape to urban development. The main aim of these regulations is to ‘protect the urban and natural environment, gear infrastructure investments with development, and maintain and enhance property values’ on the one hand and providing land to the poor, controlling land speculation, and land inflation on the other. Policy makers have mostly relied on the nationalization of land, public land development, and highly centralized property registration systems to control and monitor land ownership. They face crisis in land-use planning and regulations. The crisis is at the two levels- one at the level of logistics of planning and the other at the level of the state and its plan operationalizing institutions. The plans follow the ‘comprehensive approaches’ which are formulated on the basis of long-established paradigm of “survey- analysis-evaluation-plan-implement” model that evolved earlier in developed countries. This planning model is critiqued for being ‘technocratic, time-consuming, and rigid in terms of its procedures’. Planning models, commonly termed as ‘master plans’ which concentrate on physical planning have been termed as failures for the reasons that-

[T]hey are too static; place too much emphasis on detailed layouts and zoning of supposed future land use; take too long and cost too much to prepare; don’t offer guidance on the phasing or techniques of implementation; and ignore the costs, financing, or prioritization of proposals and seldom consider the city’s real economic potential. But most importantly, these planning approaches do not consider actual economic demands for space – they ignore the capacity of households and businesses to pay for land and properties.¹⁶⁷

Parastatal organizations carry out land development in developing countries with the aim of realizing three objectives- to make provision for land and housing at reasonable prices to low and moderate income households; to prevent private developers from appropriating valorized land with infrastructure provisions which enhance its value; and 'to provide for the important but risky projects' undertaken by the state. It is assumed that land developed by the agencies would benefit low and moderate income households and public land development agencies are efficient. Though goals enunciated are supposed to be good but the success rate of these goals has been minimal.¹⁶⁸ What are the reasons underlying such failures? Lowder (1993) observes:

Popular perception in Third World cities as to what planning can achieve ranges from a naive faith that it can set aside land for low income residential use, to a cynical belief that planners are elites who design cities for other elites into which the rest of society must fit as best it can. The latter could be considered a succinct summary of the most 'efficient' socio-spatial ordering, if the role of the planner in a capitalist society be "confined to the task of defining and attempting to achieve a 'successful' ordering of the built environment" (Harvey, 1985, p. 165). Many Third World authorities proclaim their inability to serve their impoverished citizens to the extent of omitting the presence of unplanned districts from city maps. This is the logical outcome when the supportive ideology justifying and legitimising planning is shaped by a minority whose perceptions of and desires for the built environment rarely match those of the mass of the urban population, as is the case in societies where power and/or resources are very unevenly distributed.¹⁶⁹

Response of State is viewed as 'reactive' within the context of increasing social imbalances. The reactions have varied from 'repression to upholding existing processes, through tire coopting of the few, to the integration of the many by some mechanism which widens access to land.' In response, poor people resort to 'civil disobedience – in the form of land invasions, squatting and illegal development – [which] is the only course left to the masses.'¹⁷⁰ The kind of physical subjugation of the masses not only strongly indicates the monetary cost but much more significantly is characterized by the 'lack of legitimation' of land development process within wider society. Under these conditions, to seek legitimacy for the legal land development process, majority of the states have sought 'integrative measures' to extend access to land to poorer people by relaxing procedures, extending the repayment period, reducing the eligibility criteria for credit, subsidies, etc. Nevertheless such measures cannot be easily be adopted by the state, because the profit margins of landowners, producers and builders would only indicate 'scarcity and exclusivity' of developed land, given the large number of intermediaries at various levels and, urban planners and local government involved in the process.¹⁷¹

What has been the nature of urban expansion, planning, and land development in India? In Indian, post-independence period ushered new developments in a new era of urban expansion. Some of the major characteristics of Indian urbanization are- i. After partition refugees from Pakistan migrated to Delhi, Punjab, Haryana and to some extent to Western Uttar Pradesh. From East Pakistan refugees migrated to Calcutta, Assam, and Tripura which had an effect on the growth of the cities. ii. New State capitals like Chandigarh, Bhubaneswar, Gandhinagar, etc., were created. iii. With the establishment of industries, several new industrial cities Rourkela, Durgapur, Bhilai, Bokaro, etc. like refinery towns like, Barauni, Noonmati, Haldia, and Ankleshwar, etc.; fertilizer industries towns like Sindri, Mitrapuri, Nayanangal, etc port towns like Kandla have expanded rapidly. iv. Metropolitanization is one of the chief characteristics of Indian urbanization. There has been a rapid growth of cities with a population of more than a million. Due to the growth of the metropolitan areas the importance of small towns has been diminishing. v. There has been a rapid growth of slums in the urban centers and settlements on public or private lands. The expansion of the metropolitan areas has led to the growth of the rural-urban fringe.¹⁷² By 1991 25% of India's population lived in urban areas and in 2001 27% of the population lived in the urban areas. In 1991 cities with a population over a million were 23 and by 2001 the number had increased to 35. The number of cities with population of over 5 million was 4 – Calcutta, Bombay, Delhi, and Madras – in 1991 and by 2001 it increased to 6 with Bangalore and Hyderabad joining the ranks.¹⁷³

The post-independence planning of the economy had significant effect on the growth and development of the cities. Planned large-scale public sector industries with the coexistence of private enterprises and privatized agriculture found significant amounts of investments. This influenced the development of small agricultural marketing towns and a few primate cities. In the states which were formed newly where primate cities did not exist, state governments took initiatives to 'construct from scratch the architecture and infrastructure for monumental capitals, leading to planned cities such as Bhubaneswar in Orissa...Chandigarh in Punjab'.¹⁷⁴ Significant aspect of the urbanization process in India has been the metropolitanization of cities. Industrial plants set up by both central and state governments hastened the growth of urban peripheries and industrial colonies, along with interstitial slums encouraging rural migration and an 'informal economy'. Suburbanization in the major cities did not

reflect any major changes in the neighbourhood formation which transcend the class, caste, and religious barriers.¹⁷⁵ Urban growth is viewed as ‘disharmonious’ and ‘imbalanced’ as very few cities absorb continuously the majority of the migrant population.¹⁷⁶

Town planning has been one of the major features in the post-independence period to come to terms with the expanding cities. Institutional support of both central and state governments provided to form metropolitan region development authorities across the country which gave scope for the growth of huge urban agglomerations.¹⁷⁷ Thought and practice of urban planning in the first forty years of post-independence period was borrowed from the British system. The plans conceived in the 1940s for the spatial organization of County of London and Greater London for the stretch of 100 sq. kms. was adopted. Planning involved the setting up of a green belt which ‘separated the inner city from a suburban ring of new towns; it included the ‘urban survey’ developed by Patrick Geddes that related spatial organization to variables researched through interdisciplinary teams. The London plans rested on a premise of urban containment and relocation of population from the inner city to extensions of old towns and to new satellite towns, with ring roads handling suburban transportation issues. The main tool of the planner was the master plan or comprehensive development plan that plotted zones for intended land use.’¹⁷⁸ Further developments included the legal and organizational support/base with the enactment of the ‘Model Town Planning Act’ and setting up of the ‘Central Regional and Urban Planning Commission’ (later named as the Town and Country Planning Organisation). Later ‘parastatal’ authorities were created at the state levels for the state governments to control urban development and the service provisions.¹⁷⁹

Parastatal agencies in India are responsible in expanding city and civic services by allocating various land uses. These agencies have taken on the roles of planning and producing residential extensions, industrial zones, commercial zones, open spaces, parks, etc. Over a period of time, the growth and development of Delhi provides an example of such a process. Earliest of such a process is illustrated by Bose (1980)¹⁸⁰ in the first two decades of the post-independence period. The expansion of Delhi was taking place through urban sprawl in both planned (legal) and unplanned (illegal) manner for various purposes. Land development was contingent on speculation.

Expansion of the city has been taking place by absorbing villages and their lands into its fold. Land acquisition has been part of the urban planning. Over a period of time village lands have been procured by the acquisition process for development, for various urban uses. This had the “negative” impact- i. of spawning number of ‘semi-planned’ and ‘unplanned’ housing colonies “without any civic authorization by unscrupulous real estate developers to the unsuspecting middle class...Subsequently ‘authorized’ on political consideration, they continue to be planners’ nightmare”¹⁸¹; and, ii. private lands of the villages have been used by the single family tenements which are heterogeneous in character whereas the village pockets have remained intact with old houses and homogeneous communities.¹⁸² The way of coming to terms with these growths and developments was to bringing them into the urban planning fold. Policies and the master plans addressed the question of the urban villages by taking note of their livelihood questions and uncertain future. It was suggested to relocate the rural activities on the fringe of the city which was ‘impractical and condescending’. Land acquisition for the expansion of the city in itself became important since it was considered an administrative, legal and managerial issue. None of the objectives of tackling the uncertain future of villages was implemented. Adaptation of the village communities with lack of skills and orientation towards urban life complicates the problem despite being adequately compensated for land acquisition. From the point of view of the socio-economic and ecological organization, they get transformed into slums. The employment in the villages takes them to the informal sector.¹⁸³

The causes of the expansion of the city in the post independence period have been because of two major factors: in-migration and natural population growth. Governmental planning has been involved in the land development process directly with monopoly over the acquisition and supply of the developed land. Other kinds of developments taken up by the government are- building of flats to sell them to private households of different income groups, allotment of housing plots to the private households and housing co-operative societies, relocation and resettlement schemes for slum dwellers and squatters on the periphery of the cities. Notwithstanding all the planning interventions in the land developments, there have been the developments of new squatter settlements and unauthorized colonies. The main reason for the ‘undesirable’/‘unplanned’ developments has been the shortage in supply of land and housing to all the sections. Linked to this problem is the constant demographic pressure

on the city, exclusion of private sector in the land development process. The adoption of high standards of development and construction by the Master Plan has favoured a model of elitist urbanism, at the expense of the housing needs of the majority of lower income groups.¹⁸⁴

Given the kind of land development process, one could observe that the realities in the developing countries – demographic pressure, inadequate governmental investments, inappropriate planning frameworks, ideas and practices, adhoc/piecemeal solutions, etc. – characterize urbanization, urban planning and land development. Administrative or legal classifications or categorizations of the existing and emerging urban spaces – in terms legal or illegal, authorized or unauthorized, etc. – seem to be transitional and temporary. Concerned authorities negotiate with such a process mediated by political interventions and other extraneous considerations¹⁸⁵ Regularization process of the unauthorized layouts is a case in point. It is nothing but rationalization as one would see later in the context of Bangalore's land development process too.

Review of Literature on Bangalore City

Bangalore is one such city which has graduated over a period of time from a small town to an expanding metropolitan region. Bangalore city during the last two hundred years has evolved into a 'Garden City', 'Industrial City', 'Science City', 'Silicon Valley', etc. Except its garden city image, all other images have been expanding through times. These images indicate different expanding legacies of various regimes of the past into the present. Today all these images circulate on various occasions or on the same occasion when one talks about the city.

There are some studies of the expanding Bangalore city and its constitutive parts. However, our concern in this work is to explore the socio-spatial dimensions of the development process and the land development process which is fundamental to the urbanization process. Fazlul Hasan's (1970) work¹⁸⁶ chronologically lists the political and cultural events that made the city of Bangalore since its inception into the twentieth century. The work traces the development and expansion from the earlier times to the present times. Janaki Nair's (1998) work¹⁸⁷ titled *Miners and Millhands* maps the

gradual expansion of industrial development process. The work focuses on the formation of industrial working class and indicates the emerging social spaces – within the context of constitution of authority, power and control, and the resistance and adaptation to it, as related to production regimes on the one hand, and the mediating socio-cultural and political processes and discourses on the other – which in turn rearticulated workers lives and the production regimes in the Princely Mysore.¹⁸⁸

In the immediate post-independence period, K.N. Venkatrayappa's (1957) *Bangalore- A Socio-Ecological Study* construed Bangalore city as an 'organism'. This biogenic explanation viewed the city formation through the 'natural' processes of 'concentration', 'centralization', 'invasion', and 'succession' and the resultant creation of various types of zones representing various land uses. It details various elements- ecology (both cultural and physical ecology), industry, banks, educational institutions, housing, etc., and processes- urban growth, migration, and expansion of the city that have contributed to the 'order' or 'disorder' in the city.¹⁸⁹ Another study by R.L.Singh, an urban geographer has explored the geographic constitution of Bangalore city and its various elements- industrial setting, demographic aspects, land uses, etc., It has analyzed the interrelationship between the city and its region- termed as 'Umland'. The economic impact of the city on the Umland and vice-versa, through the geographical expanse of the umland/regional hinterlands- the inter-linkages and interdependencies between the city and its region have been dealt with in the work.¹⁹⁰

*The Structure of an Indian Metropolis*¹⁹¹ by V.L.S. Prakasa Rao and V.L. Tewari published in 1979, gives a static and the dynamic picture of Bangalore city by deploying a functional-ecological model which takes into account the social, economic and spatial characteristics of the city to explain its growth and expansion. It is observed that-

The ecological structure of a city is a product of social, economic and locational characteristics of its inhabitants and their activities. The structure is stratified because the households of similar socio-economic status and similar activities tend to cluster at various locations in the city, and the locations are determined by social, economic, and historical factors. The end result is a tripartite structure: a combination of "zones", "sectors", and "nuclei". Thus, a city's ecological structure tends to be characterized by both socio-isomorphism and spatial stratifications/segregation.¹⁹²

The work profiles the socio-economic characteristics of the inhabitants – in terms of caste, income, employment, education, – at one level, and at another other

level, it attempts to fit these socio-economic characteristics of the population densities by identifying the process of 'clustering' and 'segregation' spatially in multiple zones. Apart from that, the work, details the pattern of spatial expansion pattern. Bangalore is characterized as a Garden City and Industrial City.

The intra-city dynamics, spatially, is explained in terms of the concentration of the population into trifocal centres- K.R. Market (Central Business District), Vidhana Soudha (Administrative Centre) and Russell Market (Business Centre).

The city's ecological structure was found to be not simple...but complex: middle class city centre and both high status and low status periphery. The outward moving periphery left behind old peripheries and constituted a distinct intermediary zone in the ecological zone, with high congestion, concentration of trading castes and Lingayats [a caste], wholesale and retail trade, household industry, high percentage of women workers, and high residential migrant ratio. The city core had the maximum centripetal pull and dominance over the periphery mainly due to the concentration of work places, financial institutions, shopping areas, educational institutions, transport terminals, hospitals, and recreational and cultural centres.¹⁹³

Social mobility, in Bangalore city, is seen as the function of caste and the occupation-income structure which corresponds with the 'traditional' hierarchical social structure in terms of differences in education, occupation and income, for different castes and between different generations¹⁹⁴. 'The high status households shifted from intermediary and periphery, while low status households shifted from intermediary and periphery to core. The movement from core and periphery to intermediary consisted of mixed status groups.'¹⁹⁵

This spatial formation and expansion of the city is mediated by the dynamics of demographic growth in migration and industrialization. The spatial expansion of Bangalore city is 'characterized by residential leap frogging and residential infilling with ribbon shopping centres and commercial land-uses (phase 1), industrial leap frogging and residential infilling along and across the major transport routes (phase 2), and leapfrogging of institutional and industrial complexes and infilling of residential layouts (phase 3).' Periphery has grown faster due to the development of migrant settlements.¹⁹⁶

There has been a long pause in the production of significant works on Bangalore city between *The Structure of an Indian Metropolis...* and recently published works- *Network City- Planning the Information Society in Bangalore* (2004) and *The*

Promise of the Metropolis- Bangalore's Twentieth Century (2005). James Heitzman's (2004) *Network City* traces the evolution of Bangalore city during various regimes with different kinds of 'development' – mainly planning – agendas and expanding constituents of the city on the one hand, and the underlying politics, in making of the city through times, on the other. By the end of the 20th century Bangalore had entered a new phase of development with the introduction of new economic policy. In that context of rapid transition from a relatively state controlled economy towards a liberal economy took place through new mode of 'networking' and 'information flows'. The analysis of the role of governmental institutions and non-governmental organizations – Bangalore Mahanagara Palike (BMP), Bangalore Development Authority (BDA), Bangalore Metropolitan Development Authority (BMRDA), Bangalore Agenda Task Force (BATF- a conglomerate of governmental institutions, NGOs and Corporate Groups), CIVIC (NGO), etc., – and their organizational strategies and network of participatory planning and implementation in developing the city at the material level- in terms of infrastructure and services, demonstrated the new mode of development. The work takes note of the shift in the policy of the governing and planning institutions through new mode of networking strategies, for various inputs from NGOs, Corporate groups, private institutions like consultants, funding agencies- both national and international, individuals, etc.

Given this context, *Network City* explores the emerging approach and practice of 'governance'¹⁹⁷ while tracing more than hundred years history and evolution of local self government through various Acts, Constitutional Amendments and modalities of reservations for Scheduled Castes and Tribes, Backward Classes and Women at various levels- national, regional and local. Towards the end of the century, involvement of NGOs and access to information in the governance process at local municipal level was appreciated. The nascent middle class 'municipal socialism'- the NGO movement of participation, centered on system of 'collective consumption' and municipal services, are described. Finally the work deals with the informational city at two levels- one of Bangalore 'becoming' the *Silicon Valley* and two a *technopole*, within the context of the nature of the production and diffusion of knowledge through various scientific research and educational institutions over a period of time, and its uses/consequences- for industry, diffusion of information for various- institutions, organizations, etc.,

The Promise of the Metropolis covers a much wider expanse of issues and themes – planning, aesthetics, architecture, language, gender, etc. – with regard to the continuities and discontinuities and moments in the city’s growth and development, and multiple meanings it acquires in the context of social, economic, and political processes through the past to the present. Different political claims and cultural – ‘symbolic’ and ‘real’ – meanings attached to various spaces in Bangalore’s evolution are exhaustively explored. Of interest to us are the issues and conflicts over urban planning, law, and land development.

As we have seen the planning generally has stood as a technocratic exercise in most of the scenarios devoid of any social, political, and economic considerations which are viewed as extraneous to planning. Existence of and ever growing unauthorized constructions, revenue layouts, gramthana sites and slums are viewed as the evidence. In Bangalore’s context as anywhere else exactly there have been forces which have subverted the planning. There have been the advocates who identified problems in the effective implementation of various plans. Advocacy ranges from those who emphasize different aspects for more planning on the one hand and on the other arguments are for less planning. Advocates of intensive planning emphasize the following aspects: i. Stricter ‘enforcement of zoning regulations and building bye-laws to curb unwieldy growth. ii. One has to take into account the socio-economic forces and the development of the countryside otherwise the planning would be merely a ‘political administrative ritual’ iii. Emphasis on participation of the ‘locally relevant’ groups iv. Multiplicity of laws have been impeding the physical planning and the economic role of city should to be considered in the broader context of region, state and nation. v. social planning emphasis which is the ‘intuitive and experiential knowledge of communities’. On the advocates of limited planning fault the ‘master planning’ because it does not make space for the ‘local economies’. ‘Tiny and small enterprises’ which constitute local economies find space and thrive in the unplanned areas and illegal layouts. Master planning indirectly encourages the dualistic nature of spatial formation by illegalizing their existence, in terms of their land tenures and forced relocation of industries which work to their disadvantage. While master planning makes space at the institutional level for higher income groups and corporate economies, it neglects poorer sections and the economies which support them.¹⁹⁸

Janaki Nair (2005) argues that the critiques of limited planning have not taken note of 'heterogeneous composition of the field of power' and tend to view in simpler dual terms i.e., community against the state. 'This field is shared by forces that one may distinguish as formal, informal, and illegal. These forces result in arrangements that do not strictly conform to elite/subaltern needs and interests in any simple dichotomous sense, and may even be mutually constitutive.'¹⁹⁹ Here one is trying to demonstrate that power operates through alignments and in a fragmented manner than in the simpler dual terms. Therefore, Nair sees the need to reveal the way 'ideology of planning' negotiates with the 'complex field of forces'.²⁰⁰

At various points in time, planning's focus in the creation of social space has changed or evolved.

- Planning's concern in the immediate post-independence period was to create housing for the industrial working classes because of the 'threat posed by the laboring classes'. In the 1970s it was made mandatory for both government and private industrial enterprises alike, to provide housing for at least 50% of their workers to reduce pressure on housing in the city. Despite all those measures, a large proportion of the industrial working population living in the neighbouring villages, bought the revenue or gramathana sites which were available at affordable rates. There was a pressure from these revenue site-holders for regularization.
- By the 1970s plannings' focus shifted for improving amenities and services, establishment of ring towns and satellite towns, self-contained industrial townships, etc., to avert a 'metropolitan disaster' by restricting concentration of population. As a part of a much broader strategy to contain in migration of population, attempts were made to restrict expanding industrialization itself. In this context of changes planning was rethought. Planning was rethought for the emerging middle classes and industrial labour. This had consequences in the way space was to be structured in new ways for a kind of emerging semi-leisure oriented and consumerist society. The plan visualized fashionable shopping complexes, individual houses etc. The production of space for the middle classes by the planning agency did not meet the demand. Housing was to be

realized through the House Building Cooperative Societies and revenue layouts and later the private builder.

- Through the 1980s to the 1990s the socio-spatial structure conceived for planning favoured the middle classes and non-resident Indians (NRIs). The “Dollars Colony” was designed and, also the housing styles and the ‘quality’ of material built environment became a preference supplied by the builder/developer than the BDA’s land or housing. By the late 1990s NRIs and IT workers were claiming the different enclaves insulated/isolated from the main city. Apart from the built environment, whole planning process itself was going through a great change which was geared towards ‘growth’ to attract the foreign investments. In such a context, the alignments between state power and informal and illegal power-networks became accommodative of both the legal and illegal forms of urban space.²⁰¹

In the chapter on law and the production of urban space, the author says that various constituents in the production of space – law, planning, politics, etc. –most of the times work in collusion with an underlying ‘ideology of private property in land and a market of housing’, though law and planning at times have demonstrated relative autonomy. The laws were formulated to aid a kind of production of space and its provisioning by public agencies on a large scale which would address needs of housing of various social constituents in the city with many of the social concerns like making space for economically weaker sections, SCs/STs, slum dwellers, etc. Thus laws also had another edge of preventing land hoarding or accumulation on larger scales. Circumventing and violation of such laws by both incumbents of the state and its institutions/agencies, and others who have been involved in the land development process has given birth to a greater marketization i.e., it has found its exchange value on a full scale. The discourse while addressing the shortages in the supply of land ultimately points towards the multiplicity of laws than the strict implementation of them.²⁰²

Even though there are already a few works on Bangalore, there is still a scope for more intensive studies of different aspects of urban life which have not been covered in the previous works.

The Problem and Its Context

Like most of the growing metropolitan regions in the world. Bangalore too, as an expanding and metropolitan region, has gone through similar phases and different kinds of *industrialization* and in *migration*. The discussion on urbanization of Bangalore in the following chapters would reveal the dramatic shift in its- population, spatial expansion, interconnections between regions, nation and other nations during the post-independence period. The last two decades have witnessed the growth and spread of information technology industry in Bangalore. This has been enabled by the incentives given by the government to the information technology industry during this period. But the signs of its prominence came to be felt more during the 1990s. Though it was promoted locally its origins and development were globally determined. Preceding this phase of new industrial growth were phases of governmental industrialization, and private medium and small scale industrialization. In the initial phase, urbanization of Bangalore was directly guided by initiatives at the national level for large scale industrialization. Early industrialization of Bangalore happened in the context of establishment of scientific-institutions in the early part of 20th century initiated by Princely Mysore State.²⁰³ In the following decades, with the large scale industrialization, the subsidiary and ancillary industrial growth also took place. By the 1970s, Bangalore had a mixture of central/public sector, large scale industries, private subsidiary and ancillary industrial units and the emerging informal sector. The textile, automobile, electrical, and electronic industrial units too were based in the city by the 1970s.²⁰⁴ Apart from these, in the 1970s the governmental initiatives were aiming to create an environment and infrastructure to promote and develop high-technology electronics. The infrastructure created for the technological development gave a fillip to the growth of information technology on a large scale in the last decade of the 20th century, defining Bangalore as the ‘Silicon Valley of India’. The importance that Bangalore acquired now was at the global level and such claims were made repeatedly. For Bangalore to become an ‘industrial city’, planned financial allocations were made at both the national and the regional level to develop different industrial infrastructures. The planned industrial growth was conceived within the mixed economy under which certain strategic sectors of industry were to be developed by the State known as ‘public sector’ and certain other sectors of industrial growth were left to the private sector.

However, the major consequence of growth of industry was the development of linkages for multiple kinds of enterprises and services, and migration of people to the city, leading to the emergence of a metropolis.

Different kinds of industrial growth processes generated different socio-spatial developments. Planned townships were established for the workers of public-sector large scale industrial units. There were separate industrial estates designated by the government to segregate industrial activities from the human habitations. In the recent past new technology parks were setup for the IT industry. In spite of the existence of small scale industries/estates, small scale industrial units have come up in the areas designated for residential use. There have been industries, small scale and household industries found in the illegal and poorer inhabitations. The city had two central business districts in the mid-20th century. Now there are multiple centers. Apart from this we also find commercial malls and branded company sales outlets dotting the main roads of entire Bangalore city.

Residential areas of the city are of different kinds:

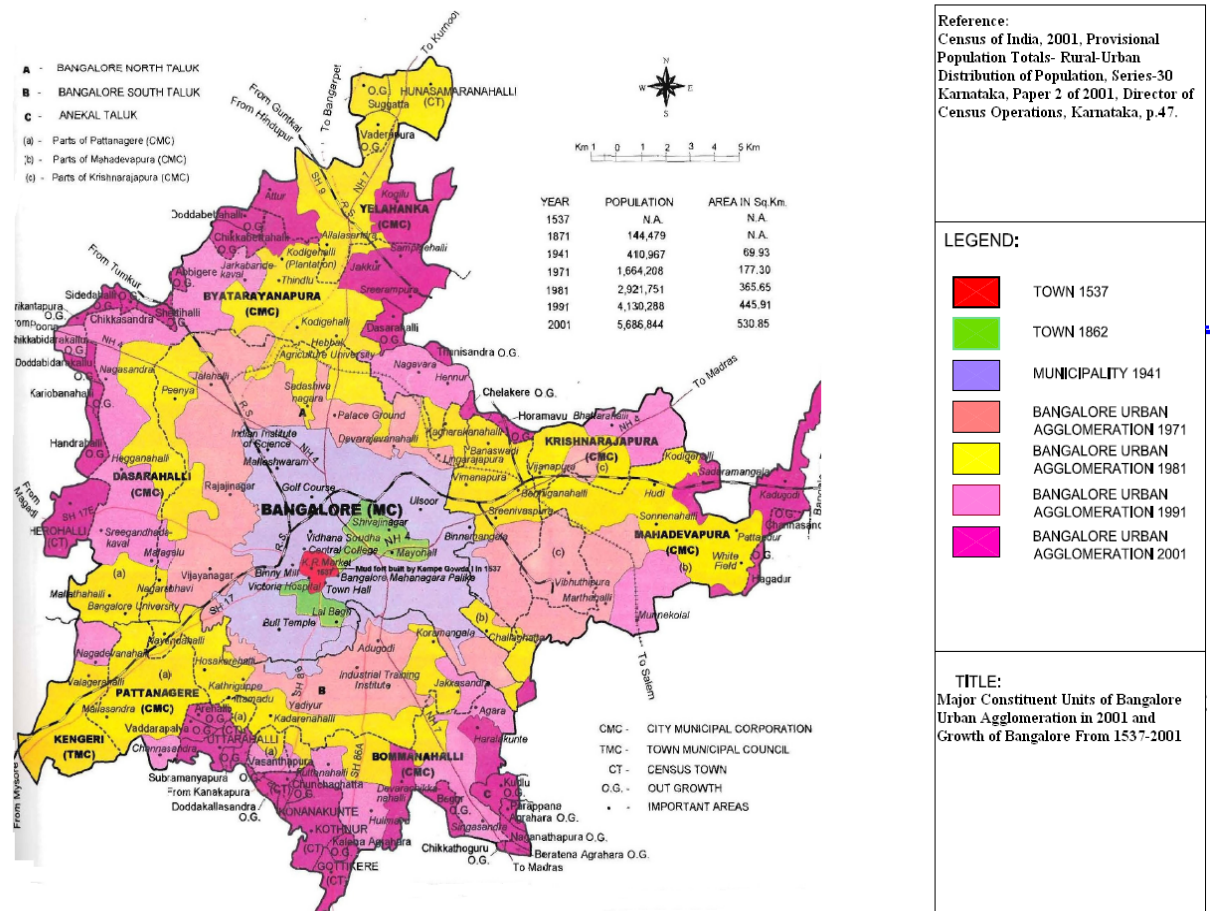
- There are residential layouts which were developed by the successive governments' since the 1880s. There has been continuity in the governmental residential land development.
- Since the 1970s legally planned private housing developments have played an important role in the growth of high rise apartments and in developing land for leading horizontal expansion.
- The legal land development by Housing Cooperatives too has been significant in last four decades though it intensified since the 1980s through to the present times.

The gradual rise in the demand for residential land and the particular kind of development and distribution of the produced space has created asymmetries among people. This through the post-independence period has given way the 'illegal'/unplanned layouts and termed as 'slums'. All these clearly indicate the spatialization of mixed economy pattern and its 'anomalous' fall outs.

Bangalore which was predominantly an administrative-military town at the dawn of independence has been expanding at a very fast pace spread over hundreds of square kilometers (See Map 1.1). That expandability was facilitated by the processes and strategies of planning and law. The articulations of the need for expandability have been evolving with shifts in emphasis in the context of changing ideas, methods and visions of planning. In a way, all the developments at the local level were contingent on the legalization of space itself and had to be channelized through the coordinated practices of multiple legally instituted planning institutions at various levels. The adopted and amended laws meant for the city, the general laws of the colonial times and the new laws of the post-independence times had to work in broader unity for the integration of spatial planning, the modes of procuring land and the production of useable land for different constituents of urban population of Bangalore.

Map 1.1

Bangalore City Expansion over a Period of Time and its Constituents



This process of legalization of land/space works on the principle of exclusion which generates not only the inaccessibility of the developed land to all the city dwellers, but also more importantly renders certain socio-spatial formations as illegal. These illegal/unplanned formations are a challenge to the law/planning, and need to be negotiated. The negotiation takes place through various means: imposition of plan vision on the unplanned space, legalization (in the governmental parlance-regularization) with a fine, and punitive actions, against those who have not adhered to the plan/law prescriptions. It can also lead to clearance/acquisition of such inhabitations, which are generally inhabited by the urban poor. Over a period of time, the government has been setting up various relatively autonomous sub-local

administrative mechanisms and municipal institutions to counter the tendencies of unplanned/illegal expansions and to implement regularization and other measures to acquire land to control the growth of undesired inhabitations. Illegal land development is not always about inaccessibility to developed land. It has been also about illegalities involved in a kind of quasi-legal planned residential land development which operates through the coercive modes of negotiating the procurement of land from its owners and distribution/sharing of land among the illegal members of legally promoted social associations' viz., house building cooperative societies (HBCS) encouraged by the policies of the government.

Planned land development is completely dependent on the acquisitions of land for 'public purpose' by the government or through the government by proving the need of land for 'public purpose'. In other words, any acquisition of land needs essential provability of 'public purpose' irrespective of public/private characteristic of its seekers. The acquisition laws contain undeclared sovereign powers of 'eminent domain' and endow it on the governments and its institutions to acquire land compulsorily if required for public purpose. Government generates its absolute powers to acquire lands which presuppose an essentially coercive nature of land acquisition and retribution for it. Generally, though government has absolute powers to acquire lands, there has been a considerable delay in acquisitions due to the disputes arising over issues of compensation. In such a context, the successive phases of land development have been mired in the complexities of faster conversions into unplanned/illegal land developments and built up areas; and consequent lack of availability of land. The reasons for the emergence of unplanned/illegal land development are nominal compensation to the land owners and prolonged process of land acquisition which actually leaves no option to buy property or land. The Government, under these conditions, right from the inception of planning, seeks private land development in a legally planned manner, which is actually a high investment proposition. Consequently it serves people who can afford to pay high price for developed land. Most of the land developments have conceived in terms of public purpose to check speculation about use and exchangeability of land. They are also indicative of Government's lack of capital to acquire land and its development at the market rates. We see many a conflict between the Government or its bodies which are acquiring land and the land owners, whose land is acquired. The Government seems to be busy in exercising its sovereign

power over the land rather than addressing the concerns of the land losers through a clear cut policy which is mutually acceptable. The laws, by giving the power of land development and distribution at lower prices to the Government, were intended to check speculative investment in land by the private players. Most of employers in the city do not provide housing or house sites for their employees. In this context one can notice different kinds of land development evolving gradually in both planned and unplanned manner within the given dynamic of the fields of- the strategies of urban planning, planning for industrialization, the rural land owners and their life worlds, the dynamics of land market and speculation, etc. The dynamic factors that shape the land development process seem to be making it more challenging. This challenge emerges within the dynamic of state's domination and interpenetration of interests of various fields. It also would reflect the- nature of alignments, contests- legal and others, competition, conflicts, strategies, adaptations, coercion, rules & laws, erasure, etc. The dynamics of land development seems to be establishing different kinds of heterogeneous spaces in the context of evolving industrial-urban society of legal vs illegal or planned vs unplanned land developments in the expandable order of the city.

The Objectives of the Study

The objectives of the study are:

1. To broadly outline the nature of urbanization of Bangalore over a period time to identify forces which have been structuring the city- industrialization, growth of population, migration and the kinds of social spaces, etc.
2. To understand the role of urban planning in addressing various aspects of urbanization including preparation of master plans taking into consideration increasing demand for different land uses, housing and slums and land development activities to secure land for various uses. An attempt will be made to trace the history of urban planning in Bangalore which includes planners' vision of the city and strategies/methods adopted in tackling various urban issues. Attempts will also be made to study in detail the entire process of land development which includes different actors involved, nature of land developments and their consequences during the post independence period.

3. To understand the nature of laws and legal processes/strategies that underpin urban planning which is contingent on the procurement of land and the disputes arising out of it and their resolution within the complexities involved and their consequences for different kinds of land losing people.

4. To illustrate the spatial aspects of planning and legal processes/strategies and the responses from the locals, in two village of Bangalore city namely, Jaraganahalli and Bilekahalli. These villages are representational of the processes of different kinds of land developments and social processes involved in the structuring and restructuring of the city.

Methodology

In this study, the research methods used are documentary research, surveys and participant observation. Documentary research is the systematic use of printed or written materials for investigation. A large number of published reports and records from the following offices were consulted.

1. Bangalore City Corporation: Administrative reports
2. Bangalore Development Authority: Comprehensive Development Plans, Administrative Reports, Maps and Records pertaining to formation of layouts
3. Directorate of Census Operations: Census Volumes
4. Government Press: Legislations and Acts related to Bangalore
5. Karnataka High Court: Reported cases related to Bangalore and its land
6. IIM, Bangalore and ISEC Bangalore: Published works on Bangalore.

The study has treated the descriptions in various documents from their own points of view and has attempted to discover their epistemologies to explain the processes and phenomenon of the city expansion, planning and land development. These above catalogued materials represent the claims of administrative, legal, technical, academic, quasi-academic, etc., sources to make sense of the city with their own aims and purposes. These materials are produced by mostly the institutions of the states, though each of these institutions has relative autonomy. Knowledge of the city produced by the state, the institutions and planning bodies reflects how planners view

the city, its design, aesthetics and its socio-economic components. Generally discourses and practices generated by the state are most powerful than others. These discourses provide an overall framework and therefore analysis would result in discovering the underlying principles. The observations and classifications of space, population, laws, etc., were reexamined and adopted as it is many a time as indicators of a process or phenomenon, and wherever it was inadequate reclassifications were attempted to gain accuracy in the observations while using the given facts.

These researchable materials represent different types of data sets, but each of it, many a time, contains general information which is common to all the sets. The chapter on urbanization draws its information and facts from diverse sources of published books and articles, data extracts from Census of India pertaining to Bangalore city, BCC administrative reports, etc. The chapter on planning mainly relies on the post-independence period planning documents prepared by various committees, BDA, and the government. The chapter on legal processes finds its information and legal articulation from various general laws, acts, and rules, and majorly from the reported cases in the journals of the post-independence period. The chapter on strategies of land development draws its sources from the fieldwork done for the study.

To explore the kinds of land developments in the places, one had to choose the areas in Bangalore city. For the purpose the two places/villages- Jaraganahalli and Bilekahalli were chosen for the study. The rationale in selecting the places for the study are the following: (a) Planners by the 1970s had identified Bannerghatta Road and Kanakapura road for developments. Hitherto industrial growth was concentrated along the national and state highways in the north, west and east connecting the city. So the planners had felt that there was a need to allow industries to spread and grow in all directions. Therefore, the growth was to be concentrated along the highways in southern Bangalore (RCDP, 1976: 7-8). This phase of development of Bangalore has drawn our attention because Bilekahalli and Jaraganahalli (the former villages) which are situated along the above said main roads are adjacent to the city. Land developments, thus started taking shaping during 1970s and happened in many ways as we would see later. (b) These two places are representational of different dominant modes of land development. Bilekahalli has been part of two landmark legal disputes of land acquisition. They are *Narayan Raju v State of Karnataka & others (1988)* and

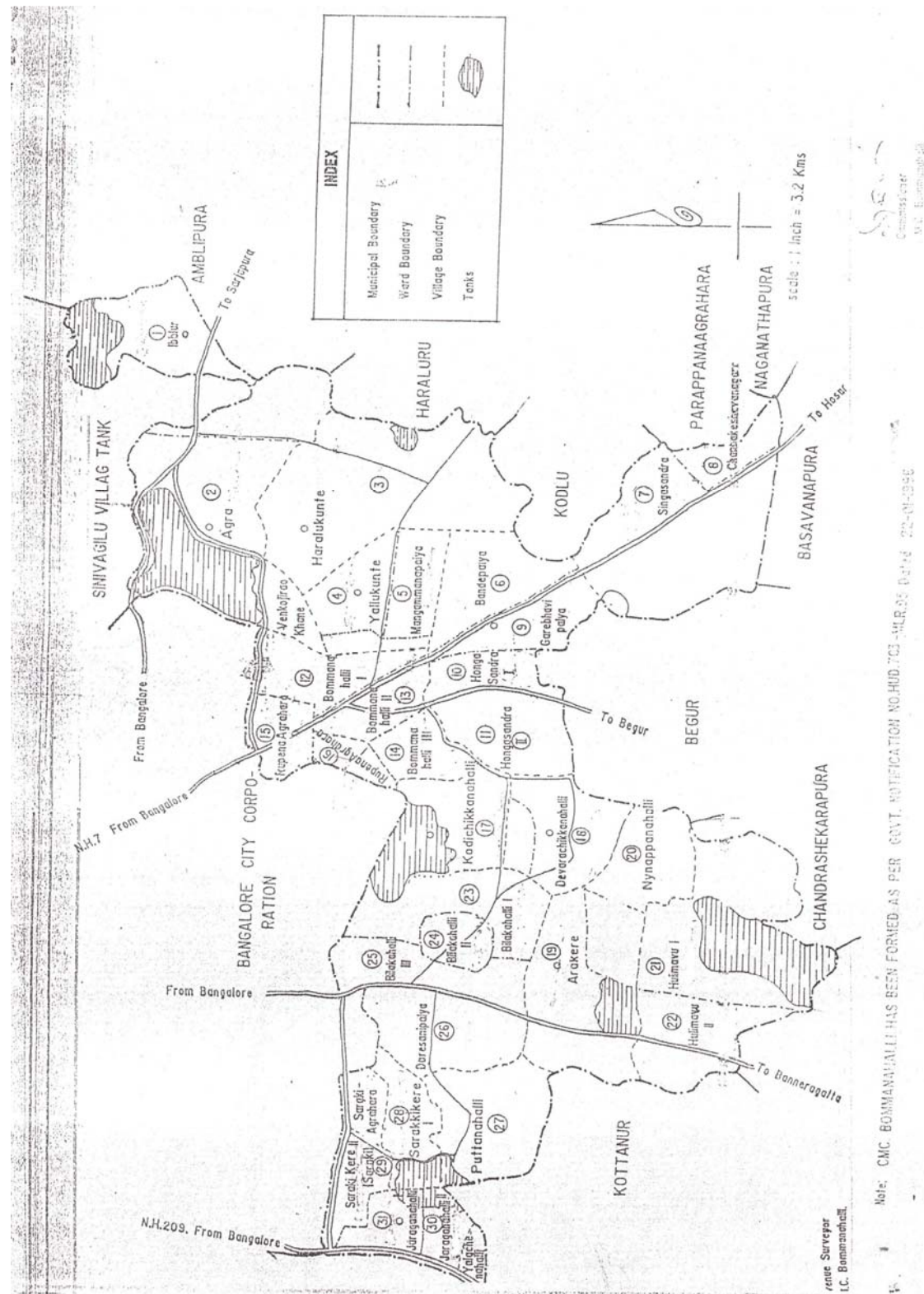
Narayana Reddy & Another v State of Karnataka and Others (1991). The former dispute clearly specified the sovereign rights and privileges of the Government in land acquisition and the latter showed that government-promoted legal cooperativism in land acquisition and development was generating widespread and large scale illegalities and were exploitative in nature as revealed in *GVK Rao, Report (1988)*. Bilekahalli's lands were acquired for different kinds of land acquisition in four phases for different purposes which are representational of different kinds of land developments. Other villages in the surrounding areas have not undergone such diverse developments. Jaraganahalli, typifies private small-scale land developments considered illegal, but presents an alternative to government-fashioned land developments. These places were villages before the village panchayats were abolished in the early 1980s surrounded by agricultural lands. Jaraganahalli is situated beside Kanakapura Main Road²⁰⁵, it is about ten kilometres from the business district Krishnaraja Market. Bilekahalli is situated on Bannerghatta Road²⁰⁶, eleven kilometres away from the city and is Russell Market/Cantonment Area.

The general categorizations like 'authorized' or 'unauthorized' or 'legal' or 'illegal' do not give a coalescent picture of the socio-spatial formations of the planning which characterize the city expansion as 'outgrowths'. Before choosing the areas in the southern part of part of Bangalore city for the study, the pilot study was taken up. Broadly, the census and planning documents had given the indication of the existence of authorized and unauthorized settlements, planned developments, mixed land uses, etc., of the southern part of Bangalore city as anywhere else. During the last quarter of 20th century southern part of Bangalore has experienced greater expansion. After the development of Jayanagar (mainly a residential areas) one of the largest residential, commercial and institutional areas, in the south during the third quarter of the last century, the expansion of the city saw the development of residential areas of Koramangala, Byrasandra-Thavarekere-Madivala in the south east, Jayaprakash Narayannagar (previously known as Sarakki layout, now named as J.P. Nagar), and the growth of Banashankari during last quarter of the 20th century. These areas have been expanding over a period of time in phases as planned by the Bangalore Development Authority. Apart from the planned residential areas, there has been the growth of unauthorized layouts, small industrial areas, slums, house building cooperative societies, smaller commercial areas, etc. The ribbon developments along Kanakapura

Road and Bannerghatta Road had begun during the 1960s and continued in 1970s. By the mid-1990s many areas developed without any institutional legitimacy adjacent to the planned areas. Village settlements expanded and their reserved lands and unacquired lands became the source for new developments. From their point of view of planning this had reached unmanageable proportions, even the regularization process initiated for more than a decade and to plan the already developed areas well beyond fringes of the city, City Municipal Councils were established. In that process, the southern developments were included within the Bommanahalli City Municipal Council²⁰⁷.

Map 1.2

Bommanahalli City Municipal Council



Fieldwork for the study was conducted during 2002-2003. Sarakki, Sarakki Gardens, Jaraganahalli and Bilekahalli were narrowed down for the pilot study. Initial inquiries among random sample of fifteen respondents in each of the places was done. The investigation was about the land ownership and respondents involvement in different kinds of land developments and legal disputes. The pilot survey of Sarakki revealed that the former village pocket had already developed and most of its village lands had been acquired for the planned residential development and the rest had been developed into private/unplanned layouts. These Developments had taken place through the 1970s. Legal disputes were about enhancement of compensation and it was between the land acquiring agencies and the land owners. Sarakki Gardens were earlier homestead gardens. Since the late 1970s and through the 1980s they were converted into a residential private layout. Jaraganahalli and Bilekahalli began developing in 1970s. They typically represent more diverse kinds of developments – BDA planned layouts, housing building activities by HBCS, private housing estates, small private layouts, small-scale industrial areas, etc. – than the other two places. And these two places represent a kind of transition into new forms of spatial formation. Therefore Jaraganahalli and Bilekahalli were finally chosen for the study. They later became a part of the study became part of the ribbon developments initially and part of large-scale developments covering the whole of the village lands. What is significant about these places? Jaraganahalli represents dominantly the unplanned spatial formation, whereas Bilekahalli represents dominantly a planned spatial formation. Both of them are a mix of both the kinds of developments. Within the old village pockets, a survey was undertaken to identify the natives of the village, land ownership, legal disputes, different kinds of land development, etc.

At Bilekahalli, according to census taken up by the researcher for the survey in the year 2002 total of 350 households were residing in the old village. Of the 350 households 180 were the old native inhabitants and the remaining were migrants. Of the 180 households 112 belonged to Thigala caste, 52 to Adi-Karnataka, 6 to Gowda/Vokkaliga, 2 each to Mudaliar, Bestharu Golla, Bale-banajiga, and two did not reveal their caste. Given the nature of heterogeneous population and since most the villagers were involved in the land development process at one level or the other, stratified sampling was made to choose equal number of respondents from each caste group for detailed interviews. Total number of 90 old native inhabitant caste households (50%)

were finally sampled for interviews. Within each caste group random sampling was made for detailed interviews. Interview schedule was prepared for gathering further information/data which could be seen in the appendix at the end. Apart from that, many a time, general discussions with the old inhabitants at the Ashwatkatte (the village banyan tree with its deities and the platform- a religious and a common meeting place) and Veerabhadraswamy Devasthanada Katte (front portion of Veerabhadraswamy temple platform- a religious and a common meeting place) yielded some information on the changes taking place in the villages and its environment. Many respondents shared their old documents and information, and one of them had even maintained a small archive of the happenings in the village with regard to acquisitions, court proceedings, petitions to various officials, press clippings, etc. I had access to them.

At Jaraganahalli, according to census survey conducted in the year 2002, a total of 450 households were residing in the old village. Of the 450 households, 160 were the old inhabitants and the remaining were migrants. Of the 160 households, 126 belonged to Thigala caste, 2 each belonged to Adi-Karnataka, Bale-banajiga, Brahmans, Ganiga, Sadaru, and Agasa, 4 to Golla, 4 each belonged to Golla, Reddy, and Lingayat, and 10 to Achary Viswakarma. Given the nature of heterogeneous population and since most the villagers were involved in the land development process at one level or the other, stratified sampling was made to choose the equal number of respondents from each caste group for detailed interviews. Within each caste group random sampling was made for detailed interviews. Total number of 90 old native inhabitant caste households (50%) were finally sampled for interviews. Interview guide/schedule was prepared for gathering further information/data which could be seen in the appendix at the end.

Notes and References

¹ For more details, see the work of Peter Saunders 1989, *Social Theory and the Urban Question*, Routledge, London, and M. Gottdiener 1997, *The Social Production of Urban Space*, University of Texas, Austin, which trace the origins of understanding of city and the evolution of urban theory.

² M. Gottdiener and Leslie Budd. 2005. *Key Concepts in Urban Studies*, London: Sage Publications, p.87.

³ See Manuel Castells' (1977) *The Urban Question: A Marxist Approach*, Edward Arnold, London; M. Gottdiener ([1994] 1997) *The Social Production of Urban Space*, University of Texas Press, Austin; Saskia Sassen (1991) *The Global City: New York London Tokyo*, Princeton University Press, Princeton; Neil Brenner. 2000. 'The Urban Question as a Scale Question: Reflections on Henri Lefebvre, Urban Theory and the Politics of Scale'. *International Journal of Urban and Regional Research*, Vol. 24.2 June 2000. pp. 361-378; Neil Brenner (2004), *New State Spaces: Urban Governance and the Rescaling of Statehood*, Oxford University Press, New York.

⁴ Manuel Castells ([1989] 1996) *The Informational City: Information Technologies, Economic Restructuring, and the Urban-Regional Process*, Blackwell Publishers, Oxford/Massachusetts and Sassen (1991) *The Global City*. Generally it is known now that in the post-second world war period there were two phases of political-economic structuring- One being the 'protective' phase of national economies with major governmental expenditures and the other being the 1970s economic crisis in the Western economies and the consequent restructuring of economies with least governmental expenditures and 'internationalization' of economies. Further much dependence of developing countries was generated with the increased borrowing from the international financial institutions. This pattern, more or less, structuring economies and restructuring of economies was replicated in the developing countries too (Castells [1989] 1996: 3-4).

⁵ Neil Brenner (2004), *New State Spaces: Urban Governance and the Rescaling of Statehood*, p. 5.

⁶ Ibid, p. 2. Significant changes in the urban policy covering all state activities directed towards the 'regulation of capitalist urbanization' since the early 1970s clearly indicate 'fundamental reworking of national statehood' (ibid: 2).

⁷ For Brenner, these terms- "are rather poorly equipped to grasp the complex, perpetually changing interconnections and interdependencies among geographical scales. For, insofar as terms such as local, urban, regional, and so forth are used to demarcate purportedly separate territorial 'islands' of social relations, they mask the profound mutual imbrications of all scales" (ibid: p. 7).

Further, the social-scientific disciplinary formal boundaries viz., urban studies, regional studies, comparative politics, etc., too are derived from the 'distinctive scalar foci' which adds to fuzziness in capturing the 'complex, perpetually changing interconnections and interdependencies' between various geographical scales. Therefore it is, also a methodological challenge to conceptualize the dynamic scalar interconnections. Thus it is suggested (a) to conceptualize "scale as a process" rather than as a 'permanently fixed, pregiven thing'; (b) to conceptualize 'the intrinsic relationality of all geographical scales and their embeddedness within broader interscalar hierarchies'; and (c) to develop "postdisciplinary" methodologies that emphasize interscalar relations and multiscale transformations rather than ontologizing the distinct scalar foci upon which traditional disciplinary divisions of labor have been grounded' (ibid: p. 8).

⁸ Henri Lefebvre. 1991 [1974]. *The Production of Space*. Oxford/Massachusetts: Blackwell Publishers, p. 86.

⁹ Saskia Sassen 2000, 'New Frontiers Facing Urban Sociology at the Millennium', *British Journal of Sociology* Vol. No. 51 Issue No. 1 (January/March 2000) p. 144. Despite that being the case of urban sociology, Sassen calls forth to pay attention to 'globalization and the rise of the new information technologies, the intensifying of transnational and translocal dynamics, and the strengthening presence and voice of socio-cultural diversity' (p. 144). These trends are only part of urban condition, and are not confined to urban only, but 'are strategic in that they mark the urban condition in novel ways... [thus] a key research site for their examination' (ibid: pp. 144-145).

¹⁰ R. E. Park. 1974 [1925]. "The City: Suggestions for the Investigation of Human Behaviour in the Urban Environment. In *The City*, R. E. Park, et. al. Chicago: The University of Chicago Press. pp. 5-6.

¹¹ Ibid, p. 6.

¹² For more details and diagrammatic view of city concentric circles, see the chapter by E. W. Burgess. 1974 [1925]. "The Growth of the City: An Introduction to a Research Project". In *The City*, R. E. Park, et. al. Chicago: The University of Chicago Press.

¹³ M. Gottdiener and Leslie Budd. *Key Concepts in Urban Studies*, p. 84.

¹⁴ Ibid: pp. 85-86.

¹⁵ Ibid: pp. 88-90.

¹⁶ Manuel Castells. 1977. *The Urban Question: A Marxist Approach*. London: Edward Arnold, p. 121.

¹⁷ Ibid: p. 115.

¹⁸ Ibid: p. 124. Althusserian historical-materialist framework is employed to understand the urban socio-spatial forms. Briefly, it meant, "the historical articulation of several modes of production. By mode of production...[it is] the particular matrix of

combinations of the fundamental instances (systems of practices) of the social structure: essentially the economic, the politico-institutional and ideological. The economic, namely the way in which the 'worker', with the help of certain means of production, transforms nature (object of labour) in order to produce the commodities necessary for social existence, determines, in the final resort, a particular form of the matrix, that is to say, the laws of the mode of production. The combinations and transformations between the different systems and elements of structure are brought about by the mediation of the social practices, that is to say, by the action of men, determined by their particular location in the structure thus defined" (ibid: 125).

¹⁹ Ibid, 234.

²⁰ Ibid, p. 234.

²¹ Ibid, p. 115.

²² In ancient Greek polis and in the medieval cities the foundation of urban unit was politico-juridical apparatus, whereas in advanced capitalism, metropolitan regions are constituted prominently by economic instance than anything else (ibid: 235).

²³ Manuel Castells. 1974. "Theory and Ideology in Urban Sociology". In *Urban Sociology: Critical Essays*. Ed. C. G. Pickvance, London: Tavistock, pp. 78-79.

²⁴ Manuel Castells *The Urban Question*, p. 261.

²⁵ Manuel Castells 1977 *The Urban Question*; Manuel Castells. 1978. *City, Class and Power*, New York: Macmillan.

²⁶ M. Gottdiener. *The Social Production of Urban Space*, pp. 118-119. See ibid: pp. 118-120, for extended polemical critique of the Castells' idea of 'crisis' and 'social pathology' enunciated by Chicago School, insistence on the specificity of the 'urban', etc.

²⁷ Ibid, p. 123.

²⁸ Ibid, p. 123.

²⁹ Ibid, pp. 124-125.

³⁰ Henri Lefebvre. *The Production of Space*, p. 85.

³¹ M. Gottdiener. *The Social Production of Urban Space*, p. 128.

³² Lefebvre as quoted in M. Gottdiener. *The Social Production of Urban Space*, p. 127

³³ Ibid, p. 126.

³⁴ Ibid, p. 127.

³⁵ Ibid, p. 130.

³⁶ Ibid, p. 122.

³⁷ Henri Lefebvre. *The Production of Space*, p. 325.

³⁸ Henri Lefebvre. *The Production of Space*, pp. 325-326.

³⁹ Quoted from Henri Lefebvre's interview in Ira Katznelson. 2004. *Marxism and the City*. New York: Oxford University Press: p. 96.

⁴⁰ Henri Lefebvre 1996, *Writings on Cities*, translated and edited by Eleanore Kofman and Elizabeth Lebas, Blackwell Publishers Limited, Oxford, pp. 66-69.

⁴¹ M. Gottdiener 1997, *The Social Production of Urban Space*, pp. xi-xii.

⁴² Lefebvre as quoted in M. Gottdiener 1997, *The Social Production of Urban Space*, pp. 184-185.

⁴³ Henri Lefebvre 1996, *Writings on Cities*, p. 69.

⁴⁴ Ibid, p. 76.

⁴⁵ Ibid, p. 77.

⁴⁶ For Lefebvre, the nature of class strategy operates in the manner following: "Urban order thus decomposes into two stages: individual and owner-occupied houses and housing estates. But there is no society without order, signified, perceptible legible on the ground. Suburban owner-occupied detached houses and housing estates. This opposition tends to constitute a system of significations still urban even into de-urbanization. Each sector defines itself (by and in the consciousness of the inhabitants) in

relation to the other, against the other. The inhabitants themselves have little consciousness of the internal order of their sector, but the people from the housing estates see and perceive themselves as not being dwellers. This is reciprocal. At the heart of this opposition the people of the housing estates entrench themselves into the logic of the habitat and the people of owner-occupied houses entrench themselves into the make-believe of habitat. For other it is the presence of the dream, of nature health, apart from the bad and unhealthy city. But the logic of the habitat is only perceived in relation to make-believe, and make-believe in relation to logic. People represent themselves to themselves by what they are lacking or believe to be lacking. In this relationship, the imaginary has more power. It overdetermines logic: the fact of inhabiting is perceived by reference to the owner-occupation of detached dwellings. These dweller regret the absence of a spatial logic which the people of the housing estates regret not knowing the joys of living in a detached house...What should be noted is that *consciousness of the city and of urban reality is dulled* for one or the other, so as to disappear...The suburbs are urban, within a dissociated morphology, the empire of separation and scission between the elements of what had been created as unity and simultaneity" (Lefebvre 1996: 80).

⁴⁷ Ibid, p. 79.

⁴⁸ M. Gottdiener 1997, *The Social Production of Urban Space*, p. xiv.

⁴⁹ Henri Lefebvre 1993, *The Production of Space*, p. 51.

⁵⁰ Henri Lefebvre 1993, *The Production of Space*, p. 296.

⁵¹ Henri Lefebvre 1993, *The Production of Space*, p. 307.

⁵² Ibid, pp. 307-308.

⁵³ William H. Form. 2002[1954]. "The Place of Social Structure in the Determination of Land Use: Some Implications for a Theory of Urban Ecology". In *The City: Critical Concepts in the Social Science Vol. II- Land Use, Structure and Change in the Western City*. Ed. Micheal Pacione. London and New York: Routledge, p. 83.

⁵⁴ Harvey M. Jacobs. (2010). "Land Development". In *Encyclopedia of Urban Studies*, ed. Ray Hutchison. Los Angeles: Sage Publications, p. 429.

⁵⁵ M. Gottdiener 1997, *The Social Production of Urban Space*, p. 176.

⁵⁶ M. Gottdiener 1997, *The Social Production of Urban Space*, p. 88.

⁵⁷ M. Gottdiener 1997, *The Social Production of Urban Space*, p. 90.

⁵⁸ M. Gottdiener 1997, *The Social Production of Urban Space*, p. 91.

⁵⁹ David Harvey. 2002 [1978]. "The Urban Process Under Capitalism: A Framework for Analysis". In *The City: Critical Concepts in the Social Science Vol. II- Land Use, Structure and Change in the Western City*. Ed. Micheal Pacione. London and New York: Routledge, p. 10.

⁶⁰ Ibid, p. 11.

⁶¹ Ibid, pp. 11-12. Investments in science and technology are to revolutionize productive forces in society to increase production. The investments on labour reproduction are materialized in the form of investments in education, health, etc., for qualitative improvement and on the investments in co-option, integration, repression of labour force by ideological, military and other means (ibid: 12).

⁶² Ibid, p. 15.

⁶³ Ibid, pp. 15-16.

⁶⁴ Ibid, pp. 16-17.

⁶⁵ M. Gottdiener 1997, *The Social Production of Urban Space*, p. 101.

⁶⁶ Ibid, p. 102.

⁶⁷ Ibid, p. 102.

⁶⁸ Ibid, p. 102.

⁶⁹ Shoukry T. Roweis and Allen J. Scott. 1981. "The Urban Land Question". In *Urbanization and Urban Planning in Capitalist Society*. Micheal Dear & Allen J. Scott (Eds.). London: Methuen, p. 134.

⁷⁰ Ibid, p. 135.

⁷¹ Ibid, pp. 135-136.

⁷² Ibid, p. 139.

⁷³ .Gottdiener 1997, *The Social Production of Urban Space*, p. 163.

⁷⁴ Ibid, p. 163.

⁷⁵ Ibid, p. 178.

⁷⁶ Ibid, p. 179.

⁷⁷ Ibid, p. 179.

⁷⁸ Ibid, p. 189.

⁷⁹ Ibid, p. 190.

⁸⁰ Ibid, p. 191.

⁸¹ Ibid, p. 164.

⁸² Ibid, p. 169.

⁸³ Ibid, pp. 170-173.

⁸⁴ Marc Los 1981, "Some Reflexions on Epistemology, Design and Planning Theory". In *Urbanization and Urban Planning in Capitalist Society*, Micheal Dear (et.al.), London/New York: Methuen. The interest in the planning theory has had many origins. Marc Los traces it to 'the desire of practicing planners to give a meaning and some usefulness to their role in society'. 'Academic planners' felt the need to comprehend the connection between methodology and theories of planning, actual planning practice as related to planning education, 'the need felt by some planners to improve by means of planning the distribution of power in society', and the need for the critical or radical view of planning practice and the theory and method (ibid: 63).

Peter Hall. 2002. *Urban and Regional Planning*. London/New York: Routledge. Peter Hall defines "planning as a general activity...[in] making of an orderly sequence of action that will lead to the achievement of a stated goal or goals. Its main techniques will be written statements, supplemented as appropriate by statistical projections, mathematical representations, quantified evaluations and diagrams illustrating relationships between different parts of the plan. It may, but need not necessarily, include physical blueprints of objects" (ibid: 3). . The 'subject matter' of planning includes whichever the object is to be planned, which includes the 'process of planning' the object and in 'the way we assume control over physical and human matter, and process it to serve their defined ends' (ibid: 5).

⁸⁵ Ibid, p. 4

⁸⁶ Ibid, p. 4

⁸⁷ Marc Los. 1981, *Some Reflexions on Epistemology, Design and Planning Theory*; Peter Hall. 2002, *Urban and Regional Planning*; Scott Campbell & Susan Fainstein eds. 2003. *Readings in Planning Theory*, Oxford/Melbourne: Blackwell Publishers Limited.

⁸⁸ Peter Hall. 2002, *Urban and Regional Planning*, p. 4.

⁸⁹ Geddes was influenced by French Sociologist P. G. F. le Play's work which emphasized the "intimate and subtle relationships which existed between human settlement and the land, through the nature of the local economy" (Hall 1996: 49). Given that framework, Geddes based his study by observing 'reality' by 'close analysis of settlement patterns and local economic environment' and the expansion of the cities in their regions with the suburban growth which was first time termed as *conurbations* or agglomerations. Geddes' approach to urban-region gave 'planning a logical structure' (ibid: 49).

⁹⁰ Ibid, p. 229.

⁹¹ System planning fashioned on the basis of the ideas derived from the latest science of the times- 'cybernetics'. Though the subject matter of urban planning remained the same, the derived aspects of the cybernetics were to bring changes in the way existing knowledge was to be organized about the wide range of phenomena. "Its central notion is that many such phenomena – whether they are social, economic, biological or physical in character – can usefully be viewed as complex interacting systems... [with] their different parts can be separated, and the interactions between them can be analysed. Then, by introducing appropriate control mechanisms, the behavior of the system can be altered in specific ways, to achieve certain objective on the part of the controller" (Hall 1996: 229). Systems planning was not without critique. The critique concentrated on the planning decisions made, had to face unpredictable results due to the uncertainties created by the external environment and knowledge of it was inadequate viz., kinds of pollution; planning decisions might go wrong because of the complex interrelationships between various levels of the planning systems and the interrelationships between various elements at various levels in a given planning situation viz., the local priorities might not match with the regional or national level priorities of planning decisions; preparation of the complex planning takes years, but human values change faster so there is a gap between the two; and there is conflict between different sets of

values(ibid: 242-244). That apart, ‘planning decisions are political in nature’ - “Unfortunately, as is well known, political decision-making is a highly imperfect art. Ordinary people are given the choice of voting every four or five years for a national government, and perhaps every three years [in India it remains to be five years at local level too] for a local government; in either case, they must vote on a confusing bundle of different policies, in which planning issues are well down the list...Pressure groups may achieve effective action on particular issues, but they tend to be formed and populated disproportionately by those groups in society that are better educated, better informed and better organized – which, in most cases, also means richer.” (ibid: 245).

⁹² Peter Hall. 2002, *Urban and Regional Planning*; Scott Campbell & Susan Fainstein eds. 2003. *Readings in Planning Theory*.

⁹³ Marc Los. 1981, *Some Reflexions on Epistemology, Design and Planning Theory*; Scott Campbell & Susan Fainstein eds. 2003. *Readings in Planning Theory*.

⁹⁴ Marc Los. 1981, *Some Reflexions on Epistemology, Design and Planning Theory*, p. 64.

⁹⁵ Peter Hall. 2002[1975]. *Urban and Regional Planning*. New York/London: Routledge, p. 31.

⁹⁶ Ibid: pp. 32-33.

⁹⁷ Ibid: p. 33.

⁹⁸ Ibid: pp. 33-34.

⁹⁹ Ibid: p. 35.

¹⁰⁰ Ibid: pp. 36-38.

¹⁰¹ Ibid: p. 43.

¹⁰² Ibid: p. 44.

¹⁰³ “Here, each home would be surrounded by an acre of land, enough to grow crops on; the homes would be connected by superhighways, giving easy and fast travel by car in any direction. Along these highways he proposed a planned roadside civilization, in which the petrol (‘gas’) station would grow naturally into the emporium for a whole area; thus he anticipated the out-of-town shopping centre some twenty years before it actually arrived in North America... In fact, Wright’s description of Broadacre City proved to be an uncannily accurate picture of the typical settlement form of North America after the Second World War – except that today the big 1/2-acre or 1-acre (0.2–0.4 ha) lots grow very little food to support their families. The form developed without the underlying social basis that Wright so devoutly hoped for” (ibid: pp. 44-45).

¹⁰⁴ Ibid: 48-49.

¹⁰⁵ Ibid: 45.

¹⁰⁶ Ibid: pp. 50-51.

¹⁰⁷ Ibid: pp. 53-54.

¹⁰⁸ Scientific epistemology was based on “the notion that it was scientific, in the sense that the world could be completely understood and its future states predicted; the notion that planning could be value-free, in that the planner could disinterestedly determine what was best for society; the notion that the planner was planning for a society that was a homogenous aggregate, in which the welfare of the entire people was to be maximized, without too much concern with distributional questions; and the notion that the task of planning was to come to terms with – which, in practice, meant adapting to – the facts of rapid growth and change” (Hall 1996: 246).

¹⁰⁹ The experiments in the US and the UK are case in point. In the US “Community action in planning” became popular. In 1970s in the UK influence of intellectual currents in Marxism held a sway over the planning exercise leading to the ‘community development projects’ at local levels in the cities (Hall 1996: 247).

¹¹⁰ Paul Davidoff, ((1965) 2003). “Advocacy and Pluralism in Planning.” In Scott Campbell & Susan Fainstein eds. (2003), *Readings in Planning Theory*, Blackwell Publishers Limited, Oxford/Melbourne, p. 211).

¹¹¹ Advocacy planning formulated in the context of protests against racial discrimination in the USA and the subsequent specification by the US Supreme Court for equal protection by laws of all the citizens and the host of welfare measures, initiative adopted by the US congress.

¹¹² Paul Davidoff, ((1965) 2003). “Advocacy and Pluralism in Planning”, p. 210.

¹¹³ Ibid, p. 212.

¹¹⁴ Ibid: 212.

¹¹⁵ Ibid: 212.

¹¹⁶ Ibid: 214.

¹¹⁷ Ibid: 214.

¹¹⁸ Ibid: 219.

¹¹⁹ Ibid: 219.

¹²⁰ John Friedmann, ([1993]2003) "Toward a *Non-Euclidian* Mode of Planning." In Scott Campbell & Susan Fainstein eds. (2003), *Readings in Planning Theory*, Blackwell Publishers Limited, Oxford/Melbourne, p.75.

¹²¹ Ibid, p. 75.

¹²² Ibid, p. 76

¹²³ Ibid, p. 76.

¹²⁴ Ibid, pp. 76-77. According to Friedmann (2003[1993]) with this time and space, the non-Euclidian planning would be characterized by normative, innovative, political, transactive and based on social learning. *Normative planning* takes place in a political atmosphere and planners serve the needs of the "special interests". For Friedmann such one sided or skewed planning is unacceptable. Thus he invents an ideal of planning what he terms it as humanist vision which could be the 'ideals of inclusive democracy, giving voice to the disempowered; integrating disempowered groups into the mainstream of economic and social life while preserving cultural diversity; privileging qualitative over quantitative growth; including the notion of sustainability; gender equality; and respect for natural world'. *Innovative planning*- Since the public domain/realm presents a political consciousness which stems from the social, physical and environmental problems innovative planning should take into consideration the problems of political consciousness to arrive at "creative solutions". Planning should be focused rather than being comprehensive in scope- it should address the present rather than the future institutional and procedural aspects. It should be flexible according to the case at hand. Resource mobilization is more important than the central allocation; it is entrepreneurial; planner need prerequisite skills to negotiate, mediate and compromise in the context of different claims and demands. *Political*- Since non-Euclidian planning is political in the sense that 'real-time knowledge and action' are not separate processes, implementation acquires a critical dimension. Implementation involves strategies and tactics within the limits of scope of 'legality and peaceful practice' to ward of the resistance against change which the plan wants to bring about. Resistance to change which would bring about something new 'because it threatens to displace something that all ready exists'. It is not merely the economic factors but also the whole set of non- economic factors. Thus planning has to take political power seriously as a part of planning strategy. *Transactive*- Planner is called upon to combine both expertise and experiential knowledge. Former kind belongs to the trained professional planner and the latter belongs to the people. Expertise knowledge is codified where as experiential knowledge is not. This transactive exercise would be situation specific and would aid the planner to find diversity of solutions to regional and local problems. *Social Learning*- Planning exercise is called for social learning which involves "critical feedback and a strong institutional memory". That would mean openness/transparency and democratic procedures. Planning is called for evaluation, criticism, accountability, etc. Given all the above enunciated virtues of planning the new urban professional would be a "responsible" professional if one imbibes all those virtues (ibid: 77-80).

¹²⁵ Patsy Healey ([1996]2003) *The Communicative Turn in Planning Theory and its Implications for Spatial Strategy Formation*. In Scott Campbell & Susan Fainstein eds. (2003), *Readings in Planning Theory*, Blackwell Publishers Limited, Oxford/Melbourne, p. 237.

¹²⁶ ibid, p. 238.

¹²⁷ ibid, p. 238.

¹²⁸ Neither comprehensive planning process which was based on instrumental rationality nor the political economy which devastatingly critiqued the planning by exposing asymmetrical power relations would suffice because both the approaches left some more issues and questions unaddressed/unanswered. The approach of instrumental rationality is termed 'strait-jacket' which only identifies problems in need of strategic attention. The political economy approach formulated its ideas only in terms of power struggles between capital and community, between fractions of capital, between economic growth and environmental quality and distribution of material resources (Healey 2003: 238-239).

¹²⁹ ibid, p. 239.

¹³⁰ ibid, p. 237.

¹³¹ This articulation was influenced by Habermas' concerns of reconstructing public realm which more fully reflects the range of our ways of knowing and reasoning than the narrow diminished world of instrumental rationality and the dominant interests of economic and bureaucratic power. He shows us that we are not autonomous subjects competitively pursuing our individual preferences, but that our sense of ourselves are socially constructed through our communication and in collaboration with others (Healey 2003: 239).

¹³² The "public reasoning" that accepts, the participation of all members of the political community and their argumentation which generates source of knowledge to arrive at solutions. Such participation would be a "better" argument for justification for the actions and solutions. Involved in the process are the diverse sources of social and intellectual capital, the deconstruction of the different kinds of language/discourse to unravel the hidden values in understanding and their power (Healey 2003: 240-241). What is the communicative approach to spatial strategy? The communicative approach to planning spatial strategy moves away from the "traditional" approach which concentrates on policy making based on formal political, administrative and legal systems. The traditional sub systems "create formal arenas and allocate rights to be represented and heard in these arenas. Their form privileges some and marginalizes others. Analysis has until recently tended to concentrate on who wins and loses through the form of such systems, and how the "politics of voice", of articulate interests, challenges the power of "bureaucracy" and "capital". The spatial strategy arises in particular institutional settings when there is a moment of opportunity, crack in the power relations, a situation of

contradiction and conflict which drives various actors to explore the need to reflect on what they are doing, that they need to work with different people, that they need to evolve different processes. Significant among the critical resources is the 'capacity to read the cracks, to see the opportunities for doing things differently, and to be able to widen crack into a real potential for change' (ibid: 244). In this connection the role of "leaders" from different institutional settings and relationships becomes important to make 'an acute sense of the relation between the structural dynamics of local economic, social, and political relations and how the same manifests in what particular people in a place are bothered about' (ibid: 244).

¹³³ ibid, p. 246.

¹³⁴ Such different expressions – as metaphors and images – are significant since they carry meaning within the particular meaning understood by placing it within the particular cultural frame of reference. Thus the planners should be sensitive to intercultural communication and local knowledge (Healey 2003: 247).

¹³⁵ A 'key quality of inclusionary strategic argumentation' is the capacity to keep under explicit review the various ways the members of a political community describe, to each other, both themselves, and the others of significance to them, as they engage in discussion. This needs to be accompanied by the ability to maintain active respect and appreciation for those members who for one reason or another are "not present" (Healey 2003: 247).

¹³⁶ What leads to development of a new discourse with new diverse understandings by exploring different 'story lines' 'who belongs in a story' and 'acknowledging what is ignored in a strategy and why', by the way of critique one would take into account the 'explicit approach to conflict resolution'. To begin with, right to challenge the consensus built and such challenges that could be redeemed by creating space and opportunities by the way of 'reflexive critique'- by continually monitoring to assess if a strategy would still make sense, 'whether its storyline still rings true; whether a new story line has emerged over time, and whether this is as inclusionary as the old' (Healey 2003: 247-251).

¹³⁷ Susan S. Fainstein (2003), 'New Directions in Planning Theory'. In Scott Campbell & Susan S. Fainstein eds. (2003), *Readings in Planning Theory*, Blackwell Publishers Limited, Oxford/Melbourne, p. 181.

¹³⁸ ibid, pp. 181-182.

¹³⁹ ibid, p. 185.

¹⁴⁰ While saying all that, just city theorists are conscious of certain dynamics of the operations within the system- (a) Utopian concepts that are sold have a force behind them which make 'people think that they want what you are offering'; (b) Socialist understanding of economic growth simply as capital accumulation will fail despite its achievement of greater equality without economic growth which would also benefit most of the people if redistributed; (c) Whereas the market model or neo-liberalism thrives popularly due to its influence of promise in the context of growing inequality; (d) despite participation is democratic process in the public decision making there is little likelihood to eschew dominance and provide greatest access to organizational and financial resources, freedom or self expression for the minorities; (e) and democratic principles could 'easily accommodate ineffective or harmless minorities but flounder when confronted with right-wing militants, religious dogmatists and racial purists and democracy is not about a mere procedural norm but rather has a "substantive content", both state and civil society may be – "good" and "bad"' (Fainstein, 2003: 185-188).

¹⁴¹ Scott Campbell & Susan Fainstein 2003, *Readings in Planning Theory*, p. 7.

¹⁴² Ibid, p. 7.

¹⁴³ Heather Campbell and Robert Marshall, 1999, 'Ethical Frameworks and Planning Theory', *International Journal of Urban and Regional Research* September, Vol. 23, Issue 3, p. 464.

¹⁴⁴ Ibid, 464.

¹⁴⁵ Ibid, 464.

¹⁴⁶ In all the older debates on planning too – comprehensive versus incremental, top-down versus bottom-up leadership, and people oriented versus place oriented – public interest was central (Campbell & Fainstein 2003: 12).

¹⁴⁷ Scott Campbell & Susan Fainstein 2003, *Readings in Planning Theory*, p. 13.

¹⁴⁸ Summary of the key ethical principles underlying theories of planning

Ethical principles	Technocratic Rationalism	Theories of planning		Communicative Planning	Advocacy Planning
		Professionalism/ Procedural Planning	Incrementalism/ Pragmatism		
Ethical reasoning					
– Teleological	✓				✓
– Deontological		✓	✓	✓	✓
Focus of concern					
– Universal	✓				
– Relative/subjective		✓	✓	✓	✓
Interests served					
– Individual	✓		✓		
– Community				✓	
– Common		✓			✓

Source: Campbell & Marshall 1999: 469

¹⁴⁹ Scott Campbell & Susan Fainstein 2003, *Readings in Planning Theory*, p. 13.

¹⁵⁰ Heather Campbell and Robert Marshall, 1999, 'Ethical Frameworks and Planning Theory,' *International Journal of Urban and Regional Research* September, Vol. 23, Issue 3, pp. 465-478.

¹⁵¹ Ibid, p. 471.

¹⁵² Susan S. Fainstein (2003), *New Directions in Planning Theory*, pp. 190-191; Heather Campbell and Robert Marshall, 1999, *Ethical Frameworks and Planning Theory*, p. 476.

¹⁵³ Susan S. Fainstein (2003), *New Directions in Planning Theory*, p. 190.

¹⁵⁴ David C. Perry ([1995] 2003) *Making Space: Planning as a Mode of Thought*. In Scott Campbell and Susan S. Fainstein (eds.) *Readings in Planning Theory*, Blackwell Publishers Limited, Oxford, p. 143.

¹⁵⁵ Susan S. Fainstein (2003), *New Directions in Planning Theory*, p. 190.

¹⁵⁶ Heather Campbell and Robert Marshall, 1999, *Ethical Frameworks and Planning Theory*, p. 475.

¹⁵⁷ "It is only defensible as an activity if it is believed that it will deliver a future that is 'better' than that which would result without. What is 'better' must confront substantive, but contestable, issues concerning what is good. In so doing it will involve critical questioning of the role and nature of the taken-for-granted pillars of planning such as the plan and also the relationship between planning and the democratic process. The lack of engagement with issues of value is in many ways paradoxical given that planning was founded on the belief that it could, at least, contribute to the creation of a better world. The acknowledgement of difference and respect for the individual is, of course important but we should be wary of falling into a trap where critical questioning of what is good, or for that matter right, becomes impossible. In considering future development in planning theory would endorse...[the] view that normative thinking need not be utopian in the sense of being unfeasible but can and should address the appropriateness of desirable alternatives" (Campbell & Marshall 1999: 476).

¹⁵⁸ Planning is viewed as 'response to the turmoil of modernization'. It has been responsive model of corporate capitalism and 'a challenge to the worst excesses of the very forces of privatism' (Perry [1995] 2003: 146).

¹⁵⁹ David C. Perry ([1995] 2003) *Making Space: Planning as a Mode of Thought*, p. 148.

¹⁶⁰ Ibid, p. 151.

¹⁶¹ The inflows of capital from primary circuit of capital into the secondary circuit and not vice-versa (see Lefebvre [1974] 1993: 335-336; Topalov 1985: 25; M. Gottdiener 1997: 184-185) (Christian Topalov (1985) *Prices, Profits and Residential Development: France 1960-80*. In M. Ball et. al. (eds.) *Land Rent, Housing and Urban Planning*, Croom Helm Ltd., Kent.

¹⁶² Henri Lefebvre 1996, *Writings on Cities*, translated and edited by Eleanore Kofman and Elizabeth Lebas, Blackwell Publishers Limited, Oxford, p. 84.

¹⁶³ The process was typically marked by the outward exodus from the central business districts by the middle classes and industry to the newer locations for which land was developed and was aided by the expanded transport networks, especially the roads and private ownership of the car. The result was the outward spread of the low density suburban areas which became costlier in terms of providing civic infrastructures and services and tax returns were low or rather taxes imposed were low resulting in the fiscal crisis. Whereas central business districts were overcrowded with the blue collared workers' concentration and also added to the problem was the need to expand the parking facilities given the expanded transport pattern which was only creating acute shortage

of low-income housing. There were general shortages in the production of the peripheral land due to restricted expansion. The result was the increasing prices of land in the central business districts which contain the office activities and the retail business thus leading to the intensification of land uses and land hoarding. Such a process, on the one hand, has led to serious transport problems- overloaded transit systems, congested central streets, scarcity of parking facilities, etc., which calls attention of the public authorities through political pressures to plan to improve the transport networks. With the improvement in the transport networks the result is the creation of the locational advantages within the central business districts which further increase in the land prices and land use intensification. On the other hand, old residential neighbourhoods which encircle the central business core come under two kinds of pressures- 1. With the increase in the land prices in the business core which increases the pressure to redevelop the encircling low-income residential properties into office and commercial space, and 2. With the increase in the proportion of the white-collar over the blue-collar employment in business core area, the middle-income families find encouraged to buy and renovate the existing old properties of low income neighbourhood surrounding business core area. The Consequence of these pressures would threaten the low income neighbourhoods of the dispossession of their housing properties and their relocation to the periphery. This whole process leads to the disruption and confrontation which further spirals the land prices and so on (Roweis & Scott 1981: 124-127).

¹⁶⁴ Shoukry T. Roweis & Allen J. Scott, 1981, *The Urban Land Question*. In Micheal Dear and Allen J. Scott (eds.) *Urbanization and Urban Planning in Capitalist Society*, Methuen: London/New York; Patsy Healy et al., 1988, *Land Use Planning and the Mediation of Urban Change*, Cambridge University Press, Cambridge; Susan S. Fainstein, 1994, *The City Builders- Property, Politics, & Planning in London and New York*, Blackwell Publishers, Oxford.

¹⁶⁵ Tony Champion and Graeme Hugo (eds) 2004, *New Forms of Urbanization- Beyond the Urban-Rural Dichotomy*, Ashgate Publishing Limited, Aldershot, p. 3. In most developed countries 75% percent of their aggregate population live in urban areas according to latest estimates. It is expected that by 2025 in Asia and Africa 50% of their aggregate populations would live in urban areas (ibid: p.11). In Latin America and the Caribbean greater proportion of their populations live and work in the urban areas. "Asia despite has the second lowest level of urbanization in the world (37.5 per cent of its population lived in urban areas in 2000), had the highest number of persons living in urban areas (1.4 billion). Europe (with 534 million urban dwellers), Latin America and the Caribbean (391 million) and Africa with 295 million follow as the major areas with the second to fourth largest urban populations in 2000" (Zlotnik 2004: pp. 47-48). Hania Zlotnik 2004, *World Urbanization: Trends and Prospects*. In Tony Champion and Graeme Hugo (eds) 2004, *New Forms of Urbanization- Beyond the Urban-Rural Dichotomy*, pp. 47-48. In the similar vein, in the context of urbanization in Philippines, Kelly (1999) argues that extended urban regions or mega-urban regions or 'desakota' have come into existence blurring the difference between urban and rural. Philip F. Kelly 1999, *Everyday Urbanization: The Social Dynamics of Development in Manila's Extended Metropolitan Region*, *International Journal of Urban and Regional Research* June 1999 - Vol. 23 Issue 2 Page 201-414.

¹⁶⁶ Stella Lowder, 1993, *The limitations of planned land development for low-income housing in Third World cities*, *Urban Studies*; Aug93, Vol. 30 Issue 7, p1241, 15p, 4 charts, <http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=9311242115&site=ehost-live> accessed on November 7th, 2007.

¹⁶⁷ David E. Dowall & Giles Clarke, 1996, *A Framework for Reforming Urban Land Policies in Developing Countries*, The International Bank for Reconstruction and Development/The World Bank, Washington, p. 6.

¹⁶⁸ David E. Dowall & Giles Clarke, 1996, *A Framework for Reforming Urban Land Policies in Developing Countries*, p. 6.

¹⁶⁹ Stella Lowder, 1993, *The limitations of planned land development for low-income housing in Third World cities*.

¹⁷⁰ Stella Lowder, 1993, *The Limitations of Planned Land Development for Low-income Housing in Third World cities*; See also Peter Ward and Edith Jimenez, 1993, *Residential Land Price Changes in Mexican Cities and the Affordability of Land for Low-income groups*, *Urban Studies*; Nov93, Vol. 30 Issue 9, <http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=9404180507&site=ehost-live> accessed on November 7th, 2007.

¹⁷¹ Stella Lowder, 1993, *The Limitations of Planned Land Development for Low-Income Housing in Third World cities*,. See also Ambe J. Njoh, 1998, *The Political Economy of Urban Land Reforms in a Post-Colonial State*, *International Journal of Urban and Regional Research* September 1998 - Vol. 22 Issue 3 Page 355-537.

¹⁷² R. Ramachandran, 1989, *Urbanization and Urban Systems in India*, Oxford University Press, Delhi, pp. 70-73.

¹⁷³ James Heitzman, 2004, *Network City- Planning Information Society in Bangalore*, Oxford University Press, New Delhi, p. 69; Census of India, 2001, *Provisional Population Totals- Rural-Urban Distribution of Population*, Paper 2, Series-30, Karnataka, Director of Census Operations, Karnataka, pp. 31-32 & p.57.

¹⁷⁴ James Heitzman, 2004, *Network City- Planning Information Society in Bangalore*, pp. 42-43.

¹⁷⁵ *ibid*, p. 43.

¹⁷⁶ A. R. Desai & Devdas S Pillai, 1990, *Slums and Urbanization*, Popular Prakashan, Bombay, p. 433.

¹⁷⁷ *ibid*, pp. 433-434. See also Sanjoy Chakravorty, 1996, *Too Little, in the Wrong Places? Mega City Programme and Efficiency and Equity in Indian Urbanisation*, *Economic and Political Weekly Special Number*, September 1996 pp. 2565-2572 & James Heitzman, 2004, *Network City- Planning Information Society in Bangalore*, p. 74-77.

¹⁷⁸ James Heitzman, 2004, *Network City- Planning Information Society in Bangalore*, p. 43.

¹⁷⁹ *ibid*, p. 43.

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- ¹⁸⁰ Ashish Bose, 1980, *India's Urbanization 1901-2001*, Tata McGraw Hill, New Delhi.
- ¹⁸¹ Ajay K. Mehra, 2005, Urban Villages of Delhi. In Evelin Hust & Micheal Mann (eds) *Urbanization and Governance in India*, Manohar, New Delhi, p. 285.
- ¹⁸² *ibid*, p. 285.
- ¹⁸³ *ibid*, p. 287-91.
- ¹⁸⁴ Veronique Dupont, 2005, Residential Practices, Creation and Use of Urban Space. In Evelin Hust & Micheal Mann (eds) *Urbanization and Governance in India*, Manohar, New Delhi, pp. 313-316; see also Veronique Dupont, 2004, Urban Development and Population Redistribution in Delhi: *Implications for Categorizing Population*. In Tony Champion and Graeme Hugo (eds), *New Forms of Urbanization- Beyond the Urban-Rural Dichotomy*, Ashgate Publishing Limited, Aldershot, pp. 171-190.
- ¹⁸⁵ See Janaki Nair, 2005, *The Promise of the Metropolis- Bangalore's Twentieth Century*, Oxford University Press, New Delhi.
- ¹⁸⁶ Fazlul Hasan, 1970, *Bangalore Through the Centuries*, Historical Publications, Bangalore.
- ¹⁸⁷ Janaki Nair 1998, *Miners and Millhands: Work, Culture and Politics in Princely Mysore*, New Delhi: Sage Publications.
- ¹⁸⁸ *Ibid*.
- ¹⁸⁹ K. N. Venkatarayappa, 1957. *Bangalore- A Socio-Ecological Study*, Sociology Series, No. 6, Bombay: University of Bombay Publications.
- ¹⁹⁰ R. L. Singh, 1964. *Bangalore- An Urban Survey*, Varanasi: Tara Publications.
- ¹⁹¹ V.L.S. Prakasa Rao & V.K. Tewari. 1979. *The Structure of an Indian Metropolis- A Study of Bangalore*, New Delhi: Allied Publishers Private Limited.
- ¹⁹² *ibid*, p. 174.
- ¹⁹³ *ibid*, p. 328.
- ¹⁹⁴ *ibid*, pp. 330-331.
- ¹⁹⁵ *ibid*, p. 332.
- ¹⁹⁶ *ibid*, pp. 334-335.
- ¹⁹⁷ In the context of 'changes in the language of public management during the 1980s...Responding to a perceived crisis in the administration of the welfare state as a 'steering' agent, doubtful of the capacity of neo-liberal market forces to resolve social issues unilaterally, social theorists began to insert the nomenclature of complexity and networks within a cybernetic model of organization.' What follows is the discourse which advocates the diffusion of power within the political system perceived as 'a complex architecture of systems' of 'self-governing networks of actors' than the concentration of power in a unitary political system. Such a discourse conceives the prerequisites for such a political system i.e., a 'social economy' involving voluntary organizations as well as privatization and outsourcing' in governing and administering city's infrastructure and services. Basically power is de-centered or rather is multi-centered in the affairs of governance which is termed as heterarchic form which is supposed to replace hierarchic form of government. The main function of such de-centering is to build a network to initiate a continuous 'dialogue to generate and exchange more information with institutional negotiations to mobilize consensus and build mutual understanding'; 'democratic participation'; 'transparency' and 'accountability'; participation of citizens in the decision-making process especially the marginalized groups; etc. Non-governmental organizations and Citizen Based Organizations are to take part in the governance process. (Heitzman 2000: 123-124)
- ¹⁹⁸ Janaki Nair, 2005, *The Promise of the Metropolis*, pp. 125-126.
- ¹⁹⁹ *ibid*, p. 126.
- ²⁰⁰ *ibid*, pp. 126-127.
- ²⁰¹ *ibid*, pp. 127-136. For further details see chapter 'Conceiving the City: Master Planning and Informal Power' pp. 121-165.
- ²⁰² *ibid*, pp. 127-136. For further details see chapter 'The Map is not the Territory: Law and the Production of Space', *ibid*, pp. 166-199. For similar hypothesis, though it is formulated in the advanced capitalist context about the state intervention, see Shoukry T. Roweis and Allen J. Scott, 1981, *The Urban Land Question*, pp. 128-129.
- ²⁰³ James Heitzman, 2004, *Network City- Planning Information Society in Bangalore*.
- ²⁰⁴ Janaki Nair, 2005, *The Promise of the Metropolis*, p. 83
- ²⁰⁵ Kanakapura Main Road starts from the Western central part of the Bangalore city, extends towards Bangalore South Rural District, and touches the taluk headquarters of Kanakapura.

²⁰⁶ Banerghatta Main Road radiates out of the city from the Cantonment Area- the eastern central part of the Bangalore City. It extends towards Bangalore South Rural District and touches taluk headquarters of Anekal.

²⁰⁷ Bommanahalli Corporation Municipal Council consisted of cluster of villages located within the stretch of Sarjapur Road in the east and Kanakapura Road in the west. The CMC was divided into 31 wards. It had an urban population of 2, 44, 871 and its area was 43.57 square kilometres. Within the CMC limits major industries and information technology (IT) companies were located. <http://www.bommanahallicity.gov.in>- accessed on 23/6/2007.

Chapter: 2

URBANIZATION OF BANGALORE: A PROFILE

During the last few hundred years the city of Bangalore has transformed from a medieval, small, commercial town into a metropolis. An attempt has been made in this chapter to trace the growth of Bangalore since its inception and its transformation into a mega city.

Bangalore: Pre-Industrial Town and its Evolution

Bangalore was founded by Kempe Gowda-I after clearing a jungle. 'Thick jungle with a mass of wild weeds once grew luxuriantly at the place where now Bangalore stands...Kempe Gowda had the jungle cut down, for, he had conceived an idea to build his dream town there with a strong fortress and well laid streets studded with shops, chaultries, temples, etc.'¹ Bangalore was laid out in 1537 by Kempe Gowda-I whose ancestors were the Yelahanka Nadu Prabhus, with permission from the emperor of Vijayanagar. He constructed a mud fort which had four entry points/gates signifying the cardinal directions of north, east, west and south - 'Yelahanka gate', 'Halsoor gate', 'Kengeri gate' and 'Anekal gate'- respectively. The layout inside the fort was mainly meant for commerce, divided into various 'petes' (markets)- Nagarth Pete, Ballapurada Pete, Taragu Pete, Bale Pete, Chikka Pete and so on- each specialized in different commodities. The fort was encircled by a deep ditch and a hedge.²

Within this township, the built space consisted of a 'stock of temples, tanks and agraharams'³. Kempambudhi Tank, Dharmambudhi Tank, Halsoor Tank, Karanje Tank, Sampangi Tank, Kempapura agrahara Tank etc., were some of the tanks built by the later rulers. Gavi Gangadhareswara temple at Gavipur, Basava temple at Basavanagudi, Someswara temple at Halsoor etc., were some of the temples built by them.⁴

Though it was just a small principality centered on the fort town, it was on the thoroughfare that most of conquerors had to pass through to reach places in the south.⁵ There had been attempts by the rulers to control this region because of its strategic importance until it was bought by the Mysore Kingdom.

Bangalore was then surrounded by forests, agricultural fields, tanks and was dotted with temples. The town saw a second expansion in 1690 when it was bought from the Moghals by Chikka Devarajor Wodeya who ‘immediately after its acquisition fortified Bangalore with yet...another fort, oval in shape, which he built to the south of the old Kempe Gowda fort... The main object of building the second fort was to ensure the security of the principal town situated within the first fort.’⁶ In 1759 Bangalore region was handed over to Haider Ali Khan as a personal ‘jahgir’ by the Mysore ruler. Considering the strategic importance of Bangalore in the context of rising British power, the southern fort was expanded and strengthened by building it in stone.

With a new regime in place, Bangalore again became the centre of struggle between conflicting forces. The regime of Haider Ali and Tippu Sultan came to an end with the Fourth Anglo-Mysore war in 1799.⁷ Around 1800, the fort town was a place of armament manufacturing and a commercial centre. The town of Bangalore in the 18th century was:

[A] major manufacturing and trading centre. To the north of the fort was the “Pete” where specific areas were devoted to the buying and selling of each dominant article of trade... i.e. cotton products in Aralepet, rice in Akkipet. Since the trade in a specific commodity was generally restricted to a particular caste, the areas were sometime named after the castes of the traders as in the case of Nagarthpet (Cloth agents-Nagarits).⁸

Agricultural products were available in abundance in the city and ‘gardens afforded a variety of vegetables and roots, and the markets abounded with many of the necessities of life.’⁹

Bangalore’s importance as a commercial centre was not confined to the needs of the surrounding region; it was connected to wider regions and beyond the boundaries of Mysore. It catered to the court at Srirangapatna and also regions as far away as Bidanur, Chitradurga, Gubbi, etc. Demand for its products came even from the distant markets of the Middle East.¹⁰

By the end of 18th century, new developments had transformed the region as never before. Bangalore had become a vast military camp, intensely active, with a mass of fighting forces - 45,000 cavalry, 30,000 infantry, 10,000 Poleegar foot and 100 guns of great size, imported from France. Besides these fighting forces were a vast number of camp followers, whose duty was to collect forage and grain.¹¹

Emerging Modern Town

The confinement of the town to the fortified area was transformed after the British East India Company decided to set up its military establishment on Civil and Military Station at Bangalore in 1807. Bangalore was part of the territory restored to the Wodeyar dynasty under the political authority of the British. What followed within this broader context was the reconfiguration of the old Bangalore town and the new developments within the expanding Civil and Military Station. For environmental and strategic reasons, the British shifted their troops which were garrisoned at Seringapatnam to Bangalore which was 'salubrious'¹² with 'healthier'¹³ climate for the troops. Land near Ulsoor village was acquired for the British troops to be stationed and a new social area came into being. In 1807 a layout was prepared for British Regiments and barracks and other military buildings.¹⁴

The first major physical expansion of Bangalore happened in the early nineteenth century. British developed Military-Administrative District for the settlement of army personnel and its officers. This happened within the context of the colonial establishment/arrangement in agreement with the Mysore Princely State. The expanded space was worked out as an independent unit, though it was, in some ways connected to the Bangalore Town by its sheer physical proximity. This implanted town-state, in the course of time expanded and was termed the Civil and Military Station. This was the first large-scale expansion in nearly three centuries.¹⁵

People of the military area had their own needs of labor, goods, services, and so on. Thus, provision was made for settling the people who could feed and serve all the needs of the new area. People who were enterprising migrated to find jobs, set up retail trading in various goods, services, etc. A new segregated layout in the vicinity, settled

the population of labor in the 'Civil Station'. 'Civil and Military Station' was later known as the 'Cantonment area'.¹⁶

Bangalore town became a bi-nucleated town with two different administrations¹⁷ for 'City' and 'Civil and Military Station' in the nineteenth century. Civil and Military Station area developed into a heterogeneous area with migrant populations belonging to different ethnic and religious communities on the one hand and the British population. On the other, the British maintained 'a vast social distance'¹⁸ from all others. Moreover, the differences could also be found in the residential formation. Civil and Military Station area consisted of three areas - the 'civil area' that stood in contrast to the more spacious layout with bungalows constructed for British administrative personnel. The native settlement was known as 'Blackpally'. Blackpally was inhabited by wide range of service providers who were from all over south India- Urdu-speaking Muslims and Tamil speaking population. 'General Bazaar'- a commercial and retail area too developed along with the residential formations.¹⁹

After the assumption of direct British rule in 1831, Bangalore came under the administration of the Commissioner. New elements were added to the landscape of the town. Relocation of administrative offices to Bangalore was one of the major elements which came to occupy the townscape. All administrative offices were at first housed at Tippu Sultan's palace in Bangalore and the first general hospital was built in 1835. Bangalore was soon connected to many other places with the first telegraph line in 1854. The first railway service was introduced in 1864 which connected Civil and Military Station to Jolarpet. In 1842, English school education was introduced for the first time for the natives of Bangalore. Kannada was introduced as the official language of the state and English was a parallel language. Central College was started in 1858. Rupee replaced the old currency 'Kantheeraya Pagoda' and in 1864 British currency was introduced. Bangalore Central Jail was constructed in 1864. In 1864 Bangalore Municipality was setup and Cubbon Park covering 120 acres was formed. In 1864-65 'New Public Offices' were built creating more space for the offices for the expanded bureaucracy that housed Revenue and Education departments. A museum was set up near the Central Jail in 1865. In 1866, as a part of the reform process, the Police Department was launched. Named after one of the Commissioners' of Bangalore,

Bowring Hospital was opened in 1866. In the same year 'Attara Kacheri' was constructed and the Secretariat was shifted from the congested at Tippu's palace. Bangalore's Golf Club was opened in 1870. In 1877, owing to the famine, the administration had to take up public works to provide employment to the people. In that connection, the Bangalore-Mysore railway work was started. In 1877, Bangalore Woollen Factory, the first large scale production unit, was setup. Various district offices were built in 1877.²⁰

The whole townscape was thoroughly reorganized and expanded during the Commissioner's period from 1831-1881. Public spaces were reordered during the commissioners' regime. Few of the large remnants of the previous era were razed to the ground. The moat and fort were razed in the 1860s and replaced by a compound wall which 'gradually disappeared under later buildings. The thorny hedge and ditch that surrounded the walls similarly disappeared.'²¹

The contingencies of expanding town and the famine during 1875-77 precipitated the water scarcity. The existing tanks were expanded which were still supplying water for gardens and drinking purposes. A combination of three tanks known as 'Miller's tank' was constructed which supplied water to the Civil and Military Station area. During 1875-1882 improvements were taken up on a natural lake which was on the north-western part of the town. This lake eventually was converted into a reservoir which came to be known as 'Sankey Tank'. By 1896 Hesarghatta Reservoir or the Chamarajendra Reservoir was built on Arkavati River. This was the first time water supply was pumped to the town from the reservoir which was 13 miles away. Both Civil Station Area and the City benefitted with increased water supplies.²² Another significant aspect of the changes was the appearance of the new spaces like Parade Grounds and Cubbon Park. These spaces were created on the lands stretched between the City area and Civil and Military Station. This was in addition to the formal green space- Lalbagh.

By the end of the Commissioners' regime, Bangalore was an established bi-nuclear town. Civil and Military Station was a new kind of a layout formation of the expanded town; it had become a full fledged town with diverse built structures like churches, temples, mosques, educational institutions, shops, bars, taverns, public

houses, grounds, parks, houses for the sepoys of native regiments, barracks for British infantry men, artillery and cavalry barracks, military hospital, railway station, etc. The important point is that the rationale underlying the spatial organization of the emerging new military town reflected the expansion of the then existing town and introduction of an alternative core.²³ On the one hand, the new town was a militarized space to control the whole region of Princely Mysore, with a spatial form which had a great number of vacant lands put to various uses, apart from the built up area. On the other, a new 'aesthetics in- architecture, creation of parks, spacious bungalows etc., was inscribed in the new core. Bangalore became the administrative/power centre of the Princely Mysore State. This kind of urbanization process is also indicative of regimented land use and development. The new urban socio-spatial organization of the emerging city displayed 'the fort-settlement and market-tank model'²⁴, 'English parks and gardens model'²⁵ and the militarized space.

From the point of the view of urbanization changes were both spatial and demographic. The making of Bangalore town into a bi-nuclear town, coupled by its spatial and demographic growth was unprecedented. Each nucleus developed its own market, railway station, centre for economic activities etc. The British created an autonomous territory within the broader political regime of Princely Mysore. The native fort town too saw spatial reorganization and ordering. With the removal of the fort the town was unshackled for expansion.

Governmental interventions were becoming more and more systematic and rationalized in managing the town within the context of exigencies arising out of health and demographic crisis. Creation of Municipal Board in 1862 in accordance with the Municipal Act XXVI of 1850²⁶ was a case in point. Two parallel Municipal Boards were constituted for the native town and Civil and Military Station. The Municipal Act provided for 'making better provisions for repairing, cleaning, lighting and for prevention of nuisances or for improving the town in any manner'.²⁷ Municipality was to be formed with the consent of the considerable number of citizens.²⁸ The Bangalore Municipal Regulation of 1871 for the first time conceived both the town spaces as divisions. The native town and civil and military station were divided into three and six divisions respectively. The logic of dividing the space was to enable the activities of the respective boards to function efficiently and effectively in the given divisions. The

manifest functions of the municipal boards were 'to make better provisions for police, conservancy and improvement of the respective local areas'²⁹. The latent function of new regulations was the creation of a city of 'legal entity'³⁰.

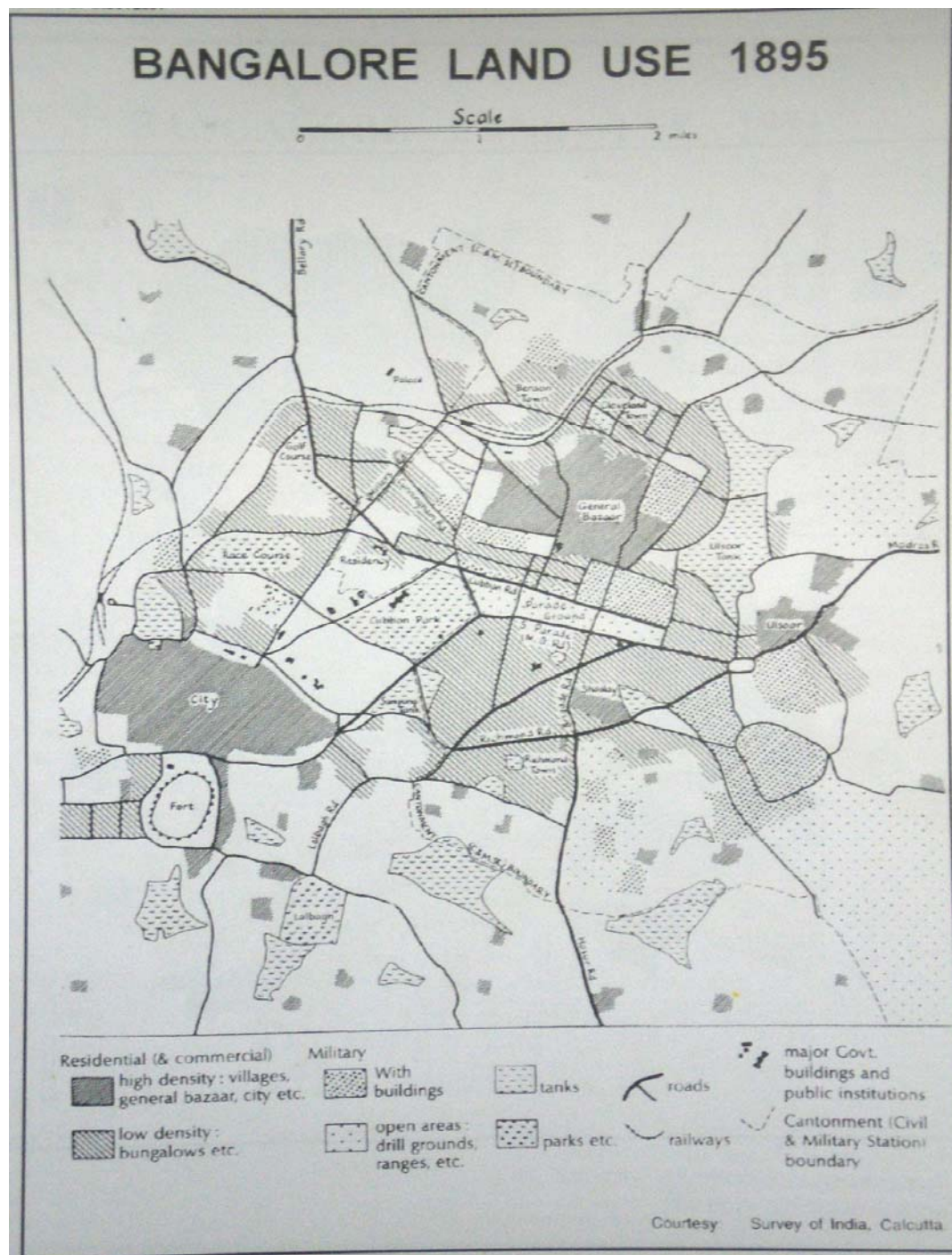
Around this time, native town had 665 acres of built-up area and Civil and Military Station area was expanded by acquiring 15 villages into its fold.³¹ Among other things in 'the census taken in 1871 counted 79,000 in the Civil and Military Station and 53,000 in the city, a total of 132,000 out of a state population of 5,050,000, or 2.6 per cent...Bangalore remained, however, a mostly non-built environment, and retained a reputation as a gardener's city where horticultural plots (*tota*) filled with vegetables and groves alternated with open fields, virgin forests, the manicured arboretum of Lal Bagh, and the well-tended compounds of bungalows. In 1889, the built-up area of the city was about 3.9 square miles, the remainder being parks and open spaces.'³²

With the rendition in 1881, or the restoration of power to the Wodeyar monarchy, Bangalore town was again divided between two regimes- native town and the Civil and Military Station. The former was administered by the Mysore ruler as a part of larger state and the latter formed the British India's subsidiary administrative entity. In the last decade of the 19th century Bangalore experienced unprecedented challenges from the plague epidemic. The town was swept by the disease. New models of town planning were developed for the city and Civil and Military Station areas. One of many interventions in the last decade of the 19th century was the physical expansion of the town. Extensions were newly created, and the consequence of extension formation was the concentration of population on a massive scale in an area, though development of the place was gradual. This kind of residential formation happened for the first time contiguous to the native town area. The idea of settling people and creating spaces for non-agricultural purposes was itself new. These areas were divided into sites which were allocated to the people working for the Mysore bureaucracy and to others who could afford to buy the sites. Chamarajpet and Seshadripuram were the first of these extensions. Chamarajpet extension developed spontaneously towards the end of the century. Trading in various goods was the main activity in this area with the residential space for the businessmen forming another neighbourhood³³.

Basavanagudi and Malleswaram³⁴ extensions were planned in 1894 and 1895 respectively, and were ready by 1898, the former covering 440 acres and the latter 281 acres. These extensions were conceived as social areas which would segregate people by their caste and class, though the physical layout adhered to principles of planning. The plan provided spaces for roads, public places, bazaar, temples, etc., 'The new extensions were laid out on the grid-iron or chess-board plan, with narrow lanes at the back of the houses. The sewerage of the whole City area was improved by a combined system of open drains and underground sewers.'³⁵ The space created for residential purposes in the form of sites was interesting since the land was for the first time being introduced in the market as a commodity. Land or the site in extension was to acquire a new meaning in the urban setting.

Actually, earliest extensions first came into being in the expanding Civil and Military Station area than in the native town area. In 1883, areas named as Benson Town, Cleveland Town and Richmond Town were completed. By 1884 Binny Mills-became a part of the town.³⁶

Map of 1895- Bangalore's Land Use



Source: Census of India 2001, p. 41

If one were to look at the 1895 map, Bangalore area's land use was broadly classified as – Residential and Commercial; Military lands with buildings and open areas – comprising of drill grounds, ranges, etc., tanks and parks; roads and railways; and major government buildings and public institutions. The town was a military and administrative town; spaces were just designed to meet the requirements of military and administration. But the elements of the town layout by and large remained scattered except at two densely packed cores, just leaving vast stretches of lands as green cover, lakes, villages scattered around in the vicinity of the town, with a network of roads running across and a railway line bordering both cores- one running in the direction of east and the another in south-western direction, connecting the City and Civil and Military Station and other places. Given the vast stretches of empty space, there was greater scope for the alteration/conversion and allocation- of spaces for various purposes and uses. And of course, at that time, the vast agricultural lands and villages surrounding the town were not a hindrance to the expansion of the town.³⁷

The new experiments with land use planning continued. At the turn of the 20th century Bangalore had seven extensions in Civil and Military Station area and native town. Town expansion was by and large fashioned by forming extensions throughout the first half of the 20th century. The Table 2.1 shows the decade-wise formations of extensions and layouts.

Table 2.1
Decade-wise Formation of Extensions/Layouts

Decade	Year	Name of the Extension/Layout
1880s	1883	<i>Benson Town</i>
	"	<i>Cleveland Town</i>
	"	<i>Richmond Town</i>
	1884	Binny Mills
1890s	1892	Chamarajpet
	"	Seshadripuram
	1898	Basavangudi
	"	Malleswaram
1900s	1906	<i>Fraser Town</i>
	1908	Sankarapura
1910s	1911	Indian Institute of Science
	1915	Gavipuram
	1916	Srirampuram
	1918	Visveswarapuram
	1919	Minerva Mills
Table	1922-23	<i>Austin Town</i>
	"	<i>Cox Town</i>
	"	<i>Tasker Town</i>
	1923	Guttahalli

2.1 contd. 1920s	1927	Kalasipalyam
	late 1920s	<i>Cooke Town</i>
	"	<i>Richards town</i>
1930s	1930	Gandhinagar
	1934	Government Electric Factory
	1938	Kumara Park
	"	Narasimha Colony
1940s	1944	HAL Sanitary Board
	"	HAL Township
	1947	Wilson Garden Extension
	1948	Jayanagar
	"	Sunkenahalli Extension
	"	Vyalikaval Extension
	"	ITI Notified Area
	1949	Jayamahall Extension-villas
	"	Rajajinagar

Source: BDC 1954; ODP 1963; Rao & Tiwari 1970; Hietzman 2004 (Italicized entries in table 1 are Civil and Military Station areas)

From table 2.1, one could infer that there was steady increase in the number of extensions in Bangalore. This period witnessed the establishment of Indian Institute of Science, Minerva Mills, Government Electric Factory, Hindustan Aeronautics Limited. The 1920s saw a greater number of new extensions added to the twin cities. By the 1940s new public sector industries and their concomitant residential extensions occupied more space.

By this time, the native town had overtaken the Civil and Military Station area. The Civil and Military Station area continued to be a residential and military area, though it was expanding, whereas the city developed very different heterogeneous and new kinds of land uses giving way to industry and its townships and other institutions. The number of residential extensions were far greater in the city (18), compared to the Civil and Military Station Area (7).

Table 2 shows the magnitude of residential land uses in various extensions though the data is available only for the Bangalore city area.

Table 2.2
Magnitude of Land Developed for the New Residential Extensions from 1892 to 1951 in the Native Town Area

Year	Name of Extension/Layout	No. of Acres	No. of Sites	Avg. Size of the Site (in Acres)
1892	Chamarajpet	280	1,368	0.204
	Seshadripuram	26	198	0.131
1898	Basavanagudi	703	1,862	0.377

	Table 2.2 contd Malleswaram	304	620	0.490
1908	Shankarapuram	154	150	1.026
1915	Gavipuram- Srirampuram	100	500	0.200
1918	Visveswarapuram	93	467	0.199
1923	Gavipur-Guttahalli	...	700	...
1925	Yenkatarangapuram			
1927	Kalasipalyam			
1930	Gandhinagar			
1931- 41	Bull Temple Road	...	221	...
	Malleswaram Link Road	...	...	...
	Subedar Chatram Road	23 ¼	143	0.162
	Wilson Gardens	...	479	...
	Narasimharaja Colony	...	...	...
	Kumara Park East	...	...	...
1941- 51	Kumara Park West	48	270	0.177
	Vyalikaval	77	780	0.098
	Sukenahalli	14	262	0.053
	Jayamahall	41	129	0.317
	Jayanagar	1,262	5,754	0.219
	Industrial Suburb (Housing area)	363	3,210	0.113

Source: Report of the Bangalore Development Committee: 22-23

The extensions were not uniform in size. Broadly extensions may be classified as large, relatively large, medium, small, and relatively small.³⁸ The large extensions were 1,262 acres and relatively small were 14 acres in size. Relatively large extension measured 703 acres; medium sized extensions ranged between 280 to 363 acres; small extensions ranged between 77 and 154 acres; and the relatively small extensions measured between 14 to 48 acres. What is interesting here is the availability of number of sites in each extension. The picture is different when one analyzes the availability of number of sites in proportion to extension size. What is significant is the number of sites and the average measure of each site that each extension.

- The size of an average site- in the large extension (Jayanagar) was 0.219 acres.
- The relatively large extension- Basavanagudi, - had an average site size of 0.377 acres.
- The size of average site in Malleswaram extension- a medium sized extension- was 0.490 acre. In other medium sized extensions average site measured (Chamarajpet and Industrial Suburb) is 0.204 and 0.113 acres respectively.

- The average size of site in the small extension- such as Vyalikaval, Visweswarapuram, Gavipuram-Srirampuram, and Shankarapuram were 0.098, 0.199, 0.200, and 1.026 acres respectively.
- In the relatively small extensions such as Sukenahalli, Subedar Chatram Road, Seshadripuram, Jayamahar, and Kumara Park West, the site's size was 0.053, 0.162, 0.131, 0.317, and 0.177 acres respectively.

Sites formed in the extensions were unequal in size and were formed for different classes of people and within each extension too there were differences in the size of the sites for different classes. More the number of sites in an extension, greater the units of space created to accommodate the population. The expansion of the city generated extensions and in the process 26 villages were absorbed into the urban area. This kind of expansion became the characteristic feature of urbanization of Bangalore during the first half of the 20th century.

During this period, Civil and Military Station area too was expanding. In response to congestion, the government took steps in this direction by creating extensions to decongest the town. 50.35 acres of village land of Papureddypalyam was acquired for this purpose. This extension was later named as Fraser Town and 470 sites were carved out in this extension. Municipal Commission which was appointed for the job retained 64 sites to build rat-proof houses for the poorer classes. Places known as Knoxpet and Austin Town were created basically for double storied housing estates for the poor Europeans and Anglo-Indians. The Commission continued to acquire lands for few more extensions- Richards Town, Cox Town, and Tasker Town. Fourty eight acres of land north of Frazer Town were acquired for creating the extension known as Richards Town. In 1922-23, the old military lines, known as Cubbon Lines, were acquired. The area measured about 66 acres. The Municipal Commission was expanding the town with the double-edged strategy of providing relief to the town dwellers from congestion and making provision for residential sites for the middle-class. Town dwellers who directly benefited from the housing programme initiated by the commission were the scavengers, sweepers, and other poorer classes. The middle class was sold sites whereas poorer classes were provided with rental housing. Efforts were also made to reserve sites for "better class" houses. A diagonal road 60' wide was

constructed from the junction of Chandi Chowk Road to Cunningham Road and the triangular plot of land of about 2 acres was left for the Gosha Hospital building and the land north of this road was reserved for *better class* houses. This place was later known as Tasker Town. The land measuring 10 acres to the east of Blackpally Road was reserved for a large covered Market.³⁹ This kind of spatial expansion became the characteristic feature of urbanization of Bangalore during the first half of the 20th century.

Industrialization and the Socio-Spatial Formation

By the end of the 19th century industrial units in Bangalore began to appear. “The C&M Station [Civil and Military Station] remained more or less a military encampment, though boasting of a large tobacco factory, breweries and several tanneries; most industrial growth took place in the city area, where the silk industry also enjoyed a precarious existence.”⁴⁰ Bangalore Cotton, Woolen and Silk Mills and the Maharaja Mills⁴¹ were the first large scale established industrial units, in the native town. Industrial scene of Bangalore remained static due to lack of investments till 1920s and Government of India’s policy of promotion of only tobacco industry ignoring others.⁴² Industrial landscape of Bangalore became active between the two Wars, which gave fillip by creating demand for certain products. The planning of science and technology institutions in the native town area got impetus from the statesman Visweswaraiah. State-run or joint stock companies, especially in the 1930s and 40s marked the industrialisation pattern of the city. Hietzman speaks about large scale state run industries and some private firms which sprang up during that time.⁴³ The story of Hindustan Aircraft Pvt. Ltd. (HAL) which began in 1940 is important in the history of the city.⁴⁴ Following the success of HAL, many other industries sprang up. For instance, in 1942, the government of Mysore established Radio and Electrical Manufacturing Company, and in 1945, Mysore Electrical Industries was established. Thus, the spatial distribution of the city changed with the establishment of a wide range of technical and service industries on the outskirts of the city.

Janaki Nair tells about the Mysore government’s policy of ‘encouraging industrial development through the grant of substantial concessions’.⁴⁵ Heitzman also

points out the important role played by the state government in ‘encouraging industrial growth by passing legislation that regulated working conditions and cooperating with management in the suppression of sometimes militant labour actions’.⁴⁶ Again, Nair says that after the 1920s, Bangalore witnessed a limited expansion of medium and small-scale textile units.⁴⁷ The state run textile industry had to struggle against “overwhelming odds before achieving a modicum of stability” before this period.⁴⁸

The Second World War gave a major impetus to industries “when a large number of units were commandeered for war production.”⁴⁹ During the period of both the Wars, “there were no imports from foreign countries and the nation had to depend entirely on home made goods.”⁵⁰ The employment in textile mills went up by 70 per cent between 1939 and 1944. There was a 66 per cent increase in employment in ceramics-related industries. The number of employees doubled in the tobacco industry.⁵¹ HAL touched its height of production employing 12,000 people in 1942.⁵² The textile industry also experienced marked changes during both the wars. While handlooms seem to have suffered, the power looms and the parachute silk industry during the Second World War prospered. They employed around 2,000 workers; many of them were women on low wages⁵³.

The workers of factories, mills, and presses lived with construction workers, casual laborers, petty retailers and traditional weavers. Their residences were located in the ‘narrow lanes and by-lanes of the old city, Arlepet (Cottonpet), Taragupet, Kurubarpet, Nagarthpet, Cubbonpet, etc. where generations of cotton and silk weavers had lived and worked, or on sites on the western edge of the city where most of the large establishments were located, the new factory workers lived in small tenements, houses or huts.’⁵⁴

The environment of overcrowding had its consequences in the form of epidemic diseases which held a sway over the population. The plague of 1898, affected various sections of the labour of both industrial and other occupations. And, due to this epidemic, population of the city was reduced to a great extent. ‘The plague, which first made its appearance among the coolies of the Southern Mahratta Railway Company of Gowdanpet (a part of Cottonpet), quickly spread through the rest of the crowded old city area, and even to other parts.’⁵⁵ Various social groups deserted the city.

Apart from the large numbers who succumbed to the disease, greatly diminishing the city's population, the situation was considerably worsened by the desertion of key groups of workers from the city, resentful of the constant surveillance of plague authorities and the dangers of their tasks. Thus a few deaths among 'scavengers', in September 1898, caused the whole gang to decamp, forcing municipal authorities to hire others at considerable cost. Similarly, seven out of eight manure contractors also 'struck work', as did a large number of millhands who simply left the city 'fearing more the systems of segregation than the plague itself'.⁵⁶

City space had to be reconfigured and expanded, which is dealt with in this chapter. Here, it is sufficient to say that such an expansion of the city had only benefited the middle class leaving the marginal social groups in the congested areas, which were not totally plague free.⁵⁷

Between 1910-1930, the areas namely Akkipet, Ranasingapet, Kurubarpet and Arlepet, were overcrowded and in an area of 0.09 sq. mile, the population was 8, 487. The areas in the south-western part of the city "where fine mansions were located on spacious grounds" stood in sharp contrast to the areas mentioned previously. "In the old city area of 3 sq. miles lived 94, 256 people, or 55 percent of the population, whereas the extensions, totalling 9 sq. miles, had 78,101 people, or 45 per cent of the population, in the early 1930s." ⁵⁸

In the Civil and Military Station areas like Murphy Town, Sweeper's Lines, Ookadapalya, the railway and tobacco factory quarters, etc., which were considered crowded areas "were in no way comparable to the abysmal conditions in the city".⁵⁹ Though the municipality had recognized the need for providing houses or sites, it was impossible to allot land considering the high price of the land and the caste distinctions.⁶⁰ Residential land use was determined by caste and class which were in congruence with each other.

The question of building houses for the poor had engaged the municipality as early as 1919. When it was finally acknowledged that prices of sites in the new extensions were prohibitive for labourers, a proposal was made to allot some sites in each community block for the poor. The primary community blocks were for Brahmins, other Hindus (upper caste, vegetarian), other Hindus (non-vegetarian), and Muslims and Christians. The idea was abandoned since it implied too many 'practical difficulties'. Since most of the labouring poor were also lower caste and untouchable, we may well imagine what some of the difficulties may have been. The Brahmins had as early as 1902 raised consistent and vociferous opposition to the grant of building sites to Holeyas (untouchables) of the Queen's Sappers and Miners, and had succeeded in urging the government to allot new sites well away from Brahmin neighbourhoods. Compulsorily housing the poor in new extensions was completely out of the question since 'such a step would reduce [the extensions'] value completely'. Instead of the proposed 1,000 houses, therefore, a meagre 70 were built in the south-west corner of Basavanagudi and sold on hire-purchase, although the monthly payment was too high (Rs 7/8/0) for most workers then earning about Rs 19.⁶¹

Land was acquired for settling the industrial labour and poor in the city. The government took up housing initiatives and urged the factories too to build houses for their workers. Nair (1998) traces the history of these acquisitions and the various attempts of housing, very often half hearted and never completely satisfactory, the expanding labour force in Bangalore city.

One such attempt was made by the government which acquired 18 acres of land in Kethamaranahalli village in the 1930s to build a labour colony.⁶² Under the government's pressure, industries and businesses had to concede to the housing needs of their workers though reluctantly. Binny Mills was one such organisation which planned to acquire lands in the western part of the city. By 1928, the total acquisition of prime lands stood at 17 acres for building houses for its workers. But, it was delayed by 16 years.⁶³

Like Binny Mills, Mysore Mills and Minerva Mills also acquired land for establishing labour colonies in 1928-29.⁶⁴ There were a few attempts to build houses for their workers by the small-scale enterprises. By 1944, Yadalam Subbaiah Chetty's Mill, situated on the outer edge of the city made provision for 216 rent houses for its 700 workers. Housing provision was meant for upper caste workers whereas land was rented for the lower caste workers to build their houses.

Population

The industrialization of Bangalore town started attracting people from various places over a period of time. The table 2.3 shows the growth of Bangalore's population between 1881 and 1951.

Table 2.3**Decadal Population increase 1881-1981**

Year	Bangalore Town		Total & Percentage of Increase		Increase in the Population & the Percentage of Increase			
	Native Town	Civil Station			Native Town		Civil Station	
1881	62,317	93,540	1,55.85	---	---	---	---	---
1891	80,285	1,00,08	1,80.36	15.72	17,968	28.83	6,541	6.99
1901	69,447	89,529	1,58.97	-11.85	10,838	-	10,552	-
1911	88,651	1,00,83	1,89.48	19.19	19,204	27.65	11,305	12.62
1921	1,18,55	1,18,94	2,37.49	25.33	29,905	33.73	18,106	17.95
1931	1,72,35	1,34,11	3,06.47	29.04	53,801	45.38	15,173	12.75
1941	2,48,33	1,58,42	4,06.73	32.71	75,974	44.07	24,313	18.12
1951	5,00,78	2,78,19	7,78.97	91.51	2,52,45	101.6	1,197,6	75.59

Source: Report of the Bangalore Development Committee: 14

This period witnessed gradual increase in population except during 1891 and 1901 when the population decreased due to plague. The 1941-1951 decade witnessed almost doubling of population. Till 1921 the civil and military station population was larger than the native towns. During the later decades, the growth of the population of the Native Town was much faster than the civil station's. This shift in population growth could be attributed to various developments in the Native Town mentioned earlier.

Post-Independence Period: Phase I- Bangalore City and the Industrial Mode of Development

In the post-independence period with the establishment of the new government in the Mysore State, development became the focus of both the Union government and the state government. Within the broader process of development, industrial development was one of the major components. Bangalore was the chosen centre for the establishment of industries, which already had a developing base. In this section an attempt is made to outline the industrialization programme which led to greater spatial-demographic changes in the city and the changes in social spaces.

Spatial and demographic changes in the city

The population of the united Bangalore City Corporation was 7, 78,977 lakhs, and the total area was 25.5 square miles in 1951.⁶⁵ In 1961, the bounded area was named as 'Bangalore Metropolitan Area Town Group'. The urban area included Bangalore City Corporation, Trust Board Area (CITB), Devarajeevanahalli, Jalahalli, Jodi Kempapur, Kadugondanahalli, Kethamaranahalli, Yelahanka, Yeswantapura and H.A.L. Sanitary Board. This metropolitan area town group occupied an area of 193.52 sq. miles and a population of 12, 06, 961 lakhs.⁶⁶ The city had become a metropolis. During 1951-1961, the population increase was by 54.94 percent and spatial expansion was 658.90%. The spatial expansion during this decade was unprecedented. The 1971, census 'Bangalore Urban Agglomeration' included Bangalore City Corporation, CITB, BEL Township, Devarajeevanahalli, HAL Sanitary Board, HMT Township, ITI Notified Area, Jalahalli, and Kadugondanahalli.⁶⁷ Bangalore urban agglomeration's total area remained the same at 193 sq. miles of which corporation area was 46 sq. miles and the remaining area constituted the suburb.⁶⁸ Bangalore's population had increased marginally to 15, 40,741⁶⁹ and decadal increase was 27.65%.

The main reason for the increase in city's population has been migration. During 1941-51, migrants generally were from Tamil Nadu, Andhra Pradesh and Kerala. The total population growth contribution dropped from 20 percent in 1961 to 15 percent in 1981.⁷⁰ The natural increase of the population in the city was 65%, whereas the increase of population due to migration stood at 35%.⁷¹ The contribution of inter district migration to the city's population growth was 13%, 14%, and 15% in 1961, 1971, and 1981 respectively.⁷² Migration was propelled by the perceived opportunities for education, marriage, employment etc.⁷³ The rapidly expanding city which provided increasing employment and educational opportunities acted as pull factors and the impoverished regions socio-economic conditions acted as push factors for migration.⁷⁴

Industrialization

The increase in the concentration of population and the spatial expansion were mainly attributed to rapid industrialization. Bangalore by the middle of 20th century enjoyed certain advantages which laid the foundation for further expansion of industry. It was the most prominent trading centre located among 18 towns within 25 kilometres radius. Cotton cultivation, sericulture, availability of- timber, quality clay, etc., in the hinterland (Umland⁷⁵) of Bangalore had aided the expansion of industry and trade in Bangalore over a period of time. The infrastructure for industrialization that was already in place was the availability of hydro-electric power. Apart from that the overall industrial policy and state government's assistance made a great impact on the industrialization of the Bangalore Town.

What followed was the planned economic development. Bangalore was already a place where modernization in many spheres, had become a defining attribute of the city. Industrialization was central to modernization process which was initiated and encouraged by the Princely Mysore State. Given this backdrop Bangalore drew the attention of policy makers at the National level.⁷⁶ In one of the visits to Bangalore, Prime Minister Nehru said: 'Bangalore is very much a picture of India of the future, more especially because of the concentration of science, technology and industries in the public sector here.'⁷⁷ Bangalore City became the site for the planned industrial development. The national policy channelized resources for the development of public sector enterprises-large-scale heavy industries.⁷⁸

Many large scale public sector industrial units were established in Bangalore. These large scale industrial units under the central government were producing aircrafts, telephones, machine tools, watches, electrical and electronic equipments and earth movers. Apart from that state government factories of the pre-war period were in operation and the only addition to them during the post-war period was the establishment of the largest electrical switchgear unit. Private sector industries comprised of five textile mills, and factories making car components, cigarettes, electric motors and transformers. There were small-scale ancillary units producing 'components for the large public sector factories, as well as batteries liquid oxygen, tin cans, canned fruits and a wide range of engineering and consumer goods.' Coupled

with industrialization was the concentration of research institutes.⁷⁹ Both internal economies and external economies greatly favoured Bangalore's industrialization.

Import controls give Bangalore's engineering, electronic and consumer-goods industries an assured market for almost all they produce; and Bangalore remains a most attractive location for new private or public sector investments because of its external economies, especially skilled labour. All 'organized sector' factories have to take a quota of apprentices, though not necessarily to employ them afterwards; and the training sections in public sector factories are intended not only to meet the factories' own needs, but to train workers who will find work elsewhere.⁸⁰

The period between the late 1940s and the late 1960s was a period of intensive industrialization. In 1951 there were 293 industrial units employing 45,878 organized sector industrial workers. Bangalore survey conducted by Singh (1964) found that by late 1950s there were 432 large-scale industrial units of which ten were owned by the government, remaining units were private.⁸¹ Though all of them were termed as "large-scale" industrial units, the average number of workers employed by them varied vastly between 8100 workers to 10 workers in a unit. Consumer goods and durables produced in them were textiles, engineering, minerals and metals, food, drink and tobacco, chemicals, dyes, paper and printing, process relating to wood, stone, and glass, hides and skin, and electrical, readymade garments and hosiery.⁸²

Table 2.4

Types of Industries- 1964

Category of Industries	Large-scale	
	No. of Industries	Avg. No. of Workers
Textiles	164	23721
Engineering	66	20756
Mineral and Metals	09	671
Food, Drink & Tobacco	25	3990
Chemicals, Dyes, etc.,	60	3784
Paper and Printing	26	1524
Process relating to Wood, Stones &	23	2428
Process connected with Hides and	28	1540
Miscellaneous	31	7750
Total	432	66164

Source: R. L. Singh, (1964) Bangalore- An Urban Survey, pp. 133-139.

Through 1960s and the early 70s there was an expansion of State government bureaucracy, state run businesses⁸³ and informal sector⁸⁴. By 1970s Bangalore had large scale industries and their ancillary medium and small scale industries. 'By the 1970s, Bangalore was the acknowledged centre of the public sector, and new state run

units such as New Government Electric Factory (1961), HMT Watch Factory (1972), and Bharat Heavy Electricals Limited, were added to the existing structure; clustered around the public sector giants were the giant national laboratories, such as the National Aeronautical Laboratory (NAL), Defense Research and Development Organization (DRDO) and Electronic Research and Development Establishment (LRDE) to the east, and the Indian Space Research Organization (ISRO) and Central Power Research Institute (CPRI) to the north-west. In addition to these, factory-lab complexes were the research and development wings internal to every public sector unit. Bangalore could thus stake a stronger claim to be a Science City than the time when the Indian Institute of Science (1909) existed in somewhat splendid isolation.⁸⁵ The large scale public sector industries created enclaves which included residential and other urban amenities attached to them, on the outskirts of the city.

By 1960-61, the industrial units had increased to 680 and the industrial workers in the organized sectors had increased to 98, 866. By 1971 the number of industrial units had increased to 3,709 and the number of organized sector workers to 1, 06,008.⁸⁶ Large Scale industrialization gave rise to the forward linkages of spawning medium and small-scale ancillary industries.

Different Types of Employment

In the first two decades of the post-independence period, there were great changes in industrialization and employment scenario in Bangalore City and its adjoining expanding areas.

Table 2.5

Working Classes within the Bangalore City Corporation Limits- 1951

Agricultural Classes			Total	Non-Agricultural Classes			Total
Cultivators of owned land	Self-Supporting Persons		707	Production (Other than Cultivation)	Self-Supporting Persons		63259
	Non-earning dependents		3473		Non-earning dependents		170287
	Earning Dependents		135		Earning Dependents		16649
Cultivators of unowned land	Self-Supporting Persons		371	Commerce	Self-Supporting Persons		34037
	Non-earning dependents		1450		Non-earning dependents		107301
	Earning Dependents		114		Earning Dependents		7442
Cultivating Labourers and their dependents	Self-Supporting Persons		272	Transport	Self-Supporting Persons		9121
	Non-earning dependents		620		Non-earning dependents		29097
	Earning Dependents		39		Earning Dependents		2348
Table 2.5 contd.	Self-Supporting Persons		968	Other	Self-Supporting Persons		94021

Non-Cultivating owners of land	Non-earning dependents	3912	Services & Miscellaneous sources	Non-earning dependents	214132
	Earning Dependents	182		Earning Dependents	19040
Total		12243	Total		766734

Source: Census Handbook, 1951, Bangalore District, pp. 50-53.

The Table 5 shows that in 1951, the total population of Bangalore City Corporation limits had 7, 78, 977 which included both Agricultural Classes which were marginal when compared to the total population, and Non-Agricultural Classes. Among the agricultural classes, excluding non-earning dependents, the actual number of all types of employed agriculturists and labourers was 2,788. And among the non-agricultural classes, excluding non-earning dependents, the actual number of all types of employed non-agriculturists and labourers was 2, 45,917. The total number of workers was 2, 45,917 out of a total population of 7, 78,977. Production and Other services dominated the employment scene in the city. The organized sector provided employment to 45, 878 person⁸⁷ constituting 20% of the total employment. The remaining 80% of the employment was in the informal sector.

Table 2.6

Workers and Non-Workers in the Bangalore Metropolitan Area Town Group (1961)

Workers	Bangalore Metropolitan Area Town Group	Percentage
Cultivators	20,490	5.23
Agricultural Labourer	5,143	1.31
Mining, Quarrying, Livestock, Forestry, Fishing, Hunting, and Plantations, Orchards and allied activities	4,963	1.26
Household Industry	17,308	4.41
Manufacturing other than Household Industry	1,18,040	30.14
Construction	21,646	5.52
Trade and Commerce	49,309	12.59
Transport	19,350	4.94
Other Services	135,342	34.56
Total	391591	100
Non-Workers		815,370

Source: Census of India, 1961, *District Census Handbook*, Bangalore District, pp. 16-19.

The Tables 2.5 and 2.6 show that of the total population (12, 06,961), the total number of workers was 3, 91,591 and non-workers was 8, 15,370. With the grouping of many newly developed areas the number of cultivators and agricultural labourers had

increased. Other services and Manufacturing had characterized the employment in the urban and newly developed areas. The number of workers in the organized sector was 25.24 (98,866⁸⁸) of the total (3, 91,591) workers. The informal sector had 74.26% of the workers.

The functional category of an urban area as per the Indian census is decided based on the following criteria:

[F]or each town the percentage of workers under each of these five classes of economic activities [Primary activities, Industry, Trade and Commerce, Transport, and Services] to the total number of workers is calculated. If the percentage under any of these five activities equals or exceeds 40, such a town is regarded as mono-functional and that activity is specified...If the figures against any two add up to 60 or more, then such a town is regarded as bi-functional and the two predominant activities are specified...In case, the percentages of any two of the activities do not add up to 60 per cent such a town is regarded as multifunctional and in such a case, three of the predominant activities are specified.⁸⁹

Table 2. 7

Activities and Workers in the Bangalore Urban Agglomeration- 1971

Name of the Urban Areas	Population	Functional Category of population involved in economic activities
Bangalore City inclusive of CITB Area	15,40,741	Industry-cum-Services-cum-Trade and Commerce
B.E.L. Township	6,825	Industry-cum-Trade and Commerce-cum-Services
Devarajeevanahalli	17,734	Industry
Table 2.7 Contd. H.A.L Sanitary Board	33,985	Industry
H.A.L Township	15,164	Industry
Table H.M.T Township	11,154	-
I.T.I Notified Area Duravaninagar	9,875	Industry
Jalahalli (Excluding H.M.T Townwhip)	12,533	Services
Kadagondanahalli	5,768	Industry
Total	1653779	

Source: Census of India 1971, Series-14, District Census Handbook, Bangalore District Part X-A: Town and Village Directory, pp. 8-11.

In 1971 (see Table 2.7) Bangalore city's economic activities were industry cum-services-cum-trade and commerce. Of the total population of 16, 53,779, the organized sector workers were 1, 06,008⁹⁰. The Table 2.7 also gives a picture of the areas which had developed newly. In 1975, there were 3,051 industrial units and 1,74,544 (100%) workers were in the Bangalore urban agglomeration employed in different types of industries- Automobile, Chemical, Electrical, Electronics, Ferrous and non-ferrous metal, Food, beverages and tobacco industries, Glass & Ceramic, Job work, repairing & servicing, Leather, Mechanical, Paper & pulp, Plastic, Printing, Rubber based, Textiles, Wood, etc.⁹¹ The Economic Census conducted by the Government of Karnataka revealed that Bangalore Urban district had 7,918 industrial units having 79,649 (45.63%) workers in the informal sector employed in textiles, leather, food &

beverages, metal, electrical & electronic machinery, machinery other than electrical, transport equipment, chemical, ceramic, wood, paper and printing, etc.⁹²

Social Spaces

Bangalore city was made of two old pre-independence core developments and the later inclusions. The newly developed CITB areas with planned civic spatial products and services; B.E.L Township, H.A.L Sanitary Board, H.A.L Township, H.M.T Township, and I.T.I Notified Area were the industrial townships which included the large scale of industrial complexes with their planned residential areas equipped with civic spatial products and services; and other three areas- Devarajeevanahalli, Jalahalli and Kadagondanahalli were industrial areas with their own planned or unplanned residential areas.⁹³ CITB had formed 53 planned layouts during 1945-1973.⁹⁴ There were also 150 private layouts approved by the planning authority (CITB) formed by individuals and the housing cooperative societies.⁹⁵ These were planned areas for the middle class.

R.L.Singh's urban survey (1964) indicated that the floor area occupied per family (in sq.ft) differed considerably in different residential areas based on social classes (see Table 2.8)

Table 2.8
Classes and the Quality of Housing - 1964

Types of Residential Quarters	Locality	Floor Area occupied per family in sq. ft.	No. Of Families	Population	No. of Householders per house	No. of people per household	No. of Dwelling house per acre
Aristocratic	High Ground	Above 2000	1347	8311	1.81	11.81	1.0
High Middle Class	Malleswaram West	1000- 2000	2624	16464	1.61	10.12	4.0
Medium Middle Class	Visweswarapuram area	500-1000	2136	14742	1.85	12.91	7.58
Low Middle Class	Chamarajpet West	300-500	3841	24678	2.20	14.17	9.60
Low Income Group	(a)Kemmanagundi	Below 300	2434	16741	2.95	20.19	13.77
	(b)Anjaneya Temple	Below 300	2473	14927	2.08	12.54	37.10
Total			14855	95863			

Source: R. L. Singh, 1964, *Bangalore: An Urban Survey*, p. 68.

Who were these migrants and where did they settle in Bangalore? Bangalore City had its poor social areas known as unauthorised layouts and slums. In 1950s there were 92 slums with a population of 58, 871.⁹⁶ Migrants from rural areas were residing in the 'slums'⁹⁷ and these areas were also characterized as 'factory zone'.⁹⁸ People of these areas were involved in low paid and menial jobs.⁹⁹ Further the Singh's (1964)¹⁰⁰ survey also showed that the lower/scheduled caste communities¹⁰¹ were the predominant in the slums. These slums were spread over 'open spaces' in the city and its periphery¹⁰² and near to the water bodies-tanks.¹⁰³ The reason for the growth of slums could be attributed to the lack of access to state provision of legal, developed land. Bangalore had 93 slums by 1959-1960.¹⁰⁴ Slums within the Bangalore City Corporation limits were viewed as "eye-sore" to the "visitors and tourists" of the "beautiful garden city" and its population had increased to about 75,000.¹⁰⁵ Redevelopment of slum areas to conform to civic order and its aesthetics was taken up over a period of time. There were other layouts which were being created for slum dwellers in this period. Seventeen acres were planned to be acquired near Venkataswamy Garden, 70 acres near Audugodi, 671 sites were to be bought from CITB at Jayanagar, and 20 acres near Hosahalli- to rehouse slum dwellers in various parts of Bangalore City.¹⁰⁶ Ten acres of land was acquired to rehouse slum dwellers at Munivenkatappa Garden Ulsoor.¹⁰⁷ Hundred and fifty sites were bought alongside Magadi Road. 417 sites at Magadi Road Chord Road Layout were purchased from CITB. 18 acres and 2½ guntas of land were acquired at Kempapura Agrahara to rehouse 420 families of slum dwellers of Goripalya¹⁰⁸. Six multi-storeyed buildings built by CITB located at Jayanagar, Okalipuram and Sonnenahalli –were bought for slum clearance and improvement.¹⁰⁹ Apart from that there were 13 slums which were being redeveloped by CITB.¹¹⁰

There were many unauthorised layouts which had developed over a period of time.¹¹¹ How did an unauthorized/revenue layout¹¹² look? One could get the glimpses and one such layout in 1960s was called Padarayanapura¹¹³ Padarayanapura was a village on the periphery of Bangalore City.

Padarayanapura is about ¾ sq. miles in area and lies on the right hand side of Bangalore-Mysore Road off Sirsi Circle. The area was known as Padarayanagutta (Hillock) in olden days when it was a village and most of it was rocky area which can be seen even today. Houses sprang up gradually occupying every bit of land blasting the rocks in the revenue lands around the village. Later it came to be known as Padarayanapura...Originally the area was under the jurisdiction of Bangalore North Taluk with a village panchayat and came under the City Corporation in the year 1958-59. Padarayanapura is in the western zone of Bangalore City.

About 1/3 area of Padarayanapura comes under Corporation Division No. 21 along with adjoining areas such as Royapuram and Binnypet. The remaining 2/3 area comes under Dn. No. 23, along with areas like Goripalya and Guddadahalli. However it is a compact area surrounded by Bangalore-Mysore Railway line on the west and Goripalya a predominantly schedule caste area on the East, Binnypet, a textile mill workers' colony separated by a garden land on the north and burial ground on the South.¹¹⁴

Padarayanapura was developed as an 'unauthorized'/'revenue pocket'. It continued to be in civic chaos even after a decade since it was appropriated into the limits of Bangalore City Corporation. It was a heterogeneous area made of population belonging to various castes, languages, and religions. It was basically a 'lower class' settlement with people involved in informal sector. People belonged to three religions- Hindus being the majority, followed by Muslims and Christians. There was a multiplicity of castes - Vokkaligas being the majority, followed by Devangas, Balijigas, Modaliars, Marattas, Nairs, Kaniars, Goldsmith, Lingayats, Brahmins, Dhobis, Barbars, Bajis, Thigalas, Scheduled Castes, Kshatriyas, Potters, Ganigas, etc. In addition, many linguistic groups were represented. Kannada being the majority language, followed by Urdu, Telugu, Tamil, Marathi, Malayalam, Konkani, Tulu, etc.¹¹⁵ Padarayanapura was visualized as 'harmonious' and a community which was becoming 'cosmopolitan',¹¹⁶. The general social milieu/atmosphere was characterized as follows- "There appears complete harmony among all the castes participating freely in local festivals and celebrations. Orthodox caste system is slowly giving way to cosmopolitan views. Though caste feelings and practice is in vogue in some of the communities, people do not express them explicitly..."¹¹⁷

Padarayanapura was a densely populated area. It was a congested and an unplanned area where housing, roads, water supply, electrification, etc., were still in a rudimentary stage. The majority had less than 100 sq. ft. living space. It was observed that the roads, sewage system and other civic amenities were in a 'pathetic' condition.¹¹⁸ This place was inhabited by factory workers, weavers, agarbathi makers, petty businessman, people who were in government service, drivers, casual labourers, workers involved in Beedi rolling, etc. This place had petty metal work factories which manufactured steel vessels, copper and brass vessels and electric pipes.

Another survey of a revenue/unauthorized layout – Karithimmanahalli revealed patterns similar¹¹⁹ to that of Padarayanapura. It was said that-

Karithimmanahalli was until 1936 known as Anchepalya. It is located in the South-West of the City of Bangalore and is on the left hand side of Bangalore-Mysore Road. It is a compact area surrounded by a huge quarry and a hillock on the East, a private Timber Yard on the West, Ragi fields on South and a burial ground upto Mysore Road on its North. This area has been merged in the Corporation during 1962. The area comes under 24th Division of the City Corporation.¹²⁰

It is a compact area with houses constructed in rows on the sides of roads...There is complete sense of belonging to the area and to the community among these residents who are displaying sentiments of rural people more than the urbanites...¹²¹

Karithimmanahalli was still a developing area having inadequate civic amenities. It was an area yet to lose its rural features. Still the land surrounding the place was agricultural. It was inhabited by caste-Hindus¹²² and Muslims. Vokkaligas were in majority, followed by Goldsmiths, Brahmins, Weavers, Halmuthas, Ganigas, Reddys, Banajigas and Schedule Castes. Kannada was spoken by the majority, followed by Urdu and Telugu.¹²³ These people were factory workers, government servants, carpenters, casual labour, petty businessmen, weavers, agarbathi workers, milk vendors, blacksmiths, tailors, contractors, etc.¹²⁴

Many other areas had similar features. Fifty percent (50%) of the employed population of the city Bangalore were in the informal sector. They included those working in small scale industries, machine-shop-cum-foundries, cottages industries, shops, self-employed people who were making agarbathis, selling milk, construction workers, petty contractors, auto-rickshaws owners and drivers, street vendors, market porters etc.,¹²⁵

In terms of city-size, city-growth, and functional rank Bangalore city held a primate position in the State of Karnataka, because none of the town in State resembled its development, growth and expansion pattern.¹²⁶ In the first phase from 1951-1971, the city of Bangalore had become an industrial city. During 1951-1961, 50% of the increase in population was found in the 'marginal areas'/'outer zone' of the city.¹²⁷ The growth of population had high correlation...with industrial population... During the decade 1961-71, the population increase in sub-urbs was 92%. In contrast, the increase in the city was only 35%. Thus, the city's sub-urbs grew faster than the inner city, during the decade of 1961-71, revealing the industrialization of the sub-urbs which had a total population of 1, 13,038.¹²⁸ The city had become a multifunctional city¹²⁹. It reveals the industrialization of the outward moving city¹³⁰.

The above analysis of the industrial city of Bangalore gives a fragmented picture. The city was made with few of the large scale public sector industrial units and the accompanying residential layouts, recreational spaces, commercial spaces, etc., which gave greater impetus to urbanization. Large scale industrialization spawned chains of medium and small scale industries too. Apart from that the city expansion was aided by the creation of CITB layouts. Simultaneously there were also other growing social spaces and the economies though apparently presented as the spaces disconnected to the major process of the growth of industrial constituents. But, as the facts in the preceding analysis show that the poor migrants and other poor people of the city were contributing to the sustenance of the industrial economy. But the legality of their spaces of existence was questioned. The urbanization process was construed in terms of the “growing complexity of social interests”¹³¹ due to the influx of population in the City. One could also see the poorer castes and the adaptations. Such adaptations lacked legitimacy and were viewed by the governmental establishment as entities needing amelioration. This was all happening in the context of the legal production of space in an expansive form by the government or the quasi-governmental associations for their own purposes. The importance and contribution of the informal economic sectors to the industrial economy was required for the growing urban society but was not acknowledged legally.

New Mode of Industrial Development- Phase II

This section would try to outline the new characteristics of Bangalore’s urbanization in the changing context. The transition period of the 1970s gave rise to new changes, including the development of new economy and the spatial expansion of Bangalore city. In the last two decades of the twentieth century Bangalore became a ‘network city’. The changes included the new modes of organization of the city and the city planning, industrialization, organization of government and its activities, etc. The new mode of industrialization began to emerge in the ‘new milieu of innovation’, not only in terms of the technological development but also in the spheres of organizational principles of production of various goods and services. The existing industries had to adapt to the emerging innovations in the new technological context, and, also the organization principles of production to sustain and improve the business.¹³² Apart from

that the new enclaves of production of software characterized urbanization of Bangalore. This resulted in Bangalore city being connected to the global production system.¹³³ In the following sections, attempt has been made to see to what extent the new mode of industrial development with the existing industry had consequences for demographic and spatial changes, and in the creation of new social spaces.

Spatial and demographic changes in the city

The 1970s is considered as a turning point in development of Bangalore city since it experienced fastest growth in population and spatial expansion. During the 1970s, urbanization and spatial expansion of the city became much more elastic. The population of Bangalore urban agglomeration, according to the 1981 census the population was 29, 27,751 and the area was 365.7 square kilometres. Bangalore Urban Agglomeration consisted of new areas - Baiyyappanahalli Manavarti Kaval, Hebbal, Kadenahalli (included Ramamurthy Nagar), Kalagondahalli, Kengeri, Lingarajapura, and Yelahanka, and the old areas of Bangalore City Corporation areas and the adjacent BDA developed areas, B.E.L. Township, Devarajivanahalli, H.A.L. Township, H. A. Sanitary Board, H.M.T. Township, H.M.T. Watch Factory Township, I.T.I. Notified Area (Duravaninagar), and Jalahalli - excluding the area under Bangalore Corporation, B.E.L Township, H.M.T. Township and H.M.T. Watch Factory Township.¹³⁴ Though these were broadly the areas classified under urban agglomeration, 34 villages and 4 other areas in the far flung places from the city belonged to Bangalore North Taluk and 41 villages were characterized as outgrowths and were reckoned as urban areas.¹³⁵ Population in the urban agglomeration experienced 76% growth during 1971-1981 compared to the previous decades of 1951-61 (53%) and 1961-71(38%) respectively.¹³⁶ Of the total population growth, 62% was due to the natural growth and 38% was due to migration.

In Bangalore Agglomeration Area, in 1981, the working population constituted 29.76% of the total population.

Table 2.9**Kinds of Occupation and Number of Workers - 1981**

Main Workers in the Bangalore Urban Agglomeration Area- 1981		
Types of Work in Various Occupations		Percentage of Workers
Cultivators		0.93
Agricultural Labourers		0.90
Livestock, Forestry, Plantations, Fishing, Hunting, Orchards and Mining & Quarrying and Allied Activities		0.83
Manufacturing, Processing, Servicing & Repairs	Household Industry	2.76
	Other than Household Industry	34.68
Construction		6.06
Trade & Commerce		18.56
Transport, Storage & Communications		9.49
Other Services		25.80

Source: Ravindra. A.(1992) *Metropolitan Management-A Management Perspective*, p. 187.

Table 2.9 gives a picture that in 1981, the percentage of workers was in manufacturing followed by services in trade and commerce. See Table 2.9.

In 1981 Population of migrants in Bangalore U.A. was 1.09 million¹³⁷ and migrants formed 38% of the total population.¹³⁸ The population increase in the urban agglomeration was due to inter-district and intra-district migration from within Karnataka and also from other states in South India, and migration from other states was showing a decreasing trend.¹³⁹ The city drew people from various parts of the State, from other parts of the Country and from both rural and urban areas. Bangalore U.A had 59.4% of the migrants who came from different districts of Karnataka, of which migrants from Bangalore rural areas was 20.6%. Other three Southern States of Andhra Pradesh, Tamil Nadu and Kerala accounted for 33% of the migrants, and people coming from all the other States in the country 6%. 58% of the migrants of Bangalore were from urban areas, while the remaining 42% were from rural areas.¹⁴⁰ According to the 1981 census, the reasons¹⁴¹ for migration were for employment, education, family's relocation to the city, marriage and other reasons.¹⁴²

The table 2.10 gives the occupations of migrants. Apart from organized industrial employment, migrants from the middle class background took up administrative and managerial employment in public and private sectors. However, the lower middle class and poor migrants took up other menial jobs.

Table 2.10- 1989**Kinds of Occupations and Migrants**

Occupation	Male Migrant Workers	Female Migrant Workers	Total
	Total	Total	
“Low Status Services”	28607	2622	31229
Production & Transport related Workers	109844	4282	114126
Sales Workers	23863	553	24416
Primary Producers	2572	91	2663
Clerks	39471	3469	42940
Administrators, Executives, Managers	21381	441	21822
Professionals	29004	3841	32845
Unclassifiable Occupations	11395	740	12135
Totals	266137	16039	282176

Source: Johnson Samuel & Lingaraju 1989, *Migrants in Bangalore*, p.31.

Bangalore U.A’s population increased to 4,169,253 in 1991¹⁴³ to 5,686,844¹⁴⁴ in 2001. During 1981-1991, the population increased in the city was more than 12 lakhs - the contribution of natural increase was 22%, and of migration was 45% and due to the expansion of the jurisdictional boundary the increase in population was 33%. Similarly, during 1991-2001, the population increased in the city was more than 15 lakhs- the contribution of natural increase was 22%, and of migration was 45%. Due to the expansion of the jurisdictional boundary the population increase was 33%. The contribution of migration to city’s growth had increased from 35% during 1961-81 to 45% during 1981-2001. During the same time, boundaries of Bangalore city had expanded from 365.7 square kilometres (in 1981) to 457.10 square kilometres in 1991¹⁴⁵ and to 530.85 square kilometres in 2001¹⁴⁶.

Table2.11**Causes for increase in Population: 2001**

Composition	1981-1991 (million)	% of Total	1991-2001 (million)	% of Total
Natural Increase	0.266	22%	0.342	22%
In-migration	0.544	45%	0.700	45%
Jurisdictional Change	0.403	33%	0.519	33%
Total Increase	1.209	100%	1.557	100%

Source: http://www.badbangalore/Vision_Document_RMP2015_BDA.pdf, (accessed on November 14th, 2007), p. 9.

There was a fall in the population growth rate during 1981-2001 as compared to the earlier two decades. During 1971-81, the growth rate was 76%, whereas in the following two decades of 1981-1991 and 1991-2001, population growth rate were 41.36%, 37.69% respectively¹⁴⁷. But, in absolute terms the increases were still

significant, because in terms of number, 41.36% was more than a million and 37.69% was a million and a half. The spatial expansion during 1971-1981 was 17.27% whereas during 1981-1991 and 1991-2001, it was 9.14% and 7.37% respectively. During the last two decades of the 20th century the occupational profile of the city had undergone a major change. In 1991 and 2001, 17 and 8 urbanized villages were added to the Bangalore U.A. respectively.¹⁴⁸

Table 2.12

Workers and Kinds of Occupations in the Bangalore Urban Agglomeration Area- 1991

Main Workers in the Bangalore Urban Agglomeration Area- 1991	
Types of Work in Various Occupations	Percentage of Workers
Cultivators	5.92
Agricultural Labourers	4.60
Livestock, Forestry, Plantations, Fishing, Hunting, Orchards and Allied Activities	0.97
Mining & Quarrying	0.80
Household Industry	1.32
Manufacturing, Processing, Servicing & Repairs Other than Household Industry	30.08
Construction	8.13
Trade & Commerce	19.63
Transport, Storage & Communications	7.60
Other Services	20.95

Source: *District Census Hand Book*, 1991, Bangalore¹⁴⁹, pp. ix-x.

In 1991, with the addition of more villages into the city fold; the number of agriculturists and agricultural labourers had increased. However, the population working in manufacturing and services were still high. Apart from that in the last decades, the enclaves of the city also attracted people to be employed in the software industries. The large proportions of the migrants were considered as ‘well educated and qualified’¹⁵⁰ and skilled labour.

Industrialization and Changing face of Employment in the City

In the following section the changes in the industrial scene with the initiation of new mode of industrial development and the changing nature of employment in the city will be discussed. Such an analysis would give the idea of a kind of transition that the city has been going through over a period of time. Government’s policy of

‘dispersal of industries and prevention of heavy concentration in highly developed pockets’¹⁵¹ notwithstanding - ‘The number of industrial units, classified under large, medium and small, burgeoned to 5,641 in 1981 compared with the more modest 283 units of the early 1950s. Comparably, workers in the city increased from 45,878 to 212,506 during the same period. Combined with the service sector workers in 1971, the total workforce of the city was 576,531. A high proportion of textile, automobile, electrical, and electronic units were based in the city, and nearly all the state’s workers in these industries were located in Bangalore. Over 73 per cent of the private sector workers were in these industries.’¹⁵²

By the mid 1970s, a new wave of industrialization was introduced to the existing Industrial base. A new type of concentration of ‘sunrise industries in high-technology fields’ had been planned by Karnataka State Government, to ‘generate the kind of synergy associated with milieu of innovation’¹⁵³. This kind of state supported industrialization gave a new fillip to urbanization. The result was the establishment of Karnataka State Electronics Development Corporation (KEONICS) by Government of Karnataka’s department of medium and large industries. Keeping intact the spirit of mixed economic style of development, the new corporation made entry into production by setting up its own plants in alliance with Indian and foreign companies. It also encouraged the private enterprises through ‘marketing support, and ran manpower training centres.’ In the context of State-led industrialization, Government lacked capital and the technological sophistication to start high-technology industries. Government was mainly confronted with the problem of under-accumulation. Under these circumstances Government played the role of a facilitator by creating infrastructure and land, and by allowing and aligning with the private sector to develop high technologies in the electronics and ‘telematics’.¹⁵⁴

The establishment of industrial estate known as Electronics City in 1977 had much greater consequence for the later growth of the city in terms of rate of spatial expansion and population too. Karnataka Industrial Areas Development Board (KIADB) acquired 136 hectares of green belt land for the purpose which was 18 kilometres away from the city along the Hosur Road in the south-eastern direction.¹⁵⁵ All this was happening in a broader national context of quest for modernization and to open up to new technologies which were of strategic importance. In the initial phase,

that is, right from the 1950s and through to the 1970s, India had few computers, and technical experts and the foreign industry was non-cooperative with the government of India in the production of such electronic goods. So the Government had to resort to similar pattern of setting up of its own centres for production, and research and development by pooling in resources and expertise, within the planned development framework.¹⁵⁶

Alongside these new attempts, in the early 1980s Bangalore still was underscored by public sector industrial presence. Imaged as an ‘Industrial Complex’ with high-rise and industrial environment in the background, the products were foregrounded to ‘*depict scenes associated with the manufacture of watches, telephone and aircraft and [was] intended to convey the depth of industrial transformation achieved by Bangalore district in general and Bangalore city in particular*’ (emphasis added).¹⁵⁷ Further, Bangalore city was attributed the sense of ‘pride’ for its achieved industrial status-

The neighbourhood of *Bangalore city* has attracted several prestigious public sector undertakings such as the Hindustan Aeronautics, Indian Telephone Industries, Bharat Electronics, Bharat Heavy Electricals, Bharat Earth Movers, Hindustan Machine Tools, Hindustan Machine Tools-Watch Factory and Railway Wheel and Axle Plant. During the post-independence period the city and its neighbourhood have witnessed a phenomenal growth of large, medium and small scale industries. The products manufactures by these industrial units cover a wide spectrum which is expanding with the passage of every year (emphasis added).¹⁵⁸

Public sector industries were generating large scale employment- ‘By the early 1980s, the public sector industries, including the HMT watch factory and BHEL accounted for over 80,000 jobs: well into the 1990s, HAL alone accounted for more than 42,000 jobs.’¹⁵⁹ Several Large scale private sector industrial units – ‘Motor Industries Company Limited, International Instruments, and Amco Batteries...Kirloskar Electric’ – did match the public sector in terms of size and employment, but could not overshadow it.¹⁶⁰

Coming back to the question of high technology industries, policy of the Government of India was fast changing in the 1980s. Individual efforts and enterprise- both public and private sector, and foreign aid/collaboration for the development of the new sectors of the economy, like electronics and computer industry was finding a

relatively uncontrolled/liberalized space but it was guided, facilitated and monitored by the Government.

The microcomputer changed everything. Generations of machines became obsolete within months, rather than decades. Voices rose up on all sides, claiming that the effectiveness of Indian organizations required immediate access to new computer technologies, rather than waiting for indigenous capabilities to mature. Prime Minister Rajiv Gandhi, who had a personal interest in microelectronics, cleared the way for the liberalization of the electronics sector, including a 'New Computer Policy' in November 1984. Now there was a 'single window clearance' for import licenses and letters of intent, with an inter-ministerial standing committee of DOE to regulate all clearances of licenses. Import duties for peripherals declined, and imports were allowed for government and research facilities. Any company could manufacture an unlimited number of computers, although foreign equity regulations remained in force. The year 1985 became the 'Year of the PC' as prices plunged and availability expanded.¹⁶¹

The essential prerequisite for the development of software industry and development centres were skilled labour and communication facilities. Bangalore fulfilled such prerequisites. The skilled labour in the region was attracted from public sector manufacturing industries and laboratories in sectors such as aerospace, defense electronics and telecommunications. Subsequently large numbers of graduates from the engineering colleges of Karnataka and neighbouring states were added to the workforce.¹⁶² The Department of Electronics developed the 'Software Technology Parks of India scheme' (STPIs) to provide infrastructure for software production which was purely meant for exports and to attract 'offshore software production'. One of the initial six STPIs was set up at the Electronics City with the government's facilities which included broadband communication networks, tax concessions, and tariff-free imports of equipment. In the context of all these developments, KEONICS claimed Electronics City to be 'Silicon Valley of India' and with more publicity the Silicon Valley image was being projected to the whole of Bangalore city itself. These images apart, there were increasing number of complaints by the occupants of the Electronics City on the worsening condition of infrastructure and the demand for more facilities.¹⁶³ United States Agency for International Development (USAID) had aided Bangalore 'to become a high technology centre in a model similar to Silicon Valley, offering opportunities for expanding Indo-U.S. business contacts.'¹⁶⁴ The drive was not only to assess the feasibility of Bangalore to become a leading high technology centre but also suggest the models and methods to make it a Silicon Valley.¹⁶⁵ It was predicted that the 'advantages of high technology were not necessarily in direct employment, but in a multiplier effect'.¹⁶⁶ To put it in other words, the linkages of high technology industry to various sectors of the economy were unintended / latent with potential to multiply

and eventually create employment in other sectors of the Bangalore's economy and also in much broader national economy.

The liberalization of Indian economy in the early 1990s resulted in 'New Economic Policy' and 'New Industrial Policy'. This new economic regime, in a broader sense, became deregulatory in many spheres of economic activity giving way to the private enterprise and competition in general.¹⁶⁷ With the new export oriented government regime in place, there was a boom in the exports of the IT related labour and services in the initial phases of the development, but later the developments at various levels of the industry and world market made the IT industry to be attentive and shift the focus towards developing mainly the software products.¹⁶⁸ Government was instrumental in creating an image and making provision for land and infrastructure for the IT industrial establishments. All these processes of development of high technology industry configured Bangalore city-space in new ways. Further, liberalization of the economy had its immediate effect on the Bangalore's already growing high technology industry with great promise. To achieve success in exports through software technology parks, KIADB expanded the Electronics City in two more phases within a short span of time in the 1990s. For the second and third phases, 114 hectares and 98 hectares of land was acquired respectively in the adjoining area of Electronics City.¹⁶⁹

Another major development in expanding IT industry was the establishment of 'International Technology Park'. KIADB acquired 22 hectares of land in the Whitefield industrial area located in the east of Bangalore City.¹⁷⁰

As envisioned by the state government in its publicity tools, the corridor began at the Electronics City campus of KEONICS and the Electronics City Phase II of KIADB; followed Hosur Road towards the city past the offices of Compaq, Novell, and Wipro; picked up the newly completed Intermediate Ring Road to the north-east until it intersected a series of offices in Indiranagar; went past National Aerospace Laboratories, Indian Space Research Organization, Hindustan Aeronautics Limited, and the airport; swung north along the Outer Ring Road to pick up the Export Promotion Industrial Park; and ended at the Information Technology Park near Whitefield. Out of 13,700 hectares, approximately 7,300 hectares would be earmarked for IT companies.¹⁷¹

By 2000, the information technology industry accounted for 2,020 individual companies which included 765 specialized in software development and services. Government of Karnataka had a tally of 925 software companies. In terms of employment, according to state government's claims IT firms were employing between 75,000 and 80,000 professionals.¹⁷² Whereas in 1991 'firms specializing in computers and peripherals' employed only 1,672 persons, while 'software firms' employed 947

persons. 'The 'Silicon Valley' characteristics of the economy thus remained minimal in 1991.'¹⁷³

Classified into various sectors, the industrial base of Bangalore city exhibited greater diversity. Despite all these changes, in the 1990s, in various sectors, public sector industries still continued to play a major role in production and as employers. The central government public sector industries were the following. In the automotive and transport sector was Hindustan Aeronautics Limited (HAL) which employed 42,389 persons, the largest number of employees. In the electronics sector- Bharat Electronics Limited (BEL) employed 14,000 persons, Bharat Heavy Electricals Limited (BHEL) employed 4,300 persons, and Indian Telephone Industries (ITI) employed 16,000 persons. In the engineering and manufacturing sector, Hindustan Machine Tools (HMT) employed 8,371 persons. In the electrical and electronics sector - the state government public sector industries were the following: National Government Electric Factory (NGEF) employed 6,500 persons, Mysore Lamp Works 1,418 persons and Mysore Electrical Industries 1,368 persons.¹⁷⁴

There were many private medium and small firms producing components which were used by the public sector firms. Medium and small scale firms in the electronics sector employed 76,000 persons which were producing components for BEL, BHEL, and ITI, within Bangalore urban district. Likewise, in the engineering and manufacturing sector for HMT 'a wide range of medium and small scale industries were producing everything from tools and components to finished consumer goods. A large number of small shops that employed less than 10 persons utilizing power-driven turning and finishing tools contributed to a manufacturing working force of 43,000...number of firms specializing in metal and metal products' was 55,000 workers.¹⁷⁵

There were private firms in the chemicals sector – large and small scale employing 5,000 and 10,000 persons respectively. Apart from that in the chemicals sector, there were private small firms producing incense/agarbathy using manual techniques and employed unaccounted number of people. Private enterprises in the automotive and transport sector- Motor Industries Company, International Instruments, and Amco Batteries Limited employed 6,344, 1,330, 1,310 persons respectively. There

were total of 104,714 persons employed in both large and small scale private enterprises in the electronics/electrical sector in the metropolitan region. Textile industry in all segments – large, medium and small scale – employed 79,000 persons. Textile production was mostly at the household level, but there were a few old large mills producing cloth. Large number of firms producing various kinds of foods and beverages were employing unaccounted number of persons.¹⁷⁶

The informal sector has been growing rapidly. In 1971, the informal employment was 50%¹⁷⁷, in the late 1970s, it was 45.63%¹⁷⁸, and in 1991, it was 65% in Bangalore U.A.¹⁷⁹ The workers of the informal sector were mainly masons, painters, carpenters, helpers in construction, agarbathi makers, domestic workers, factory workers, service providers, autorickshaw drivers, tempo drivers and mechanics, recycling job workers, petty shopkeepers, etc.¹⁸⁰ They were mainly involved in ‘self-employment’ activities and semi-skilled manufacturing and assembly.¹⁸¹ In addition to the above, there were also other informal economic settings termed as ‘economic clusters’ in Bangalore city. Basically these places are organized by the migrants who are engaged in businesses of real estate, trading, and manufacturing by building alliances with local communities and politics. These zones are connected via financial circuits, to different regions of the country in some cases but mainly to rural areas. Investments into these small businesses are cyclical in nature, moving between rural and urban zones. Role of these economic clusters have been to produce goods and services which are untouched by the bigger enterprises of the formal industrial economy.¹⁸² 61% of informal establishments procured raw materials from the informal sector and 71% sold their products back to the informal sector.¹⁸³ This demonstrates the existence of relative autonomy within the informal sector. Despite strong backward linkages, the informal workforce has a main role in building the city, keeping it clean and green, providing various domestic services, etc., without which the city cannot exist and grow in the present context.

Social Spaces

The industrial urbanization of Bangalore had created lived spaces which could be categorized as- industrial townships, layouts formed by CITB-BDA, legal private layouts formed by HBCS, IT residential enclaves, private residential housing estates built by private builders, slums, and unauthorized private layouts. Industrial townships

being the same, all other residential spaces were on the increase. The legal private layouts, unauthorized private layouts, and slums were expanding faster than other types of residential expansions.

The social spaces of the Bangalore have been studied by a few scholars. Holmstorm dealt with different lived social spaces in the context of expanding city. The planned layouts encompassing villages, slums, planned factory townships, unauthorized private layouts and areas of housing provision made by public sector factories. Planned layouts were laid out between the villages, where the former villages retained their identity 'self-consciously' by retaining intact, their village names, families, temples, festivals and titular headmen. He characterizes the planned layout in a following manner- "The filling between old village centres consists of straight avenues, lined with trees, and symmetrical blocks. The narrow winding streets of the centres are paved with tarmac or granite, and usually have underground drains and overhead electric wires."¹⁸⁴ Adjacent to these layouts were the village pockets and slums with "old farm houses or cottages, built of white-washed adobe or small red bricks with roofs of corrugated Mangalore tiles; sheds for the cows which still wander[ed] round the streets and graze[d] on patches of open ground; bigger houses of local landlords and businessmen, often in garishly painted concrete; rows of one- or two-room ground-floor apartments round courtyards, built by speculative landlords for immigrant worker; general stores and smaller shops; and colonies of adobe huts, with thatched or corrugate iron roofs, which the very poor buil[t] for themselves on vacant sites, paying the land lord a small ground rent."¹⁸⁵ Factory workers lived in different kinds of built environment. Some lived in middle-class areas i.e., planned layouts; few had bought houses built by public sector factories; in the 'expanded village centres'- the private layouts, many workers lived in 'rambling peasant houses, with accommodation for a large joint family and cattle; sometimes in really cramped and unhealthy conditions'¹⁸⁶; and marginal number lived in planned townships around public sector factories. The townships had 'its own parks, schools, shopping centre, places of worship, hospital, sports club and cinema. Rows of identical detached houses, with small well-kept gardens, stand along quiet lanes.'¹⁸⁷ Those were the pictures of the 1960s and 1970s. Janaki Nair (2005) provides a glimpse of an expanded area of the city for workers- the industrial suburb of Rajajinagar on the edge of the city for the labourers. The modest sized planned residential sites in the industrial suburb became

the desired kind of residential spaces for the middle classes of Bangalore city till the end of the 20th century¹⁸⁸.

According to the 1981 census, revenue villages which were under the control of the village panchayats covered 10 sq.kms of the BDA area. These areas were characterized as “twilight zone”. These were engulfed by the expansion of the city due to the activities of housing cooperative societies and private agencies, slums or unauthorized clusters of houses. According to the census, “These lands cover a vast area around the city and, more than that, consist of numerous disjointed pieces lying in several villages, non-municipal towns and municipal towns including Bangalore city”.¹⁸⁹ The so called twilight zone was becoming the expanding feature of the city. It was intermeshed with both legal and illegal, and planned and unplanned forms of residential space. During the last two decades of the twentieth century, the unplanned expansions of the city had become a regular feature of the city growth.

Apart from such formations, Bangalore city was expanding into the vast tracts of agricultural lands within the green belt. With the new wave of industrialization, there was a new configuration of space owing to high-technology industrialization. As a concomitant of the IT industry there were new kinds of social spaces as domestic and leisure life changed. ‘A conspicuous class of software entrepreneurs has also emerged in Bangalore, running firms that have made them instant multimillionaires...producing a new transnational elite of well-paid “infocrats”’.¹⁹⁰ Information technology parks came up with a package of self-contained/self-sufficient civic amenities. Construction of IT parks began in 1995, and the first phase was completed in 1997. The IT park was inclusive of ‘one high-rise building for commercial space, another for office space, and a six-floor building designed for light industrial production, all faced with light-reflective glass and polished stone... high-rise apartment blocks for 764 flats, complete with swimming pools and tennis courts, and shopping areas plus a gymnasium’. The expected tenants to occupy this spaces were the ‘transnational and Indian companies engaged in research and development, education and training, testing or manufacture in information technology fields’.¹⁹¹ ‘These parks came complete with their own power, sewage, and satellite communication systems. Some offer health care facilities, stores, schools, and, of course housing. Increasingly, the only reasons to leave a park are to play golf and to go to airport’.¹⁹² IT parks were becoming isolated cities in themselves

more and more unconnected to the city. The distance between residence and work place, and other places was being reduced to nothing.

Apart from such fragments, there were other kinds of fragments in the city too. The growth of informal social areas was simultaneous and parallel to the growth of the industrial economy and its social spaces. Similarly in the latter phase of industrialization and the new economy the scale of informal economy and its social areas had expanded considerably.¹⁹³ The recent micro studies of the urbanization of few areas – Azadnagar, Valmikinagar, Mahadevapura, Yeshwantpur, etc., – located in different directions and parts of the city of Bangalore, provides a glimpse of the other side of the small scale economic organization and kind of poverty which is linked to local politics, governance, institutional arrangements, etc. Urbanization of Azad Nager – the municipal ward located in the west of Bangalore city presents a picture of the convergence of work and lived spaces of the migrant poor caste groups and religious groups. In the area, the population was employed in extensive re-cycling industry, a weaving industry, an automobile cluster, home based activities and a variety of general services. The ‘intensive economic activity’ had attracted migrant groups to settle there which further had spurred the development of general trade and services - bakery, tea shops, small food stalls, provision stores etc. ‘The local economies of its various neighbourhoods and the urbanisation thus reinforce each other.’¹⁹⁴ Residents of these areas belonged to various castes and religions. It is interesting to take note the kind of division of labour that this kind of social groupings in terms of the vocations brought about to the residents of these areas. This only reflected the hierarchies that exist elsewhere traditionally that reflected in the structuration of this place. Migrants’ identity and the status concurred with the marginal occupations and enterprises in the Azadnagar area. For instance, Muslims and SC/ST population was engaged in ‘rag picking and itinerant trading’ which is low, both in terms of the price value of the raw material collected and the health hazards associated with it. The other groups such as migrants from Kerala, Marvaris from Rajasthan, etc., were involved in retail business of reprocessed goods,¹⁹⁵ which was cleaner than rag-picking. Though the occupations have changed, the hierarchy and the nature of the jobs and hazards which accompany menial jobs have not changed.

Land development and land use in Azadnagar has been changing over a period of time. Land has been developed in varied forms and distribution of free sites by the state agencies to the 'poor groups', revenue layouts, layouts developed on the village lands known as gramthana lands layout by a , co-operative housing society layout and squatter settlement. Different areas in the Azadnagar ward represent different kinds of land development. Azadnagar, Valmikinagar, Markandeya layout, Adarshnagar, Rudrappa Garden, etc., areas in the ward are characterized by gramthana layout, free sites to the poor, co-operative society layout, and revenue layouts, respectively.¹⁹⁶ Apart from that what is equally important are the land uses which characterizes the areas that urbanization have brought about. The way land is developed is a significant indicator of its use, and the land uses have been affected by immigration and their varied interests of different social groups.

Valmikinagar settlement is a part of Azadnagar Municipal ward¹⁹⁷ and it is located alongside Mysore Road in the western part of Bangalore city. In Azadnagar ward Valmikinagar layout and Azadnagar are the oldest settlements. In the pre-independence period the land was used by military. The village temple was under the control of Princely Mysore State. Valmikinagar was formed to settle 'cobblers' (Scheduled Caste group- SC) by providing free sites in the post-independence period.¹⁹⁸ Like many other neighbourhoods in the Western part of Bangalore, Valmiki Nager is now a 'highly industrialised neighbourhood and also a 'slum'.¹⁹⁹ Due to lack of economic opportunities, the plot owners of Valmikinagar rented their houses. The demand for rented houses in western ward was due to the emergence of large number of small factories and businesses in the vicinity. Expansion of one room rent units was possible because of 'relatively large' plots. In the last three decades, Muslims settled in the area who did coolie work in the market and in the garages in the neighboring Padarayanapura. The Muslims settled in the area, bought properties in the same area.²⁰⁰

Similarly Azadnagar layout in Azadnagar ward was used by military till 1949. Over a period of time due to migration and different interests the landscape of Azadnagar changed. The agricultural land was converted into non-agricultural uses, after the Second World War. Private farmers sold their land by converting them into residential use to the migrant group, Gowdas and Devangas, and public sector

employees. The people who brought the land formed various layouts namely Rudrappa Garden, Markandeya layout, Kasturbanagar, Vanniyara colony, Vittal nagar etc. Basavanagudi Temple Trust which also had land made layout and sold sites to Brahmins. These Brahmins sold those sites later to Gowda settlers.

The Gowda community was mainly migrants from neighbouring cities and towns in the West such as Mysore, Channapatna, Madur etc. In 1950, plots were allotted to lower level employees (cooks, gardeners' etc.), In 1960 when the military outpost was closed, another 250 houses were distributed to class IV employees. Azadnagar layout today has more than 3500 such plots of varying sizes. Part of this is also developed as revenue plots. Groups here have invested in trade and small scale manufacturing after military's withdrawal. The Gowdas, in addition to trade, moved into renting and finance business. The location of the BINNY Mills in close proximity and other Mills, along with land settings that allowed for renting and diversified plot sizes attracted Devangas (ethnic weaver groups) and fuelled the growth of looms. This growth in turn, resulted in the extensive subdivision of plots and a dense development. Later, employees of public sector companies, drawn from different ethnic groups - Lingayats, Tamil also came to settle in the ward due to cheap rental options. With Gowdas coming to dominate the area, many Rajputs sold their land in the late 1980s to Marwaris (moving in to respond to the demand for capital and finance) and moved out of the area. Some of the Marwaris also started reprocessing units and also opened up several pawns broker shops. The development of recent economies such as powerlooms, plastic reprocessing has also attracted other ethnic groups - migrants from Tamilnadu and Bihar and Orissa in North India moved into the ward.²⁰¹

NOTES & REFERENCES

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- ¹ M. Fazlul Hasan, *Bangalore Through Centuries*, Historical Publications, Bangalore, 1970, p. 14.
- ² Ibid: p. 1-2.
- ³ *Agraharam* is a colony of Brahmans.
- ⁴ M. Fazlul Hasan, *Bangalore Through Centuries*, p. 16-22.
- ⁵ Bangalore was under the control of different kingdoms. After the fall of Vijayanagar Kingdom, it was under the control of Sultans of Bijapur. Later it became a part of Mughal Empire. This area was bought by the Mysore ruler Chikka Deva Raja Wodeyar for 3 lakh rupees. For more details see M. Fazlul Hasan, *Bangalore Through Centuries*.
- ⁶ M. Fazlul Hasan, *Bangalore Through Centuries*, p. 5; James Heitzman, *Network City: Planning the Information Society in Bangalore*, Oxford University Press, New Delhi, 2004, p. 26-27.
- ⁷ M. Fazlul Hasan, *Bangalore Through Centuries*.
- ⁸ Narendar Pani, et al. 'Impact of Colonialism on the Economic Structure of Indian Cities: Bangalore 1800-1900', in A.K.N Reddy and Vinod Vyasalu, eds, *Essays on Bangalore*. Bangalore: Karnataka State Council for Science and Technology, 1985, p. 2.
- ⁹ Narendar Pani, et al. 'Impact of Colonialism on the Economic Structure of Indian Cities: Bangalore 1800-1900'. In A.K.N Reddy and Vinod Vyasalu, eds, *Essays on Bangalore*. Bangalore: Karnataka State Council for Science and Technology, 1985, p. 3.
- ¹⁰ Ibid: p. 2.
- ¹¹ M. Fazlul Hasan, *Bangalore Through Centuries*, p. 88-89.
- ¹² Ibid: p. 7.
- ¹³ Report of the Bangalore Development Committee 1954: 4-5.
- ¹⁴ Ibid: p. 5.
- ¹⁵ "Origin of the Civil Station: After the defeat and death of Tippu Sultan, some British troops were garrisoned in Seringapatam. But the climate of Seringapatam was so unhealthy that they had to be transferred to a healthier station. The Madras Government (then in control of the Provincial Army) selected some lands near the City of Bangalore, and approached His Highness Sri Krishnaraja Wodeyar Bahadur III for permission to occupy them. This was readily granted and a vacant site near the village of Ulsoor was given to them for the accommodation of British Troops. It was occupied in 1807 by two British Regiments, and barracks and other military buildings were soon erected on it. A civil population, which had been attracted by the trade and other opportunities for public and private employment offered by the presence of British troops, began to settle near the military lands. Grants of lands for building purposes were made to civilian applicants by the Mysore "Sirkar". The administration of the area was not affected by the presence of the British troops. Both the Military lands (which might be regarded as the Civil and Military Station proper) and the Civil Station remained under the authority of the State. In the Civil and Military Station and Civil Station, all persons not belonging to the Military were treated as subjects of the Mysore State. They paid taxes to the Mysore State. They paid taxes to the Mysore Government and their disputes, civil and criminal, were adjudicated upon by tribunals set up by that

Government. This arrangement remained in force till the area was made over to the British Government in 1881” (ibid: pp. 4-5).

¹⁶ Ibid: pp. 4-5; M. Fazlul Hasan, *Bangalore Through Centuries*, p. 7 & 127.

¹⁷ British controlled only the military area to begin with after the restoration of Mysore to the Wodeyar family. In 1831, British took control of the whole of the Mysore territory for various reasons. Till 1881, Bangalore was totally under the control of British, the then Commissioner was appointed to head the administration. Again in 1881, when Mysore territory was restored back to Mysore royal family, the whole of Bangalore’s Civil and Military Station area jurisdiction was retained with the British until 1947.

¹⁸ Heitzman, James. (2004) *Network City*, p. 29.

¹⁹ Ibid: pp. 29-30.

²⁰ *Census of India, 2001, Provisional Population Totals, Rural-Urban Distribution of Population, Paper-2 of 2001, Series-30*, Director of Census Operations, Karnataka, pp. 14-15.

²¹ James Heitzman, *Network City*, pp. 30-31.

²² M. Fazlul Hasan , *Bangalore Through the Centuries*, p. 186 & James Heitzman, 2004, *Network City*, p. 31.

²³ Alternative core developed as a power center and also as a culturally different space.

²⁴ Smriti Srinivas 2004, *Landscapes of Urban Memory*, Orient Longman, Hyderabad, p. 47.

²⁵ Ibid: p. 47.

²⁶ The background of this legislation was – the economic exchange logic of user should for a good or service wilfully – which was conceived and introduced by British Administrators. Hasan found that - “Actually, it was the financial need of the time which brought about the enactment of municipal laws. Even as far back as the early part of the 19th century, successive Finance Ministers of Government of India always laid stress on the fact that services like public health and education benefited the inhabitants of the particular localities only, and, therefore, in the fitness of things, the expenditure incurred on them should be met by taxing them. Thus was born the idea of local finances and services which in the longer run became the basis for the working of the local bodies...The Bengal Act X of 1842 was the first enactment of this kind. Its provisions were meant for better public health of towns other than Calcutta. But, this Act, had its inherent weakness. So, it was repealed by the Act XXVI of 1850, which could be introduced in any town provided the inhabitants were desirous of ‘making better provisions for repairing, cleaning, lighting and for prevention of nuisances or for improving the town in any manner’. A significant feature of this Act was that its provisions were not to be put into force without the consent of the people and that it should be given effect to only after a fullest and most careful enquiry” (Hasan 1970: 176).

²⁷ Hasan, *Bangalore Through Centuries*, p. 176.

²⁸ Ibid: pp. 176-178.

²⁹ Ibid: p. 178. This regulation indicates the continuation of the municipal reforms that the British introduced, which was to regulate and discipline city into a particular spatial formation which would adhere to laws for its better existence.

³⁰ Hietzman, *Network City*, p. 125.

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- ³¹ Hasan, *Bangalore Through Centuries*, p. 179.
- ³² Heitzman, *Network City*, p. 31.
- ³³ Ibid: p. 33.
- ³⁴ Sundara Rao, Ba. Na., *Bengalurina Ithihasa* [Bangalore's History], (Vasant Literary Library Series Bangalore, 1985, pp. 72-73.
- ³⁵ Hasan, *Bangalore Through Centuries*, p. 180.
- ³⁶ Heitzman, *Network City*, p. 35.
- ³⁷ *Census of India 2001*- Map 8, p. 41.
- ³⁸ This classification is done by the researcher based on the figures given on the trend of the size of the extensions over a period of time.
- ³⁹ Report of the Bangalore Development Committee.
- ⁴⁰ Janaki Nair, *Miners and Millhands: Work, Culture and Politics in Princely Mysore*, Sage Publications, New Delhi. 1998, p. 18.
- ⁴¹ Ibid: p. 18. Names of these industrial units are mentioned in different ways in different texts. K. N. Venkatarayappa, *Bangalore: A Socio-Ecological Study* (Bombay: Bombay University Press, 1957), p. 57- In this work, industrial units are mentioned as Bangalore Woolen, Cotton and Silk Mills Company, Ltd., and Mysore Spinning and Manufacturing Company Ltd. They are mentioned as Maharaja of Mysore Spinning and Manufacturing Mills and Bangalore Woollen and Cotton and Silk Mills, Ltd., in R. L. Singh, *Bangalore: An Urban Survey* (Varanasi: Tara Publications, 1964), p. 51; etc.
- ⁴² K. N. Venkatarayappa, *Bangalore: A Socio-Ecological Study* p. 57; Nair, *Miners and Millhands*, p. 18.
- ⁴³ Heitzman, *Network City*, p. 38.
- ⁴⁴ Ibid. p. 39.
- ⁴⁵ Nair, *Miners and Millhands*, pp. 18-19.
- ⁴⁶ James Heitzman, *Network City*, p. 38.
- ⁴⁷ Nair, *Miners and Millhands*, p. 18.
- ⁴⁸ Ibid: p. 18.
- ⁴⁹ Ibid: p. 18.
- ⁵⁰ Singh, *Bangalore: An Urban Survey*, p. 53.
- ⁵¹ Nair, *Miners and Millhands*, p. 18.
- ⁵² Ibid: p. 19.
- ⁵³ Ibid: p. 19.
- ⁵⁴ Ibid: p. 216.
- ⁵⁵ Ibid: p. 217.
- ⁵⁶ Ibid: p. 217.
- ⁵⁷ Ibid: p. 217 & p. 220.
- ⁵⁸ Ibid: p. 220.
- ⁵⁹ Ibid: p. 220.
- ⁶⁰ Ibid: pp. 18-19.
- ⁶¹ Ibid: p. 222.

⁶² Ibid: p. 223.

⁶³ Binny Mills resorted to excuses like ‘financial stringency in the post-First World War Period, and ‘poor trade’ in the ‘Depression years’ on the one hand, and, on the other hand it came up with the argument that- “expansion of *mills* rather than housing quarters ‘would not only add to the welfare and well-being of our workpeople when actually at work, but make it easier for us to provide the means for a progressive housing policy’.” When government lands were sought for acquisition for the expansion of mills, Government of Mysore held Binny Mills to stand by its commitment to build houses for its workers (Nair 1998: 223).

⁶⁴ Ibid: p. 223.

⁶⁵ *Census Handbook, Bangalore District*, 1951: p. 4.

⁶⁶ *Census of India, 1961, Mysore State, District Census Handbook, Bangalore District*: p. 12.

⁶⁷ *Census of India, 1971, Mysore State, District Census Handbook, Bangalore District*: p. 8.

⁶⁸ K. S. Rame Gowda, *Bangalore: Its Growth & Development*, Silver Jubilee Souvenir, Bangalore City Corporation, 1974, p. 119.

⁶⁹ *Census of India, 1971, Mysore State, District Census Handbook, Bangalore District*: p. 8.

⁷⁰ Decline in migration from other states has been attributed to the ‘growing regionalism’ in city. Johnson Samuel & M. Lingaraju, *Migrants in Bangalore*, Working Paper, Institute for Social and Economic Change, 1989, p. 15); Holmstorm (1976)

⁷¹ V.L.S. Prakasa Rao & V. K. Tewari, *The Structure of an Indian Metropolis- A Study of Bangalore*, Allied Publishers Private Limited, New Delhi, 1979, p. 274

⁷² Johnson & Lingaraju 1989, *Migrants in Bangalore*, p. 15.

⁷³ Ibid: p. 20.

⁷⁴ Report of the Bangalore Development Committee 1954, p. 14-15.

⁷⁵ Singh, 1964, *Bangalore: An Urban Survey*, p. 81.

⁷⁶ John Stremlau, *Dateline Bangalore: Third World Technopolis*, Journal of Higher Education, Vol. 19 No. 4 Autumn 1996.

⁷⁷ Mark Holmstrom, *South Indian Factory Workers- Their Life and Their World* (London/New York/Melbourne: Cambridge University Press, 1976), p. 9.

⁷⁸ Heitzman, *Network City*, p.42.

⁷⁹ Holmstrom, *South Indian Factory Workers*, p. 9.

⁸⁰ Ibid: pp. 9-10.

⁸¹ Large scale public sector units produced aircraft, telephones, machine tools, watches, electrical and electronic equipment and earthmovers (Singh 1964: 55-57 & 133-139).

⁸² Ibid: pp. 133-139.

⁸³ James Heitzman, ‘Corporate Strategy and Planning in the Science City- Bangalore as ‘Silicon Valley’’, *Economic and Political Weekly*, Vol., XXXIV No. 5, 1999.

⁸⁴ Holmstrom, *South Indian Factory Workers*, p. 14-17.

⁸⁵ Janaki Nair, *The Promise of the Metropolis- Bangalore’s Twentieth Century*, (New Delhi: Oxford University Press, 2005), p. 81-82.

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- ⁸⁶ Gowda, *Bangalore: Its Growth & Development*, p. 119.
- ⁸⁷ Ibid: p. 119.
- ⁸⁸ Ibid: p. 119.
- ⁸⁹ *Census of India 1971, Series-14, District Census Handbook, Bangalore District Part X-A: Town and Village Directory*, p. 4.
- ⁹⁰ Gowda, *Bangalore: Its Growth and Development*, p. 119.
- ⁹¹ N. Baskara Rao and M. Johnson Samuel, 1985, *Growth of Bangalore: Population and Industrialisation*, Institute for Social and Economic Change, Bangalore, p. 30.
- ⁹² Ibid: p. 31.
- ⁹³ *Census of India 1971, Series-14, District Census Handbook, Bangalore District Part X-A: Town and Village Directory*, pp. 8-11.
- ⁹⁴ Activities and Achievements of C.I.T.B since its inception, i.e., From 26-1-1945 to 6-6-1973, pp.4-6.
- ⁹⁵ Activities and Achievements of C.I.T.B, p. 8.
- ⁹⁶ Report of the Bangalore Development Committee: p. 39.
- ⁹⁷ An area identified as a 'slum' which is in conformity with the official definition of the times.
- ⁹⁸ Venkatarayappa, *Bangalore- A Socio-Ecological Study*, p. 127.
- ⁹⁹ For more details on the occupations and their classifications, and list of kinds of enterprises of the times see Singh 1964; and Holmstorm 1976.
- ¹⁰⁰ Singh, *Bangalore: An Urban Survey*, pp. 78-79.
- ¹⁰¹ The slum chosen for the study was Muni Venkatappa Garden. The slum had 220 families of which 139 families were part of the sample of the study. The sample had 113 families of Adi-Dravida community, 3 families of Adi-Karnataka, 8 families of Harijans, 7 families of Mulims, 6 families of Christians and 2 families of Naidus (Singh 1964: 78).
- ¹⁰² Administration Report, Corporation of the City of Bangalore, 1959-60: xiii.
- ¹⁰³ Singh, *Bangalore: An Urban Survey*, p. 76.
- ¹⁰⁴ Administration Report, Corporation of the City of Bangalore, 1959-60: xiii.
- ¹⁰⁵ Ibid: 163.
- ¹⁰⁶ Administration Report, Corporation of the City of Bangalore, 1964-65: 336-337.
- ¹⁰⁷ Administration Report, Corporation of the City of Bangalore, 1965-66: xi.
- ¹⁰⁸ Administration Report, Corporation of the City of Bangalore, 1967-68: 198.
- ¹⁰⁹ Ibid: xii.
- ¹¹⁰ Activities and Achievements of C.I.T.B, pp. 29-30.
- ¹¹¹ Ibid: pp. 38-39.
- ¹¹² Revenue layout is created by putting agricultural land to non-agricultural use which is unauthorized.
- ¹¹³ Government initiated a programme called 'Urban Community Development Project' in selected areas of Bangalore City. Padarayanapura was one among them. The programme through its study of the area has construed an integrationist view of the place. Though it points out at the existing social realities like caste, religious, politics, economic, etc., its main focus was to take note of its ecologies and civic inadequacies. "The objective of starting the Project was to bring about in the selected areas:

changes in the skills and attitudes of the people from the traditional and static to progressive and rational.
to discourage unhealthy social attitudes and practices.

to work for acceptance and practice of healthy democratic principles and methods.

to develop among the residents a deep and abiding sense of civic consciousness and responsibility, pride in the area in which they live and a willingness to participate actively in community affairs, to promote better conditions of life by bringing about a healthy environment by good neighbourliness.

to train in group activities in order to promote latent talents during leisure hours.

to inculcate self-help and self-reliance in making community life fuller and richer.

to recognise problems of the area, think out solutions, assign priorities, survey and pool together internal resources to implement decided programmes which are not to supplant but be supplementary to the normal programmes of the Government and the local bodies.

to create healthy rapport with the agencies of the Government and local bodies in order to arrange effective developmental and welfare services to the area” (Administration Report, Corporation of the City of Bangalore- 1968-69: 318-346 & 1969-70: 203-222).

¹¹⁴ Administration Report, Corporation of the City of Bangalore, 1969-70: 203.

¹¹⁵ Ibid: 204-205.

¹¹⁶ Though the report is celebrating ‘cosmopolitanism’ the report itself is sceptic.

¹¹⁷ Administration Report, Corporation of the City of Bangalore, 1969-70: 205.

¹¹⁸ Ibid: 208-209.

¹¹⁹ Urban Community Development Project.

¹²⁰ Administration Report, Corporation of the City of Bangalore, 1969-70: 223.

¹²¹ Ibid: 230.

¹²² The report says that- “Caste system is in vogue but people do not express it explicitly. However the scheduled caste population is living separately from the general community. There is no instance of any communal clashes in the area. During community festivities all the castes participate freely.” (ibid: 224)

¹²³ Ibid: 223-224.

¹²⁴ Ibid: 225-226.

¹²⁵ Ibid: pp. 74-75.

¹²⁶ V.L.S. Prakasa Rao & V. K. Tewari 1979, *The Structure of an Indian Metropolis- A Study of Bangalore*, Allied Publishers Private Limited, New Delhi, pp. 272-273.

¹²⁷ Singh, *Bangalore: An Urban Survey*, p. 32.

¹²⁸ Prakasa Rao & Tewari, *The Structure of an Indian Metropolis*, pp. 273-74.

¹²⁹ Ibid: p. 273.

¹³⁰ Ibid: p. 274.

¹³¹ Administration Report, Corporation of the City of Bangalore, 1968-69: iii.

¹³² Both public and private sector industries connected to telematics and the information technology underwent the relatively faster evolution and growth in the high technology sector within the given liberalized atmosphere in Bangalore City. The case histories and profiles of various individual

entrepreneurs and enterprises and efforts of a large scale public sector unit tell the story. For instance, the Indian Telephone Industries (ITI) – a public sector unit – had to expand its operations through collaborations with the companies abroad to upgrade its technologies and the organizational policies to stay in the business than the ‘job creation’ which was one of the functions with other key functions viz., ‘self-reliance’, of the yesteryears (Heitzman 1999: p. PE-8). Many private companies in collaboration with foreign companies started production and marketing computers. In that process, Wipro and Infosys were the emerging leaders in the specialized field of computer systems and software production in Bangalore. These private enterprises drew their managerial and technological expertise from India’s public sector enterprises or from foreign firms in the United States or Europe. Around the same time the much highlighted collaboration was that of India’s Videsh Sanchar Nigam Limited (VSNL) and the US-based Texas Instruments to establish a software production centre in Bangalore city and an agreement that took place between the Australia and New Zealand Banking group (ANZ) and Prime Minister Rajiv Gandhi in a license to purchase Grindleys Bank by the former in exchange of the software technologies to the latter which eventually led to the opening of an office in Bangalore (Heitzman 1999: PE-7; 2004). “The transition to a new paradigm was being completed in the 1990s, but it is clear from the cases examined here that it was underway by the early 1980s. The fate of ITI demonstrates in extreme form the impact of this transition on the public sector behemoths, as an inability to innovate or to explore new markets doomed the company to live on borrowed time until quite late, only to experience the fall out from market erosion and a bloated corporate culture by 1995...the overall result of these changes was job loss for employees in a downsizing phase and slow-down or outright shrinkage in subcontracting opportunities for small and medium firms. There is little doubt that the big public sector companies will survive and...grow at acceptable rates in the near future, but it is likely that their overall impact on the economy of the Bangalore metropolitan region will decline. This means that Bangalore must look elsewhere for models of growth and employment generation” (Heitzman 1999: p. PE-8). The new phase of industrialization within the changing circumstances on the one hand was introducing new technologies through foreign tie-ups and eventual transfers and new products – electronics hardware, software, information – into the domestic market and at the same time exporting the services and labour. On the other hand was the efforts of individual entrepreneurs with small amounts of capital have expanded their business manifold by entering into new fields, which increased their revenues than the employment generated (Heitzman 1999: PE-4 – PE-7).

¹³³ Madon 1997; Hietzman, 1999, 2004; Parthasarathy 2004

¹³⁴ *Census of India 1981, Series-9 Karnataka, District Census Handbook-Bangalore District, Parts XIII-A & B, Village & Town Directory, Village & Townwise Primary Census Abstract, pp.502-507.*

¹³⁵ *Census of India 1981, Series-9 Karnataka, District Census Handbook-Bangalore District, pp. 72-75 & pp. 83-85*

¹³⁶ Rao & Johnson Samuel, *Growth of Bangalore: Population and Industrialization*, p. 1.

¹³⁷ Ravindra, A. 1992, *Metropolitan Bangalore- A Management Perspective*, The Times Research Foundation, Calcutta, p. 26.

¹³⁸ Johnson Samuel & Lingaraju 1989, *Migrants in Bangalore*, p. 12.

¹³⁹ Ibid: p. 15.

¹⁴⁰ Ravindra, *Metropolitan Bangalore*, p. 26.

¹⁴¹ The total number of migrants were 1099200 of which males were 582300 and females were 516900. Among male migrants the reasons for migration were employment 51%, education 8%, family moved to city 22%, other reasons 18%, and marriage 1% and among female migrants the reasons for migration were employment 6%, education 4%, family moved to the city 36%, marriage 38% and other reasons 16% (Samuel & Lingaraju 1989: 20).

¹⁴² Ibid: p. 20.

¹⁴³ *Census of India, 1991, District Census Hand Book*, Bangalore, Series-11 Karnataka, Part XII-A, Bangalore Village & Town Directory, Director of Census Operations, Karnataka, p. ix.

¹⁴⁴ *Census of India, 2001, Provisional Population Totals- Rural-Urban Distribution of Population*, Series-30 Karnataka, Paper 2 of 2001, Director of Census Operations, Karnataka, p. 34.

¹⁴⁵ *Census of India, 1991, District Census Hand Book*, Bangalore, p. xi.

¹⁴⁶ *Census of India, 2001, Provisional Population Totals*, p. 47.

¹⁴⁷ Ibid: p. 22.

¹⁴⁸ In 1991 villages Baiyappanahalli-Vimanapura, Banasvadi, Benniganahalli, Byataguttepalya, Byatarayanapura, Dasarahalli, Geddalalahalli, Kacharakanahalli, Kammagondanahall, Kaval Bairasandra, Koramangala, Laggere, Mahadevapura, Nagavara, Pinya, Saneguruvanahalli and Vijanapura were added; and in 2001- Herohalli, Pattanagere, Uttarahalli, Bommanahalli, Konankunte, Gottikere, Kothnur and Hunasamaranahalli were added to Bangalore Urban Agglomeration(Census of India 2001: 19).

¹⁴⁹ *Census of India, 1991, District Census Hand Book*, Bangalore, Series-11 Karnataka, Part XII-B, Village & Townwise, Primary Census Abstract, Director of Census Operations, Karnataka.

¹⁵⁰ Bangalore Master Plan – 2015 (2007), Vision Document, Volume I, Government of Karnataka, Bangalore Development Authority, http://www.badbangalore/Vision_Document_RMP2015_BDA.pdf (accessed on November 14, 2007), p. 9.

¹⁵¹ *Census of India 1981*, Series-9 Karnataka, *District Census Handbook-Bangalore District*, Parts XIII-A & B, *Village & Town Directory*, *Village & Townwise Primary Census Abstract*, p. xxxviii.

¹⁵² Nair, *The Promise of the Metropolis*, p. 83.

¹⁵³ Heitzman, *Network City*, p. 188. For more details about the aims and strategies of the planners for such a development process to take place, see James Hietzman, *Network City*, pp. 188-211.

¹⁵⁴ Ibid: pp. 188-189.

¹⁵⁵ Ibid: p. 188.

¹⁵⁶ In the initial phase that is right from 1950s through the 1970s India had few computers and technical experts. India was totally dependent on the foreign corporation IBM for the product and the services, though Atomic Energy Commission had designed an 'indigenous minicomputer'. 'At that time, IBM balked at providing high level computers to the Indian government, even after a personal request from Mrs. Gandhi, highlighting the nation's strategic dependence and prompting the government to strengthen indigenous production. In 1974, the Foreign Exchange Regulation Act required all foreign firms to hold not more than 40 per cent of equity in a company operating within India. Unwilling to jeopardize

proprietary knowledge, IBM withdrew from the Indian market in 1977 along with other transnational corporations such as Coca Cola.’ (Heitzman 2004:179) Under these circumstances Government set up Computer Maintenance Corporation (CMC) in 1976 with its own research and development nerve center at Hyderabad and in 1978 Hindustan Computers limited was established to trade in its own products-mainframes and minicomputers. There were also efforts by the private sector companies which were making forays into the field of computers. It is said that- ‘Roles did exist, however, for private enterprises. Tata Consultancy Services (TCS), for example, began in 1968 to run computerization for the Tata family of companies, and in the early 1970s they began to expand into software consultancy, obtaining their first external contract in 1973. Transnational corporations could run their own assembly operations at export processing zones, beginning with the establishment of the Santa Cruz Export Processing Zone in Mumbai in 1974 and expanded through zones set up later in Chennai, Falta (West Bengal),...The insulation of the Indian market from foreign competition worked well enough within an environment of gradual technological innovation. The department of electronics (DOE), operational by 1972, was still participating with other ministries in 1982-83 in the production of a ‘demand profile’ for computers and peripherals up to 1990 as part of Five Year Plans.’ (ibid: 179-180).

¹⁵⁷ *Census of India 1981, Series-9 Karnataka, District Census Handbook-Bangalore District, Parts XIII-A & B, Village & Town Directory, Village & Townwise Primary Census Abstract, p. 2.*

¹⁵⁸ Ibid: p. 2. For more details about the public sector industries and the ancillaries it supported, and the range of products produced *see also pp. xxxviii-xxxix.*

¹⁵⁹ Nair, *The Promise of the Metropolis*, p. 83.

¹⁶⁰ Ibid: p. 83.

¹⁶¹ Heitzman, *Network City*, p. 180.

¹⁶² Balaji Parthasarathy, *India’s Silicon Valley or Silicon Valley’s India? Socially Embedding the Computer Software Industry in Bangalore*, Volume 28.3 September 2004, International Journal of Urban and Regional Research, p. 672.

¹⁶³ Heitzman, *Network City*, pp. 188-189.

¹⁶⁴ Heitzman, 2004, *Becoming Silicon Valley*, Seminar.

¹⁶⁵ Ibid: pp. 184-85. First, ‘the main line of analysis, from a US business perspective’- the consultants for USAID pointed to the lag in innovation (which is generally formulated as the function of competition) due to ‘India’s long period of relative economic isolation and protectionism’ to develop its industry. They suggested the ‘composite regional model’ with ‘universal pre-conditions and characteristics’ for the technological development in realizing ‘Silicon Valley’ in Karnataka. The prerequisites included- ‘a strong university, linkages between research institutions and the industrial sector, a critical mass of talent and leadership within a market-driven and competitive environment, an ‘information base’ enabling fast and coordinated action, and venture capital.’ In addition to this another team of consultants ‘recommended international airport and the application of database management systems with GIS for planning alongside organization change as the recipe for upgrading infrastructure and organization.’ This overarching vision were to be, in practice, diversify technological development into many fields-

software, telecommunications, computers, biotechnology, pharmaceuticals, transport, etc. (Heitzman 2004: 184-85)

¹⁶⁶ Ibid: p. 185.

¹⁶⁷ Liberalization was a series of reforms initiated by the Central Government of India. It happened in the context of crisis ridden economy with- huge public deficits, technological backwardness, chronic fall in growth rates of Gross National Product, severe fall in the foreign exchange reserves and on top of it Gulf War precipitated the crisis. Under these circumstances government was 'forced to seek financial assistance from the International Monetary Fund (IMF).' After all that, what followed was the 'structural adjustment' – a relative shift from a 'planned economy' to a 'competitive economy' – giving way to series of reforms in that direction. One could take note, in brief, some of the features of 'New Economic Policy' and the 'New Industrial Policy' which was radically different from the policy of 'protectionism' – "Import substitution disappeared as a prime goal. Exports that would bring in foreign exchange became a priority. Private Indian enterprises would carry the burden for expanding the economy by becoming more competitive in transnational markets, acquiring current technologies, and creating more tie-ups with foreign corporations. The government eased regulations on the purchase of foreign technology, and granted permission for foreign investors to hold up to 51 per cent of equity shares in companies operating within India, with equity up to 74 per cent possible in some industrial areas such as power generation and transportation infrastructure. Only six out of seventeen areas remained the reserve of public sector units, and subsidies that had been shoring them up would phase out. Restrictions on location of physical plant were removed, except for rules relating to environmental impact. Limitations on large Indian business houses were eliminated, as mergers, acquisitions, and divestments of a part of a business were no longer subject to government approval. There was a reduction in corporate taxes, excise taxes, and tariff duties." (Heitzman 2004: 187) These changes in the policy brought about far reaching changes in the way new wave of high-technology industrialization was initiated and the way it was spatialized.

¹⁶⁸ Stremlau 1996; Madon 1997; Heitzman 1999; Heitzman, 2001; Heitzman 2004;

¹⁶⁹ Heitzman, *Network City*, p. 190.

¹⁷⁰ Ibid: p. 190.

¹⁷¹ Ibid: p. 207.

¹⁷² Ibid: p.200.

¹⁷³ Heitzman, 2001, *Becoming Silicon Valley*.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid.

¹⁷⁷ Holmstrom, *South Indian Factory Workers*, p. 14.

¹⁷⁸ Rao and Johnson Samuel, *Growth of Bangalore: Population and Industrialisation*, p. 31.

¹⁷⁹ Heitzman, *Network City*, p. 173.

¹⁸⁰ Sudarshan P, 1998, *Relocation of Slum Dwellers: A Case Study of Sanjay Gandhi Nagar in Bangalore*, M. Phil., dissertation, University of Hyderabad, Hyderabad, p. 81; Nair, *The Promise of the Metropolis*, p. 258

¹⁸¹ Heitzman, *Network City*, p. 173.

¹⁸² Solly Benjamin & Bhuvaneswari, R., 2001, *Democracy, Inclusive Governance and Poverty in Bangalore*, http://www.idd.bham.ac.uk/research/Projects/urbangovernance/resource_papers/stage2_casestudies/wp26_Bangalore.pdf, access on 3/11/2004

¹⁸³ Heitzman, *Network City*, p. 173.

¹⁸⁴ Holmstrom, *South Indian Factory Workers*, p. 74.

¹⁸⁵ Ibid: p. 74.

¹⁸⁶ Ibid: pp. 74-75.

¹⁸⁷ Ibid: p. 75.

¹⁸⁸ Nair, *The Promise of the Metropolis*, p. 89.

¹⁸⁹ *Census of India 1981, Series-9 Karnataka, District Census Handbook-Bangalore District, Parts XIII-A & B, Village & Town Directory, Village & Townwise Primary Census Abstract*, p. 967.

¹⁹⁰ Stremlau, 'Dateline Bangalore', p. 552.

¹⁹¹ Heitzman, *Network City*, p. 191.

¹⁹² Stremlau, 'Dateline Bangalore', p. 556.

¹⁹³ Benjamin & Bhuvaneswari, *Democracy, Inclusive Governance and Poverty in Bangalore*, http://www.idd.bham.ac.uk/research/Projects/urban-governance/resource_papers/stage2_casestudies/wp26_Bangalore.pdf, 3/11/2004.

¹⁹⁴ Ibid: p. 49.

¹⁹⁵ Ibid: pp. 55-56.

¹⁹⁶ Ibid: p. 60.

¹⁹⁷ Ibid: p. 49.

¹⁹⁸ Ibid: p.63.

¹⁹⁹ Ibid: pp. 30-31.

²⁰⁰ Ibid: p. 64.

²⁰¹ Ibid: pp. 64-65.

Chapter: 3
**PLANNING BANGALORE CITY:
ITS EXPANSION AND LAND DEVELOPMENT**

This chapter attempts to understand the approaches of urban planning and their evolution to come to terms with urbanization of Bangalore during various phases of its development. The study focuses on urban planning and land development. The focus acquires significance in the context of expansion of the city over a period of time, as one will see later, regardless of the constraints and problems the city has been facing, and also because the city has been the site for various developmental processes. Land is the constitutive part of the expanding city and for various kinds of developmental processes. Thus urban planning of Bangalore can be understood at two levels: one, at the level of developmental processes, approaches, and government policies for planning Bangalore city; and two, at the level of land development and planning as animated in the planning districts where different kinds of land developments have emerged and evolved. This would facilitate to obtain one of the objectives of the current thesis- to know and understand the connections between the developmental processes and urban planning on the one hand, and expansion of the city and evolving land developments during various phases. The questions to answer are: (i) What were the approaches of urban planning to come to terms with the developmental processes?; and, (ii) What kinds of land developments did urban planning and developmental processes engender and how did these land developments in turn, influence and shape urban planning and developmental processes? This can be done, to begin with by looking at how various urban planning documents have envisioned Bangalore City.

Some of the questions that need to be answered in order to understand planning in the context of expanding Bangalore City are: What do these plans enunciate; what are the guiding conceptions of the planning; how does planning visualize land developments within the context of expanding city? In the following section, an attempt has been made to address these questions. Before going on to the planning developments during the post-Independence period, it is important to take note of the

developments in the pre-Independence period, because they had consequences and continuity in the post-Independence period.

LAND DEVELOPMENT AND URBAN PLANNING IN PRE-INDEPENDENCE PERIOD

The first major physical expansion of Bangalore happened in the early nineteenth century. The British developed Military-Administrative District for the settlement of army personnel and its officers. This happened within the context of the colonial establishment/arrangement in agreement with the Mysore Princely State. In 'real' terms the expanded space was set up as an independent unit though it was in some ways connected to Bangalore Town by sheer physical proximity. This implanted town-state was termed as Civil and Military Station. This marks the first expansion through a kind of an "invasion"/"acquisition". Ulsoor which was a village on the eastern outskirts of Bangalore Town became the first expansion. The British had sought a healthier environment for its troops which were stationed at Seringapatam after the defeat and death of Tippu Sultan. The Madras government of the British had chosen some lands near the City of Bangalore. For the purpose the British had approached the King of Princely Mysore to occupy it. The chosen lands were "readily granted" near Ulsoor. These lands were occupied in 1807 by British Regiments, and barracks and other military buildings were constructed. The demands of British troops for various goods and services attracted trade and other opportunities for public and private employment. This created a settlement adjacent to the Military Station. These settlements were subsequently termed as a Civil Station and Military Station for administrative purposes. The people of the Civil Station were the subjects of Mysore Government and paid taxes; and their disputes, civil and criminal were adjudicated upon by tribunals set up by that Government. This arrangement remained intact until the whole area was given to the control of the British in 1881 (*Report of the Bangalore Development Committee* 1954: 4-5).

Extensions and Planning: The second major expansion was taken up in the 1890s. This expansion included the development of *extensions*, to the city. Many extensions were laid for the first time- Richmond Town, Cleveland Town (Civil and Military Station-Eastern Part) and Chamarajpet (City Area- Western Part). These were the earliest of

extensions. The exigencies of plague led to decongestion of the city to settle population in these extensions.¹ These extensions were laid out in the eastern and western parts of the city. Bangalore City, and Civil and Military Station saw the expansion. These extensions happened through governmental acquisition of land for the extensions and formed the first palliative measure for the relief of the residents of the city.

The first two measures represent a form of state intervention to create new expansive units to settle populations- one, putting land to use to settle its own military apparatus, giving rise to first the military station and later the Civil Station which became the space of reproduction²- providing labour and other services for the military. The expansion in parts of the city represented a kind of governmental “modern” welfare measure for the residents of the city. From the point of view of “urban planning”, it was an act of “decongestion” in the wake of plague, where decongestion served as a mechanism to prevent recurrence of the epidemic. At the same time, it gave the city a sense of legibility and hygiene. In both the units Military-Civil Station and the City, need for labour and decongestion respectively formed the two different rationales to set in the process of *expanding the city*.

In 1890s, a number of extensions were laid out in the City by the Government or the Municipal authorities. The third kind of spatial expansion happened for the ‘middle income groups’ settlement.

A number of suburbs, known as extensions in the city and ‘Town’ in the C & M Station, were laid out for the benefit of middle income groups. Basavanagudi, Malleswaram, Shankarpuram, Visveswarapuram and other extensions were formed in the City Area, while in the C & M Station, Frazer Town, Tasker Town, Cox Town, Mc. Iver Town, etc., served the same object.³

Some of the extensions conceived as relief measures attracted an emerging new class. City expansion in other areas had an explicit purpose in producing space. According to Bangalore Development Committee-

The Government of Mysore has always taken great interest in the improvement of the City, and some of the important suburban extensions...of the city were carried out by Government agencies, the capital cost being met from State funds. Special Committees were appointed by Government from time to time to prepare and sometimes to carry out improvement schemes in collaboration with Municipal authorities. “A Committee set up in 1889...was entrusted with the task, among others, of developing the “Western” and “Northern” Extensions. The latter, which covered a portion of High Ground, was intended to provide bungalow sites for the senior officers of the State Government.”⁴

The City area saw the expansion through the formation of extensions in the first half of the 20th century. State interventions to form residential areas on the acquired

agricultural land gave impetus to such a process within the context of increasing need for land. During this period there was a consistent, though gradual, expansion of the city due to the increasing number of extensions in the City area. In the City area, residential extensions were created for the Princely Mysore bureaucracy. Apart from that, the Government commissioned surveys to develop a City map and schemes for the city. These surveys were to influence the future developments through allocation of spaces and finances for various purposes. These were the initial stages of the development. Among spaces configured for development, planning for future development of extensions is interesting; foreseeing the future needs, in a way was also creating a 'need', perhaps with an assumption/expectation of other developments.⁵ The main focus of the interventions, however, was to provide better civic amenities for the citizens and to create a 'good' environment.⁶

Spatial expansion in British administered Civil Station in the earliest part of the 20th century was characterized by BDC as 'similar' to that of the City area. Going by the facts presented, the programmes taken up in the Civil Station Area were different.⁷ Improvements in the civil station area were directly aided by Government of India. Apart from decongestion and relocation, housing for middle class, healthy environment, and other measures, considerable number of improvements reflected a series of social welfare measures focused on particular sections which were termed as "poor classes", "sweepers", "scavengers", "Harijans", and "poor Europeans and Anglo-Indians". Land supply was increased to restructure and expand the place to provide space for different kinds of populations.

It seems that in the second quarter of the 20th century, there was also an indication that the unplanned areas were developing during the same time.

The population has been increasing at a rate which has made all these efforts at orderly development wholly inadequate. The demand for housing accommodation is so great that people are building on any vacant land that is available, and huts and houses are being constructed, often without needful permission, on strips of so-called *revenue lands* (emphasis added) in the midst of the City. It is said that some 11,000 families have found improvised accommodation in such structures. (*Report of the Bangalore Development Committee* 1954: 25)

Bangalore City Corporation⁸, the City Improvement Trust Board, and the public agencies were legally entrusted with the responsibility to expand and improve the city.

Apart from the maintenance and improvements, these agencies took great interest in expanding the city by forming layouts. There was also an emerging trend, significantly, of private layout residential formations beyond the purview of legality.⁹

Table 3.1

Extensions formed by City Improvement Trust Board during 1941-51

Year	Areas	Area in Acres	No. of Sites
1941-51	Kumara Park West	48	270
	Vyalikaval	77	780
	Sukenahalli	14	262
	Jayamahal	41	129
	Jayanagar, in Corporation Limits	198	878
	Jayanagar, beyond Corporation limits	1,064	4,876
	Industrial Suburb (Housing area)	363	3,210

Source: Report of the Bangalore Development Committee 1954: 23

THE EXPANDABLE CITY

Various factors have contributed to the urbanization of Bangalore city and its resultant expansion. Moreover, urban planning has not been merely a response to the urbanization process. Planning over time has been envisioned to produce a city in a particular way. Though there has been a kind of ‘negative’ response against the higher scales of concentration of activities, various constituents, and people in the city, planning has also been selective in expanding the built environment and the scope for certain kinds of activities for the people in the city. In a way planning has a vision to expand the city spatially in a particular manner, and at the same time planning attempts to restrict the city growth and spatial expansion, which is perceived as ‘undesirable’ by the planners. In the process of expanding the city in a particular manner, planning has spawned different kinds of land developments. The following sections would attempt to grasp the planning exercise in terms of its visions, developments, etc., which resulted in the kinds of land developments during various phases of planning, over a period of time.

Preparatory/Formative Phase of Planning Expandability

This section would take note in detail, the urban planners’ conceptions, visions, and plans and problems encountered in the implementation of plans.

Planning Approach

Vision of Planning: The first systematic and comprehensive attempt to plan Bangalore City can be found in the *Report of the Bangalore Development Committee (1954)* document. In the post-Independence period, the Indian State initiated broad based ‘Planned Development’ for the growth and development of the economy and society. In that context, planning was considered as an essential instrument for ‘development’ in all spheres and at various levels. Urban planning as an approach to solve the problems faced by the city was yet to be conceived. Taking note of the ‘haphazard’ growth of cities in America and Britain due to migration of rural population to urban areas and the growth of the cities into ‘unmanageable’ proportions, the report argued for ‘comprehensive master plans’.¹⁰

What was the conception of the city that the planners visualized? The Plan emphasized the importance of ‘sociological’ and ‘economic’ canons in town planning than the mere “physical environments or the alignment of avenues and roads”.¹¹ The discourse of Town Planning was organized in terms of the existing ideology of *functionalism* and *organicism*. The city was likened to an ‘organism’- “Town planner does not think of a town merely from the aesthetic point of view but thinks of it as a living organism”.¹² Before designing the proposals for ‘redevelopment of the existing town and its expansion’, the prerequisite for the town planner was to take into ‘account the social habits and the various professions of the people inhabiting it’. To illustrate the “right” kind of town planning which was to serve the inhabitant’s purposes/function than the mere aesthetic,¹³ it was felt

that opening out congested areas by creating lung spaces by pulling down a few dilapidated structures, widening the existing lanes in almost the same pattern in which it exists, introduction of parks and open spaces required for the locality and providing the required amenities by grouping the houses into neighborhoods, would form an appropriate and useful re-development plan rather than laying out indiscriminately a number of longitudinal and cross roads.¹⁴

Planning was supposed to perform the social functions of the city for its people.

With the above enunciated ideas and vision for Bangalore to change the city to perform its social functions, the town planning was to be strengthened by principles of

the given political system to create its authority structure. The Plan hoped to achieve the social functions of the city by bringing clarity to land use. For the purposes of administration and to change the city:- i) mapping – “block maps” – of the city was considered ‘indispensable for intelligent municipal administration’ through detailed survey of land uses of the existing layout of the city to prepare plans at the micro-levels, what it termed as *unit or block* level plans, according to which was to be prepared “a scheme of improvements considered to be feasible and appropriate for the locality”¹⁵; ii) “Record of Rights” of the properties were to be systematized; iii) CITB was to be funded by BCC and State Government; iv) to control the ‘haphazard’ growth of the city, powers were to be vested in the Commissioner of the CITB than in the Standing Committees of BCC;¹⁶ v) ‘public opinion’ was considered an indispensable component in the context of Town Planning as – ‘Democratic institutions functions at their best only against the background of strong and well informed public opinion.’¹⁷ Voluntary efforts by various associations and individuals were recognized for governance. The need for private research about municipal aspects or issues was emphasized.¹⁸

Underlying all the spatial developments was the conception of *zoning*, BDC’s (1954) idea of incipient classification of various spatial developments into “zones”- Residential, Industrial, Administrative, Commercial, Open Spaces and Recreational facilities, etc., to segregate various kinds of activities or enterprises, and also to examine which kinds of activities could coexist.

In continuation with the changes taking place in the city, the planning was to be broadened for the Bangalore city. The Outline Development Plan for the Bangalore Metropolitan Region, 1963 (ODP 1963) took a pragmatic view to plan the city. The plan considered that- “A City Plan, to be realistic and workable should be related to appropriate targets of population, time and space.”¹⁹ The plan projected 19 lakhs population by the plan period of 15 years (1976) and took a big leap in expanding the city, and therefore fixed the boundary of the metropolitan region at 193 square miles foreseeing the developments. The ODP (1963) defined the city in terms of the region in which it was situated. Termed as “socio-economic reaction”²⁰ with other places, Bangalore City was conceived mainly in terms of various linkages with other places within the Region. The Report delimited the Bangalore Metropolitan Region-

Obviously, the plan must take into consideration not only the City of Bangalore but also some of the urban and rural areas surrounding it on account of the socio-economic reactions between them. According to one view, this territory may extend as far as Doddaballapur in the north, Kolar on the east, Channarayana on the south and Tumkur to the west. But practical considerations of time and other factors make it necessary to confine our attention to a much smaller area. And we have accordingly decided to include with the Region only the City of Bangalore and such other areas adjoining the city as the Government have so far notified...The Metropolitan Region as so defined covers an area of 193 square miles and extends to a distance of 5 miles from the Corporation Boundary.²¹

Apart from mapping the external region of Bangalore, the plan also at the same time took note of the urbanization of the surroundings of Bangalore which it termed as “Conurbation”²² area. *The plan was in the process of redrawing the boundaries of the city. City-space boundaries were legalized. In other words, legality of the city was spatialized.* “Urbanized Revenue villages” became the focal point- these newly “urbanizing” places were taken as the justification to legalize the lands within the boundaries of the expanding city.²³

The approved Outline Development Plan (1972) by the Government increased and fixed the “compact area” of the city from 79 sq. miles²⁴ to 102 sq. miles.²⁵ By widening the boundaries of the city growth within the context of urbanization of contiguous surroundings of Bangalore city, the plan was characterizing *Bangalore as a Metropolis*, in a way widening the scope for the growth of the City and at the same time linking the city with various places seeking various vantage points, though this was not elaborated. Metropolitan Region was extended up to 193 square miles. It added 43 square miles to the previous 150 miles boundary drawn for Greater Bangalore. During the plan period, much larger spatial view of the Bangalore city which could be expandable came into view with the announcement by the Government of Karnataka in 1965 of notified Local Planning Area or Bangalore City Planning Area consisting of 218 villages.²⁶ During the same year the planning legislation ‘Karnataka Town and Country Planning Act, 1961(KTCP)’ too came into effect, thus ODP was to adhere to the planning law.

It was perceived that physical planning with co-coordinated effort, on a large scale, was necessary if people were to live in a “better, healthier and happier environment”. The proposed measure was expected to solve the town planning problems.²⁷ For the purposes of initiating ‘regulated planned growth of land use and development’ and ‘for the making and execution of town planning schemes’ urban planning was thought to be essential. This exercise was to ‘create conditions favourable

for planning and replanning' of the areas with a view to [provide] full civic and social amenities for the people'; 'to stop uncontrolled development of land due to land speculation and profiteering in land'; and 'to preserve and improve existing recreational facilities and other amenities' which would contribute to the 'balanced use of land'; and 'to direct future growth of areas to ensure desirable standards of environmental health and hygiene and create facilities for the orderly growth of industry and commerce'. This kind of planning would finally 'promote general standards of living in the areas'.²⁸

Land Use Planning: Given the principles to solve the problems of Bangalore City, BDC conceived a "Plan of Greater Bangalore"²⁹, it prescribed investigations concerning the city; standards to be set for residential density, keeping in mind the modern town planning schemes of Bombay and London; administrative boundary of the city was to be redrawn in conformity with existing population trends - including extensions developed by City Improvement Trust Board within the territorial limits of Corporation, creation of Green Belt, prohibition of any building activities in the green belt with exception for the villages within the green belt to expand, jurisdiction of corporation boundaries and so on; and zoning of land uses.³⁰ Planning was instituting a spatial language of *land use* and its classifications by drawing up prescriptions as a preparatory exercise. To begin with, the city became more of a spatial object or subject. The functions of various elements in the city and functionality of various expert knowledge systems to govern the city was highlighted. They were supposed to take into account from various fields of knowledge to formulate a *Master Plan*.³¹

To a greater extent, Bangalore City was imagined to be an Industrial labour community for which the City was to be designed. Different spatial units were to be organized interdependently. The Plan imagined a self-sufficient community within the given areas and Industrial suburbs known as neighbourhoods or extensions. To contain the strains of increasing scales of concentration of activities in the City - the expanding industrial, administrative, military activities, etc., - a "policy of decentralization" was suggested to establish new units of industry, administrative units, etc., in other centres.³²

The planners were looking for legal back up, to gain authority, to frame the city into a planned entity with its orderly zoned land uses with a bordering green-belt.³³ Planning needed amendments to the already existing Acts and Codes to broaden the scope of planning, to make it more legitimate and effective³⁴ which was part of the institutionalization of the planning process at legal level. At another level of institutionalization, the report sets forth the values for the planning process. Announced as a purpose for planning the city, the report says that ‘the purpose of Town Planning is to utilize the available land to the best advantage of the community taking into consideration its various needs such as the provision of land for residential purposes, the development of agriculture³⁵ and industries and the creation of recreational facilities’.³⁶ The rationality of ‘advantage’, in a way creating use values of space, while considering the needs of the community, became the prescribed governmental purpose of the plan. Though it all read benevolent, the plan had assumed a homogenous community, at the same time in the same stretch many a times it was referring to classes. And in the following sections one would see that the planners were finding more heterogeneous communities in terms of economic classes and also other identities. The aim or the ideal of state/government has always been to bring about ‘unity’ or ‘integration’ or ‘harmony’ among various kinds of people through a kind of “secularization” and “socialism”. Perhaps planning a particular kind of a ‘secular urban community’ was the utopian goal. Industrial mode of development and City building were perhaps the envisaged mode and process for its realization. Lastly is the idea of ‘land use’. Though the plan visualized the land in terms of its *use value* or to whichever *use it would be put to*, as one knows now, the plan and its policy was, in a very ideal sense, attempting to offset the speculation and profiteering, in a way to counter the exchange value itself in the free market play. Around the same time, the government, if it was to acquire the lands for any purpose, had to pay the market rates to the land owners in the pre-Independence period itself, and more so later.³⁷ Again, though it was unsaid, it also expected and advocated that the private and quasi-private associations, builders, individuals, etc., to concentrate on creation of housing in the sense of its use values. In a way the land use, though probably, conceived in terms of its ultimate use values, but in real terms and in actuality the creation of use value in land and distribution was inextricably connected through exchange only than anything else. Land uses could only be bought, therefore the creation of land use was nothing but the

creation of exchange values, and most of the times what prevailed were the exchange value alone in the urban context, as one will see in the following chapters.

In 1967 a notification was issued by the government to determine the land use within the Planning area and in the same year government constituted the Bangalore Planning Authority (BPA) for the BCPA. BPA authority structure was constituted with memberships from- individuals of village institutions, members belonging to democratic institutions and associations and eminent leaders of city. The Town Planning Officer and his subordinate officers and staff were part of BPA. The Town planning department was responsible for- preparing development plans for Bangalore City, planning and development of the newly developing areas and renewal of the old city areas. Broadly BPA's role was to formulate planning norms and plans for the city to control city growth in a planned manner. The new planning authority, BPA, replaced Bangalore Metropolitan Board. Bangalore Metropolitan Board had already prepared the Outline Development Plan (ODP) for the city of Bangalore, but the new planning authority declared its intent to prepare ODP only in 1967. ODP was to be operational in both the City Area and the BCPA which was 193 sq miles. ODP was approved and promulgated in 1972.³⁸

The Outline Development Plan was termed as an "interim plan" or a "short-term instrument" which was to provide guidance to regulate the use and development of land in the 'undeveloped areas' and 'vacant plots in the built up areas' till the "Comprehensive Development Plan" was to replace it. ODP was to involve zoning of land uses into 'residential, commercial, industrial, agricultural, recreational, educational and other public purposes'³⁹; proposals for roads and highways; lands were to be reserved for the Union, State and any local authority's needs in the future; 'certain areas' were to be declared for 'special control development' which were adhered to the pattern of regulations regarding 'building line, height of buildings, floor area ratio, architectural features, etc.'⁴⁰ The new phase of planning involved systematization of the management of the city and classification and division of authority structure and spatial units.⁴¹ The metropolitan region was to consist of spatial jurisdiction of the City of Bangalore Municipal Corporation, areas formed by CITB, Municipal Councils, Bangalore South and North Taluk Boards, and H.A.L. Sanitary Board, which were to be under the planning authority later. The Plan for Bangalore was conceived in three

phases. Two phases of planning were to consist of the preparation of the Comprehensive Development Plan which was to include the preliminary surveys and the ‘detailed investigations’ of the ‘long-term needs and potentialities’ of given areas so that it would ‘serve as a standing blueprint of the land uses to be permitted, and the developments and improvements to be made in the entire planning area over a fairly long period’⁴². And the third stage was to comprise of ‘preparation of town improvement schemes for the purpose of implementing the proposals contained in the comprehensive development plan’⁴³.

All these measures were to be implemented within the newly delimited Metropolitan Region in the context of increasing population which was 12,06,961 in 1961 and expanding economic activities.⁴⁴ To find the match between different kinds of spatial production and various kinds of occupational groups, the plan projected population growth and took stock of occupational shifts.

Table 3.2

Estimated Population of Metropolitan Region (Planning Area)

Year	Ordinary Arithmetical Progression	Geometrical Progression	Exponential Method	Parabolic Equation Applied Separately for the Urban Unit and the Rest of the Region
1966	13,13,295	14,74,000	13, 92,000	14,40,000
1971	14,19,628	18,09,000	15,92,000	16,62,000
1976	15,25,961	19,71,000	18,30,000	19,03,000
1981	16,32,205	22,85,000	21,02,000	21,62,000

Source: The Outline Development Plan for the Metropolitan Region, 1963: 15 & Outline Development Plan, 1974: 14.

It is self evident from the Table 3.2 that all methods, except arithmetical progression method, predicted major increase in population in the metropolitan area.

Table 3.3

Shifts in Occupational profile of the Population

Types of Occupation	Year 1951	Year 1961
	Population (in Thousands)	Population (in Thousands)
Agriculture	3,154	2,387
Mining and Industry	78, 392	110, 462
Construction	13,475	13, 026
Transport and Communication	13,341	16, 826
Commerce	41,479	44,932
Public Services	33, 786	25, 671

Public Utilities	5, 143	2, 538
Profession and Liberal Arts	14, 230	17, 220
Other Services	37, 605	47,002

Source: The Outline Development Plan for the Metropolitan Region, 1963: 16

From the Table 3.3 it is clear that while various urban occupations were showing an increasing trend, agriculture was showing a decreasing trend. It was a sure sign of emerging urban use of land. Given the predictions, ODP emphasized regulation and administration of land uses through the application of rules;⁴⁵ it reiterated the policy of ‘dispersal’ of large scale industries while making concessions for the medium and light industries and restructuring of industrial land uses.⁴⁶

Bangalore city had already gained the character of an urban complex, and a space for national production of various goods and services. In that context, creation of land uses had also meant the creation of residential layouts, industrial areas, and provision of civic amenities and infrastructure.

The emphasis on the “human factor” entailed the planning process. It was enunciated that “The citizen must be made plan-conscious, not only of the benefits of the plan, but also of the civic discipline that it calls for.”⁴⁷ A kind of democratization of the planning process was initiated to elicit the opinion of the citizens on the planning process. It elicited public opinion- by publicizing the plan and maps of the city at the authority office; publishing the same through newspapers; putting the plan for discussion and debate by conducting seminars; and urging Government and Semi-Government Departments and Corporate bodies, etc. to make commitments.⁴⁸ Though it was a kind of democratization, still it was a top-down approach, in the sense that, citizens were not part of the formulation of the plan, but were only to respond to the formulated plan of the government.

City Growth and Land Development: According to the Report of the Bangalore Development Committee 1954 (BDC 1954), Bangalore City was facing problems due to the preceding decade’s growth (1930s-40s). The city, which had only capacity to accommodate four lakhs population, had to put up with a population of a million, which

had resulted in “overcrowding and sporadic construction of houses” and “produced slum conditions in some parts of the City”.⁴⁹ To solve the problems of the city, the BDC was to study all the connected problems and was to draw up a “comprehensive general plan” for development of Bangalore City and adjoining rural areas which in the future perhaps would become a part of “Greater Bangalore”.⁵⁰

The plan perceived that the popularity of Bangalore was due to its “salubrious climate”, its being an administrative and military centre, its being connected by railways, airways and other communications, civic amenities viz., water supply, electricity, underground drainage, medical facilities, parks, etc., which were attracting industrialists and other people, the liberal policy of the government for industrialists, new institutions like Indian Institute of Science and large scale industries like HAL, Telephone industries, etc., the inclination of former rulers, zamindars and wealthy in general to own residential property in the City, poor economic conditions in the neighbouring provinces which induced migration, etc. All these made Bangalore an attractive place to settle. Its popularity and attraction was not met with commensurate developments in housing and civic amenities.⁵¹

The image and popularity of Bangalore City was affected by a disorder. Planners were more bothered about the ever increasing concentration of population due to expanding industrialization on the one hand and the consequent congestion and ‘haphazard’ development of the City on the other hand. The spatial spread of the City during 1901 and 1951 remained the same at 25.41 square miles, whereas the population had increased from 1,58,976 to 7,78,977 lakhs (a 400% increase).⁵² For the future expansion of the City, the BDC classified the City into two broader administrative-planning divisions- “The area of the Bangalore City Corporation would be approximately 40 sq. miles and that of the Trust Board (i.e., Greater Bangalore) about 150 sq. miles.”⁵³

This plan subsumed all the areas⁵⁴ produced during the previous regimes. In a way it acknowledged the need to continue with similar kind of disciplining of residential spatial form and it was for a city of greater magnitude to come. Thus in 1945 itself the need was felt to set up a statutory body to take up residential production of space on a large scale. While taking into account the extensions and housing in the

past to meet the need of a rapidly growing population, planners felt that sizeable parts of Bangalore were the product of planned development taken up by Government or the Municipal authorities and much later by the City Improvement Trust Board from 1890 onwards.⁵⁵ Planners co-opted the previous institutions at work in producing space. City Improvement Trust Board (CITB) and the Civil Station Municipality and City Municipality combined into Corporation of the City of Bangalore in 1949 to maintain, improve and expand the city. City Improvement Committees were set up to take up tasks of improvement in the City. Act V of 1945 was passed to constitute Board of Trustees were entrusted with special powers for the improvement and future expansion of the City of Bangalore.⁵⁶

The plan had visualized, conceived, or conceptualized a “neighbourhood” as residential extension which was to be “rationally designed” according to the “size” which should demonstrate a certain degree of “self-sufficiency”. Further, it “should not be regarded merely as dormitories for people working in the City but as units of community life, providing a sufficient number of shopping premises, schools, playgrounds for children, and some amount of open space for ventilation and recreation. Where they are meant mainly for the housing of industrial workers, proximity to the place of work ...[was] the most important consideration. The street system should be designed so as to prevent traffic from entering the residential areas, thereby minimizing traffic hazards and expenses of street maintenance”.⁵⁷ Most of the residential areas in the city were non-conforming to this conception of the residential neighbourhood of the times. The increase in the population, increasing densities within the areas, and housing accommodation being static were all worsening the housing conditions. The pre-Independence period extensions had reached saturation. In those conditions, the plan observed that the people were building huts and houses on the vacant “revenue lands” without permissions, and agricultural lands which were to remain as “green strips” between large blocks of built up areas were converted into building sites, which was considered by the BDC as disorderly developments.⁵⁸ Even schemes⁵⁹ developed by CITB to improve slums did not in all respects fulfill the above described conception of a “neighbourhood”.⁶⁰ The plan expressed alarm regarding the growth of slums which was taking place due to migration of “labouring classes” from the countryside. Such spatial growth was characterized as “evil” and “haphazard”. “Cheries” (slums) were developed in the vacant areas both within the city limits and in the outskirts. The

owners of the vacant land produced and sold small plots of land or leased it at profitable rates. While forming these areas the owners had least concern for making space for streets, drains, etc., their only concern was to maximize the number of sites for the hutments. There were also “lower middle class” areas which were developing in a similar fashion.⁶¹

The housing problem was chronic in the context of non-availability of resources with the government, HBCS, individuals, and private builders.⁶² To solve the housing problem and shortages of houses for 30,000 industrial labour, the plan had advocated the governmental industrial establishments to provide housing for their employees by creating townships nearer to the concerned industrial units, whereas for the private industrial labour the Labour Housing Corporation was to mobilize funds from government, employees, individuals, local authority, etc., to supply houses. Apart from the shortage of housing for the industrial labour, the report took note of general shortages in houses to the tune of 20,000. BDC suggested creating planned residential extensions in the “satellite towns” which were to be set up away from the already built up areas of the City.⁶³ But, however, the plan finally emphasized that ‘housing for industrial workers’ was to be ‘given high priority’; though it lamented that it could not deny that the housing needs of lower income classes and greater portion of the middle income groups were ‘urgent’, these classes were to make their own private arrangements. The plan, however, suggested that the government should provide assistance to the private builders and building organizations as recommended by the National Planning Commission. The proposals of the National Planning Commission were regarding- simplification of procedures of land acquisition in favour of Co-operative Housing Societies and Housing Corporations; deregulation to access the “controlled materials”; provision of finance on ‘easy terms’ to individuals and housing societies; provision of adequate amenities and services for all housing schemes; ‘exemption on stamp duty for the purchase of land for low income group housing; exemption from General Municipal Tax and Urban Immovable Tax for fixed number of years on all transactions for low income group housing’; to make available the ‘model plans’ for low-income group and middle class and for the simplification of procedures for the local bodies to sanction house building loans and so on.⁶⁴ In the case of slum areas and low income group areas, the plan proposed to take the laws earnestly and more laws were suggested to come down stringently on the conversion of land into

slums and haphazard areas. The plan suggested that according to the law it should be made compulsory or obligatory on the part of individuals to take prior permission from the appropriate authority to construct a building.⁶⁵

Though the Section 25 of CITB Act absolutely had no provision to form a private layout, it was liberalized in 1952 to encourage 'private enterprise' for additional layouts and housing in the context of the 'acute shortages' of housing in Bangalore. But it was found that formation of private layouts had disadvantages. From the planning point of view the "private layout" could not be anything other than haphazard growth. The plan describes the private layout and the dynamics involved in the formation of it, in the following terms-

Formation of lay-outs by private individuals has, however, several disadvantages. A residential lay-out should provide for amenities like schools, community buildings, children's and adult play-grounds, local parks, etc. In order to be able to provide and reserve land for such purposes economically, a lay-out has to be designed to accommodate a population of 5,000 to 10,000 people and the extent of land required for such a comprehensive lay-out is a minimum of 100 acres. Lay-outs proposed by private individual owners are generally on small and often isolated pieces of land and the sole object of forming the lay-outs is profiteering. In such lay-outs, reserving space for unremunerative purposes like parks and playgrounds is impracticable. The sites are often disposed of before all the amenities are actually provided and the moment the sites are sold out, the original layout owners falls' out of the picture and the purchasers are put to serious inconvenience regarding proper drainage, water supply, etc. These lay-outs generally tend to degenerate into slums in course of time.⁶⁶

Thus given the difficulties to initiate improvements and maintenance of the private layouts, it was suggested to totally prohibit the formation of private layouts within the jurisdiction of BCC limits and they could be allowed only in the extensions of the existing villages with due permission of CITB. It was suggested that the "preventive" or "punitive" action viz., imposition of fines, costs, etc., were to be taken against anyone who would form private layouts illegally.⁶⁷

During the same times, though the planners were contemplating measures to prevent such illegal private layouts, there were other initiatives by the planning agencies to "regularize" the existing private layouts. *Regularization* meant that "unauthorised layouts" had to go through a process of civic improvements viz., like drains and forming roads and "by all possible measures to convince the people to pay ⁶⁸ the layout charges by explaining to them the benefit of the self aided scheme of regularizing unauthorized layouts."⁶⁹ Following were the list of unauthorized layouts which were increasing every year:

- In 1957-58 six unauthorized layouts were surveyed for regularization.⁷⁰

- During 1958-59 three unauthorized layouts – Ganappa Garden, Malleswaram, Ramachandrapuram and adjacent areas, and Hanumanthapuram layout – were surveyed for regularization.⁷¹
- During 1959-60 Unauthorised/Private layouts approved for regularization by the Corporation⁷²

Table 3.4**List of Unauthorized Layouts**

Sl. No.	Name of the layout	Total Area of the layout (in sq. yds)	Number of sites in the layout	Sl. No.	Name of the layout	Total Area of the different layouts (in sq. yds)	Number of sites in the layout
1	Sri H. C. Nanjappa, layout, Link Road, Malleswaram.	3,220	75	1	Swimming Pool Extension, Malleswaram, Bangalore.	16,700	112
2	Lakshminarayanapuram, Srirampuram, Divisions 3 and 4	2,50, 296	900	2	Dhoby Nanjappa Block, Gavipuram, Guttahally.	8,695	57
3	Maruthi Extension, Srirampuram, Division No. 3	63,223	102	3	Ramachandrapuram, Brahamapuram and Pillanna Garden	2,27,400	1,000
4	Sri Narayanaswamy Gowda and Sri Krishnappa Layouts, 16 th Cross, Malleswaram	38,647	170	4	Hanumanthapuram, 5 th Main, Srirampuram	52,800	200
5	S. Malavalli Thimaiah layout, 12 th Cross Malleswaram	16,000	56	5	Gannappa Gardens, Malleswaram, Division No. 2	5,883	122
6	Sri Siddanthi Gurubasava Sastry layout, Malleswaram	34,758	100	6	Sri C. K. Chennappa Gardens, Lal-Bagh Road, S. Nos. 6. 18 and 19, Agrahara Thimmasandra Village	24,630	48
7	Yellappa Gardens, Malleswaram	21,480	79	7	Saibabanagar, Srirampuram	36,544	69
8	Kaniyara Colony layout, Chamarajpet.	7,925	20	8	Gopalaswamy Iyer Colony, Lakshminarayanapuram	18,980	200 Smaller sites
9	Jodi Ranganathapura S. No. 7/8, Palace Guttahally, Malleswaram	18,538	153	9	Pipe line extension and Anjaneya Block Extension, Malleswaram.	1,32,232	About 500
10	Layout opposite to Sri Rama Silk Factory, Guttahally or Vinayaka Extension	12,266	46	10	Area between 17 th and 18 th Cross Road	14,256	91
11	Samirpuram Gavipuram-Guttahally	11,681	42	11	Krishna Murthy Setty layout, Santhinagar, Akkithimanahally.	...	34
12	Padarayanapura	...	...	12	Layout behind Bharat Talkies, Jayachamarajendra Road.	1,00,199	151
				13	North Road or Thomas Town Extension, Civil area, Bangalore.	...	...

	Table 3.4 contd.			14	Bharathi, Maruthisevanagar, Banswadi Road, Bangalore.	...	...
				15	Nanjamba Agrahara, Chamarajapet, 16 th Division, Bangalore.	...	...

Source: ODP 1963

In 1960-61 there were 29 layouts to be regularized with plans and estimates of regularization charges, which were ready, but there were many more private and unauthorized layouts which were to be brought within the purview of Corporation's plans.⁷³ All those lay-outs were regularized. Three more unauthorized/private layouts were also regularized. They were – Narayanaswamy Gowda and Krishnappa Layouts, 15th Cross, Malleswaram, Thyagarajanagar, and Mariyappanapalya, Old Kempapura Agrahara – which yielded 170, 1,120, and 213 sites respectively.⁷⁴ Totally 10 more unauthorised layouts were identified and added to the preceding years' 29 unauthorised layouts which finally tallied up to 39 unauthorized/private layouts- out of which 22 unauthorised layouts were approved by the Corporation for regularization.⁷⁵ Regularization of private layouts was planned within the CITB limits which were in different stages of implementation.⁷⁶ By 1962-63, the total of 39 private layouts/revenue pockets/unauthorised layouts identified for regularization remained static and the approved unauthorised layouts by the Corporation too remained static at 22.⁷⁷ There was also a proposal to buy 300 sites and multi-storeyed buildings from the City Improvement Trust Board for 're-housing' slums.⁷⁸ The Corporation area of the Bangalore City was in the process of expansion. Maruthi Sevanagar, Jayabharathinagar, Thomas Town and North Road area, Pillanna's Garden behind Civil area Slaughter House, Kadirapalya, Binnamangala Villages, Gayathrinagar and Prakashnagar were included in the Corporation limits.⁷⁹

At the beginning of the new phase of preparatory planning i.e., ODP (1963), the land developments, especially the residential ones were not promising from the planning point of view. The persistence of private layouts and slums, as detailed earlier, were the indicators of unregulated developments over the years to come.

Bangalore City Corporation started to expand drastically during the year 1963-64. Thirty-four villages were added by the Government into the Corporation area.⁸⁰ A

place known as Agrahara Tank bed was also used up for residential purposes.⁸¹ Twenty-one more unauthorized layouts were identified and added to the preceding year's 39. And two more were added to 22 unauthorized layouts for regularization totaling up to 24.⁸²

In addition to the 32 villages, 13 of the layouts developed by City Improvement Trust Board were transferred to the administrative jurisdiction of the Bangalore City Corporation. Such inclusions of areas on a large scale basis into the City fold the boundaries of the Corporation expanded enormously. The Corporation boundary expanded from 27 square miles to 46.5 square miles.⁸³ The City boundaries expanded 72.22%. The merged Bangalore City Corporation in 1949 had 50 divisions; with this expansion of the City, it increased to 63 divisions.⁸⁴

This kind of recurring spatial expansion was a dynamic phenomenon. Therefore the government had reconciled to that kind of urbanization process.

[T]ackling the unauthorised layouts and assessments of all the properties in various areas spread all over the City, to prevent those areas, in night time, from developing into veritable slums, especially in view of the Hon'ble Chief Minister's observations communicated to carry out the instructions...to assess forth with all the properties irrespective of whether the properties have been constructed on revenue land or Corporation area or on lands under the control of the City Improvement Trust Board to augment the revenues of the Corporation, in addition to regularisation of unauthorised layouts and existing properties in the newly added areas of the Corporation, is of a continuous and growing nature...⁸⁵

Within a year regularisation process in the villages which were included within the expanded jurisdiction of Bangalore City Corporation was complete.⁸⁶ A new wave of large scale inclusion of 17 layouts⁸⁷ under CITB by expanding the Bangalore City Corporation limits was initiated.

There was another set of layouts being created for slum dwellers during those times. Seventeen acres were planned to be acquired near a place called Venkataswamy Garden, 70 acres near Audugodi, 671 sites were to be bought from CITB at Jayanagar, and 20 acres near Hosahalli- to rehouse slum dwellers in various parts of Bangalore City.⁸⁸ Ten acres of land was acquired to rehouse slum dwellers at Munivenkatappa Garden Ulsoor.⁸⁹ Hundred and fifty sites were bought alongside of Magadi Road, 417 sites at Magadi Road Chord Road Layout were purchased from CITB, 18 acres and 2½ guntas of lands were to be acquired at Kempapura Agrahara to rehouse 420 families of slum dwellers of Goripalya⁹⁰ and six multi-storeyed buildings built by CITB were

bought – these buildings were located at Jayanagar, Okalipuram and Sonnenahalli – for slum clearance and improvement.⁹¹

The justification/causes given for expanding the city was that

Bangalore is expanding around (sic). There has been a rapid growth in its population due to the increasing importance of the City. The labour Class have been pouring into the City mainly from neighbouring States in search of jobs. For want of housing accommodation and due to poverty of this class of people, slums have grown enormously. Irregular unauthorized huts in large numbers on revenue lands, on private lands and on Corporation lands have come up.⁹²

Further it is said that “The *growing complexity of social interests* and the influx of population in the City has necessitated improvements in civic administration”⁹³ (emphasis added). All this indicates the growing inequalities manifested in the formation of slums and unauthorized layouts. All these residential developments were happening within the context of severe housing shortages for the poor. The planners perceived that housing and other civic amenities shortages were due to concentration of industrialization in and around Bangalore city and the lag in the capacity to generate new housing and other civic amenities if new industrialization were to take place. Regarding issues concerning industry, BDC (1954) had suggested the scattered location of industrial units in the neighbourhoods. This was viewed as a problem, thus the segregation of industrial area and residential areas were to be given serious consideration. Though the conditions for industrial development in Bangalore was conducive, it was thought that ‘dispersal’ of industries in other regions of the state was emphasized for reasons of availability of land at cheaper rates, water and electricity, etc., in other regions.⁹⁴ The city needed a lakh houses to cope with the increasing population. Again, as in the previous plan, it was reiterated that since the housing problem was ‘colossal’ in nature, the government alone could not solve the problem, thus private sector was called in to play its part.⁹⁵ But neither the state nor the private sector was in a financial position to invest in urban housing. The Plan document observed that ‘[i]t would be unrealistic to expect the State to make significantly larger allotments in the near future to promote urban house construction, in the present State of our National Economy. Nor can private enterprise, faced with diminishing real incomes, rising costs of construction and new measures of taxation, be expected to step up or even keep up the recent tempo of building investment’⁹⁶. Connected to the housing problem and shortage of civic amenities was the expansion of the industry itself. Thus again it underlined the need to implement the Government’s policy of

dispersing the industries in other regions of the State viz., K.G.F., Mysore, Bellary, Shimoga, etc.⁹⁷ But still, with a rider, the plan allows for the establishment of large-scale industry only if its promoter was ready to make provision for housing and other amenities for at least half the number of its employees.

There were other issues to expand and restructure the city such as - creating more commercial spaces⁹⁸; though there was “reasonable amount of open space available” its distribution was not satisfactory viz., hardly any school had any playground⁹⁹; reclamation of excess of military owned or defence lands for other developments was proposed¹⁰⁰; improving road conditions by widening roads and constructing new road networks¹⁰¹; etc., which were all to influence various kinds of land developments.

Under these conditions, interim measures were to focus on the un-authorized and irregular developments. Interim measures were- Open spaces belonging to the Bangalore City Corporation were to be listed and were to be guarded from unlawful occupation of the land and these lands were to be developed as civic amenity sites viz., schools, health centres, play-grounds, etc.; sale of lands by the private parties were to be ‘absolutely prohibited’; a list of vacant lands belonging to the private parties were to be made and were to be notified for acquisition for public purposes; and agricultural lands were to be monitored by the revenue staff to prevent any developments.¹⁰²

All this clearly shows that during those times shortage in housing and the plans’ focus on housing for industrial workers only had led to the growth of the informal housing and parallel market too. Thus government, as an adhoc measure, had taken up regularization. Thus, planning being partial and selective in producing space, was becoming both *a cause and outcome or a medium and outcome* for such development. In a way it was categorizing the expanding spaces as ‘unauthorized’ and at the same time was ‘regularizing’ such spaces which actually was an appropriation process to bring all spaces into the ambit of planning to give a uniform planned spatial character. From the point of view of expansion of the city, one can see on the Maps 3.2 and 3.4, the expansions were taking place in the northern directions. The rationale of including these new expansions into Bangalore City Corporation limits was to start municipal services and prevent further unauthorized/unplanned growths. By early 1960s,

Bangalore city was going through the major crisis due to shortages in housing and water supply. The ODP (1963) had urged not to allow large-scale industries to be established in and around the City.

One could characterize the urban planning for Bangalore till the end of the ODPs' term as preparatory or formative planning period. Both the plans of – BDC 1954 and ODP 1963 (approved by the government in 1972), were grappling with the problems engendered by industrialization, urbanization and the fast expanding Bangalore City. Unplanned developments viz., private layouts, revenue layouts, slums, etc., were increasing. With that the increasing concentration of population in the City was a major source of concern for the planners. It was also a period when the authority structure, legislations, other logistics viz., delimiting the boundaries of city growth, finances, etc., were to be systematized. Thus the major concern was to restrict the growth and expansion of the city. Mainly the strategy was to deflect the industrial developments and its accompanying population to other regions. It was also thought that the development of smaller townships within Bangalore region could ease the pressure on the City. Planners were earnestly involved in mapping the possibilities to plan Bangalore City for a long term comprehensive development.

Conceived Planning Entities for Comprehensive Development: A Restrictive Approach

'Comprehensive Development Plan' (CDP) was conceived in the context of industrialization of Bangalore City and the increasing population. Increasing migration had led to the 'haphazard' growth and expansion of the city. The Karnataka Town and Country Planning Act was to be the principal basis to set goals and aims of the CDP. CDP was to 'create conditions favourable for planning and provide full civic and social amenities, to stop uncontrolled development, to ensure desirable standards of environmental health and hygiene, to create facilities for the orderly growth and development, and to promote general standards of living in the State'.¹⁰³ Given the aims and goals of the plan, the comprehensive plan was to structure Bangalore city for the population of 22 lakhs by 1981, 29 lakhs by 1991 and 30 to 40 lakhs by 2001.¹⁰⁴ For the increasing population and given the foreseen shortages, it was projected that the

need for residential space would be up by 2,924 hectares by 2001.¹⁰⁵ Thus residential space and housing was high on the priority of the agenda of the planning.

There were different sets of actors involved in the scene of the residential production of space. Mostly they were all the government agencies of both State and Central government viz., CITB and KHB of the state government, and HUDCO and public sector housing provided by the public sector industrial enterprises for their employees. Apart from that the major concern of the government was the growth of slums in Bangalore City. Governmental approaches for the slums were relocation of slums by clearance and environmental improvement in the existing slum areas. Lastly, Government had housing programmes for “economically weaker sections” through reservation of sites in all the governmental housing and housing site schemes for the landless and siteless individuals. Both the slum improvement and clearance programme, and the sites and housing programme for economically weaker sections were to be provided under the economic programme announced by the Prime Minister. To reduce greater pressure on the city housing the policy strategy was designed to discourage location of major industries in Bangalore and incentives were drawn up for industrialists to locate industries in the backward areas of the State.¹⁰⁶

Second priority of planners concern was industry and industrialization. Bangalore had developed into an industrial city. There were eight industrial areas- Jalahalli, Old Madras Road, Whitefield Road, Rajajinagar and Yeshwanthapur, Mill area, Mysore Road, Hosur Road, and Kanakapura Road and along other Highways too. Mainly Karnataka Industrial Areas Development Board (KIADB) and private industrialists were involved in the industrial development activities. CITB and public sector undertakings too were involved in making space for industrial activities. Planners were concerned about the location of the industries. It was felt necessary to set up industries in all directions of Bangalore city to create work centres wherever they were scarce. For future location of industries, Bangalore’s southern area having state highways- Kanakapura Road and Bannerghatta Road -were identified.¹⁰⁷ However, the main problem planners perceived was that increased industrialization would trigger greater migration. Thus the plan states that “The growth of industries in Bangalore should only be enough to provide employment to the local people and not for attracting people from outside.”¹⁰⁸ The rationale the Plan gives to discourage industrialization in

Bangalore is to put a halt to the indefinite growth of population and the consequent problems as in Bombay, Calcutta and Delhi. The planners' perception to restrict industrialization was moulded by the causal logic of industrialization being the pull factor which would set off disproportionate influx/migration and increase in the population in the city which had lead to haphazard growth and expansion of the city and growth of slums and other problems. Thus the Plan has a "restrictive" perspective with regard to urbanization to contain it by containing industrialization itself. The Plan observes that "It is desired that the *physical growth is restricted* and standards of amenities are increased to the citizens of Bangalore."¹⁰⁹ (emphasis added)

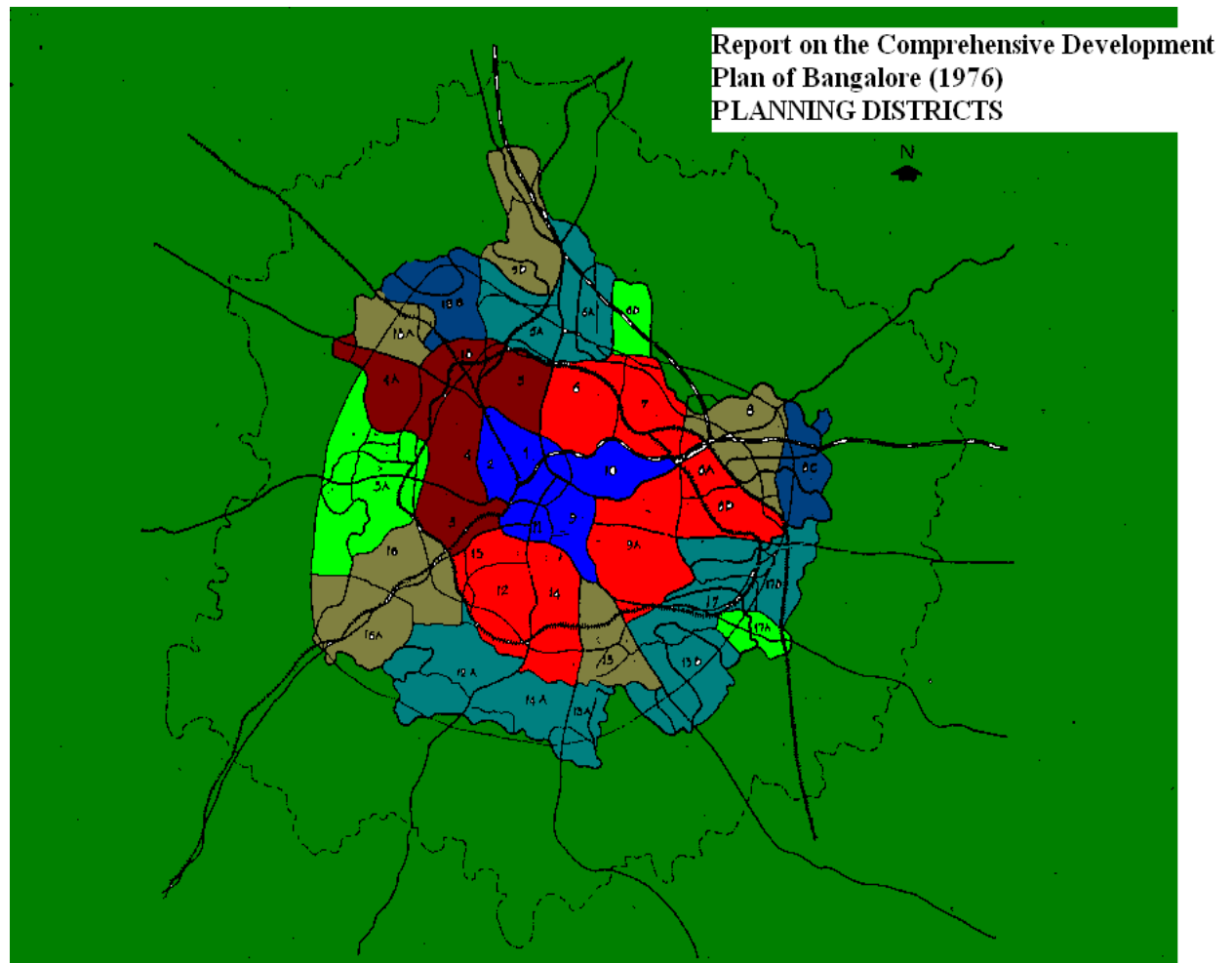
It seems to maneuver and restrict the physical growth of the city, and improve standards of amenities. The Report on the Comprehensive Development Plan of Bangalore (1976) (RCDP) indicates the first systematic attempt to create divided planning entities known as "Planning Districts" to structure the city accordingly. It was termed as "Comprehensive Development Plan", and it laid down the approach for the 'development and improvement' of the whole local planning area of Bangalore City in a regulated fashion. This meant that the planning units were to be brought under 'zoning regulations' of land use; patterned transportation network for traffic circulation; spaces for parks, playgrounds, other recreational uses, agriculture, public and open spaces, public buildings and institutions and for all other civic developments; improvement of major roads; areas earmarked for housing, and land areas to be reserved for the future developments to be taken up in different phases.¹¹⁰ All these measures were to organize the whole developed and developing areas of Bangalore city into different zones for development- 'residential', 'commercial', 'industrial', 'public and semi-public', 'parks and playgrounds' and 'agricultural zone'.¹¹¹ Planners conceived and divided the city into many districts for the development and expansion of Bangalore city in an orderly manner. The planning districts were to be zoned and land allocations were made for various land developments. The whole city and its expandable region had been broadly divided into four kinds of areas, three being in urban uses and one being in agricultural/rural use- they were the developed area, the municipal area, conurbation area and rural tract/green belt. The municipal area was under the control of the Bangalore City Corporation. Conurbation- the urbanizable area and the rural tract/green belt were within the local planning area which was under the control of the planning authority. Over a period of time the planning districts were evolved. How did

these districts evolve? What kind of developments took place within the conceived districts? Who were the actors involved in the development of the districts? What were the kinds of activities? These questions will be answered in this section. Planning Districts, from the view point of the planners' were expanding entities because the demarcated conurbation area within the local planning area was a buffer zone meant for development thus giving the scope for the city to expand. Thus the planning districts could expand depending on the level of the development of the planning district concerned and the availability of land. The demarcation of the conurbation area was also indicative of the planners' vision and the need for the city to expand in an 'orderly' or 'planned' manner. RCDP had divided the expandable Bangalore city in 37 planning districts with various degrees of urbanization. From the centre to the periphery different districts displayed different kinds of developments and degree of urbanization. Since the plan did not specify any particular criterion to distinguish the planning districts, one could construe the rationale underlying the divisions of the districts in terms of where the districts were situated, the activities in the districts, and different kinds of actors involved in different kinds of developments. One of the important constituents in the outlying districts was known as "rural tract"- the green border of the districts which was to act as the regulatory space against the expansion of the City.

Since the Plan classifies only the uses, to comprehend the nature of the planning districts and expansion of the city one will have to classify planning districts according to the potential for expansion within the planning districts. Planning districts in the core areas and in the periphery exhibit the relatively inelastic tendency against expansion within the districts. In the core areas since the land availability was scarce or unavailable as it was already occupied by various developments, the scope for expansion was inelastic, whereas in the peripheral districts the land was available, but the regulatory space the rural tract was an undeclared barrier for the city to expand. The intermediate planning districts situated between the borders of the core and the peripheral districts had the scope for expansion. Given all that, the districts displayed different degrees of expandability, urbanization, development activities and actors. Based on the above mentioned criterion, one can classify the planning districts into- Totally Urbanized Districts, Rural Tracts, High Agricultural Zones, Districts with large Agricultural Zone, Less Urbanizing Planning Districts, Highly Urbanizing Planning Districts, and Urbanizing Planning Districts with Complete Land Area Allocated for

various Developments. The percentage of lands allocated for various developments too serves as a clear indicator to arrive at such a reclassification. The Map 3.5 indicates different kinds of districts.

Map 3.5



INDICATORS

	Less Urbanizing Planning Districts-Relatively Expandable Districts
	Districts with large Agricultural Zone/Rural Tract
	Districts with larger Agricultural Zone/Rural Tract-Marginally Expandable Districts
	Urbanizing Planning Districts with Complete Land Area Allocated for various Developments- Totally Expandable
	Other Non-expandable Districts/Rural Tracts
	Highly Urbanizing Planning Districts
	Common Non-expandable Districts/Totally Urbanized Districts

Common Non-expandable Districts/Totally Urbanized Districts: Ten districts which were non-expandable because they were the oldest parts of the city and were already developed completely. Other districts were rural districts when urban developments were prohibited. Districts number 1, 2, 9, 10, and 11 shown in Table 3.5 and in the Map 3.5 are the oldest parts of the city. Districts 1, 2 and 11 are in the City area, which is the central-western part of the City.¹¹² District 11 is the Central Business District and the oldest part of Bangalore City. Cottonpet, Akkipet, Chamarajapet, Cubbonpet, K.R. Market, Gandhinagar, etc., are its parts. This district has important public buildings, government buildings, Central Jail, Maharani's College, Victoria Hospital, Minto Hospital, Medical College, KSRTC bus stand, City Railway Station, many cinema halls, handloom industry, etc.¹¹³ Districts 1 and 2 which are contiguous to the oldest part of Bangalore's Central Business District, have Malleswaram layout formed in the last decade of the 19th century and Seshadripuram, Guttahalli, Palace area, Vyalikaval etc., formed in the early part of the 20th century. Similarly its adjacent areas Srirampuram, Oakalipuram, Kumara park Extension, Rajajinagar, etc., are also developed.

Table 3.5

Non-Expandable Planning Districts

Sl. No.	District No.	Land Area of the district (in hectares)		Rural Tract of the total land area in the district (in hectares)	
		Total	%	Total	%
1	1	1175.00	100.00	nil	nil
2	2	600.00	100.00	nil	nil
3	9	688.25	100.00	nil	nil
4	10	1635.28	100.00	nil	nil
5	11	720.80	100.00	nil	nil

Source: RCDP 1976

District 11, the oldest part of Bangalore urban area, required improvements in roads and other civic amenities to improve the circulation pattern. District number one, was constituted by mixed land uses- densely populated residential extensions, strips of commercial developments, cinema theatres, hotels, market area, water tank, industrial area, Bangalore Palace area, a golf course, educational & research institutions, parks, and important thoroughfares. This district had old and planned areas of the city,¹¹⁴ whereas district two, the adjacent district, had developed into an unplanned district. Haphazard development with mixed land uses were noticed in areas like Oakalipuram, Srirampuram, etc. Slums had developed in the vicinity of the industries? The old areas in the district were congested with narrow roads obstructing circulation. There were

also old planned residential layouts- Kumara Park Extension, Rajajinagar, etc. In this area there was a commercial complex which was serving the shopping needs of the people. Factories, hospitals, educational institutions, railway lines, burial grounds, and parks were located in this district.¹¹⁵ In district one, planning concentrated on improving commercial uses of space along both sides of the important thoroughfares. Planning for district 2 concentrated on the commercial uses of space along the main thoroughfares where there was scope, and thoroughfares were planned to be widened. Other civic amenities in the district were to be improved. The places remaining the same, the subsequent plans too propose similar developments in the districts.¹¹⁶ All the three districts were non-expandable or inelastic horizontally because they had become part of the inner core of the City.

Districts 9 and 10, which were part of formerly Civil and Military Station developed by the British, now known as Cantonment area are non-expandable districts. These areas form the Eastern part of the Central Business District and its extensions - Russel Market, Defence Area, Cubbon Park, Langford Town, Richmond Town, Sampangiramanagar, Puduparacheri, Shantinagar, Khader Shariff Garden, Wilson Garden, Chinnaiyanapalya, Lakkasandra, etc. District 10 is the core of the central business district. This district has most of the administrative areas like Vidhana Soudha, High Court and other courts; Colleges, Departmental Offices and Hospitals; a long expanse- Cubbon Park; important commercial places and streets- Russel Market, Mahatma Gandhi Road, Commercial Street, Brigade Road, etc.; Karnataka State Cricket Association Cricket Stadium, Bangalore Football Stadium, Swimming Pool, etc.; and there were many residential areas too.¹¹⁷ District 9 had government offices of government transport corporations, industries- automobiles, garment, etc., Municipal Corporation, Town Hall, institutions such as National Institute of Mental Health, Bangalore Dairy, etc., slums, residential areas, hotels, shopping centres, horticultural and floricultural nurseries, retail shops, etc.¹¹⁸

In districts 9 and 10, the proposals for the districts were: a. 'maintaining the character of Administrative Complex around Vidhana Soudha'- meant the maintenance of the building, spaces around the building and roads for easier circulation of traffic; and b. improvements- by widening the roads, increasing parking spaces, permission to

increase shopping and commercial spaces, and other civic improvements. These have been the recurring needs of the districts.¹¹⁹

Other Non-expandable Districts/Rural Tracts: All these districts had one criterion in common- to keep them out of any urban use and to retain their greenary. Thus these districts were non-expandable.

Table 3.6
Planning Districts of Rural Tracts

Sl. No.	District No.	Land Area of the District (in hectares)		Rural Tract of the Total Land Area in the District (in Hectares)	
		Total	%	Total	%
1	3A	1567.00	100.00	1567.00	100.00
2	6B	1237.00	100.00	1237.00	100.00
3	17A	757.00	100.00	757.00	100.00

Source: RCDDP, 1976

The districts 3A, 6B, and 17A (see Table 3.6 and the Map 3.5) were non-expandable because major portion of the land in these areas were reserved for the 'rural tract'. These areas were within the conurbation area but the land developments were not allowed. Districts 3A, and 6B, and 17A, were located in the extreme western part, north eastern part, and extreme south eastern part of the conurbation area, respectively. These districts measured 1567 (ha) 1237.00 ha and 757.00 ha, respectively. The Villages of 3A, 6B, and 17A districts were Hegganahalli, Sunkadakatte, Srigandadakaval, Malgalpalya, Malathhalli, Maduri and Giddadakonenahalli Venkateshapur in the west; Srirampura, Rachenahalli, Thanisandra, Kothanur, Narayanapura, Geddalahalli, and Palya in the north; and Kaikondanahalli, Kasavanahalli, and Junnasandra in the south, respectively. These districts were to continue to be agricultural districts with proposed improvements of village settlements with adequate space for expansion and provision for roads and other civic amenities.¹²⁰ In district 3A provision was made for the villages to expand within the gramathana limits and at the same time sufficient number of shops were proposed to be set up. Roads were to be improved within the gramathana limits. The district had a colony by name Beggar Colony.¹²¹

High Agricultural Zones: The plan envisaged greater agricultural zones in some of the districts in the periphery with the twin purpose of “healthy environmental living” for the citizens and most importantly to “maintain lower densities at the periphery with a view to conserve the land and restrict the sprawl of the urban growth”.¹²² It was thought that developments in the agricultural zones if permitted would give rise to “unhealthy and irregular developments”.¹²³ In the agricultural zones, land could be put to use for “agriculture, horticulture, dairy and poultry farming, milk chilling centres, farm houses and their necessary buildings...urban village, brick kilns,...market gardens, orchards, nurseries, land under staple crops, grazing land, pastures and forest lands, marshy land, barren land under water.”¹²⁴ Table 3.7 indicates greater area of land allocated as reserve termed as ‘rural tract’ in the rural districts in the metropolitan area. There are eight districts where more than seventy-five percent of the land area was conserved as agricultural zones. All these districts with greater agricultural zones had natural valleys, tanks, and other natural formations.

Table 3.7

Marginally Expandable Districts- Districts with Largest Agricultural Zone/Rural Tract

Sl. No.	District No.	Land Area of the District (in hectares)		Rural Tract of the Total Land Area in the district (in Hectares)	
		Total	%	Total	%
1	5A	859.00	100.00	696.00	81.02
2	6A	949.60	100.00	782.00	82.35
3	12A	1542.00	100.00	1389.00	90.07
4	13A	622.92	100.00	595.00	95.51
5	13B	1286.96	100.00	1044.00	81.12
6	14A	1512.00	100.00	1335.00	88.29
7	17	1411.63	100.00	1108.00	78.49
8	17B	1286.26	100.00	1249.00	97.10

Source: RCDP 1976

Apart from the conservation goal of the plan, it had visualized to some extent the urban land developments too, in the listed districts. Given the expansion of the nature of non-agricultural activities in the districts – 5A, 6A, 12A, 13A, 13B, 14A, 17 and 17B – one could classify the districts as marginally expandable districts, for urban land developments (see the Map 3.5). In these districts, the plan was taking into account already existing developments and some new developments wherever there was need. Mainly these developments were industrial and commercial along the National Highway- NH 7 and Sarjapura -Hosur Road, State Highways- Bannerghatta Road- Anekal, Kanakapura Road and Bellary Road and other thoroughfares- Varthur Main Road. Apart from roadways, railway routes such as the, Bangalore-Guntakal Railway line, passing via or bordering planning districts too were viewed as part of the transport

corridors which could contribute to urban development. The villages along these main routes had “potential for developments” or where already developments had taken place were to be retained and expanded. For instance, the district 5A along Bangalore-Bellary Road was considered to have “greater potential for developments” – industrial development.¹²⁵ Proposals for expansion of residential area along Bellary Road between Government Flying School and Byatarayanapura, and industrial expansion was to be allowed in the reserved area near Amruthalli and Yelahanka along Bellary Road in district 6A.¹²⁶ Lands were reserved for the promotion of light and medium industries with existing industrial units along Bangalore-Kanakapura Road in the district 12A.¹²⁷ There were already industrial units in the surrounding areas of Arekere village. With that more industrial areas/blocks were planned along Bannerghatta Road in the district 13A¹²⁸. With the already existing units, new industrial units were to be allowed to be set up on both sides along Hosur Road termed as Industrial corridor in the district 13B¹²⁹. In the district 17 both industrial areas and residential areas for workers were to be allowed- known as industrial belt along Hosur Road (NH 7). In the district 17B-Marathalli had gained semi-urban character which was nearer to a heavy industrial unit and was situated along Varthur main road. Thus urban village area and its main road were chosen for industrial and commercial activity and near other villages- Munnekolala, Tubarahalli, Salem railway line, and Kadabisanahalli- too industrial activities were to be allowed¹³⁰. The plan for these districts had suggested improving the village pockets by allowing sufficient space for the residential area of the villages to expand with commensurate civic amenities and the road networks connecting different places in the district.

Districts with large Agricultural Zone/Rural Tract: The Table 3.8 and Map 3.5 indicate that major portion of the land area was still within the agricultural zone. But developments in the district too had already taken place. The maximum land area reserved as agricultural zone ranged between 50% and 75%. These were two different kinds of districts, one- district 8C was developing into an industrial district and in the district 18B greater size of land area was occupied by the defence establishment.

Table 3.8
Districts with Large Agricultural Zone/Rural Tract

Sl. No.	District No.	Land Area of the District (in Hectares)		Rural Tract of the Total Land Area in the District (in Hectares)	
		Total	%	Total	%
1	8C	1391.73	100.00	946.00	67.97
2	18B	1528.00	100.00	976.00	63.87

Source: RCDP 1976

In the district 8C the industrial development had taken place in a significant way which occupied 71.94% of the developed area. Industrial units were set up along Whitefield Road and the Doddanekundi Road. Industrial layout had developed near the village Doddanekundi- termed as Doddanekundi layout. There were also few industrial units along Varthur main road too. Provision was to be made for the extended space for the industrial areas. There were nine rural settlements in the district. Improvement of the villages by making provision for the civic amenities and roads was proposed. Two thirds of the districts' land area was to remain in agricultural zone.¹³¹ In the district 18B, the defence establishment had occupied nearly 80% of the developed land in the district, and other land developments in the district were nominal. The plan for the district was to retain the remaining area in the agricultural zone, with provision for expansion of villages and civic amenities.¹³²

Less Urbanizing Planning Districts-Relatively Expandable Districts: The Table 3.9 and Map 3.5 indicates the less urbanizing planning districts with land area reserved in the agricultural zone ranges between 25% and 50% of the land areas of the districts.

Table 3.9

Planning Districts with Medium Agricultural Zone/Rural Tract¹³³

Sl. No.	District No.	Land Area of the District (in Hectares)		Rural Tract of the Total Land Area in the District (in Hectares)	
		Total	%	Total	%
1	5B	1498.00	100.00	502.00	33.51
2	8	1594.94	100.00	417.00	26.14
3	13	1347.80	100.00	496.00	36.80
4	16	1225.11	100.00	323.00	26.36
5	16A	1584.00	100.00	674.00	42.55
6	18A	1114.00	100.00	452.00	40.57

Source: RCDP 1976

The Table 3.9 indicates the relative expandability of the various existing developments within the demarcated districts, and the potential for various future expansions within them. Already these districts had patches of developments, perhaps

due to the previous planning. These districts were made of mostly residential, industrial and institutional developments. One could also see that considerable size of land area was allocated for commercial, transportation, parks and playgrounds, and public and semi-public purposes in the relatively expandable districts by using agricultural lands.

Table 3.10 Land Allocation for various Developments¹³⁴

Land Allocations for Various Developments	Planning Districts (in Hectares)					
	5B	8	13	16	16A	18A
Residential	251.00	612.14	356.27	259.90	318.00	45.00
Commercial	24.00	32.38	28.34	9.20	22.00	7.00
Industrial	101.00	323.80	102.83	143.93	250.00	346.00
Parks, Playgrounds, and Open Spaces	28.00	165.18	66.80	134.02	128.00	3.00
Public and Semi-public	381.00	48.58	87.04	268.83	46.00	6.00
Transportation	211.00	323.80	210.52	86.23	146.00	50.00
Unclassified (Defence Area)	-	89.06	-	-	-	205.00

Source: RCDP 1976

The districts which figure in Table 3.10 were still rural in character, with many villages¹³⁵ in each of the districts. In these set of districts, districts 5B and 16A had similarities with both having separate townships far flung away from the city which was initiated by the government. Kengeri Satellite town in district 16A and Yelahanka ring town in 5B were established to reduce the pressure on the main City, by developing counter and smaller settlements. Both the townships were steadily growing areas in the districts. In district 16A other main developments included the existence of technical educational institutions, Bangalore-Mysore State Highway and Bangalore-Mysore Railway Line Vrushabhavathi valley was part of the district. A Government Housing Board Colony too was built in the district by Karnataka Housing Board. More than one third of the district lands were to be retained for agricultural uses. In the district 5B already half of the district was under urban use. The University of Agricultural Sciences Campus classified as ‘public and semi-public’ space, occupied 381 hectares of land of the district. In both the districts government was still playing a major role in developing the district. Further, there was planning for certain specific districts. (a) For the District 5B though the plan wanted one third of the district land to remain rural. Portions of land were reserved for Industrial and residential use. Compact residential development was planned by blending Yelhanka Ring Town, and other scattered

villages. The water tank was to be developed for recreational purposes. (b) For district 16A, the plan was to improve the village pockets by allowing sufficient space for the villages to expand. Large area of the district was allocated for the development of light industries. Considerable amount of lands were allocated for the development of parks and playgrounds.¹³⁶

On the residential front, districts 8, 13, and 16 exhibited different modes of residential land development. In district 8, the residential land development was of two types. (1) The land which was planned and formed by the government, as part of Industrial layout- Indian Telephone Industries (ITI) and its residential colony and all other amenities. (2) Adjacent to ITI colony a vast area had developed in a haphazard manner which could be termed as unauthorized or unplanned residential area. In district 13, there were two types of residential land development. (1) The planned residential developments initiated by the government- CITB initiated Thavarekere-Madivala scheme. (2) Planned residential development initiated by private associations but were legally and logistically aided by the government like the Private Employees Layouts- such as Mico Employees' Layout, Karnataka Electricity Board Employees' Layout, etc.. Similarly in district 16 too land was earmarked for the development of "Ideal Housing Scheme"- a private housing scheme which was legally and logistically aided by the government. Government aided private housing schemes could be termed as quasi-governmental residential developments. Apart from these developments, the planning also took into consideration the development of village pockets and spaces which were earmarked for their future expansions with proper civic amenities.

Private commercial developments existed in all the districts. The government was promoting organized commercial centres by allocating more lands in the districts particularly district 8, 13 and 16. A 'district commercial centre' was to be set up near Voddarapalya as part of Thavarekere-Madivala Scheme, and as part of Ideal Housing Scheme area, and a strip of commercial development was planned along Bangalore-Tumkur Road near Dasarahalli village. Similarly areas were allocated for smallscale commercial developments in the districts.

On the industrial front, mostly the developments were for private industrial developments, except a few large scale public sector units such as Indian Telephone

Industries (ITI) and New Government Electrical Factory (NGEF). In district 8 ITI and NGEF already existed and more lands were added for industrial expansion. In district 13, industrial units existed along Hosur Road and Bannerghatta Road and more lands were allocated for further expansion along these routes. In district 16, industrial units existed along Bangalore-Mysore State Highway and more lands were allocated along the same road, and lands were allocated along the Vrushabhavathi valley for the development of medium scale industries. And in district 18 more lands were allocated for industries.

Planning at this stage, to create recreation centres in the districts- parks, playgrounds, etc., existing water bodies and spaces around that were used to develop them, and another way to create such spaces was by allocating lands separately. Regarding the public and semi-public spaces, greater area of land was allocated in district 16 where Bangalore University existed. And in all other districts land to some extent was reserved for offices, educational institutions, etc. Given the nature of residential and industrial expansions the allocation of space for transportation in the districts was considerable. The defence occupied lands were to remain constant.

Highly Urbanizing Planning Districts- Greatly Expandable: The Table 3.11 and Map 3.5 reveal that the highly urbanizing planning districts with land area reserved for agricultural use was below 25%. Those districts were ‘greatly expandable’ districts given the maximization of land area available for various uses.

Table 3.11
Highly Urbanizing Planning Districts¹³⁷

Sl. No.	Planning Districts No.	Land Area of the Planning Districts (in hectares)		Rural Tract of the Total Land Area in the Planning Districts (in Hectares)	
		Total	%	Total	%
1	6	1563.00	100.00	287.00	18.36
2	7	1487.28	100.00	212.00	14.25
3	8A	1623.46	100.00	351.00	21.62
4	8B	1895.92	100.00	131.00	6.90
5	9A	2066.58	100.00	250.00	12.09
6	12	1242.00	100.00	87.00	7.00
7	14	1869.00	100.00	296.00	15.83
8	15	1454.00	100.00	132.00	9.07

Source: RCDP 1976

Large tracts of lands were allocated in the districts for various developments intensifying the expansion in the districts. The Table 3.12 shows such an existing and conceived scenario of the districts.

Table 3.12
Land Allocation for Various Developments

Land Allocations for Various Developments	Planning Districts (in Hectares)							
	6	7	8A	8B	9A	12	14	15
Residential	520.24	576.52	311.74	509.47	387.85	655.00	670	447.00
Commercial	58.71	38.86	33.60	22.67	44.53	34.00	39.00	70.00
Industrial	91.10	78.54	508.50	429.15	90.70	54.00	74	147.00
Parks, Playgrounds, Open Spaces and Water Sheets	315.79	192.71	72.87	154.65	82.99	178.00	215.00	377.00
Public and Semi-public	101.21	67.20	69.63	55.87	186.23	80.00	186.00	63.00
Transportation	283.40	271.25	241.71	541.29	463.16	154.00	371.00	248.00
Unclassified (defence area)	192.70			51.87	-	-	-	-

Source: RCDP 1976

Given the already existing nature of land developments in the districts there was a mixture of urban and rural areas in the districts.¹³⁸ Planning in these districts was only intensifying the developments. In the districts there was a mixture of residential land developments- In district 6 there were older planned layouts viz., Pottery Town and Benson Town, CITB's planned layouts viz., Jayamahall Extension and Gangenahalli Extension, and industrial and institutional planned layouts viz., Hindustan Machine Tools Colony, University of Agricultural Science Colony, State Bank Colony, etc. Private housing colonies which were both planned and unplanned too existed. In district 7, the residential developments followed the pattern of a mixture of old planned layouts viz., Richards Town, Cooke Town, and St. Thomas Town, with the new CITB planned layouts viz., Jayabharathinagar and Maruthinagar. District 8A had CITB planned residential extensions- viz., Jayamahall extension and Indiranagar. In district 8B there were new planned layouts viz., N.A.L Colony, Jeevan Bheema Nagar, H.A.L. Colony, etc. District 9A had old areas of the city viz., Austin Town, Gowthamnagar and the new planned layouts viz., Koramangala layout, part of Indiranagar, etc. Similarly in districts 12, 14, and 15, there were old and newly planned layouts. In district 12, N.R. colony, Thyagaraja Nagar and Yediur were old planned residential areas whereas Banashankari II and III were newly developing layouts. In district 14 Visweswarapuram and Basavanagudi were old planned residential areas whereas

Jayanagar was a newly planned residential layout. In district 15 most of the residential planned layouts were old ones viz., Shankarapuram, Basavanagudi, Gavipura Extension, Hanumanthanagar, etc., and there were new planned layouts viz., Banashankari, etc. Apart from that, there was also an haphazard growth near a village pocket in district 8B. Kodihalli had grown into a 'vast haphazard slum'. In district 6 no new lands were allocated for new residential developments; in district 7 sixty percent of lands were to be developed by CITB to develop residential layouts. More lands were allocated for the development of planned residential developments in all other districts. One could see mainly the planned residential developments which were playing a major role in the production of space for various occupational groups. Planning was allocating more lands for such planned developments initiated by the government's planning authority. District 8A and 8B were the industrial districts with greater area of land allocated for industrial developments, and in all other districts too moderately lands were allocated for the development of industries. In the districts, more lands were being allocated for organized shopping centres, wholesale and retail trade. Commensurate land area for civic amenities like parks and much larger 'Regional Parks', spaces for schools, colleges, hospitals, etc., were reserved in the districts. Village pockets in the districts were to be developed and absorbed into the fold of planned development with provisions for civic amenities and reserved spaces for the expansions.

Apart from the allocative exercise, planning had a particular focus for each and every district given each district's potential to grow. The focus in district 6 was 'compact' residential development. The main focus in district 7 was that more than sixty percent of the land was proposed to be developed by the CITB for residential purposes, and light in the remaining area and medium industrial areas, and a commercial centre were to be built and improvement of the roads has to be done. In district 8A residential extensions were planned, and land in greater area was reserved for heavy and medium industrial units. Similarly in 8B the focus was on the provision of land for heavy and medium industries and expansion of residential spaces. In all other districts more lands were being used for residential purposes. The preceding analysis clearly reveals that zoning does not always lead to spatial use of land for a particular use.

There were various sets of actors in the district who were seeking lands for various developments. At the same time planning was making provision for land irrespective of the demand, because it was addressing the broader policy and planning questions relating to modernization viz., industrialization, development of research and education institutions, etc. On the residential front, there were public institutions like University of Agricultural Sciences, public sector banks, public sector and private sector industries, etc., on the one hand and on the other, the private individuals or groups which were seeking and developing land mainly for residential and industrial purposes. The Government was also making provision for various other civic spaces. Governmental land allocations can be sought both by public and private organizations, institutions and individuals on the condition that it should serve the “public purpose”. This aspect has been elaborated in the chapter on Land Development and Legal Processes/Strategies.

Urbanizing Planning Districts with Complete Land Area Allocated for various Developments – Totally Expandable: The Table 3.13 and Map 3.5 indicate the planning districts which were to become complete urban districts without any rural tract being reserved.

Table 3.13

Urbanizing Planning Districts with Complete Land Area Allocated¹³⁹

Sl. No.	Planning Districts No.	Land Area of the Planning Districts (in Hectares)		Rural Tract of the total land area in the Planning Districts (in Hectares)	
		Total	%	Total	%
1	3	1728.00	100.00	nil	nil
2	4	1998.00	100.00	nil	nil
3	4A	1186.00	100.00	nil	nil
4	5	1441.00	100.00	nil	nil
5	18	1036.00	100.00	nil	nil

Source: RCDP 1976

All the districts except one, had developed. There were old developed residential and industrial areas and also the new developments where most of the villages and the lands were to be totally urbanized.¹⁴⁰ All the districts had industries. The oldest industrial district was district 3; new industrial districts were 4 and 18 and 4A was to be an industrial district. District 5 had one large scale public sector industrial unit- Bharat Electronics Limited.

Table 3.14**Land Allocations**

Land Allocations for Various Developments	Planning Districts (in Hectares)				
	3	4	4A	5	18
Residential	881.00	1052.63	36.00	478.00	257.00
Commercial	47.00	60.73	31.00	36.00	17.00
Industrial	151.00	253.84	911.00	132.00	259.00
Parks, Playgrounds, Open Spaces and Water Sheets	264.00	174.10	78.00	117.00	203.00
Public and Semi-public	53.00	153.84	7.00	303.00	20.00
Transportation	332 ha	302.86	123.00	302.00	186.00
Unclassified (Defence Area)	-	-	-	73.00	94.00

Source: RCDP 1976

In district 3 Rajajinagar Industrial Estate was the oldest industrial area. The district included CITB old and new residential layouts, village pockets absorbed into the city, industrial areas, hospitals, technical educational institutions, parks, burial ground, railway lines, etc. District 4 was a new predominantly industrial district with its residential suburb. Peenya industrial estate, the biggest of industrial estate in Bangalore, was part of the district. CITB had already formed residential layouts in the area- Mahalakshmi Layout, West Chord Road Extension, etc. There were village pockets which were being absorbed into the city fold. District 4A, was an agricultural district, with village pockets and petty shops. In district 5, included village pockets, residential layouts created by house-building cooperatives, CITB layouts, railway lines, a cinema theatre, a large scale industry- Bharat Electronics Limited (public sector unit), technical educational institution, the Agricultural University, cottage and small scale industries, a research institution-Indian Institute of Science, market yard, and defence and District 18 was mainly an industrial district with its residential colonies, defence land and a water body.

Planning for these districts saw a great potential to expand the developments in the districts to completely develop the land. In district 3, there were vacant spots in the district which were to be used for parks and industries. Commercial developments could develop along the developed road. New planned residential layouts were proposed in the district by using agricultural lands. In district 4 the remaining agricultural lands were to be used for the residential purposes. In district 4A a major portion of the land was planned for industrial and residential use. In district 5 the

remaining vacant spaces were planned for extending residential space, for public and semi-public uses, parks, industrial and commercial uses. In district 18 the entire area was already developed. In all these districts remaining lands were allocated for residential use and civic amenities to match the industrial developments which had taken place earlier.

The completely urbanizing districts were constituted by the older areas, their extensions. The plan permitted only medium and light industries. Industrialization of the districts and the increasing need for residential spaces were largely to be produced by the governmental planning mechanism with corresponding spaces for other civic uses and for the institutions, associations and organizations in the context of lack of private housing. Since there was no agricultural area left in the districts, planning had to concentrate on creating spaces for recreation. Thus the allocative exercise had to take these factors into account.

Realization of Planning: Comprehensive Development Plan Report (1985)

The comprehensive development plan which was prepared in 1976 had to be revised due to the drastic spatial and demographic changes and accompanying developments in the decade of 1970s. Thus the comprehensive development was not operationalized. Before the revised plan could be animated, it had to take into account many factors and the change in nature of the city itself. Thus the plan says:

The City of Bangalore was a planned City earlier. Rapid increase in population due to industrial and other economic activities and consequent influx of population into the city has resulted in a number of slums and unauthorized constructions within and immediately outside the built up areas. Such unauthorized constructions are increasing day by day posing several planning and administrative problems.¹⁴¹

Given this trend in urbanization, the plan had contemplated the future policy of development of Bangalore. According to the new recommendations it was to 'seriously curb the growth of Bangalore metropolitan area and encourage the other urban centres in the State as well as small and medium towns in the State.'¹⁴² City planning was taking restrictive form to contain the trend of urbanization. The following measures were visualized to curb urbanization. The plan had attempted to spatialize other such policy formulations and offered justifications too. Following the broader policy suggestions, the plan enunciates such positions spatially. The Plan says-

With a view to discourage the growth of Bangalore and to encourage growth of other urban centres in the State, the State Government adopted a policy decision several years back to curb the growth of industries in Bangalore and to provide incentives for encouraging development of industries in other industrially backward areas of State. The Industries Department is providing incentives in respect of licensing of industries, provision to develop industrial sites, concession in taxes and rates etc., in such identified growth centres. Such incentives will have to be made more attractive to see that more industries come up in the other urban centres.

[Further the plan says that-] It is learnt from the Industries and Commerce Department that heavy and medium industries in Bangalore are utilizing capacities upto 80%. 20% space capacity is there available for utilization in future. As large industries are prohibited in Bangalore by Government, only medium and small scale units will come up in Bangalore in future, as ancillary units required for about 20% spare capacity to be utilized by the existing large industries and new medium industries.¹⁴³

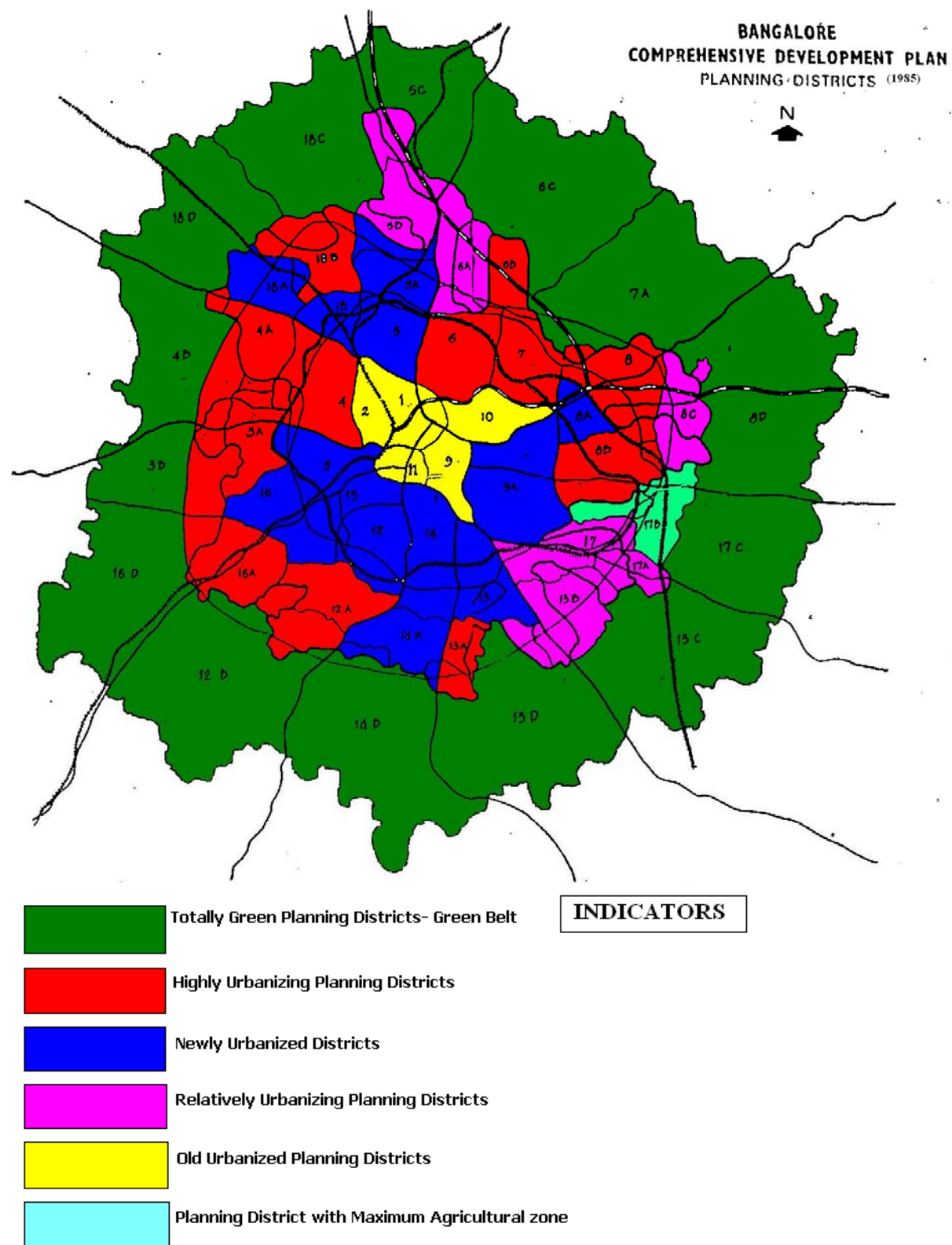
The plan further elaborates the need for restrictions on industrialization and employment in that sector. The plan says:

The percentage of State and Central Government employees is maintained. The percentage of workers in the industrial sector will be gradually reduced from 45% in 1981 to 40% in 1991 and 33.33% in 2001. At the same time the employment in trade and commerce has been shown at higher rate i.e., 40% in 1991 and 46.67% in 2001 as against 35% observed in the Census of 1981. Encouragement to the service employment is necessary particularly in Bangalore, in view of the policy to discourage large industries.¹⁴⁴

What did the plan do? How did developments in the planning districts take shape? The answer to these questions is the following analysis of the developments in general and land developments in particular.

The number of developing planning districts was retained at 37. But most of the districts had undergone change. New districts were created and were assigned to be green belt. There were 14 Green Belt districts. To map these changes, one could classify the districts into- oldest urbanized planning districts, newly urbanized planning districts, highly urbanizing planning districts, relatively urbanizing planning districts and totally green planning districts. Old urbanized planning districts were 1, 2, 9, 11, and 12. Their land area, constitution by and large remained the same, and the developments in these districts were a matter of re-planning by making further improvements viz., expansion to road networks, implementation of building restrictions or rules, provision of civic amenities etc.

Map 3.8 (See Appendix- II too)



Newly Urbanized Districts: The districts where land area in the green belt was nil could be categorized as newly urbanized districts. In the previous plan report the same districts had rural tract, whereas the plan of 1985 did not retain the green belt in the districts. The Table 3.15 gives the list of the districts which were to be completely expandable. The newly urbanized districts had already experienced phases of developments in the post-Independence period. At the broader level the City was taking uncontrolled growth/expansion path, the plan had to come to terms by again re-conceiving or re-conceptualizing the planning districts with growing needs and demands of various actors in the scene. The plan took stock of the new developments in the district and was only altering the spatial allocations for developments. The idea of green belt was adopted into the planning from urban planning of London in the UK. In the context of the UK, green belt was to maintain the ecological balance, and city could grow/expand beyond green belt. Here in this context it was assumed to serve twin purposes of curbing further expansion of the city and retaining green foil to maintain the ecological balance. The conversion of agricultural land for non-agricultural purposes by the government was based on the ‘discretionary’ power or ‘quasi-judicial’ power as encoded in the sovereign power/rights of the state and the “public purpose” it would serve. The earlier ODP was to serve as an adhoc plan to regulate land uses and city expansion till the master plan was ready. It was termed as a “preparatory” exercise before the master plan was formulated.

Tables 3.15

Rural Tract of 1976 and Green Belt of 1985

1976					1985				
Planning Districts No.	Land Area of the Planning Districts (in Hectares)		Rural Tract of the Total Land Area in the Planning Districts (in Hectares)		Planning Districts No.	Land Area of the Planning Districts (in Hectares)		Green Belt of the Total Land Area in the Planning Districts (in Hectares)	
	Total	%	Total	%		Total	%	Total	%
3	1728.00	100.00	nil	nil	3	1,728.00	100.00	nil	-
5	1441.00	100.00	nil	nil	5	1441.00	100.00	nil	-
5A	859.00	100.00	696.00	81.02	5A	859.00	100.00	nil	-
8A	1623.46	100.00	351.00	21.62	8A	1622.97	100.00	nil	-
9A	2066.58	100.00	250.00	12.09	9A	2066.58	100.00	nil	-
12	1242.00	100.00	87.00	7.00	12	1242.00	100.00	nil	-
13	1347.80	100.00	496.00	36.80	13	1347.00	100.00	nil	-
14	1869.00	100.00	296.00	15.83	14	1869.00	100.00	nil	-
14A	1512.00	100.00	1335.00	88.29	14A	1412.00	100.00	nil	-
15	1454.00	100.00	132.00	9.07	15	1454.00	100.00	nil	-
16	1225.11	100.00	323.00	26.36	16	1225.00	100.00	nil	-
18	1036.00	100.00	nil	nil	18	1036.00	100.00	nil	-
18A	1114.00	100.00	452.00	40.57	18A	1114.00	100.00	nil	-

Source: RCDP 1976; CDP 1985

The Tables 3.15 shows that the districts which had rural tracts had lost them by 1985. By 1985 the green belt was nil.

Table 3.16

Land Allocations- 1976

1976													
Land Allocations for various Developments	Planning Districts (in Hectares)												
	3	5	5A	8A	9A	12	13	14	14A	15	16	18	18A
Residential	881.0 0	478.0 0	6.00	311.7 4	387.8 5	655.0 0	356.2 7	670	43.00	447.0 0	259.9 0	257.0 0	45.00
Commercial	47.00	36.00	2.00	33.60	44.53	34.00	28.34	39.00	4.00	70.00	9.20	17.00	7.00
Industrial	151.0 0	132.0 0	71.0 0	508.5 0	90.70	54.00	102.8 3	74	111.0 0	147.0 0	143.9 3	259.0 0	346.0 0
Parks, Playgrounds, and open spaces	264.0 0	117.0 0	½	72.87	82.99	178.0 0	66.80	215.0 0	6.00	377.0 0	134.0 2	203.0 0	3.00
Public and Semi-public	53.00	303.0 0	½	69.63	186.2 3	80.00	87.04	186.0 0	4.00	63.00	268.8 3	20.00	6.00
Transportation	332.0 0	302.0 0	36.0 0	241.7 1	463.1 6	154.0 0	210.5 2	371.0 0	9.00	248.0 0	86.23	186.0 0	50.00
Unclassified (defence area)	-	73.00	47.0 0		-	-	-	-		-		94.00	205.0 0

Source: RCDP 1976

Table 3.17

Land Allocations- 1985

1985													
Land Allocations for Various Developments	Planning Districts (in Hectares)												
	3	5	5A	8A	9A	12	13	14	14A	15	16	18	18A
Residential	883.5 4	520.0 0	388.0 4	356.0 9	618.3 4	582.7 0	481.6 2	799.3 8	689.1 5	379.9 6	325.2 5	228.6 2	471.7 2
Commercial	51.00	29.38	18.29	35.64	55.00	29.79	31.28	80.43	48.50	70.84	18.00	25.49	44.70
Industrial	98.00	103.0 4	55.63	383.3 7	86.50	56.35	85.33	82.77	54.39	70.92	60.00	300.6 4	nil
Parks, Playgrounds, and open spaces	178.8 1	94.59	135.5 5	241.0 3	186.5 6	132.0 2	279.6 7	338.1 5	170.9 8	500.6 3	95.85	129.1 4	90.71
Public and Semi-public	93.97	309.3 9	51.66	90.18	189.2 5	82.60	102.7 4	107.1 5	106.5 0	76.77	571.9 2	41.02	99.72
Transportation	422.6 8	311.4 0	163.8 3	320.7 3	397.3 6	347.0 4	367.1 6	461.5 2	342.4 8	354.8 8	153.9 8	217.0 9	202.1 5
Unclassified (defence area)	-	73.00	47.00	-	-	-	-	-	-	-	-	94.00	-

Source: CDP 1985

Given the policy formulation of the plan to restrict the growth of the City, what the plan was doing was to absorb the green parts for future expansions, and also appropriating the already developed parts of the districts into the fold of planning. The policy was effectuated through the land allocative strategies for various developments.

Firstly, in districts- 5A¹⁴⁵ and 14A¹⁴⁶ which in 1976 had greatest land area reserved as rural more than 75% of the land area was de-reserved, in 1985, owing to the unplanned/uncontrolled developments within the districts or the demand or the need to expand as the plan perceived. District 5A an entirely new became residential district. Urban uses were expanded in the district in a planned manner. A regional park was set up in the district. District land area remained the same at 859.00 ha. The land allocation had significantly altered for various developments. One could see the green spaces in the form of parks, playgrounds and open spaces, but the allocations were not comparable to the previous plan's allocation of the rural tract.

In district 14A there were drastic changes. The district area size which was 1512 ha in 1976 was curtailed marginally to 1412 ha in 1985. The new industrial and residential developments were allowed in the district along the two main roads of Bangalore-Anekal Road in the east and Bangalore-Kanakapura Road in the west. Residential developments by house building cooperative societies were accepted by the government and the Planning Authority.¹⁴⁷ The significant feature in the district is the entry of new quasi-governmental participants i.e., HBCS, in the residential production of space, and the drastic reduction of space for industrial units. The district was supposed to expand extensively, in a planned manner. The dynamic of quasi-governmental production of residential space was created by legally aiding, mobilizing and promoting the social associations/organizations by the State.

Secondly, the relatively larger land area reserved as rural tract ranging from 25% to 50% of district land area, in 1976 was de-reserved in 1985 in Districts 13¹⁴⁸, 16¹⁴⁹ and 18A¹⁵⁰. In all these districts the land developments for various purposes were altered. In district 13 the residential developments were taking a new shape. Apart from the continuance of the old schemes, new mode of land development in the residential sector was introduced. With the dissolution of CITB in 1976, the BDA in 1976 took over and continued the development with a new addition, the Byrasandra-

Thavarekere-Madivala scheme. Also, two more HBCS – Bharat Housing Layout and Vysya Bank Layout – were added. ‘Ribbon Developments’ along the main roads were expanding. There were still horticultural gardens along Bannerghatta Road. In the new proposal, the agricultural lands were to be converted for the residential purposes by permitting HBCS – Vijaya Bank Employees HBCS, Vyalikaval HBCS, etc. – to form layouts. In the process lands of Bilekahalli, Kodichikkanahalli and Hongasandra were to be used for residential purposes. In district 16, similarly HBCS had begun to consume space in the district, though it was conceived in the previous plan itself. Ideal Homes Colony had developed. Lands surrounding villages were to be used for residential developments. A monastery or ashram with a temple and its own educational institution had developed near village Kenchanahalli. District 18A was considered useful for the residential developments for the industrial labour of the adjacent district which had a large number of heavy and medium industries, and a wholesale market. It was identified and visualized that the district had “tremendous potential for development in view of the existence of Bangalore-Tumkur NH 4... and Bangalore-Tumkur Railway-line...in the planning district and a large number of industries along Tumkur Road”. Previously conceived industrial development in the district was cancelled.

Land allocations for various developments in district 13 had undergone moderate changes on most of the counts except parks, playgrounds, etc. District Area remained the same at 1347.00 ha.¹⁵¹ In district 16 changes were considerable. The district size remained the same at 1225 ha. The land allocation had altered considerably for various developments.¹⁵² Rural tract and water sheet which existed to some extent in the district was to disappear. Significant feature of this district was the Agricultural University Campus which had consumed significant area of land. The district was supposed to develop in a planned manner. In district 18A there was a radical change in the allocations. The district was categorized as an undeveloped district. The district size was retained the same at 1114.00 ha. The land allocation had altered considerably for various developments.¹⁵³ In all the districts, a common tendency one could observe was the reduction of land allocations for industrial developments. In district 18A it was totally nullified.

The third category of districts with marginal size of area of land (1% to 25%) reserved as rural tract and in which subsequently the green areas were put to various land developments were districts- 8A¹⁵⁴, 9A¹⁵⁵, 12¹⁵⁶, 14¹⁵⁷, and 15¹⁵⁸. District 8A was to be developed into an industrial and residential district with almost equal allocations of land area for the developments after the reduction in the allocation for the industrial developments. The industries in the district included Aero Engines Division, Kissan products, Railcoach Factory, I.T.I ancillary units, etc. In case of district 9A, the revised plan clearly states that there would be expansion within the district by allocating remaining agricultural lands for various developments. This district was developed into a residential district. Koramangala Layout which was in the process of development during the previous plan period was complete and the areas south of Domlur area were proposed to be developed into a residential layout. Similarly in district 12 too, the revised plan clearly states that – ‘Southern portion of the District is a virgin land fit for developments’(RCDP 1976: 187; CDP 1985: 94) – and therefore calls for expansion within the district to allocate remaining agricultural lands for various developments. Expansion within the district was planned towards southern direction of the planning district further pushing the expansion of the city in southern direction. The plan expresses surprise that industrial area was absent in the district. No Objection Certificates were granted by BDA for both residential and industrial developments in the district. Work in the new planned layouts – Banashankari II and III Stages and Kumaraswamy Layout were still in progress. The other two districts 14 and 15 were different centres, the former known for its commercial area and the latter known for its recreational spaces. In the district 14, the plan visualized that it was important to develop commercial centres in the district. The plan states that- “The Jayanagar Shopping Complex is the main commercial centre in the district. Shopping complexes are proposed in J. P. Nagar and other areas proposed for development. Commercial use is also proposed on some important roads with potential for commercial use” (CDP 1985: 103). District 15 had oldest areas viz., Shankarapuram, Basavanagudi, Gavipuram, etc., of Bangalore city. There was only a small area of land available for development which was planned for residential development. The main features of the district were the Parks, Playgrounds, and Open spaces which were to consume greater amount of space (1/3) in the district. A regional park was planned in the district. There was still little scope for commercial expansion along important main roads. Residential and Transportation networks were other significant consumers of space in the district.

Rural tract and water sheet which existed in the district was to disappear. The district was supposed to develop in a planned manner and there was marginal scope for expansion.

Land allocations for various developments altered significantly. In district 8A the district land area was marginally curtailed from 1623.46 ha to 1622.97 ha. The land allocation was altered to a greater extent for various developments.¹⁵⁹ Land allocation for industrial development was drastically reduced, and the land allocation for parks, playgrounds, etc., was increased significantly. In district 9A, the district area was retained the same at 2066.58 ha. The land allocation had altered considerably of the urbanizable area.¹⁶⁰ Lands allocated for residential use, parks, playgrounds/open spaces were considerably increased, whereas allocation for industrial development was reduced marginally. Agricultural land use had been totally utilized, thus the rural tract/green belt was nil. In district number 15, the land area available was only 9.07% of the total land area. Thus land allocations had altered only by shifting the priorities of various land developments, than by increasing the supply of land area.¹⁶¹ Drastic change could be seen in the allocations for industrial development, indicative of restrictions on the growth of industrial areas.

In the district 12, since the rural tract reserved in the previous plan was marginal (7%) there was little land area left for expansion within the district. So the only way to increase land supply for any development would have been by altering other developments to provide spaces for any prioritized developments. The space for all the developments was only marginally increased. District Area was marginally reduced from 1242.00 ha to 1230.50 ha of the urbanizable area.¹⁶² In district 14, land allocations for various developments were increased moderately, since rural tract reserved in the previous plan was only 15%. The area of the district remained the same at 1869 ha, and other things being the same, the land allocation had altered moderately for various developments of the urbanizable area.¹⁶³ One common feature of both districts 12 and 14 was that land allocations were increased marginally for industrial developments.

Finally, the districts that did not have the reserved rural tract in 1976 were- 3¹⁶⁴, 5¹⁶⁵ and 18¹⁶⁶. In district 3, apart from the existing CITB/BDA layouts, new residential

layouts were to be developed which included the village pockets Gangondana Halli, Attiguppe, Marenahalli, part of Malgal, Sajjepalya and Nagarabhavi. Commercial uses were planned to develop along the developed roads, and industrial units could develop along Bangalore-Mysore Road.¹⁶⁷ In district number 5 a different kind of residential layout was noticed. By 1985 *Mathikere village* area had become a *built up area*. Thus it was *under reconveyance scheme*- regularization scheme brought into the fold of planning.¹⁶⁸ Compared to the previous plan in district 3 the allocations of land. For residential and commercial purposes increased marginally. For industrial purposes, and parks and playgrounds the allocation of land had significantly stood curtailed; and whereas for transportation and public and semi-public uses the allocations had increased significantly.¹⁶⁹ In district 5, district land area remained the same at 1441.00 ha. The land allocation had to some extent altered for various developments.¹⁷⁰ The significant feature of the district was that greater area was consumed by educational-institutional spaces. The area had heterogeneity of activities and spaces. In district 18, the land area of the district remained the same (1036.00 ha). The district was to remain an area of 1036.00 ha. The district was to be improved with more civic improvements.¹⁷¹

What could one infer from the preceding analysis? The increase in the land areas for residential development was due to the land being occupied without permissions. Though the plan itself at the outset clearly expressed concern but it did not detail such developments. During the same time governmental production of space was increasing which was not adequate to fulfill the demand. This was the rationale or justification given for allowing HBCS' to operate in the field to increase the supply of land for residential purposes. The drastic changes in the land allocations for commercial, and public and semi-public developments, indicates increasing urban economic, cultural and administrative activities. Apart from that the people employed in commercial, and public and semi-public activities were the groups who had access to legal organization of residential production of space through HBCS and also access to the government produced space. Such a tendency also indicates the capacity to pay for the parcels of land produced. In some of the districts, the plan sporadically tended to flaunt its residential socio-spatial formation by talking about the classes which inhabited the district. For instance, in the district 8A, while describing the residential formation in the district, the plan said: "Indiranagar is a posh residential area like, Palace Orchards and Jayamahall accommodating high and medium income

groups”.¹⁷² Increases in the transportation space clearly indicated the actual nature of expanding city, through its networks and the reach to various places. Reduction in space for industry had environmental concerns for the city and to contain the expansion of the city, otherwise it would propel migration as perceived by the plan. And, finally the increase in the spaces, for parks, playgrounds, and open spaces, is clearly indicative of an urban aesthetic approach to urban planning by totally nullifying the rural tracts or the green belts. Urban environment was perceived more in terms of ‘recreation’ which was replacing the perceptions of ‘conservation’ and ‘healthy’ environment.

Highly Urbanizing Planning Districts: Though planning districts were to consume most of their green space in the process of the expansion of the city, the plan was still hopeful of maintaining green patches in some of the districts. Planning was addressing the concerns of emerging realities of the uncontrolled city which was expanding more than expected on the one hand, and the conservationist-environmental urban aesthetic on the other. The latter concerns found an expression in planning districts 3A, 4, 4A, 6, 6B, 7, 8, 8B, 12A, 13A, 16A and 18B, which could be classified as highly urbanizing planning districts, based on the criteria of land reserved as ‘green belt’. Districts could be categorized as highly urbanizing planning districts which had land reserved as green belt below 25% of the total land area of the districts according comprehensive development plan of 1985. Whatever it was, the plan had to find solutions within the logic of uncontrolled expanding City. The only possible solution that the plan could visualize was to restrict the city growth or expansion. Perhaps green belt was part of that strategy. (see Table 3.18)

Table 3.18

Rural Tract of 1976 and Green Belt of 1985

1976				
Planning Districts No.	Land Area of the Planning Districts		Rural Tract of the Total Land Area in the Planning Districts	
	(in Hectares)		(in Hectares)	
	Total	%	Total	%
3A	1567.00	100.00	1567.00	100.00
4	1998.00	100.00	Nil	nil
4A	1186.00	100.00	nil	nil
6	1563.00	100.00	287.00	18.36
6B	1237.00	100.00	1237.00	100.00
7	1487.28	100.00	212.00	14.25
8	1594.94	100.00	417.00	26.14
8B	1895.92	100.00	131.00	6.90
12A	1542.00	100.00	1389.00	90.07
13A	622.92	100.00	595.00	95.51
16A	1584.00	100.00	674.00	42.55
18B	1528.00	100.00	976.00	63.87

1985				
Planning Districts No.	Land Area of the Planning Districts		Green Belt of the Total Land Area in the Planning Districts	
	(in Hectares)		(in Hectares)	
	Total	%	Total	%
3A	1567.00	100.00	306.26	19.54
4	1998.00	100.00	278.33	13.93
4A	1186.00	100.00	161.01	13.57
6	1850.16	100.00	30.00	1.62
6B	1237.00	100.00	251.45	20.32
7	1487.28	100.00	212.00	14.25
8	2011.94	100.00	216.94	10.78
8B	1941.34	100.00	209.84	10.80
12A	1542.00	100.00	274.88	17.82
13A	622.92	100.00	118.42	19.01
16A	1584.00	100.00	171.07	10.79
18B	1528.00	100.00	300.61	19.67

Source: RCDP 1976; CDP 1985

In case of districts 4 and 4A, in 1976 no land had been reserved as rural tracts. But in 1985, the plan had reserved lands in these districts for green belt. Whereas in all other districts except in the green zone was reduced.

Tables 3.19

Land Allocations

1976												
Land Allocations for Various Developments	Planning Districts											
	(in Hectares)											
	3A	4	4A	6	6B	7	8	8B	12A	13A	16A	18B
Residential	GB ¹⁷³	1052.63	36.00	520.24	GB	576.52	612.14	509.47	19.00	nil	318.00	47.00
Commercial		60.73	31.00	58.71		38.86	32.38	22.67	3.00	0.60	22.00	4.00
Industrial		253.84	911.00	91.10		78.54	323.80	429.15	103.00	25.10	250.00	8.00
Parks, Playgrounds, and open spaces		174.10	78.00	315.79		192.71	165.18	154.65	4.00	nil	128.00	39.00
Public and Semi-public		153.84	7.00	101.21		67.20	48.58	55.87	4.00	nil	46.00	2.00
Transportation		302.86	123.00	283.40		271.25	323.80	541.29	19.00	2.22	146.00	7.00
Unclassified (defence area)		-	-	192.70			89.06	51.87	-	-	-	445.00

Source: RCDP

1976

985												
Land Allocations for Various Developments	Planning Districts (in Hectares)											
	3A	4	4A	6	6B	7	8	8B	12A	13A	16A	18B
Residential	661.66	634.78	590.00	766.67	680.06	718.62	628.47	709.08	671.69	207.29	607.44	478.40
Commercial	39.16	67.10	29.65	35.00	22.80	60.93	39.85	16.40	44.73	15.36	35.48	47.26
Industrial	Nil	367.90	135.37	45.89	nil	23.19	74.89	128.78	80.50	10.85	95.30	2.42
Parks, Playgrounds, and open spaces	147.14	121.99	72.10	252.38	42.00	172.56	237.97	161.65	186.56	129.48	290.00	106.49
Public and Semi-public	152.78	102.03	88.87	103.32	44.63	91.48	59.73	31.96	48.64	52.90	182.28	39.12
Transportation	260.00	425.87	109.00	424.20	190.06	370.20	583.14	631.76	235.00	88.62	202.43	108.70
Unclassified (defence area)	-	-	-	192.70	-	50.30	89.06	51.87	-	-	-	445.00

Source: CDP 1985

The Table 3.19 reveals that the developments are heterogeneous and without any common pattern. The districts shown in the Tables 3.19 could again be divided according to the size of the land allocated and reserved as rural tract in 1976. District 3A, 6B, 12A and 13A had more than 75% of land reserved as rural tract; 4¹⁷⁴ and 4A¹⁷⁵ had nil; 18B had more than 50% and below 75%; 8 and 16A had more than 25% and below 50%; and 6, 7 and 8B had below 25% of land reserved as rural tract. All these districts had less than 25% of land reserved in the green belt in 1985. The lands reserved as rural tract or green belt were legally demarcated planned spatial entities, but the percentages of land reserved in the districts varied according to the discretion of the planning authority.

Districts 3A¹⁷⁶, 6B¹⁷⁷, 12A¹⁷⁸, and 13A¹⁷⁹ were experiencing different sets of developments. In district 3A sporadic developments were noticed along the road leading from Magadi Road and a road that lead to Bangalore University campus. Developments including expansion of Sunkadakatte village along Magadi main road and distribution of free sites at Srigandadakaval had led to *unplanned growth*. Educational institutions too were set up along these routes.¹⁸⁰ In district 6B the developments were yet to begin. The district had scattered village pockets with their stretches of agricultural lands. The land allocation in the district was newly made which was to a great extent change into urban character. In district 12A the revised plan clearly state that there would be major expansion within the district through allocation of remaining agricultural lands for various developments. Permission in the district was granted for quasi-governmental and residential land developments which

were to be taken up by HBCS's- Bharat HBCS, Amarjyothi HBCS, and AG's Office Staff HBCS. Yelechenahalli, Bhikasipura, Uttarahalli and Arehalli were the chosen places for such residential developments. In district 13A the plan identified a few new developments- the occupation of land by a technical educational institute and quarrying activity. Residential developments and along Bannerghatta main road were to be allowed.

The plan in all the districts described above, was concentrating on the land developing through governmental production of planned layouts and at the same time was also coercing unplanned areas to adhere to the planning rules to take the shape of physically planned layouts. Moreover, the residential development was to be sponsored by HBCS. In districts 3A and 6B, the newly developing districts, the plan focused on mainly residential developments. The common feature of these two districts was the lack of allocation of space for industries. In district 3A the land area of the district remained the same. It was to be a non-industrial district with highest allocation of land for residential planned layouts and Konenahalli, Hegganahalli and Giddakonenahalli villages were to be in the green belt. New residential layouts were conceived in terms of including the village pockets and their developments in the planned scheme. The plan says: "New residential layouts [are] proposed covering village pockets of Nagarabhavi, Athiguppe, Gangondanahalli, Maranahalli and other villages in addition to Nagarabhavi B.D.A. Scheme."¹⁸¹ In district 6B the land area had not changed. Since the land area of the district in 1976 was completely a rural tract, with new allocations of land in the district for various uses and also a green area the green area that was newly assigned in 1985 was much less than in 1976.¹⁸²

Land allocations in district 12A and 13A were not too dissimilar. The common feature of these two districts was the reduction in allocation of space for industrial use in 1985 when compared to the allocations made in 1976. Both these districts were to be predominantly residential districts.¹⁸³

District 4 was already a predominantly industrial district and an Industrial suburb. There was a moderate increase in the land allocation of land for industrial developments. CITB had already formed residential layouts in the area. The remaining agricultural lands were to be used for the residential purposes.¹⁸⁴ District 4A was

conceived as one of the industrial districts in 1976, but later given the general policy changes regarding industrialization, there was drastic reduction in the land allocation for the industries.¹⁸⁵

Districts 6¹⁸⁶, 7¹⁸⁷ and 8B¹⁸⁸ had below 25% of land reserved as rural tract in 1976. In 1985 the land reserved for green belt remained below 25% of the total district land area. All these districts were going through different kinds of development. District 6 was already a residential district, district 7 was to become a commercial district and district 8B was to become a recreational district. In district 6, the plan observes that “distribution of residential areas shows piece-meal developments without any comprehensive plan”.¹⁸⁹ Different areas exhibited different social characteristics Jayamahall extension and Benson town were higher income group areas. Gangenahalli Extension, Munireddypalya, Chinnappa Garden, Deverajeevanahalli, etc., were middle and low income residential areas. There were village pockets too in the district. BDA had drawn up a plan to connect all the piecemeal developments by creating a road network. Given all these developments land allocations for various land developments had changed to some extent. Land allocated for residential developments was the highest. The district had industrial and commercial areas too. Industrial units existed along Bellary Road and Tannery Road. District 7 was becoming a residential area, with planned layouts (more than 60%) proposed by BDA. There was similar social composition of population in Richards Town and Cooke Town with high and middle income groups. *To reduce pressure on the existing two Central Business Districts of the city area and cantonment, the third city commercial centre was proposed in the district.* Tank areas were to become parks. District 8B was totally a different area altogether. One of the village areas continued to be a haphazardly grown area. Kodihalli was termed a ‘haphazard slum’ in the plan of 1976, but it was termed ‘haphazard area’ in the 1985 plan. In the district more land was to be allocated for heavy and medium industrial units and for industrial and low income housing. Karnataka Tourism Development Corporation (KTDC) had proposed to develop an “international standard Golf Course in Challaghatta area” (CDP 1985: 81). Vast area of land was used by airport.

In all these three districts, residential areas were to increase given the trends of developments, in both planned and unplanned manner. The government at the same time was initiating developments in the district giving new shape to the districts by

promoting and creating commercial and recreational spaces and creating more transport networks while giving priority to residential developments. The plan was to appropriate unplanned areas by coercing the people of the areas to adhere to the planning rules and norms. Another common trend was to reduce space for industrial units. Land allocations in the districts followed such trends. Most of the lands in the district were to be used up for various developments.¹⁹⁰

District 8¹⁹¹ and 16A¹⁹² had more than 25% and below 50% green belt area reserved in the rural tract or agricultural zone area in 1976. Both the districts were mainly residential districts and in both of them land allocation for industrial developments were minimized. Residential land developments in the district were to be initiated by governmental production of residential spaces. Unplanned growths were to be appropriated into the planning mode. The goal of planning was to prevent the further growth of unplanned areas in the districts. District 8 was to expand more into a residential area among others as conceived in the plan. A great part of the district lands were to be used for the development of housing for industrial labour, and housing for low income groups along Old Madras Road. Land was also allocated for the development of industrial units. This district was in the process of planning and replanning. A portion of the district (Kothnur and Vijnapura areas) had grown in an unplanned manner. District 16A had Kengeri satellite town which was created to ease the pressure on the city settlement was a part of the city then itself. The city itself was expanding at a faster rate than the planners had expected. *The existence of the State Highway and the railway line, and natural valleys in the district had greater impact on the physical growth of the area.*¹⁹³

District 18B¹⁹⁴ was the only district in 1976 which had lands within the range of 50% to 75% reserved as rural tract. Despite all the restrictions the land developments for various purposes expanded in the district. New residential developments were allowed and all developments except industrial were expanding considerably.¹⁹⁵

The following were the developments that had taken place in the highly urbanizing districts that-

1. Unplanned developments had taken place before planning was initiated for various schemes or developments. Planning agencies took cognizance of such developments to make such developments conform to plans' goals, ideals, rules, aesthetics, principles, etc.
2. In the residential sector, the planning for governmental production of housing was being substituted by the quasi-governmental production of housing which was mainly taken up by private associations with nominal governmental aid.
3. Given the goals of the plan to check industrialization, there was reduction in allocation of space for industrial spaces.
4. Though these districts had minimal green belt reserved, there was an increase of spaces for parks, playgrounds, open spaces, etc., for recreational purposes.
5. Finally the higher allocation of spaces for transportation networks was surely a sign of urban expansion within the districts on a massive scale.

Relatively Urbanizing Planning Districts¹⁹⁶: The relatively urbanizing planning districts, (5B¹⁹⁷, 6A¹⁹⁸, 8C¹⁹⁹, 17²⁰⁰, and 17A²⁰¹) had land ranging from 25% to 50% reserved for the green belt in 1985. The Tables 3.20 and 3.21 indicate the differences. In 1976, 6A, 13B, and 17 had above 75%; 8C had above 50% - 75%; 5B had 25% and below 50%; and 17A had 100% – of the total land area reserved for the rural tract/agricultural zone.

Tables 3.20**Rural Tract-1976/Green Belt 1985**

1976				
Planning Districts No.	Land Area of the Planning Districts		Rural Tract of the Total Land Area in the Planning Districts	
	(in Hectares)		(in Hectares)	
	Total	%	Total	%
5B	1428.00	100.00	502.00	33.51
6A	949.60	100.00	782.00	82.35
8C	1391.73	100.00	946.00	67.97
13B	1286.96	100.00	1044.00	81.12
17	1411.63	100.00	1108.00	78.49
17A	757.00	100.00	757.00	100.00

1985				
Planning Districts No.	Land Area of the Planning Districts		Green Belt of the Total Land Area in the Planning Districts	
	(in Hectares)		(in Hectares)	
	Total	%	Total	%
5B	1428.00	100.00	421.14	29.49
6A	949.60	100.00	249.43	26.26
8C	1391.73	100.00	374.94	26.94
13B	1286.96	100.00	644.96	50.11
17	1411.63	100.00	430.00	30.46
17A	757.00	100.00	362.80	47.92

Source: RCDP 1976; CDP 1985

Tables 3.21**Land Allocations**

1976						
Land Allocations for Various Developments	Planning Districts (in Hectares)					
	5B	6A	8C	13B	17	17A
Residential	251.00	19.92	19.68	21.05	68.82	GB
Commercial	24.00	13.36	4.04	10.57	8.10	
Industrial	101.00	41.70	323.20	141.70	84.2	
Parks, Playgrounds, and open spaces	28.00		13.76	8.10	8.90	
Public and Semi-public	381.00	89.06	4.25	8.10	3.24	
Transportation	211.00	3.56	80.80	53.44	21.05	
Unclassified (defence area)	-	-	-	-	109.31	-

1985						
Land Allocations for various Developments	Planning Districts (in hectares)					
	5B	6A	8C	13B	17	17A
Residential	439.65	290.71	529.64	267.80	464.17	168.90
Commercial	39.88	16.78	19.11	16.90	32.05	29.86
Industrial	135.00	20.25	122.24	49.43	22.74	nil
Parks, Playgrounds, and open spaces	144.91	123.39	198.42	80.50	142.56	95.88
Public and Semi-public	26.42	134.35	38.54	57.63	52.94	3.00
Transportation	221.00	114.48	108.84	170.54	157.86	64.10
Unclassified (defence area)	-	-	-	-	109.31	-

Source: RCDP 1976; CDP 1985

The districts which figure in the Tables 3.20 and 3.21 were newly developing districts though land developments to some extent had taken place in them. There were more proposals for developments. These districts witnessed decrease in lands for industries,

priority for the allocations for residential developments and increases in land allocations for all other developments. Different kinds of developments were conceived in the districts. Major thrust was on the residential developments in the districts. The other major land developments which were to occupy more land in the districts were parks, playgrounds and open spaces, and transportation networks. Land developments for commercial purposes too found moderate increase in the land allocations. Similarly there were increases in land allocation for public and semi-public uses- except in districts 5B and 17A.

- In the district 5B, new auxiliary industrial units had occupied the space with the establishment of Wheel and Axle plant and other industrial units. More land was to be allocated for industrial development. Regional Park was to be set up between the existing University of Agricultural Science Campus and Yelhanka Satellite Town.
- In district 6A in 1976, major portion of the district was a rural tract. The new plan envisaged major allocations of land to be allotted for industrial and warehousing and other developments.
- In district 8C land development for industries was planned on both sides of White field Road and Doddanekundi Road.
- In district 13B there was a group of industrial units located along Hosur Road. The central jail was to be shifted from the city centre to one of the village sites- Parappana Agrahara, in the district after the jail construction. A truck terminal was planned at the junction of Hosur Road. Development of- industrial areas along Hosur Road and the rural pockets were proposed in the plan. Allocation for industry, was curtailed in 1985 and greater share of allocations were for residential and other uses.
- In District 17-major allocations for various uses were made by breaking into the existing rural tract of 1976. There were two industrial units near a village and another along Sarjapura Road. The main feature of the district was industrial development. But unlike 1976 allocations which was mainly for industrial use, the new allocations allowed mainly for residential developments for the workers and other corresponding uses.

Corresponding to these developments green buffer zones were to be established between industrial zones and new residential areas.

- District 17A which was completely a rural tract in 1976 was allocated to various urban uses in 1985. Expansion of villages in the district was to be allowed. Residential developments were to be allowed near Agara, on the land opposite to Bangalore-Sarjapura Road and in the area between Venkatapura and Sarjapura Road.

Totally Green Planning Districts²⁰²: In 1976 the district 17B was a rural tract, with land allocations. In the 1985 plan land allocations were not made. Provision was made for the developments in the village pockets of the districts. The districts which were totally in the green belt were- 5C, 6C, 7A, 8D, 17 B, 17C, 13C&D, 14B, 12B, 16D, 3B, 4B, 18C&D.

Tables 3.22

Rural Tract/Green Belt

1976				
Planning Districts No.	Land Area of the Planning Districts		Rural Tract of the Total Land Area in the Planning Districts	
	(in Hectares)		(in Hectares)	
	Total	%	Total	%
17B	1286.26	100.00	1249.00	97.10

1985				
Planning Districts No.	Land Area of the Planning Districts		Green Belt of the total land area in the Planning Districts	
	(in Hectares)		(in Hectares)	
	Total	%	Total	%
17B	1286.26	100.00	1286.26	100.00

Source: RCDP 1976; CDP 1985

Table 3.23

Land Allocation

1976	
Land Allocations for Various Potential Developments	Planning Districts (in Hectares)
	17B
Residential	17.81
Commercial	1.21
Industrial	11.33
Parks, Playgrounds, and Open Spaces	0.81
Public and Semi-Public	1.21
Transportation	4.84
Unclassified (Defence Area)	-

Source: RCDP 1976

SOME OBSERVATIONS ON THE CDP 1985

What does the analysis of all the planning districts of the Comprehensive Development Plan of 1985 indicate? As one can see, planners were gripped by the expanding city which was becoming unpredictable and unimaginably disproportionate. Planners were confronting a city which was running away from the grips of urban planning. Thus the Comprehensive Development Plan of 1985 formulated strategies of planning to control the uncontrolled city. Therefore, the strategy was to restrict the urbanization process. In other words, planning strategy was a restrictive strategy to control the growth and expansion of the city. What was to be restricted? It was industrialization, to control urbanization. The strategy of planning was to liberalize the production of space for residential purposes. In the residential sector, parallel to the governmental production of space, the quasi-governmental production of space was promoted by the government. Also, the strategy for the future, to control the city growth, was to increase the allocation of spaces for public and semi-public purposes, parks, playgrounds etc., and for commercial purposes. What does that signify? It signifies that the population which engages in occupations offered by public and semi-public spaces, and commercial spaces would adhere to planning by seeking residential, recreational space, with proper transport network, other civic amenities, etc., for which the population has the purchasing power and the propensity to buy and consume the civic/municipal- spatial products viz., sites produced by BDA or by HBCS, underground drainage system, etc., and services viz., garbage removal, municipal plumbing, maintenance of parks, etc., of modern urban plannings' creation and production. The ultimate effect – whether intended or unintended, or manifest or latent – of such a consumption of space would be adhering to the planners' visions of planned city.

What was the existing law at that point in time? And why was an intensified approach to the production of residential spaces by HBCS promoted? The master plan and successive revisions continued to mull over the housing shortages in Bangalore city. The government had made provision for the HBCS land development in the Land Acquisition Act. The Section 3 of Land Acquisition (Mysore Extension Amendment) Act 17 of 1961 classified a co-operative society, among other things, under the category of Company.²⁰³ The Section 3(f)(vi) of Land Acquisition (Amendment) Act, 1894

(amended in 1984), similarly classified a co-operative society, among other things, under the category of Company.²⁰⁴ Though the law had been existence for a long time, only the last quarter of 20th century saw the spurt in the land development activity with the involvement of HBCS on a large scale. The CDP 1985, showed the deficit in the production of housing space. For the year 1981, with a population of 29.13 lakhs, there were 4,71,573 houses. The CDP provided for increasing the housing stock by 1,17,000, and the deficit would be 51,316. The plan said: “Housing deficit...[would] continue inspite of the best efforts of the local developing agencies²⁰⁵ and the objective should be to gradually improve the housing situation compared to the population size”.²⁰⁶ Therefore, given the ‘heavy demand’ for the developed residential sites in Bangalore Metropolitan Area, and the inability of the governmental agencies to maintain the supplies, private housing societies were to operate in the field of housing. Thus one could see in many planning districts, the increase in the number of HBCS paralleling the governmental production of space. The CDP 1985 had only reiterated the same concern which was expressed in a way by the Report of the Bangalore Development Committee of 1954, about the lack of investments either by the private parties or by the government. The concern remained the same through to the 1970s. The demographic and spatial expansion had compounded the problems, despite governmental production of space increasing.²⁰⁷ Under those conditions the government was liberal in allowing on greater scale the private associations- HBCS, to invest in the housing activities. Planning was attempting to create a kind of associational residential layouts for different kinds of groups- Cultural Associations, Teachers’ Associations, Peer Group Associations, Religious Associations, Labour Associations, Educational Institutions, Employees of Government Institutions, Charitable Associations, Area level associations, etc. Underlying this approach was the law – The Karnataka Co-operative Societies Act, 1959²⁰⁸ – for, the private initiatives through cooperative and associational mode of production of social spaces for different occupation groups and other groups belonging to middle classes. The principle which underlay the law, in its operational form was a kind of collectivization and cooperation, to organize the groups of civil society for the production of space. The planning and land development institution- the BDA had become defunct, and government itself was promoting ‘privatization of public work’.

What was the outcome of these policies? Moreover, what was the significance of the enquiry by G. V.K. Rao appointed by the government, into the constitution and activities of the HBCS? The city of Bangalore by the 1980s had seen higher growth rates in HBCS activities in residential land development. There were widespread allegations with regard to the nature of land development activities by HBCS. These activities were seriously questioned in the public sphere leading to the government commissioning an enquiry.²⁰⁹ The inquiry broadly summarized the allegations into four aspects-

- 1) Bogus agreements with the landlords and Estate Agents.
- 2) Bogus membership and irregularities in registration of members.
- 3) Irregularities in distribution of sites.
- 4) Collection of exorbitant site advances from the members.²¹⁰

Further, the inquiry summarized the nature of irregularities in the activities of HBCS which were against the laws and principles of the HBCS. The violations were summarized as-

1. Procedural irregularities in admission of members.
2. Admission of ineligible persons as members.
3. Admission of Associate members without necessary provisions in the Byelaws.
4. Acquisition of lands outside their jurisdiction.
5. Collection of site deposits from Associate members though the objective of the Society is to form layout and distribute sites only to the members.
6. Entering into agreements with landlords and agents indiscriminately and in some cases unwarranted agreements.
7. Payment of exorbitant advances to the agents without proper securities; and
8. Collection of site deposits from the members without reference to the payments to be made to various agencies.²¹¹

- The report had observed that the major irregularities were the *procedural irregularities in admission of members*. Committees of the managements of the HBCS had not considered the applications for membership- on the basis of any rationale and there were proper resolutions. They did not maintain properly membership applications or the share ledgers.²¹²
- The second significant irregularity was about the ineligible membership. Societies had admitted individuals as members who were outside the purview of their jurisdiction²¹³. To admit the members who were not within the jurisdiction of the society, the Byelaws of the societies were amended to extend the jurisdiction of the societies. Besides, the societies had allotted sites to their associate members, which was against the provision of the Byelaws.²¹⁴
- Not only was the jurisdiction applicable for the membership, but also for acquiring lands within the delimited space. HBCS were acquiring lands on the

outskirts of Bangalore city to which their jurisdiction did not extend. The societies

[W]hose jurisdiction extends to a few areas of Bangalore City obviously they cannot acquire the land in the outskirts of the City to which their jurisdiction does not extend. Apparently their jurisdiction cannot be extended to the outlying areas as it is likely to create overlapping jurisdiction with other similar Societies. In fact in some cases the Societies have moved the proposals for amending their Byelaws to extend their jurisdiction to the entire Bangalore City and BDA limits and the same have been rejected by the Department. Despite this, the Societies have gone ahead with their proposals for acquiring lands outside their jurisdiction and the Government also approved their proposal in many of the cases...how all these proposals are cleared. In these cases though the committee of management of the Society is solely responsible for functioning outside their jurisdiction the responsibility of the Officers of the Dept., also cannot be overlooked.²¹⁵

The report characterizes the concerned authorities' approval of amendments to the Byelaws to extend spatial jurisdiction, as "whimsical", and the officials had been inconsistent in approving disapproving the proposals of HBCS.²¹⁶

- Jurisdictional problems were also created due to the engagement of 'middlemen' for acquiring lands for the concerned societies. HBCS were entering into agreements by paying huge amounts of advances to middlemen without proper registration of agreements or bank guarantees or other securities. These agents were "unscrupulous" and were involved in land acquisition proceedings which were overlapping and were counter claims. In this context the report refers to the nature of relationship between the government and HBCS. It suggests that the HBCS could interact with the land owners directly to avoid legal disputes and for smooth acquisition process, instead of employing the agents. In employing the middlemen, the societies had "vested interests" in entering into "unwarranted" agreements. Despite knowing that the agents had been acquiring lands which had overlapping claims, the managements of the societies had made the payments to the agents. This connection the report terms as "unholy nexus".²¹⁷
- Some of the HBCS were directly entering into agreements with land lords due to the inordinate delays involved in the acquisition process. Landlords were paid excessive amounts to obtain General Power of Attorneys (GPAs) and these were not registered with the concerned authorities. The report considered such agreements risky because in many land-lords had withdrawn from such agreements and had entered into agreements with other societies or other parties to sell the same lands. Agents were paid money to pursue the files in the Government and get the necessary Notifications [of land acquisitions] issued. Since there was

prohibition on Societies to buy directly agricultural land, agents were employed by them to procure agricultural land.²¹⁸

This kind of residential land development by the HBCS was not new in the post-independence period. It was given legitimacy by bringing such associations into the legal purview where made to approach the government for the proceedings related to land acquisition and planning. Since HBCS was circumscribed by law and there was the involvement by many parties in this kind of residential land development, there emerged the quasi-governmental approach to such land developments. It would suffice here to say that the HBCS residential land development had become a real estate business.²¹⁹

From the legal and planning point of view, the condition of uncontrollability was also engendering unauthorized layouts/revenue layouts. Thus unauthorized expansions or unplanned growth of spaces was to be disciplined by padding planning with a different set of policy measures of regularization or clearance. Regularization was not a new instrument or a process, government had resorted to such a process on previous occasions too, but the scale varied and new rules/laws were being introduced.

Apart from planning measures, the government was setting up new administrative mechanisms and organizing other legal means to come to terms with the expanding city. By the 1980s in Bangalore and in other cities of Karnataka too, there was a widespread phenomenon known as 'unauthorized encroachments'. The government took note of unauthorized areas and classified them separately and passed an order²²⁰ to contain such developments.

Planned development and unauthorized encroachments of public/private land cannot go hand in hand. Government, on a careful examination of the impact of the policy announced for the regularisation of unauthorized construction in urban areas... government have come to the conclusion that the issues of the said letter has led to a *rush of unauthorised constructions* [emphasis added] in these areas particularly in large cities and towns so much so that the city planning authorities/urban development authorities set up by the state government, in these cities are finding it hard to get adequate land free from encroachments/ unauthorized constructions for purposes of future planned growth and development of these areas. Some instances where unscrupulous persons have obtained *ex parte* stay orders from courts against urban development authorities by swearing to false affidavits and *then* proceeded to encroach upon valuable urban land under the cover of these orders have also come to light.²²¹

What is unauthorized construction or unauthorized encroachment? According to the government order-

An “unauthorized construction” can be classified as a structure put up without a building license (or even with a building license issued in violation of the prescribed rules/procedures) either on a regular site legally purchased and owned by the person concerned or on an illegally purchased “revenue” site formed in an unauthorized layout or on land/site belonging to another person/authority/ government in violation of one or more of the following acts:-

1. Karnataka Land Revenue Act, 1964
2. Karnataka Land Reforms Act, 1961
3. Karnataka (Prevention of Fragmentation and Consolidation of Holdings) Act, 1966
4. Urban Land (Ceiling and Regulation) Act, 1976 (Central)
5. Karnataka Town and Country Planning Act, 1961
6. BDA Act, 1976/ Karnataka Urban Development Authorities Act, 1987
7. Karnataka Municipal Corporation Act 1976/ Karnataka Municipalities Act, 1964
8. Karnataka SC/ST (Prohibition of Transfer of Lands) Act
9. Karnataka Village Offices Abolition Act, 1961
10. Karnataka Parks, Play-fields and Open spaces (Preservation and Regulation) Act, 1965.²²²

The order further observes that the unauthorised or revenue layouts were in violation of Urban Land Ceiling Regulation Act, 1976 or Karnataka Land Reforms Act, 1961. Land owners were involved in the unauthorized fragmentation and were selling unconverted agricultural lands in unapproved layouts in violation of previously mentioned laws. Violations were not only committed by the agricultural landowners but also by the official machinery of the government at local and lower levels through the registration and approval of sales of sites by the Sub-Registrar’s Office and Local Panchayats/bodies. Another tendency which signifies the process of unplanned growth is described as follows:

The tendency for unauthorized disposal of agricultural/other lands become particularly accentuated whenever any Urban Development Authority/other Public Agency or State Government notify such lands for acquisition for a public purpose and what is normally a “trickle” tends to become a flood after the issue of preliminary notification for acquisition of the land. The revenue sites [are] illegally purchased by them in such areas, either without any building licences or by obtaining back-dated licences from Panchayats...This state of affairs ultimately leads to the growth of unplanned “revenue pockets” and makes it difficult for the Government/Urban development authorities either to recognize the legal rights of the persons occupying such houses or to provide even the minimum civic amenities to them.²²³

To prevent unauthorized/ unplanned growth/ settlements the government proposed measures to check such tendencies. According to the government, unplanned development was taking place due to shortage in housing and had the government responsibility of alleviating the housing shortage. Given this rationale, the government’s proposed action to demolish all the unauthorized constructions would pose an uphill task for the State machinery, and would result in wastage of national wealth. So unauthorized constructions in the urban areas ‘need to be “regularized” by making appropriate one-time changes in the concerned laws, it would not be correct to allow such *lassiez-faire* to continue by adopting a liberal policy in this behalf’.²²⁴

The policy also envisaged, to involve all concerned agencies- government, HBCS and private sector in the planned urban development (mainly land development).

The displaced landowners whose lands were to be acquired should be compensated with a site or more sites from the developed land according to the extent of land to be acquired. These measures it was thought would ensure a smooth completion of the land acquisition for land development. The new policy was to be implemented in both municipal and local planning areas. Screening committees or empowerment committees for each district or a local planning area, in order to scrutinize the cases of unauthorized constructions and pass orders were to be set up. The types of lands to be considered for regulations were private land, state government land and revenue sites formed on private lands which were not notified or acquired by the BDA or other Urban Development Authorities (UDAs) or local authorities etc., for any public purpose. Regularization of unauthorized construction which were situated within the jurisdiction of BDA/UDA/local authorities etc., were to be considered by the concerned authorities.²²⁵ To discourage unauthorized land development, the policy specified that the following authorities were not supposed to register the sites sought for land development included as part of the “Greenbelt” and Gramathana limits. The newly built structures within the gramathana limits were to be verified by the revenue tahsildar on visit to such places to confirm and report about it as a pre-condition to facilitate the sale/purchase registration of houses or other buildings. If lands were to be notified for acquisition by the UDAs such notifications were to be circulated to all jurisdictional sub-registrars. The delayed/pending land acquisitions by BDA were to be facilitated by amending the 1976 BDA Act to acquire land by invoking land acquisition Act of 1896 without the given time limits. Acquired lands through such process were to be allotted in bulk to various government agencies²²⁶ by BDA/other UDAs. Amendments to various laws²²⁷ were part of the order. UDAs were to be entrusted to issue the building license within green belt areas. Wherever the gramathana limits existed Mandal Panchayats were to have powers to issue license to approve or permit building license. Apart from issuing the license, UDAs were to strictly implement building bye-laws and zonal regulations which were framed in the ODP/CDP. Various authorities such as, Karnataka electricity board, Water Supply and Sewerage Board and Karnataka Urban Water Supply and Drainage Board were barred from serving such areas. UDAs or local authorities were not supposed to issue unauthorized layouts or constructions the no-objection certificate until the unauthorized layouts/constructions were regularized with necessary orders from the authorities. A ‘Special Task Force’ was to be formed immediately with the help of the police to undertake demolition of unauthorized

constructions and prevent further growth of such areas. Regularisations were to benefit the occupants of unauthorizedly constructed/purchased houses/sites. They were to be recognized as their lawful owners if they were to secure recognition of municipal/ panchayat/ khata in their names and the concerned authorities were to provide all the civic amenities and services.²²⁸

A Regulationist or Managerial Approach to Comprehensive Development: Comprehensive Development Plan (Revised) 1995

Before one could analyze the conceptions and perspective of the Comprehensive Development Plan (Revised) for the growth and development of Bangalore City, it is important to take note of the background of the revised plan, and equally significant is the question as to how the background of revision influenced in conceptualizing the plan. First, the revised plan declares that it has “heavily drawn” from the findings and recommendations of the report “The Metropolitan Bangalore- A Management Perspective”.²²⁹ It is important that one takes note of the work which gives a background and basis for the revised plan.

General Formulation on the Management of Urbanization and Urban planning: The focus of the urban management study was on “overall planning, development of infrastructure and urban services, fiscal planning and financial management and the legal and institutional framework”²³⁰ The report views the urban policy of the developing world as ad hoc in addressing the questions of urbanization in the context of migration to the cities which results in the excess of urban labour supply than the demand for urban labour. Given that, the provision for urban services and land which are limited in supply, the prices of the spatial products and services, generally show the tendency to increase which in effect would affect the urban poor in particular.²³¹ With that critique of the urbanization and urban policy, the work proceeds to critique the ‘planning process’. In general the planning process in India which has been concentrated in the ‘master plan’ was ‘suffering’ from ‘defects’ and Bangalore’s Master plan too was suffering with similar defects. The defects were the following

- Spatial planning, and economic and social planning lacked synchronization;
- Standards and the principles set for zoning/segregation of land uses did not sufficiently reflect the socio-economic conditions of the people;
- The lack of connection between the investment proposals and availability of resources for the plan;
- Lack of people's participation in the planning process.

The expanding city of Bangalore was being positioned in a new economic context. The 'future economic role' was visualized in that emerging condition of 'the tertiary and service sectors'. Future economic role for Bangalore city was conceived in the following manner:

The city will be a vibrant centre of science and technology, hi-tech industry, professional and business services, trade and commerce and higher education. The burgeoning middle class and a steady floating population will generate increasing demand for goods and services. With imaginative planning and foresight, Bangalore can be developed as the Singapore of South India.²³²

Bangalore's demographic profile was considered still favourable and manageable because it had not shown the signs of 'dis-economies of scale' (the social costs of the city agglomeration exceeding the benefits). Restricting the city to 'conform to a size pattern' was considered a futile exercise because it would "ignore the aspirations of the people to move, to work, to build and to live in a given urban environment."²³³ Thus, the work suggested the following (a) 'Integration of economic, social, physical, infrastructure and investment planning'. Basically the planning was to identify areas of inter-sectoral linkages and then integrate and prioritize investments, to achieve the goals of the plan. (b) In the context of paucity of resources, for the optimal utilization of resources, the plan was expected to consider the question at the levels of 'intra-city, city-region, and inter-city'²³⁴. (c) Planning was to concentrate on growth²³⁵, employment, and wealth creation than to allow unplanned growth²³⁶. (d) It was stressed that the monitoring and 'operational' capability of planning agency to implement the plan was important than the 'soundness' of the plan itself.²³⁷

Other issues for metropolitan management were- management of urban assets, infrastructure development, financial options, and legal and institutional framework. Though all these were interrelated issues, given the focus of the present study, it was important to take note of issues highlighted with regard to land question and legal institutional framework. Land considered as an urban asset was not managed appropriately. The land was 'overvalued and underutilized' due to the then existing

laws which regulated land use and its transfers, The 'private sector practices' were exploiting the situation of increasing demand which had resulted in 'soaring prices and distortions in the land market.' Thus for the optimal utilization of land, the 'critical resource', 'urban land policy' needed to increase the supply of land but the allocation could be made in a "socially equitable and economically efficient" manner.²³⁸ On the legal and institutional framework, the managerial perspective delved on the question of 'great complexity' involved in the existing legal and institutional structure. It found fault with the existence of multiplicity of laws and institutions which had resulted in 'fragmentation of responsibility', and also the 'poor interagency co-ordination' (agencies include BDA, erstwhile BCC, BWSSB, etc.), which were viewed in terms of 'financial investments'. The investments made by one agency depended on the 'strategic investments' made by other agencies. There was lack of connections between various investments made by different agencies. With regard to laws, it was felt that- "Some of the laws" were acting "as obstacles to development".²³⁹ And finally, decentralization of 'political or government' rather than only administrative decentralization and 'greater citizen participation' in the local governing process was emphasized. Greater citizen participation meant 'the role of nongovernmental organizations and voluntary agencies' in the governing process.²⁴⁰

Planning, Legal-Institutional and Land Development Issues: From the point of view of the management perspective, among the different sectors²⁴¹, land development and housing was showing deficit in earning against the investments made. It was pointed out that the investment was not keeping pace with the increasing demand for space^{242, 243}. The governmental and quasi-governmental (BDA²⁴⁴ and HBCS²⁴⁵ residential production of space, were called into question legal²⁴⁶ and financial hurdles, lack of clear policies and strategies, and lack of capacity to supply adequate land to the public. Thus the report had advocated options. (i) The laws- Karnataka Land Reforms Act²⁴⁷, Karnataka Land Revenue Act²⁴⁸, Urban Land Ceiling Act²⁴⁹ etc., were to be reviewed and amended. (ii) Innovative methods were suggested to acquire lands through negotiations with land owners and 'land readjustment schemes'²⁵⁰ to accelerate the supply of land. (iii) Encouragement of Private investment by private builders and HBCS 'Group Housing Schemes', liberalization of 'procedures to obtain building permissions and other clearances from different authorities', and encouragement of 'taxation and credit policies' for the housing activity generally and the low cost housing

and rental housing. (iv) Particularly promotion of affordable housing. Government was supposed to develop 'State Housing Policy' with its role being promotional and regulatory in nature. Government was expected to formulate a policy regarding the role of public, cooperative and private sectors²⁵¹, and the housing programmes for the slum dwellers, low income groups, etc.²⁵²

Apart from the suggestions for the formal production of space for all groups, there was concern regarding 'urban sprawl' or the 'disorderly' expansion of the city. Due to the nonexistence of the natural borders for Bangalore City, the city was experiencing unbridled expansion. Given the thrust for industrial development and federal structure' of the country in which it was not possible to stop migration, residential and all other kinds of partial incursions into the green belt area were taken as inevitable or unavoidable. Thus the answer was for the dispersal of the growth of population and economic activities.²⁵³ The preservation of green belt was difficult for the reasons below mentioned.

(1) A major part of the area under *green belt* is agricultural land owned by private persons. The concept of *green belt* as per the plan implies that these lands must continue to be used for agricultural purposes.

There are, however, legal complications as the Deputy Commissioner of Bangalore District is empowered to grant conversion of agricultural land for non-agricultural purposes under the Land Revenue Act. This is being done without reference to the Planning Authority and ignoring the land use planning prescriptions.

(2) The co-operative house building societies have been directly purchasing lands from the land owners whose lands come under the *green belt*. In some cases, Government and BDA have also acquired lands falling under the *green belt*.

(3) The growing demand for housing is resulting in conversion of agricultural lands in the fringe areas of the city with permission of the competent authority where possible and unauthorisedly, if need be.

(4) Government or BDA has not been able to take any positive steps to curb erosion of the *green belt*.²⁵⁴

Thus the expansion of the City was viewed in many ways as unavoidable and therefore inevitable.

To sum up, basically the management perspective for metropolitan Bangalore was a call for a new kind of economic growth strategy for the City in the new economic context. The City was to assume a new role of a High-Technology City with the corresponding growth of service or tertiary sector in addition to the already existing industrial base of the City. Apart from that, by the end of 1980s the challenge of uncontrolled expansion of the City was characterized by residentialization of the City and planned land development was challenged by 'illegalities'. It was pointed out that 'impractical' nature of the existing laws was leading to prolonged litigations, non-realization of purposes of the laws. Thus certain provisions of laws were viewed as

unrealizable in the newly urbanizing conditions. By and large the existing laws were viewed as obstacles to growth and causing waste of time and money. At another level, the management study was engaging with the question of resources for various developments. In a way the government's role as an investor was no more seen as viable. It was suggested to rationalize- pricing of various civic products and services and taxation, the government was expected to play only a role of a facilitator through regulationist methods.

Coming back to the question of CDP-Revised, the preamble of the CDP-Revised clearly sounded realistic²⁵⁵ in its approach towards urban planning for the expanding city of Bangalore. The plan says that- "Bangalore is one of the fastest growing cities in the country...While urbanisation is *inevitable and cannot be stopped*²⁵⁶; our endeavour should be to ensure that it takes place on an orderly and systematic basis."²⁵⁷ It adds that the goal of the plan is "to regulate the growth of the metropolitan area in an orderly manner."²⁵⁸ Positioned in the regulationist perspective, the plan has various proposals.

[D]evelopment of self-contained Ring Towns and Satellite Towns around Bangalore to prevent the migration of people from other parts of the State in search of jobs. Similarly the proposal for Mass Rapid Transit System has been made to tackle the ever increasing traffic problem of the city. The land requirements for different uses have been worked out and properly earmarked so as to create a healthy environment. The regulations are also made simpler, with regard to mixing of different land uses. However, planning is a continuous process and suggestions are always welcome. The revised Comprehensive Development Plan... [it would] help in creating a healthy environment, so that the citizens of Bangalore can lead lives consistent with human dignity and comfort.²⁵⁹ (emphasis added)

The plan appeared to assume that the migrants would voluntarily move into newly developed ring towns and satellite towns. The plan had shifted its focus from *restricting urbanization to regulating it*. Planning was to be viewed as a continuous process. Planning was recasting itself to address the emerging contingencies and uncertainties within the given plan period. With regard to regulations, it displayed a certain amount of flexibility. Thus the plan had clearly become pragmatic.

City, Region and the Plan: For the plan, it was important to take stock of the "massive urbanization" which could be discerned, again, in terms of the *relationship between urbanisation, industrialization and the process of economic development*, so that *urbanisation might be channelised into a planned and organised pattern*. The urbanisation had policy to take into account the ratio of urban to rural population, and pattern of distribution of population among towns and cities of various sizes, which was viewed as *most advantageous from the economic and social point of view*. It was believed that such an exercise would ascertain the 'capacity' of the then existing urban

units to absorb the increase in population at the rates which prevailed such an exercise would also help in understanding whether the regional economy could maintain or support the ‘urban economic activities and infrastructure facilities’ in the context of increasing population in the region.²⁶⁰ The plan had reconciled to the fact that the ever expanding city within the region was to be a manageable reality. The plan characterizes Bangalore city as a ‘Primate City’- with a the largest concentration of population in a single Metropolitan city in Karnataka State “This primate city is several times larger than second biggest city of state and serves as the political, economic and social hub of the entire state of Karnataka.”²⁶¹ The plan was expressing concerns about the ‘over concentration’ of population and economic activities, which were an obstacle to the ‘rational distribution’ of population and the benefits of the economic programmes. Bangalore’s urbanization had led to regional imbalances. Bangalore city’s expansion and concentration had consequences for the towns within its immediate region. Towns of Bangalore’s hinterlands which were situated along the highways were experiencing haphazard growth. Thus the revised plan was to concentrate on mainly the ‘intra-regional’ plan. The preceding plan had failed to evolve a strategy to engage with such problems. Thus the plan was to address “the crucial issue” of dispersing economic growth, social programmes and new enterprises among the towns within the region.²⁶² The revised plan document however did not disclose the plan for the towns in the region and how the regional towns were to be connected to the metropolitan area or the city. The policy to restrict industrialization in the Bangalore region was not new. The previous plans had been referring to such measures to reduce regional imbalances. Again it was a repetition of the same. The plan said:

The rate of increase in population of Bangalore requires to be reduced by encouraging the growth of other urban centres in the State. The State Government has already taken a policy decision long back to curb the new industries in Bangalore and to provide incentives for encouraging industries in other areas of the State. The Industries Department is offering incentives in providing...developed industrial sites, concessions in taxes etc. Incentives will have to be made more attractive in these areas to see that more industries come up in the other urban centres.²⁶³

Further the plan had projected the future growth of the city

In view of the Government policy to curb the growth of Bangalore by encouraging development of other centres and in view of problems faced by Bangalore for providing adequate water supply and efficient transportation, the rate of growth of Bangalore is to be assumed in future at the rate comparable to the increase between 1981 and 1991.

Considering the above factors for discouraging rapid growth of Bangalore in future, the population for the years 2001 and 2011 are worked out as 58 lakhs and 70 lakhs respectively assuming constant growth rate for 2001 and 50% of this growth rate of 2011.²⁶⁴

The plan made two points, - one, that “development of Bangalore City... [was] conceived within the frame-work of the *Capital Regional Plan*” (emphasis added); and two,- “The development of Satellite Town/Ring Towns/New Towns within the Bangalore District may be taken up on priority basis, so as to preserve the Green Belt area and to minimize the stress and strain on the existing infrastructural facilities of the *Mother City*.”²⁶⁵ (emphasis added)

Though the plan sought to balance both “economic efficiency of the city” and the “management of urban environment”, the trends in the expansion of the city in the 1970s and 1980s had significantly changed urban environment with massive expansion of built environment.²⁶⁶ Planners had expressed concern over the loss of agricultural lands or the green belt and lake beds which had already been converted into various kinds of land developments. The City was expanding in all directions green belt reduced from 840 square kilometres which was fixed by the CDP 1985 to 714.35 square kilometres. Additional 125.65 square kilometres were added to the conurbation area

Land Policy and Land Development: From the point of view of land development, the plan viewed land as a ‘basic resource’. Thus the *land use was correlated to the dominant functions which a city* had to perform. The strategy was to ‘encourage functions which promote economic efficiency and, at the same time address the issues related to the management of urban environment’ which was similar to the management perspective enunciated by the study. Since land development was directly linked to economic development, the functions of the expanding City were characterized in terms of- administrative role for the whole state of Karnataka and the region; centre of trade and commerce connected to both metropolitan region and the region; industrial centre; centre for science and technology, research and higher learning; centre of economic and financial services; centre of social services- health, education, etc., and; centre for various kinds of services termed as tertiary sector which included also the ‘informal sector’.²⁶⁷

The metropolis conceived in such a manner, was facing ever increasing land prices and demand for land. For a projected population of 7 million for the year 2011 the estimated developed land required for various purposes was 56,465 ha. Thus the urban land policy, based on the management study, suggested three measures to be implemented – to control land prices, ‘efficient and economic utilisation of land’, and

to increase the supply of developed land.. Though the plan had assigned the government to assume the role of a promoter or facilitator, in the case of land development government was given a greater role. Government was to be active in the process of production of space- Large scale land acquisition, distribution of land by public authorities, abrogation of Urban Land Ceiling Act, and restrictions on land use, were all part of the plan.²⁶⁸ Parallel to governmental process, government was also expected to create conditions by liberalizing or re-forming rules to promote private sector in the land development, especially the residential land development. A greater role for BDA was assigned in managing private production of space. Group Housing Schemes were to be promoted by private parties by leasing land varying from 1 to 10 acres. Land were to be leased on the condition that the developers would reserve one third of the developed area to house the poor and low income groups. Housing Co-operatives were to be encouraged. By repealing legal restrictions on the transactions of the lands. Direct transactions with landowners were to be promoted, and housing cooperatives which were part of the Group Housing schemes were to reserve 20% of the housing units for the weaker sections. Given the irregularities found by the G.V.K Rao enquiry only 'genuine' member were to be encouraged and their 'capacity to pool individual resources of the middle classes' was highlighted. Amendments to BDA Act and Cooperative societies Act were to be made to enhance the acquisition and supply of land for housing purposes, etc.,²⁶⁹ All these were part of conditions to be created for the private investments in the residential land development.

Given all these measures, what was happening on the ground- within the planning districts? How were planning districts visualized and how were they reoriented? The plan divided the conurbation area into 49 planning districts based on the following criteria- (i) to decongest the central business district and to provide minimum amenities within the districts to avoid needless travel to the CBD and; (ii) Homogeneity, physical barriers, facilities, etc were to be the basis of formation of districts. The plan visualized the city as subsumed in three concentric zones- 'High density core area', 'moderately developed area' and 'sparsely developed periphery'. The aim was maintain low population density levels. Periphery was to be allowed for high density population concentration. The tables 3.23 indicate that with the extension of conurbation area into the green belt area, 12 more planning districts were newly formed and added to the previous 37 districts.

Tables 3.24

Land Reserved as Rural Tract in 1976 and as Green Belt in 1985 and 1995 in Various Planning Districts²⁷⁰

1976					1985					1995		
Planning Districts	Land Area of the Planning Districts		Rural Tract of the Total Land area in the Planning Districts		Planning Districts	Land Area of the Planning Districts		Green Belt of the Total Land area in the Planning Districts		Planning Districts	Land Area of the Planning Districts	
	(in Hectares)		(in Hectares)			(in Hectares)		(in Hectares)			(in Hectares)	
	Total	%	Total	%		Total	%	Total	%			
1	1175.00	100.00	nil	nil	1	1175.00	100.00	nil	-	1	1175.00	100.00
2	600.00	100.00	nil	nil	2	600.00	100.00	nil	-	2	606.31	100.00
3	1728.00	100.00	nil	nil	3	1,728.00	100.00	nil	-	3	1,728.00	100.00
3A	1567.00	100.00	1567.00	100.00	3A	1567.00	100.00	306.26	19.54	3A	1571.00	100.00
4	1998.00	100.00	nil	nil	4	1998.00	100.00	278.33	13.93	3A-1	425.00	100.00
4A	1186.00	100.00	nil	nil	4A	1186.00	100.00	161.01	13.57	4	1998.00	100.00
5	1441.00	100.00	nil	nil	5	1441.00	100.00	nil	-	4A	1254.00	100.00
5A	859.00	100.00	696.00	81.02	5A	859.00	100.00	nil	-	4A1	156.00	100.00
5B	1498.00	100.00	502.00	33.51	5B	1428.00	100.00	421.14	29.49	5	1441.00	100.00
6	1563.00	100.00	287.00	18.36	6	1850.16	100.00	30.00	1.62	5A	859.00	100.00
6A	949.60	100.00	782.00	82.35	6A	949.60	100.00	249.43	26.26	5B	1428.00	100.00
6B	1237.00	100.00	1237.00	100.00	6B	1237.00	100.00	251.45	20.32	5B1	565.18	100.00
7	1487.28	100.00	212.00	14.25	7	1487.28	100.00	212.00	14.25	6	1850.16	100.00
8	1594.94	100.00	417.00	26.14	8	2011.94	100.00	216.94	10.78	6A	1134.50	100.00
8A	1623.46	100.00	351.00	21.62	8A	1622.97	100.00	nil	-	6B	1237.00	100.00
8B	1895.92	100.00	131.00	6.90	8B	1941.34	100.00	209.84	10.80	7	1537.58	100.00
8C	1391.73	100.00	946.00	67.97	8C	1391.73	100.00	374.94	26.94	8	1920.00	100.00
9	688.25	100.00	nil	nil	9	688.25	100.00	nil	-	8A	1622.97	100.00
9A	2066.58	100.00	250.00	12.09	9A	2066.58	100.00	nil	-	8B	1941.34	100.00
10	1635.28	100.00	nil	nil	10	1635.28	100.00	nil	-	8C	1389.73	100.00
11	720.80	100.00	nil	nil	11	729.00	100.00	nil	-	9	688.25	100.00
12	1242.00	100.00	87.00	7.00	12	1242.00	100.00	nil	-	9A	2066.58	100.00
12A	1542.00	100.00	1389.00	90.07	12A	1542.00	100.00	274.88	17.82	10	1635.28	100.00
13	1347.80	100.00	496.00	36.80	13	1347.00	100.00	nil	-	11	729.00	100.00
13A	622.92	100.00	595.00	95.51	13A	622.92	100.00	118.42	19.01	12	1230.00	100.00
13B	1286.96	100.00	1044.00	81.12	13B	1286.96	100.00	644.96	50.11	12A	1542.00	100.00
14	1869.00	100.00	296.00	15.83	14	1869.00	100.00	nil	-	12A 1	989.00	100.00
14A	1512.00	100.00	1335.00	88.29	14A	1412.00	100.00	nil	-	13	1347.52	100.00
15	1454.00	100.00	132.00	9.07	15	1454.00	100.00	nil	-	13A	713.51	100.00
16	1225.11	100.00	323.00	26.36	16	1225.00	100.00	nil	-	13A1	516.00	100.00
16A	1584.00	100.00	674.00	42.55	16A	1584.00	100.00	171.07	10.79	13B	1012.00	100.00
17	1411.63	100.00	1108.00	78.49	17	1411.63	100.00	430.00	30.46	13B1	718.71	100.00
17A	757.00	100.00	757.00	100.00	17A	757.00	100.00	362.80	47.92	14	1869.00	100.00
17B	1286.26	100.00	1249.00	97.10	17B	1286.26	100.00	1286.26	100.00	14A	1412.00	100.00
18	1036.00	100.00	nil	nil	18	1036.00	100.00	nil	-	15	1454.00	100.00
18A	1114.00	100.00	452.00	40.57	18A	1114.00	100.00	nil	-	16	1225.00	100.00
18B	1528.00	100.00	976.00	63.87	18B	1528.00	100.00	300.61	19.67	16A	1584.00	100.00
										17	1411.63	100.00
										17A	394.20	100.00
										17B	745.73	100.00
										18	1036.00	100.00
										18A	1114.00	100.00
										18B	1356.59	100.00
										19	436.35	100.00
										20	347.77	100.00
										21	810.73	100.00
										22	755.00	100.00
										23	968.00	100.00
										24	526.00	100.00

The Tables 3.24 show that in 1976 the total land allocation for developments in all the planning districts was 48347.92 hectares. Allocation had marginally increased in 1985 in some planning districts which amounted to increase of 588.09 hectares. The total allocation of land had increased to 48936.01 hectares. The allocations of land for various developments saw a major increase with the creation of new planning districts and marginal additions of land area to the existing planning districts in the CDP

(Revised) 1995. The total area added to the then existing land allocation of 48936.01 hectares was 6361.99 hectares which finally tallied to 54709.91 hectares. The comparison of the tables above further indicates the decreases and increases in land allocations and the creation of planning districts. The tables indicate altered and new planning districts.

Table 3.25

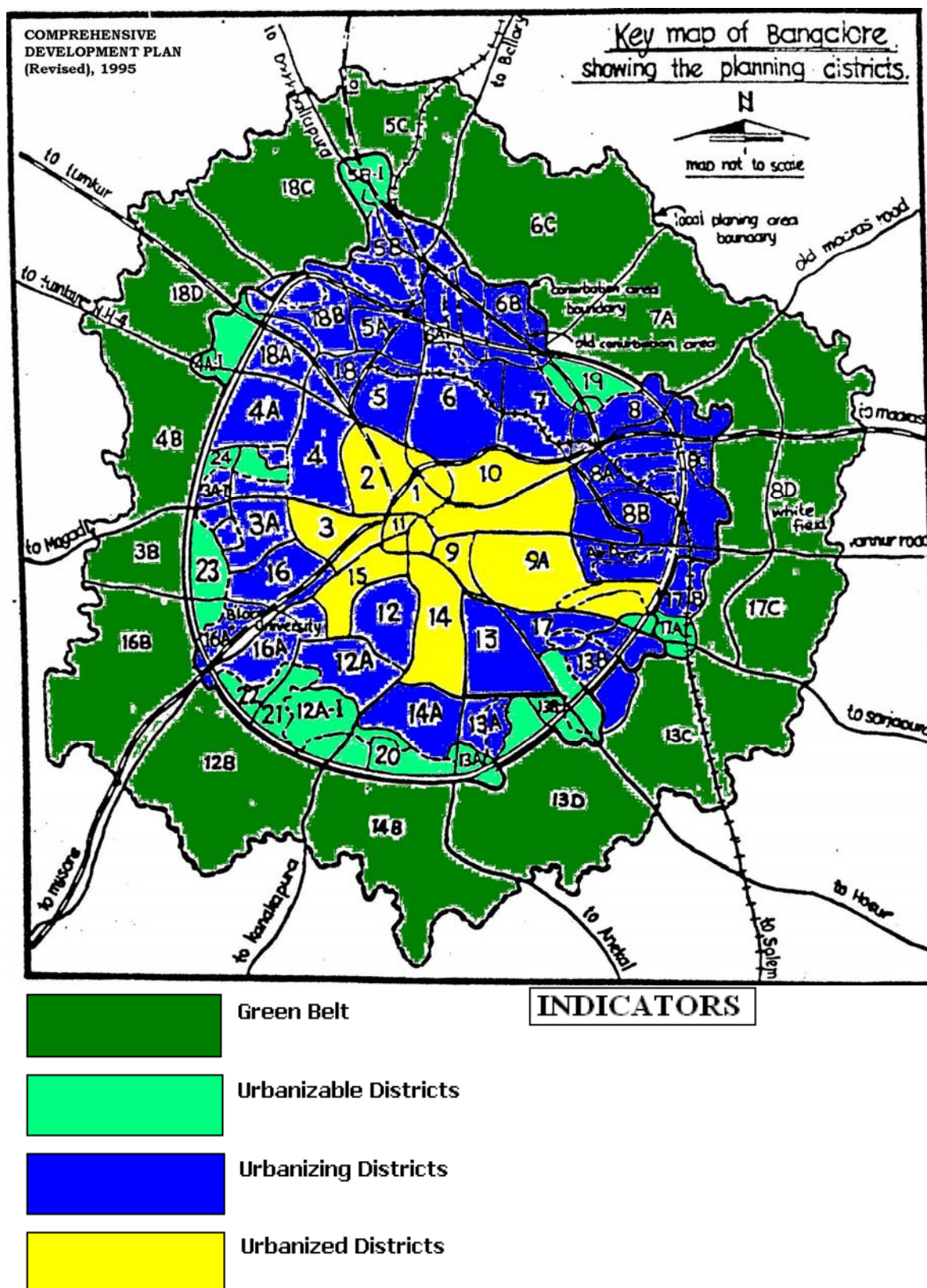
Altered and New Planning Districts

Planning Districts CDP 1985	Increase/ Decrease in Land Allocations	Planning Districts CDP (Revised) 1995	Increase/ Decrease in Land allocations
5B	-70	2	+6.31
6	+287.16	3A	+4
8	+417	3A-1	+425
8A	-0.49	4A	+68
8B	+45.42	4A1	+156
11	+9	5B1	+565.18
14A	-100	6A	+184.9
		7	+50.3
		8	-91.94
		8C	-2.73
		12	-12
		12A1	+989.00
		13	+52
		13A	+90.59
		13B	-274.96
		13B1	+718.71
		17A	-362.80
		17B	-540.53
		18B	-171.41
		19	+436.35
		20	+347.77
		21	+810.73
		22	+755.00
		23	+968.00
		24	+526.00

The Tables 3.25 indicate the expansion of the city into the green belt area. When planning districts were conceived in 1976, number of districts with rural tract and land area within the districts under green belt was high, when compared to green belt area of the 1985 planning districts. After 1995 revisions of green belt area, in the peripheral districts the green belt had disappeared totally.

The new land allocations and new planning districts were being created mainly in the southern parts and western of Bangalore City.

Map 3.10 (See also Appendix II)



Based on the fresh proposals for spatial expansion as mentioned in the plan, one could classify the districts into- Urbanized Districts, Urbanizing Districts, and Urbanizable Districts.

- Urbanized districts had old districts- 1,²⁷¹ 2,²⁷² 9,²⁷³ 10,²⁷⁴ 11,²⁷⁵ 3,²⁷⁶ 9A,²⁷⁷ 14,²⁷⁸ and 15²⁷⁹. In the urbanized districts, lands were not available for allocation. In these the proposals greatly concentrated on improvements and civic amenities- viz., widening of the roads, creation of parking spaces, etc.
- Districts 3A,²⁸⁰ 3A-1,²⁸¹ 4,²⁸² 4A,²⁸³ 5,²⁸⁴ 5A,²⁸⁵ 5B,²⁸⁶ 6,²⁸⁷ 6A,²⁸⁸ 6B,²⁸⁹ 7,²⁹⁰ 8,²⁹¹ 8A,²⁹² 8B,²⁹³ 8C,²⁹⁴ 12,²⁹⁵ 12A,²⁹⁶ 13,²⁹⁷ 13A,²⁹⁸ 13B,²⁹⁹ 14A,³⁰⁰ 16,³⁰¹ 16A,³⁰² 17,³⁰³ 17B,³⁰⁴ 18,³⁰⁵ 18A,³⁰⁶ and 18B³⁰⁷ could be classified as urbanizing districts. Urbanizing districts had been within the ambit of urbanization. The plan over a period of time had been incrementally increasing allocations for various land developments. Private groups, individuals, etc., had been involved in various kinds of land developments. In these districts the plan had to concentrate on the improvement of civic amenities. Now it was freshly allocating remaining lands for various kinds of developments. In all these districts the allocations for any kind of development were to exhaust the lands available in the districts. It was the last phase of land allocations in them.
- Districts 4A1,³⁰⁸ 5B1,³⁰⁹ 12A1,³¹⁰ 13A1,³¹¹ 13B1,³¹² 17A,³¹³ 19,³¹⁴ 20,³¹⁵ 21,³¹⁶ 22,³¹⁷ 23,³¹⁸ and 24³¹⁹ could be categorized as Urbanizable Districts. Most of the districts were the newly assigned planning districts except 17A which was already a planning district in the previous plans. In all these districts the plan had not listed any kind of developments.

Given the policy framework, what was happening to the allocations of land for various developments in the planning districts? This could be discerned at two levels- (i) by taking note of land allocations for various developments, and (ii) by taking note of the kinds of land developments that the land allocation was producing.

First, if one were to compare the CDP 1985 and CDP-Revised 1995 land use analysis tables, probably the first difference one could notice in the tables is the allocations made for the total expansion within the districts. The planning districts were

totally expanded from within, and also breached for the reason that the land availability within the districts was becoming highly inelastic for expansion. Since the time local planning area was set up, there had been three shifts in the delimitation of the boundaries, given the greater propensity of the City to expand. The patches of reserved green belt area within the planning districts were already developing and thus planning perhaps was appropriating the new developments to conform to the planning rules and regulations. Planning was also permitting developments on the remaining lands. Given that context, what was happening on various fronts of land development? Who were the actors involved in such developments? What kinds of land developments had found priority? Such questions could be answered by going into the analysis of districts by comparing previous plan CDP 1985 land allocations and activities in the planning districts with the CDP-Revised 1995s' planning districts. One could start with the aggregate land allocations.

Table 3.26

Proposed Land Allocation

CDP 1985- Proposed Land Allocation			CDP (REVISED) 1995- Proposed Land Allocation		
Types of Land Allocations	Areas in Hectares	%	Types of Land Allocations	Areas in Hectares	%
Residential	17600.04	40.07	Residential	24369.21	43.16
Commercial	1670.58	3.80	Commercial	1643.68	2.91
Industrial	2986.03	6.80	Industrial	3844.07	6.81
Park and Open Spaces	5960.48	13.57	Park and Open Spaces	7788.15	13.79
Public & Semi Public	3763.57	8.57	Public & Semi Public	4908.91	8.69
Transportation	9723.84	22.13	Transportation	11697.04	20.72
Unclassified	2223.70	5.06	Unclassified	2213.94	3.92
Total	43928.24	100.00	Total	56465.00	100.00

If one were to take a look at the aggregate order of various land allocations, the city was to expand by 12536.76 hectares in real terms (see Table 3.26). There were significant increases in the allocations in real terms for residential, transportation and parks and open spaces developments. There was an increasing thrust towards residentialization of Bangalore City, A corollary³²⁰ of that was, in actual terms, the expanding allocation for the transportation space which ranked second in allocation. The land for Parks, open spaces, playgrounds, etc., was again connected to the residentialization of the city ranked third in land allocation. Increase in allocation for all other developments was marginal. Land allocations could be analyzed while comparing in real terms because the land allocation for various developments was changing among

various developments. Districts sizes too were varying. Appendix-I of CDP 1985 and CDP-Revised 1995 broadly indicate the following trends-

- Marginal reduction in allocations of land in real terms in the districts 1, 3, 11, 12, and marginal increase in allocations of land in real terms in the districts 13, 14A, 15 and 18A.
- Moderate Reduction in allocations of the size of land, in real terms was made in the district 5A, and moderate increase in allocations of land was made, in real terms, in the districts - 4, 5, 5B, 14, and 16.
- Significant reduction in allocations of the size of land in real terms were made in the districts 6, 12A, and significant increase in allocations of the size of land area in real terms were made in the districts 6B, 8A, 8B, 16A, and 17.
- Constant allocation of land in real terms in the districts 9, 9A, 10, and 18.
- Lands were completely allocated for various developments in the new districts 3A-1, 4A1, 5B1, 12A1, 13A1, 13B1, 19, 20, 21, 22, 23, and 24
- Land area was altered in the districts 2, 3A, 4A, 6A, 7, 8, 8C, 13A, 13B, 17A, 17B, and 18B.

For various land developments the revised allocations were the following.

- Residential Developments- No more lands were allocated in 17 districts (1, 2, 3, 3A-1, 4, 5B, 6, 8A, 9, 9A, 10, 11, 12, 13A1, 13B1, 14, and 18) for residential expansion. In 32 districts (3A, 4A, 4A1, 5, 5A, 5B1, 6A, 6B, 7, 8, 8B, 8C, 12A, 12A 1, 13, 13A, 13B, 14A, 15, 16, 16A, 17, 17A, 17B, 18A, 18B, 19, 20, 21, 22, 23, 24) more lands were allocated for residential expansion. In most of the districts allocation was the highest for residential developments, except in the districts- 4A and 18 which were industrial districts. In the district 10 lands were mostly used by defence, district 11 was a commercial district. District 15 had more parks and open spaces and district 16 had more public & semi-public spaces (Bangalore University). In twenty two districts (4A, 4A1, 5, 5A, 5B1, 6A, 6B, 8B, 8C, 12A, 13A, 13B, 13B1, 15, 16, 17, 18A, 19, 20, 21, 22, 23, 24) the land allocation for new residential developments was made but it was not specified who would develop those lands. In four districts, (3A, 7, 8, and 13) BDA was to develop lands and many of the residential layouts were developed during the plan period 1985-1996 which was already in use. In three districts (8,

13, and 14A) HBCS were to develop lands. According to the CDP 1985 the number of planning districts which had HBCS activities were six, whereas according to the revised plan of 1995 the number of districts had increased to eleven with increased HBCS activities. In 1985 BDA had allocated or incorporated lands proposed for HBCS in districts 4,³²¹ 5,³²² 12A,³²³ 13,³²⁴ 14A,³²⁵ and 16.³²⁶ By 1995 in districts 3A,³²⁷ 4,³²⁸ 5,³²⁹ 5A,³³⁰ 6,³³¹ 6B,³³² 12A,³³³ 13,³³⁴ 14A,³³⁵ 16,³³⁶ and 18B,³³⁷. In some of the districts, the HBCS activities had intensified. In district 5 there were twenty-six HBCS active, in district 12A, 13, 16 and 18B too HBCS activities were expanding. In districts 5A and 16 existing villages were to be redeveloped to 'blend' or integrate with the other planned residential developments, by remaking those areas to conform to planning. In districts- 17A, 17B, and 18B, land was assigned for the expansion of village pockets. In district 16A land was earmarked for the expansion of the Satellite town (See two Tables 3.33 & 3.34 in Appendix-I).

In the districts of which the land area remained the same even after the revision the residential allocations in the districts were as follows-

- In the four developed districts- 9, 9A, 10, and 18, the residential allocation remained constant.
- In fifteen districts- 4, 5B, 6, 6B, 8A, 8B, 12A, 13, 14, 14A, 15, 16, 16A, 17 and 18A, land allocations for residential development was increased.
- In six districts- 1, 3, 5, 5A, 11, and 12, the land area for residential development was decreased (See Tables 3.33 & 3.34 in Appendix-I).

The details in the planning districts give a picture of three kinds of land development namely governmental production of space, quasi-governmental production of space and governmental planning for appropriation of spaces into the fold of planning. There were also unspecified allocations for residential developments.

- Commercial- No new land was allocated in 13 districts for commercial developments, and in 36 districts more lands were allocated for commercial expansion. Apart from the CBDs and the developed districts, the planning envisaged- 'organized shopping centres' in the districts- 5, 12, 13A1, 16, 16A,

17, 18A, and 19; ‘Neighbourhood shops’ in the districts- 20, 18B, 17A, 16, 14A, 13B, 13A, 12A, and 6, and; ‘Shopping Complexes and centres’ in the districts- 5A, 5B, 6, 6B, 8, 8B, 13, 14, and 15. In the district 7 third CBD was planned to be developed. These allocations were made for governmental initiatives to create built environment for the commercial purposes and also private initiatives (see Tables 3.33 & 3.34 in Appendix-I).

- Industrial- no more lands were allocated in 22 districts for industrial expansion, and in 27 districts more lands were allocated for industrial expansion. In most of the districts the dominant feature of planning for industrial development was to allocate and permit private light and service industries (See Tables 3.31 & 3.32 in Appendix-I).
- Parks- No new land was allocated in 10 districts for parks, and in 39 districts more lands were allocated for expansion for parks, open spaces, playgrounds, etc., expansions. In most of the districts – 3A, 3A-1, 4A, 4A1, 5, 5B1, 6, 6B, 7, 8, 8A, 8B, 8C, 12A, 12A1, 13, 13A, 13B, 14A, 17, 17A, 17B, 18A, 19, and 20 – where tank beds still existed its surrounding lands were to be converted into recreational spaces by creating parks. ‘Regional parks’ in some districts- 5A, 5B, 9A, 14, 14A, 15, and 18 were planned. Parks in residential areas and green buffer zones were to be created separating industrial areas and residential areas. These were purely governmental initiatives. There was also a plan to create a new Golf Course which was to be taken up by the Karnataka State Tourism Development Corporation (See Tables 3.33 & 3.34 in Appendix-I).
- Public & Semi-Public- No new land was allocated in 13 districts for the expansion of public and semi-public spaces, and in 36 districts more lands were allocated for public and semi-public developmental expansions (See Tables 3.33 & 3.34 in Appendix-3).
- Transport- No new land was allocated in 11 districts and in 38 districts more lands were allocated for transportation related expansion (See Tables 3.33 & 3.34 in Appendix-1).

Given the total allocations, the city was to further expand and was to become more residentialized. Such expansion was indicated in the commensurate increase in the allocation of transportation land-use. Again, given also the tradition of Bangalore being the garden city, parks, open spaces, playgrounds, etc., were consuming third

highest land areas within the districts. Apart from the parks within the city area, there was new kind of development of green areas plus adjacent water bodies to create new recreational spaces for the city dwellers. Most of the spaces, especially the tank beds and their surrounding lands were appropriated for the maintenance of the green areas and creation of the recreational spaces. There were thus more new kinds of green plus recreational ground including the golf club which was in the process of creation by Karnataka State Tourism Development Corporation.

To sum up, the plan like the previous plans had visualized the city within the State of Karnataka and within its own region. It was only a rhetoric, because the plan was ambivalent in its approach. Though the plan expressed concern over the regional imbalances, and therefore adopted regional approaches for the development of other regions of the state, and its own region, the focus was only on the City itself. The centre of attention was the City itself, because, it was growing into unmanageable proportions, and the consequent infrastructural. The crisis in procuring land in the context of ever increasing demand for it, within the given legal frameworks, the increasing demand for land and various services by the socially and economically backward groups, was becoming unmanageable. The concern over urban environment with regard to the increasing incursions or breaches into the green belt area, were all forcing planners to visualize the city from within. Thus the economic role for the city was to change too, into a place of light production, and service oriented activities with a range of financial, health, and educational, various kinds of trades, etc. Therefore in future heavy industries were to be located in other places in the region or were located in other regions. The government's promotion of private investments in the housing sector too was to aid mainly the middle classes than others. What underlies the statement in the preamble that "urbanization is inevitable and cannot be stopped, our endeavour should be to ensure that it takes place on an orderly and systematic basis"³³⁸.

Conclusion

At the end of all the planning period, what kind of a city did planning achieve? What was the socio-spatial character of the City? What was the nature of land developments? The answer to the first question lies in the pronouncements of the new plan.³³⁹ The new plan says:

Bangalore has been substantially affected by globalization and rapid urbanization over the last decade. The demand on services and the quality of life in the city is not confined to the central core or the erstwhile Bangalore Mahanagar Palike jurisdiction but spreads beyond into the peri-urban areas, the Metropolitan Area and outwards, into the Bangalore Metropolitan Region. With the emergence of the Bangalore-Mysore Infrastructure Corridor, the Bangalore International Airport and the planned ring roads, urbanization is no longer confined to the Bangalore Metropolitan Area and has now spread into the Bangalore Metropolitan Region (BMR).³⁴⁰

The revised plan of 1995 was realistic in predicting the course or the path urbanization would take. The revised plan (1995) had reconciled with the reality of inevitable urbanization and expansion of the city. The new plan (2007) is visualizing and observing the coming of extended metropolitan region.³⁴¹

Bangalore has *incontestable advantages* to develop into an *international metropolis* but at the same time faces significant constraints. The city is embedded in its history and depicts the greatness of a *truly Indian city* established before invasions and colonization. It has a diverse set of activities, from silk to aeronautics, from clothing to information technology, and is a *gauge of dynamism and solidity of the city*. While the city is internationally recognized for information technology, the industrial public sector occupies an important place and ensures a balance between the public and the private sector. The quality of technical training is renowned and constitutes the best support structure for development of advance technologies and the *overall urban structure is coherent*; it ensures a *good correlation between activities and social classes*. Natural drainage, climatic advantage and the availability of water in the Cauvery basin are factors that assist in improving the quality of life in the city.³⁴²

According to the governmental vision of development, in a little over two decades, the “truly Indian city” with a “gauge of dynamism and solidity of the city” had achieved the “coherent urban structure”. The coherent urban structure is the result of the quality of technical training for the people of the City which has brought about the integration of spaces of “activities” (in probability this would mean professional activities connected to different kinds of production and services) with the spaces of “social classes”, that is, the people who are involved in the production of those goods and services. In the previous sections the analysis was indicating one aspect clearly; for the most part production of spaces within the planning districts was for a social class- the middle class, measured more in terms of economic exchange than anything else.

This is indicated in different kinds of production of residential space. The different kinds of production of housing space are public housing, 'informal housing in the form of sites/plots', slums, traditional housing, housing in the villages, cooperative society housing and housing production taken up by the private builders. The situation changed during the last decade of the 20th century- 1991-2001. Among various kinds of housing production- public housing which had a 43.1% share of the total existing housing in 1991 had changed in 2001 to 22.8%. Informal housing (illegal-unauthorized constructions and slums) increased from 23.5% to 55.9%. Private builders' housing increased from 0.8% to 5.2%. The BDA claims that the change in the scenario was due to "the difficulties encountered during the last decade by public bodies/departments to contribute to the housing supply".³⁴³ From 1999 to 2002 BDA's residential production of space increased. "Between 1999 and 2002, the total number of plots produced by the BDA was 39,850 for a developed area of about 2,000 hectares. In 2001 and 2002, its production reached 15,000 plots/year. In other words, there was a ten-fold increase in comparison with the average of the 1990s. Housing supply in the formal sector (legal public and private housing) did not meet more than 50% of the requirements of the annual population growth of the city."³⁴⁴ One could see that the whole array of produced spaces by planning at the end of the planning periods of the master plans were meant mostly for the middle or upper classes, except improvement, clearance, and redevelopment of a few slums and village pockets, mainly to "blend" or conform to planned aesthetic concerns of the spaces than anything else. (see Table 3:26)

Table3.27**Planned Layouts of BDA from 1960s onwards³⁴⁵**

Decade	Layouts	Year
1960s	HAL II Stage Layout	1964
	Koramangala Layout	1965
	WCR II Stage	1967
1970s	Sarakki Layout	1970
	HAL III Stage	1971
	RPC Layout	1971
	WCR I Stage	1971
	Pillanna Garden II Stage	1971
	Pillanna Garden III Stage	1971
	WCR IV Stage	1971
	BSK III Stage	1971
	Indl. Workers Layout	1971
	WCR III Stage	1971
	WCR II Stage	1973
	WCR II Stage	1973
	Matadahalli Layout	1974
	Improvement of Matadahalli	1977
	BTM Scheme	1978
	Chandra Layout	1978
	Mini Forest	1978
	RMV II Stage	1978
	Mahalakshmi Layout (Nandini Layout)	1979
	Further Extension of Domlur Layout	1979
1980s	WCR IV Stage	1980
	OMBR Layout	1980
	Further Extension of OMBR Layout	1980
	Ambedkar Layout	1980
	HRBR Layout	1980
	Further Extension of RMV II Stage	1982
	HRBR Further Extension	1984
	Nagarabhavi I Stage	1985
	HBR I Stage	1985
	HBR II Stage	1985
	Nagarabhavi II Stage	1986
	East of NGEF Layout	1986
	HSR Layout	1986
	S.T. Bed	1988
	BSK IV Stage	1989
Contd... 1980s	HRBR Further Extension	1989
	HBR III Stage	1989
1990s	Further Extension of East of NGEF	1990
	BTM VI Stage Layout	1990
	BTM IV Stage Layout	1990
	Venkateshwara Layout	1990
	BTM III Stage	1991
	J. P. Nagar 7 th Stage	1995
	HSR II Stage	1996
	Shifting of Wholesale steel Market	1996
	Srigandhada Kaval	1996
	Sajjepalya	1996
	Anjanapura Layout	1999

	J. P. Nagar 8 th Stage	1994 1997 1999 1999
	Jnanabharathi Layout	1994 1997 1999
	BSK V Stage Layout	1994 1997 1999
	J.P. Nagar 9 th Stage	1991 1997 1999
2000-	Anjanapura Township	2000
	B.S.K VI STAGE	2000
	Further Extension of Anjanapura	2001
	Sir. M. Visweswaraiah Layout	2001
	Sir. M. Visweswaraiah Layout	2002
Undated	Rajamahar Vilas II st.	Undated
Proposed New Schemes	Further Extensions of Sir. M Visweswaraiah	Undated
	Further Extension of Banashankari VI Stage	Undated
	Arkavathi Layout	Undated

The list of layouts by the end of the planning period is given in Table 3.27. Layouts were part of the planned residential land development. The planned layouts developed on the agricultural lands were meant generally for the middle classes in the Bangalore City. The layouts do not constitute a single type of representation. These layout formations were different within and also different from one another. Layouts were location within the layout (closeness to thorough-fare or park or open space) distance from the CBO, slums etc. different in terms of size of sites or plots. Though these planned layouts were relatively insulated from unplanned developments, they were part of the heterogeneous socio-spatial. Planned formation broadly was also appropriation of other expansions with BDA Layouts. These other spatial formations were lands occupied on the tank beds, Economically Weaker Sections housing areas initiated by the government, unauthorized/unplanned private layouts appropriated into the adjacent BDA Layout Planning and Regulation through regularization, etc.

“Approved Private Layouts”³⁴⁶

Different kinds of agencies, associations, individuals, groups, etc., were involved in the process of creation of private layouts in different BDA divisions. BDA’s list of such spatial formations are phrased as “BDA Approved Private Layout List”. The list of entries of private layouts does not give a clear picture of the modalities involved in such spatial formations. It is not clear whether BDA approved the private according to the rules and laws before the formation of such layouts. It happens many a time that lands have been developed without the permission of the BDA and are not according to planning norms or rules. Such private layouts find government approval or BDA’s approval through regularization. The term “approved” could also mean many a time regularized private layouts. One gets a clear sense by knowing the actors involved in the private layout creation. The list under consideration divides expanding Bangalore City into four divisions of East, West, North and South and shows the number of layouts in them. The list of these divisions does not carry a map showing the exact boundaries of various divisions. The Table 3.7 shows decade wise layouts in different divisions.

Table 3.28

Decade-wise Number of Private Layouts in
Bangalore Development Authority's Divisions

Decade	Private Layouts in Different BDA Divisions				
	East	West	North	South	Total
1960s	1				1
1970s	0	3	2	5	10
1980s	22	27	17	36	102
1990s	7	21	15	27	70
2000s	25	13	9	35	82
Undated	117	177	84	234	612
Total	172	241	127	337	877

The table 3.28 shows that 1980s was the time period when private layouts increased. But undated private layouts were highest in number. One plausible reason for such undated entries in the BDA list could be that many of the layouts were unauthorized layouts which could have been regularized over a period of time. The size of these layouts is not available. The Southern Division had produced more number of private layouts than other divisions.

Decade-wise Private Layouts in Bangalore Development Authority's Divisions: Who were the actors involved in the formation of the private layouts? The actors who created private layouts could be broadly be classified into different categories of social groups and associations- cultural associations, teachers' associations, peer group associations, religious associations, labour associations, educational institutions, government institution, charitable associations, expanding dollar layout schemes (layouts formed for Non-resident Indians), and Caste associations³⁴⁷, business enterprises, real estate groups, industrial units, etc. Again the private layouts could be classified into two- (i) Different categories of associations, social groups, individuals, etc., and (ii) House Building Co-operative Societies.

Table 3.29 shows different kinds of associations, social groups, individuals, etc., number 655. The common feature of the private layouts across all the BDA divisions were the number of private layouts formed and co-opted into the BDA layouts were the highest in number in all the divisions the private layouts created by the individuals were the second highest. All other private developments were marginal.

Tables 3.29**Different Social Constituents of Land**

Category	Eastern Division				
	1980s	1990s	2000-2004	Un-Date d	Total
Industrial				2	2
Association	1				1
Layouts formed by individuals	5		8	27	40
Layouts of Public Sector Units Employees			1		1
Religious Association			1		1
Real Estate Developers & Builders			6		6
Business			2		2
Expanding BDA Layouts	13	3		66	82
Shop Site				8	8
Slums (Improvement)	1			7	8
Garages				1	1
Dollar Scheme (Sites for NRIs)				2	2
Housing Scheme				3	3
Misc.				1	1
Total	20	3	18	117	158

Category	Western Division					
	1970s	1980s	1990s	2000-2004	Un-dated	Total
Industrial					2	2
Association & Institutions	1	6	1		4	12
Layouts formed by individuals		4	1	1	41	47
Layouts of Public Sector Units Employees		1				1
Religious Association						--
Real Estate Developers & Builders						--
Business						--
Expanding BDA Layouts	1	8	6	2	78	95
Shop Site					2	2
Slums (Improvement)		1	1	2	11	15
Dollar Scheme (Sites for NRIs)			1		1	2
Housing Scheme					1	1
Misc.					2	2
Total	2	20	10	5	142	179

Uses

Category	Northern Division				
	1980s	1990s	2000-2004	Un-Date d	Total
Industrial				1	1
Association				2	2
Layouts formed by individuals		1	1	21	23
Real Estate Developers & Builders			1	1	2
Business					--
Expanding BDA Layouts	4	4	2	31	41
Shop Site		1		1	2
Slums (Improvement)	1			2	3
Garages					--
Dollar Scheme (Sites for NRIs)				1	1
Housing Scheme	1			5	6
Misc.				1	1
Total	6	6	4	66	82

Category	Southern Division					
	1970s	1980s	1990s	2000-2004	Un-Date d	Total
Industrial					5	5
Association					1	1
Layouts formed by individuals		6	2	9	26	43
Real Estate Developers & Builders				3		3
Business		1		1	1	3
Expanding BDA Layouts		12	9	11	121	153
Shop Site					2	2
Slums (Improvement)					12	12
Garages					1	1
Dollar Scheme (Sites for NRIs)		1	1		1	3
Housing Scheme	1	3			3	7
Misc.					3	3
Total	1	23	12	24	176	236

Second in importance are the House Building Cooperative Societies' private residential land developments. Table 3.29 shows that HBCS were concentrated in the Southern Division of the BDA which had the highest number of HBCS. The Western Division has the second highest, and the Northern Division had the third highest. Eastern Division had the least HBCS. Mostly industrial employees, and government employees had formed the highest number of HBCS private layouts. Officers of various governmental departments and commercial firms had their own separate HBCS private layouts. The cultural and social associations had formed second highest number of HBCS private layouts.

Table 3.30

House Building Cooperative Societies in BDA's Divisions

HBCS	EAST	WEST	NORTH	SOUTH	Total
Officers		5	4	1	10
Bank Officers				4	4
Employees	4	33	31	23	91
Bank Employees		3	2	14	19
Other Social Groups	11	23	8	46	88
Total	15	64	45	88	212

The Table 3.31 reveals that in all other divisions except the eastern division common feature was the division highest number of undated HBCS private layouts in the divisions. From the point of view of time, the trend of HBCS private layouts had begun in the 1970s, intensified and remained steady in the following decades. In the western division such trend intensified in the 1990s and in the northern division it began in the 1980s and remained steady later. In the eastern division the trend intensified only recently. The social constituents of such spaces were diverse. In terms of the differences among various divisions, in the south divisions Bank Officials and Bank Employees HBCSs dominated whereas in the other division Bank officers HBCSs are nil and Bank Employees HBCSs are marginal. In Southern division the presence of Employees HBCSs was moderate, whereas in the Western and Northern divisions it was high. The presence of Other Social Groups HBCSs were high in the Southern, Western and Eastern divisions. In the Northern division its presence had been marginal or low. Though these groups involved in the residential land developments were shrouded or masked by different occupational, cultural, religious, or social groups or categories, mainly the middle or upper classes. They belong to

Tables 3.31

House Building Cooperative Societies in various BDA Divisions

HBCS	South division					
	1970s	1980s	1990s	2000-	Un-Date d	Total
Officers		1				1
Bank Officers		1		1	2	4
Employees	1	5	4		13	23
Bank Employees	1	3	2	3	5	14
Other Social Groups	3	2	8	10	23	46
Total	5	12	14	14	43	88

HBCS	West Division					
	1970s	1980s	1990s	2000-	Un-Date d	Total
Officers		1			4	5
Employees		3	3	5	22	33
Bank Employees			1		2	3
Other Social Groups	1	1	6	3	12	23
Total	1	5	10	8	36	64

HBCS	North Division					
	1970s	1980s	1990s	2000-	Un-Date d	Total
Officers		1	1		2	4
Employees	1	7	8	2	13	31
Bank Employees					2	2
Other Social Groups	1			2	5	8
Total	2	8	9	4	22	45

HBCS	East Division				
	1980s	1990s	2000-	Un-Date d	Total
Employees		2	1	1	4
Other Social Groups	2	2	7		11
Total	2	4	8	1	15

The 2001 census figures give an optimistic picture of housing conditions. 92% of the households of Bangalore live in permanent houses (Karnataka' at the average of 77%) slum inhabitant is low when compared to other large cities Chennai, Ahmedabad, and Hyderabad, Approximately 95% of the households have electrical connections it was than 1991 (83%).³⁴⁸

The persistence of small houses and overcrowding in household: The data of 2001 indicates that more than one third (37%) of the households continue to have only one room housing. About 64.5% of the lower income group and 53% of the middle income group occupy two room houses and only the higher income group experience a more favorable situation with an average of 3.5 rooms per house.

The stagnation of occupancy status: In 1991 there were about 50% houses that were occupied by tenants against 46% household owners.

The persistence of tenants in small houses (one room): Among households with only one room accommodation, the tenants are more in number with 57% against 38% of the household owners.

Insufficient level of amenities in housing: Only 53% of the households have a water tap in their house.³⁴⁹

Further, the deficit in residential space between 1990 and 2003 (the increase in the 'total residential area (built and occupied)' was 44 sq. km), was not commensurate with the increases in the population growth rate. The annual residential growth rate during the period was 2.89% whereas the population growth rate was 3.28%. Apart from that, with the increasing numbers of households the demand for residential space was simultaneously increasing. The Bangalore Master Plan – 2015 (2007) says: "The deficit is therefore compensated by smaller sized housing and most probably by a densification of space already urbanized. This data also reveals that there seems to be a rising disparity between the different economic classes leading to the expression of housing concerns for the economically weaker sections. The absence of affordable alternatives, that results in informal and under equipped type of housing."³⁵⁰

While considering the housing situation in Bangalore, the Report of the Bangalore Development Committee (1954) mentions the followings;

It is Bangalore City that is most badly off in the matter of housing. Out of 48,606 families in Bangalore, 19,742 have less than 100 sq. feet to live in and another 17,261 have more than 100 but less than 300. In other words, more than 75 per cent of the families in Bangalore are 'poor', or 'very poor', and the floor space available to them is very small indeed. The conditions of life may be imagined when it is realised that the average number of persons in a family is 4.6 and there are instances of 8 or 10 people occupying a house of less than 100 sq. feet in extent. The whole family cannot even sit for their meals together, let alone sleep in the house.³⁵¹

Considering the pressure of a growing population on house accommodation which has been relatively static, it is not surprising which was at 4.6 in 1941 has risen to 6.33 in the 1951 Census. This does not mean that people are rearing families but that they are sharing their living accommodation with guests or visitors.³⁵²

The preceding analysis of plans on the production of residential space echoes similar concerns and the problems persisting as detailed by the Report of the Bangalore Development Committee, though the scale of the problem has changed and is different.

NOTES AND REFERENCES

¹ The Outline Development Plan for the Bangalore Metropolitan Region, 1963, p. 2

² It was not typically “working-class” in any Industrial sense, in the way Henri Lefebvre (1993) has conceptualized to categorize space and the *spatial practice* at different levels within the context of “modern” “neocapitalism” as he terms it. In the Military and Civil Station the migrants and local population settled down to provide services to the kind of a “modern” establishment, structuring itself into “Civil” and “Military Station” and Civil area forming itself into a “adjacent subsidiary” space for the military. This emerging space could be seen as incipient “modern space”.

³ *Outline Development Plan for the Bangalore Metropolitan Region*. Pg. No. 2. “Following the outbreak of plague in 1898, Basavanagudi and Malleswaram were laid out” (Report of the Bangalore Development Committee 1954: 7).

⁴ BDC 1954, p. 7.

⁵ Princely Mysore State was for the Industrialization of Bangalore. In that context city expansion and development was conceived. The development conceived was to create space for expansion on the one hand and on the other initiating ‘modern’ civic developments for ‘better’ environment for the city. In the hope of ‘Industrial City’ plan was expecting the migration to settle down in the city. Perhaps the programmes greatly expected two processes- (a) Industrialization which is a broader process which had consequence for the ‘progress’ of the whole region; and (b) Creation/expansion of space for the ‘Industrial’, and other concomitant needs and ‘environment’- for business, recreation, shopping, education, etc., for the civic population- could be categorized as consumers, workers, leisure class, etc., and expected ‘leaders’ of Industry and Business- sellers, producers, owners, etc.

⁶ BDC 1954, pp. 7-13.

⁷ “The Government of India in 1906 had released a grant worth Rs.1, 00,000/- Rs, to decongest Civil Station. For that purpose, among the many other crowded bazaars, Blackpally, which was adjacent to Military Barracks, was chosen. Civil Station administration spent Rs.1,15,000/-Rs., to acquire and demolish 273 houses. For Evacuees, towards north of Civil and Military Station, 50.35 acres of land was acquired near Papureddypalyam and layout was formed (to this day called Frazer Town). 217 houses were not demolished since owners volunteered improve their housing conditions.” (BDC 1954:23)

“The work began at the extension actually in 1906. The plots of land were offered for sale to the public. Movement of the population from the congested area to the new extension was encouraged. Of the 470 plots in the new extension the Commission retained 64 in its possession. The Municipal Commission itself proposed to build small rat-proof houses to be let out to poorer classes.” (ibid, 23)

The colonial Municipal Commission took up many housing programmes for various sections in that area.

Housing for Commission’s sweepers and scavengers in 1901 and by 1914-15, 86 rooms were constructed in Knoxpet.

In various places in Civil Station, Commission owned 217 houses by 1920.

To address the housing problem of Harijans, in 1922 Commission built 132 houses in Knoxpet.

Housing for poor- “In the same year [1922] a scheme for housing the poor in Ookadpalyam was taken up. Acquisition of land at Nilasandra for the purpose at a cost of Rs. 20,000 was sanctioned by the Resident. The complete scheme was estimated to cost about Rs. 7,25,162 and provide for 130 double houses, 268 single houses, besides 23 blocks consisting of 67 double storeyed buildings for poor Europeans and Anglo-Indians. By 1924-25, the model houses for the poor at Knoxpet and Austin Town were completed.” (pg., 24)

Middle-class housing- 80 rat proof houses were built on Robertson Road, to accommodate people who where evicted from various places (Thoppa Mudaliar and Dharmaraja Street Block) in the civil station. These houses were rented at Rs. 3-8-0 and Rs. 2-8-0. (24)

Extensions for Middle classes- Fraser Town, Richards Town, Cox Town, and Tasker Town.

66 acres land was acquired in 1922-23 at Old Military Lines (known as Cubbon lines) out of which 2 acres of land was left for Gosh Hospital building, a diagonal road 60’ wide was laid from Chandi Chowk Road to Cunningham Road, and out of remaining land, major portion was ‘reserved for better class houses’ and 10 acres of land was ‘reserved for a large covered Market. (Russel Market)’. (*Report of the Bangalore Development Committee* 1954, pg. no., 23-25)

⁸ Kothandaramapuram, Swimming Pool Extension, Journalist Colony, and Kalasipalyam New layout were the few residential layouts formed by the Bangalore City Corporation (ibid: p. 23).

⁹ Ibid, p. 23.

¹⁰ Ibid, p. 124.

¹¹ One of the passages represents such an emphasis. It goes onto say that- “Town or City Planning today is based on a number of factors other than the mere physical factors as was the practice some decades ago. Even as recently as in the beginning of the 20th century, town plans were prepared exclusively by Architects or landscape architects who focused all their attention mostly to the alignment of the avenues and streets, the location of squares and piazzas and in general to the three dimensional beauty and grandeur of the city or town. They paid very little attention to the more important sociological aspects of the town. No doubt, schools, hospitals and other amenities were provided to serve the town, but their position and location were not usually to the best advantage of the inhabitants. The school might have been located at the end of a beautiful avenue just to achieve the architectural climax but the designer forgot entirely about the school children who had to tread a long way along the avenue full of traffic and finally reach the school after passing through a number of squares and circles.” (BDC 1954: 123)

¹² Ibid, pp. 124-125.

¹³ The plan, while acknowledging and emphasizing the significance of the sociological views in town planning, was subscribing to the views of Patrick Geddes and Lewis Mumford (ibid: 125).

¹⁴ Ibid, p. 125.

¹⁵ Ibid, p. 114.

¹⁶ Ibid, p. 114.

¹⁷ Ibid, p. 115.

¹⁸ Ibid, pp. 115-116.

¹⁹ ODP 1963, p. 105.

²⁰ Ibid, p. iv. The term “socio-economic reaction” was used probably to indicate the kinds of linkages that Bangalore City had with various places or the City’s sphere of influence on various places- a. which created rural-urban divide b. in the transport of various kinds of resources and the migration of people to the city. In a way it was to highlight the ‘primacy’ of Bangalore City and the dominance of Bangalore region both in terms of its symbolic and material- advancement, significance and dominance, over other regions in the State.

²¹ Ibid, p. iv.

²² The Conurbation Area of the City region was not clearly listed out, in terms of the places that were to be included.

²³ “The Metropolitan Region covering 193 sq. miles and comprising the City of Bangalore and all the territory lying within a distance of 5 miles from its boundary will constitute the Planning Area for legal purposes. But it is proposed to locate the major developments for the present in a compact area of 79 sq. miles (50,346 acres). This includes the fully built up urban units of 44 sq. miles (28,000 acres) together with a number of revenue villages which are either fully urbanized or are showing signs of rapid urbanization and even recognizable trends of conurbation. This area which is delineated for the first phase of development is marked as “the Conurbation Area” in the Outline Development Plan” (ibid: p. 105).

²⁴ Ibid, p. 105.

²⁵ *Outline Development Plan (Approved by the Government of Karnataka) 1972*, p. iv.

²⁶ Sathpal Pulliani (Ed) 2005, *The Karnataka Town and Country Planning Act, 1961*, Notification No. PLM 42 MNP 65, dated 1-11-1965, Karnataka law journal publications, Bangalore, pp. 118, & 121-122.

²⁷ Ibid, p. 7.

²⁸ Ibid, p. 7.

²⁹ BDC 1954, p. 102.

³⁰ Ibid, pp. 102-108.

³¹ Ibid, p. 125.

³² Ibid, p. 102.

³³ One could illustrate this tendency which is typical of the planners’ aesthetic imagination. In one of the pages, the report says- “There would thus be “a continuous green back ground of open country” all round the city together with strips of green patches of varying sizes within the city limits “in which are embedded at suitable places compact spots of red” representing existing villages and new authorized housing schemes.” (ibid: 107.)

³⁴ Ibid: pp.109-112.

³⁵ Within the BCC limits there was about 2000 acres of arable land, which the plan had suggested to maintain as it was, and convertible with special permission under circumstances only ‘to provide for the normal expansion of villages and for well considered housing schemes’. Apart from that it also meant the agricultural land beyond the BCC jurisdiction. (ibid: 107).

³⁶ Ibid, p. 113.

³⁷ For more details see *The Bangalore Municipality’s Commissioner v The Sub-division Officer, Bangalore*, and Five other respondents, Regular Appeal No. 105/Case No. 2 of 1943-44, Appellate Civil/ The Mysore Law Journal Reports [Vol. XXVII], 1946.

³⁸ Subbanna v State of Karnataka and Others, Writ Petition No.12200/1987, The High Court of Karnataka/Karnataka Law Journal, [1996(5)], pp. 195-196; The Report of the Outline Development Plan 1963, p. iv; and Bangalore Planning Authority, 1968, pp. 1-2.

³⁹ ODP 1963, p. iii.

⁴⁰ Ibid, pp. iii-iv.

⁴¹ Ibid, pp. i-iv.

⁴² Ibid, p.iii.

⁴³ Ibid, p. iii

⁴⁴ Ibid, pp. 14-15.

⁴⁵ Ibid, pp. 18-43.

⁴⁶ Ibid, pp. 56-57.

⁴⁷ Ibid, pp. 120-121.

⁴⁸ ODP (*Approved by Government of Karnataka*) 1972. But much later it was found by 'The Committee on Urban Management of Bangalore' that such exercises remained 'mechanical' and 'formal' exercises without any 'serious intent to engage in a dialogue with the stake-holders and groups' in the planning process which had 'left a trail of discontent' (The Committee on Urban Management of Bangalore 1997: 132).

⁴⁹ Report of the Bangalore Development Committee (1954), p. 1.

⁵⁰ Ibid: p. 1.

⁵¹ Ibid: pp. 14-15.

⁵² Ibid: p. 14.

⁵³ Ibid: p. 103.

⁵⁴ Subsumed areas were Benson Town, Cleveland Town, Richmond Town, Binny Mills, Chamarajpet, Seshadripuram, Basavangudi, Malleswaram, Fraser Town, Sankarapura, Indian Institute of Science, Gavipuram, Srirampuram, Visveswarapuram, Minerva Mills, Austin Town, Cox Town, Tasker Town, Guttahalli, Kalasipalyam, Cooke Town, Richards Town, Gandhinagar, Government Electric Factory, Kumara Park, Narasimha Colony, HAL Sanitary Board, HAL Township, Wilson Garden Extension, Jayanagar, Sunkenahalli Extension, Vyalikaval Extension, ITI Notified Area, Jayamahall Extension-villas, and Rajajinagar.

⁵⁵ BDC 1954, p. 22.

⁵⁶ Ibid, p. 9.

⁵⁷ Ibid, p. 35.

⁵⁸ Ibid, pp. 21-24.

⁵⁹ The schemes for improvement taken up by the CITB were in the places- Lakshminarayanapuram, Ramachandrapuram, Maruthi Extension, Yediyur-Nagasandra Layout, Layout of Anjanappa Garden, Vasanthanagar Layout, Doddabylkhana Extension, and Layout of the area behind Water Supply Division (BDC, 1954: 35-36).

⁶⁰ Ibid, p. 35.

⁶¹ Ibid, p. 39.

⁶² Ibid, p. 26.

⁶³ Ibid, pp. 34-35.

⁶⁴ Ibid, pp. 36-37.

⁶⁵ Permissions were to be taken from the Municipal Commissioner within the Corporation jurisdiction, within the Trust Board area CITB, Village Panchayats within the village jurisdiction and Deputy Commissioner if it were to be an agricultural land (ibid: 40).

⁶⁶ Ibid, p. 42.

⁶⁷ Ibid, pp. 43-44.

⁶⁸ Administration Report, Corporation of the City of Bangalore, 1959-60: 167-168. Regularization though meant to serve and improve the civic needs of the people, was mainly a financial proposition. The beneficiaries of regularization were to fulfill the four conditionalities to get their lands regularized- "(i) The entire layout charges should be remitted to the Corporation Treasury by all the property owners at the rate worked out by the Engineer. (ii) Each individual property owner should enter into an agreement with the Corporation that he will pay any extra towards layout charges that may chance to come at a later date due to fluctuation of rates. (iii) The property owner should leave any adjacent portions that lanes (sic) in the formation of roads or drains, and any such encroachments to be removed by him only, as per the directions of the Engineer incharge of the layouts. (iv) Amenities will not be provided until all the amount is collected." (ibid: pp. 167-168)

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- ⁶⁹ Administration Report, Corporation of the City of Bangalore, 1959-60: p. 166.
- ⁷⁰ Administration Report, Corporation of the City of Bangalore, 1957-58: p. x.
- ⁷¹ Administration Report, Corporation of the City of Bangalore, 1958-59: p. xiii.
- ⁷² Administration Report, Corporation of the City of Bangalore, 1959-60, pp. 169-180.
- ⁷³ Administration Report, Corporation of the City of Bangalore, 1960-61, p. 48.
- ⁷⁴ Administration Report, Corporation of the City of Bangalore, 1960-61, pp. 175-76.
- ⁷⁵ Administration Report, Corporation of the City of Bangalore, 1961-62, p. x.
- ⁷⁶ Ibid, p. 61.
- ⁷⁷ Administration Report, Corporation of the City of Bangalore, 1962-63, p. x.
- ⁷⁸ Ibid, p. 169.
- ⁷⁹ Ibid, p. 58.
- ⁸⁰ Ibid, p. ii.
- ⁸¹ Ibid, p. vi.
- ⁸² Ibid, p.70.
- ⁸³ Administration Report, Corporation of the City of Bangalore, 1964-65: i-ii. Actually it was 42 villages that were ultimately included within the redrawn boundaries of Bangalore City. According to the Government of Mysore Order No. PLM/243/GCA/63 dated 26th March 1964, villages which were included into the city fold were- 1.Gangenahalli, 2.Mattadahalli, 3.Dyavasandra, 4.Madarningehalli, 5.Chikkamaranahalli, 6.Mathikere, 7.Subedar Palya, 8.Madigarahalli, 9.Yeswanthapura, 10.Goruguntanapalya, 11. Marenahalli, 12.Vadarapalya-(Bovi Colony), 13.Kethamaranahalli, 14.(a) Subramanyapura, (b) Thurakarapalya and (c) Prakash Nagar, 15.Yediur Dinne- (a) Siddaramana Dinne, 16.Shivana halli, 17.Juganahalli, 18.Jedahalli, 19.Hosahalli, 20.Dasarahalli Agrahara, 21.Thimmanahalli, 22.Athikuppe, 23.Guddadahalli, 24.Bapujinagar, 25.Deevitige Ramanahalli, 26.Byatarayanapura, 27.Karithimmanahalli, 28.Govipur, 29.Dasarahalli, 30.Sunkenahalli, 31.Yediyur, 32.Yediyur-Nagasandra, 33.Thayappanahalli, 34.Tavarekere, 35.Madivala, 36.Siddaguntanapalya, 37.Boyi Colony, 38.Lakkasandra, 39.Chinnaiahnapalya, 40.Byrasandra, 41.Audugodi, 42.Dasarahalli (ibid, pp. 101-102).
- ⁸⁴ From the point of view of Bangalore City Corporation, inclusion of new areas into the City fold meant the classification of areas into 'undeveloped' or 'under-developed' areas that needed attention concerning the civic services and infrastructure (Administration Report, Corporation of the City of Bangalore, 1964-65, p. ii).
- ⁸⁵ Administration Report, Corporation of the City of Bangalore, 1964-65, p. 174.
- ⁸⁶ Administration Report, Corporation of the City of Bangalore, 1965-66, p. 99.
- ⁸⁷ The CITB layouts included- 1. Industrial Town, Rajajinagar, 2.Hosahally Layout near Magadi Road, 3.Small Scale Industries in South Zone Rajajinagar, 4.Industrial Ist Stage, Yeswanthapur, 5.Lorry Stand Gowdown, Yeshwanthapur, 6.Layout between Vth Block, Rajajinagar and Magadi Road, 7. Survey No. 104, of Kempapura Agrahara Village behind Government Electric Factory, 8.Magadi Road, Chord Rorad East, 9.Lakkasandra Layout, 10.Sunkal Farm Layout, 11.Binnamangala Layout, 12.Xaxier's property, 13.Vannarpet Layout, 14.1st and 3rd East of Jayanagar, 15.I Block, Byrasandra, 16.West of Kanakapura Road Layout, and 17.IX Block,Jayanagar. (Administration Report, Corporation of the City of Bangalore, 1968-69, p. 5).
- ⁸⁸ Administration Report, Corporation of the City of Bangalore, 1964-65, pp. 336-337.
- ⁸⁹ Administration Report, Corporation of the City of Bangalore, 1965-66, p. xi.
- ⁹⁰ Administration Report, Corporation of the City of Bangalore, 1967-68, p. 198.
- ⁹¹ Ibid, p. xii.
- ⁹² Ibid, p. 196.
- ⁹³ Administration Report, Corporation of the City of Bangalore, 1968-69, p. iii.
- ⁹⁴ BDC 1954, pp. 28-29.
- ⁹⁵ ODP 1963, pp. 46-47.
- ⁹⁶ Ibid, p. 48.
- ⁹⁷ Ibid, p. 57.

⁹⁸ BDC 1954, p. 60.

⁹⁹ Ibid, p. 61.

¹⁰⁰ Ibid, pp. 72-73.

¹⁰¹ Ibid, pp. 78-80.

¹⁰² ODP 1963, pp. 113-114.

¹⁰³ RCDP 1976, p. i.

¹⁰⁴ RCDP 1976, p. 2.

¹⁰⁵ RCDP 1976, p. 4. In 1975 the total residential land area was 7600 hectares and it was predicted that by the year 2001, the total requirement would be 10, 524 hectares.

¹⁰⁶ Ibid, pp. 5-6.

¹⁰⁷ Ibid, p. 7-8.

¹⁰⁸ Ibid, p. 8.

¹⁰⁹ Ibid, pp. 8-9.

¹¹⁰ Ibid, p. iii

¹¹¹ The constituent spaces which were to be created within the classified zones were-

a. Residential zone- It was divided into two categories A&B, 'A' category consisted of- "Dwellings, boarding houses (Non-commercial), hostels, rooming houses, Churches, temples and other places of worship, schools offering general educational course, libraries, Post offices,...etc.", and 'B' category consisted of- "Municipal, State and Central uses, public utility, golf clubs, green houses, hospitals for human care except those meant primarily for mental treatment, convalescent homes, philanthropic uses; transient visitor's camps; dairy and poultry farms..."etc.;

b. Commercial zone- was divided into two categories- "Retail Business zone" and "Wholesale business zone"; Retail business zone was classified into A&B; 'A' category consisted of- "Offices, shops, service shops, hostels, clubs, clinics and nursing homes, choultry and Kalyana Mantap, newspaper or job printing office, banks, cinema theatres, places of amusement or assembly, restaurants, advertising signs conforming to relevant building bye-laws, churches, temples and other places of worship; schools and schools and other institutions, libraries, Municipal, State or Central uses; any retail business or service not specifically restricted or prohibited therein, residential or boarding houses in upper floors,...etc.", and 'B' category consisted of- "Garages; manufacturing establishments employing not more than ten labourers and manufacturing goods to be sold by the manufacturer in retail with not more than 20HP in district shopping centres..."etc., and; Wholesale business zone was divided into two categories A&B- Category A consisted of uses as in the Retail business zone with energy consuming capacity enhanced upto 50 HP and category B included the same as included in the category of retail business zone except residences, schools, hospitals and storage of inflammable materials, junk yard, truck terminals and parking;

c. Industrial zone- It was classified into three categories - "Light Industry zone", "Medium Industry zone" and "Heavy Industry zone"; Light industry zone consisted of industries which would conform to standards- activity which would not cause injury or obnoxious fumes, odour, dust, effluent, or other objectionable conditions, employment of only 100 workers, power consuming capacity of not more than 50 HP, etc.,- Bread and bakeries, Confectionary, candies and sweets, Biscuit making, Ice, ice-cream and creamery, Cold Storage, Aerated water and fruit beverages, 'Flour mills' with power, Tailoring and garment making, handlooms and power looms, Hats, caps, turbans including embroidery, Hosiery including knitted garments, gold and silver thread, shoe lace making..."etc.; Medium Industrial zone- The limit of 100 to 500 workers and power consuming capacity of 50 to 500HP and permitted industries- small domestic appliances and gadgets, trunks, metalboxes, suit-cases, precision instruments for scientific, educational and industrial purposes, clocks and watches, photographic equipments, typewriters, electronic instruments, calculating machines, etc., and; Heavy Industrial zone- all the manufactures permitted in the light and medium industrial zones which could employ more than 500 hundred workers and could consume power more than 500HP.

d. Agricultural zone- It was classified into A&B- Category A consisted of land uses put to agriculture horticulture, dairy and poultry farming, milk chilling centres, farm houses and their necessary buildings, brick kilns, orchards, market gardens, nurseries, etc., and Category B included places of worship, schools, hospitals, libraries, educational and cultural buildings servicing and repair of farm machinery, public utility buildings, etc.

e. Public and semi-public zone- the land uses permitted were government administrative centres, municipals offices, district offices, secretariats, law courts, jails, police Stations, educational, cultural and religious institutions including libraries, clubs and reading, medical and health institutions, opera houses, etc.

f. Parks, playgrounds and recreational areas- parks, playgrounds, parkways, boulevards, burial grounds, crematorium, etc., (ibid, pp. 63-67 and pp. 80-84).

¹¹² Those areas were part of the City area, which were under the control of the Princely Mysore State.

¹¹³ Report on the Comprehensive Development Plan of Bangalore (RCDP), Director of Town Planning, Bangalore, pp. 183-186.

¹¹⁴ Ibid, pp. 119-122.

¹¹⁵ Ibid, pp-123-125.

¹¹⁶ Comprehensive Development Plan Report (CDP), 1985, p. 54, p. 56, & p. 92; Comprehensive Development Plan (Revised) Bangalore –Report [CDP 1995], Vol. I & II, Bangalore Development Authority, Bangalore, 1995, pp. 133-134, pp.136-137 and pp.184-185.

¹¹⁷ RCDP 1976, pp. 177-178; CDP 1985, pp. 88-89; & CDP 1995, pp. 178-179.

¹¹⁸ RCDP 1976, pp. 169-170; CDP 1985, pp. 83-84; & CDP 1995, pp. 173-174.

¹¹⁹ RCDP 1976, pp. 170-171 & 178-179; CDP 1985, pp. 83-84 & p. 89; & CDP 1995, pp. 174-175 & 179-180.

¹²⁰ RCDP 1976, pp. 149-150; p. 213.

¹²¹ Ibid, p. 129.

¹²² Ibid, p. iv.

¹²³ Ibid, p. 60.

¹²⁴ Ibid, p. 67.

¹²⁵ Ibid, pp. 137-138.

¹²⁶ Ibid, pp. 146-47.

¹²⁷ Ibid, pp. 191.

¹²⁸ Ibid, pp. 195-196.

¹²⁹ Ibid, pp. 197-198.

¹³⁰ Ibid, pp. 214-215.

¹³¹ Ibid, pp. 166-168.

¹³² Ibid, pp. 221-222.

¹³³ Ibid: pp. 139-140; pp. 208-209; pp. 155-158; pp. 206-207; pp. 206-207; & pp. 219-220.

¹³⁴ Ibid: pp. 139-140; pp. 208-209; pp. 155-158; pp. 206-207; pp. 206-207; & pp. 219-220.

¹³⁵ Localities or Villages in the districts were: (a) District 5B- Puttenahally, Mandalkunte, Chikkabommasandra, Alalsandra, Tinnalu, Kodigehalli plantations, University of Agricultural Sciences Campus, and sizeable settlement of Yelhanka and the satellite town; (b) District 8- ITI Colony, K.R. Pura village, Kothur, Vijinapura, Dyavasandra, Chikka Dyavasandra, Sannathammanahalli, Voddarapalya, Erayanapalya, Kowdenahalli, Horamavu, Channasandra, Banasawadi, Chikka Banasawadi and Krishnapalya; (c) District 13- Byrasandra, Tavarekere, Hongasandra, Madivala, Bilekahalli, Kodichikkanahalli, etc.; (d) District 16- Pantharapalya, Nayandanahally, Nagadevanahalli, Doddapalya, Kenchanahalli, and Halage Vaderahalli; (e) District 16A- Kengeri and Kengeri Satellite town, and villages- Holgerihalli, Vaddarapalya, Patangere, and Mailsandra; and (f) District 18A- Dasarahalli, Bagalakunte, Chikkasandra, Shettihalli, Kamagondanahalli, and Medarahalli.

¹³⁶ RCDP 1976, pp. 139-140 & pp. 208-209.

¹³⁷ Ibid: pp.141-145;pp. 151-154; pp. 159-161; pp. 162-165; pp. 173-176; pp. 187-189; pp. 199-201; and pp. 204-205. Localities or Villages in the districts were: (a) District 6- Jayamahall Extension, Pottery Town, Benson Town, Byadarahalli, Chinnappa Garden, Devarajeevanahalli, Munireddypalya, Infantry lines and Mysore Lancer lines, Rahamathnagar, Gangenahalli Extension, Hindustan Machine Tools Colony, University of Agricultural Sciences Colony, State Bank Colony, Hebbal, Guddadahalli and Cholanayakanahalli, Matadahalli, Kaval-Byrasandra, Kadugondanahalli, Shampur, Viswanath Nagenahalli, Voddarapalya, Nagavara, Erappanapalya, Hebbal, Amanikere and Kempapura; (b) District 7- Richards Town, Cooke Town, St. Thomas town, Jeevanahalli, Jayabharathinagar, Maruthinagar, Nagannanapalya, Byappanahalli, Venkateshpura, Kalagondanahalli, Lingarajapura, Kariyanapalya, Subbaianapalya, Banswadi, Kummanahalli, Kacharakannahalli, Amruthanpalya, Challakere, Hennur and Nagavara; (c) District 8A- Doddanekundi, Kaggadaspura, Garakamanthanapalya, Thippasandra, etc., and localities- Jayamahall extension, Indiranagar, M. Kaval, etc.; (d) District 8B- Hindustan Aeronautics Limited, N.A.L Colony, Railcoach Division of H.A.L. and National Aeronautical Laboratory, Jeevan Bheema Nagar, H.A.L. Colony, Konenaagrahara, Murugeshpalya, Annasandrapalya, Vibhuthipura, Kodihalli, Challaighatta, Belur Nagasandra, Kemapura and Yemalur; (e) District 9A- western part of Indiranagar, Appareddypalya, Laxmipuram, Jogupalyam, Gowthamnagar and Someshwarapuram, Domlur area, Austin Town, Vannarpet, Sonnenahalli layout, Neelasandra, defence areas, Audugodi, Koramangala layout and Maistripalya; (f) District 12- Kanakapura Road, Kaddrenahally, Chikkalsandra, Govinayakanahally, Ittamadu and part of Jaraganahally, N.R. colony, Thyagaraja Nagar, Yediyur, and Banashankari II and III stages; (g) Visweswarapuram, part of Basavanagudi and Jayanagar were already urbanized areas; villages of Siddapura, Byrasandra, Marenahalli, Sarakki, Jaraganahalli, Puttenahalli, and Doresanipalya; and (h) District 15- Shankarapuram, Basavanagudi, Raghavendra Colony, Azad Nagar, Valmiki Nagar, Gavipura Extension, Hanumanthanagar and Banashankari; and the district had also villages- Hosakerehally, Byatarayanapura, Karithimmanahalli, Anchepalya, etc.

¹³⁸ Localities or Villages in the districts were: (a) District 6- Jayamahall Extension, Pottery Town, Benson Town, Byadarahalli, Chinnappa Garden, Devarajeevanahalli, Munireddypalya, Infantry lines and Mysore Lancer lines, Rahamathnagar, Gangenahalli Extension, Hindustan Machine Tools Colony, University of Agricultural Sciences Colony, State Bank Colony, Hebbal, Guddadahalli and Cholanayakanahalli, Matadahalli, Kaval-Byrasandra, Kadugondanahalli, Shampur, Viswanath Nagenahalli, Voddarapalya, Nagavara, Erappanapalya, Hebbal, Amanikere and Kempapura; (b) District 7- Richards Town, Cooke Town, St. Thomas town, Jeevanahalli, Jayabharathinagar, Maruthinagar, Nagannanapalya, Byappanahalli, Venkateshpura, Kalagondanahalli, Lingarajapura, Kariyanapalya, Subbaianapalya, Banswadi, Kummanahalli, Kacharakannahalli, Amruthanpalya, Challakere, Hennur and Nagavara; (c) District 8A- Doddanekundi, Kaggadaspura, Garakamanthanapalya, Thippasandra, etc., and localities- Jayamahall extension, Indiranagar, M. Kaval, etc.; (d) District 8B- Hindustan Aeronautics Limited, N.A.L. Colony, Railcoach Division of H.A.L. and National Aeronautical Laboratory, Jeevan Bheema Nagar, H.A.L. Colony, Konenaagahara, Murugeshpalya, Annasandrapalya, Vibhuthipura, Kodihalli, Challaghatta, Belur Nagasandra, Kemapura and Yemalur; (e) District 9A- western part of Indiranagar, Appareddypalya, Laxmipuram, Jogupalyam, Gowthamnagar and Someshwarpuram, Domlur area, Austin Town, Vannarpet, Sonnenahalli layout, Neelasandra, defence areas, Audugodi, Koramangala layout and Maistripalya; (f) District 12- Kanakapura Road, Kaddrenahally, Chikkalsandra, Govinayakanahally, Ittamadu and part of Jaraganahally, N.R. colony, Thyagaraja Nagar, Yediyur, and Banashankari II and III stages; (g) Visweswarapuram, part of Basavanagudi and Jayanagar were already urbanized areas; villages of Siddapura, Byrasandra, Marenahalli, Sarakki, Jaraganahalli, Puttenahalli, and Doresanipalya; and (h) District 15- Shankarapuram, Basavanagudi, Raghavendra Colony, Azad Nagar, Valmiki Nagar, Gavipura Extension, Hanumanthanagar and Banashankari; and the district had also villages- Hosakerehally, Byatarayanapura, Karithimmanahalli, Ancephalya, etc

¹³⁹ RCDP 1976, pp. 126-128; pp. 130-131; pp. 132-133; pp. 134-136; and pp. 217-218.

¹⁴⁰ Localities or Villages in the districts were: (a) District 3- Kempapura Agrahara, Binny Mill quarters areas, Goripalya, Police quarters to the South of Goripalya, Padarayanapura, Haleguddadahalli, Hosaguddadahalli, Bapujinagara, Vijayanagar, Rajajinagar Vth Block, Rajajinagar Industrial Estate, Mysore Road, etc.; (b) District 4- Peenya, Peenya Industrial Estate, Sharavathi Receiving Station, Guruguntepalya, Harijan Colony, Kanteerava Studio, Industrial Suburb Area, Harijan Colony, Mahalakshmi Layout, Vaddarapalya, West Chord Road Extension, Shivanahalli, Saneguruvanahalli, CITB scheme layout, Agrahara-Dasarahalli layout, Kamakshipalya, Kurubara Palya and Laggere village; (c) District 4A- Nagasandra, Chokkasandra and Nallakadarenahalli; (d) District 5- Hebbal Tank area, Bhoopasandra, Nagasettyhalli, Lottegollahalli, Poornapura, Mathikere, Chikkamaranahalli, Geddalalahalli, Devanapalya, Nadaralinganahalli and Subedarapalya, Indian Institute of Science, University of Agricultural Science, Yeshwanthapura, Gokulam, and Rajamahall Vilas Scheme areas; and (e) District 18 - Thanniranahalli, Jalahally, part of Doddabommasandra, and Peenya village. And the developed areas- Peenya Industrial Estate, HMT public sector industrial unit, etc.

¹⁴¹ Comprehensive Development Plan Report, 1985, Introductions' first page without page number.

¹⁴² Ibid, Introductions' second page without page number.

¹⁴³ Ibid, p. 8.

¹⁴⁴ Ibid, p. 10.

¹⁴⁵ Villages of the planning district no. 5A were Tinnalu, Byatarayanapura, Kodigehalli and Kothihosahalli.

¹⁴⁶ Localities/Villages of the planning district no. 14A were Vajarahalli, Raghavanapalya, Thippasandra, Dodkalesandra, Konankunte, Chunchaghtta, Alahalli and Kothnur, and two State highways- they are Bangalore-Anekal Road in the east and Bangalore-Kanakapura Road in the west passed through the planning district.

¹⁴⁷ RCDP 1976, p. 202; CDP 1985, p. 104.

¹⁴⁸ Villages of District No. 13 were Bilekahalli, Kodichikkanahalli and Hongasandra.

¹⁴⁹ Pantharapalya, Nayandanahally, Nagadevanahalli, Doddapalya, Kenchanahalli, and Halage Vaderahalli were the villages and Ideal Homes Colony were the places of District No. 16 and Mysore Road- a State Highway passes through the district.

¹⁵⁰ Villages of District No. 18A are Bagalakunte, Chikkasandra, Shettihalli, Kamagondanahalli and Mederahalli and National Highway No. 4 passes through the district.

¹⁵¹ RCDP 1976, p. 193; CDP 1985, p. 98.

¹⁵² RCDP 1976, p. 206; CDP 1985, p. 107.

¹⁵³ RCDP 1976, p. 219; CDP 1985, p. 114.

¹⁵⁴ In District 8A the localities termed as "posh"- they were Indiranagar, Palace Orchards and Jayamahall and villages were Doddanekundi, Kaggadasapura, Garakamanthanapalya, etc

¹⁵⁵ District 9A had localities of Indiranagar, Koramangala Layout, Austin Town, Sonnenahalli Layout, Vannarpet, Gowthamanagar, etc., and villages- Appareddypalya, Laxmipuram, Jogupalya, Sonnenahalli Neelasandra, Domlur, etc.

¹⁵⁶ District 12 had villages of Kadirenahally, Chikkalsandra, Govinayakanahally, Ittamadu and part of Jaraganahally and localities of N.R. Colony, Thyagaraja Nagar, Yediyur and Banashankari II and III Stages.

¹⁵⁷ District 14 had villages of Siddapura, Byrasandra, Maranahalli, Sarakki, Jaraganahalli, Puttenahalli, and Doresanipalya and localities of Visweswarapuram, part of Basavanagudi, Jayanagar and J.P. Nagar.

¹⁵⁸ District 15 had villages of Hosakerehally, Byatarayanapura, Karithimmanahally, Anchepalya, etc., and localities of Shankarapuram, Basavanagudi, Raghavendra Colony, Azad Nagar, Valmiki Nagar, Gavipura Extension, Hanumanthanagar and Banashankari II stage.

¹⁵⁹ RCDP, 1976, p. 160; CDP 1985, p. 79.

¹⁶⁰ RCDP 1976, p. 174; CDP 1985, p. 87.

¹⁶¹ RCDP 1976, p. 204; CDP 1985, p. 105

¹⁶² RCDP 1976, p. 188; CDP 1985, p. 95.

¹⁶³ RCDP 1976, p. 199; CDP 1985, p. 103.

¹⁶⁴ District No. 3 had villages of Kempapura Agrahara, Goripalya, Padaryanapura, Haleguddada Halli, Hosaguddadahalli, Hosahalli, Thimmenahalli, Marenahalli, Attiguppe, Gangomdanahalli and Devatige Ramanahalli and localities of RajajinagarVth Block, Rajajinagar Industrial Area, Police Quarters, Bapujinagar, REMCO Factory area, and Vijayanagara.

¹⁶⁵ District No. 5 had villages of Yashawanthapura, Mathikere, Boopasandra, Chickmaranahalli, Geddalalahalli, Devenapalya, Nadaralinganahalli and Subedarpalya and localities of Indian Institute of Science, University of Agricultural Sciences, Yashawanthapura, Gokulam and Rajamahil Vilas Scheme.

¹⁶⁶ District No. 18 had villages of Thanniranahally, Jalahalli, part of Doddabommasandra and Peenya Village.

¹⁶⁷ CDP 1985, p.58

¹⁶⁸ Ibid, p. 64

¹⁶⁹ RCDP 1976, p. 127; CDP 1985, p. 59.

¹⁷⁰ RCDP 1976, p. 135; CDP 1985, p. 65.

¹⁷¹ RCDP, 1976: 217; CDP, 1985, p. 113

¹⁷² CDP, 1985, p. 78.

¹⁷³ Note- GB= Green Belt

¹⁷⁴ District no. 4 had villages of Peenya, Goragunte Palya, Vaddarapalya, Shivanahalli, Sanneguruvanahalli, Agrahara Dasarahalli, Kamakshipalya, Kurubara Palya and Laggere and localities of Sharavathy receiving station, Peenya industrial estate, Harijan Colony, Kanteerava Studio, Industrial Suburb Area, Mahalakshmi layout, West Chord Road extension and Nandini Scheme.

¹⁷⁵ District no. 4A had villages of Nagasandra, Chokkasandra and Nallakadirenahalli.

¹⁷⁶ District No. 3A had villages of Hegganahalli, Sunkadakatte, Srigandadakaval, Malgalpalya, Malathhalli, Giddakonenahalli, Nagarabhavi, Athiguppe, Gangondanahalli, Maranahalli and Konenahalli.

¹⁷⁷ District No. 6B had villages of Sampigehalli, Venkateshapura, Srirampura, Rachenahalli, Thanisandra, Kothanur, Narayanapura, Geddalalahalli and Palya.

¹⁷⁸ District No. 12A had villages of Yelachanahalli, Bhikaspura, Vasanthapura, Marisandra, Uttarahalli, Vaddarapalya, Channasandra, Ganakallu, Arehalli and part of Halgevoderahalli.

¹⁷⁹ District No. 13A had villages of Chandrasekarapura, Arekere, Hulimavu and Devarachikkanahalli.

¹⁸⁰ CDP 1985, p. 60

¹⁸¹ Ibid, p. 60.

¹⁸² Ibid, p. 74

¹⁸³ RCDP 1976. p. 196; CDP 1985, p. 99.

¹⁸⁴ RCDP 1976, p. 130-131

¹⁸⁵ Ibid, p. 132; CDP 1985, p. 63.

¹⁸⁶ Localities and Villages in the District No. 6 were Jayamahil Extension, Pottery Town, Benson Town, Byadarahalli, Chinnappa Garden, Devarajeevanahalli, Munireddypalya, Infantry lines and Mysore Lancer lines, Rahamathnagar, Gangenahalli Extension,

Hindustan Machine Tools Colony, University of Agricultural Sciences Colony, State Bank Colony, Hebbal, Guddadahalli and Cholanayakanahalli, Matadahalli, Kaval-Byrasandra, Kadugondanahalli, Shampur, Viswanath Nagenahalli, Voddarapalya, Nagavara, Erappanapalya, Hebbal, Amanikere and Kempapura.

¹⁸⁷ Localities and Villages in the District No. 7 were- Richards Town, Cooke Town, St. Thomas town, Jeevanahalli, Jayabharathinagar, Maruthinagar, Nagannanapalya, Byappanahalli, Venkateshpura, Kalagondanahalli, Lingarajapura, Kariyanapalya, Subbaianapalya, Banswadi, Kummanahalli, Kacharakanahalli, Amruthanpalya, Challakere, Hennur and Nagavara

¹⁸⁸ Localities and Villages in the District No. 8B- Hindustan Aeronautics Limited, N.A.L Colony, Railcoach Division of H.A.L. and National Aeronautical Laboratory, Jeevan Bheema Nagar, H.A.L. Colony, Konenaagrahara, Murugeshpalya, Annasandrapalya, Vibhuthipura, Kodihalli, Challaghatta, Belur Nagasandra, Kemapura and Yemalur

¹⁸⁹ CDP 1985, p. 69.

¹⁹⁰ RCDP, 1976, p. 143 & p. 163; CDP 1985, p.70 & p. 81.

¹⁹¹ District No. 8 had villages of K.R. Pura, Kothanur, Vijinapura, Dyavasandra, Chikka Dyavasandra, Sannthammanahalli, Voddarrapalya, Erayanapalya, Kowdenhalli, Horamavu, Channasandra, Banasawadi, Chikka Banasawadi and Krishnapalya and it had vast defence lands and I.T.I colony.

¹⁹² District No. 16A had villages of Holerihally, Vaddarapalya, Patangere, Mailsandra and locality of Kengeri town.

¹⁹³ RCDP, 1976: 156 & 206; CDP 1985: 77 & 107.

¹⁹⁴ District No. 18B had villages of Guddadahalli, Lakshmipura, Abbigere, Shingapura, Jarakabandekaval, Chikkabettahally, Narasipura, Ramachandrapura, Doddabommasandra, etc.

¹⁹⁵ RCDP 1976: 221; CDP 1985: 114.

¹⁹⁶ RCDP 1976:139 & CDP 1985: 68; RCDP, 1976: 147 & CDP 1985: 72; RCDP 1976: 167& CDP 1985: 83; RCDP 1976: 197& CDP 1985: 101; RCDP 1976: 211& CDP 1985: 110; and CDP 1985: 112.

¹⁹⁷ District No. 5B had villages of Puttenahally, Mandalkune, Chickkabommasandra, Alalsandra and Tinnalu plantation, and the localities of Yelahanka Satellite Town and University of Agricultural Sciences Campus.

¹⁹⁸ District No. 6A had villages of Jakkur, Amruthahalli, Dasarahalli, Mariyanapalya, part of Byatarayanapura and part of Yelahanka and the area of Flying Training School at Jakkur.

¹⁹⁹ District No. 8C had Doddanekundi Industrial Area.

²⁰⁰ District No. 17 had villages of Jakkasandra, Vekatapura, and Agara, and an expanse of Defence Area.

²⁰¹ District No. 17A had villages of Kaikondanahalli, Kasavanahalli and Junnasandra.

²⁰² RCDP, 1976, pp. 214-216; CDP 1985, pp. 209.

²⁰³ Land Acquisition Act, 1894 together with State Amendments and Short Notes, 2000, Eastern Book Company, Lucknow, pp. 13-14.

²⁰⁴ Land Acquisition Act, 1894 together with State Amendments and Short Notes, 2000, Eastern Book Company, Lucknow, pp. 5-6.

²⁰⁵ Governmental Agencies- Karnataka Housing Board, Bangalore Development Authority, Karnataka Slum Clearance Board, and Bangalore City Corporation; and Private agencies- Housing Societies and the general public (CDP 1985: 3).

²⁰⁶ CDP 1985, p. 3.

²⁰⁷ By then CITB had formed 65 residential layouts, the BDA which replaced CITB was in the process of implementing 32 schemes which was to be totally 6000 acres, to yield 92,818 sites. Moreover, BDA was building houses for economically weaker sections (EWS), lower income groups (LIG), middle income groups (MIG), and higher income groups (HIG) (CDP 1985: 3-4).

²⁰⁸ The Karnataka Co-operative Societies Act, 1959, Department of Law and Parliamentary Affairs, Government of Karnataka. The law and approach to it, is discussed in greater detail in the following chapter.

²⁰⁹ G.V.K. Rao 1988, Report on an Enquiry Conducted Under Section 64 of Karnataka Co-operative Societies Act 1959 into the Activities of Certain House Building Co-operative Societies of Bangalore City, Bangalore. (from now on for reference purposes of citation the usage would be- GVK Rao, Report 1988)

²¹⁰ Ibid, p. 1.

²¹¹ Ibid, p. 2.

²¹² Ibid, pp. 2-3.

²¹³ Jurisdiction was the spatial delimitation set for any given HBCS within the spatial limits of the Bangalore City Corporation and BDA, to admit individuals as their member who sought to buy a housing site. *Narayana Reddy & Another vs. State of Karnataka and Others*, p. 577.

²¹⁴ GVK Rao, Report 1988, p. 3.

²¹⁵ *Ibid*, p. 4.

²¹⁶ *Ibid*, p. 5.

²¹⁷ *Ibid*, pp. 6-7.

²¹⁸ *Ibid*, pp. 12-13.

²¹⁹ Court had made rulings in a case – *Narayana Reddy & Another vs. State of Karnataka and Others*, 1991 – based on the findings of GVK Rao, Report 1988. In that case court had elaborated on various issues and had broadly concluded that HBCS residential developments had become business ventures.

²²⁰ Proceedings of the Government of Karnataka, Government Order No. HUD 775 MNX 87 (P), Bangalore, Dated 27th September, 1990.

²²¹ *Ibid*, p. 17.

²²² *Ibid*, p. 17.

²²³ *Ibid*, p. 18.

²²⁴ *Ibid*, p. 18.

²²⁵ *Ibid*, p. 20.

²²⁶ Urban Development Authorities included- Central Public Works Department, Karnataka Public Works Department, Karnataka Housing Board, Karnataka Slum Clearance Board, etc.

²²⁷ Laws included- The Bangalore Development Authority Act, Karnataka Land Revenue Act and Karnataka Municipalities Act, 'to prevent grant of ex-parte stay orders by courts without hearing the respective authorities (*ibid*:21).

²²⁸ Proceedings of the Government of Karnataka, Government Order No. HUD 775 MNX 87 (P), Bangalore, Dated 27th September, 1990, pp. 22-23.

²²⁹ Ravindra, A. 1992, Metropolitan Bangalore- A Management Perspective, The Times Research Foundation, Bangalore.

²³⁰ *Ibid*, p. 1.

²³¹ *Ibid*, pp. 1-2

²³² *Ibid*: 6. The management study identified the 'enormous research and development potential' in Bangalore. Indian Institute of Science, Defence, Bio-engineering and Electro-Medical Laboratories, the National Dairy Research Institute, the National Tuberculosis Research Institute, the National Aeronautical Laboratory, etc., and there was many in-house research carried out in large industrial establishments, were part of the growing base of R&D- in electronics, defence, agriculture, machine tools, space, etc. Commensurate to such R&D, was the scientific and intellectual labour, and 'excellent communication networks' which were present in the city. Thus the study suggested a strategy for the 'future' to 'strike a balance between the need to curtail growth' of the city and 'promote development' to disallow the city to stagnate, therefore it was suggested to encourage- 'small firms with hi-tech orientation', 'State Level Technological Development Programme'- to 'create a technology seed belt', etc., (*ibid*: 42-43).

²³³ *Ibid*, p. 7.

²³⁴ The prescriptions were- Development of counter magnets- termed as *National Priority Cities* – Mangalore, Mysore, Hubli-Dharwad, and Gulbarga and development of Class I cities (it is a census definition) as *State Priority Cities*; Satellite towns in the Bangalore region were to be developed with proper infrastructure to promote intra-regional employment opportunities; a Structure Plan for the Bangalore Metropolitan Area to balance growth and development at the intra-city level; the industrial policy were to concentrate on the development of hi-tech, small firms which would enhance the economic and financial services role of Bangalore; and rigid land uses restricted by town planning concepts of zoning and building regulations were suggested to be liberalized so that land use could be attending to the dominant functions of the city and would also ensure optimum utilization of land (*ibid*: 8).

²³⁵ The call for *growth* was happening in the immediate (the post 1991 scenario) context of the liberalization of the economy by the government of India. It was part of the general trend the world-wide, though the contexts were different. Around the same time, Fainstein details such a trend, in the context of economic restructuring and the redevelopment strategies of the cities of London and New York, where the real estate development was being promoted by the *growth driven* local governments, in the interiors of the cities which was creating space for the service industry (Fainstein, Susan S. 1994, *The City Builders- Property, Politics, & Planning* in London and New York, Blackwell Publishers, Oxford UK/Cambridge USA).

²³⁶ The advocacy elaborated the point in the following manner- "it is envisaged that a plan must contain a vision of the future role of the city. The changes taking place in the economic and social structure must be recognised and the potentialities of the city to

generate employment and wealth identified. A policy which would enable positive development and restrict undesirable development needs to be adopted. *It is better to plan for growth than allow unplanned growth*" (Ravindra 1992: 2).

²³⁷ Ibid, p. 2

²³⁸ Ibid, pp. 2-3.

²³⁹ The laws which were creating obstacles were 'The Urban Land Ceiling Act, 1976' and 'The Karnataka Town and Country Planning Act, 1961'. "The Urban Land Ceiling law is a case in point. Though based on sound objectives, it has not been conceived well in terms of its operational details and its operation has shown that it has been a self-defeating exercise. The town planning law has proved inadequate to respond to the requirements of a growing, dynamic city" (Ravindra, 1992: 4).

²⁴⁰ Ibid, p. 5.

²⁴¹ Other sectors were Traffic and Transportation, Utilities and Environment, Communication, Energy, and Economic and Social Infrastructure. Of these sectors energy, communications and transportation were earning surpluses against the investments, whereas all other sectors were showing the deficits. Thus it was suggested that- changes in the pricing policy- subsidies on the services were to be replaced by a rational pricing of services to the 'sizeable section of consumers' who could 'afford to pay'; taxes were to be imposed on urban vacant land and comprehensive review of property taxes, to increase the financial resources; 'devolution of revenues' such as Motor Vehicle Tax, Octroi, etc., from the level of government to local level; It was suggested that BDA, BCC, etc., approach financial institutions- HUDCO, HDFC, etc.,; and it was suggested that 'private sector participation' was to be 'actively promoted in creating more socially desirable assets as part of the strategy for the overall development of Bangalore' (ibid: 13).

²⁴³ On an average per year, from 1991 to 2001, the requirements of land was 2,500-3000 acres. The total city land surveyed was 28,021 acres of which 5.34% vested with State Government, 3.96% with Central Government, 9.84% with Corporation (BCC), Public Institutions 2.79%, BDA and Housing Board 1.10%, and with the private 76.97 %. Since the public institutions had an extra of 3094 acres of land and major part of the land was within the private ownership, such lands were to be acquired and to be redistributed. It was pointed out that the governmental institutions, both the public sector industrial concerns and the research and educational institutions, had large size of extra lands which were unused for longer periods of time on the assumption that it would be required for future expansion. The argument was that 'the fact that most of such land would have been acquired after payment of compensation... [which amounted to] poor resource utilisation' resulting in 'creation of artificial scarcities' of land. Thus it was suggested that such vacant land could be put to use. Given the scarcity of land, the prices of land were increasing at faster rates. Land prices during the period 1950-1985 had increased by 4215% and during the decade 1975-76 to 1985-86 the increase was 445%. Given the condition, to solve the problem, the policy was to concentrate on (a) 'control of land prices', (b) 'efficient and economic utilisation of land, and (c) 'augmentation of supply of developed land to the extent of 35,000 acres by 2001'. To implement the measures suggested, 'land information system' and a nodal agency- 'Bangalore Urban Land Exchange'- related to land availability, land transactions and land prices, was to be developed. The purpose it was to serve was elaborated in the manner that- "All private owners of urban property intending to transfer any property by way of sale, mortgage etc., will first have to notify to the Land Exchange. All such property will be listed and notified everyday, showing the relevant particulars such as location, area, etc., along with the price quoted. The buyer will, after inspecting the property, quote his price within a specified period. The seller will then be able to get a proper price for his property." It was thought that such a system would be beneficial in terms of availability of information regarding- supply of land/property on any day at one place. A healthy land market will come into existence in view of the active interplay of forces of demand and supply' and 'scope for under-valuation and evasion of taxes' would be decreased (ibid: 78-80).

²⁴⁴ That time, the governmental production of space for residential needs were- a. The erstwhile CITB had distributed 64,656 residential sites during the period 1945 to 1976, and the BDA during 1976 to 1987 had distributed 41,922 sites. b. BDA had built 7,296 houses, KHB had built 20,506 houses, for slum dwellers KSICB had built 6,971 houses, BCC for its 'sanitary workers' had built 1,500 houses. The study noted that the space produced for residential purposes was insignificant (ibid: 84-85).

²⁴⁵ By 1987, 128 housing cooperative societies, had acquired 1050 acres of land was acquired and had formed 13, 000 sites in and around Bangalore city (ibid. 85).

²⁴⁶ At the legal-institutional level there were other issues, the management study found that there were multiple number of governmental agencies and laws which were operational within the Bangalore Metropolitan Region, which had resulted in overlapping functions and jurisdictions of agencies- BCC, BDA, BMRDA, etc.- which were responsible for civic, planning and development, coordination, etc. For instance, Karnataka Town and Country Planning Act, 1961, Bangalore Development Authority Act, 1976 and Bangalore Metropolitan Development Authority Act, 1985 were all enacted with a single purpose- planned development, and the institutions created according to the acts had common aim too, thus there was overlapping functions and jurisdictional problems resulting in conflicting claims over various issues and so on (ibid: 14). There were other types of legal hurdles too. This was regarding land acquisition- there was considerable delay acquiring land under Land Acquisition Act- the average time taken to acquire lands under the act was five years, and in some cases it was ten years; the gap between the completion of acquisition proceedings and the final taking of the possession of land was of first lot of lands and last lot of land extended up to 6-7 years; and the lands initially notified for acquisition could not be fully realized in the final acquisition- only 60% of land could be finally could be acquired in most of the cases of acquisition. BDA was facing obstacles in acquisition because the notified would already be partially developed; or when notified, unauthorized constructions come up on the lands to avoid acquisition; land owners take matter to the court resulting in protracted litigation and so on (ibid: 134).

²⁴⁷ The three provisions of Karnataka Land Reforms Act – a. according to Section 79A an individual of a family or joint family whose income limits were to cross Rs. 50000 from non-agricultural sources, was not 'entitled to acquire any land whether as land owner, landlord, obtaining or mortgaging for possession or otherwise or partly in one capacity and partly in another'; b. according to Section 79B a non-cultivator was prohibited from owning the agricultural land; and c. according to Section 80, sale or transfer of agricultural land in favour of non-agriculturalists would be valid, except under the conditions that Assistant Commissioner could

'grant the permission for such sale of land to a person who intends to take up agriculture, subject to certain conditions'. These provisions if they were to have been implemented strictly, it would have been impossible to convert any agricultural land for urban developments. Despite the existence of such provisions of the given act, agricultural lands were converted for non-agricultural purposes. Thus the relevance of such provisions of the Act in the Bangalore Metropolitan Area was called for a review (ibid: 136-137).

²⁴⁸ According Section 95 of the Karnataka Land Revenue Act, to convert the agricultural land to non-agricultural purposes, an approval was to be obtained from Deputy Commissioner of the concerned district. The stipulated time fixed for the Deputy Commissioner to take a decision for approval was maximum 60 days, whereas generally it was taking much longer time than that. Thus, the land area which was within the Master Plan was to exempted from such delays by a review of the provision of the Act (ibid: 137).

²⁴⁹ The Urban Land (Ceiling & Regulation) Act sought to 'impose ceiling on vacant land and to acquire the land in excess of the ceiling limit'. The main purpose of the act was to 'prevent the concentration of urban land in the hands of few persons, speculation and profiteering and bring about equitable distribution of land to subserve the common good'. The law was seen as counter productive. This had led to prolonged litigations because the land owners were enabled to prolong the proceedings, and protracted process to acquire lands. Lands acquired in excess were in the periphery, thus the valuable and prime land in the core area was already exempted, and so on (ibid: 137-138).

²⁵⁰ The idea of 'Land Readjustment Scheme', proposed two options- i. either land owners were expected to part a portion of their land for a development scheme, or ii. a portion of developed land would be given back to the land owner. This method would avoid 'lengthy legal procedures' and land acquisition would take place quickly. Time and Money were both to be saved. That would moreover involve the land owners in the process, thus could give them a 'sense of participation' (ibid: 136).

²⁵¹ It was suggested that the Government liberalize the legal and administrative procedures to create a 'conducive atmosphere' to promote private investments in residential land development. The land acquired for residential development by the private developer or housing cooperatives were to take the responsibility of making provision of 20% of the developed land or housing for the weaker sections and so on (ibid: 86-87).

²⁵² Ibid, p. 9.

²⁵³ Ibid, pp. 44-45.

²⁵⁴ Ibid, p. 58-61.

²⁵⁵ CDP-Revised was not alarmed as it happened with CDP 1985.

²⁵⁶ Despite such declaration, the plan tends to do the opposite, or rather it is ambivalent, when it declares that "recommendations are made to seriously curb the growth in Bangalore Local Planning Area and encourage growth of other small and medium towns in the state" (CDP-Revised 1995: 3).

²⁵⁷ Comprehensive Development Plan (Revised) Bangalore-Report, 1995, Bangalore Development Authority, Bangalore, p. i. (Emphasis added)

²⁵⁸ CDP-Revised, 1995, p. i.

²⁵⁹ CDP-Revised, 1995, p. i.

²⁶⁰ Bangalore region measured 8721 sq.kms with a population according to 1991 census was 66, 57,151 and with a density 763 persons per sq.km whereas average density for the state of Karnataka was 234 person/sq.km. The Bangalore region had 31.5% of the urban population and 68.5% of rural in comparison to state's composition of 30.91% urban and 69.09% of the rural population.

²⁶¹ CDP-Revised, 1995, p. 7

²⁶² CDP-Revised, 1995, pp. 8-9. Tumkur, Doddaballapur, Kolar, Kanakapura, and Ramanagaram-Channapatna were to be developed as Satellite towns. Tumkur and Kolar have been independent but adjacent districts of Bangalore district, and Doddaballapur, Kanakapura, and Ramanagaram-Channapatna were the towns of Bangalore's hinterland, National highways, State highways and main railway routes passed through these districts and the hinterland towns. Connectivity was the major criterion to develop these chosen places (ibid: 10).

²⁶³ CDP-Revised, 1995, p. 21.

²⁶⁴ CDP-Revised, 1995, p. 21.

²⁶⁵ CDP-Revised, 1995, p. 130.

²⁶⁶ With the improvement in technology- the images generated Indian Space Research Organization- gave an expanding picture of the Bangalore City. When compared with the expansion of the built environment in the first half of the 20th century, the expansion during 1945 to 1973 was approximately three times more; in the following years it was much more- during 1973 to 1980 it doubled, and during 1980 to 1985 the 'increase was even more dramatic', and so on (ibid: 78).

²⁶⁷ CDP-Revised, 1995, p. 73

²⁶⁸ Ibid, p. 79-80.

²⁶⁹ Ibid, p. 30.

²⁷⁰ RCDP 1976; CDP 1985 and; CDP (Revised) 1995.

²⁷¹ Localities and villages of the Planning District No. 1 were Vyalikaval, Palace Guttahally, Kumara Park Extension, Nehru Nagar, Vasanathanagar, Seshadripuram, Malleswaram, Upper and Lower Palace Orchards, R M V Extension and Kumara Park Layout (CDP (Revised) 1995: 133-134).

²⁷² Localities and villages of the Planning District No. 2 were Okalipura, Srirampura, Rajajinagar, Subramanya Nagar, Gayathri Nagar, Mariappana Palya, Lakshminarayanapura, Dayananda Nagar, and Brahma Nagar (ibid:: 136).

²⁷³ Localities and villages of the Planning District No. 9 were Sampangiramnagar, Langford Town, Puduparacheri, Richmond town, Akkithimmenahally, shanthinagar, Shivan chetty Garden, Indiranagar Slum Areas, R. Siddaiah Road Area, Krishnappa Layout Area, Prt of Mavalli, Wilson Gardens, Chinnaiah Palya, Lakkasandra, Police Quarters Area (ibid: 173).

²⁷⁴ Localities and villages of the Planning District No. 10 were Central Administrative Complex (Vidhana Soudha), Cantonment area, Defence areas, Cubbon Park, South Parade Centre, MacIver Twon, Richmond Town, Langford Town, Russel Market, Ulsoor, Multistoried residential flats at Kallahalli area, residential flats near Ali Asker Road, Lalbagh Road, Infantry Road and Lavelle Road, etc. (ibid: 178-179).

²⁷⁵ Localities and villages of the Planning District No. 11 were Gandhinagar, Cubbonpet, Kalasipalyam portion of Chamarajpet, Sultanpet, Cottonpet and Akkipet (ibid: 183).

²⁷⁶ Localities and villages of the Planning District No. 3 were Rajajinagar V Block, Rajajinagar Industrial Area, Police Quarters, Kempapura Agrahara, Gouripalya, Padarayanapura, Haleguddadhally and Hosa Guddadahahally, Bapujinagar, Ambedkar Nagar, Remco Factory, Amco Factory, Hosahally, RPC Layout, MRCR Layout, Chandra Layout, Nagarabhavi IStage Scheme, Sajjepalya, Thimmenahally and village pockets of Marenahally, Attiguppe, Gangagodanahally and Devatagirenahally (ibid: 138).

²⁷⁷ Localities and villages of the Planning District No. 9A were Defence Areas, Kormangala Industrial Area,, industrial units along Hosur Road and Sarjapur Road, Western part of Indira Nagar, Appareddy Palya, Laximipuram, Jogupalyam, Gouthamnagar, Someshwarapuram, Domlur, Austin Town, Vannorpet, Vivekanagar, Neelasandra, Audugodi, Koramangala Layout, Mestripalya, Ejipura layout, Shinivagilu Tank Bund area, Sonnenahalli Layout, Domlur, etc. (ibid: 176-177).

²⁷⁸ Localities and villages of the Planning District No. 14 were Visweswarapuram, part of Basavanagudi, Jayanagar I to IX blocks and J.P. Nagar (Sarakki), Siddapur, Byrasandra, Marenahalli, Sarakki, Jaraganahalli, Puttenahalli and Doresanipalya (CDP (Revised) 1995: 198).

²⁷⁹ Localities and villages of the Planning District No. 15 were Shankarapuram, Basavanagudi, Raghavendra Colony, Azad Nagar, Valmiki Nagar, Gavipura,Extension, Hanumanthanagar and Banashannkari II Stage, and Hosakerehally, Byatarayanapura, Karithimmanahally, Anchepalya, etc. (ibid: 201).

²⁸⁰ Localities and villages of the Planning District No. 3A were the village pockets of Hegganahalli, Sunkadhakatte, Srigandhadakaval, Malathahally, Madurai and Giddakonenahally (ibid: 141).

²⁸¹ Localities and villages of the Planning District No. 3A-1 were Herohally and Byadarahally, and BEL Layout (ibid: 141).

²⁸² Localities and villages of the Planning District No. 4 were Peenya village, Sharavathi Receiving Station, Peenya Estate, Gurugunte Palya, Harijan Colony, Kanteerava Studio, Industrial Suburb Area, Mahalakshmi Layout, Vaddarapalya, West of Chord Road Extension, Shivanahally, Saneguruvanahally, Nandini Self-Finance Housing Scheme Area, Agrahara Dasarahally Layout, Kamakshi Layout, Kurubara Palya and Laggere Village (ibid: 144).

²⁸³ Localities and villages of the Planning District No. 4A were village pockets of Nagasandra, Chokkasandra, Nallakadirenahally and the industrial area consisting of industries cable industries, breweries, saw mills, etc. (ibid: 145-146).

²⁸⁴ Localities and villages of the Planning District No. 5 were Indian Institute of Science, ISRO Headquarters, BTS Depot, University of Agricultural Sciences, Ramaiah Medical College, Defence Land, Yeshwantapur, Mathikere, Gokula Extension, RMV Scheme and Village pockets of Boopasandra, Chikkamarenahally, Geddalalahally, Devenapalya, Nadar Lingenahally and Subedarpalya (ibid: 148).

²⁸⁵ Localities and villages of the Planning District No. 5A were Tindulu, Byatarayanapur, Kodigehally and Kothihosahally and RMV Cooperative Society (ibid: 150-151).

²⁸⁶ Localities and villages of the Planning District No.5B were Puttenahally, Mandulkune, Chikkabommasandra, Allalasandra, and Tinnalu Plantation, and Wheel & Axel Plant, and Yelahanka Satellite Town (ibid: 152).

²⁸⁷ Localities and villages of the Planning District No. 6 were Jayamahal Extension, Pottery Town, Benson Town, Byadarahally, Chinnappa Garden, Devarjeevanahally, Munireddypalya, Infantry Line and Mysore Lancer Lines, Rahmat Nagar, Gangenahally Extension, Hindustan Machine Tools Colony, University of Agricultural Sciences Colony, State Bank Colony, Hebbal, Guddadahally, Cholanayakanahally village Area, Matadhahally, Kavalbyrasandra Village, part of Kadugondanahally, Shampur, Vishwanath Nagenahally, Vaddara Colony, Nagavara, Erappan Palya, Amenikere and Kempapura (ibid: 154).

²⁸⁸ Localities and villages of the Planning District No. 6A were Government Flying Training School, Jakkur, Amruthalli, Dasarahalli, Mariyanapalya, part of Byatarayanapura and part of Yelahanka (ibid: 159).

²⁸⁹ Localities and villages of the Planning District No. 6B were Sampigehally, Venkateshpur, Srirampur, Rachenahally, Thanisandra and Palya. (ibid: 161).

²⁹⁰ Localities and villages of the Planning District No. 7 were Richards Town, Cooke Town, St. Thomas Town, Jeevanahally, Jayabharathi Nagar, Maruthi Nagar, Nagannanapalya, Banasawadi, Kammanahally, Kacharakahanally, Amruthanapalya, Chellekere, Kennur and Nagavara, and military lands (ibid: 163)

²⁹¹ Localities and villages of the Planning District No. 8 were ITI Colony, K.R.Puram, Kothanur, Vijinapur, Devasandra, Chikkasandra, Sannathammanahally, Vaddarapalya, Erayyanapalya, Kowdenahalli, Horamavu, Channasandra, Banasawadi, Chikka Banasawadi and Krishnapalya (ibid: 165).

²⁹² Localities and villages of the Planning District No. 8A were Binnamangala, M. Kaval, Thippasandra, Indiranagar, HAL II stage, Doddenkundi tank, industries along Whitefield road, industrial area along Old Madras Road, and Indiranagar (ibid: 167-168).

²⁹³ Localities and villages of the Planning District No. 8B were Jeevanbheemanagar, Annasandrapalya, Vibhuthipura, Kodihalli, Chellagatta Tankbed, Belur, Nagasandra, Kempapura, commercial establishments along Varthur road i.e., near village of Konena Agrahara, Murgeshapalya and Yamnur, and industrial units of Hindustan Aeronautics Ltd., NAL Colony, Rail Coach Division of HAL and NAL were part of the district (ibid: 165).

²⁹⁴ Localities and villages of the Planning District No. 8C were Doddenakundi industrial area and industries along Whitefield Road, and Doddenakundi and Hoodi (ibid: 167-168).

²⁹⁵ Localities and villages of the Planning District No. 12 were N.R. Colony, Thyagaraja Nagar, Yediyur, Banshankari II and III Stages, Teachers Colony, Padmanabhanagar and Srinivasnagar (ibid: 186).

²⁹⁶ Localities and villages of the Planning District No. 12A were Yelachanahalli, Bhikaspura, Vasanthapura, Marisandra, Uttarahalli, Vaddarapalya, Channasandra, Gankallu and part of Halgevaderahalli (ibid: 188).

²⁹⁷ Localities and villages of the Planning District No. 13 were BTM Scheme, MICO Employees Layout, KEB Layout, Bharat Housing Layout, Vysya Bank Layout, Vyalikaval HBCS, Vijayabank Employees HBCS, Bilekanahalli, Kodichikkanahalli and Hongasandra (ibid: 191-192).

²⁹⁸ Localities and villages of the Planning District No. 13A were Arechikkanahalli, Arekere, Hulimavu, Narayanapalya, Nelannahalli, Channasandra and Chandrashekarapura (ibid: 193).

²⁹⁹ Localities and villages of the Planning District No. 13B were Mangammanapalya, Haralur, Shamsandra, Kudulu, Singasandra, Parappana Agrahara, and industrial area near Singasandra (ibid: 196).

³⁰⁰ Localities and villages of the Planning District No. 14A were Vajarahalli, Raghavanapalya, Tippasandra, Dodkalsandra, Konanakunte, Chunghaghatta, Alahalli, and Kothnur (ibid: 200).

³⁰¹ Localities and villages of the Planning District No. 16 were Pantharapalya, Nayandanahalli, Nagadevanahalli, Doddapalya, Kenchanahalli and Halage Vaderahalli (ibid: 202).

³⁰² Localities and villages of the Planning District No. 16A were Volagerahalli, Vaddarapalya, Patanagere, mailsandra and Kengeri Town (ibid: 204).

³⁰³ Localities and villages of the Planning District No. 17 were Jakkasandra, Venkatapura, Agara, Balandur, Bommanahalli and Defence lands (ibid: 206).

³⁰⁴ Localities and villages of the Planning District No. 17B were Marathahalli, Thubarahalli, Devarabisanahally, Kariyammanahalli and Kadabeesanahally (CDP (Revised) 1995: 209)..

³⁰⁵ Localities and villages of the Planning District No. 18 were Industrial areas- Hindustan Machine Tools and Peenya Industrial Estate, Defence establishments, Thanniranahally, Jalahally, part of Doddabommasandra and Peenya (ibid: 210)

³⁰⁶ Localities and villages of the Planning District No. 18A were Dasarahally, Bagalkunte, Chikkasandra, Shettihalli, Kamagondanahalli and Medarahalli (ibid: 212).

³⁰⁷ Localities and villages of the Planning District No. 18B were Jalahalli establishments- BEL Co-operative HBCS Ltd., HMT Employees HBCS, Industrial Employees HBCS, Defence government Officers Layout, etc, and Guddadahalli, Somsettyhalli, Lakshmipura, Abbigere, Shingapura, Jarakabandekaval, Chikkabettahally, Narasipura, Ramachandrapura and Doddabommasandra. (ibid: 213).

³⁰⁸ Villages of the Planning District No. 4A-1 were Chikkabidarakal and Madhawar (ibid: 147).

³⁰⁹ Localities and villages of the Planning District No. 5B1 were Harohally, Avalahally, Ananthpur and C.R.P.F. Area (ibid: 154).

³¹⁰ Localities and villages of the Planning District No. 12 A1 were Bublal, Turahally, Uttarahally, Manvarthkaval, Hemmangipur and Lingadheeranahalli (ibid: 190).

³¹¹ Localities and villages of the Planning District No. 13A1 were Chikkamanahalli Park of Gottetere, Kammanahalli and Kalena Agrahara (ibid: 195).

³¹² Localities and villages of the Planning District No. 13B1 were not listed (ibid: 197).

³¹³ Localities and villages of the Planning District No. 17A were Kaikondanahalli, Kasavanahalli, Junnasandra, Chikkaanneli, and Dodda Kanneli (ibid: 207)..

³¹⁴ Localities and villages of the Planning District No. 19 were Horamovu, Agara, Kallukere, Channasandra and Varanasi (ibid: 215)

³¹⁵ Localities and villages of the Planning District No. 20 were Gollahally, Kambadahally and part of Gottigere (ibid: 216).

³¹⁶ Localities and villages of the Planning District No. 21 were Thalaghattapura, part of Badamanavartha Kaval, part of Anjanapura, Mallasandra, Uttarahalli, part of M. Kaval (ibid: 217).

³¹⁷ Localities and villages of the Planning District No. 22 were Badamanavarthakaval, Kannasandra, part of Hemigerpura, part of Sompura, and part of Cheedenapura (ibid: 218).

³¹⁸ Localities and villages of the Planning District No. 23 were part of Kamagatta, Hullalu, Sonnenahalli, part of Ramasandra, part of Manganahalli and part of Chikkanahalli (ibid: 219).

³¹⁹ Localities and villages of the Planning District No. 24 were part of Karivobanahalli, part of Lingadheeranahalli, part of Hosahalli gollarapalya, part of Kodigehalli and part of Handrahalli (ibid: 219).

³²⁰ Greater the allocation of space for the expansion of transportation network in any district, greater the scope for other expanding developments too.

³²¹ CDP 1985, p. 62.

³²² Ibid, p. 64.

³²³ Ibid, p. 96.

³²⁴ Ibid, p. 98

³²⁵ Ibid, p. 104.

³²⁶ Ibid, p. 107.

³²⁷ CDP (Revised) 1995, p. 141.

³²⁸ Ibid, p. 144.

³²⁹ Ibid, p. 149.

³³⁰ Ibid, p. 151.

³³¹ Ibid, p. 156.

³³² Ibid, p. 161.

³³³ Ibid, p. 189.

³³⁴ Ibid, pp. 191-192.

³³⁵ Ibid, p. 200.

³³⁶ Ibid, p. 203.

³³⁷ Ibid, p. 213.

³³⁸ CDP (Revised) 1995, p. i.

³³⁹ DRAFT MASTER PLAN – 2015 (2006) An Integrated Planning Approach...Towards a Vibrant International City, Bangalore Development Authority, Bangalore, <http://www.bdabangalore.org/pdfs/brochure.pdf> (accessed on 20th November 2006). This master plan's time period would be from 2005 to 2015.

³⁴⁰ Bangalore Master Plan – 2015 (2007), Vision Document, Volume I, Government of Karnataka, Bangalore Development Authority, http://www.badbangalore/Vision_Document_RMP2015_BDA.pdf, p. 1 (accessed on November 14, 2007).

³⁴¹ The propensity of the regions to expand is observed elsewhere too. Gottdiener while articulating the new spatial formation in the capitalist development context observes that "Virtually all urbanists privilege the large, central city. From my early research, however, I understand that capitalist development had inaugurated a new form of space that I call the multinucleated metropolitan region. Since the 1970s the majority of residents in the United States have lived in suburbs and not in central cities. Metropolitan life takes place in expanding regions comprising many residential, industrial, service, and commercial centres. The multinucleated region includes the large city, but it also contains the proliferating minicentres that grow alongside it. The late capitalist economy is

based on the production and consumption relations of the regional metropolitan space" (1997: ix). Gottdiener, M. 1997, *The Social Production of Urban Space*, Second Edition, University of Texas Press, Austin.

³⁴² Bangalore Master Plan – 2015, p. 1.

³⁴³ Bangalore Master Plan – 2015, p. 32.

³⁴⁴ Bangalore Master Plan – 2015, p. 33.

³⁴⁵ Sources: STATEMENT- II 'A'- PROGRESS OF ON GOING SCHEMES, Bangalore Development Authority, 2000; STATEMENT- III 'A'- PROGRESS OF OLD SCHEMES, Bangalore Development Authority, 2000; New Schemes Implemented by Bangalore Development Authority, undated; and Proposed New Schemes for which Land to be acquired by Bangalore Development Authority, undated.

³⁴⁶ <http://www.bdabangalore.org/BDA-Layouts.pdf>, (accessed on December 07, 2004)

³⁴⁷ The name given to the group or association involved in the private land developments indicate the group or association's social composition, viz., In the BDAs Western Division entry no. 38, Sri Basaweshwara H.B.C.S. K.P.A. Sy. No. 348/192, could be understood as Lingayat Caste. Similarly, BDAs Northern Division entry no.6, Handloom Weavers Welfare Association of Challakere in Sy. No. 108 & 109 is a layout formed by, Devangas, Padmasalas, Kuruhinashettis, etc. Apart from that the caste of an association or a group is also directly expressed too viz., in the case of BDAs South Division entry no. 3. Schedule Caste Harijan H.B.C.S. Sy. No. 32 of Marenahally.

³⁴⁸ Bangalore Master Plan – 2015 (2007), p. 31.

³⁴⁹ Ibid, p. 31.

³⁵⁰ Ibid, p. 31.

³⁵¹ Report of the Bangalore Development Committee (1954), p. 21.

³⁵² Ibid, p. 21 (Krishna Rao as quoted by the plan).

Appendix I

CDP (REVISED) 1995- PROPOSED LAND USE ANALYSIS AND POPULATION – 2011 A. D																		
(Area in Hectares)																		
Sl. No	Planning Districts	Residential		Commercial		Industrial		Park and Open Spaces		Public & Semi Public		Transportation		Un-Classified (Defence Lands)		Total Area of District	Populati on 1991	Projected Population 2011
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
		Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%			
1	1	478.11	40.69	46.41	3.95	48.53	4.13	238.03	20.28	136.07	11.58	227.85	19.37	-	-	1175.00	2,48,425	2,70,000
2	2R	265.58	43.87	34.98	5.76	48.36	7.97	24.29	4.00	38.36	6.30	194.74	32.10	-	-	606.31	3,26,607	3,30,000
3	3	881.10	50.99	47.75	2.76	144.13	8.34	208.89	12.09	69.58	4.03	376.55	21.79	-	-	1,728.00	3,47,319	3,50,000
4	3AR	895.57	57.00	20.02	1.28	22.66	1.44	220.30	14.02	176.77	11.26	235.68	15.00	-	-	1571.00	65,829	1,75,000
5	3A-1	297.26	69.94	15.84	3.73	11.06	2.60	22.00	5.18	42.09	9.90	36.75	8.65	-	-	425.00	-	60,000
6	4	991.99	49.90	73.54	3.70	275.90	13.87	120.66	6.07	100.04	5.03	425.87	21.43	-	-	1998.00	2,19,124	2,60,000
7	4AR	297.32	23.71	9.31	0.74	736.43	58.72	119.05	9.51	30.36	2.42	61.53	4.90	-	-	1254.00	17,187	60,000
8	4A1	67.44	43.23	1.04	0.66	27.66	17.73	26.98	17.30	9.54	6.12	23.34	14.36	-	-	156.00	-	15,000
9	5	569.50	39.52	29.38	2.04	103.04	7.15	75.59	5.25	279.09	19.37	311.40	21.61	73.00	5.06	1441.00	1,61,756	1,80,000
10	5A	348.50	40.57	13.16	1.53	31.42	3.66	192.99	22.47	32.06	3.73	193.87	22.57	47.00	5.47	859.00	36,252	80,000
11	5B	459.92	32.21	9.45	0.66	87.40	6.12	76.77	5.38	487.72	34.15	306.74	21.48	-	-	1428.00	36,002	1,00,000
12	5B1	283.83	50.22	15.79	2.79	14.57	2.58	75.301	13.32	103.64	18.34	72.05	12.75	-	-	565.18	-	60,000
13	6	842.53	45.55	25.91	1.40	46.96	2.54	201.38	10.88	78.14	4.22	462.54	25.00	192.70	10.41	1850.16	2,37,892	2,70,000
14	6AR	332.25	29.28	10.56	0.94	21.05	1.85	312.94	27.58	207.40	18.28	250.30	22.07	-	-	1134.50	16,309	80,000
15	6B	808.09	65.33	21.05	1.70	15.38	1.24	74.39	6.01	69.40	5.61	248.69	20.11	-	-	1237.00	1,026	1,60,000
16	7R	748.58	48.69	49.68	3.23	14.17	0.92	199.66	12.98	92.54	6.02	382.65	24.89	50.30	3.27	1537.58	1,51,975	2,00,000
17	8R	766.83	39.94	29.45	1.53	82.59	4.30	210.53	10.97	68.02	3.54	673.52	35.08	89.06	4.64	1920.00	1,06,531	2,30,000
18	8A	449.29	27.68	49.64	3.09	383.37	23.62	324.15	19.97	130.20	8.00	286.32	17.64	-	-	1622.97	69,848	1,10,000
19	8B	832.81	42.90	16.40	0.84	128.78	6.63	194.34	10.01	36.78	1.89	669.66	34.49	62.57	3.24	1941.34	96,749	2,00,000
20	8CR	609.54	43.87	20.76	1.49	212.24	15.27	276.62	19.90	83.55	6.01	187.03	13.46	-	-	1389.73	19,580	1,30,000
21	9	204.38	29.69	50.00	7.27	88.56	12.87	74.05	10.76	54.82	7.96	216.44	31.45	-	-	688.25	2,19,909	2,35,000
22	9A	618.34	29.92	55.00	2.66	86.50	4.19	188.56	9.12	189.25	9.16	397.36	19.22	537.57	25.73	2066.58	1,83,695	2,10,000
23	10	305.52	18.68	144.34	8.83	14.83	0.93	226.11	13.82	228.62	13.98	380.97	23.39	334.89	20.48	1635.28	2,72,279	2,80,000
24	11	84.23	11.55	275.70	37.81	29.00	3.98	112.77	15.16	57.15	7.8	170.15	23.36	-	-	729.00	2,50,989	2,75,000
25	12	582.20	47.33	29.79	2.42	56.35	4.58	132.62	10.78	82.60	6.71	346.44	28.18	-	-	1230.00	1,56,178	2,00,000
26	12A	817.04	52.99	47.56	3.08	80.50	5.22	257.01	16.67	63.21	4.10	276.68	17.94	-	-	1542.00	9,677	2,00,000
27	12A 1	510.24	51.58	18.05	1.83	11.14	1.13	58.05	5.87	208.78	21.11	182.74	18.48	-	-	989.00	-	1,00,000
28	13	490.45	36.42	22.19	1.65	121.06	8.98	250.52	18.60	96.26	7.14	366.52	27.21	-	-	1347.52	1,13,756	1,40,000
29	13AR	402.58	56.42	9.64	1.35	13.76	1.93	88.75	12.43	91.10	12.78	107.68	15.09	-	-	713.51	6,640	80,000
30	13A1	334.00	64.65	14.98	2.90	10.53	2.04	40.08	7.76	70.45	13.64	46.56	9.01	-	-	516.00	-	60,000
31	13BR	593.44	58.62	7.94	0.78	87.13	8.61	133.20	13.16	76.44	7.55	114.25	11.28	-	-	1012.00	8,476	1,10,000
32	13B1	390.28	54.30	13.16	1.83	10.73	1.49	39.07	5.44	91.30	12.70	174.17	24.24	-	-	718.71	-	80,000
33	14	834.87	44.66	98.59	5.27	82.77	4.39	288.53	15.43	103.12	5.66	461.52	24.69	-	-	1869.00	2,56,447	2,80,000
34	14A	707.42	50.10	34.32	2.44	80.10	5.67	170.85	12.09	92.34	6.54	326.97	23.16	-	-	1412.00	-	1,40,000
35	15	390.94	26.89	74.01	5.09	64.85	4.46	492.51	33.87	76.62	5.27	355.07	24.42	-	-	1454.00	2,12,276	2,25,000
36	16	388.81	31.74	10.92	0.89	60.00	4.90	89.57	7.31	521.72	42.59	153.98	12.57	-	-	1225.00	17,156	80,000
37	16A	722.22	45.59	51.46	3.25	122.02	7.70	322.04	20.33	160.86	10.16	205.40	12.97	-	-	1584.00	22,750	1,40,000

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
38	17	558.27	39.55	14.80	1.05	26.32	1.47	409.79	29.42	24.60	1.75	268.54	19.02	109.31	7.74	1411.63	44,998	1,10,000
39	17AR	168.90	42.85	13.91	3.53	8.09	2.05	95.88	24.32	38.87	9.87	68.55	17.38	-	-	394.20	-	25,000
40	17BR	514.88	69.04	10.10	1.35	1.12	0.15	29.92	4.02	25.66	3.44	164.00	22.00	-	-	745.73	5,417	1,00,000
41	18	228.62	22.07	25.49	2.46	300.64	29.02	129.14	12.47	41.02	3.96	217.09	20.95	94.00	9.07	1036.00	10,919	50,000
42	18A	496.70	44.59	19.26	1.70	26.70	2.40	129.90	11.66	54.72	4.91	202.18	18.15	184.54	16.56	1114.00	47,151	1,00,000
43	18BR	526.29	38.80	12.15	0.90	-	-	144.13	10.62	3.04	0.22	225.98	16.66	445.00	32.80	1356.59	41,670	1,00,000
44	19	208.19	47.71	6.04	1.38	-	-	67.06	15.37	29.34	6.72	125.72	28.82	-	-	436.35	...	40,000
45	20	189.96	54.62	5.67	1.63	-	-	20.85	5.99	15.79	4.54	115.50	33.22	-	-	347.77	...	35,000
46	21	587.92	72.52	13.94	1.72	-	-	94.90	11.70	30.98	3.82	82.99	10.24	-	-	810.73	...	1,00,000
47	22	329.40	43.63	8.91	1.80	-	-	307.70	40.13	23.48	3.12	85.51	11.32	-	-	755.00	...	55,000
48	23	631.17	65.20	9.07	0.94	5.67	0.59	132.55	13.70	58.30	6.02	131.24	13.55	-	-	968.00	-	1,10,000
49	24	325.91	61.96	6.57	1.15	-	-	67.13	12.76	27.13	5.16	99.76	18.97	-	-	526.00	-	60,000
Total		24369.21	43.16	1643.68	2.91	3844.07	6.81	7788.15	13.79	4908.91	8.69	11697.04	20.72	2213.94	3.92	56465.00 (100%)		70,00,000

Appendix I

CDP 1985- PROPOSED LAND USE ANALYSIS AND POPULATION – 2001 A. D

(Area in Hectares)

Sl. No.	Planning Districts	Residential		Commercial		Industrial		Park and Open Spaces		Public & Semi Public		Transportation		Un-Classified		Total Area of Districts	Green Belt		Population 1981	Projected Population 2001
		Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%		Total	%		
1	1	499.78	41.69	40.00	3.40	49.44	4.21	237.73	20.23	122.05	10.39	236.00	20.08	-	-	1175.00	nil	-	-	2,50,000
2	2	259.25	43.22	32.00	5.33	52.53	8.76	29.22	4.86	35.00	5.83	192.00	32.00	-	-	600.00	nil	-	-	2,20,000
3	3	883.54	51.10	51.00	2.95	98.00	5.70	178.81	10.35	93.97	5.44	422.68	24.46	-	-	1,728.00	nil	-	-	4,10,000
4	3A	661.66	52.48	39.16	3.10	-	-	147.14	11.67	152.78	12.11	260.00	20.64	-	-	1567.00	306.26	19.54	-	1,85,000
5	4	634.78	36.91	67.10	3.90	367.90	21.39	121.99	7.09	102.03	5.95	425.87	24.76	-	-	1998.00	278.33	13.93	-	3,00,000
6	4A	590.00	57.56	29.65	2.89	135.37	13.20	72.10	7.03	88.87	8.67	109.00	10.65	-	-	1186.00	161.01	13.57	-	-
7	5	520.00	36.10	29.38	2.04	103.04	7.15	94.59	6.56	309.39	21.47	311.40	21.61	73.00	5.07	1441.00	nil	-	-	2,80,000
8	5A	388.04	45.17	18.29	2.12	55.63	6.47	134.55	15.66	51.66	6.01	163.83	19.07	47.00	5.50	859.00	nil	-	-	1,10,000
9	5B	439.65	43.66	39.88	3.96	135.00	13.40	144.91	14.39	26.42	2.62	221.00	21.97	-	-	1428.00	421.14	29.49	-	1,20,000
10	6	766.67	42.12	35.00	1.92	45.89	2.52	252.38	13.86	103.32	5.67	424.20	23.30	192.70	10.61	1850.16	30.00	1.62	1,29,401	3,05,000
11	6A	290.71	41.53	16.78	2.39	20.25	2.89	123.39	17.62	134.35	19.19	114.48	16.38	-	-	949.60	249.43	26.26	5,240	1,00,000
12	6B	680.06	69.41	22.80	2.32	-	-	42.00	4.28	44.63	4.55	190.06	19.43	-	-	1237.00	251.45	20.32	3,370	2,30,000
13	7	718.62	48.34	60.93	4.10	23.19	1.56	172.56	11.60	91.48	6.15	370.20	24.89	50.30	3.36	1487.28	212.00	14.25	63,830	1,90,000
14	8	628.47	36.68	39.85	2.33	74.89	4.37	237.97	13.89	59.73	3.49	583.14	34.04	89.06	5.20	2011.94	216.94	10.78	52,000	2,00,000
15	8A	356.09	24.95	35.64	2.49	383.37	26.86	241.03	16.89	90.18	6.32	320.73	22.49	-	-	1622.97	nil	-	16,000	1,10,000
16	8B	709.08	40.95	16.40	0.94	128.78	7.47	161.65	9.33	31.96	1.84	631.76	36.48	51.87	2.99	1941.34	209.84	10.80	78,000	2,25,000
17	8C	529.64	52.09	19.11	1.88	122.24	12.03	198.42	19.52	38.54	3.80	108.84	10.70	-	-	1391.73	374.94	26.94	2,600	1,50,000
18	9	204.38	29.69	50.00	7.27	88.56	12.87	74.05	10.76	54.82	7.96	216.44	31.45	-	-	688.25	nil	-	1,49,847	2,00,000
19	9A	618.34	29.92	55.00	2.67	86.50	4.19	186.56	9.13	189.25	9.15	397.36	19.22	531.57	25.72	2066.58	nil	-	1,95,250	4,00,000
20	10	305.52	18.67	144.34	8.83	14.83	0.91	226.11	13.83	228.62	13.98	380.97	23.30	334.89	20.48	1635.28	nil	-	2,42,000	3,00,000
21	11	102.26	14.02	257.60	35.33	22.98	3.97	112.70	15.45	57.13	7.28	170.33	23.95	-	-	729.00	nil	-	2,70,547	3,00,000
22	12	582.70	47.30	29.79	2.42	56.35	4.58	132.02	10.70	82.60	6.71	347.04	28.29	-	-	1230.50	nil	-	1,06,641	2,25,000
23	12A	671.69	53.01	44.73	3.53	80.50	6.35	186.56	14.72	48.64	3.84	235.00	18.55	-	-	1542.00	274.88	17.82	-	1,70,000
24	13	481.62	35.73	31.28	2.32	85.33	6.33	279.67	20.75	102.74	7.62	367.16	27.25	-	-	1347.80	nil	-	-	1,65,000
25	13A	207.29	41.08	15.36	3.04	10.85	2.15	129.48	25.66	52.90	10.48	88.62	17.59	-	-	622.92	118.42	19.01	-	75,000
26	13B	267.80	41.58	16.90	2.63	49.43	7.69	80.50	12.53	57.63	8.97	170.54	26.60	-	-	1286.96	644.96	50.11	5,000	75,000
27	14	799.38	42.76	80.43	4.30	82.77	4.39	338.15	18.09	107.15	5.77	461.52	24.69	-	-	1869.40	nil	-	-	3,40,000
28	14A	689.15	48.80	48.50	3.43	54.39	3.85	170.98	12.10	106.50	7.54	342.48	24.28	-	-	1412.00	nil	-	-	2,00,000
29	15	379.96	26.13	70.84	4.87	70.92	4.88	500.63	34.43	76.77	5.27	354.88	24.42	-	-	1454.00	nil	-	-	2,00,000
30	16	325.25	26.55	18.00	1.46	60.00	4.89	95.85	7.82	571.92	46.68	153.98	12.60	-	-	1225.00	nil	-	-	80,000
31	16A	607.44	42.99	35.48	2.51	95.30	6.74	290.00	20.52	182.28	12.90	202.43	14.34	-	-	1584.00	171.07	10.79	-	1,50,000
32	17	464.17	47.28	32.05	3.25	22.74	2.32	142.56	14.52	52.94	5.39	157.86	16.08	-	-	1411.63	430.00	30.46	-	1,10,000
33	17A	168.90	42.85	29.86	7.57	-	-	95.88	24.32	35.47	9.00	64.10	16.26	-	-	757.00	362.80	47.92	-	25,000
34	17B	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6,013	-
35	18	228.62	22.06	25.49	2.47	300.64	29.02	129.14	12.47	41.03	3.96	217.09	20.05	94.00	9.07	1036.00	nil	-	-	1,00,000
36	18A	471.72	42.35	44.70	4.01	-	-	90.71	8.14	99.72	8.95	202.15	18.14	205.00	18.41	1114.00	nil	-	-	1,20,000
37	18B	478.40	39.05	47.26	3.85	2.42	0.19	106.49	8.69	39.12	3.19	108.70	8.87	445.00	36.16	1528.00	300.61	19.67	-	1,30,000
Total		17600.04	40.07	1670.58	3.80	2986.03	6.80	5960.48	13.57	3763.57	8.57	13.57	22.13	2223.70	5.06	43928.24	-	-	-	-

Chapter-4

LAND DEVELOPMENT AND LEGAL PROCESSES/STRATEGIES

The precondition for any venture into the configuration of ‘real space’ (i.e., the physical space- the land) has been the ‘abstract space’ (i.e., planning and the plan) and its logic and the laws that determine it. One of the most often deployed laws by the government to procure land is ‘The Land Acquisition Act, 1894’ (L.A. Act). The L.A. Act makes ‘plan’ which is a corollary of ‘planning’, a prerequisite for any authority to acquire land to produce different kinds of usable or exchangeable spaces. According to Section 8 of the L.A. Act- “The Collector shall thereupon cause the land (unless it has been already marked out under Section 4) to be marked out. He shall also cause it to be measured, and if no plan has been made thereof, a plan to be made of the same”¹. Again land acquisition is reciprocally embedded in the planning law, i.e., in ‘The Karnataka Town & Country Planning Act, 1961’ (KTCP). The Section 69 of KTCP is an intermesh which says that- “The Planning Authority may acquire any land designated in a Master Plan for specified purpose...by agreement or under the Land Acquisition Act, 1894 (Central Act 1 of 1894), as in force in the State”². Provisions of ‘The Bangalore Development Authority Act, 1976’ (BDA Act) too are intertwined with L.A. Acts’ provisions. According to Section 36 of the BDA Act-

Provisions applicable to the acquisition of land otherwise than by agreement.- (1) The acquisition of land under this Act otherwise than by agreement within or without the Bangalore Metropolitan Area shall be regulated by the provisions, so far as they are applicable, of the Land Acquisition Act, 1894.

(2) For the purpose of sub-section (2) of section 50 of the Land Acquisition Act, 1894, the Authority shall be deemed to be the local authority concerned.

(3) After the land vests in the Government under section 16 of the Land Acquisition Act, 1894, the Deputy Commissioner shall, upon payment of the cost of the acquisition, and upon the Authority agreeing to pay any further costs which may be incurred on account of the acquisition, transfer the land to the Authority, and the land shall thereupon vest in the Authority.³

On paper, laws present a kind of a unity in their approach and the modalities involved in procuring land. Apart from that, one has already taken note in the Chapter 3, that the delimitation of boundaries of the city is legalized and such an area has been termed LPA. The internal operations of the plan within the legal boundaries and its land requirements are clearly defined by the way of laws acting as catalysts to procure land. Thus the legally defined field of procurement of land was open for various kinds of operations in land development over decades in the post-independence period.

Beyond that legal unity, urban planning and land development processes involve various sets of actors who not only possess and own land but also those who control or limit the uses and transactions of land. Myriad of actors are involved in the land development process in and around the expanding city. Planners, various governmental agencies, land owners, land developers, housing cooperatives, small-scale private layout developers, buyers, etc., are in the process of acquiring, possessing, developing, selling, etc., the urbanizable land for various developmental or speculative purposes. Land is the prime economic resource that enables the process of the expansion of the city. The force that underlies expansion of the city is urbanization. Urbanization creates an ever increasing demand for land. The supply of land is sought to be regulated by the process of planning. An ever increasing demand and the regulated supply of the land have created the scarcity of urbanizable land. Multiplicity of laws and acts prescribe the way land ought to be treated, used and developed. Regulated availability of land has given rise to a highly contentious land development process.

The contentious issues of land development seek the interventions of law. Courts give space to multiplicity of actors and laws when questions of urbanizable land are raised. Land being the source of contention draws the attention of the adjudicative mechanisms. Adjudicative processes resolve dispute according to the given legal provision. The legal process is also mainly interpretative in nature which would give rise to new approaches that evolve and emerge in different ways. Thus the legal process in turn moulds the land development in its finality overtime. Since law and adjudicative process shape the city in significant ways. Disputes which enter the arbitration process on the one hand espouse legal frameworks that will have to underpin urban planning and land development and on the other, simultaneously demonstrate the issues involved in the dynamics of land development and the city growth itself.

In this chapter, the focus will be on the different kinds of laws which have been in operation in various kinds of land developments and issues have given rise to the legal operations. Further, the chapter explores disputes in the context of a plethora of acts and laws framed for the 'orderly' growth and development of city. The nature of the object is sought in the materials which are available for the study. The set of materials are legislations and the disputes which are available in the form of cases.

The Laws

Before we analyze the content of the cases, it is essential to briefly take note of the relevant acts which have been legislated over a period of time. These laws can be classified as Planning Law, Land Acquisition Laws, and the recently repealed Land Ceilings Law which was to control accumulation of land expected and speculation in land transactions and to bring orderly growth of the city. Each of these types of law is not exclusive. Some of issues are interconnected and overlapping. In a functional sense laws share a common ground viz., land acquisition and confiscation; in various degrees, they take note of “haphazardly” growth of the city and espouse the orderly growth. Most of these laws on the one hand proscribe disorderly growth and development of the city and on the other perform repressive and nominal compensatory functions.

The Karnataka Town & Country Planning Act, 1961

If plan is a precondition for land acquisition, *The Karnataka Town & Country Planning Act, 1961* becomes a legal basis for its formulation. The KTCP prescribes the drawing of Local Planning Area (LPA) to plan; to set up a planning institution and the terms on which personnel of the planning authority are recruited, their status and roles and powers, etc. The technical bureaucracy of the planning body is legally rationalized. Preparation of land use map and master plan and their content and intent, specifications to enforce the master plan, town planning schemes and their intent and content, and land acquisition for the schemes etc., are defined and specified. The important item on the KTCP's list is the ‘master plan’ and its contents, because that has a major bearing on the laws which acquire space for the plan's needs. These are procedural matters related to the limits of time to delimit expandable boundaries of city, let people know the operations of planning, and the logistics and method of planning. First step in the preparation of master plan is that every planning authority has to demarcate the boundaries of the LPA and submit it to the government and the same is to be informed to the public through local newspapers and published in the State Gazette to elicit public opinion within 60 days from its publication. Such suggestions from public maybe considered by the authority before sending the report to the government for approval. The second step is to carry out surveys of the LPA. The third step is to prepare a series of maps and documents for the implementation of the plan in a regulated manner. All that would include-

- (a) zoning of land use for residential, commercial, industrial, agricultural, recreational, educational and other purposes together with Zoning Regulations;
- (b) a complete street pattern, indicating major and minor roads, national highways, and state highways, and traffic circulation pattern, for meeting immediate and future requirements with proposals for improvements;
- (c) areas reserved for parks, playgrounds, and other recreational uses, public open spaces, public buildings and institutions and area reserved for such other purposes as may be expedient for new civic developments;
- (d) areas earmarked for future development and expansion;
- (e) reservation of land for the purposes of Central Government, the State Government, Planning Authority or public utility undertaking or any other authority established by Law, and the designation of lands being subject to acquisition for public purposes or as specified in Master Plan or securing the use of the land in the manner provided by or under this Act;
- (f) declaring certain areas, as areas of special control and development in such areas being subject to such regulations as may be made in regard to building line, height of the building, floor area ratio, architectural features and such other particulars as may be prescribed;
- (g) stages by which the plan is to be carried out.⁴

The above spatial contents of the master plan indicate clearly the greater need for land. There were two ways suggested for the government to have access to land; one is by agreement and two, by land acquisition as indicated in the beginning of the chapter. Most of the times land has been acquired through compulsory acquisition to provide space for various uses and exchanges. All the needs of space are termed 'public purpose'. Let us take a look at various kinds of acquisition and institutional acts.

Land Acquisition Act, 1894

The L.A. Act was passed in 1894 and it was conceived as an instrument to acquire land for 'public works'. In the post-independence period it was adopted with amendments but the main aim of the Act remained the same i.e., 'public purpose'. The Central Government amended the Act thrice in 1962⁵, 1967⁶, and 1984⁷ and all other States followed suit with amendments. Karnataka adopted the Act as Land Acquisition (Mysore Extension Amendment) Act 17 of 1961. With the 1984 Amendment by the Central Government, States have again adopted the amendment accordingly.

The L. A. Act is a general piece of procedural legislation to acquire land. It has been quite often and generally employed by the government to acquire land for various kinds of public purposes and companies. L. A. Act is divided into eight parts. Part one is the title of the Act, the name of the Act and various definitions⁸ of various- elements- "land", "company", etc., actors- "local authority", "person interested", "Collector" or "Deputy Commissioner", "Court", etc., and the public purpose for which the land is assigned to beneficiaries through the land acquisition process. The Act visualizes the purpose by heeding to the demand for land through the land acquisition and its allocation to different kinds of collectives, associations and institutions who might seek land from the government. In a way the Act lists the social constituents, and provides insulation against the contingencies that might arise during the land acquisition

proceedings. The legal idea of public purpose addresses the collectives or social groups, associations, organizations and institutions. Existing social collectives which exhibit social relationships of mostly secondary, tertiary, and at times primary in nature, are given a legal form i.e., the public purpose and their need for land is legalized and hence socially legitimated. The land they seek for housing purpose is a public purpose. The spatial content of governmental welfare programmes, at Bangalore city level, is supported mostly through land acquisition, although there are provisions in the BDA Act, to negotiate and enter into agreements with the land owners to procure land. Land is also acquired under the contingencies like natural disasters viz., floods, for temporary governmental uses, etc., too.

Though the idea of public purpose remains common to all the states, the items listed under it differ from state to state. Section 3, clause (f) of the L.A. Act explicates the idea of 'public purpose' in Karnataka which includes the provision of land for- (1) village sites; (2) planned development from public funds and subsequent disposal thereof in whole or in part by lease, assignment or outright sale with the object of securing further development as planned; (3) town or rural planning under any law relating to such planning; (4) carrying out any housing scheme or health scheme sponsored by the Central Government or any State Government or any local authority; (5) clearing slum areas; (6) relieving congestion; (7) housing poor, landless, or displaced persons or persons residing in areas affected by floods; (8) residence for any person holding an office of profit under the Central Government or a State Government, or accredited as a diplomatic consular or trade representative of a foreign Government; (9) building locating a public office; corporations owned or controlled by the State, or other nationalized industries or concerns; (10) any local authority and subsequent disposal thereof in whole or in part by lease, assignment or outright sale with the object of securing further development; (11) a company- where the land is needed for the construction of some work and such work is likely to prove substantially useful to the public and building co-operative society or corporation for the construction of houses and; (12) any charitable trust.⁹ Government's developmental initiatives and programmes in the post-independence period have given rise to the need for land to establish, mainly, residential layouts and industries in the context of expanding Bangalore city. Land acquisition process is an enforced process and is justified on the principle of 'public purpose' or the 'common good'. It is generally viewed that land acquired for the public purpose or the common good is of greater value, therefore an individual will have to sacrifice the property for the purpose. Individuals' land which is expropriated compulsorily for the public purpose is compensated by the Government. Apart from the question of common good, government has an embodied right flowing from its sovereign power i.e., the 'eminent domain', to acquire the land.

Part two of the Act is with regard to land acquisition procedures which are to be followed by the Government's official representatives/functionaries, within the specified time framework. People are coerced into an engagement into acquisition proceedings.¹⁰ Part three of the Act is the procedures¹¹ to approach the court if the interested parties are in dispute, and specifies courts' role and sets terms of settlement. More significant of all the sections are actually the Sections 23 and 24 which set terms to restrict the role of courts by prescribing and proscribing terms with limited court's role to settle the disputes. The courts' role is limited to assess the economic values of the land per se and other economic contingencies which may arise in the process of land acquisition. The criterion for the Court to take into account while adjudicating the disputes to fix the compensation are - (1) the market-value¹² of land at the date of the publication of the preliminary notification of land acquisition under Section 4 (1) of the Act; (2) if any damage value of the any standing crops or trees while taking possession of the land; (3) if any damage value of land severed from the other land; (4) damage value of the property movable or immovable property or earnings, if any, while taking possession of the land; (5) if the interested person in the land is compelled to relocate the residence or business will have to be compensated, and (6) the damage (if any) *bona fide* resulting from diminution of the profits of the land between the time of the publication of the declaration under Section 6 and the time of the Collector's taking possession of the land.¹³ According to Section 24 of the Act- (1) the degree of urgency which has led to the acquisition; (2) persons who are disinclined to part their land for acquisition; (3) damages created by the private persons during the acquisition would not be accountable for legal proceedings; (4) 'any damage which is likely to be caused to the land acquired after the date of the publication of the declaration under Section 6, by or in consequence of the use to which it will be put'; (5) 'any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired'; (6) 'any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put'; (7) court shall not take into consideration the improvements or expenditure on the land acquired after the notification under Section 4 (1) of the Act i.e., preliminary notification has come into effect, and; (8) 'any increase to the value of the land on account of its being put to any use which is forbidden by law or opposed to public policy'.¹⁴ Further, according to Section 25 of the act the court cannot fix the amount of compensation lower than the price fixed by the Collector.¹⁵ The remaining sections of Part III of the Act, further deal with the procedures for the courts to follow or adhere with regard to attestation by the concerned Judge in validating the awards made by considering questions such as who would bear the costs of the legal proceedings, who are eligible to be part of the legal

proceedings at the later stage and who are out of the purview of the concerned legal proceedings but are part of the same land acquisition process, and so on¹⁶.

Part IV of the Act specifies a procedure to apportion the compensation and if any disputes arising in the process, court is called upon to judge such cases.¹⁷ Part V is with regard to the procedures and modalities of payment of compensation and the contingencies which might arise during the apportionment or sharing of the compensation among the parties interested in the compensation.¹⁸ Since land ownership is shared among the families or households, which could be intra-household/family or inter-household/family matter, has greater potential for disputes in the share of compensation. Land ownership among rural communities is a much complex picture. Land is owned across two generations and more and ownership happens within the extended joint families and so on. So when land is acquired, sharing of the compensation draws attention, of the executive and judiciary, into the genealogies of the families/households and ownership, for an economic settlement of the relationships than anything else.

Part VI of the Act specifies procedures and conditions under which government can occupy land temporarily and restore the land back to the owners. The act gives government the power to acquire, either arable or wasteland, for the public purpose or for a company not exceeding three years.¹⁹ Part VII of the act is the provision made for acquisition of land for the companies. This part mainly focuses (a) on the provision made to all companies to acquire land to make provision for housing to its workers and (b) much broader provision for the government to acquire land for its companies, industrial establishments, housing, etc. Principle that underlies all these provisions is public purpose.²⁰ Part VIII is termed miscellaneous sections dealing with who is authorized to serve the notice and who authorized to receive the notice, penalties to be imposed if one were to obstruct the land acquisition, power of the government to withdraw from the land acquisition process, etc.²¹

Connected to L.A. Act are the House Building Cooperative Societies (HBCS) the quasi-legal bodies which seek land acquisition from government and planning inputs from Bangalore Development Authority (BDA). HBCS can be viewed as quasi-legal bodies because they are formed/constituted by social groups on voluntary basis. The house building activities and membership of a cooperative society will have to adhere to the legal strictures. Thus these cooperative associations come together for a purpose. Therefore they are 'social' they will have to adhere to the provisions of the law and therefore they are 'legal'. This combination of both social and legal character of the associations gives them the quasi-legal character. According to Section 4 of The

Karnataka Co-operative Societies Act, 1959 “a co-operative society which has its objects the promotions of the economic interests or general welfare of its members, or of the public, in accordance with co-operative principles, or a co-operative society established with the object of facilitating the operations of such a society”.²² Co-operative societies are of various kinds- producers, consumers, marketing, banking, housing, etc.²³ House Building Cooperative Society has been a quasi-legal entity registered under The Karnataka Co-operative Societies Act, 1959 and The Karnataka Co-operative Societies Rules, 1960 apply to the registered body. Government has made provision for the HBCS land development in the L.A. Act. The Section 3 of Land Acquisition (Mysore Extension Amendment) Act 17 of 1961 classifies a co-operative society, among other things, under a category of Company²⁴. The Section 3(f)(vi) of Land Acquisition (Amendment) Act, 1894 (amended in 1984), similarly classifies a co-operative society, among other things, under the category of Company²⁵.

The large-scale involvement of HBCS in the land development activity in Bangalore started only during the last quarter of the 20th century. Even though the earliest recorded HBCS was in 1927²⁶, the first reference to it was made in the *Report of the Bangalore Development Committee (1954)* in the context of the shortages in housing site. At that time, apart from the Mysore Provincial Co-operative House Building Corporation which was a Central Government institution, there were 15 House Building Societies in Bangalore City.²⁷ However HBCS had become an alternative or a parallel land development institution by the 1980s apart from the governmental land development in the form of extensions/layouts or housing projects. By 1988 about 100 HBCS were involved in the parallel land development process. This kind of land development process was aided by governmental support by means of land acquisition for residential purposes. This kind of a joint or quasi-governmental effort to develop land has its own modalities. The concerned HBCS negotiates the price of the land with the government and the landowners and major part of costs of the land and land development are met by HBCS according to the town planning norms which are approved by BDA. Government according to the procedures prescribed by the L.A. Act acquires land for the HBCS and disburses the compensation for the acquisition to the concerned landowners. This kind of acquisition process and land development has given rise to disputes between various parties involved in the process and litigations.

Bangalore Development Authority Act, 1976 (BDA Act)

What is the conceived role of BDA in structuring the city and what is the avowed purpose of the law? There is a background to the BDA Act in 1971, a meeting

of the Ministers of Housing and Urban Development was held in Delhi in which it was agreed to set up. Bangalore, just by then, had acquired metropolitan status in accordance with the calculation of spatial expanse and its demographic proportion as prescribed. And during those times multiple authorities were at the helm in administering and planning the city viz., City of Bangalore Municipal Corporation, the City Improvement Trust Board, the Karnataka Industrial Area Development Board, the Housing Board and the Bangalore City Planning Authority. All these governmental institutions were performing overlapping functions within the same jurisdiction of the city which gave rise to ‘confusion’ and hindered the co-ordinated development of the city. Thus it was decided to set up an authority in each of the metropolitan city in India on the model of Delhi Development Authority. The new authority was to administer and plan the adjacent areas of the city and to prevent ‘haphazard and irregular growth’.²⁸ That was the rationale given for setting up of Bangalore Development Authority (BDA).²⁹

What does the Act enunciate? The Act is divided into eight chapters. Chapter one is about the title of the act and definition of various terms. Chapter 2 elaborates on the organization of the bureaucratic structure and power distribution among the incumbents according to their roles in the institution. Chapter 3 lists different kinds of developmental schemes the authority takes up, procedures involved in designing and implementing projects, the power of the authority to undertake works and incur expenditures, powers to levy different taxes, etc. Chapter 4 is about the powers of the authority to acquire land to implement the schemes designed and planned by it. Chapter 5 deals with management of property and finances of BDA. Chapter 6 is to do with the powers and procedures to appoint different incumbents of the authority. Chapter 7 outlines the role of an Art Commission to maintain and prepare an urban-aesthetic design for the city. Chapter 8 brings together miscellaneous entries on the powers of the authority to authorize any person to enter into any land or building with or without appointed assistants or workmen to make enquiry, inspection, measure, survey, etc. The authority could issue directions to other government bodies which manage water supply, electricity, etc. It also covers the penal functions of the authority against the offences/violations and so on.

From the point of view of the present work, what is significant in the Act is the preamble of the Act. It is titled as *The Bangalore Development Authority Act, 1976* and reiterates the purpose for which Bangalore Development Authority is set up. Chapter 1 of the Act defines various concepts like ‘amenity’, ‘civic amenity’, ‘Bangalore Metropolitan Area’, ‘betterment tax’, ‘building’, ‘corporation’, ‘development’, etc. According to the Act, “‘development’ with its grammatical variations means the

carrying out of building, engineering, or other operations in or over or under land or the making of any material change in any building or land and includes redevelopment”.³⁰ The object of the authority is to ‘promote and secure the development of the Bangalore Metropolitan Area.’ To serve such purpose the authority exercises “power to acquire, hold, manage and dispose of moveable and immoveable property, whether within or outside the area under its jurisdiction, to carry out building, engineering and other operations and generally to do all things necessary or expedient for the purposes of such development and for purposes incidental thereto.”³¹ Three aspects of the law are interesting to take note of. They are: a. the nature of development schemes conceived; b. acquisition of lands; and c. the aesthetic it wants to retain and develop it further for the city. The law provides a charter or list of powers bestowed on BDA to produce a kind of a city. Key to such a development process is the availability and procurability of land. BDA has two ways to procure land. One, is by entering into agreements with the land owners and purchase the lands. Two, BDA in its Act, is designated as the local authority as required by the L.A Act to acquire lands for public purposes. Thus BDA may invoke the L.A. Act to acquire lands. BDA can implement its development schemes based on the availability of lands. BDA performs three major functions- planning, production of various kinds of infrastructures and housing, and distribution. A typical BDA scheme consists of- acquisition of land, ‘laying and re-laying out’ land, construction and reconstruction of buildings, provision for drainage, water supply and electricity, creation of public parks, playgrounds, and other civic amenities. Apart from that during recent times BDA is involved in building of flyovers, underpasses, etc. Much more interesting about the law is its disposition against unplanned developments- such as slums, unauthorized layouts, etc. How is it expressed? It is expressed in the following terms-

Authority shall serve a notice on every person whose name appears in the assessment list of the local authority or in the land revenue register as being primarily liable to pay the property tax or land revenue assessment on any building or land which is proposed to be acquired in executing the scheme or in regard to which the Authority proposes to recover betterment tax requiring such person to show cause within thirty days from the date of the receipt of the notice why such acquisition of the building or land and the recovery of betterment tax should not be made.³²

This above quote from a sub-section of the BDA Act is a clear indication of the BDA's approach to already urbanized areas when one takes note of increasing number of unauthorized layouts, slums, etc. It indicates the programme of renewal. It indicates the programme of appropriation of areas into the fold of planning. It imposes or coercively brings already developed areas to adhere to planning norms and acquires the vacant/fallow/agricultural lands to develop it for various purposes and so on. There are

many esoteric sections in the Act, such as quoted above, which indirectly address such issues.

The above mentioned development schemes taken up by BDA, are supposed to address the declared aesthetic considerations that are part of law. The Act provides for a commission termed “The Bangalore Urban Art Commission” which is supposed to mainly attend to the aspects of- a. ‘visual arts or architecture’- ‘the planning and development of future urban design and of the environment’; ‘Indian History or Archaeology’- ‘the restoration and conservation of archaeological and historical sites and sites of high scenic beauty’ and the ‘environment’- ‘restoration and conservation of urban design and of the environment in the development areas’.³³ A kind of aesthetic is given the legal sanction in a rationalized form. Given this aesthetic perspective, the areas which don’t conform to the legalized aesthetics are named as slums, unauthorized layouts, etc. In that sense these areas go against the aesthetic-legal-rationalized formulations of the law. However, “nonconforming” areas have their own causes for their existence in a given socio-spatial form. Apart from that the city has been expanded through the realization and production of planned BDA layouts in a legal-rational-aesthetic form.

The Urban Land (Ceiling & Regulation) Act, 1976 (ULCRA)

Around the same time when BDA was established in 1976, the new Act known as *The Urban Land (Ceiling and Regulation) Act, 1976* was passed at the national level, to which again Karnataka was a subscriber. The Act says:

After the imposition of a ceiling on agricultural lands by the State Governments, the demand for imposing a ceiling on urban properties was also raised. With the growth of population and increasing urbanisation, a need for *orderly development of urban areas* had been felt. It was, therefore, considered necessary to take measures for *exercising social control over the scarce resource of Urban Land* with a view to ensuring its *equitable distribution*. To ensure uniformity in approach Government of India address the State Governments in this regard. Certain States had passed resolutions empowering Parliament to undertake legislation in this behalf.³⁴(emphasis added)

The Act was for the ‘orderly development of urban areas’ under the conditions of accretion of population and consequent increasing demand for the urban land. Therefore, ‘social control’ over the ‘equitable distribution’ of the ‘scarce resource’ was conceived. Such controls planners thought, would, establish an urban order. Implicit in this formulation was the urban disorder caused by accumulation and inequitable distribution of the scarce resource- the urban land. Thus it was sought to change the pattern of property ownership and impose limits on the same. Thus, to change the

pattern of ownership of property, legislation was sought “to bring about socialization of urban land in urban agglomerations to sub serve the common good by ensuring its equitable distribution”³⁵ . The Act was to control ‘speculative transactions and profiteering’ in urban land, by limiting/ceiling the accumulation of urban land, “to discourage construction of luxury housing leading to conspicuous consumption of scarce building materials and to ensure the equitable utilization of such materials”³⁶. Ownership of land in excess to the ceilings was supposed to be acquired by the Government and that was to be distributed to subserve the common good. Transfer of vacant land and built-up land within the ceiling limit was to be regulated.³⁷ The law, further, elaborates on the procedures, the powers of the authority, the measures of the ceilings, the powers of authority, the penal prescriptions in the law, the compensation, the scope for litigations, the regulation on the transfer of the land which is in excess by of sale, mortgage, gift, lease, etc., and so on.

ARTICLE- 226 of the Constitution of India

The above described laws are all the instruments for the State or the Government to acquire or confiscate excess ownership of urban land or property. The only law which gives the aggrieved who lose lands in the process of acquisition or confiscation is the Article 226 of Constitution of India which gives scope to approach in the courts. Article 226 is about seeking directions, writs or orders from the High Courts to be issued to any person or authority to enforce the rights as bestowed upon the citizens in the Part III of the Constitution. In the context of the governmental authority dealing with a host of urban issues, there have been writ petitions filed by the people, in the High Court and sometimes in the Supreme Court, seeking orders or directions against the government to protect and exercise or enjoy their constitutional rights.

The laws described and analyzed above are of two types and contain broadly the planning and the acquisition/confiscation part. The KTCP and BDA Acts, on the one hand give an overview of how the planning should be done and what plan should contain, to give material shape to the city, and on the other hand indicate the ways to find the land. Whereas the laws of the L.A. Act and ULCRA specify and delineate procedures based on the rationale of plans to acquire or confiscate land, respectively, for various public purposes.

Nature of Disputes and their Classifications

An attempt is made here to concentrate on the kinds of disputes that the acquisition processes had given rise to and the modes of acquiring or accessing land by different institutions, individuals, social groups, associations, etc. For the purpose, a survey of two journals was made to identify issues related to Bangalore city's land. These journals publish landmark judgments which give a comprehensive view of disputes and the significant interpretations of laws. The journals are (1) All India Reporter (AIR) and (2) Mysore Law Journal (Mys. L. J)/Karnataka Law Journal (K. L. J). A total of 137 reported land dispute cases related to Bangalore city were available from the two law journals. For analytical purposes, the cases had to be classified under various clusters of laws and acts, which would clearly distinguish the disputes which focus on acquisition, modes of acquiring land and other issues. Of the 137 cases, 42 were related to disputes related to the allotment of sites, transfer of property between individuals, claims of same property by different individuals, planning and environmental issues, etc. Of the 42 disputes/cases, 22 were about the demand for allotment of sites or land by the CITB and BDA. Both individuals and members of HBCS were in dispute with CITB and later BDA, with regard to the allotment of sites. Six cases were directly related to planning, zoning and environmental issues. They did not question the planning as such, but were raising issues in the manner in which various spaces meant for civic amenity sites were put to use. In the dispute between *Capt. M.V. Subbarayappa v Bharath Electronics Employees Co-op. House Building Society Ltd. & Others* (1990)³⁸ petitioner had questioned the setting up of sewerage treatment plan on a "Civic Amenity Site" which would create a health hazard to the locality residents. The dispute between *Major Gen. M. K. Paul and Others v Bangalore City Corporation, Bangalore and Others* (1994)³⁹ was against the license given for the construction of multi-storeyed building by a co-operative housing society. The dispute between *The Residents of Mico Layout, II Stage, Bangalore and Others v J.S.S. Mahavidya Peetha, Mysore and Others* (1997)⁴⁰ was about the allotment of civic amenity site to set up a college, etc. The cases which questioned planning in a major way were with regard to spatial jurisdiction and the acquisition, issues of land development within the green belt, etc. Three disputes were about transfer of property. Among the remaining cases, the issues were discrete. A dispute was about unauthorized extended use of Corporation Property even after the expiry date. The second was about a case against the withdrawal of license to construct a building on a site. The third was about property tax, etc.

Table 5.1

Cases Reported in AIR, Mys.L.J. & K.L.J

Disputes and the Laws	1940s	1950s	1960s	1970s	1980s	1990s	Total
Land Acquisition Act & other Related Acts, Rules, Etc.	1	4	4	11	7	24	51
City of Bangalore Improvement Act & Other Related Acts, Rules, Etc.	0	1	9	6	1	2	19
Bangalore Development Authority Act & Other Related Acts, Rules, Etc.	0	0	0	0	9	28	37
Constitution of India, Article 226 & other Related Acts, Rules, Etc.	0	0	1	1	3	5	10
Miscellaneous	0	1	1	4	2	12	20
Total	1	6	15	22	22	71	137

Table 5.2

Cases related to Land Acquisition for various Land Development purposes

Sl. No.	Land Development Purposes	Total
1	Formation of Extensions/Layouts	9
2	Housing Co-operatives Layouts	12
3	To extend and Develop Civic Amenities	9
4	Industrial Development	5
5	Development of House Sites for Weaker Sections	6
6	Slum Clearance & Improvement	2
7	For Government Institutions (Both Union and State Governments)	2
8	Land Development- Miscellaneous and Purposes Unstated in the Cases	6
	Total	51

The disputes have been broadly organized for description and analysis, under major issues. Further those cases which were decided in favour of petitioners and appellants are separated from the disputes which were decided in favour of respondents—state or government or its institutions or legally supported and government aided associations or organizations. That apart, the discussion on legal and land development processes would also focus on classifying the land acquisitions for planned and unplanned land developments and legal processes.

Legal Contests Against Land Acquisitions for Planned Land Development

Before 1980 in most of the disputes claiming enhancement of compensation the judgment went in favour of the citizens who lost the land. One could start with those cases.

Valuation of Land and the Compensation

Among the available 90 cases of land acquisition 13 are related to valuation of land.

The dispute between *The Bangalore Municipality's Commissioner vs The Sub-divisional Officer, Bangalore, and Five Other Respondents, (1946)*⁴¹ with regard to land acquisition to set the tone during the post-independence period with regard to determination of compensation. In the cases related to compensation, the *value* of land became central. In this case the land Acquisition Officer had categorized land use as agricultural and accordingly had fixed the compensation for the land acquired. Dissatisfied with the compensation awarded, the petitioners had pleaded for the enhancement of compensation. The District Judge gave the order in favor of petitioners. Challenging the judgment, Bangalore Municipality approached the higher court. The court interpreted the potential value as the value of developable urban land. In determining the market value, court relied on the decision taken in another case.

It is perhaps desirable in this connection to say something about this expression the 'market price'. There is not in general any market for land in the sense in which one speaks of a market for shares or a market for sugar or any like commodity. The value of any such article at any particular time can readily be ascertained by the prices being obtained for similar articles in the market. In the case of land, its value in general can also be measured by a consideration of the prices that have been obtained in the past for land of similar quality and in similar positions, and this is what must be meant in general by the 'market value' in Section 23 [of the Land Acquisition Act]. But sometimes it happens that the land to be valued possesses some unusual, and it may be, unique features as regards its position or its potentialities. In such a case the arbitrator in determining its value will have no market value to guide him, and he will have to ascertain as best he may from the materials before him, what a willing vendor might reasonably expect to obtain from a willing purchaser, for the land in that particular position and with those particular potentialities. For it has been established by numerous authorities that the land is not to be valued merely by reference to the use to which it is being put at the time at which its value has to be determined...but also by reference to the uses to which it is reasonably capable of being put in the future. No authority indeed is required for this proposition. It is a self evident one.⁴²

It is further said-

No one can suppose in the case of land which is certain, or even likely, to be used in the immediate or reasonably near future for building purposes but which at the valuation date is waste land or is being used for agricultural purposes, that the owner, however willing a vendor, will be content to sell the land for its value as waste or agricultural land as the case may be. It is plain that in ascertaining its value, the possibility of its being used for building purposes would have to be taken into account.⁴³

In the case, Section 23 of the L.A. Act was referred to determine the 'market value' by emphasizing the 'uses to which it [land] is reasonably capable of being put in the future'⁴⁴. Similarly in the cases *Adinarayana Setty v Special Land Acquisition Officer, (1954)*⁴⁵ and *The Special Land Acquisition Officer, Bangalore v T. Adinarayan Setty, (1959)*⁴⁶, Section 23 of the L.A. Act was invoked to interpret the market value, but with a difference. The high court took the view in *Adinarayana Setty v Special Land Acquisition Officer, (1954)*⁴⁷ that the land acquisition officer had taken into account the 1935 price of land when the land owner bought the land. Court observed that the land

prices had increased 5 to 10 times in the city by the end of the World War II.⁴⁸ Thus the judgment was in the favor of the appellant. In this particular case, the court emphasized the appreciation of time as the value of the land in question. This case did not end there it was taken to Supreme Court. This time Special Land Acquisition Officer was appellant against the High Court decision. The Supreme Court in *The Special Land Acquisition Officer, Bangalore v T. Adinarayan Setty, (1959)*, only reaffirmed the judgment of the High Court by adding that the ‘opinion of experts’ and ‘the price paid within a reasonable time in bona fide transactions of purchase of the lands acquired or the lands adjacent to the lands acquired and possessing similar advantages, and...a number of years’ purchase of the actual or immediately prospective profits of the lands acquired’⁴⁹ will have to be taken into account. Thus the preceding three cases were to become part of the procedures generally in the later disputes too.

In other cases⁵⁰ too the issue was the ‘market value’ of land like the cases described above. In all the cases, except one, the courts had directed the government to increase compensation by many folds. In *Additional Special Land Acquisition Officer, Bangalore v A. Thakoredas and others(1977)*, the court revised the judgment passed by the lower court, with regard to the matters of compensation. The lower court had found that the respondents of this case were the owners of land of 1 acre 35 guntas at Binnamangala Manavartekaval which was notified for acquisition in 1964 and final declaration of acquisition came about in 1970. The land owners being dissatisfied submitted an application, as required by the Section 18 (3) (b) of L.A. Act to refer it to the court within the stipulated time period of 90 days from the day of declaration of the award (compensation). The land acquisition officer argued that the court should not allow the application because the land owners had not submitted the application within the stipulated period. Thus under Article 137 of Limitation Act, 1963, the case was not to be allowed for hearing. The lower court had found according to the given evidences that the Land Acquisition Officer had not referred the application to the court within the given stipulated 90 days. After the violation was established, the court ordered to allow an application for hearing in 1975 for the proper assessment of compensation rate by the court. Aggrieved by the decision of the lower court, the Land Acquisition Officer approached the High Court with the revision petition not to allow the petition for hearing because it violated the stipulated time period of 90 days. The High Court took note of the proceedings in the lower court and the evidences as considered by the lower court and judged that the Article 137 of Limitation Act would be inapplicable to this case given the violations on the part of the concerned authority. Therefore the application for hearing for the enhancement of compensation was judged valid.⁵¹ In only one case, i.e., *G. Gurubasappa v Special Land Acquisition Officer, City Municipality and others(1959)*, the court did not allow increase in compensation

because of lack of evidence to show the market value claimed by the appellant. Therefore the appeal was dismissed.⁵² In the dispute between *Land Acquisition Officer, CITB v Narayanaiah K., (1976)*⁵³, City of Bangalore Improvement Act, 1945 came into question because it did not include sections to determine market value. Court then directed/instructed the concerned authorities to follow the Section 23 of the General Law of L.A. Act to determine the value of the land and compensation. Similarly, in the case- *Gangadharappa G & Others v State of Karnataka & Another, (1979)*, court instructed the government to fix the 'market value' for the land which was acquired through contract. Court emphasized that it was not an 'ordinary contract' but a 'statutory contract' and therefore government was bound by legal obligation to follow provisions of the Section 27 (1) and (2) under Karnataka Industrial Areas Development Act, 1966 to determine the market value.⁵⁴

The issue of valuation of land was again questioned in *Smt. Pullamma and Others v The Additional Special Land Acquisition Officer, Bangalore and Others (1977)*⁵⁵. Usually when the award is made by the Collector against the land acquired, if it is not acceptable, he refers it to the court according to the S. 18⁵⁶ of the L.A. Act. In this case similar reference was made to the court and the claimants or the land owner-appellants were absent during the proceedings. So by default those references were dismissed. Against those orders the claimants applied to the court for the restoration of the references made to the court by the collector by invoking the provisions of Section 151⁵⁷ and Rule 9⁵⁸ of Code of Civil Procedure (CPC). Court again directed the lower a new court to start the proceedings.

The above cases reveal that there was a huge gap between monetary compensation and the actual value of land. There were similar cases demanding higher compensation during the 1980s and the 1990s.

Causes against Land Acquisition

To bring clarity to the analysis, the petitions or appeals lost and won are classified into two sections, and further under each of those categories different kinds of contentions are sub-classified according to different disputes. Petitions against land acquisition have been defeated or won in the courts for various reasons. It would be useful to distinguish these reasons to find out the grounds of the judgments and their validity. Apart from that there also has been a phase or a period, during which there were disputes related to unauthorized residential formations and private layout. These will be discussed in a different section. These different distinctions would perhaps

reflect different tendencies of legality in the Bangalore city's formation, land development and expansion.

Procedural Issues:Lost Causes Against Land Acquisition

The context of development and expansion of Bangalore City and policies and programmes of the government, have had legal consequences. This section deals with the cases involving procedural issues. The following analysis of the legal disputes gives a picture of encounters of the issues of procedural violations or adherence.

1. Land Acquisition Notice and Notification: Failure of serving the personal notice to the land owners and other interested parties has been contentious. Contentions were about the way notification of land acquisition was publicized. Contentions were also about alleged failure serving the notice in the stipulated mandatory time period to the landowner or property owners. So those were the issues which were dominating the legal proceedings in the cases listed below. For those failures the petitioners or appellants were demanding the courts to quash the land acquisition proceedings. It is noticeable below that the points of law deployed have changed over a period of time with the changes in the institutions, but sources of contentions have remained the same.

Entitlement to get the notice: In *M. Manicklal v The State of Mysore & others*⁵⁹ (1967),⁶⁰ one of the contentions was that the City Improvement Trust Board (CITB) had not adhered to the provisions of S. 16(2) of City of Bangalore Improvement Act, 1945 (CBIA) of serving notice to all those land owners whose names appeared in the Land Revenue Register. After the detailed examination, the court came to the conclusion that the notice should be served to those individual land owners whose names were found in the Land Revenue Register. In *M. Manicklal v The State of Mysore & others* (1968) similarly, the petitioner had bought the lands from two of his predecessors who had the title of ownership of the lands. Those owners had sold the lands to the petitioner through sale deeds. The previous land owners were cultivators of Inamthi lands. After government abolished Inams under the Inams Abolition Act, the relationship of landlord and tenant came to an end. Thus under provisions of the Act, the previous tenants were relieved from the landlords. The tenants were entitled to get the titles of the ownership on payment of the revenue to the government. In support of the first contention, the petitioner had provided the "khata"⁶¹ with revenue payment receipts issued by the village accountant in names of previous land owners. According to the needs of the S. 16(2) CBIA the notices must be served on every person whose name

appeared in the land revenue register⁶². So khata is not land revenue register. Since the petitioner could not produce the necessary evidence to prove that khatedars' names were found in the land revenue register the contention was dismissed. In yet another similar dispute between *M.B. Ramachandran v State of Karnataka and Others*⁶³(1991)⁶⁴, the names of the petitioners were not found in the land revenue register. So notice was served only to those whose names which appeared in the land revenue register. Thus the contention of not serving the notice was dismissed.

In the dispute between *Venkataramaih M. v State of Karnataka & others*⁶⁵ 1988⁶⁶, it was found that even before land acquisition proceeding started, the land had already been converted for non-agricultural purposes and divided and sold to two individuals. In response to the contentions the court said that the land owners' (Khatedars) latest residential addresses were not found in the registers of payment of land assessment and property tax. Thus it was concluded that it was impossible for the authority to serve the notice. Thus the contention was dismissed. And in the dispute between *B.T. Sakku v Commissioner, Bangalore Development Authority and Another*⁶⁷ (1995), court while addressing the contentions found that at the time of preliminary notification land belonged to someone else and by the time appellant had filed the suit the property had changed two hands. According to Section 17(5) of the BDA Act, the appellant had failed to prove that she was the owner of land for the notice to be served within the 30 days of the publication of notification of the acquisition in the Gazette according to Section 17(5) of the Act. Thus the contention was dismissed.⁶⁸

Evidence of notice being served: In certain cases the petitioners had claimed that they were not served notice before the land acquisition began as required by law. In such cases, court relied on the evidence that the other landowners of the same proceedings were served the notices. In the dispute between *Pillayya Nagamangala Venkatappa v State of Mysore*⁶⁹(1969)⁷⁰, court found the evidence with regard to the notice being served and notifying it in the public to the concerned land owners about acquisition (according to section 4 of L.A. Act). Thus the violation was not established. In the dispute between *Mahendra Enterprises (R) v Commissioner, Bangalore City Corporation & Others*⁷¹(1987)⁷², Government according to procedure had issued the notices to the interested individuals and notice of acquisition was displayed in the convenient places for the people to know about the acquisition. Similarly, in a dispute between *Venkataramaih M. v State of Karnataka & others* (1988) the contention was that the notification of acquisition was not published in three consecutive issues of official Gazette of Karnataka and the notification was not affixed in "some conspicuous" part of the BDA Office, Deputy Commissioner's office, and Office of the Corporation. The court argued that though evidence was not available regarding the

notification, publication of it was also impossible to maintain or preserve the evidence. And in the context where large scale acquisition of adjacent lands were in progress, “to say that the Khatedars of adjoining lands...the petitioner had no such knowledge is unbelievable. On facts, it is difficult to accept the plea of innocence or ignorance”⁷³. Thus it was considered that there was no substance in the contentions which invoked Section 17(2,3, & 5).

Delay in serving the initial notice-In the dispute between *Muniveerappa v State of Karnataka & Others*⁷⁴(1991)⁷⁵, it was alleged that the petitioners were not served the notice within the stipulated period. According to Section 17(3) of the BDA Act the notice of acquisition was to be served within 30 days from the date of publication of the acquisition notice. Court found that the allegation was proved right that the notice was not served within the stipulated limits, but that particular provision of law was seen as only ‘directory’ provision than ‘mandatory’. Court observed that--“Whether a particular provision is mandatory or directory depends, not only upon the contents of that provision but also the object behind that provision.”⁷⁶ The object of the acquisition of land for the formation residential layout was considered to be of prime importance than adhering to the stipulated time period to serve notice to the concerned. Similarly, in a dispute between *Smt. Venkamma and Others v Deputy Commissioner, Bangalore and Others*⁷⁷(1995)⁷⁸ with regard to delayed serving of the notices and not serving personal notices as required by *Rule 4 of Karnataka. Acquisition of Land for Grant of House Sites Rules, 1973*. Regarding this contention the court took the view that “the principle that where a mode of performing a duty is laid down by law, it must be performed in that mode or not at all, is held to be subservient to the basic principle that courts must endeavour to ascertain the legislative intent and purpose, and then adopt a rule of construction which effectuates rather than one that may defeat them”⁷⁹. Thus the court set aside such violation as insignificant, because the main intent or purpose of the legislation was important than the insignificant procedural irregularity.

Delay in issuing final notification: In a dispute between *Hanumanthappa M. v State of Karnataka & others* (1987)⁸⁰ the issue was about inordinate delay in issuing final notification under Section 19 of the BDA Act. According to Section 11-A of the LA. Act, the award should be passed within two years from the date of final declaration. The petitioner had argued that the concerned delay would vitiate the proceedings and lead to lapse in entire acquisition proceedings. The petitioner had pointed out that there was a delay of seven years between the preliminary notification and the final declaration. Against the contentions the judgment argued that there was no provision in the BDA Act which would address the question of delay. Therefore the contention

against delay could not arise and the sections of L.A. Act could not be the grounds to judge acquisition proceedings which were taken up under BDA Act. Thus the petition was dismissed.

Failure to give an opportunity of statutory mandatory personal hearing or to submit objections to the appointed governmental authority during the acquisition proceedings by the landowners or property owners or slum dwellers: In the dispute between *Pillayya Nagamangala Venkatappa v State of Mysore*⁸¹, (1969)⁸² objection was with regard to the exclusion of enquiry from the proceedings. The court found in this case that the enquiry became mandatory according to the Section 5-A (1) of the L.A. Act only when objections had been filed. In this case since the objections were not filed there was no question of exclusion of enquiry from the proceedings. The objection was so dismissed.

Declaration of land needed for public purpose without conducting prior enquiry or receiving objection from the property owners or landowners: In the dispute between *Pillayya Nagamangala Venkatappa v State of Mysore*⁸³, (1969) objection was with regard to the omission of investigation to be made by the appointed official according to Section 6 of the L.A. Act. In this case court found that such an investigation could be conducted before the final declaration which was yet to be done. Thus the contention was dismissed

Disputes with Regard to Various Procedural Delays

Delay in the publication of Declaration: In the dispute between *Mahalakshmi Keshava Rao v State of Karnataka & Another*, (1990)⁸⁴ the contention was that the declaration made under Section 6 of the L.A. Act of that land which was required for the public purpose and accordingly to be published in the Gazette within 3 years from the date of preliminary notification and the declaration to follow was not done within the stipulated time period. The Court took the view that the declaration made under Section 6 of the L. A. Act of land needed for the public purpose made within a period of three years from the date of publication of preliminary notification under Section 4 of the Act was valid and it would not become invalid if it was published in the official gazette after the expiry of three years from the date of publication of preliminary notification. Therefore the writ petition was dismissed.

Delay in taking possession of the land: In a dispute between *Sri Shanidevara Seva Mandali, Bangalore v Commissioner, Bangalore City Corporation, Bangalore and Another* (1995), the contention was whether the delay in the taking of the possession of the acquired piece of land was valid? Against that question, court found that the title of

the property did not vest with the appellant and acquisition proceedings were complete. Thus the court applied the principle that “the law presumes and the law proceeds on the footing that the action is legal. That is because there is a legal presumption of legality in respect of such acts and it must therefore, be demonstrated that the acquisition in question has either been challenged or that it has been set aside. In the absence thereof, the court has to proceed on the presumption of legality and has to apply the rule of finality”⁸⁵. Thus the appeal was dismissed.

Stipulated time period to make an award: In disputes between *A. Krishnamurthy (Since Deceased) by L.Rs. v Bangalore Development Authority and Others*⁸⁶ (1996)⁸⁷, *Ramachandrappa and Others v State of Karnataka and Others* (1996) and *Poornaprajna House Building Co-operative Society, Bangalore v Bailamma @ DoddaBailamma and Others* (1998) the issue was about the delay in passing awards. In the first case, the petitioners had cited provision Section 11-A of L.A. Act against which court ruled that it was inappropriate to invoke provisions of L.A. Act, because land was acquired under BDA Act. In the latter two cases the court had ruled against the contention for the reason that alleged procedural lapse of ‘expiry of mandatory period of two years’ to make an award for the land acquired, was not found to be factually correct. The representative of the government had signed the award within the given mandatory period of two years before sending the award report to the government. The delay caused by the petitioner approaching the lower court and the high court was to be discounted. Thus the date of signing of the award by the government representative was valid.⁸⁸

Delay in scheme completion: In a dispute between *Chayadevi & another v State of Karnataka & another* (1988)⁸⁹ the contention was that according to Section 27 of the BDA Act the scheme was not substantially implemented. The court found that the scheme was substantially implemented with layout being formed, the sites being sold by the BDA and houses being built in the layout within 5 years as a statutory requirement. Thus the contention was invalid. In other cases, the judgments gave other reasons to nullify the effect or nominalize the given provision of the BDA Act. They gave importance to the purpose of the act. The following instances of disputes would indicate that clearly. In the dispute between *Kanthamma & Others v State of Karnataka & Another*⁹⁰ (1984), against the contention whether the Scheme would lapse if not implemented within the time period of five years as fixed by S. 27 of BDA Act, the judge said: “The petitioners, who are owners of about 10 acres of land included in the vast ocean of land, have approached this court challenging the validity of the acquisition solely on the ground that there has been no compliance with the provision of

Section 27 of the BDA Act, 1976”⁹¹. Court while interpreting the law said that since there was no “dereliction of statutory duties without justification” and a mere delay could not be a ground to cancel the acquisition. It also observed: “the “substantial execution” in the context depends upon the magnitude of the scheme and the nature of the work executed and remains to be executed. In the very nature of the project in question, it is almost impossible for the High Court to embark upon an enquiry on the contention raised”⁹². Thus the appeals were dismissed. Similarly in a dispute between *M.B. Ramachandran v State of Karnataka and Others (1991)*⁹³ with regard to the issue of delay in implementing the scheme which according to the petitioners interpretation of S. 27 of the BDA Act was liable to lapse since it had exceeded 5 years of legal limit. The court argued that the question of delay did not arise because the implementation of the scheme should be counted from the day BDA takes possession of lands and the time consumed for other procedural formalities like preliminary notification, passing of the award, etc, should not be included in five years. Thus the alleged delay of “dereliction of statutory duties” had no substance. For all these reasons, petitions were dismissed. In the dispute between *A. Krishnamurthy (Since Deceased) by L.Rs. v Bangalore Development Authority and Others (1996)*, again the court argued against a similar contention that the acquisition would lapse for not completing the scheme within the 5 years time as stipulated by S. 27 of the BDA Act. It said that there was no dereliction of statutory duties and mere delay in the execution of the scheme could not be a valid ground to cancel acquisition and substantial execution depended on the magnitude of the scheme and nature of the work to be executed.

The cases illustrated in the preceding discussion belong to different kinds of land acquisition for different uses- civic, industrial, residential, etc. Though the purpose is common, the contentions vary. There was a dispute which embodied most of those contentions discussed above. The dispute was between *Mahendra Enterprises (R) v Commissioner, Bangalore City Corporation & Others (1987)*. This instance had a long history. A crowded street in the Central Business District of the city- Srinivasachar Street was sought to be expanded to ease the traffic congestion in 1950, but that did not happen till the early 1970s. The Government and the Bangalore City Corporation finally decided in 1974 to acquire buildings along the street to expand it. It was a long drawn and a delayed process because there was much at stake for small businesses. Petitioners had alleged that notice was not served to the petitioners according Section 4 L.A. Act after preliminary notification and also with regard to the award (compensation). Court examined the records maintained by the government in detail to ascertain if all the procedures were followed. The Government according to procedure had issued the notices to the interested individuals and notice of acquisition had been

displayed in the important places for the people to know about the acquisition. Various individuals had filed the objections with the authority concerned and enquiry had been conducted. After all that the Government and the Bangalore City Corporation had decided to acquire the land for the expansion of the road. The shop owners along the street had formed an association, named as *Street Tenants' Association*. The members of association were residents, businesspersons and tenants. They organized themselves with a "view to safeguard and protect their interest" with reference to the impugned acquisition proceedings. To fight against the land acquisition, the petitioners had sought the interventions of the Chief Minister and other political interventions too. The assurance given by the Chief Minister which had been released to the press was produced as evidences. The association had also approached the Commissioner of the Corporation with a representation against the acquisition. The shop owners worked as a pressure group. Both the parties had delayed in approaching the court. Petitioners had alleged the collusion between the officials and land owners. The court found that the contention of collusion between the landowners and the corporation officials was only an afterthought because the petitioners had not mentioned any of these issues in the objections filed with the land acquisition officials. Thus the contention was ruled out. With regard to the contention that the petitioners were not notified with regard to acquisition and the compensation, the court found that the petitioners had known the acquisition proceedings because they had filed the objections and there was evidence that the acquisition was notified in the convenient public places which was accessible to all those concerned with the acquisition. And mere failure to serve the award notice did not invalidate the land acquisition and the petitioners had all the right to claim the enhanced compensation. Court mainly took into consideration the question of purpose. It took note of the Comprehensive Development Plan prepared by the Bangalore Development Authority which had clearly shown in its findings that the central business district areas and central administrative district areas and the roads leading to these places were facing frequent traffic congestions. Apart from that since the acquisition was notified in the Karnataka State Gazette which proved to be the conclusive evidence that the land proposed to be acquired was public purpose. The petitioners also alleged hostile discrimination because out of nine preliminary notifications, two were not published. Hence all the notifications were pleaded to be dismissed. In response to this question, the court felt that the response of the Bangalore City Corporation was delayed because of the delay in the course of proceedings in the subordinate offices. These notifications were not merely about the petitioners' properties but also others properties which were acquired for the purpose. So in this case court felt 'Perhaps, there might have been some confusion or oversight in the Corporation Office since this is a case where the Corporation was not dealing with one notification, but a large number of notifications bearing different dates'.⁹⁴ Thus this particular case did not attract

Constitutional guarantee under Article 14 of the Constitution, since there was no intentional unequal treatment of persons similarly placed. For these reasons the petitions were dismissed.

2. Land Acquisition and Jurisdictional Problems

The spatial jurisdiction of the operations of land development taken up by the BDA was in question in the dispute between *Vishwabharathi House Building Co-operative Society Ltd. v Bangalore Development Authority (1989)*⁹⁵. The question was whether BDA had the jurisdiction to prepare, frame or draw up a “development scheme” generally called as “improvement scheme” with respect to adjacent area of the “Bangalore Metropolitan Area”? Petitioners had referred to the preamble of the BDA Act’s definition clause (c⁹⁶) relating to ‘Bangalore Metropolitan Area’ in Section 2 of the Act and Sub-Section (2)⁹⁷ of Section 3, clause (a) of Sub-Section (1) of Section 15⁹⁸, Sections 25(1)⁹⁹ and 35¹⁰⁰ of the BDA Act to oppose the land acquisition. 1843 acres and 6 guntas of lands spread across many villages- Uttarahalli, Marasandra, Vaddarapalya, Doddakallasandra, Yelachenahally, Halagederahally, Channasandra, Bikasipura, Vasanthapur and Konanakunte- were acquired for the formation of residential layout known as “Banashankari V Stage Layout in 1989 by the BDA. During the same year 1333 acres and 34 guntas of lands spread across many villages- Konnanakunte, Raghuvaranahally, Alahalli, Thippasandra, Doddakallasandra, Arakere, Hulimavu, Vajrahalli and Raguvanapalya- were acquired for the formation of the residential layout. The BDA’s development schemes were to be limited to the Bangalore Metropolitan Area only. These two large scale acquisitions were the source of contention because these areas were beyond the limits of the Bangalore Metropolitan Area. The petitioner Vishwabharathi House Building Co-operative Society had entered into agreements with many landowners of the Halagevaderahally which was being acquired by the BDA to form “Banashankari V Stage Layout”. The petitioners had intended to form a private layout “V phase of Vishwabharathi Housing Complex”. So the society had approached the State Government to acquire the lands for the Society. Since already the BDA had included those lands in its notification which were sought by the said society, writ petitions were filed against the BDA’s plans. In response to the claims and contentions of the petitioners, the Court found that Clause (a) of Sub-Section (1) of Section 15 of the BDA Act gave BDA the power to prepare a development scheme for the development of the Bangalore Metropolitan Area. The contention of the petitioners was that the BDA had the power to prepare improvement scheme only within the defined boundaries of the Bangalore Metropolitan Area and not the adjacent areas. Court took the main purpose of the Act into consideration which according to

clause (a) of Sub-Section (1) of Section 15 of the Act facilitates the Authority to prepare a 'development scheme' for the development of the Bangalore Metropolitan Area and the Section 14 authorises BDA to prepare the 'development schemes' for the development of the Bangalore Metropolitan Area 'by acquiring, holding, managing and disposing of the property *within or outside the Bangalore Metropolitan Area*'¹⁰¹ (emphasis added). Thus the contention was dismissed.

Similar to, but the variant of the above kind of a case, was the issue of land situated in the green belt. In the dispute between *Smt. Venkamma and Others v Deputy Commissioner, Bangalore and Others* (1995)¹⁰² the question was whether government's Gazette notification to acquire land under Section 3(1) Karnataka Acquisition of Land for Grant of House Sites Act, 1972, was valid since the land proposed to be acquired was situated within the green belt area according to Comprehensive Development Plan (CDP). Responding to the question of lands of Balageri village being situated in the green belt, the court reaffirmed the power of *eminent domain* of the government in making changes in the land use. Given the acute shortage of land in the city, the conversion of land in the green belt was justified. Thus the contention did not find the favour. In the previous case the violation was related to environmental issue and planning, whereas in the dispute between *S.S. Darshan v State of Karnataka and Others*¹⁰³ (1995) the point of planning law itself was invoked. Petitioner's lands were situated in the green belt and the acquisition according to the provisions Section 14 of KTCP, was termed illegal. Court against the contention ruled that though the petitioner's land was situated in the green belt, the Section 14 of the Act provided the government to relax such zoning regulation to develop industries.¹⁰⁴ Zoning was within the realms of Government's quasi-judicial powers.

3. Withdrawal from Land Acquisition: The decision of the government to withdraw from land acquisition was in dispute. In the two cases which are available for analysis on the issue of withdrawal from acquisition process by the authority, there were two kinds of responses which belong to different times and different kinds of actors were involved in the process. In the dispute between *Muninanjappa v State of Karnataka & Another*¹⁰⁵ (1980)¹⁰⁶, the issue to be decided in the dispute was when withdrawal from acquisition was legal. The petitioner opposed the withdrawal and wanted his land to be acquired and the compensation to be settled. Under Sections 16 and 17 Government in the case of urgency can acquire and withdraw. So the petitioner's insistence to acquire land was judged invalid. Thus petition was dismissed. That was direct contest between the government and individual land owner, and land acquisition and withdrawal from it by the government had taken place during the times when the transactions in land had not become manifest. In the dispute between *R.M.S. Telephone Employees' House*

Building Co-operative Society Limited, Bangalore v Government of Karnataka and Others (1997), the petitioner-HBCS contended that government had not given the chance to be heard before withdrawing from the acquisition by the Government. Government was acquiring land for the petitioner-HBCS from the landowners of the village. The demand for procurement of land through the government by the HBCS was happening when transactions in land in Bangalore city were on the increase. Government had withdrawn from the land acquisition proceedings by invoking Section 48(1) of L.A. Act. The court found that according to Section 48(1) of the Land Acquisition Act, it was not mandatory on the part of Government to hear anyone before the Government took into its possession the lands which were to be acquired. Since Government had not taken the lands to be acquired into its possession, there was nothing left to be answered and it was left to the *discretion* of the Government. On those grounds the petition was dismissed.¹⁰⁷

Denotification: The land acquisition authorities' decision to denotify the lands acquired was in dispute. Such issue arose in the context of decision taken by the government to denotify acquired lands on large scale. Denotification was taking place during times which were most favorable for highly profitable transactions in land. There were two disputes under this category which could be considered significant or representative of denotification. The dispute arose when the BDA acquired agricultural lands on a large scale to form an expansive residential layout and denotified portion of land which had benefited the neighbours of the petitioner. That became contentious, therefore the dispute between *Bangalore Development Authority v Dr. H. S. Hanumanthappa (1996)*. But before this legal proceeding, the land owner had earlier approached the High Court mainly demanding his acquired land to be denotified too. The land owner had claimed that the neighbours' land which was part of the acquisition was de-notified and was restored back. Totally 700 acres of land which were part of 1334 acres 12 guntas of land proposed for acquisition were claimed to be de-notified and restored back to the owners. The petitioner-landowner had argued that if neighbours' lands were restored back, then there was no justifiable rationale for the authority to withhold his land from releasing it back to him. Since 700 acres of lands were restored back to the land owners the whole scheme was, as claimed by the petitioner, unenforceable. Withholding his lands stood in violation of Articles 14¹⁰⁸ and 300-A¹⁰⁹ of the Constitution.

The land owner/respondent contended that since the authority/BDA with the assistance of the State Government had denotified land, the implementation of the scheme in principle would amount to withdrawing from the scheme completely. According to the Section 27 of the BDA Act a scheme should be implemented within five years otherwise the scheme would lapse and would be inoperative. Since the

scheme was not implemented within the prescribed time, the scheme was claimed to have lapsed and become inoperative.¹¹⁰ In deciding upon these contentions raised by the petitioner, the court took note of petitioner's contention that since the lands included in the final notification were denotified by the Government the 'action was arbitrary and also amounted to fraud on the power'. Therefore under those circumstances Articles 14 and 300-A of Constitution of India were applicable to nullify the whole of the land acquisition proceedings.¹¹¹

First of all, court had to ascertain on what grounds and circumstances did Government restore land to one of the land owners. The Government had withdrawn from the land acquisition owing to a land development proposed by an individual for establishing an Education Foundation and the necessary building construction. Before government made the concession for the establishment of the educational institution, the individual was a land owner whose lands were acquired by BDA. As a consequence he approached the court to restrain the authority from acquiring the land. Subsequently the land owner withdrew his petition and approached the government to exempt his land under Section 20 of the Urban Land (Ceiling and Regulation) Act, 1976. Accordingly his lands were released for the purpose of establishment of the educational institution. Apart from that what prompted the government to drop the acquisition proceedings was that another land owner had petitioned in the High Court against the same land acquisition proceedings in 1981. Court in 1984 judgment had struck down the acquisition proceedings which had further added to the complication. In this context concessions were made by the government by withdrawing from the acquisition proceedings of certain individuals who had challenged and had got court decisions in their favour.¹¹² Given these complexities court pointed out the imperfections involved in land development, and highlighted the role of the Government and its agencies:

The State Government passed order on May 14, 1991, and the State Government not only granted exemption in respect of the excess vacant land, but also directed the authority [BDA] to drop the acquisition proceedings...The reason which prompted the state Government to give such direction was that the final notification was challenged by one of the landowners by filing Writ Petition...[in] 1981...[which was] by judgment dated July 27, 1984, [had] struck down the entire final notification even though it was challenged by only one of the landowners. The State Government felt that as the entire notification was struck down, the acquisition of lands undertaken by the authority in respect of the holding of [an individual could not be continued]...It was extremely unfortunate that the Government did not bother to ascertain what has happened in respect of the judgment delivered by the learned Single Judge. An application was filed before the learned Single Judge for review of the judgment and a April 13, 1992, the review petition was allowed and the final notification was quashed only in respect of the lands involved in the petition. It seems that the Government was anxious to grant the relief sought by M.S. Ramaiah. It cannot be overlooked that the State Government was a party to the proceedings before the learned Single Judge and also in the review petition. In spite of that, if the direction is given to the authority to drop the authority to drop the acquisition proceedings, such direction is of no value. Indeed, it is difficult to appreciate how on an application filed for grant of exemption under Section 20 of the Urban Land (Ceiling and Regulation) Act, 1976, the State Government can proceed to give direction to the authority to drop the acquisition proceedings.¹¹³

If the government wanted to withdraw from the acquisition proceedings, according to Section 48 of the L.A. Act, it could have done so, whereas in this case

there was violation of law by just giving direction to the BDA to drop the acquisition proceedings. It was also pointed out in the court proceedings that acquired lands of few other individuals were also to be restored. Court in response to that contention found that denotifying and returning lands to the owners was not arbitrary and the Government had exercised that power only according the procedure of Section 48 of the Land Acquisition Act.¹¹⁴

Further with regard to question of delay in the implementation and non-implementation of the scheme, court observed that Section 27 of the BDA Act would be applicable only if the author was in a position to implement the scheme and failure to do so would lead to lapse of acquisition. In this case the delays were caused by series of prolonged legal proceedings leading to failure to complete the project within the given period of 5 years.

Given all these complexities involved in the creation of a big layout and large scale land acquisitions, the court observed ‘that sometimes while taking a pragmatic and progressive action under a statute in the general public interest, the Government succumbs to internal and external pressures by a citizen or groups of citizens, so as to show special favour to them, which destroys the laudable object of the nature of action. It was pointed out that such a course adopted by the Government to help a few chosen friends at the cost of the people in general, frustrates the very object of the meaningful State action.’¹¹⁵

What is the ‘meaningful’ State action then? The court took the view that the authority first of all had committed illegal action by releasing the lands to a few individuals. The court followed the Supreme Courts’ observations.

Generally speaking, the mere fact that the respondent-authority has passed a particular order in the case of another person similarly situated can never be the ground for issuing a writ in favour of the petitioner on the plea of discrimination. The order in favour of the other person might be illegal and valid or it might not be. That has to be investigated first before it can be directed to be followed in the case of the petitioner. If the order in favour of the other person is found to be contrary to law or not warranted in the facts and circumstances of his case, it is obvious that such illegal or unwarranted order cannot be made the basis of issuing a writ compelling the respondent-authority to repeat the illegality or to pass another unwarranted order.

The illegal/unwarranted action must be corrected, if it can be done according to law indeed, wherever it is possible, the Court should direct the appropriate authority to correct such wrong orders in accordance with law, but even if it cannot be corrected, it cannot be made a basis for its repetition.¹¹⁶

The court subscribed to the view of correctional course to the multi-layered illegalities and breaking vicious circle of illegalities. Under these considerations and in the interest of ‘public interest’ court allowed the appeals of BDA and the allottees.

Despite the appeals being allowed by the High Court in favour of the BDA and

others in the previous case¹¹⁷, another petition was filed by Dr. H. S. Hanumanthappa against the same land acquisition proceedings related to the formation of Rajmahal Vilas II Stage layout formation. Dr. H. S. Hanumanthappa petitioned¹¹⁸ in the High Court claiming that he still had rights over the land acquired by the BDA. BDA as a part of large scale acquisitions had acquired lands of the petitioner at various places. Lands of various survey numbers had been acquired at various places spread over a wide area, comprising of many villages located in Kasaba Hobli, Bangalore North Taluk owned by the petitioner. Petitioner claimed rights over the lands on the basis of the Government cancelling the land acquisition. Apart from that allottees of the BDA sites also filed a petition against the denotification. This petition was also heard along with the land owners' petition. In the land owners petition it was contended that Government had withdrawn from the acquisition by exercising the power in accordance with the application of Section 48 of the L.A. Act. Accordingly the lands were restored back to the owners. The subsequent notification which followed was issued by the Government which stated the cancellation of the previous notification of withdrawal from acquisition with regard to petitioners' lands. The landowner-petitioner contended that, once the Government withdrew from land acquisition proceeding in accordance with the Section 48 of the L.A. Act, ownership rights were restored back to the land owners. It was also contended that once the lands were restored back to the owners, the government should not have withdrawn the withdrawal notification from land acquisition proceedings without giving a hearing to the land owners.¹¹⁹

The court while responding to the petitions found that from the records it was evident that the petitioner-landowner had written a letter to Chief Minister (CM) to denotify his acquired lands which had a bearing on the withdrawal from the acquisition proceedings. In the letter he had brought to the notice of the CM that his writ petition of 1989 was decided in his favour by the Single Judge. Facts highlighted in the letter were that certain extent of lands were being allotted to various Housing Cooperative Societies which was not the aim of the acquisition. The petitioner-landowner had urged that the writ appeal filed by the BDA and others which was still pending in the court against the previous decision given in his favour would fail because there were no "valid and legal grounds". Therefore the appeal deserved to be withdrawn and give effect to the already passed order by the court. Further from the records it was evident that the then Chairman of the BDA had written a letter addressed to Secretary of Housing and Urban Development to bring to the notice of the Government that BDA had preferred an appeal which was pending in the High Court. It was with regard to the formation of layout and sites and the allotment. The Chairman had emphasized that "any move by the Government to denotify the lands belonging to the [landowner] would amount to undermining the interest of the BDA and it [would] cause irreparable

damage to the BDA” and had urged the Government not to denotify lands acquired “in the interest of BDA and also [to] keep up its image in public”.¹²⁰ the CM relied on the order of the judgment referred to him by the petitioner-landowner and had observed “there are no good reasons why acquisition should not be given up...acquisition of the said lands cannot be said to be in public interest.”¹²¹ Thus the CM had ordered the denotification of the lands.

Court found that denotification was a violation. Violation because the denotification was undoing the previous court judgments one passed by the Division bench of the High Court and another by the Supreme Court, in which both had held the land acquisition to be valid given the facts of the case. The petitioner-landowners’ claims were dismissed.

The site allottee-petitioners had questioned the legality and validity of notification of the Governments’ withdrawal from the acquisition proceedings. Against the site allottee-petitioners’ contention, the landowner-petitioner had argued that allottees had no *locus standi* to challenge the government’s withdrawal from the acquisition. Lands were acquired by the BDA and formed the layout and sites. Thus the BDA should have been the aggrieved party instead of site allottee-petitioners. Since the BDA itself had not challenged the validity of the notification, site allottees had no *locus standi*. After delving on the question of *locus standi*, court had observed that- “The narrow concept of *locus standi* has been in a state of flux and has lost its original characteristics and now any person who has sufficient interest in the subject-matter of the litigation is entitled to maintain the writ petition.”¹²² Since the petitioner-allottees who were allotted sites in the formed residential layout had ‘sufficient interest’ the retraction from the acquisition proceedings by the Government would have rendered the allotment of sites in their favour ‘farce’.¹²³

4. Contentions with Reference to the Application of Substitutive of Laws

There are land acquisition disputes which have questioned the appropriateness of a particular law applied in their cases. In a dispute between *M. P. Narasimha Murthy v State of Mysore (1967)*¹²⁴ the issue was about whether the land acquisition was valid since it was not done under CBIA and also about whether the State of Mysore was a competent authority to take up acquisition under the provisions of the L.A. Act? In this case the Government had planned to acquire lands for the formation of residential layout, on the southern side of Mount-Joy in Bangalore. The petitioners were the site-owners who had bought sites from a private layout which had become a part of the proposed land to be acquired. With regard to the question of validity of the acquisition

under L.A. Act instead of CBIA, the court held that State was competent to take up acquisition for the CITB under L.A. The provisions of L.A. Act and the CBIA were not contradictory. Given the stated purpose within the legal framework of the CBIA it was considered valid public purpose to form layouts and sell sites under the law by the CITB. Thus for these reasons the petitions were rejected. In another legal dispute between P. Achiah vs State of Mysore (1962) the merits of applying CBIA won the legal contest for the petitioners. In the former dispute the judgment was contrary. The conditions and background of the facts are more or less similar, except for the high social profile of the contestant petitioners.

Further, in a dispute between *Muthyala Reddy v. State of Mysore and Another*(1968) similar in terms of a issues of applying L.A. Act or CBIA but contention of the particulars of particular law were specific and therefore different from the previous disputes which were contested on the basis of merits of applications of the laws were in general. The issue was whether S. 16(2) of CBIA i.e., the notices must be served on every person whose name as it appears in the land revenue register, is constitutionally valid when compared to S. 4(1) of the L.A. Act which provides for service of notice on owners and occupiers of property or land? Court in response to the contention decisively argued that, following the same logic of the decision of previous case discussed above, it is left to the discretion of the government to apply any of the laws to acquire the land. Thus court emphasized clearly that ‘right to such an opportunity’ for the land owner to determine the application of law to acquire his/her land ‘has no right to any particular procedural adherence to which the property could be acquired’. Though the purpose of CBIA was not the same as the purpose of the L.A. Act, or application of either of the laws were not discriminatory¹²⁵, given all that the petition was dismissed.

Again in the dispute between *S. S. Darshan v State of Karnataka and Others* (1995) one of the issues was about the demand for the application of a particular law to acquire lands. The land was proposed to be acquired for the Information Technology Park Limited. For the creation of the industrial estate Karnataka Industrial Areas Development Board had proposed to acquire land measuring two hundred acres spread over many villages in Bangalore South Taluk. The petitioner-landowners’ lands measuring 10 acres 30 guntas were part of the total acquisition process for the purpose. The petitioner contended that land acquired was by invoking L.A. Act, whereas it should have been acquired under the Karnataka Industrial Areas Development Act, 1966 (KIADA). In response to that contention the court again reiterated that it was left to the Government’s discretion to choose either of the acts to acquire lands. Again, in *S. A. Jalaluddin v Bangalore Development Authority and Another* (1995)¹²⁶, the

contention- Whether the notification published under Section 18(1)(a) of the CBIA, is barred under the provisions of the Land Acquisition (Karnataka Amendment and Validation) Act, 1967 prescribing a period of two years for issuance of a declaration under S. 6 of the Acquisition Act? The court equated and substituted Section 4 to Section 6 of L.A. Act; Sections 14 to 18 of CBIA; and Sections 16 to 19 of BDA Act, 1976 and said they all have same meanings for actions. Thus the appeal was dismissed.

The dispute between *Khoday Distilleries Limited, Bangalore v State of Karnataka and Others* (1997) brought forth a much broader discussion which was much wider in scope. Given the BDA Act which being a composite legislation consisting of both improvement and acquisition listed under Entry 5¹²⁷ of List II and Entry 42¹²⁸ of List III, of Constitution of India, the provisions of which are contained in the BDA Act which relate to land acquisition. The same are explicitly covered by the L.A. Act and by reason of the subsequent amendment to L.A. Act, there could be no acquisition of the land pursuant to BDA Act. This case is among a batch of petitions which relate to land acquisition proceeding initiated by BDA to form a residential layout known as Jayaprakash Narayan Nagar 9th Stage Layout. While addressing the petitions, the court probed deeply into various constitutional provisions, L.A. Act and its roots in the constitutional provisions, BDA and its roots, in the Constitutional provisions and compared L.A. Act and the BDA Act. In a way the court also outlined the ‘development of law’ with regard to acquisition to find out what was or could have been appropriate point of law in the given instance of acquisition.¹²⁹ To the contention that provisions of Land Acquisition Act should apply because of the Central amendment and the provisions of the centre should prevail over the state law, for that argument court adopted doctrinal argument of “pith and substance”¹³⁰.

The purpose of the BDA Act had been to “implement certain development schemes and acquisition of land as such is not the main purpose”¹³¹. “Provisions of Land Acquisition Act, 1894 cannot prevail over those of Bangalore Development Authority Act, as acts derive powers from different sources and are for different purposes”¹³². Thus the question of contradiction will not arise at all. For all these reasons petition was dismissed.

5. Land Acquisition Issues and The Constitution of India

In some disputes illustrated below, the questions became critical because of human insecurity. The issues of discriminations, deprivations, livelihood questions, etc., became central to the disputes. People invoked some of the fundamental provisions of

the Constitution of India which attempt to construct the existence and definition of a human being.

Equality Before the Law or the Equal Protection of the laws: In four of the disputes outlined below, Article 14 of the Constitution of India was invoked. According to Article 14- “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.” In a dispute between *Mahendra Enterprises (R) v Commissioner, Bangalore City Corporation & Others (1987)*—petitioners felt the hostile discrimination because out of nine preliminary notifications for acquisition of the properties to expand the road, two were not published. Hence all the notifications were pleaded to be dismissed. Thus they cited Article 14. In response to this question, the court found that the response of Bangalore City Corporation was delayed for the delays in the course of proceedings in the subordinate offices. These notifications were not merely about the petitioners properties but also other sets of properties which were acquired for the purpose and work was in progress within the prescribed time. So in this particular case the court said: “Perhaps, there might have been *some confusion or oversight* in the Corporation Office since this is a case where the Corporation was not dealing with one notification but a large number of notifications bearing different dates”¹³³ (emphasis added). Thus this particular case did not attract Constitutional guarantee under Article 14 of the Constitution, since there was no intentional unequal treatment of persons similarly placed. For all these reasons petitions were dismissed.

In the dispute between *S. S. Darshan v State of Karnataka and Others, (1995)* different lands were acquired for the same public purpose, but different laws were cited for different lands which were viewed by the petitioner as discriminatory. Thus, the concerned land acquisition violated Article 14 of Constitution of India because petitioner’s ‘legitimate expectations’ were not given due consideration, in the sense that state was acquiring lands of different individuals for same public purpose by invoking one enactment in case of some individuals and another enactment in the case of another violating Article 14 of the Constitution of India. In response to that court argued that the ‘[C]oncept of legitimate expectation lies in the matter of exercise of powers of an authority and the extent to which arbitrariness arise in such manner. In judging whether the legitimate expectation of a party has been appropriately dealt with or not would only relate to administrative action and not to a *statutory or quasi-judicial power* exercised in the manner provided thereto’¹³⁴ (emphasis added).

The dispute between *Khoday Distilleries Limited, Bangalore v State of Karnataka and Others (1997)* threw up an issue of calculating compensation amount in

the context of newly amended L.A. Act. The amount of compensation was more before the amendment of L.A. Act. When the land was acquired this was discriminatory and violated Article 14 of the Constitution of India. The court said: “it is too hazardous to enter upon that discussion because the purpose of the Act is to implement certain development schemes and acquisition of land as such is not the main purpose. It is one of the *incidental aspects of the scheme*”¹³⁵ (emphasis added). Thus there was no scope for discrimination at all.

In another dispute between *Chikkamuniyappreddy Memorial Trust, Bangalore v State of Karnataka and Others (1998)* petitioner had sought a writ of mandamus (mandatory directions or orders sought from the court by the petitioner to the authorities) to direct the state government to take necessary action in pursuance of the resolution made by the Bangalore Development Authority with regard to reconveyance of sites in other cases which was denied to him. This was considered as discriminatory according to Constitution of India Article 14. In this case land was not reconveyed without assigning any reason. This was a dispute about the land acquisition notification issued by the BDA in 1977 and final notification in 1980. A public trust was formed and registered in 1984 known as Chikkamuniyappreddy Memorial Trust. The president of the trust filed a petition against the 3 acres 4 guntas land situated at Kacharakanahalli Village, Bangalore North Taluk which was acquired by the BDA. He claimed that the acquired land was apportioned by Doddamuniyappa to the trust, but the court did not find any evidence to such a claim. The BDA first notified the land in 1977. In 1980 final notification was published in the gazette and in 1983 the land was taken into possession and converted into sites and were distributed to the allottees in 1985 by the authority. This was much before the trust was formed. Due to this, Doddamuniyappa could not apportion the land in favour of the trust. Thus the contention of questioning the legality of notification was nullified. Secondly, the petitioner referred resolution to the reconveyance of land passed by the BDA in favour of the trust in 1987. To this contention court found that, according to Section 38-C of BDA Act, the authority had power to make allotment in certain cases on the condition that “it is not practicable to include such a site for the purpose of Development Scheme. The allotment of such a site could be made in favour of such person from whom the land had been acquired”¹³⁶. Such reconveyance or allotment could only be by way of sale or lease to the allottee after paying such charges as levied by the authority and should be within the land ceiling limits. Section 9 of the amended BDA Act of 1994 validates such allotments which were done after 20-12-1973 and before 8-5-1986. The petitioners’ allotment resolution was passed by BDA on 7-8-1987. The petitioner had pointed out similar instances of reconveyance, thus it would be discriminatory on the part of BDA under Article 14 of the Constitution of India. For that the court reiterated one of the

pronouncements of Supreme Court which in essence meant that “Wrong action taken by the authorities will not clothe others to get the same benefit nor can Article 14 be pressed into service on the ground of invidious discrimination”¹³⁷

Livelihood Questions: For the agriculturists livelihood which is essential for survival becomes critical when their lands are acquired and that too when the lands are situated in the vicinity of the city. This question in a way has been asked implicitly in the context of the determination of compensation. In two of the contentions, they had invoked Article 21 of the Constitution of India which states: “No person shall be deprived of his life or personal liberty except according to procedure established by law.” In the dispute between *Annayya & others v State of Karnataka & Others (1988)*¹³⁸ petitioners had claimed that since they were poor farmers, the land acquisition would deprive them of their livelihood. They had sought protection from Article 21 of Constitution of India. For that court concluded that they were eligible for compensation which was statutory and compensation was not “illusory”. Compensation was supposed to answer all the livelihood problems. Similarly, court was much more categorical in the dispute between *H. N. Nanjgowda and Another v State of Karnataka and Others (1996)*. Petitioners had complained that the location of the airport would deprive large number of people of their livelihood. In the petition it was stated that acquisition of land affected the people of the State of Karnataka, especially the innumerable number of small land holders, agricultural labourers, household workers and small cultivators who were granted occupancy rights under the Land Reforms Act. Small landholders would not be in a position to earn their livelihood and rehabilitate on their own even after getting compensation. The court said “So long as the exercise of the power is for public purpose, the individuals right of an owner must yield place to the larger public purpose.”¹³⁹ Individuals who were losing the property would be compensated with additional amounts. Court again underlined the States’ ‘power of eminent domain for public purpose’. In a dispute between *M. Laxmiah v State of Mysore & others (1966)*¹⁴⁰ court long back had decided that the Article 31(2) of Constitution of India prescribes compulsory acquisition only for the public purpose and by authority of law which provides for the compensation and specifies the principal basis for fixing the compensation for the property acquired and no such law shall be called into question in any court on the ground that the compensation provided by that law is not adequate.

Concurrent list and overlapping functions of different laws: In a dispute between *M. Laxmiah v State of Mysore & others (1966)* the question was whether the land acquisition taken up by improvement trusts is valid when the L.A. Act which is on the concurrent list for the same purpose exists hence overrides the act passed by the state

legislature? Court emphasized the need and role of the legislation for the CITB to be for the purpose of acquiring land for expanding the city by planning schemes according to Section 18(1) of CBIA. The CBIA passed by State Legislature relates to the subject of improvement trusts and the power to legislate on improvement trust and it was exclusively for the State Legislatures to pass law under Entry 5, List II of Schedule VII of the Constitution of India. So whenever CITB proposed to acquire land it was under CBIA and not under the provisions of L.A. Act. Though there was reference to L.A. Act in section 27 of the CBIA, but it was not meant to take up acquisition under L.A. Act. Section 27 of CBIA only incorporated provisions of L.A. Act for the purpose of acquisition. It was clarified that the purposes of CBIA and L.A. Act differed in purposes and actors who would use them to acquire lands. The former law was used by CITB and LA Act was used by government to acquire lands. In pith and substance, CBIA was intended to bring about improvement to the city of Bangalore and for the future expansion and land acquisition in the process was only incidental where as it was vice versa in the case of Land Acquisition Act. As implied anyone can acquire land under the article, and it is not exclusive to the government only to compulsorily acquire the land, but the conditions will have to be fulfilled. By implication though CITB had a role of expansion of city and with public purpose of “special character”, it had the authority of law, thus CBIA cannot be enumerated under concurrent list and therefore the question of being in violation of Article 254 of the Constitution of India never arose. Thus the contention was dismissed.

Powers of the State Government to Acquire Lands for the Union Government: In a dispute between *H. N. Nanjgowda and Another v State of Karnataka and Others* (1996), in the context of acquisition of lands to build a airport, a fundamental question arose. That was whether State Government had the powers to acquire land for the Union Government? Petitioners had challenged the acquisition on the grounds that it violated the Entry 29¹⁴¹ List I of the Schedule VII of the Constitution. The matters listed under it for which State government did not have powers to acquire the land. The Union government alone had power under Entry 29 of List I to make provision for aerodromes, regulation and organization of air traffic and of aerodromes. The court made a distinction between the power of regulation and organization of air traffic and aerodromes or making provisions for aerodromes from the power of acquiring land. Given that rationale, it was judged that the state government had powers to acquire land for the airport, which had not violated any Constitutional provisions because it was listed under Concurrent List Entry 42¹⁴² of List III of Seventh Schedule of the Constitution.

6. Planning Issues

Competence of the Authority to Grant Permission for Conversion of Revenue Land: In a dispute between *Venkataramaih M. v State of Karnataka & others (1988)*¹⁴³ the question was whether the revenue authorities were competent to grant conversion after the publication of Outline Development Plan (ODP). The day, the revenue authorities passed the order under Section 95 of the Land Revenue Act, that particular village was included in the Bangalore City Planning Area. Thus the conversion of land for non-agricultural purposes by the revenue authorities was not legally appropriate. Therefore the only competent authority to convert lands was BDA. But in the acquisition notification it was still termed as agricultural lands. Therefore it was considered legal for the revenue authorities to give permission to convert land for non-agricultural purposes.

Jurisdictional issue- In a dispute between *H. N. Nanjgowda and Another v State of Karnataka and Others (1996)* acquisition was questioned because the land acquired was within the Bangalore Metropolitan Region limits. The petitioners contended that permission should have been taken from the concerned authority as provided in Section 10 of the Bangalore Metropolitan Region Development Authority Act. Section 10 of the Act mentions that such permission is necessary only if it was specified in the notification published in the Gazette. Since petitioners counsel did not produce any notification with such specification, the contention was set aside.

7. No Application of Mind by the Authority or Government- In a dispute between *Shambuvaiah v Deputy Commissioner, Bangalore (1980)*¹⁴⁴ the petitioner questioned the validity of acquisition proceedings on the grounds that Deputy Commissioner- the land acquiring authority did not apply “his mind to the facts of the case” because sites were allotted to beneficiaries from villages even though there was the government land which could have been acquired to form sites for distribution. Three acres and 30 guntas were acquired by the government to form a layout to allot sites to persons without sites. Court found that Deputy Commissioner applied his mind which was evident in a note the officer prepared. Secondly, there was no provision in the law that would prevent persons from joint family and those belonging to other villages not to avail such sites. Thirdly, the vacant government land was reserved for school, playground, etc. Thus the petition was dismissed.

In questioning the mind of the officials, the scope and scale was different a dispute between *H. N. Nanjgowda and Another v State of Karnataka and Others (1996)*. In this case petitioners pointed out that that government was not sure about the

exact measure of land needed for the airport which amounted to “total non-application of mind” both as regards to the location of the airport and the extent of the land needed for the purpose. This case was a public interest litigation related to the notification issued in 1994 under Section 28(1) of Karnataka Industrial Areas Development Act, 1966, to acquire 5033 acres 36 guntas of land in Bangalore North Taluk and Devanahalli Taluk which was spread over ten villages in Devanahalli Taluk and four in Bangalore North Taluk. Land that was being acquired was supposed to be used for industrial and infrastructural purpose and other projects related to International Airport which would cause depletion of water resources and create pollution in the Arakavathi and Dakshina Pinakini river valleys. Certain parts of government land was forest land which was being acquired for the purpose which would create imbalance in the ecology of the area. In response to the contentions, the court found that a Committee known as *Ramanathan Committee* appointed by the government had examined all these aspects and had submitted a detailed report to the government. Based on the findings of the committee, the government was proceeding with the project. Thus government had applied its mind. And with regard to the environmental question, the court held the view that the Central Government and the National Airport Authority while giving permission to the State Government to go ahead with the project had taken permission from the Ministry of Environment. The court felt that there were enough safeguards and laws to protect the environment. Therefore the question of non-application of mind by the government did not arise.

8. Material Incognizance/Dissonance: The governmental schemes of urban cultural-material environment puzzled in a few instances presented below. The land losers in the acquisition process were agriculturists and their picture of the city perhaps was different.

In a dispute between *M.B. Ramachandran v State of Karnataka and Others (1991)* the land was acquired for the formation of a mini-forest which was termed an amenity, was in question. The court was of the view that “Amenity” should be interpreted as an “extensive definition”. Mini forest was characterized as an amenity. “Mini Forest” is an amenity because for a city dweller who is far away from the forest and whose children would not have an opportunity to see a forest unless they go far away from the city into a forest. If BDA develops a “Mini Forest” to provide amusement to the city-dwellers and their children, it definitely provides an “amenity” to the city-dwellers¹⁴⁵. Amenity is a composite word that is inclusive of various categories such as road, street, lighting, etc., but they do not belong to the same genus. Thus the contention that the definition of the word “amenity” as it existed in Karnataka Act No. 17/1984 had to be read by applying “ejusden generis”¹⁴⁶ was judged invalid.

Whether airport could be considered as an industry or not? In a dispute between *H. N. Nanjagowda and Another v State of Karnataka and Others (1996)* it was questioned whether airport could be considered as an industry or not. Petitioners argued that under Section 28 of KIADA land acquisition was allowed to set up industries. Since airport did not constitute an industry the land acquired under KIADA was invalid. The court formed the view by drawing parallels with the Central Silk Board Act. According to the Act, industry comprised of raw materials, process of manufacture or production and distribution of products of the industry. Thus distribution of products of the industry was part of industrial activity and airport played a similar role. Therefore it should be considered as an industry under Section 28 of KIADA. Thus the contention was dismissed.

9. Questions about Different Kinds of Governmental Practices

Issues of Policy: Petitioners were against the private parties involved in the development process when land was acquired for “public purpose”. In a dispute between *Vishwabharathi House Building Co-operative Society Ltd. v Bangalore Development Authority (1989)* the court observed a tendency of the “privatization of public work” which was in practice for a long time and it was left to the government’s discretion in making such choices. Again in the dispute between *H. N. Nanjagowda and Another v State of Karnataka and Others (1996)* the issue of “privatization” arose. In answering the question of handing over of the acquired land to the private corporate, the court judged that the government as a matter of policy had all the powers to make the industries or corporate bodies or even jointly avail the land acquired. Therefore it was considered by the court as a policy matter. The court felt that “Privatisation is a fundamental concept underlying the questions about the power to make economic decisions”¹⁴⁷, which is ought to be answered by the ‘vigilant’ parliament than by the courts.

Environmental Issues: Boundary for city expansion was in dispute. The line of actual space for development was perceived to disturb the environment, not just the physical environment, but also the quality of the life of the village communities. The idea of green belt itself was meant to maintain ‘healthy’ environment by allowing ‘natural’ form of vegetation and agriculture to exist. The petitioners of the dispute *Smt. Venkamma and Others v Deputy Commissioner, Bangalore and Others (1995)* pointed out that the land under acquisition was included in the green belt and such acquisition was characterized as *mala fide* because such conversion of the lands in the green belt would affect the environment. Responding to the question of lands being in the green

belt, the court reaffirmed the power of eminent domain of the government in making changes in the land use. Given the acute shortage of land in the city the conversion of land in the green belt was justified and conversion of small piece of land would not make much difference to the environment. Thus for the preceding reasons the contention did not find the favour.

Land Ceiling and Governmental institutions: In a dispute between *Venkataramaih M. v State of Karnataka & others (1988)* the contention was with regard to the ceiling limits for acquiring land by BDA. Court viewed that the provisions of ULCRA did not have any relation or bearing over the land acquisition proceedings under the BDA Act.

Land Acquisition for Statutory Corporations: In a dispute between *Annayya & others v State of Karnataka & Others (1988)* lands of Kodihalli were acquired for the purpose of setting up a golf course and a five star hotel. Many petitions were filed at various levels. In response to the contention, the court found that agricultural lands were acquired for a statutory corporation- Karnataka State Tourism Development Corporation. The provisions of S.109 of Karnataka Land Reforms Act allow for land acquisition for statutory corporations and Karnataka State Tourism Development Corporation was not a company.

Transfer of Acquired Land from One Authority to Another or the Third Party: In the dispute between *M. Manicklal v The State of Mysore & Others*¹⁴⁸ (1968) the Trust Board had acquired land for its own purpose but later had transferred it to the Mysore Housing Board. The court took the view that the transfer of acquired land from the Trust Board to the Housing Board under the Mysore Housing Board Act was not considered invalid because the purpose of the allotment of land to the Housing Board was not considered different from the public purpose of the acquisition. Since the Trust Board had the statutory powers to dispose of sites. Thus allotting land to a statutory body- the Housing Board involved stood with the whole purpose of the Act. In another dispute between *Annayya & Others v State of Karnataka & Others (1988)* the complaint was that land acquired for the company was leased to third parties. Therefore acquisition proceedings were initiated for some extraneous purposes and not for the public purpose. Lands were acquired for setting up a five star hotel, but the acquired lands were allotted to a HBCS and a company of private land developers. The court found that some of the lands which were acquired were in fact diverted to the private parties, but there was no evidence to prove that the acquired lands of the petitioners were actually diverted to other private purposes.

Locus Standi: The dispute between *M/s Manjog Builders, Bangalore v Vyalikaval Co-operative Housing Society Limited (1998)* was related to the nature of transactions in land and the acquisition process, and locus standi of land ownerships itself. The issue was about whether the petitioner had the interest or right to challenge the acquisition. In this dispute between a builder-petitioner and HBCS-respondent the court found that the builder had bought the land from a landowner whose land was already acquired and the landowner had sold the land after it was notified. The court ruled that the land acquired would belong to HBCS and the builder did not have any *locus standi* to challenge the land acquisition despite having the title in the builder's name.¹⁴⁹

The dispute between *B.T. Sakku v Commissioner, Bangalore Development Authority and Another*¹⁵⁰ (1995) was more complicated than the previous case due to the issue of ownership of land. The acquired area was built up and the buildings were to be demolished. Land of the appellant-landowner was acquired by the BDA. Appellant had bought 1 acre 36 guntas of land at Kacharakanahalli village of Bangalore North Taluk. BDA had notified the land in 1977 itself to form Banaswadi-Hennur Road Layout. The appellant had made many representations to the BDA Commissioner to drop the acquisition proceedings and regularize the property since it was a built up area having an RCC building with 3 floors, poultry sheds, servants' quarters, a factory etc. The concerned structure was built in 1982-83. The appellant claimed that according to government order of 1987 buildings could neither be acquired nor be demolished. The appellant claimed that the land which was acquired was covered by the provisions of Land Revenue Act. BDA despite all these legal restrictions was trying to demolish the appellant's properties. The court while addressing the contention found that at the time of preliminary notification land belonged to someone else and by the time appellant filed the suit the property had changed two hands. Given that according to S. 17(5) of the BDA Act, the appellant had failed to prove that she was the owner of land. The notice had to be served within the 30 days of the publication of notification of the acquisition in the Gazette. So the first contention was dismissed.¹⁵¹ Though the acquired lands could have been acquired under ULCRA, there was restriction on the concerned authority to acquire lands under any other enactment.¹⁵² The court found that the property became a built-up area only in 1983-84, which was after the BDA had taken possession of the land. The appellant had applied for regularization despite knowing that the BDA was in possession of the land. The appellant had constructed unauthorized buildings. Thus the court decided that the demolition of the buildings by the BDA was legal. For all these reasons, appeal was dismissed because petitioner did not have *locus standi* to question the acquisition proceedings.

In the dispute between *Vinayaka Griha Nirmana Sahakara Sangha Limited v Karnataka Appellate Tribunal and Others (1995)*¹⁵³ the question was whether the Deputy Registrar of the Co-operative Societies had *locus standi* to deal with the disputes with regard to the title of the land owned? This was a case related to the lands acquired in Nagarabhavi village for a HBCS. The land was acquired according to the procedure of the L.A. Act and possession was handed over to the HBCS. Land acquisition for the petitioner-society was done in 1985 and the possession of the land took place in 1992. The third respondent to this case claimed title to the same land by virtue of a sale deed. The petitioner-society approached the second respondent to this case-the Deputy Registrar of Co-operative Societies, to find a solution to the dispute. The second respondent ruled that the petitioner-society was the absolute owner of the land. After that, the third respondent filed an appeal with the 1st respondent-Karnataka Appellate Tribunal. The Tribunal in its verdict ruled that second Respondent- Dy. Registrar of Coop. Societies had no jurisdiction to enquire and settle matters with regard to title and the possession of property disputes. Aggrieved by such an order, the petitioner-society approached the High Court. The court found that according to Section 70(1) of Karnataka Cooperative Societies Act, the Deputy Registrar had jurisdiction over the matters touching upon constitution, management or business of Co-operative Society, whereas disputes relating to title and possession of land was a civil dispute which could not be dealt by the Registrar. And secondly, according to Section 70(3) of Karnataka Cooperative Societies Act though the decision of Registrar is the disputants can approach appellate authority under Section 105 of the same Act. Thus the petition was dismissed. This case again brought to the surface the complexities involved in the quasi-governmental interventions and the deals which happen with regard to lands.

10. Land Acquisition Act, 1894 and Public Purpose

There were rarely any contentions with reference to the public purpose of land acquisition in the preceding decades of the 1980s. With the changes in the mode of land development from major governmental production of residential space to quasi-governmental production, the doctrine of public purpose was seriously challenged. In other words, the parting/sharing of the power of eminent domain of the sovereign power in alignment with government recognized quasi-legal associations to acquire land was challenged. The following legal disputes give a clear picture of not only the issues arising out of sharing of the power by the government/state but also the very being of associations and their activities.

Public purpose has been questioned fundamentally whenever government has acquired lands of individuals to allocate them to individuals, associations or organizations, and institutions which were perceived as private by the litigant-landowners. In the pre-1980s scenario, acquisitions were mainly taken up by the government, and the issues were different. Among the cases, there was only one dispute that belonged to the pre-1980s that questioned the public purpose which was defeated. The dispute between *M. P. Narasimha Murthy v State of Mysore*¹⁵⁴ (1967)¹⁵⁵ was about whether acquisition of property to sell sites to others was for public purpose? The main purpose as stated in the CBIA was to form layouts and sell sites by the CITB. Therefore such a process and action were driven by public purpose. Thus the contention was dismissed. The issues of public purpose of land acquisition have taken a much more explicit form in the following cases during the 1980s and 1990s, under the regime of quasi-governmental production of space.

It all began with the questioning of acquisition for a company as being illegitimate and illegal. In the dispute between *Annayya & Others v State of Karnataka & Others* (1988) one of the contentions was that acquisition for companies should be taken up under Chapter VII of L.A. Act because lands were acquired for setting up a five star hotel, but were allotted to an HBCS and a company of private land developers. Actually the government had allocated the land for private development for tourism. In this instance, it was alleged that provisions of L.A. Act and Rules framed for it were not followed and the acquisition was termed “bad in law”. The court found that since lands were acquired for a statutory corporation of the state i.e., Karnataka State Tourism Development Corporation and government had spent money for the acquisition process for public purpose under Section 6 of the L.A. Act. Thus Chapter VII of the L.A. Act was considered inapplicable and the contention was dismissed.

The landmark dispute which addressed mainly the idea *public purpose* was between *Narayan Raju v State of Karnataka & others* (1988) which questioned “public purpose” at the principle/doctrinal level confronted the very legitimacy of the actors-beneficiaries. There were different issues but were connected to the same problem. The question was whether the land acquired concurred to the definition of public purpose according to section 3(f) of L.A. Act? Or whether the beneficiaries of acquired land were eligible according to the definition of public purpose? These set of petitions pointed out that the amended L.A. Act 1984 clearly demonstrated “the clear dichotomy...between the purposes of acquisition and therefore, and acquisition for a ‘company’ (a term which includes a co-operative society) can be made only by following the procedure prescribed under Part VII of the Act, and no acquisition of land can be made for a company calling it a ‘public purpose’”¹⁵⁶. Acquisition for a Housing

Co-operative Society which is a Company is not for “public purpose”. The petitioners were the landowners of the Bilekahalli Village whose lands were acquired for the benefit of Vijaya Bank Employees Housing Co-operative Society Ltd. These legal proceedings against the Housing Co-operative Society, for the first time, seriously questioned the idea/doctrine of “public purpose”. Since the Amendment Act had already been enforced when the case was going on, the petitioners had pleaded the court to apply the newly amended act in retrospect to their legal proceedings too. Petitioners argued that since the housing society was a company, according to the new amendment the acquisition should have been done according to the Part VII of the L.A. Act, 1894 which elaborates on the procedures, modalities, preconditions, the incurrence of cost for the acquisition, etc. The petitions questioned the preliminary notifications issued under section 4(1) of the act drawing from section 3(f) of the Act to acquire lands as ‘public purpose’, for the society which is private company by spending government funds. According to the Part VII of the act, the cost should be incurred by the company to acquire lands. Since government partially had incurred from its funds for the acquisition for the housing society, the acquisition was dubbed as ‘colourable exercise of power’. Against this contention, court took a view that incurring costs, partially or in full from the government funds according to the section 6(1) is mandatory before the declaration is made. The intention of making a contribution, and how it manifests is left to the discretion of the government, thus the contention of the petitioners was nullified. In the context of the dispute court elaborated that the definition of “public purpose” continued to be an “inclusive one having wide connotation”. The Section 3(f) of L.A. Act which elaborates on the beneficiaries of public purpose and the court demonstrated that the government was correct in relying on Section 3(f) of L.A. Act to acquire lands. Section 3(f) of the L.A. Act has a long list of beneficiaries, and clause (vi) of it enlists co-operative society too, and thus the term ‘public purpose’ is inclusive. Apart from that, the government was satisfied that it was meant for a public purpose. Government had appointed a three member committee according to the requirements of the section 5A of the L.A. Act to examine the question independently with regard to the housing scheme; implementation of scheme in question was guaranteed by the society by entering into two agreements with the government and vast amounts of money was already deposited towards the cost of acquisition by the society, thus the government was satisfied that the land was required for construction of houses for the members of the society. Court had the evidence that from publication of preliminary notification in the Gazette as required by Section 4(1), the enquiry according to Section 5A, and the declaration of the land need for public purpose according Section 6 of L.A. Act were complied within the prescribed time limits, thus the petitions were dismissed. In the dispute between *Narayana Reddy & Another v State of Karnataka and Others (1991)* the legitimacy of public purpose was again questioned. Though the case was decided in

favour of petitioners¹⁵⁷ on other grounds, but to the question against the public purpose, the court reaffirmed the decision of the previous case discussed above.

Again the same contentions reappeared questioning acquisition for a Housing Co-operative Society. In the cases –*Ramachandrappa and Others v State of Karnataka and Others*(1996)¹⁵⁸ and *Venkataswamappa v Special Deputy Commissioner (Revenue)*(1997)¹⁵⁹ – the court observed that according to Section 3 (f) (vi) of the L.A. Act the acquisition of land for the HBCS was considered as ‘public purpose’. Housing Scheme sponsored by Co-operative Society for the benefit of its members which was approved by the government was within the meaning and purview of the ‘public purpose’. Thus notification issued, declaration published and award made were not ambiguous or vague, thus acquisition proceedings were not considered ‘colourable exercise of power’ or ‘mala fide’.

Issue of Ineligible Membership within HBCS

Ineligibility as the criterion to contest against land allotments was preceded by the judgment in the dispute between *Narayana Reddy & Another v State of Karnataka and Others* (1991) which had indicted the HBCS in general. Similarly in a dispute between *B. Krishnappa & Another v State of Karnataka and Others* (1994) the petitioner had pleaded the court to invalidate the acquisition proceedings which was done under Section 4(1) Notification and 6(1) Declaration, because lands acquired for the HBCS was being allotted to the ineligible members which was against the public purpose. The lands were acquired for the residential purposes for the housing needs of the HBCS of employees of RMS and Telephone Wings of P & T. Lands were already acquired, taken into position and the land owners had received compensation too. The court took note of all these facts and dismissed the petitions on two grounds- a. since the whole process is complete “those notifications cannot legally exist in the eye of law, as on today[then]” and b. the petitioners have no “*locus standi*/sufficient interest”¹⁶⁰.

In such a context of contending eligibility criterion, the very institution of judiciary and its personnel were itself questioned for their alleged role in accessing land through illegal means. More or less the contest was on the lines of *Narayana Reddy & Another v State of Karnataka and Others* (1991), but the results of the contests were not the same as one would see later. Further, the dispute also highlighted the conditions of the landowners and the role of the state. In the dispute between *Subramaniam v Union of India and Others* (1995) three public interest litigations were filed at the High Court against the Karnataka State Judicial Employees’ House Building Cooperative Society Limited (KSJEHBCSL), Bangalore. KSJEHBCSL was registered in 1983 under the

Karnataka Co-operative Societies Act, 1959 for purpose of forming a layout for the employees of judicial department, subordinate judiciary and also certain sitting judges, and transferred and retired judges of the High Court of Karnataka. Initially the KSJEHBCSL had planned to purchase lands on its own in the open market by entering into agreements with land owners. Later the society changed its plan and requested the government to acquire lands for the society. In response to the request, the government started the acquisition proceedings in 1988 and finalized acquisition of land measuring 159 acres 261/4 guntas of land at Allalasandra Village in 1991. In 1986 KSJEHBCSL made an agreement with a developer to form a layout. In 1992 according to the statutory requirements the BDA approved the plan of the layout. In 1993 layout was formed and 1700 sites were distributed to the members of the society.

Apart from Constitutional violations, petitioners pointed out procedural failures on the one hand and many policies, social and moral questions stemming from the constitutional provisions on the other. It was alleged that Judges who already owned houses in Bangalore City were members of the Society. In the first petition it was alleged that acquisition violated Articles 14¹⁶¹, 19¹⁶², and 21¹⁶³ and Articles 38¹⁶⁴ and 39¹⁶⁵ of the Directive Principles of State Policy of the Constitution of India. The petitioner challenged against the Section 3(f)¹⁶⁶ of the amended Land Acquisition Act- Karnataka Act No. 17 of 1961 and amended Central Act No. 68 of 1984. It was alleged that Section 3(f) was contradictory to Article 19(1) (g) of the Constitution of India- in the sense that acquisition dispossessed the lands of thousands of small landowners who solely depended on the agricultural income and the compensation paid was a “pittance” and the major consequence would be loss of lands, profession and employment. Further it was contended that Section 3 (f) lacked guidelines “on the basis of which the State may exercise their discretion to choose as to which of those Co-operative Societies deserve the facility of compulsory acquisition based on the status of income of the members of the Co-operative Society.”¹⁶⁷ Further, it was stated that the ‘sum and substance’ of contentions reflected that L.A. Act was invoked to acquire lands without keeping in mind the ‘economic status’ of the members of the society which created a process of making the ‘rich richer’ and the ‘poor poorer’ which violated the Articles 38 and 39 of Constitution of India.¹⁶⁸ Judges of District Court, High Court, and Supreme Court, both sitting and retired, appointed by the President of India, ‘by no stretch of imagination’ could be considered the employees of judicial department of the Government of Karnataka or of any other State government. Judges being the members of the society were infringing on the rights of the land owners- in the sense that they would not be able to get protection of law and equality under different laws. Besides judges seeking allotment of sites would not serve the public purpose. Therefore it was termed “colourable exercise of power”.¹⁶⁹ This particular acquisition was also alleged

to be the “fraud on the exercise of the powers of the authorities concerned with the land acquisition” because it was seen as contrary to the co-operative principles set forth by the Karnataka Co-operative Societies Act, 1959. The society should have negotiated the land deal directly with the land owners for a price in an ‘open market with voluntary exchange of agreements and contracts’ than arbitrarily availing the facility of compulsory acquisition.¹⁷⁰

In the second petition of the same proceedings petitioner observed that- the KSJEHBCSL by allowing judges as its members “indirectly” influenced the government and its statutory bodies to sanction the permission of acquisition and the formation of layout and distribution of sites. Judges were the principal beneficiaries of the society who were allotted larger and largest dimension sites which measured 100’x 100’ and 120’ x 100’ square feet. The “laudable object” of the society was to provide house sites to the low paid employees of the judicial department at affordable rates, whereas allotment of sites to the judges was against such an objective. KSJEHBCSL employed middlemen by paying them a huge sum of money¹⁷¹ which was not accounted and was used to pay ‘persons in power to get the acquisition notification issued in respect of the lands wherein agreements [had] had been entered with the land owners’¹⁷². The agreement with middlemen was perceived as against the public policy which in this particular case led to the “innocent” landlords being deprived of their lands. Judges were accused of submitting the false affidavits in which they had sworn that they did not own any sites or houses in the Bangalore city which was against Section 8 (A) of the Bye-law of the Society. The judges had ‘breached the oath taken by them’ and they were a “class” who could not have had been members of a society. Thus petitioner demanded to test judges “on the touchstone of legality, morality, propriety and judicial integrity”¹⁷³. They claimed under the circumstances land acquisition as “bad in law” and were not public purpose which amounted to “colourable exercise of power”. Apart from that it was against the co-operative principles since it included the judges as members of the society. Its Bye-laws needed amendment and such an amendment would “defeat the very object of the Society” and Section 12 of the Co-operative Societies Act¹⁷⁴.

The third petitioner, who challenged the land acquisition for KSJEHBCSL, was the owner of 9 acres 34 guntas of land at Allalasandra Village, Yelahanka Hobli, Bangalore North Taluk whose lands were acquired for the purpose. The petitioner characterized acquisition proceedings as “fraud” since house building co-operative societies as “fraudulent” institutions which were not functioning on the basis of the objectives of the co-operative movement. On the contrary ‘vested interests’ were at work, who were up to “grab the lands by back door methods and to amass wealth by

indulging in the real estate business”.¹⁷⁵ Middlemen were employed by the society by paying exorbitant amount of money to influence the authority to acquire for the concerned society. The petitioner doubted that the judges would not be able to deliver an unbiased judgment. The President of the concerned society requested the petitioner not to challenge the acquisition in the court in exchange for reconveyance of 2½ acres of land to the petitioner. Apart from the other lapses highlighted, the petitioner pointed out the procedural and purposive lapses in terms of the society- ignoring the requirement of obtaining the permission to acquire land as contemplated by the Section 3(f)(vi) of the L.A. Act. Thus the land acquisition was not serving the public purpose and violated Section 11 of L.A. Act since award was not passed within the stipulated period. Therefore the whole of acquisition was termed as ‘bad in law’. The petitioner also characterized the acquisition process as ‘*arbitrary, capricious and tainted by mala fides*’ because the acquisition was only meant for commercial purpose. Thus the governments’ act was characterized as ‘favouritism’.¹⁷⁶

In response to different petitions KJEHBCSL questioned the petitions on the grounds that- a. the petitioner was not a member of the Society and had no interest in the acquired lands or sites. Therefore he could not have invoked the jurisdiction of the Court under Article 226 of the Constitution. It was contested that public did not have *locus standi* to challenge the ‘acts and omissions’ of the Society. The respondent society was prepared to buy lands at market value but “*in order to solve the problem arising under the Land Reforms Act and questions of title at a later stage it was felt that it would be better to get the lands under the provisions of the Land Acquisition Act, 1894.*”¹⁷⁷ Therefore the concerned society approached the government to acquire lands for them. Regarding the issue of the middlemen, the court found that the concerned builders were a firm of engineering contractors who used the money to develop lands and formed the layout and they had nothing to do with the acquisition of lands. Concerning the false affidavits by the judges regarding the ownership of the house in Bangalore city, the court elaborated that- G.V.K. Rao Committee Report had not made any unfavorable remarks about the society. It was found ‘absolutely false’ that the judges had submitted the false affidavits. There was no criterion to disqualify if an individual owned a house and sought the allotment of the site from the society. Not all judges owned houses in the city. Law did not prevent judges from being members of a society and seek allotment of sites. L.A. Act was fully complied with, in terms of required notification and declaration passed according to the law. All the landowners had entered into agreements and had received the compensation, except the two landowners. Except one of the landowner, none of them had approached the court questioning the land acquisition or the land development process.¹⁷⁸ The court found that Section 3(f) (vi) of L.A. Act supported the acquisition for the co-operative society

as valid public purpose. Regarding the issue of lack of guidelines to acquire land for the same, the court observed that it was left to Government's discretion to decide whether there was a "public purpose" or not and since land was acquired for the public purpose of the allotment of sites to Karnataka judicial employees the contention was set aside.¹⁷⁹

The court considered the issues of "fraud on power" and "colourable exercise of power" since some of the judges were members of the society and were allotted the sites which was considered bad in law. The Court observed that- "We are not able to understand this argument, nor there is any material to accept this argument."¹⁸⁰ It was further observed that given the facts, the sites were allotted mostly to the judicial department's employees and some to the judges cannot be considered 'colourable exercise of power'. Thus land acquired was utilized for the 'public purpose'. The contention that the judges being the members of society tried to accelerate the acquisition process was seen as 'far-fetched'. Regarding the contention that the acquisition was against the Directive Principles of the State policy of the Constitution of India, it was observed: 'No where it is stated that agricultural lands should not be acquired' and 'lands of the poorer section of the society cannot be acquired for the purpose of the Co-operative society'. Thus on these counts too the concerned land acquisition had not violated the provisions of the Constitution of India.¹⁸¹

The "main plank of attack" was regarding the HBCS hiring 'middlemen' to aid and hasten the acquisition process in general, which was considered illegal in the previous cases. The court compared lengthy agreements reached between the HBCS and 'middlemen' in the previous cases where the agreements and actions of the middlemen and the respective HBCS were found illegal and the agreement of the KJEHBCSL with the 'middlemen'. It was found that the KJEHBCSL had not hired 'middlemen' in the acquisition process. It had only entered into an agreement with developers only to develop land and not for acquiring land.¹⁸² In one of the writ petitions, the petitioner had pointed out that the approval of any housing scheme by an appropriate Government was a pre-requisite according Section 3(f)(vi), which was not obtained by the KJEHBCSL. Thus the acquisition was considered 'bad in law'. But the court considered that the petition had 'to fail on the grounds of laches, delay and conduct of the petitioners'.¹⁸³ About the question of judges submitting the false affidavits concerning the ownership of house in the city, the court found that there was no column in the application to furnish the details of the ownership of house anywhere else in Bangalore city. Thus the allegations were termed by the court as "absolutely baseless".¹⁸⁴ And with reference to the question of 'propriety', the court observed that propriety was different from that of legality, and since legal provisions were absent to question the conduct of judges, the court was not in a position to pass a judgment over

the matter and was beyond its jurisdiction. The court was apprehensive about the nature of 'reckless' allegations without the verification of facts by the petitioners against judges about the 'false declarations' related to the ownership of house in the Bangalore city. Before passing the judgment, the court stated: "The constitutional protection to Judges is not for their personal benefit, but is one of the means of protecting the judiciary and its independence and is, therefore, in the larger public interest."¹⁸⁵ For all the above reasons the petitions were dismissed.

Planned Acquisitions- Won Causes

The cases won by the petitioners/appellants provide a diversity of quasi-legal causes in their rulings. Few of the judgments which were in favour of petitioners indicate the non-legal factors viz., power, influence, class, etc., which were affecting the judgments unconsciously. There were also some of the judgments which probed the situations of land developments than merely expressing the legal points of view. In some of the instances the violations on the part of the government/state and its institutions were obvious, but in some other instances judgments were tentative which gave space for governmental maneuvers. The instances also open a window to the dynamics of land developments which courts in their judgments and assessments gave out their observations.

1. Issue of Application of Substitutive Laws in Land Acquisition: The general acquisition law prescribed the procedures and modalities to acquire land for public purposes. The law specifically meant for the city had a component of acquisition among other things within the law for the improvement of the city. The general law of acquisition and the specific component of the law of city improvement were viewed as contradictory and became a source of contention in some cases. Apart from all that, there were also private efforts to create layouts which were in conflict with the law. The first case which set the tone for such contentions was the dispute between *P. Achiah Chetty and Other v State of Mysore (1962)*. This case was about land acquisition proceedings which were taken up at Raj Mahal Village, Kasba Hobli, Bangalore North Taluk, to form the Raj Mahal Vilas Layout by CITB. The lands which were proposed to be acquired originally belonged to the erstwhile Maharaja of Mysore, who had transferred the land through the sale of plots and as gifts. There were many individuals belonging to different classes who already had stake in the land.

- a. One of the petitioners had bought a plot from Maharaja to construct houses for his company's officers.
- b. Another petitioner had obtained a sanction from the concerned authorities for converting the land from agricultural to non-agricultural purpose and for that purpose

had paid conversion fine and special assessment charges. Two other petitioners had not succeeded in obtaining the permission for conversion of land use.

c. Three of the petitioners had bought land to form a private layout of building sites- Private layout makers were supposed to sign an agreement with the CITB. The CITB had issued a notice to them not to proceed further without obtaining the permission. Accordingly private layout makers had signed an agreement with the CITB and had paid supervision charges. Deputy Commissioner had sanctioned private layout on the recommendation given by the CITB and on the payment of conversion fine. Accordingly, private layout makers had formed layout and had sold some of the plots and entered into sale agreements of some plots.

d. Two petitioners were not residents of Bangalore- one was the wife of an embassy official at Washington and another was the wife of a doctor in Madras. An agent on behalf of the petitioners, who had power of attorney, had submitted an application to government to withdraw from acquisition. In reply to that the government and Special Land Acquisition Officer had announced the compensation for the acquisition of their part of land.

e. A petitioner had dissented acquisition but the objection were neither heard nor considered.

f. Finally, a petitioner was the wife of Deputy Secretary in the Ministry of External Affairs of Government. She had stated that notice reached her when she was in Delhi. The Special Land Acquisition Officer had asked her to make claim for the compensation.

In the midst of all those happenings, the land acquisition proceedings had begun and were termed by the petitioners as 'incompetent' and were viewed as 'opposed to law'.¹⁸⁶ The petitioners characterized the whole of land acquisition proceedings as invalid for the below reasons: a. Whether acquisition proceedings could totally rely on the provisions of the L.A. Act without invoking any of the provisions of the City of Bangalore Improvement Act of 1945.¹⁸⁷

b. The Government of Mysore had issued an Ordinance in 1960 effecting an amendment to the CBIA with retrospect effect from the beginning of the Act. The petitioners contended that the said Ordinance was 'invalid' because land acquisition had not complied with the provisions of the Article 213 and 254(1) of the Constitution of India. The Ordinance was also questioned because it was also in violation of the Article 14 of the Constitution of India.¹⁸⁸

In its judgment, the court found that the lands which existed within the Municipal limits of the City of Bangalore and were sought for acquisition for public purpose i.e. for the formation of a layout and improvement, were supposed to be within

the jurisdiction of Board of Trustees. The authority had to acquire land by invoking the CBIA. Since the lands were acquired as per within the municipal limits, the Section 52 of CBIA, the land acquisition under the L.A. Act was considered 'invalid in law'.¹⁸⁹ The court found many differences between various sections of L.A. Act and the CBIA.¹⁹⁰

2. Failures to serve the personal notice or the appropriate notice to the land owners and other interested parties in the land under acquisition: Laws invoked for such failures were Section 4 (1) & (2) of L.A. Act, S. 17 of the BDA Act. In the dispute involving *Krishnamurthy v State of Mysore & Others (1970)*¹⁹¹ the petitioner was not served the appropriate notice of the preliminary notification in which a particular portion of the land which was to be acquired of the total extent of 3 acres 25 guntas of land its boundaries were not clear, thus not adhering to the Section 4(2) of L.A. Act. The court took a view that non-mention of the portion of the land to be acquired did not warrant the cancellation of the preliminary notification. The authority responsible for it was given a direction to correct and inform the landowner-petitioner.

In a case involving *Reckitt & Colman of India Ltd. v Bangalore Development Authority & Others (1983)*¹⁹², the petitioner demanded that acquisition proceedings to be cancelled since the land owner was not served the notice of acquisition according to the requisites of Section 17 of the BDA Act. Regarding the Section 17 of the BDA Act, it was mandatory to serve notice of acquisition to all the interested parties. So the notification of acquisition was cancelled. But the court gave a chance to BDA to start acquisition proceedings afresh within 30 days from the date of order by complying with all the necessary legal procedures.

In a dispute between *Chayadevi & Another v State of Karnataka & Another (1988)*¹⁹³, the respondents-the authorities did not file any statement of objections refuting the charges made by the petitioners. In this case, a statutory requirement of serving the notice to the landowner-petitioner according 17(5) of the BDA Act was not followed by the land acquiring authority. But the authority argued that by the time petitioners approached the court many people had built houses. The court took a position that many houses built in the vast layout formed by BDA did not preclude the owner of the land to be in possession of land and petitioners were still in possession of land. The court allowed the contention and acquisition proceedings and preliminary and final notification of lands to the petitioners were quashed.

3. Failure of not giving an opportunity or chance of statutory mandatory personal hearing or submission of objections to the appointed governmental authority during the

acquisition proceedings by the landowners or property owners or slum dwellers who would lose their property or land. Laws invoked for such failures are Section 5-A(1) and (2) of L.A. Act, Rule 6, 8, Karnataka Acquisition of Land for Grant of House Sites Rules, 1973, Section 17 of (1) Karnataka Slum Area (Improvement & Clearance) Act, 1973.

In the dispute involving *Krishnamurthy v State of Mysore & Others* (1970)¹⁹⁴ the content of recommendations submitted to the government was not informed to the land owners with reference to their objections and the official report, according to Section 5-A(2) of L.A. Act. The court held the view that it was mandatory on the part of the officials concerned to inform the land owners about the recommendations submitted to the government according to the Section 5 A (2) of the L.A. Act. Thus the final notification was ordered to be cancelled.

Another variant of interaction and communicative mode prescribed by 5-A (1) of L.A. Act was listening and considering the objection filed by the landowners against the acquisition. In the dispute between *D.R. Kodandarama Reddy v Deputy Commissioner, Bangalore and Others* (1995)¹⁹⁵, the court found that the acquisition proceedings were held without giving a chance of hearing which under the law was mandatory and a prerequisite. Therefore acquisition was considered invalid and was quashed. But the court suggested to the government that it could take up again the acquisition at a later date, by fulfilling all the procedural prerequisites as prescribed by the law.

The disputes of – *Patel Munireddy v Deputy Commissioner, Bangalore & Others*¹⁹⁶ and *Archak Rangachar v Deputy Commissioner, Bangalore District & others* (1976)¹⁹⁷ – were about mandatory personal hearing which was not complied with, according to Rule 6 of Karnataka Acquisition of Land for Grant of House Sites Rules, 1973. The court found that the petitioner had submitted the objections to the concerned authority within the stipulated time as prescribed by the law. The concerned government official had to mandatorily give the personal hearing to the individuals who had filed the objections according to Rule 6 of the law, which was not complied with. Apart from that the petitioner in the latter case had brought to the notice of the court that there was already acquired land which was yet to be developed. So, further acquisition of land was found unnecessary. Thus court ordered fresh enquiry by SLAO regarding the undeveloped land. For all these reasons writs were allowed and the acquisition proceedings were cancelled.

In the petition involving- *Bhavasara Kshatriya Samaj v State of Karnataka & Others* (1985)¹⁹⁸ the petitioner complained that acquisition proceedings were “bad in

law” because the petitioner-society was unaware and was not issued any notice according to the requirements of Section 17 of (1) Karnataka Slum Area (Improvement & Clearance) Act, 1973. Acquisition proceedings were cancelled by the court because as required by the Section 17 (1) of the Act, the government had to call upon the owner and also the interested party who was occupying the land before acquiring the land for slum clearance. According to Section 17 (1) of the Act, the “Government shall call upon the owner or any other person who, in the opinion of the government, may be interested in such land” before acquisition. The court said that the government had the responsibility to consult both the owner and the occupant of the land before the start of acquisition proceedings. Since the government did not follow the elaborate procedure and since there was no evidence, the acquisition proceedings were cancelled.

Similarly, though another point of law was invoked and discussed, under similar circumstances of violation, the contention and effect of the judgment was the same in *M/s. Shakhivelnagara Gudisalu Nivasigala Kshemabhivrudhi Sangha, Bangalore v State of Karnataka and Others (1997)*¹⁹⁹. The petitioners, in this case, argued that before the final declaration was made according to the Section 11 of L.A. Act, the interested parties were to be served the notice. The slum had 153 families with a population of 800 living there for 40 years. They were not given a chance to be heard. The court confirmed from the records that the notice had been served to the petitioners. The court ordered that though the statute did not provide for hearing. Since the slum dwellers were being affected they were the interested parties. Therefore it was considered the requirement of the natural justice that a citizen who was going to be adversely affected should be heard even though it is not provided in the statute. The court dismissed the notification and gave a chance to the petitioners to file objections to the concerned authority within four weeks to be heard.

4. Issue of Denotification: The dispute involving *B. Munegowda v State of Karnataka & Others (1990)*, was about a notification under Section 3(1) of Karnataka Acquisition of Land for Grant of House Sites Act, 1972 which was initiated in 1977 to acquire lands. In response to that the land owner filed the objections. In 1980 the lands were denotified (acquisition cancelled) and the denotification was published in Karnataka Gazette. Again in 1984 under the Section 3(4) of the same act a notification was issued to complete the acquisition. The petitioner characterized such proceedings as contrary to the established law and displayed thorough ignorance of the proceedings. Therefore filed a petition to cancel the land acquisition. Court found that the concerned officials had conducted the process in a ‘casual’ manner “which requires to be condemned out right. This is not the case where the mighty power of eminent domain has to be exercised. There must be caution, circumspection as well as thinking before embarking

upon these procedures which have been delineated under the Act”²⁰⁰. The land acquisition notification was cancelled.

5. Issue of Withdrawal from Land Acquisition- In a dispute involving *The Agricultural Produce Market Committee, Yeshwanthpur, Bangalore v State of Karnataka and Others (1997)*²⁰¹, the question was whether the government had the power to withdraw from the land acquisition proceedings according to Section 48 of L.A. Act after the final declaration of the acquisition was made according to Section 6(1) of L.A. Act. The Government had acquired 23 guntas of land for setting up of a market yard at Byatarayanapura village. There was writ petition against it and government had to negotiate with the petitioner and decided to withdraw from the proceedings. The Agricultural Produce Market Committee which was supposed to benefit from the acquired land had petitioned that the government should not withdraw from the proceedings since had already been final declaration made. The court found that government had come up with final declaration of land acquisition according to Section 6 (1) of the L.A. Act as required for the public purpose. One of the respondents had submitted the application to the government stating that the government had all the powers to withdraw from the acquisition proceedings when Section 15 A read with Section 48(1) of the L. A. Act. Thus accordingly government had agreed to withdraw from the proceedings. The court in its verdict said that government though had the powers to withdraw from the acquisition before taking possession of the land according to 48(1) of the Act if it found that there was no merit of public purpose for which land was proposed to be acquired even after the final notification. It also has powers to review orders to ensure regularity, propriety and legality of the appointed official to oversee the acquisition process. But in the present case since the government though had proposed to withdraw from the acquisition proceedings, it had not notified the withdrawal which was a requirement according to Section 48 (1) of the Act. In that sense Government’s decision to withdraw from acquisition was inappropriate. Thus the petition was allowed and the government order was dismissed.

6. Demand for Complete Acquisition of Property- The dispute between *Additional Special Land Acquisition Officer, Bangalore v A. Thakoredas and Others (1977)* was about an objection against not acquiring the property completely by referring to Section 49 of L.A. Act. The owner of the property was of the view that the remaining property was useless to him and had asked for complete acquisition. This dispute was about the portion of property which was acquired along the Lalbagh Road, Bangalore City for a public purpose. Declaration was made under Section 6 of the L.A. Act for the public purpose and under Section 9 of the same Act notice was served to the property owner. The respondent pleaded the government to acquire the property completely because the

remaining portion was useless to him and invoked Section 49 of the L.A. Act. It was contended by the respondents that it was a delayed response from the petitioner. Thus the argument was untenable after declaration was made under Section 6 of L.A. Act. The court found that the argument was tenable because it was made before the award was passed. Thus the petition was allowed.

7. Powers for the Bulk Allotment of Acquired Lands: The dispute described below brought many issues of middle class participation in housing associations in the residential land development. In a dispute between *Vishwabharathi House Building Co-operative Society Ltd. v State of Karnataka and Others (1991)* the question was whether the BDA had powers to make bulk allotments of the lands to a Housing Cooperative Societies? The VBHBCSL was working on forming residential layouts and selling the sites to its members. The contentions were about the permission to purchase lands by the VBHBCSL at Gerehally village in Bangalore North Taluk and Hosakerehally village in Bangalore South Taluk. It had passed through the official process of “No Objection Certificate” and BDA had passed resolution in permitting the purchase of land for the formation of a residential layout. The VBHBCSL had begun the process in the early 1970s itself.

The housing society based on the permission from the BDA, had entered into agreements and paid huge advances of money to purchase lands. In 1976 government took over the VBHBCSL into its direct control and supersession order was passed under Section 30-A of the Karnataka Co-operative Societies Act and Secretary of the housing society was detained under MISA. Later it seems the VBHBCSL was denationalized. In the intervening period the Special Land Acquisition Officer who was in charge of the proceedings of the nationalized housing society served notices to the concerned landowners and passed awards. But with regard to some survey numbers, land awards were not passed yet. The owners of non-awarded lands approached the court with writ petitions in 1978 to prevent giving effect to 1971 notification by the authority, because BDA had failed to complete the scheme within the stipulated time period of 5 years according to Section 27 of BDA Act. The writ petition was dismissed on the basis of laches (long delay in questioning the land acquisition). The contention was with regard to some survey numbers for which land awards were not yet passed. There was a statutory prohibition which prevented HBCSs from holding any vacant land or agricultural land for the benefit of the members of such societies. But the Government formulated the policy to acquire lands in and around Bangalore city for *bona fide* HBCSs and accordingly 128 HBCSs were identified and the VBHBCSL was one among them. The HBCSs had entered into agreements to purchase lands parting huge sums of money to buy land and form layouts, but were not in a position to

complete the process of purchase. It was under these conditions of “predicament” as the court termed it, the government formulated guidelines to acquire lands for HBCSs ‘while taking note of the fact that vast tracts of land had already been acquired by the BDA and yet the very same lands were the subject matter of agreements of sale between the owners and the Co-operative Societies’ in 1987. In 1983 the petitioner had applied to the Special Deputy Commissioner and the State Government for the acquisition of lands for the VBHBCSL situated at Patnageri, Halagewadayarahalli, Avalahalli, Hosakerehally and Gerehally villages. In 1987 the VBHBCSL had filed another petition with regard to the sanction of lands, and the same high court had issued directions to *Three Members Committee* set up by the government to process the application of the petitioner at the earliest. But giving effect to the court’s direction was delayed because the *Three Members Committee* had yet to be reconstituted.

The petitioner had highlighted that VBHBCSL had 10000 members and it could only fulfill the demands of 10% of site needs of its members. In such a context, the petitioner had pointed out that Special Land Acquisition Officer of BDA was contemplating of passing awards in haste without even issuing notices as required under L.A. Act to the landowners. Such an action by the government official would defeat the purposes of the VBHBCSL and would not allow it to take the benefit of the new government order of aiding the HBCSs generally. The petitioner also claimed that the VBHBCSL was discriminated because it was singled out, whereas all other HBCSs were benefitted from the Government order.

Given the above contentions, the court had three issues to consider. One, the powers of the Government to issue order to the BDA. According to Section 65 of the BDA Act, the government had powers to issue directions to the BDA which was expedient and necessary to carry out schemes according to the conceived purposes of the act. In the light of the order passed by the government of aiding HBCSs and dropping the acquisition proceedings taken up by the BDA in the cases where awards had not been passed, the court characterized them as a ‘discretionary decision’ which had to have effect on the BDA acquisition proceedings. Two, court took the view that since the petitioner was not allowed to the benefits of the government order whereas the other HBCSs were allowed, it amounted to hostile discrimination towards the VBHBCSL which was in violation of Article of 14 of the Constitution of India. Therefore the BDA had to drop acquisition of lands which were in contention. And three, with regard to promissory estoppels the court took the view that- “Considerations of reasonableness and fairness in the exercise of statutory discretion ought to prevail over arbitrariness and irrationality”²⁰². Thus the Government order and BDA’s No Objection Certificate were to benefit the petitioner according to the court rulings.

8. Demand for Natural Justice: In the disputes of acquisition between *ArchakRangachar v Deputy Commissioner, Bangalore District & others (1989)*²⁰³ and *M/s. ShakthivelnagaraGudisaluNivasigalaKshemabhivrudhiSangha, Bangalore v State of Karnataka and Others (1997)*²⁰⁴, the Special Land Acquisition Officer had not given enough opportunity for further cross examination of the witnesses during the course of enquiry which amounted to the denial of 'natural justice' in the former case. In the latter casesince the slum dwellers were the interested parties, they should have got a hearing by the concerned authority in question. The court while concurring with the contentions of the petitioners, had ordered commencement of hearings before acquiring the lands.

9. Exemption to Sell Land under the Provisions of Urban Land (Ceiling and Regulation) Act: The dispute between *M/s Revajeethu Builders & Developers & Others v S. Vasudeva& Others (1991)* described below gives the idea of quasi-judicial decisions and their justifications in the judgment against land confiscation. The question was whether Section 20²⁰⁵ of ULCRA was violated by the State Government in the context of Central Government's directions to be implemented by exempting ceiling limits to sell the land by its owners. The issue was whether there were any *mala fides* or *colourable exercise of power* with the involvement of Chief Minister of Karnataka and Minister of Urban Land in clinching a business deal for real estate and land development by Revajeethu's firm. This was a high profile case which brought heads of the Government, in a land development issue. A large extension of land which was more than five acres, in the context of the continuously appreciating land values and location of land in the prime locality- Jayanagar VI Block, Bangalore, and the large scale land developers of those times being involved in the process of large-scale residential development were in contention. The whole object of contention was a large piece of land which was exempted by the Government from ULCRA to sell the land by its owners to land developers to build an expansive and huge housing estate. The precedent to the dispute was the writ petition filed by an individual-advocate and individuals belonging to a Congress I political party. The writ petition was adjudicated by a single judge of the High Court in which he had dismissed the entire concession ordered by the Government, on the interpretation of Section 20 of ULCRA. A set of writ appeals were filed at the High Court for the consideration by two judges' Division Bench. The Division Bench examined the judgment passed by a single judge. The analysis and reinterpretation of Sections 20, 35²⁰⁶ and 36²⁰⁷ of UCLRA were central to the judgment. The State Government had given exemption to the land owners to sell the land according to Sections 20 of the ULCRA Act. The land owners had sold the land to Revajeethu Developers for Rupees 90 lakhs. The main source of contention was

the exemption granted to the land owners by the government to sell the lands on the grounds of “undue hardship” as per Section 20 ULCRA. Though the court attempted at the interpretation of the term “undue hardship”, it was of the view that it was left to the discretion of the State Government to rule and assess the “undue hardship” of the concerned landowner. Further court interpreted that it was for the State Government to record the satisfaction of “undue hardship”²⁰⁸ to exempt the land owner to sell the excess land which was above the ceiling limits, because the law was “quasi-judicial” in nature. Connected to this was the ruling made on the role of Central Government in giving the directions to the State Government with regard to the issues of urban land ceiling and regulation. The single judge ruled that State Government had violated the directions given by the Central Government. Central Government had given direction to the States that while giving exemption and permission to sell it should be allowed to be sold to a house building cooperative society for group housing, whereas, in this case the land was allowed to be sold to a partnership firm- Revajeethu which was against the given directions of the Central Government. While examining the issue again, in response to the appeals, the Division Bench referred to Sections 35 and 36 of ULCRA, and interpreted that the Central Government could give directions to any State Government according to the provisions of the law, but could not substitute itself in place of State Government to play its role. Since Section 20 of ULCRA confers quasi-judicial authority over the State Government, the authority “is unfettered by any guidelines or anything in the nature of guidelines issued by the Central Government which the State Government may well ignore in the exercise of its quasi-judicial function”²⁰⁹. The court found that there was nothing in the law or the guidelines of Central Government which would prevent the State Government to preclude the private parties apart from the House Building Cooperative Societies, by transferring excess land to them to build houses under Group Housing schemes.

10. Land Acquisition and Public Purpose:

Declaration of Land needed for Public Purpose According to Section 6 of L.A. Act: In the dispute between *The Bangalore City Municipality and Another v K. Rangappa, Respondent (1953)* the issue was whether compulsorily acquired properties for a public purpose according to Section 6 of the L.A. Act to widen the road, could be allotted for the benefit of a private religious institution/association- a monastery.²¹⁰ The court judged such acquisition as void for the reasons that Section 6 of Land Acquisition Act specifies that- (a) ‘Government must be satisfied that the land to be acquired is needed for a public purpose or for a Company’ and (b) compensation for the land acquired is to be met by the Company or wholly or partly out of the public funds.²¹¹ The concerned acquisition proceeding was not in agreement with the rationale of the

two conditions of the L.A. Act. Apart from that the acquisition did not satisfy the conditions of Municipalities Act. According to the Municipalities Act, land acquired should vest with the municipal council or in other words, Municipality cannot acquire the land for 'somebody else' and municipality cannot pay compensation or other charges. Therefore acquisition was declared void and the case was decided in favor of the respondent and property was to continue to remain in his possession.

By the late 1980s, the predicament of production of space, its distribution and exchange was aggravated with the "privatization" of almost two decades (through the 1970s and 1980s) of land development as characterized by the court in the judgment *Vishwabharathi House Building Co-operative Society Ltd. v Bangalore Development Authority (1989)*²¹². This case brought to the surface the activities and role of the BDA. The following cases had brought to the fore the processes at work. The principle basis of public purpose was questioned in the changing context with the entry of new actors like HBCSs, private land developers, etc. In following cases, the idea of public purpose was questioned and contested. The dispute that actually shook the legal circles was *Narayana Reddy & Another v State of Karnataka and Others*²¹³.

The above mentioned case brought to the fore the whole issue of land development process and its institutional mechanisms. The land acquisitions for multiple HBCS were challenged in the High Court on the following grounds:

[T]hough apparently the acquisition of lands [was] stated to be for carrying out housing schemes sponsored by them [HBCS] for the benefit of their members, in truth, it [was] not so, and that the persons in charge of management of the society [had] joined hands with builders and contractors to do real estate business with the object of making enormous profit taking advantage of the demand for building sites in the city and in spite of the said factual position the State Government [had] proceeded to acquire the land under the Act and therefore the notifications are liable to be quashed on the ground that it [was] an instance of *colourable exercise of power*.²¹⁴ (emphasised)

The lapses were not only procedural and purposive, but also gross violations which were against public policy and redundancy of the Bangalore Development Authority.²¹⁵ The contentions raised were related to the following aspects: a. according to the amended L.A. Act, the co-operative societies are under two categories of 'state' under Article 12²¹⁶ of the Constitution of India and the challenged acquisition proceedings was alleged to be invalid because according to the Part-VII of the L.A. Act, acquisition was sought for a private company; b. if land acquired was for a company as defined by the L.A. Act, then before giving consent to acquisition, the Karnataka Land Acquisition (Companies) rules, 1973 should have been adhered to. Since acquisition was not in consonance to the given rules, acquisition should be judged invalid; c. even if the HBCS was a company and land acquisition was for a public purpose, a housing scheme prepared had to be approved by the government. But that did not take place in this

particular case, thus acquisition would be invalid; d. landowners should have been heard according to the rules of ‘natural justice’ before issuing preliminary notifications which was violated. Therefore it was claimed that the acquisition proceedings should be invalid; and e. enquiry officer should have considered and answered all the objections raised by the land owners, according to the Karnataka Land Acquisition Rules, Rule 7. This was not complied with, so the enquiry conducted under Section 5-A of the Land Acquisition Act was alleged to be invalid.

Apart from the procedural lapses, the petitioners raised two other issues related to HBCS ‘enterprise’ and the course the institution of land development was taking. The allegations were:

f. The acquisition of land in favour of the respondent-house building societies, is not for allotment of sites to their *bona fide* members for their *bona fide* purpose, for the reason, these societies are indulging in big commercial venture of sale of sites for which purpose the societies have entered into agreements with builders and contractors and had enrolled large numbers of bogus members and associate members for achieving illegitimate object, and the decision of the State Government to accord previous approval and sanction for acquisition of the land was bad not only on account of non-consideration of those relevant facts but also on the ground that the impugned acquisition is a clear case of colourable exercise of power.

g. The extent of large scale acquisition of land in favour of respondents-house building co-operative societies are such as would at once show that there has been large scale abuse and arbitrary exercise of power to acquire the lands under the Land Acquisition Act, which has the effect of circumventing and defeating the provisions of the Bangalore Development Authority Act, 1976, under which the power and obligation to develop the City of Bangalore and areas adjacent thereto and matters connected therewith, and thereby rendering the constitution of the Bangalore Development Authority purposeless.²¹⁷

In response to the first two contentions, the court found that the according to the Section 3(e) of the L.A. Act the housing scheme sponsored by a housing co-operative society which is termed as ‘company’ would also be a ‘public purpose’ with the prior permission from the State Government, which is different from the ‘company’ as categorized under Part- VII of the Act, and Companies rules of 1973. Therefore the first two contentions were set aside.²¹⁸ Third contention was with regard to the non-compliance with the prior approval of housing scheme by the Government. The court observed that there were no specific rules existing to gather the particulars that were required to be approved by the Government. So it was suggested to the Government to frame such rules. Regarding the fourth contention concerning the violation of ‘natural justice’, the court observed that it was enough if the petitioner-landowners were heard in the course of enquiry according to the Section 5A of the L.A. Act after issuing of the notification, than to be heard before issuing of the preliminary notification of the land acquisition. Thus this contention was dismissed.²¹⁹ For the fifth contention, enquiry under Section 5-A of the L.A. Act would suffice. Thus the acquisition was not be considered invalid.

The sixth allegation was pointing at the ‘amassed unaccounted black money’ flow into the real estate business and its intrusion into the HBCS and the emerging ‘racket’ of collusion of HBCS, ‘corrupt politicians’, ‘corrupt bureaucrats’ and ‘estate agents’ in the land development process. One of the respondent-HBCS was accused of not being a *bona fide* house building co-operative society because it was a “false front” established by individuals “with the sole object of grabbing the lands for the purpose of amassing wealth at the cost of the poor owners of the lands.”²²⁰ Society was devoid of members; it had employed promoters to arrange individuals who were on the lookout for the sites to take membership for the grant of house sites. Aiding this process of land development was the *Three-Men Committee* appointed by the Government which was at the helm of affairs to approve the HBCS layout formation. The committee was characterized as- “Three-Men Committee is again a fraud on law and public because it was handy to the Government...to get any extent of lands acquired in favour of the House Building Co-operative Societies, through the Three-Men Committee, which was only playing lackey to the dictates of its political bosses. In fact, the Three-Men Committee never took a decision on its own but it was only functioning as per the dictates of the external forces.”²²¹ The *modus-operandi* of the HBCS was to appoint the agents who were the go-between the HBCS and the Government. Agents were supplied with the huge amounts of money to get the lands acquired, layout plans approved, etc. Main operation of the agents was to influence the government to issue the notification under Section 4(1) of the Land Acquisition Act ‘primarily for the purpose of scaring the owners of the lands and pressurize them to submit to the dictates of the...House Building Co-operative Society, and several other societies’.²²²

The court took note all these allegations and relied on the investigation conducted by the G.V.K. Rao Committee appointed by Registrar of Co-operative Societies on behalf of the Government to inquire the land development activities by the HBCS. The G.V.K Rao Committee had investigated and held HBCSs responsible for the illegal land development activities in the Bangalore Metropolitan Planning Area. The accused HBCS of the case were part of the general investigation were found to be violating the rules which were in contravention to the Karnataka Co-operative Societies Act, 1959.

In brief the irregularities committed by the societies are mainly in the nature of:

1. Procedural irregularities in admission of members.
2. Admission of ineligible persons as members.
3. Admission of associate members without necessary provisions in the byelaws.
4. To acquire the lands outside their jurisdiction.
5. To collect site deposits from Associate members though the objective of the society is to form layout and distribute sites only to the members.
6. Entering into agreements with landlords and agents indiscriminately and in some cases unwarranted agreements.
7. Payment of exorbitant advances to the agents without proper securities, and
8. Collection of site deposits from the members without reference to the payments to be made to various agencies.²²³

The ‘irregularities’ were mainly in the management and the admission of members to the HBCS while seeking land acquisition for the formation of layout and distribution of sites for the purpose of house building activities. The contentions raised in the case against respondent-HBCS²²⁴ were concurring with the findings in the G.V.K Rao report that vast extent of lands acquired was ‘under the guise that the lands were required for a housing scheme for its members and to carry on the business in the sale of sites and to make money as alleged by the petitioners, for which purpose they entered into agreements with builders and contractors.’²²⁵ The court mainly took note of the irregularities of admitting bogus members into the HBCS and deployment of agents to obtain preliminary and final notifications under L.A. Act from the Government to acquire lands for the HBCS which was viewed as “opposed to public policy and totally expose the want of *bona fides* on the part of the housing scheme sponsored by the societies”²²⁶ and “injurious to public interest and detrimental to purity of administration”²²⁷. According to G.V.K Rao investigation, the land acquired for the respondent-HBCSs- Vyalikaval Housing Building Co-operative Society, H.M.T. Employees’ Co-operative Society, Bank Officers’ Co-operative Society, REMCO Employees’ House Building Co-operative Society, Amarajyothi Co-operative Society and Bangalore Chickpet House Building Co-operative Society, were channelized into the *real estate business*.

[I]n the sale of sites in the guise of allotment in favour of either bogus members or in favour of intending purchasers by enrolling them as associate members for the purpose, and making money by those incharge of the societies and their agents with whom the societies had entered into agreements, by exploiting the existence of the great demand for sites and sky rocketing price for them in the city.²²⁸

The court found that given the increasing demand for sites and the consequent propelling prices of sites was the favourable condition which was utilized by the set of actors – the Government, the HBCS, and the agents – to make profits. The whole of the land development process was judged by the court as *colourable exercise of power* and *suffered from legal mala fides* because the stated public purpose for *bona fide* housing schemes was not served.

Apart from these procedural violations and the motives, the court had considered the contentions related to the planning violations and the institution – Bangalore Development Authority (BDA) – its role as an agency to produce space to expand the Bangalore City. Many of the HBCS had violated the zoning regulations by acquiring land allotted in Comprehensive Development Plan for other purposes. Vyalikaval House Building Co-operative Society was sanctioned 123 acres of land by the government without consulting the Bangalore Development Authority, in

sanctioning 123 acres of which 71 acres and 11 guntas were already allocated for parks in the Comprehensive Development Plan. This act was considered by the court enough reason to dismiss the acquisition proceedings.²²⁹ the Court while dealing with the case of large scale acquisition of lands by 100 HBCS, was seriously questioned the role of the BDA. The BDA as an institution was established to perform the role of planning and systematic production of space to expand Bangalore city on the one hand and on the other to distribute the produced space to the various classes of citizens, workers etc. The Government was sanctioning the acquisition of lands to the HBCSs by circumventing BDA thus rendering the institution purposeless. Government was violating the BDA Act by arbitrarily sanctioning the land. Therefore it was violative of Article 14 of the Constitution of India²³⁰. The Court observed:

[T]he formation of layouts for housing within the Bangalore Metropolitan Area as a rule must be undertaken by the Bangalore Development Authority and acquisition of land in favour of any society, if considered feasible, must be only as an exception. Acquisition of large extent of land in the area for which the Bangalore Development Authority is established, in favour of so many housing societies renders the establishment of Bangalore Development Authority under a special law futile and as a result the investment made on the Bangalore Development Authority has gone waste to a great extent, for a little scope is left to the Bangalore Development Authority for carrying out its obligations under the Act. This is a matter for serious consideration by the Cabinet Sub-Committee and the Government, in the light of this Judgment.²³¹

For all the above reasons the land acquisition for the respondent-HBCS was set aside.

Aggrieved by the judgment the HBCSs approached the Supreme Court. In this case – *H.M.T. House Building Co-operative Society Limited, Bangalore v Syed Khader and Others*²³² – the Supreme Court upheld the judgment of the High Court of Karnataka which had set aside the land acquisition for the HBCS. the Supreme Court reconfirmed that the land acquired by the HBCSs were being put to commercial ventures, land was not allotted to the *bona fide* members of the societies, and societies had involved agents by paying huge amounts of money to influence the government to acquire lands for the HBCS. Thus extraneous considerations vitiated acquisition proceedings for the ‘public purpose’ which was nothing but the “colourable exercise of power”.

Similarly, around the same times, in another dispute between *Mrs. Behroze Ramyar Batha and Others v The Special Land Acquisition Officer and Others*²³³ again the legal circles were shaken and “public purpose” was questioned seriously. This case brought to light the whole nexus between the business interests and the Government in the land development process. The land acquisition spread across many villages

including Kodihalli, Challaghatta and Kodihalli for industrial purposes. It was alleged that irregularities in the land development process were characterized by individual benefit or profit that amounted to 'fraud on power'. Lands acquired at various places were for the Karnataka State Tourism Development Corporation (KSTDC) to develop land to set up a tourist resort, an amusement park for the domestic tourist, an international hotel, etc. Since KSTDC did not have necessary finances to acquire necessary land, it approached Dayananda Pai who was representing the landowners and who already entered into agreements with landowners, for the finances to fund acquisition. As a quid pro quo Dayananda Pai was particular about a block of land measuring 12 acres 34 guntas to be released in his favour to put up a Group Housing Scheme. The building units were to be sold only to the employees of Central and State public sector employees in equal proportions. He had put forward a condition that the details of the scheme would be published in the prominent local newspapers. If there was not enough demand then the residential flats would be kept open to the general public to purchase. It was also part of the plan that ground floor area of the complex was to abut the main road which was to be used for the commercial purposes. In return Dayananda Pai had agreed to deposit the specified amount on behalf of the KSTDC to the Deputy Commissioner to acquire lands on condition that the KSTDC had to give bank guarantee to him to the extent of land to be acquired for them, so that the amount would be returned to him within six months with interest.

The court expressed shock to learn that the KSTDC lacked finances and had entered into an agreement with Dayananda Pai who had already purchased land as early as 1981 which were to be acquired. In 1987 the KSTDC passed a resolution that Dayananda Pai would persuade power of attorney holders, khathadars/landlords to withdraw from the legal proceeding against the KSTDC and Revenue Department. In return out of the 39 acres 27 guntas of land that was to be acquired 12 acres 34 guntas were to be released to Dayananda Pai for group housing project which was to be approved by the BDA. Since the KSTDC could not give bank guarantee to Dayananda Pai, the money required for the cost of acquisition could not be secured from him. Therefore KSTDC had to go for institutional borrowings from Canara Bank. It was decided that the entire cost of interest burden and repayment for the portion of 12 acres 34 guntas of lands which were proposed to be transferred to Dayananda Pai were to be met by him in return. After procuring the loan from the bank and depositing it with the

Deputy Commissioner, the Special Land Acquisition Officer began to pay the landholders and the acquired lands were handed over to the KSTDC. At this juncture land holders of various survey numbers belonging to Behroze Ramyar Batha and others who were not the nominees or khatedars of Dayananda Pai approached the High Court with writ appeals to get an interim stay against the acquisition proceedings. Dayananda Pai had promised to ‘do his best to get the land acquired smoothly’, but he could not do that. Despite his failure his portion of the lands according to the agreement with the KSTDC were transferred to him.

In writ appeals, it was alleged that the land acquisition was actuated by *mala fides* though the Section 4(1) Notification and Section 6(1) Declaration under L.A. Act. A public purpose and agreement was made even before taking possession of the land (12 acres 34 guntas) in favour of Dayananda Pai. with ‘the object of providing lands to a private individual if acquisition proceedings are resorted to or the power of eminent domain comes to be exercised, it would be nothing more than fraud on power.’²³⁴ Second, appellants had accused that there was no valid award for the acquisitions. Given the background of the land acquisition the court came to the conclusion that the transactions and agreement entered into with Dayananda Pai by the KSTDC was “nothing more than a conspiracy to deprive the owners of the lands by use of the power of the eminent domain which is to be used for an avowedly public purpose and for strong compelling reasons and not whimsically or to satisfy the private needs of the individual.”²³⁵ The court dismissed the land acquisition notification.

In another case – *Kanaka Gruha Nirmana Sahakara Sangha v Kota Srinivas Murthy*²³⁶ – the court upheld the landowners “Right to Property” in the context of compulsory land acquisition for the “public purpose”. To underline the citizen’s right to property, Articles 300-A,²³⁷ and 39(b)²³⁸ of the Constitution of India and Sections²³⁹ - 3(f), 4(1) and 6(1) of the L.A. Act were invoked. Though land could be acquired for the HBCS according to Section 3(f) of L.A. Act, the land acquisition which was in contention failed due to gross procedural lapses- Housing scheme sponsored by the Co-operative Society did not have the approval or signature of the appropriate authority (the Deputy Commissioner or Collector). The appellant had only the letter signed by the Under Secretary of the Government in the Secretariat who had directed Deputy Commissioner to acquire lands. According to the Section 4(1) of the L.A. Act, the land

was supposed to be notified by the government and by the appropriate authority and according to the 6(1) of the L.A. Act the declaration should have been passed by the government. The court observed that though the object of Article 39(b) of the Constitution of India was for the state to control and own the material resources of community which would be distributed in a manner that would 'subserve the common good' of the community, the L.A. Act was viewed as 'expropriatory' in character which would deprive the citizen of the property due to compulsory acquisition of land.²⁴⁰ It further observed: "The purpose of providing house sites to the needy intending members of the society is no doubt laudable but under the cloak of such a proclaimed purpose no one could be permitted to deal with the property of the citizen in a casual manner apparently with the object of conferring benefits upon others for the reasons which, though not stated, yet can be deduced and presumed."²⁴¹ For all these reasons the appeal was dismissed by the court.

The role and existence of BDA came into question seriously in the context of illegalities committed by the HBCSs in the ways and means adopted in the production, exchange and distribution of space. In such a context the court had passed directions to the government to find solutions to the problem. The government abandoned the policy of pursuing partial role in land acquiring at times and gave complete freedom to the BDA. An amendment was made to the BDA Act in 1994, giving land acquiring role to the BDA, a kind of a catalyzing role, a medium to acquire and pass on the land for the HBCS. Following was the amendment:

Amending Act 17 of 1994.- Some of the bulk allotments made by the Authority in favour of the State and Central Government Organisations, House Building Co-operative Societies etc., have been quashed by the High Court of Karnataka in various Writ Petitions because there is no provision in the Act for making bulk allotment. Therefore, it was considered necessary to amend the Bangalore Development Authority Act,-
 (i) to take power to make bulk allotment;
 (ii) to validate bulk allotment made earlier.
 Opportunities are also taken to make certain consequential amendments.
 Hence this Bill.²⁴²

Planned Private Layouts and Unauthorized Private Layouts: Conversion of land from Agricultural to Non-Agricultural purposes

Here in this section I would like to cover legal attempts to form private layouts and the ensuing disputes. The nature of disputes referred here, are related to legal and planning aspects. The issues are centered on powers of the government authority,

powers/rights of the landowners or individuals to form private layouts, legal and planning issues, and natural justice. Some issues were procedural and some were substantive.

The conversion of agricultural lands to non-agricultural purposes has been one of the ways to develop land legally and illegally. Formation of the residential private layouts has been prevalent throughout the 20th century. Bangalore city's development and expansion has varied in scales and intensities during various points in time. In Chapter 3 one has taken note of phases of regularization of wide-spread illegal land developments across Bangalore city. Though the magnitude of the problem has been considerably high, accurate picture of the problem has not been available. The number of cases available for the study too is few as one can see below. This Section gives a glimpse of legal or other issues related to disputes.

1. Attempts to Form Private Layouts: The dispute between *Government of Mysore v Mavalli Thimmiah (1951)* belongs to the immediate post-independence period. During that time, perhaps still the colonial hangover of treating the illegal issues of land development as criminal issues than civil ones was still in vogue. In the dispute named above, the appellant-government had claimed that the accused respondent-individual land owner had committed offence by attempting to form a private layout by demarcating sites, which was within the jurisdiction of the operation of Section 25(1) of CBIA from 18-3-1949. The Second Magistrate, Bangalore had acquitted the land owner of an offence under Section of 25(1) of CBIA. This appeal against the land owner who was accused of forming a residential layout by demarcating sites which was against the Section 25(1) of CBIA which states that- "No person shall form or attempt to form any extension or lay-out for the purpose of constructing buildings there."²⁴³ The appellant-government had claimed that the accused respondent-individual land owner had committed offence by attempting to form a private layout by demarcating sites, which was within the jurisdiction of the operation of Section 25(1) of CBIA from 18-3-1949. The respondent had only admitted that he had involved himself in the formation of layout only before laws' jurisdiction to his land was extended. It was established and proved by evidences that the land owner had attempted to form layout even after the law came into force. There was plan and the witnesses who corroborated about the formation of layout even after law was enforced. The court overturned the judgment of the Second Magistrate because in the judgment it was not admitted that the available evidence was credible or otherwise, and did not draw inferences from the evidence available and had acquitted. Thus according to Section 417 Criminal P. C. 1898 appeal was directed against the decision in the High Court. Court argued that according to law, the attempt to form a layout would amount to an offence even if buildings were not

constructed. Thus the guilty had to pay a fine of Rs. 100 under Section 25(1) of CBIA to be paid to the credit of City of Bangalore Improvement Fund.

If the above dispute indicates the individual attempt, the case below indicates the expanding interests and politics involved in the land development process in the following decades. In a dispute between *M. P. Narasimha Murthy v State of Mysore (1967)*²⁴⁴ the question was whether the minister's assurance in a public meeting to regularize the private layout would amount to government's estoppels. The Government had planned to acquire lands for public purpose in this instance for the formation of residential layout, on the southern side of Mount-Joy in Bangalore city. The petitioners were the site-owners who had already bought from the private layout formed which was part of the proposed land to be acquired. These private site owners had formed a registered association named as Srinagar Association to solve water and electricity problems. According to the petitioner-site owners, on the occasion of the first anniversary of the Association, the Minister for Local Self-Government had presided over the function and then had assured the site owners of regularization of their sites and the civic amenities. Given the Ministers' assurance they had deposited the initial amounts to buy the sites and the layout preparation with the formation of the roads, drains, etc., were underway. Under those circumstances the land was proposed to be acquired by the government. The petitioners first had relied on the minister's assurance. For the contention with regard to the issue of estoppel, the court had decided that any assurance given by a Minister and receipt of layout charges by the CITB would not prevent government and the CITB from acquiring land nor would amount to abandonment of acquisition because it was not the formal assurance of the government or of the CITB.

Issues of private layout were becoming more complicated again when government was planning to acquire lands. The attempt to acquire lands was met with the challenge because not only the proposed extent of lands was under private layout formation but also other lands too. In the two disputes between *M. Manicklal v The State of Mysore & others (1967)* and *B. Changaiah v State of Mysore & Others (1970)*²⁴⁵ the contentions were similar. The contention of the first petitioner was that there was no public purpose in supporting the land acquisition because acquisition was abandoned in many cases and people were allowed to form private layouts on the same lands which were proposed for acquisition earlier. The petitioners had applied for the formation of private layout by converting the same land for non-agricultural purpose whereas their lands were proposed to be acquired. CITB had taken more than year to reply to his application. The petitioner had contended that according to the Section 25(8) of CBIA, CITB had to convey the decision of allowing or disallowing the

application within 6 months from the date of the submission of the application. Since the reply of disallowing was conveyed after more than year, it was assumed according to Section 25(8) of CBIA that CITB had allowed the petitioner-landowner to form the layout and the acquisition proceedings were to accordingly lapse. For this contention, the court argued that Section 25(8) CBIA Act is attached to a condition in another section of the CBIA i.e., Section 25(2) which prescribes that if- “Any person intending to form an extension or lay-out or to make a new private street, shall send to the Chairman a written application with plans and sections showing the following particulars...the arrangements to be made for levelling, paving, metalling, flagging, channelling, sewerage, draining, conserving and lighting of the streets and for adequate drinking water supply.”²⁴⁶ Since the petitioners application did not contain the substantial details, there was no question of further processing of the application within the given time period. Section 25(8) holds well if substantial details as required by Section 25(2) are submitted in the application for approval. Thus for all the above reasons the petition was dismissed. Similarly, in the second dispute, the petitioner had complained of discrimination against him by allowing others to form the layout whereas he was excluded from it. The issue of abandonment which brought into question the public purpose, had to be proved, and the application of Section 25(8) of CBIA with the fulfillment of the conditions as prescribed in the Section 25(2) of CBIA. Here in this case Section 25(2) was not fulfilled because the petitioner had asked for the sanction to set up Wood industry, whereas the sanction was only for residential purposes. Thus the contention was dismissed. Though the contentions were mainly seeking judgment against the discrimination, the S. 25(2) of CBIA was brought into the focus of judgment, which dealt with the questions of planning, land use, and design of the layout.

2. Powers of the Authority: In two of the cases *T. C. Srikantappa & Others v CITB & Another (1969)*²⁴⁷ and *Aildas G & Others v Chairman, CITB & Others (1975)*²⁴⁸ the questions were procedural. In the former case the issue was about whether CITB had powers to withdraw the order passed by the government to permit the petitioner to form a private layout on the grounds that he had not produced the conversion certificate? And in the latter case, it was about whether the State Government had statutory powers to interfere in the CITB's decisions in the matter of sanctioning the private layout? Infringement over the share of powers between government and its institutions became an issue. In the dispute between *T. C. Srikantappa & Others v CITB & Another (1969)* which seemed like a procedural issue, but actually conversion of agricultural to non-agricultural purpose and residential layout formation was at stake. The Government had passed an order sanctioning the petitioner to form a private layout according to Section 25 of CBIA. After seven years the CITB withdrew the order on the ground that the landowner-petitioner had not produced the conversion certificate according to the

provisions of Land Revenue Act for the conversion of land from agricultural to non-agricultural purposes. The court found that Government only had the powers to withdraw the sanction and the CITB did not have to powers to withdraw. The respondent-CITB had contended that the petitioner-landowner had not paid the entire layout charges as directed by the Government order, thus CITB would have to incur ‘abnormally increased’ amount towards the charges. In response court ordered that the petitioner should pay the additional layout charges on the “no profit and no loss” basis to be computed by the CITB and such charges would have to be paid within three months from the date of the quantification of the layout charges by the CITB. The petitioner had the right to question the correctness of the determination of the layout charges, if dissatisfied. He had to produce conversion certificate with additional layout charges; and the CITB’s order of cancellation of private layout formation was ordered to be withdrawn and cancelled and set aside. Thus petition was allowed to succeed.

Similarly the dispute between *Aildas G & Others v Chairman, CITB & Others* (1975) was about the conversion of agricultural to non-agricultural purpose and residential layout formation was in question. The petitioner-landowner of three and a half acres at Kempapura Agrahara was sanctioned by the CITB to form the private layout after all the essential procedures according to the law were followed i.e., approving of the layout plan by the CITB through its resolution, approval of modifications sought by the land owner, payment of layout charges, etc. After the whole process of sanction was over, the CITB had conveyed the petitioner-landowner of the government’s decision to reject the sanction by the CITB for the formation of private layout and had returned the layout charges paid by the landowner. In the petition landowner had argued that the State Government did not have power to interfere with the statutory powers of the Board and had sought mandamus from the court to direct CITB to restore the sanction. The court had found that Government could play an arbitrators role only when there were differences between the CITB and the Corporation of the City of Bangalore with regard to the sanctioning of the private layout within the corporation limits or jurisdiction. According to the second provision of Sub-Section (1) of S. 25 of CBIA, the government had no powers to interfere in the statutory powers of the CITB to sanction the private layout. Though government had the powers under S. 42 of CBIA to issue guidelines to regulate the sanction of private layouts by CITB. In the present case the guidelines given by the government were not in the form of rules for the guidance of the CITB as prescribed under Section of 42(a) of the CBIA. Thus the order of the Government was declared illegal and invalid. Therefore for all these reasons a writ petition was allowed.

The above discussed cases were about, apparently, the respective powers and decisions of the government and its agencies but actually it was land and its development which was at stake. The times (of 1960s and 1970s) of two cases discussed above were the times when the developments were in congruence with residential purposes and the development was at a small scale and the land market had not seen speculation and profiteering. Perhaps Bangalore city was still in regulatable condition, i.e., commensurability of governmental mechanisms in implementing the planning norms than the capacity to produce space in the planned form. But later (in the 1980s and the following decades) the questions arose much directly in the changed conditions of business purpose, speculation and profiteering in land development. And the scales of land development too had become large. The regulation of growing city limits and much more diminishing capacity of the government agencies to produce space for public purposes for various reasons had consequences for planning, production of spaces and the expansion of the city. The private land development which was promoted by the government and the law had given rise to new contradictions. Public purpose had become mask for land development for profit. The idea and practice of fulfilling the “needs” and its “affordability” was giving way to business idea and practice in land development thus changing the way one would view rules and resources in principle. Government’s idea of allowing the private parties to produce land for housing needs had gone awry. This can be observed in the nature of contentions centring on the land itself, much more explicitly and substantially on the one hand and stirring up planning issues on the other. The dispute between *Vishwabharathi House Building Co-operative Society Ltd. v Bangalore Development Authority (1989)* contended the very basis of the existence of the BDA. The contention was whether the BDA could impose certain conditions which were termed “unreasonable and beyond the competence of the authority” which would defeat the very purpose of S. 32 of BDA Act²⁴⁹? This case indicated a different phase of land development during the post-independence period. Firstly, it was taken up by a HBCS. Secondly, the scale of development conceived by private land development was incomparably bigger when compared to the CITB (BDA’s predecessor) phase till the mid-1970s. Though such a development had begun to be initiated towards the mid-1970s, it took shape after the establishment of BDA. Thirdly, the very existence of state’s parastatal institution and planning and land development institution was called in question in relation to the activities of HBCS. With regard to law, the court saw the progression in the following way:

The Act [Bangalore Development Authority Act, 1976] is an updated version of the earlier City of Bangalore Improvement Act and the authority under the Act is the successor to the former Trust Board. By the repealing provisions, the acts done under the old Act are saved and deemed to have been done under the Act...in regard to the permission granted under the erstwhile Act for forming private layouts by the Society. The object of Section 32 of the Act is clear and it is in conformity with the object of the rest of the Act.

Section 32 enables private owners of land to assist the development of the City of Bangalore in an orderly fashion by obtaining the permission of the authority to form the layout. Similar provisions were available under the previous Act for the development of the City of Bangalore. This would reduce 33% of the work of the erstwhile Trust Board or the present authority from taking up all developments work exclusively by itself. In fact, this may be described as the trend of *privatization of public work*.²⁵⁰ (emphasis added)

The court further endorsed and interpreted that it was in that sense, *privatization of public work*, and Section 32 of the BDA Act was to be understood.

Vishwabharathi House Building Co-operative Society Ltd., (VHBCS) began the process of taking legal permission from the CITB in 1973 to form a private layout over 300 acres of lands. These lands were purchased in Avalahalli and Hosakerehalli in Bangalore South Taluk and Gerehally in Bangalore North Taluk. In 1973, the CITB had granted the No Objection Certificate to convert agricultural lands to non-agricultural purposes, and after that those lands were converted and a private layout was allowed to be formed according to the plan approved by the CITB in a letter of 1975. Similarly the CITB's successor the BDA too had allowed the VHBCS to form private layouts. The petitioner-society was aggrieved by the conditions put forth by the BDA to form private layouts. Those conditions were: a. "To allow the Second Party [BDA] to form a layout in conformity with the plan approved or modified from time to time as per policy or rules by the Second Party and handed over the above land to the Second Party to form the layout", b. "To hand over such portions of the lands as is required for the roads and civic amenities etc., as per approved plan to the Second Party free of cost, before release of sites, by executing a relinquishment deed duly registered at the cost of Society", c. "Allotment of Sites shall be as per Bangalore Development Authority Allotment of Sites Rules, 1982", and d. "Before allotment of sites, list shall be submitted to the Bangalore Development Authority and got approved."²⁵¹

Given the view of the *privatization of public work*, the Section 32 of the BDA Act would mean two options either allow the private party to form the layout according to the specifications given by the Authority or allow the Authority to make the layout on behalf of the private parties if they are ready to incur charges. While addressing the contentions, the court found that VHBCS had already formed layouts. Therefore there was no question of taking over the possession of land and handing it over to the second party (BDA) to form the layout. Thus the first condition put forth in the agreement was ruled out. Similarly the condition that handing over the lands required for roads and civic amenities to the BDA free of cost, before release of sites, etc., was out of question. With regard to the contention of allotment of sites according to BDA Rules, it was judged that it was beyond the competence of the BDA because the VHBCS had already taken the permission or approval according to the Section 32 of the BDA Act. Any more imposition of conditions would impinge on the constitutional rights and the legal

rights of the owners of the private layout or a company. For the last contention of the necessity of submitting the list of allottees before the allotment of sites by the petitioner-society for the BDA's approval, the court said that it was necessary for two reasons. One, it was essential according to the BDA Act, the BDA had the right to impose such a condition to know the names of members to whom the sites in the private layout are allotted by the petitioner-Society to ascertain the eligibility of the allottees. Two, if such a condition was not imposed, it would have given room for numerous forms of malpractices which might finally defeat the very object of the Act.

The legal contests took much aggravated form. The cases between *Vishwabharathi House Building Co-operative Society Ltd. v Bangalore Development Authority* (1990) and *Bangalore Development Authority v Vishwa Bharathi House Building Cooperative Society Ltd.*, (1992)²⁵² clearly indicate the processes at work. In the former dispute - 1. Petitioner-VBHBCS and others had claimed that it cannot be accused for its conduct of activities because it had already taken permission from erstwhile CITB in 1974 to purchase lands which were in dispute through the mode of registered sale-deeds. 2. BDA had acquired and planned a scheme by acquiring the same survey number lands under Section 18 of the BDA Act which the petitioner-VBHBCS had already bought. The contention of the petitioner was that BDA had failed to complete the scheme within the stipulated period of 5 years as required by Section 27 of BDA Act, thus the scheme had lapsed. Since already the petitioner was given the permission to purchase lands itself was enough to draw the inference that BDA had not intended to implement the scheme with regard to those survey number lands which were in dispute, therefore it was put forward that BDA was estopped refusing permission would amount to reasons which are extraneous to Section 32(6) of the BDA Act. 3. The petitioner was ready to share any information with regard to the sale transactions and deeds with BDA but without seeking the information the application of the petitioner was rejected. 4. Petitioner had contended that lands which were under dispute did not attract Section 95 of the Land Revenue Act, 1964 because lands were within the planning area and Section 14 of the KTCP Act was inapplicable to the same lands because the land use proposed in the ODP and CDP are not different from the purposes which was planned to put to use. The planning had already conceived those lands as meant to be put to residential use. The petitioner landowners-VBHBCS and All Karnataka Young Writers' and Artists Association, Bangalore, had submitted application to BDA to form a private layout on the lands of Avalahalli Village, Kengeri Hobli, Bangalore South Taluk. Court in its ruling referred to Section 34(4) of BDA Act which regulates exercise of discretion vested in the Authority. Rejection of the application by BDA for the reason that the applicant had not furnished the essential documents and information without giving a chance to be heard was

judged as “bad” and violative of principle of “natural justice” on the one hand and on the other, it was considered that it was obligatory on the part of the authority to provide an opportunity to furnish the essential information or documents, since BDA did not provide such opportunity, it was not “compatible with rule of fairness or reasonableness and as an instance of arbitrary exercise of power”.²⁵³ With respect, to the issue of taking permission from BDA to convert land was necessary or not, the court found that, since already lands were earmarked for residential purposes in the ODP and CDP for the Metropolitan Planning Area of Bangalore, thus the petitioner had not have had to take a written permission. Court finally reminded that given the task to use of power for the public good, the discretion of public authorities was not unfettered. For all these reasons petition was allowed.

In the latter case *Bangalore Development Authority v VishwaBharathi House Building Cooperative Society Ltd.(VBHBCS) (1992)*, the Division Bench of High Court reaffirmed the judgment of the Single Judge. In this appeal the appellant-BDA had emphasized two points apart from the contentions in the previous case. One, since land in question was being an agricultural land, the VBHBCS was prohibited from buying under Section 79-B of the Karnataka Land Reforms Act, 1961, therefore transactions were pleaded to be termed as unlawful, null and void, notwithstanding the permission accorded by the CITB. Two, since the concerned land was included in ODP and CDP under the KTCP, the written permission of the BDA (Planning Authority) was essential to make changes in the land use. Against the first contention court ruled that BDA did not have the power to declare the transaction as null or void or bad in law. Even if the respondent-HBCS had held the land illegally under Section 79-B of the Land Reforms Act, such land could not have been *ipso facto* reasoned that the State had authority over the land which was in contention. According to Section 79-B (3), it was for the concerned official to conduct an enquiry and declare, before the state has its authority over the land. Further if so declared, according to Section 79-B (4) State has to pay compensation to the land owner, until all the process is over, the title of the land would have had to be with the land owner, and thus the first contention was ruled out. Since the lands were within the boundary of the planning area as marked and allocated as residential land use in the ODP and CDP, there was no need for the respondent-VBHBCS to take permission from the authority in writing and also since lands were not under agriculture, the contention was dismissed. The petition on the whole was dismissed.

3. Issues of Regularisation- Apart from such issues there were also issues arising out of the regularization of private layouts. It is already delineated in the Chapter 3, the rationale or the justification of not wasting the ‘national wealth’ by demolishing the

residential private layouts. For that purpose, among other measures, the legislation was passed which was termed as *Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991*. Again the legislation reiterated the view of avoiding the wastage of 'national wealth'. Therefore the view was,

Bangalore Development Authority and other local bodies have been finding it difficult in their task of meeting the increasing demand for residential sites due to disproportionately high number of unauthorised constructions on urban land. The unauthorised constructions which already have come up over the years cannot possibly be demolished and any *wholesale demolition would not only amount to wastage of national wealth but may in some amount to wastage of national wealth but may in some cases also create law and order problems*. Keeping in view the above points, it is felt necessary to have a comprehensive legislation for regularisation of certain types of un-authorised constructions.

Hence this Bill.²⁵⁴(emphasis added)

The *law and order* problem indicates the magnitude of the problem of uncontrolled growth of city in an unplanned manner; the law also foresaw the kind of uprising that could be of uncontrollable proportions in the context of lack of legitimacy for the concept and practice of planning which was without any cohesion. Then planning was addressing the needs of certain classes of people, as one has taken note already in Chapter 3, excluding major portions of the population having access to produced planned space. Urban planning, instead of acting as a need based system it had become an aesthetic and an uneconomical instrument. Apart from such economic consideration and the prediction of unrest or anomic condition, the social structures of the economy and the way it functions at the broader level and in particular with the unplanned land development, were completely ignored. The kind of emphasis on planning and planned growth seemed to have disappeared like by the last decade of the 20th century and also it meant, except for various discourses or rhetoric on planning, all through it was all the same. The short piece of legislation conceived few prescriptions for regularization. Central to the legislation are three sections of the law which have been a source of the contentions and part of the judicial process. The components of *Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991* which were central to disputes were: (a) Section 3 is about the 'regularization' of 'unauthorised constructions', (b) Section is about 'unauthorised constructions' which were not to be regularized, and (c) Section 5 is about 'conditions' for regularization. Regularisation was to be allowed of any unauthorized construction which was done before 31st March, 1990, by any person on the land belonging to the State Government, revenue site, and proposed land acquisition under BDA Act, 1976, Urban Development Authorities, Act, 1987, etc. But these unauthorized constructions were not to stand in the way of existing or proposed roads and railway lines, communications and other civic facilities or public utilities or land which is earmarked for the same facilities or on the forest land or tank bed or in the green belt as marked in the CDP or ODP, etc.,; constructions which stood without ownership titles and on the

lands belonging to BDA or a local authority; constructions which on the lands beyond ceiling limits as prescribed by Urban (Land Ceiling and Regulation) Act, 1976 (Central Act 33 of 1976); and constructions on any land reserved for parks, play grounds, open places or for providing any civic amenities- were all fixed as unauthorized constructions which were not to be regularized. And the regularization was connected to kinship and family relations- only a member of the family was allowed to seek regularization of a property in a given urban area.²⁵⁵ The preconditions were mostly about the ownership and its limits to the land, and the planning regulations which were to determine the exemptions. It all meant that the ownership of land was more dispersed than was in a concentrated form in few hands. Given that condition, governmental land acquisitions which did not, first of all, make any economic sense for the people who were losing lands and let alone other problems engendered by land acquisitions which were unaddressed by any laws, thus there were wide spread formations of unauthorized constructions.

Further, one of the judgments outlined the context of the law and disputes. The intention of the act broadly was to protect the ‘life, liberty, reputation and property of its citizens [which] has always been considered as one of the fundamental functions of a democratic government’²⁵⁶. Given that, at the fundamental level any government order or statute that supports or permits any individual to illegally trespass and claim the ownership to the property, was again declared, by the court as “anathema” to the rule of law.

B.D.A. and other authorities involved in formation of layouts and distribution of sites, acquire vast tracts of land running into thousands of acres. It is virtually impossible to protect or safeguard lands vested in them, against encroachment or unauthorized construction. It is well known that considerable time elapses between vesting of land in an authority, consequent upon acquisition and delivery of possession, and the formation of layouts and allotment of sites. An unscrupulous erstwhile owner who encroaches upon such land and puts up an unauthorized structure will not be entitled to an order of stay of demolition from this Court; grant of any such order would amount to permitting him to benefit from this unlawful and unscrupulous action.²⁵⁷

‘The right to obtain regularization of an unauthorized construction is a special relief under the Act. It is different from the right to obtain an order prohibiting an authority from demolishing an unauthorized structure.’²⁵⁸ If the court has to intervene, the petitioner shall have to prepare a ‘*prima facie*’ case to stake a claim to the right to obtain regularization.

Actually court played a quasi-governmental role in constructing the object of the context and background to the unauthorized existence of constructions and regularization. It set out the rationale for the government and exhorted the government to take note of the situatedness of the problem in the context of mechanisms and the production of space. Court declared that- “It is the ultimate aim of every Bangalorean

to own a house. It is virtually impossible for a person, who does not own a site in Bangalore, to approach an authority, agency, developer or dealer and purchase a site across the counter by paying its price.”²⁵⁹ Declaration identified various actors and laws, and their role in the whole crisis of urban land availability, production and development, and its distribution, the kind of causal analysis indicted everyone in the process and identified the pitfalls in their conduct each of actors and their actions.

Firstly, with reference to law, court took an overview of various laws and found that the combination of effects created by various laws was blocking supplies of urban land. The Karnataka Land Revenue Act, 1964-prohibited conversion of agricultural lands for residential purposes, Karnataka Land Reforms Act, 1961-prohibited non-agriculturists from acquiring agricultural land and prohibited alienation of land in respect of which occupancy rights which had been granted, for a specified period, the Karnataka Town and Country Planning Act 1961-prohibits the land being used for a purpose other than the reserved land use, and the Urban Land (Ceiling & Regulation) Act, 1976-takes away any urban vacant land in excess of 1000 sq. m.²⁶⁰ Broadly the laws were creating blocks to private land development and offer sites for sale in many ways given the visions of the laws.

Second, the scarcity created by the anomalous supply. Individual applicants had to wait for several years to be allotted site by the B.D.A., and by seeking membership of a Housing Co-operative Society by exposing oneself to the ‘risks, uncertainties, vicissitudes and delays’. B.D.A. and Housing Societies had been able to meet the requirements of very few of the large number of aspirants for sites. There was no scope to buy a site than relying on sites sold in the unauthorized layouts because it was not possible to acquire a site otherwise, unless one was prepared to purchase a site from individuals who already owned sites in the city, at exorbitant prices. “A person belonging to a middle class or lower middle class or weaker section of society cannot think of such purchase at exorbitant price.”²⁶¹

Given that condition, generally the “vicious” *modus operandi* of land development and its distribution and exchange was explained by the court in the following terms:

As the difference between demand and availability of sites is so great, it is virtually impossible for a common man[/woman] to get a site. Hence, it is forced to go to land sharks and middlemen who have created the pernicious system of sale of ‘Revenue sites’ and ‘illegal sites’ in and around Bangalore. The poor and the needy, anxious to own sites, are sold sites, which are portions of land which is either unconverted agricultural land situated in the green belt area, or land earmarked for purpose other than residential use, or land which has already purpose other than residential use, or land which has already been acquired for some authority or society or land which is in the process of acquisition. As transactions relating to such sites are illegal and prohibited, no sale deed is executed and the unfortunate purchaser is given an ‘agreement of sale’ and a ‘power of Attorney’ and ‘possession of the site. He gets no title, but doubtful possession. The dealer

suppresses the true facts and informs the ignorant purchasers that they can put up sheds overnight and that if they are in possession and apply for regularisation, the Government will ultimately regularize their constructions and give them title to the sites. The several orders issued by the Government from time to time providing for regularization and extending the cut-off date for regularisation of constructions, have come in handy to the unscrupulous dealers to persuade the purchasers that they will also get regularisation and title. Acting on the dealers' misrepresentations, anxious gullible and ignorant members of the public, mostly from the lower middle-class or weaker sections, part with their hard-earned money, in the hope of owning a piece of land and having a shelter, in an undeveloped or non-developed layout without amenities or facilities. The layout itself is imaginary and illegal and mostly exists only on paper. The result is mushrooming of small temporary sheds, thousands in number, erected without licences or sanctioned plans all around Bangalore in a haphazard manner, leading to a planner's nightmare.²⁶²

Court while reflecting on the whole condition of land development, it asked- "Who is to be blamed for this state of affairs? The greedy dealers in unauthorised sites? The gullible public who purchase such unauthorised sites? B.D.A which has failed to make available adequate sites and failed to prevent the unauthorised structures?"²⁶³ Among those actors in whole drama, the violators were in a way ranked, as the court declared that-

One, - the easily identified violator, the court announced that- "There can be no doubt that the dealers in revenue sites and illegal sites are largely to be blamed for the existing state of affairs."²⁶⁴

Two, - Next were - "The members of public, who in their anxiety to own a site, ignore the legal requirements and purchase illegal sites, are also partly to be blamed."²⁶⁵

Three, - The position of planning and land development institution drew more empathy and sympathy from the court than other actors. Thus the court drew attention to the constitution and the activities of the BDA. In a way exonerates BDA from the blame. Thus the court elaborated that-

The tendency to place the entire blame on B.D.A. is however not proper. It [is] true that under the Bangalore Development Authority Act, 1976, B.D.A. is empowered to acquire lands around Bangalore and form layouts and allot them to needy applicants. It may be true that if B.D.A. has efficiently discharged its function by proper planning, by making available adequate number of sites and by expeditiously sanctioned private layouts, the market in revenue sites and illegal sites would not have come into existence at all. But formation of proper layouts is a time-consuming and complex task involving planning, levelling of land and execution of development works like roads, drains, culverts, bridges in uneven and undulating terrain. The delay in formation of layout is aggravated by lack of adequate co-ordination and co-operation among several wings and departments of B.D.A. as also other statutory bodies like K.E.B. and B.W.S. &SB. There are also considerable delays on account of litigations by land owners, unauthorised constructions by encroachers, ex-owners and revenue site holders and stay orders by Courts. Sometimes the acquired lands consist in its midst, clusters of habitations, and the owner/occupants of the buildings resist acquisition and also initiate litigation. The layout and development works cannot be completed unless the pockets of resistance involving lands which are subject matters of stay orders and lands occupied by unauthorised structures and inhabited clusters are removed. This results in the entire layout work being delayed for long periods and further developmental activities come to a grinding halt. What development work and activities are stopped for long period, that gives room for further encroachments and illegal constructions followed by applications for regularisation. It is impossible for B.D.A. to police its vast lands day and nights continuously for years to prevent overnight unauthorised constructions. Hence, the blame cannot be placed wholly at the doors of B.D.A.²⁶⁶

Four, - Court absolved the government too from the blame, except for being lax with regularization process. While expressing its empathy towards the government, the court said-

The Government also has a difficult task. The number of members of public who have resorted to such illegal purchases and unauthorised constructions are too large to be ignored and the sheer number of public involved in such acts, has virtually converted what will be a law and order situation into a human and social problem. The Government has been attempting to find a solution by forming schemes for regularisation by

several orders, followed by the Act, whereby several cut-off dates for regularisation have been fixed. But repeated extensions of such cut-off date for regularisation of unauthorised constructions have been counter-productive as repeated extensions send wrong signals to the persons indulging in sale of illegal sites and construction of unauthorised structures, to believe that if the persons involved are too many after some time, there will be one more round of condonation and regularisation. Unless it is made clear that the date for regularising unauthorised constructions will not be further extended and effective steps are taken to prevent further extended and effective steps are taken to prevent further unauthorised constructions and encroachments, the very purpose of regularisation will be defeated.²⁶⁷

However, the court had to take note and concede that periphery of Bangalore city were completely occupied unauthorised layouts which had given rise to ‘unorganized, undisciplined and haphazard growth’. In contrast to that the ‘authorized and developed layouts of B.D.A. and HBCS’ were too few. The unauthorised buildings did not allow room for proper roads, drains, civic amenities, open spaces, parks or for providing proper infrastructural facilities.²⁶⁸ Given that problem, court had suggested the kind of a punitive and offensive strategy to the government. Court pronounced that government can

find a proper and satisfactory solution by forming a comprehensive programme involving at least a three-pronged attack – (a) dealing with the existing unauthorised structures by disposing of the pending applications for regularisation without delay but without sacrificing or affecting the orderly and planned development of the city; (b) preventing further unauthorised structures and encroachments by strict preventive and punitive action; (c) making available sites and low cost houses in a large number, by B.D.A. or other authorities forming layouts so that the public do not find the need to resort to purchase of illegal sites or unauthorised constructions. The task is of course, herculean.²⁶⁹

Court was still doubtful about the completeness of its delineation of the problem. It conceded that- ‘There may be several other facets to the problem which may require consideration and solution. It is for the legislature and executive to take necessary steps and find suitable solutions.’²⁷⁰ But this discourse was necessitated, by the court, for the reason that there was ‘increasing litigation in this field’.²⁷¹

In the preceding passages, though court did touch upon certain facts like “exorbitant prices”, “land owners”, etc., but it was still unconscious or was still blind to the larger processes at work and all those issues. Who are these “unscrupulous” “dealers in revenue sites and illegal sites? Who are they and why do they form illegal layouts? Who are these “land owners and litigants”? Which are these “clusters of habitations”? These different actors find only mention in the above passages of articulation of the discourse delineated by the court. Among the four sets of actors in the scene of land development, the least elaborated and understood about their existence are these actors. Though one can give an economic rationale to such a combination of forces coming together, apparently, under the conditions of scarcity, seeking higher profits, in producing small parcels of land to sell it to the “gullible public”, but it still does not give the picture of the social structures of such economy owned and acted upon by various actors. As one has taken note already in the section on the issues of compensation and one would see later that these actors are villagers whose lands are

drawn into the vortex of the dynamics of expanding city. If one can be reminded again, the question of compensation and the demand for its increase, great gap between the invisible market rate and the registered market rate, the elaborate and protracted legal battles, etc., were only making matters more complicated leading to a kind of subversion in the production of space.

Among the disputes that figure in the available cases, in a dispute between *Fathimabi and Others v State of Karnataka and Others* (1993) the issue at stake was that petitioners were residents of Bangalore and they had already built over the sites in question, before 31st March, 1990 which was the last date by which buildings were unauthorizedly built were to be regularized, according to Section 3 of the Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991. Petitioners had also claimed that they had also submitted the application in that regard to regularize their built properties. BDA had planned to acquire their property-land which it claimed it belonged to it and thus the whole construction was to be termed unauthorized which in effect would be ineligible for regularization therefore the occupant would not benefit from the Section 3 of Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991. Court in its judgment elaborated the procedure as enunciated in the law as the basis to allow the writ petitions. It was judged that the procedure as prescribed under Section 6 of the act for Screening Committee which had to be set up and it shall have had to scrutinize the application of regularization sought by the petitioners. Screening Committee would have had to treat the application on the merits of the properties of the petitioners which attracted Section 3 for exemption or Section 4 for prohibition, of regularization. Accordingly the petitioner or the respondent would have had to accept the verdict of the committee which would be based on the facts to establish eligibility or ineligibility. In the meanwhile court imposed restrictions on both petitioners and respondents. Petitioners were not to put up more constructions on the site anymore until the findings and verdict of the screening committee were released; and BDA was to restrain from making claims over the property.

The previous case seemed to be a clear case of problems involved in evaluation of putting into practice the procedures of regularization to work. In the next dispute available- *K.C. Raju Reddy v The Commissioner, Bangalore Development Authority* (1995), the issues brought to the fore were far more complicated. The petitioner had claimed that he had applied for regularization of the property in question thus court should stay the demolition proceedings of the buildings initiated by BDA until the decision is taken by Screening Committee on the petitioner's application. Whereas BDA had claimed that the lands in dispute of survey number 52 of Hennur village measuring 2 acre 7 guntas was preliminarily notified for acquisition in 1978, the final

notification was issued in 1984 stating that the lands were required for the formation of the Hennur-Bellary Road, I Stage Layout, according to procedures the same was publicized in the newspapers Deccan Herald (English daily) and Kannada Prabha (Kannada daily) in 1985. In response to all that the petitioner had filed objections in 1985 by stating that the land was still under agricultural use and against all that an award was passed in 1987. In the 1987 itself BDA had taken possession of the acquired land and had formed the layout and had distributed sites to its applicants and the land in dispute was too within that formed layout. The petitioners had approached the court with a writ petition in 1989 against the land acquisition. In response to that the court in 1990 dismissed the case on the grounds of delay and laches because court had found that the petitioners were aware of the land acquisition proceedings and had approached the court after four years after the acquisition had taken place. Against that decision, the petitioner had again approached the court with writ appeal in 1991; again the court dismissed the appeal on the same ground as it was against the previous writ petition. Subsequently, again in 1991, the petitioner had filed a suit in the City Civil Court against BDA's plan to demolish their buildings, thus had sought temporary injunction, but in response court had rejected that in 1993. Given all those facts, without even disclosing all the previous proceedings, the petitioners had filed the petitions against the demolition in the High Court again. The land records too confirmed that BDA was the owner of survey number 52. The petitioner had relied on Section 3 of Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 (Regularisation Act). Court found that since BDA had already owned the lands and the unauthorized constructions and occupation would not belong to any of the categories under Section 3 of the regularization act. In fact, according the provisions of Section 4 (viii) of regularization act would disqualify the petitioners' application because it prohibited any unauthorized constructions on the lands owned by authority or local authority, and since BDA belonged to such a category of authority and land was owned by it, the application for regularization should be rejected. Given those facts and legal standpoints, according to the court, petitioner had failed to make out a *prima facie* case for regularization and besides petitioner had suppressed earlier litigation, thus for all those reasons, the petition was dismissed. The petitioner had reminded the court of the previous judgment of the dispute between *Fathimabi and Others v State of Karnataka and Others (1993)*²⁷² which had decided that Screening Committee was to be first allowed to do its job to process the application of unauthorized construction than court doing the job. In response to such reference, the court had argued the facts and circumstances of the case was different, whereas in the present case, the petitioner had concealed the previous legal proceedings which were held in the same court and obviously the provisions discussed above would not allow for regularization.

The dispute between *Munimasthaiah v State of Karnataka and Others (1996)* had similar stakes, but with a difference that the unauthorised occupant had bought a site, which was sold as revenue site to him, after all the acquisition proceedings were over and same site was already part of BDA layout and it was allotted to one of the BDAs' applicant. Like the previous case, the lands of Jarakabande Kaval village was in dispute, in this case too land acquisition was initiated through a preliminary notification in 1977 by the BDA. Lands were being acquired for the formation of residential layout named as Nandini Layout. To further give effect to the acquisition process, final notification was issued in 1979, award was made in 1985, government had approved the acquisition in 1986 and finally in the same year land was taken into possession by BDA. Given all that, court this time much clearly stated that- He must establish that he is in occupation of an unauthorised construction made prior to 31-3-1990, on a land belonging to the Government or on a revenue site owned by him or a land belonging to him which is proposed for acquisition but not yet vested in the authority, in whose favour the acquisition proposal was made and he shall also file his application within the period prescribed. Since the petitioner claims met none of the criterion, thus the demand for consideration by the screening committee in respect of such established fact was termed as an "empty formality", thus the petition was dismissed.

Yet another dispute between *M. Ramachandra v Deputy Commissioner (Land Acquisition), Bangalore Development Authority, Bangalore and Others (1998)*²⁷³ found the same result, but under different circumstances of ownerships of land. The land owner-petitioner who had unauthorized building, was the original owner of the agricultural land which belonged to Yellukunte Village, BegurHobli, Bangalore. The land owner had built the house in 1983 itself, even before BDA had proposed to acquire lands in 1986 and the final notification was issued in 1988, which was well before the cut off date of 31st March, 1990. Since on paper BDA had already completed the proceedings of acquisition the land vested with it, the land did not belong to any of the categories as suggested in the Section 3 of Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 (Regularisation Act) and its clauses and since already acquisition proceedings were complete and land vested with BDA, thus the issue that was to sorted out was in terms of section 4 (viii) i.e., land was already vested in the local authority, thus the petition had to fail.

Common to all the disputes are the embedded buildings which had already become lived spaces on the lands without being taken into possession by BDA. In the all the cases delineated, it is taken note that the land ownership and acquisition by BDA has been a formal process. The whole discourse about saving national wealth and of saving human life and dignity had only become rhetoric. This rhetoric should be

viewed in the context, which court itself had admitted ‘increasing litigation in this field’²⁷⁴ which had become a bottleneck to produce land in a planned manner by BDA for certain classes. Increasing litigation was not only from the owners of the unauthorized constructions, but also the BDA’s legitimacy was questioned and even legally defeated by a kind of legal movement by the middle classes as evidenced in the illustrated cases of private layout makers of those classes in the preceding sub-section. Foreseeing the law and order problem from below if BDA or Government were to take up any direct action of demolition of unauthorized occupation of buildings, the new regularization law was introduced into the field to make land acquisition operations easier for the authorities. The regularization act was a kind of a lure to divert the unity of unauthorized owners of the buildings which actually individualizes the problem and legal solution is a clear indication. In the context of the city growth and expansion, people already own land, any such attempts to acquire such lands have always been met with resistance from multiple corners- the original landowners-agriculturists and revenue site buyers, because the land produced by BDA would not in any way be distributed to them. In such a context, the makers of regularization act, apart from the rhetoric, had been having clauses which have acted like traps to fail such unauthorized ownerships. For example, the distinction made between Section 3 (i) of the act i.e., the land owned by the Government and Section 4 (viii) of the act i.e., the land vested in any authority or local authority is superficial because for the reasons that- a. Government owned lands in the city would be very few, when compared to local landowners and the BDA and b. local authority or any authority too are part of the government itself. Thus regularization act has had been a strategic instrument through which land could be recovered by the authorities. And, as an ideal it is self-defeating, because there is a greater gap between the ideal it proposes and its other following sections and too many clauses which are vicious and the opposite to the pronounced ideal, in a way it scuttles the very ideals when all that is put into practice. Thus the ideal of the act was a kind of a smoke-screen, within itself was contradictory.

Conclusion

The logic of the planning for the Bangalore city has been the *expandability* of various kinds of developments as spatialized which was clearly advocated by the BDC (1954) and the existing logic to operate and make space for such operations were the existing laws of L.A. act 1894 and the CBIA 1945. Those were the two laws which were mainly acquisitive in nature, though the latter one was rudimentarily the planning law too until KTCP 1961 was brought into force in the following decades of the post-independence period. CITB in consent with the government was the institution which had been giving effect to CBIA, L.A. Act, and KTCP, until BDA established. KTCP

clearly had prescribed accessing land for planning through acquisitions though consent was still an option. Apart from that KTCP had also prescribed to set up a planning institution for the development of the city in a planned manner. Thus the logical offshoot was the coming into existence of BDA by superseding CITB. The establishment of BDA – the planning and land development institution which would give effect to KTCP –with passing of the law- BDA Act, 1976. BDA Act again was to perform triple functions of planning, land development and acquisition. In the post-independence period the whole gamut of laws had been mainly acquisitive in nature. In addition to these laws was the ULCRA 1976 which was confiscating in nature to prevent concentration of land with the few. Even the well intentioned Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 was on the path to recover land for the government than allowing people to use it or exchange it, in a given developed form. All these laws were enunciating a planned development of Bangalore city. The acquisitive nature of laws gives least scope to the private planning and land development in principle, except for the investors should be quasi-legal bodies or private individuals or corporate who would adhere to planning and its rules of law.

The laws work to control, provide, and regulate city's development, growth and expansion. Laws are characterized by not just by *eminent domain*; they create conditions of dominance to impose the sovereign-will which is hidden in the term “public purpose” as a justification to put into practice. Most of the times the content of the contentions are merely “incidental” to the actions of law thus insignificant when compared to the purpose of the law and the content of the planning. Legal judgments cannot have a say on the quasi-judicial actions or decisions of the authorities. Authorities have discretionary powers to deploy and employ laws of their choice in operations to strategize in regulating land acquisitions or developments. Issues of time/duration and jurisdiction are all incidental and flexible in developmental projects of the city thus are non-issues to be judged through a legal process. Issues of environment, viability of the projects, etc., are not be judged by the courts, they are all technically assessed and decisions are taken, thus they belong to the realms of technocratic understanding. Again issues of policy are unquestionable in the court of law, because it is left to the discretion or judgment of the government or the parliament and so on. Legal reflexes were shook very few times when there were obvious violations by the authority. By late 1980s and through the 1990s the government and the courts became more conscious of the dynamics of land development. But still the approach to the disputes and contentions did not change drastically. Government and laws, neither of it, could contain speculation and profiteering in land development and business. Given the ways of individualizing the property by the law, it was only propelling all through the perceived illegitimate and illegal market dynamics. People

doing business in urban land mostly negotiate with the institutions and the powerful actors have the chances to influence the decisions of the institutions to work in their favour. One knows now, planning within the districts have proceeded by allowing private actors to do business in lands, it is partly due to the policy and also due to other influences. Planner have had always been proud of their middle class settlements and private investments in creation of such settlements were not undesirable. Those options existed for newly emerging associations and relatively big investors (see chapter 3). Small investors and land owners with small holdings seem to have lost in the process and have been subjected to land acquisitions.

The only effective and generally expected and accepted way to agitate, protest, oppose, etc., against land acquisitions or regularization were mainly in the courts. In the whole process the problem to oppose or to protest or to even accept anything is individualized and fragmented, whereas the logic of planning, law and its purpose pose a unity. They attempt to derive and demonstrate the cohesion of the imposing state. Apart from that, laws and its authorities, and its planners, expect and assume that people should have a clear understanding of not only the law but also the purpose of the land acquisition or regularization. The law, courts, authorities, etc., who all work in tandem expect the property or land losers to be not only aware of the laws and its purpose, but also submit to it. It might be useful to quote of the respondents who angrily responded in the fieldwork situation of the study- “Who are these people to ask me to do what I have to do with my land and on my land? I get very angry when I am told not to build a house on my land. How can I know what regularization is?”²⁷⁵ The response indicates, many a times as it happens that, communities which are untouched by the government or law, when they come into direct contact they are caught *unawares*.

Land acquisitions operate on the whole of the communities, mainly the village communities in the context of Bangalore city’s expansion, to acquire land in bulk. The only option available for the property or land losers is the access to the lawyers who can inform their land-loser clients and the court or and the other authorities of law. Perhaps they are supposed to act as a bridge. All that happens within the context of a particular economy of hiring the lawyers, by the property and land losers

Given all that, the return for the land acquisition has been only the compensation which had been the source of contention for a while and perhaps since it is incommensurable loss to the individuals land itself has been central to disputes, directly or indirectly, and in the cases of regularization it has been mainly paying fines and in the lost illegal cases they had to face demolitions of their buildings. The conceptual

scheme of perceiving the loss of land or property seems to be inadequate. Among the available cases, in only one case the attempt to assess the loss an attempt has been made. It is as follows:

The expression 'undue hardship' was the point which fell for consideration of the learned Judges. It was held that 'undue hardship was not mere hardship. Undue hardship definitely cannot be hardship ordinarily so expressed. Any difficulty is hardship as a standard English Dictionary would indicate the meaning. Undue hardship, therefore, must be a hardship which is out of the ordinary or extraordinary. We must not lose sight of the fact that under the scheme of the Act, person holding land in excess of the ceiling limit will be deprived of it and a fixed compensation subject to a maximum limit alone is liable to be paid. Any loss of property, particularly immoveable property, in itself is a hardship. Therefore, the expression 'undue hardship' has special significance. For instance even under other laws dealing with compulsory acquisition of land for public purposes, legislature has always taken notice of the hardship caused to the person who has been deprived of the land for a public purpose. While he may be adequately compensated in accordance with the provisions of the law under which the acquisition is made, the provision... is always or invariably made for payment of solatium in addition to the value of land acquired. The payment of solatium is to offer solace to the person who has suffered hardship by losing his land which in the context of our country means displacement in many cases of a person from the land forcing him to shift to another land or another place. Therefore, undue hardship must necessarily be more than the hardship caused by mere deprivation of property...what constitutes undue hardship[?]...the learned Judges of the Gujarat High Court has clearly state that it is not possible to exhaustively enumerate what would be undue hardship which would cover all cases. Undue hardship would certainly vary from case to case.²⁷⁶

The L.A.Act merely enlists what constitutes the "public" and hence that public deserves the land sacrifice for the "purpose". Monetary compensation provides restitution instead of resuscitation. In that sense land is merely seen a convertible and exchangeable thing. In socio-spatial sense land which is part of social organization and a structuring resource is reduced to the level of economic compensation or nominalization. Land which forms the base/source for Agriculture, in that sense it has been part of the educational and learning process which has been passed on from many previous generations and whole lifeworld is constructed around that, is destroyed. Survival of communities without land becomes very difficult. What is the new learning process without land, in the new context, with economic compensation what one can do and such questions, become relevant in the context of land acquisition. How do the communities cope with the loss of land is dealt with in the next chapter.

Appendix- 1: The Land Acquisition Act, 1894 (As amended in 1984)

(a) “land” would mean all the benefits which land could yield and things which exist attached to the earth permanently (things which are valuable); (b) “local authority” would specify the local town planning authority, with whatever name variants, established by the law of the given times; (c) “person interested” indicates the individuals who have stakes in the land when acquired to claim compensation, and those individuals who would be affected since they had the right to cross or use the land to be acquired for a particular purpose; (d) an appropriate authority to be appointed by the government termed as “Collector” or “Deputy Commissioner” to oversee the given land acquisition proceedings; (e) the government corporation or institution which would acquire land- “corporation owned or controlled by the State” or a cooperative society in which government has 51% its share capital; ‘court’ means a Civil Court or the judicial officer to adjudicate the proceedings with reference to land acquisition and the ensuing disputes; “company” means the company as defined in the section of 3 of companies act of 1956 which is other than the government company; ‘a society’ which is registered under the Societies Registration Act, 1860, etc.; (f) the expression of “public purpose” has been inclusive of- the provision of land for- village sites; planned development from public funds and subsequent disposal thereof in whole or in part by lease, assignment or outright sale with the object of securing further development as planned; town or rural planning under any law relating to such planning; carrying out any housing scheme or health scheme sponsored by the Central Government or any State Government or any local authority; clearing slum areas; relieving congestion; housing poor, landless, or displaced persons or persons residing in areas affected by floods; residence for any person holding an office of profit under the Central Government or a State Government, or accredited as a diplomatic consular or trade representative of a foreign Government; building locating a public office; corporations owned or controlled by the State, or other nationalized industries or concerns; any local authority and subsequent disposal thereof in whole or in part by lease, assignment or outright sale with the object of securing further development; a company- where the land is needed for the construction of some work and such work is likely to prove substantially useful to the public and building co-operative society or corporation for the construction of houses and; any charitable trust (Puranik 1989: 22; The Land Acquisition Act, 1894: 13-14).

Section 4(1) and (2) pertains to the preliminary notification of the intent to acquire land for public purpose by the government has to appear in the convenient places of the locality, the same should be published in the gazette and should be announced in the two of the local regional newspaper dailies. And to conduct preliminary investigation into the nature of land to- ascertain if the land to be acquired whether it would suit the purpose, prepare land by clearing vegetation, delimit the boundaries of the land, and to notify the one who is already in occupation of the land about the proposed acquisition of the concerned land seven days in advance before the initiation of the proceedings. Section 5 is about the payment for the damage created during initial process of land acquisition if created by the visiting officials, to the concerned persons. If the dispute arises with regard to the amount of compensation, it has to be settled by the Collector or Chief Revenue Officer which is final settlement. According to Section 5-A, whosoever is interested in the land has objections against the acquisition for public purpose or Company could submit the objections to the Collector within the thirty days from the date of notification to acquire concerned lands. The Collector will have to give an opportunity to the objectors to be heard or their pleader on their behalf. After the inquiry the Collector will have to prepare a report containing recommendations and submit it to the government concerned and the government’s decision on the matter would be final. And compensation is the only relief against the acquisition of the land for the concerned interested party. Section 6 concerns the declaration of the intention of land acquisition for a public purpose. After government takes the decision after considering the recommendations by the concerned officer as mentioned above, on the land that is essential for the public purpose or for a Company. The decision of the government will have to be undersigned by the Secretary to the concerned government or an authorized officer appointed by the government and different parcels of land could be declared in different notifications though all those lands were notified under section 4(1) and one or different reports were submitted as a requisite condition under section 5-A (1). Section 7 the concerned authority (the collector) is directed to take the government order of the concerned land acquisition after the declaration of its public purpose. Section 8 gives a direction to the concerned authority to measure, mark out, and plan the acquired land to put to use. Section 9 is about the procedure announcing the concerned acquired land to be taken into the possession by the concerned government authority, thus notice to that effect has to be announced to the interested parties of the land, and the public notice has to be displayed at “convenient places” or on the land which is to be acquired, or notice to be sent through the Indian Post Office to the interested parties if they reside elsewhere and also the notice is to be served to all the persons interested in the land. Further such public notice invites the interested parties of the land acquired to make claims of compensation from the concerned authority. The concerned authority in the notice ‘shall state the particulars of the land so needed, and shall require all persons interested in the land to appear personally or by agent before the Collector at a time and place therein mentioned (such time not being earlier than fifteen days after the date of publication of the notice), and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests, and their objections (if any) to the measurements made under Section 8. The Collector may in any case require such statement to be made in writing and signed by the party or his agent.’ In a way the authority has to ascertain and arbitrate the disputes, if any, before taking possession of the acquired land. Section 10 further suggests a probe by the authority to get details about the parties even if remotely interested in land viz., ‘co-proprietor, sub-proprietor, mortgagee, tenant or otherwise, and of the nature of such interest, and of the rents and profits (if any) received or receivable on account thereof for three years next preceding the date of statement’, with regard to the land acquisition.

Section 11 is about the modalities of enquiry into objections related to ‘true area’ of the land, and its value awarded as compensation and apportionment of the compensation among the interested parties of the land by the Collector. Such award will have to have prior approval by the appropriate government or the authorized officer appointed by the government. Further connected to this section is Section 11 –A which determines the time period for the award to be made. Collector has to make an award within ‘a period of two years from the date of the publication of the declaration and if no award is made within that period, the entire proceedings for the acquisition of the land shall lapse’. Section 12 is about the direction given to the collector to create a file in the office of such award made as conclusive evidence with regard to the interaction between the collector and the interested parties of the acquired land, true area of the land, value of the land and apportionment of the compensation award among the interested parties; and the collector is to send notice immediately to the persons or their representative interested in the land are absent are to be sent notice about the award when it is made. Section 13 gives leverage to adjourn the enquiry proceedings and fix fresh dates for it again. Section 13-A (1) gives powers to the collector to correct the clerical errors, arithmetical mistakes, etc., within the stipulated six months from the date of the award or take the permission of the court under Section 18 of the act to make corrections: ‘Provided that no correction which is likely to affect prejudicially any person shall be made unless such person has been given a reasonable opportunity of making a representation in the matter.’; (2) it is mandatory on the part of the Collector to immediately send notice of any correction to all the persons interested and; (3) as a result of correction of error if the Collector finds

that the interested party was paid in excess the amount shall be held accountable to be refund the amount or in the case of default or refusal to pay, the same may be recovered as an arrear of land revenue. Section 14 is about Collector's powers to summon and enforce attendance of witnesses and interested parties and production of documents exactly the kind submitted in the Civil Court for adjudication. Section 15 is about the determination of compensation as guided and contained in Section 23 and 24. Section 15-A is about the governmental power to call for any records or proceedings from the Collector before making an award of compensation to ascertain the 'legality or propriety' of any finding or order passed or as to the regularity of such proceedings and may pass such order or issue such direction in relation thereto as it may think fit on the condition that government should not pass or issue any order or direction prejudicial to any person without giving a chance to a person as reasonable opportunity of being heard. Section 16 is about the power of the Collector to take possession of the land acquired after the award is made and such land vests absolutely with the government free from all encumbrances. Section 17 endows special powers on the government to direct the collector to take possession of land in the cases of urgency even without complying with section 9 (1), such land vests absolutely with the government free from all encumbrances.

Section 18 begins with the procedure of reference to the court by the interested parties who are not ready to accept the award. The procedure for such parties is that they should submit an application to the Collector that the matter be referred to the court with regard to objections relating to measurement of land, amount of compensation, to the persons to whom it is payable, or the apportionment of the compensation among the persons who are interested. The applications would considered on the grounds that if the objector was present or represented when the Collector made the concerned award within the six weeks from the date of the Collector's award and; in other cases who were not present nor their representatives according to section 12 (2) of the act, within six weeks of the receipt of the notice from the collector or within six months from the date of collector's award. Following is Section 19, the procedure for the collector to make a statement to court, under his/her writing with regard to state of affairs of land acquisition and extent of land and the particulars of what it had contained with like trees, buildings, standing crops, etc., name of persons who are interested in the land, amount awarded for damages, amount of compensation, etc.; and the schedule shall be attached with particulars of notices served upon, and of the statements in writing made or delivered by, the parties interested respectively. According to the Section 20 Court is expected to serve notice to the with particulars of the date of the proceedings in the court with regard to objections and notices shall be served to the applicant, persons interested in the objection, and to collector if the objection is with regard to the areas of the land or the amount of the compensation. Section 21 of the act restricts the scope of court proceedings by limiting it to 'a consideration of the interests of the persons affect by the objections' and according to section 22 all such court proceedings should be open for all persons entitled to practice in any Civil Court in the State shall be entitled to appear, plead and act in such proceedings.

Section 26 is the procedure for (1) the Judge to sign by him/her in writing for the award that is made as specified under first clause Section 23 (1) and also amounts, if any, respectively awarded under each of the other clauses of the same sub-section, together with the grounds of awarding each of the said amounts. (2) Every award which is a decree and a statement of the grounds of each and every award should on the grounds and meaning as enunciated by Section 2, clause (2), and Section 2, clause (9), respectively, of the Code of Civil Procedure, 1908. Section 27 is about (1) the costs incurred in the proceedings of every award which is in dispute of which Judge has to elicit and make a statement and (2) Judgment is also about when the award of the Collector is not upheld the costs will be borne by the Collector and so on. Section 28 directs the collector to pay interest on the excess of award made by court, from the date on which collector took possession of the land to the date of payment of such excess, at the rate of nine percent per annum. Court may decide that nine percent of interest over excess would only stand if the interest on the excess compensation is deposited in the court within one year, if otherwise, the collector will have to pay 15 percent per annum interest to the excess from the date of expiry to the remaining period until excess amount and the interest is deposited from the date of the land taken into possession. According to Section 28-A (1) even aggrieved individuals who were not part of the court proceedings are eligible to the excess of compensation as decided by the court and shall come under redetermination if persons who under the same notification, even if they had not approached the collector within three months from the date of the award of the court require that the amount of compensation payable to them may be re-determined on the basis of the amount of compensation awarded by the Court. And three months period to submit application collector and requisite time to obtain a copy of the award from the collector are excluded. (2) Collector will have to address the applicants, conduct an enquiry by providing reasonable opportunity of being heard, and make an award again in the light of newly decided compensation by the court. (3) If any of persons who have not accepted the award, may again by written application be able to submit it to the collector who in turn would route it to the court for again further proceedings and consideration.

Section 29 under this part is about the particulars of such persons who agree in the apportionment of the compensation, and these particulars will have to be specified in the award and would be a conclusive evidence of the correctness of the apportionment. And according to Section 30 if there is dispute with regard to apportionment, the Collector may refer such dispute to the Court's consideration.

Section 31 is about the payment of the compensation to the concerned persons or deposit the same monies in the court if there are disputes with regard to apportionment of compensation, if there be no person competent to alienate the land, sufficiency of the amount, etc. and so on. Section 32 is with regard to the person who had no power to alienate the land. In such cases court has the option of investments to be made of the deposited money (a) to purchase of other land to be held under the like title and conditions of ownership as the land in respect of which such money shall have been deposited was held and (b) if such purchase of land cannot be effected immediately the money would be invested in the government or in the securities according to the discretion of the court. And court shall direct the payment of interest or the proceeds of the lands to the concerned persons, and so on. Section 33 is about the other cases the money deposited in the court on application from the interested parties in such money shall be according to the discretion of the court shall be invested in the government or the appropriate securities. The proceeds or interest of such investment to be accumulated and paid in such manner as it may consider will give the parties interested therein the same benefit therefrom as they might have had from the land in respect whereof such money shall have been deposited or as near thereto as may be. Section 34 is about the 9% interest to be paid in addition to the compensation if the Collector had not paid compensation on or before taking the possession of land acquired and until the compensation is deposited or paid. And if the compensation is not paid within one year of from the date of taking the possession of land acquired, 15% per annum will have to be added to the compensation amount to be paid or deposited from the date of expiry.

Section 35 of the act is about the government's power to acquire either arable or wasteland for the public purpose or for a company not exceeding three years. The proceeding of such acquisition is conducted by Collector by giving notice in writing to the persons interested in such land and pays the compensation which shall be agreed upon in writing between collector and persons interested.

If there is dispute regarding sufficiency of compensation or the apportionment then the collector would refer it to the court to judge. Section 36 gives powers to the government to take possession of land after the agreement is reached between the interested parties in the land and on payment of compensation. With the expiry of the agreement period the collector shall restore the land to the concerned persons and pay for the damages done to the land. After the land put to the public purposes by the government which makes it permanently unfit for the purposes for which it was used immediately before the beginning of the term and if the persons demand in the same condition, in such cases the government shall proceed under this Act to acquire the land as if it was needed permanently for a public purpose or for a company. And, Section 37 makes provision for the concerned parties to approach court at the expiry of the agreement, if there are differences over the condition of the land or with regard to the any of the matters connected to the agreement.

Section 38 allows the government to authorize a Company to enter and survey the land. And Section 38-A allows any industrial concern employing not less than 100 workers which intends to acquire land for the provision of housing to its workers could acquire land with the consent of the government to ascertain the public purpose and all other procedures of land acquisition apply too. Further Section 39 makes it mandatory to take previous consent of the appropriate government necessary to execute any agreement to acquire land. Section 40 further lists down the procedures to acquire land for the company. Government gives consent to land acquisition based on the report of enquiry conducted by Collector. The enquiry should ascertain that (a) the purpose of the acquisition of land serve the purpose of housing the workers of the company and its accompanying amenities or (b) acquisition serve the purpose of construction of some building or work for a company which is engaging in a industry which is for public purpose or (c) acquisition is necessary for construction of some work and such work is likely to prove useful to the public and so on and so forth. Section 41 further in continuation based on the enquiry of the Collector the concerned company will have to enter into an agreement with the government with regard to matters of- (a) payment of the cost of acquisition, (b) transfer of land on such payment to the government, (c) the terms on which land will held by the company, and so on which fulfill the conditions of public purpose. Such an agreement between the parties will have to be published in the Official Gazette according to Section 42. Sections 39 to 42 would not apply to the government where government already has the obligation to provide land to railways or other companies where any state or central government involved, according to section 43 and 44. Section 44 only specifies about how agreement with Railway Company would be proved by the production of a printed copy thereof purporting to be printed by order of Government. Section 44-A restricts the companies to sell, mortgage, gift, and lease the land acquired or otherwise prior permission of the government is essential. And section 44-B restricts government from land acquisition for the private company under this part except to make provision for the workers housing and amenities of the private companies.

Section 45 is about, who can issue orders of notice and to whom such notices are ought to be issued. The authorized official incumbents of the government who can order to serve notice are generally the Collector or the Judge, and it should be served through registered post (which is according to Sections 28 and 29 of Indian Post Office Act, 1898). The notices are to be issued to the concerned person named. If the concerned person cannot be found, the notice should be made on any adult male member of his family residing with him. Or if such adult male member is not available to be served such notice should be fixed on the outdoor of the house concerned or notice should be fixed in some conspicuous place of the concerned officer or the court house and so on. Section 46 is about the penalty to be imposed on whosoever would obstruct acquisition of land. The penalty would be imprisonment of one month or fine not exceeding five hundred rupees or both, on the conviction before a Magistrate. Further, Section 47 provides scope for coercion in land acquisition process. Magistrate can enforce the surrender of land by the party concerned if the collector is unable to take possession of land. Government has not only absolute power to acquire land, it has also according to Section 48 not to complete the process of land acquisition, but such withdrawal from the process is with costs by the way of paying for the damage suffered by the land owners as a consequence. There is also restriction of the powers of the government while acquiring land. Acquisition of house, manufactory or any other building, partially or otherwise, according Section 49 of the act is not allowed, except under the condition that the owner of a house or any building voluntarily submits in writing to the acquisition, then the government can acquire such land. Another rider which is added is that if the land acquisition is questioned on the grounds that the proposed acquisition has a building or house, then the concerned authority will have to refer that to the court to decide the matter. The Court's job in this regard is to only ascertain that 'the question whether the land proposed to be taken is reasonably required for the full and unimpaired use of the house, manufactory or building' and so on. Section 50 of the act specifies as to the local authority or the company for whom the land is being acquired accordingly would bear the cost of land acquisition. In the case of proceeding held before the collector or the court, the local authority or the company concerned may appear and provide the rationale and the evidence for the purpose of land acquisition and the amount of compensation determined. Section 51 exempts the claimants of the award and agreement reached between the parties from the stamp-duty and fees. Section 52 specifies that any proceedings under this act will become evidence when the certified copy of a document is registered under the Registration Act, 1908. Section 52 stipulates the time period of one month to serve a notice before a suit or proceedings to commence or to prosecute against any person for anything done in pursuance of this act.

(The Land Acquisition Act, 1894 (2000, twelfth edition) Eastern Book Company,)

Appendix- 2: The Bangalore Development Authority Act, 1976

Section “2. **Definitions.**... (c) ‘Bangalore Metropolitan Area’ means the area comprising the City of Bangalore as defined in the City of Bangalore Municipal Corporation Act, 1949 (Mysore Act 69 of 1949), the areas where the City of Bangalore Improvement Act, 1945 (Mysore Act 5 of 1945) was immediately before the commencement of this Act in force and such other areas adjacent to the aforesaid as the Government may from time to time by notification specify;”

Section “3. **Constitution and incorporation of the Authority.**- ...(2) The Authority shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both moveable and immoveable and to contract and shall by the said name sue or be sued.”

Section “14. **Objects of the Authority.**- The objects of the Authority shall be to promote and secure the development of the Bangalore Metropolitan Area and for that purpose the Authority shall have the power to acquire, hold, manage and dispose of moveable and immoveable property, whether within or outside the area under its jurisdiction, to carry out building, engineering and

other operations and generally to do all things necessary or expedient for the purposes of such development and for purposes incidental thereto.”

Section “15. **Power of Authority to undertake works and incur expenditure for development, etc.**-(1) The Authority may,-
(a) draw up detailed schemes (hereinafter referred to as “development scheme”) for the development of the Bangalore Metropolitan Area ;”

Section “25. **Power of Authority to take up works for further development.**-(1) Notwithstanding anything contained in any other provision of this Act, the Authority may, with the previous sanction of the Government, take up such works as the Authority considers necessary or desirable for the further development of any area within the Bangalore Metropolitan Area :
Provided that the Corporation shall be consulted if such area lies within the limits of the City of Bangalore.” (BDA Act, 1976)

Section “35. **Authority to have power to acquire land by agreement.**- Subject to the provisions of this Act and with the previous approval of the Government, the Authority may enter into an agreement with the owner of any land or any interest therein, whether situated within or without the Bangalore Development Authority [1976: KAR. ACT 12 136] Bangalore Metropolitan Area for the purchase of such land or interest therein for the purpose of this Act.”

Appendix-3: Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991(As quoted in *Munimasthaiah v State of Karnataka and Others (1996)*)

Section “3.Regularisation:- Notwithstanding anything contained in any law, but subject to such rules as may be prescribed, any unauthorised construction made in any urban area, except those specified in Section 4, made prior to the Thirty-first day of March, 1990, by any person, on land,-

- (i) belonging to the State Government; or
- (ii) which is a revenue site owned by him; or
- (iii) belonging to him which is proposed to be acquired in connection with any development scheme of an Authority, in relation to which a notification under the Bangalore Development Authority Act, 1976, or under Section 17 of the Karnataka Urban Development Authorities Act, 1987, or under Section 15 of the Karnataka Improvement Boards Act, 1976, is published and which has not vested in favour of any Authority for which the acquisition is proposed, may, on the application of such person made within sixty days of the commencement of this Act, be regularized in accordance with the provisions of the Act.”

Section “4.Unauthorised constructions which shall not be regularised.- The following unauthorised constructions shall not be regularised; namely:-

- (i) unauthorised constructions coming in the way of existing or proposed roads and railway lines, communications and other civic facilities or public utilities;
- (ii) unauthorized construction or any portion thereof falling within the required set off, if any, from roads, railway lines, communications and other civic facilities or public utilities under the rules, bye-laws or regulations governing buildings;
- (iii) unauthorised constructions made in forest land or on tank bed;
- (iv) unauthorized constructions made in the area specified as green belt in the comprehensive development plan or outline development plan prepared under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) or declared as green belt under sub-section (3-A) of Section 95 of Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964);
- (v) unauthorised constructions made by any person on the land belonging to another person over which former has no title;
- (vi) unauthorized construction having more than two floors including the ground floor;
- (vii) unauthorised constructions made in violation of Urban (Land Ceiling and Regulation) Act, 1976 (Central Act 33 of 1976);
- (viii) unauthorised constructions made on the land belonging to or vested in any Authority or a local authority; and
- (ix) unauthorised constructions on any land reserved for parks, play grounds, open places or for providing any civic amenities.”

“5. Conditions for regularisation.- (1) No unauthorised construction shall be regularised if the person who has applied for regularisation or any member of his family owns any building or site within the urban area in which the unauthorised construction sought to be regularised is situated.

(2) No person shall be eligible to seek regularisation of more than one unauthorised construction either in his name or in the name of any member of his family.”

References and Notes

¹ *Land Acquisition Act, 1894* (2000) Eastern Book Company, Lucknow, p. 37.

² Sathpal Pulliani ed. (2005), *The Karnataka Town and Country Planning Act, 1961*, Karnataka Law Journal Publications, Bangalore, p. 68.

³ [http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20\(BM\).pdf](http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20(BM).pdf) (BDA Act, 1976), p. 136 (accessed on 21st May, 2009).

⁴ Sathpal Pulliani ed. (2005), *The Karnataka Town and Country Planning Act*, pp.24-25.

⁵ This amendment perceived that land acquisition for the companies as public purpose. The rationale given to consider it so is that setting up of industry would employ people and it would aid public in realizing the right to work which is beneficial. Setting up of industries would promote economic development of the country (A. B. Puranik. 1989, *The Law of Land Acquisition and Compensation- Commentaries on The Land Acquisition Act, 1894* along with State Amendments, Allahabad: Ashoka Law House, p. 3).

⁶ The 1967 amendment refers to the procedural changes with regard to the matters of the acquisition proceedings to be conducted as a single process by deploying various sections of the Land Acquisition Act. “[I]n view of the urgency of the situation affecting many important projects, the Land Acquisition Act, 1894, was amended with retrospective effect by the promulgation of the Land Acquisition (Amendment and Validation) Ordinance, 1967...to provide for submission of either one report in respect of the land which has been notified under Section 4 (1) or different reports in respect of different parcels of such land to the appropriate Government containing the recommendations of the Collector(s) on the objections submitted by the interested persons under Section 5-A (1) of the Act to the acquisition of the land covered by the notification under Section 4 (1) or of any land in the locality, as the case may be. The Ordinance specifically provides that, if necessary, more than one declaration may be issued from time to time in respect of different parcels of any land covered by the same notification under Section 4, sub-section (1) of the Act irrespective of the fact whether one report or different reports has or have been made under Section 5-A, subsection (2) of the Act.

At the same, time care has been taken to ensure that land acquisition proceedings do not linger on for unduly long time. The aforesaid Ordinance, therefore, provides that no declaration under Section 6 of the Act should be issued in respect of any particular land covered by a notification under Section 4 (1) published after the commencement of the Ordinance, after the expiry of three years from date of such publication. In case of pending proceedings it has been provided that no declaration under Section 6 of the Act in respect of any land which has been notified before the commencement of the above Ordinance, under sub-section (1) of Section 4 of the Act may be issued after the expiry of two years from the commencement of the Ordinance.” (Published in Gazette of India, dated 18th March, 1967, Part II, Section 2 (Extraordinary), p. 9 as quoted in Puranik 1989: 3-4)

⁷ In the context of the greater expansion of the State’s role in advancing the public welfare and economic development in the post independence acquisition of land - for public purposes, industrialization, building of institutions, etc., - has been ever multiplying than before and had become inevitable. The main purpose of the amendment was to strike a balance between public purpose and rights of the individual whose land is acquired. Acquisition of land for private enterprises was not to be treated on the same footing as acquisition of land for the State or its enterprises. The amendment to Land acquisition Act of 1984 took note of the fact that the land acquired from an individual or institution would be deprived and livelihood, given this condition they should be ‘adequately compensated for the loss keeping in view the sacrifice they have to make for the larger interest of the community’ and the long delays in the acquisition proceeding were causing hardship to the affected parties by rendering the scale of compensation offered to them unrealistic. (Puranik 1989: 5-6)

⁸ See Appendix- 1 from more details.

⁹ A. B. Puranik. 1989, *The Law of Land Acquisition and Compensation- Commentaries on The Land Acquisition Act, 1894*, p.22.

¹⁰ See Appendix- 1 for more details.

¹¹ See Appendix- 1 for more details.

¹² Two riders are added to market value. According to Section 23 (1-A) of the L.A. Act, in all the cases of the award twelve percent per annum of the market value will have to added for the period commencing on and from the date of the publication of the notification under Section 4 (1), in respect of such land to the date of the award of the Collector or the date of taking possession of the land, whichever is earlier. In the cases of court stay or injunction such period would be excluded. And the rider (2) adds that court shall in every case award a sum of thirty percent on such market value, in consideration of the compulsory nature of the acquisition. The Act also provides proscriptions for the Court and also is applicable for the Collector to follow (*The Land Acquisition Act, 1894*, (2000), pp. 76-77).

¹³ Ibid: p. 76.

¹⁴ Ibid: p. 98.

¹⁵ Ibid: p. 107.

¹⁶ See Appendix- 1 for more details.

¹⁷ See Appendix- 1 for more details.

¹⁸ See Appendix- 1 for more details.

¹⁹ See Appendix- 1 for more details.

²⁰ See Appendix- 1 for more details.

²¹ See Appendix- 1 for more details.

²² *The Karnataka Co-operative Societies Act, 1959*, Department of Law and Parliamentary Affairs, Government of Karnataka, p. 11.

²³ *Ibid*: pp. 218-220.

²⁴ A. B. Puranik. 1989, *The Law of Land Acquisition and Compensation- Commentaries on The Land Acquisition Act, 1894*, pp. 18-19.

²⁵ *Ibid*: pp. 433-434.

²⁶ *Report on the Enquiry conducted under Section 64 of Karnataka Co-operative Societies Act, 1959 into the activities of certain House Building Co-operative Societies of Bangalore City, 1989*, Annexe- p.9.

²⁷ *Report of the Bangalore Development Committee 1954*, p. 26.

²⁸ [http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20\(BM\).pdf](http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20(BM).pdf), pp. 102-103.

²⁹ Apart from that, the conceived law was also to address the concerns of the governmental programme of the times, namely, the 'twenty point programme'. The points like 'poverty eradication', 'power to people', 'support to farmers', 'labour welfare', 'food security', 'housing for all', 'clean drinking water', 'health for all', 'education for all', 'welfare of scheduled castes, scheduled tribes, minorities and OBCs', 'women welfare', 'child welfare', 'youth development', 'improvement of slums', 'environment protection and afforestation', etc. http://www.mplads.gov.in/tpp2006/tpp_guidelines_2006.pdf (accessed on 22nd May, 2009)

³⁰ [http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20\(BM\).pdf](http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20(BM).pdf), p. 114.

³¹ *Ibid*: p. 122.

³² *Ibid*: p. 124.

³³ *Ibid*: pp. 143-144.

³⁴ *The Urban Land (Ceiling and Regulation) Act, 1976*, (2005) Universal Law Publishing Co. Pvt. Ltd., Delhi, p. 1.

³⁵ *Ibid*: p. 1.

³⁶ *Ibid*: p. 1.

³⁷ *Ibid*: pp. 1-2.

³⁸ Capt. M.V. Subbarayappa v Bharath Electronics Employees Co-op. House Building Society Ltd. & Others, 1990, Writ Petition No.6286/1989, *The High Court of Karnataka/Karnataka Law Journal*, [1990(3)].

³⁹ Major Gen. M. K. Paul and Others v Bangalore City Corporation, Bangalore and Others, 1994, *The High Court of Karnataka/Karnataka Law Journal*, [1994(2)].

⁴⁰ The Residents of Mico Layout, II Stage, Bangalore and Others v J.S.S. MahavidyaPeetha, Mysore and Others, 1997, Writ Petition No. 26957/1995, *The High Court of Karnataka/Karnataka Law Journal*, [1997(4)].

⁴¹ *The Bangalore Municipality's Commissioner v The Sub-division Officer, Bangalore, and Five other respondents*, Regular Appeal No. 105/Case No. 2 of 1943-44, Appellate Civil/ *The Mysore Law Journal Reports*[Vol. XXVII], 1946.

⁴² *Ibid*: As quoted by the Judges from the Lord Romer's judgment in NarayanaGajapatiraju v. Revenue Divisional Officer, Vizagapatam: p. 148

⁴³ *Ibid*: p. 146.

⁴⁴ *Ibid*: p. 142.

⁴⁵ AdinarayanaSetty v Special Land Acquisition Officer, 1954, Regular Appeal No. 255 of 1950-51, D/- 5-10-53, *Mysore High Court/The All India Reporter*, [Vol. 41].

⁴⁶ The Special Land Acquisition Officer, Bangalore v T. AdinarayanSetty, 1959, Civil Appeal No. 138 of 1955/Case No. 39, 1947-48, *Supreme Court/Mysore Law Journal*, 1959.

⁴⁷ *AdinarayanaSetty v Special Land Acquisition Officer*, 1954, Regular Appeal No. 255 of 1950-51, D/- 5-10-53, Mysore High Court/*The All India Reporter*, [Vol. 41].

⁴⁸ *Ibid*: p. 71.

⁴⁹ *The Special Land Acquisition Officer, Bangalore v T. AdinarayanSetty*, 1959, Civil Appeal No. 138 of 1955/Case No. 39, 1947-48, *Supreme Court/Mysore Law Journal*, p. 453.

⁵⁰ *AdinarayanaSetty v Special Land Acquisition Officer*, 1954; *The Special Land Acquisition Officer, Bangalore v T. AdinarayanSetty*, 1959; *G. Gurubasappa v Special Land Acquisition Officer, City Municipality and others*, 1959, *Mysore High Court/The All India Reporter*, [Vol. 46]; *M. S. Nanjappa v Special Land Acquisition Officer, CITB, Bangalore*, 1966, Regular Appeal No. 147, *The High Court of Mysore/AIR 1966 (V 53 C 17)*; *Special Land Acquisition Officer, CITB, Bangalore v Chikkaboranna*, 1968, Second Appeal No. 43, *The High Court of Mysore/AIR 1968, Vol. 55*; *Union of India & Others v Narasiyappa & Others*, 1970, MFA Nos. 33 to 58, etc., of 1967, *The High Court of Mysore/Mysore Law Journal*, [1970(1)]; *Special Land Acquisition Officer, CITB, Bangalore v J. B. KempannaSetty Charities*, 1973, M. F. A. Nos. 7, 8, 9, and 232/1968, *The High Court of Mysore/AIR 1973, Vol. 60*; *A. K. Ahmed v Special Land Acquisition Officer, CITB*, 1974, MFA. No. 677/1971, *The High Court of Mysore/Mysore Law Journal*, [1974(2)]; *G. Venkatesh v Special Land Acquisition Officer*, 1975, MFA Nos. 75 to 77/1971, *The High Court of Mysore/AIR 1975, Vol. 62*; *Land Acquisition Officer, CITB v Narayanaiah K.*, 1976, CA Nos. 644 to 650/1974, *The High Court of Mysore/Mysore Law Journal*, [1976(2)]; *Smt. Saraswathi Sundaram and another v The Asstt. Commissioner and Land Acquisition Officer, Bangalore Sub-Dn, Bangalore*, 1976, MFA No. 667/1974, *The High Court of Mysore/AIR 1976, Vol. 63*; *Additional Special Land Acquisition Officer, Bangalore v A. Thakoredas and others*, 1977, Civil Revision Petition No. 1577/1976, *The High Court of Karnataka/AIR 1977, Vol. 64*; *Gangadharappa G & Others v State of Karnataka & Another*, 1979, Writ Petition No. 8891/77, *The High Court of Karnataka/Karnataka Law Journal*, [1979(2)].

47. *H. Narayanaiah v LAO, CITB, Bangalore*, 1980, Appeal MFA 277, 444 to 460/70, *The High Court of Karnataka/Karnataka Law Journal*, [1980(2)]; *V. T. Velu and Others v Special Land Acquisition Officer, Bangalore & Another*, 1991, Appeals- MFA Nos. 111 & 112/1983, *The High Court of Karnataka/Karnataka Law Journal*, [1991(3)].

⁵¹ *Additional Special Land Acquisition Officer, Bangalore v A. Thakoredas and others*, 1977, pp. 42-45.

⁵² *G. Gurubasappa v Special Land Acquisition Officer, City Municipality and others*, 1959, , pp. 93-94.

⁵³ *Land Acquisition Officer, CITB v Narayanaiah K.*, 1976.

⁵⁴ *Gangadharappa G & Others v State of Karnataka & Another*, 1979, pp. 324-325.

⁵⁵ *Smt. Pullamma and others v The Additional Special Land Acquisition Officer, Bangalore and others*, 1977, MFA Nos. 767/1974, etc., *The High Court of Karnataka/AIR 1977*, [64].

⁵⁶ Section 18 begins with the procedure of reference to the court by the interested parties who are not ready to accept the award. The procedure for such parties is that they should submit an application to the Collector that the matter be referred to the court with regard to objections relating to measurement of land, amount of compensation, to the persons to whom it is payable, or the apportionment of the compensation among the persons who are interested. The applications would considered on the grounds that if the objector was present or represented when the Collector made the concerned award within the six weeks from the date of the Collector's award and; in other cases who were not present nor their representatives according to section 12 (2) of the act, within six weeks of the receipt of the notice from the collector or within six months from the date of collector's award.

⁵⁷ "Saving of inherent powers of Court? Nothing in this Code shall be deemed to limit or otherwise affect the inherent power of the Court to make such orders as may be necessary for the ends of justice or to prevent abuse of the process of the Court" (Section 151 of Code of Civil Procedure, 1908).

⁵⁸ "Courts to try all civil suits unless barred? The Courts shall (subject to the provisions herein contained) have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is either expressly or impliedly barred" (Rule 9 of Code of Civil Procedure, 1908).

⁵⁹ This writ petition was filed against lands acquired at Yediur village for a residential scheme known as "Banashankari and Mysore Road-II Stage", by CITB.

⁶⁰ *M. Manicklal v The State of Mysore & others*, 1967, Writ Petition No. 674/65, *The High Court of Mysore/Mysore Law Journal*, [1967 (2)].

⁶¹ The definition is as follows- "Khata: Ledger of receipts and disbursements. It consists of firstly the Government account in which the amounts for recovery under the heads of (i) Land Revenue, (ii) Local Funds, (iii) Takavi, (iv) amara, (v) Pasture, etc., are credited and remittances from the village to the Taluk Treasury of cash recovered are debited; and secondly of raiyats accounts in which each raiyat is debited with his liabilities and collections of revenue are credited, whenever they take place" (*M. Manicklal v. State of Mysore* 1968, Writ Petition No. 1168/1965, *The High Court of Mysore/Mysore Law Journal*, [1968 (1)]: 424).

⁶² Land Revenue Register refers to land revenue assessment to be paid which is founded on the principle that "the process of expropriation should include an opportunity for opposition by the person affected by the proposed expropriation. In the case of a land for which land revenue is payable, its registered occupant is the person who is obviously so affected, and, that explains the requirement that he should be notified. There may be others having other or subsidiary interests, but S. 16(2) restricts the service of notice on the known registered occupant, whose identity is revealed by the land revenue register. And, for that purpose, the Trust Board has to find the name which is entered in that register against the land proposed to be acquired, as it registered occupant" (*ibid*: 424).

⁶³ Land acquired by BDA was to create a mini forest scheme.

⁶⁴ M.B. Ramachandran v State of Karnataka and Others, 1991, Writ Petition Nos. 18891, 18892, 18981 to 18983 of 1986 and 9260 & 9261/1988, *The High Court of Karnataka/Karnataka Law Journal*, [1991(3)].

⁶⁵ Land was being acquired for residential purposes.

⁶⁶ Venkataramaih M. v State of Karnataka & others, 1988, Writ Petition No. 8133/1986, *The High Court of Karnataka/Karnataka Law Journal*, [1988(1)].

⁶⁷ BDA had notified the land in 1977 itself as a part of the formation of Banaswadi-Hennur Road Layout.

⁶⁸ B.T. Sakku v Commissioner, Bangalore Development Authority and Another (1995), Regular First Appeal No. 223/1993, *The High Court of Karnataka/Karnataka Law Journal*, [1995(1)], pp. 373-74.

⁶⁹ Land acquisition was for a residential layout.

⁷⁰ PillayyaNagamangalaVenkatappa v State of Mysore, 1969, Writ Petition No. 854, *The High Court of Mysore/AIR 1969, Vol. 56*.

⁷¹ This instance of the case has had a long history. A crowded street in the Central Business District of the city was sought to be expanded to ease the traffic congestion in 1950 itself, but that did not happen till early 1970s. Government and the Corporation finally decided in 1974 to acquire building along the street to expand it. It was a long drawn and a delayed process because there was much at stake for small businesses.

⁷² Mahendra Enterprises (R) v Commissioner, Bangalore City Corporation & Others, 1987, Writ Appeal Nos. 9167, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1987(3)].

⁷³ Venkataramaih M. v State of Karnataka & others (1988), Writ Petition No. 8133/1986, *The High Court of Karnataka/Karnataka Law Journal*, [1988(1)], p. 193.

⁷⁴ Land acquisition initiated by BDA was to form a residential layout at Nagarabahavi village of YeshwantpurHobli.

⁷⁵ Muniveerappa v State of Karnataka & Others, 1991, Writ Petition No. 17707/1986, *The High Court of Karnataka/Karnataka Law Journal*, [1991(2)].

⁷⁶ Ibid: p. 361.

⁷⁷ The lands of Balageri village in question were under acquisition proceedings to provide sites for the homeless persons belong to weaker sections of the society.

⁷⁸ Smt. Venkamma and Others v Deputy Commissioner, Bangalore and Others (1995), Writ Appeal No. 512/1987, *The High Court of Karnataka/Karnataka Law Journal*, [1995(3)].

⁷⁹ Ibid: p. 103.

⁸⁰ Hanumanthappa M. v State of Karnataka & others, 1987, Writ Petition No. 9114/1987, *The High Court of Karnataka/Karnataka Law Journal*, [1987(2)].

⁸¹ Land was being acquired for residential purposes.

⁸² PillayyaNagamangalaVenkatappa v State of Mysore, 1969, Writ Petition No. 854, *The High Court of Mysore/AIR 1969, Vol. 56*.

⁸³ Land was being acquired for residential purposes.

⁸⁴ MahalakshmiKeshavaRao v State of Karnataka & another, 1990, Writ Petition No. 15553/87, *The High Court of Karnataka/Karnataka Law Journal*, [1990(2)].

⁸⁵ Sri ShanidevaraSevaMandali, Bangalore v Commissioner, Bangalore City Corporation, Bangalore and Another (1995), Regular First Appeal No. 307/1995, *The High Court of Karnataka/Karnataka Law Journal*, [1995(5)], p. 527.

⁸⁶ Petitioner's agricultural land 2 acres 2 guntas was at stake due to the land acquisition proceeding initiated by BDA at Doddigunta Village, KasabaHobli, K.R. PuramTaluk, Bangalore District, of the formation of residential layout.

⁸⁷ A. Krishnamurthy (Since Deceased) by L.Rs. v Bangalore Development Authority and Others, 1996, Writ Appeal No. 1450/1992, *The High Court of Karnataka/Karnataka Law Journal*, [1996(3)].

⁸⁸ Ramachandrappa and Others v State of Karnataka and Others, Writ Appeal No. 2074/1994, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1996(7)], pp. 253-254; Poornaprajna House Building Co-operative Society, Bangalore v Bailamma @ Doddabailamma and Others, Writ Appeal Nos. 2079/1993, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1998(3)], pp. 317-320.

⁸⁹ Chayadevi& another v State of Karnataka & another, 1988, Writ Petition Nos. 4101 & 4102/1986, *The High Court of Karnataka/Karnataka Law Journal*, [1988(2)].

⁹⁰ Bangalore Development Authority had planned a scheme, which court had termed it as “gigantic project” for the residential development for which 1703 acres of agricultural land was planned to be acquired.

⁹¹ Kanthamma & others v State of Karnataka & another (1984), Writ Appeal Nos. 671 to 681/84, *The High Court of Karnataka/Karnataka Law Journal*, [1984(2)], p. 272.

⁹² Ibid: p. 271

⁹³ M.B. Ramachandran v State of Karnataka and Others, 1991, Writ Petition Nos. 18891, 18892, 18981 to 18983 of 1986 and 9260 & 9261/1988, *The High Court of Karnataka/Karnataka Law Journal*, [1991(3)].

⁹⁴ Mahendra Enterprises (R) v Commissioner, Bangalore City Corporation & Others (1987), Writ Appeal Nos. 9167, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1987(3)], p.344

⁹⁵ Vishwabharathi House Building Co-operative Society Ltd. v Bangalore Development Authority, 1989, Writ Petition Nos. 8719 & 8720/1989, *The High Court of Karnataka/Karnataka Law Journal*, [1989(3)].

⁹⁶ Section “2. Definitions.-... (c) ‘Bangalore Metropolitan Area’ means the area comprising the City of Bangalore as defined in the City of Bangalore Municipal Corporation Act, 1949 (Mysore Act 69 of 1949), the areas where the City of Bangalore Improvement Act, 1945 (Mysore Act 5 of 1945) was immediately before the commencement of this Act in force and such other areas adjacent to the aforesaid as the Government may from time to time by notification specify;” (BDA Act, 1976).

⁹⁷ See Appendix- 2 for more details.

⁹⁸ See Appendix- 2 for more details.

⁹⁹ See Appendix- 2 for more details.

¹⁰⁰ See Appendix- 2 for more details.

¹⁰¹ Ibid: p. 23

¹⁰² Smt. Venkamma and Others v Deputy Commissioner, Bangalore and Others, 1995, Writ Appeal No. 512/1987, *The High Court of Karnataka/Karnataka Law Journal*, [1995(3)].

¹⁰³ The case involving S.S. Darshan v State of Karnataka and Others represents the land acquisition for the new kind of industrialization which had begun in the early 1980s i.e. the Information Technology Park Limited. For the creation of the industrial estate Karnataka Industrial Areas Development Board had proposed to acquire land measuring two hundred acres spread over many villages in the Bangalore South Taluk. The petitioner-landowners’ lands measuring ten acres thirty guntas were part of the total acquisition process for the purpose. The petitioner had set up a Bee-Keeping and the honey production industry which on the site also involved the research and development activities related to the industry and also the cultivation of a farm of various flower and fruit bearing trees which was aiding in the production of honey (Writ Petition Nos. 25555 and 23530/1994, *The High Court of Karnataka/Karnataka Law Journal*, [1995(6)]).

¹⁰⁴ Ibid: pp. 345.

¹⁰⁵ Government had planned to acquire agricultural lands of Kethamaranahalli village, YeshwantpurHobli, Bangalore North Taluk, but withdrew from the acquisition proceeding through final notification.

¹⁰⁶ Muninanjappa v State of Karnataka & Another, 1980, Writ Petition No.6041/1975, *The High Court of Karnataka/Karnataka Law Journal*, [1980(1)].

¹⁰⁷ R.M.S. Telephone Employees’ House Building Co-operative Society Limited, Bangalore v Government of Karnataka and Others, Writ Petition Nos. 1302, 1344, etc., of 1992, *The High Court of Karnataka/Karnataka Law Journal*, [1997(1)], p. 139-142.

¹⁰⁸ Article 14- “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India” (Constitution of India, updated in 2007, Ministry of Law and Justice, Government of India).

¹⁰⁹ Article 300A. “No person shall be deprived of his property save by authority of law” (ibid).

¹¹⁰ Bangalore Development Authority v Dr. H. S. Hanumanthappa, Writ Appeal No. 693/1992, *The High Court of Karnataka/Karnataka Law Journal*, [1996(7)], pp. 8-9.

¹¹¹ Ibid: pp. 5-7.

¹¹² Ibid: pp. 9-10.

¹¹³ Ibid: p. 10.

¹¹⁴ Ibid: pp. 10-11.

¹¹⁵ Ibid: p.16.

¹¹⁶Ibid: p.17.

¹¹⁷Ibid

¹¹⁸ Dr. H.S. Hanumanthappa v State of Karnataka and Another, Writ Petition Nos. 33360/1996, etc, *The High Court of Karnataka/Karnataka Law Journal*, [1997(3)], pp. 163-176.

¹¹⁹Ibid: pp. 165-168.

¹²⁰Ibid: pp. 171.

¹²¹Ibid: pp. 172.

¹²²Ibid: pp. 168-169.

¹²³Ibid: pp. 169.

¹²⁴ M. P. Narasimha Murthy v State of Mysore, 1967, Writ Petitions Nos. 1575/64 etc., The High Court of Mysore/Mysore Law Journal, 1967 (1).

¹²⁵ Muthyala Reddy v. State of Mysore and Another, 1968, Writ Petition No. 1934, *The High Court of Mysore/Mysore Law Journal*, [1968 (2)], p. 48.

¹²⁶ S.A. Jalaluddin v Bangalore Development Authority and Another, 1995, Regular First Appeal No. 232 of 1984, The High Court of Karnataka/Karnataka Law Journal, [1995(5)].

¹²⁷ According to 7th Schedule, List II, Entry 5.- “Local government, that is to say, the constitution and powers of municipal corporations, improvement trusts, districts boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration- of the List II” (Constitution of India).

¹²⁸ According to 7th Schedule, List III, Entry 42 “Acquisition and requisitioning of property” (Constitution of India).

¹²⁹ The Constitutional provisions of land acquisition are outlined by the court in the following manner--“Entry 33 of List I and Entry 36 of List II of VII Schedule to the Constitution provided for acquisition and requisition of land prior to Constitution (Seventh) Amendment. There was a separate Entry 42 of List III which referred to compensation. By the Constitution (Seventh) Amendment, under Entry 42 of List III, acquisition and requisition of property is provided, for the original entry had referred only to the principles on which compensation for the property acquired and requisitioned for the purpose of Union or the State Government was provided. Thus the amendment was made deleting Entry 33 of List I and Entry 36 of List II and retaining only Entry 42 of List III in the changed form...The existence of three entries in the legislative lists (Entry 33 of List I, 36 of List II and 42 of List III) relating to essentially single subject of acquisition and requisitioning of property by the Government gives rise to necessary technical difficulties in legislation. In order to avoid these difficulties and simplifying the constitutional position, it is proposed to omit the entries in the Union and State List and replace the entry in the concurrent list by a comprehensive entry covering the whole subject”(Khoday Distilleries Ltd. V State of Karnataka and others, 1997, Writ Petition Nos. 21423/1992, etc. *The High Court of Karnataka/Karnataka Law Journal*, [1997(5)]: 736).

¹³⁰ The court had elaborated that the- “acquisition of land for purpose of the scheme is only for the purpose of development and therefore falls entirely within the scope of Entry 5 of List II of the Seventh Schedule to the Constitution; that Entry 5 of List II provides for Local Government, that is to say, the Constitution and powers of Improvement Trusts among other authorities for the purpose of Local Government, that is to say, the Constitution and powers of Improvement Trusts among other authorities, mining settlement authorities and other authorities for the purpose of Local Self-Government or village administration; that, necessarily the provisions of the Bangalore Development Authority Act are not enacted for the purpose of acquisition as such and in the course of enforcement of its developmental schemes it may become necessary to acquire lands and therefore acquisition of land is part of the developmental scheme and thus in pith and substance is an enactment made under Entry 5 of List II of the Seventh Schedule to the Constitution; that the purpose of the Bangalore Development Authority Act is not acquisition of land simpliciter. It is only to constitute or incorporate an Authority to regulate planned development of the Bangalore Metropolitan Area. The Authority is enabled under the Act to frame any scheme and, if necessary, to acquire the land by agreement with the persons having interest in the land by agreement with the persons having interest in the land by exchange or otherwise. Thus, the compulsory acquisition of land is only incidental to the main purpose.” (ibid: 741).

¹³¹ Ibid: p. 745.

¹³² Ibid: p. 733.

¹³³ Mahendra Enterprises (R) v Commissioner, Bangalore City Corporation & Others (1987), p. 344.

¹³⁴ S.S. Darshan v State of Karnataka and Others, p. 343.

¹³⁵ Khoday Distilleries Limited, Bangalore v State of Karnataka and Others (1997), p. 747.

¹³⁶ Chikkamuniyappreddy Memorial Trust, Bangalore v State of Karnataka and Others, 1998, *The High Court of Karnataka/Karnataka Law Journal*, [1998(2)], p. 284.

¹³⁷ Ibid: p. 277.

¹³⁸ Annayya & others v State of Karnataka & others, 1988, Writ Petition Nos. 9032-9041/1988, The High Court of Karnataka/Karnataka Law Journal, [1988(2)].

¹³⁹ H. N. Nanjagowda and Another v State of Karnataka and Others, 1996, Writ Petition No. 27735/1995, *The High Court of Karnataka/Karnataka Law Journal*, [1996(3)], p. 54.

¹⁴⁰ M. Laxmiah v State of Mysore & others, 1966, Writ Petitions Nos. 1517 & 996/65, *The High Court of Mysore/Mysore Law Journal*, 1966.

¹⁴¹ “Airways; aircraft and air navigation; provision of aerodromes; regulation and organisation of air traffic and of aerodromes; provision for aeronautical education and training and regulation of such education and training provided by States and other agencies.” (Entry 29, List I of Schedule VII, Constitution of India).

¹⁴² “Acquisition and requisitioning of property”

¹⁴³ Venkataramaih M. v State of Karnataka & others, 1988, Writ Petition No. 8133/1986, The High Court of Karnataka/Karnataka Law Journal, [1988(1)].

¹⁴⁴ Shambuvaiah v Deputy Commissioner, Bangalore, 1980, Writ Petition No. 14217/78, *The High Court of Karnataka/Karnataka Law Journal*, [1980(1)].

¹⁴⁵ M.B. Ramachandran v State of Karnataka and Others (1991), Writ Petition Nos. 18891, 18892, 18981 to 18983 of 1986 and 9260 & 9261/1988, *The High Court of Karnataka/Karnataka Law Journal*, [1991(3)], p. 49.

¹⁴⁶ “**Interpretation of statutes**- The judicial process of determining, in accordance with certain rules and presumptions, the true meaning of Acts of Parliament. The principal rules of statutory interpretation are as follows.

(1) An Act must be construed as a whole, so that internal inconsistencies are avoided.

(2) Words that are reasonably capable of only one meaning must be given that meaning whatever the result. This is called the **literal rule**.

(3) Ordinary words must be given their ordinary meanings and technical words their technical meanings, unless absurdity would result. This is the **golden rule**.

(4) When an Act aims at curing a defect in the law any ambiguity is to be resolved in *such a way as to favour that aim* (the **mischievous rule**). The ejusdem generis rule (of the same kind): when a list of specific items belonging to the same class is followed by general words (as in “cats, dogs, and other animals”), the general words are to be treated as confined to other items of the same class (in this example, to other *domestic* animals)” (Oxford Dictionary of Law 2005, Oxford University Press, Oxford/New York, pp. 262-263).

¹⁴⁷ H. N. Nanjagowda and Another v State of Karnataka and Others, p. 54.

¹⁴⁸ Lands of Kempapura Agrahara were sought 21 acres 30 guntas of lands for acquisition by CITB for a residential scheme. This case is concerned with petitioners’ 6 acres 30 guntas of lands which was part of the overall proceedings.

¹⁴⁹ M/s Manjog Builders, Bangalore v Vyalikaval Co-operative Housing Society Limited, 1998, Writ Petition No. 15038/1990, *The High Court of Karnataka/Karnataka Law Journal*, [1998(4)], pp. 499-500.

¹⁵⁰ BDA had notified the land in 1977 itself as a part of the formation of Banaswadi-Hennur Road Layout.

¹⁵¹ B.T. Sakku v Commissioner, Bangalore Development Authority and Another, 1995, pp. 373-374.

¹⁵² Ibid: p. 381.

¹⁵³ Vinayaka Griha Nirmana Sahakara Sangha Limited v Karnataka Appellate Tribunal and Others, 1995, Writ Petition No. 942/1995, *The High Court of Karnataka/Karnataka Law Journal*, [1995(6)].

¹⁵⁴ For the background of the legal dispute as delineated in the foregoing -see (10) *Contentions with reference to the application of substitutive of laws*.

¹⁵⁵ M. P. Narasimha Murthy v State of Mysore, 1967, Writ Petitions Nos. 1575/64 etc., The High Court of Mysore/Mysore Law Journal, 1967 (1).

¹⁵⁶ Narayan Raju v State of Karnataka & others, 1988, Writ Appeal Nos. 1084-89/1987, *The High Court of Karnataka/Karnataka Law Journal*, [1988(2)], p. 37.

¹⁵⁷ See also for the discussion under the won cases *Land Acquisition and Public Purpose* in the next section.

¹⁵⁸ Ramachandrapa and Others v State of Karnataka and Others, 1996, Writ Appeal No. 2074/1994, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1996(7)].

¹⁵⁹ Venkataswamappa v Special Deputy Commissioner (Revenue), 1997, Civil Appeal Nos. 1006 to 1025/1990, *The High Court of Karnataka/Karnataka Law Journal*, [1997(7)].

¹⁶⁰ B. Krishnappa & Another v State of Karnataka and Others, 1994, Writ Petition Nos. 43962 & 43963, The High Court of Karnataka/Karnataka Law Journal, [1994(2)], pp. 681-682.

¹⁶¹Article 14- Right to Equality-“The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India” &Article 21- “No person shall be deprived of his life or personal liberty except according to procedure established by law” (The Constitution of India).

¹⁶² Article 19(1)(g)-Right to Freedom- “to practise any profession, or to carry on any occupation, trade or business” (ibid)

¹⁶³ Article 21- “No person shall be deprived of his life or personal liberty except according to procedure established by law” (ibid).

¹⁶⁴Article 38.“[(1)] The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.”

2[(2) The State shall, in particular, strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.]”

¹⁶⁵Article 39. “The State shall, in particular, direct its policy towards securing—

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men

and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

1[(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.]” (ibid).

¹⁶⁶ According to Section 3(f) land is acquired for the ‘public purpose’. The public purpose includes housing the poor, landless, or displaced persons, etc., and where the land is needed by a building co-operative society or corporation for the construction of houses.

¹⁶⁷Subramani M. v Union of India and Others, Writ Petition Nos. 35837/1994; 11211, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1995(6)], p. 486.

¹⁶⁸Ibid: p. 486.

¹⁶⁹Ibid: p. 486.

¹⁷⁰Ibid: p. 487.

¹⁷¹ Rs. 94,33,572/-

¹⁷²Subramani M. v Union of India and Others, 1995, p. 488.

¹⁷³Ibid: p. 489.

¹⁷⁴Ibid: p. 489.

¹⁷⁵Ibid: p. 490.

¹⁷⁶Ibid: p. 490.

¹⁷⁷Ibid: p. 493.

¹⁷⁸Ibid: pp. 492-496.

¹⁷⁹Ibid: pp. 507-510.

¹⁸⁰Ibid: p. 511.

¹⁸¹Ibid: pp. 511-512.

¹⁸²Ibid: pp. 512-519.

¹⁸³Ibid: p. 521.

¹⁸⁴Ibid: p. 522.

¹⁸⁵Ibid: p. 536.

¹⁸⁶P. AchiahChetty and other v State of Mysore (1962), Writ Petitions Nos. 1076, 1083 and 1087 of 1959, etc., *The High Court of Mysore/The All India Reporter*, [Vol. 49], p. 220

¹⁸⁷Ibid: p. 222.

¹⁸⁸Ibid: p. 222.

¹⁸⁹Ibid: p. 218.

¹⁹⁰ “In the matter of compulsory acquisitions of lands for the purposes of the Improvement Act, the provisions of the Improvement Act are to apply only as modified by the aforesaid provisions of the Improvement Act. That the necessity for and the importance of those modifications flow directly from the very purposes of the Improvement Act. Under S. 52 in the event of repugnancy between the provisions of the Improvement Act and the provisions of any other Act in force in Mysore, the latter shall be void to the extent of the repugnancy. There is repugnancy between the provisions of Secs. 4 to 6 of the Acquisition Act and the provisions of Secs. 14 to 18 and 27 of the Improvement Act, because it is perfectly obvious that the two sets of provisions cannot stand together, and an obedience of only Secs. 4 to 6 of the Acquisition Act necessarily involves a disobedience of the provisions of Sec. 14 to 18 and 27 of the Improvement Act. The procedure prescribed in Secs. 14 to 18 of the Improvement Act are not only directory but mandatory and non-compliance with the said procedure will invalidate the acquisition proceedings” (ibid: p. 218).

¹⁹¹Krishnamurthy v State of Mysore & Others, 1970, Writ Petition No. 2694/1967, *The High Court of Mysore/Mysore Law Journal*, [1970(1)].

¹⁹² Reckitt & Colman of India Ltd. v Bangalore Development Authority & Others, Writ Petition No. 18236/81, *The High Court of Karnataka/Karnataka Law Journal*, [1983(2)].

¹⁹³ This is a petition against land acquisition proceedings which was initiated by BDA for residential development known as BTM scheme.

¹⁹⁴Krishnamurthy v State of Mysore & Others, 1970, Writ Petition No. 2694/1967, *The High Court of Mysore/Mysore Law Journal*, [1970(1)].

¹⁹⁵ D.R. Kodandarama Reddy v Deputy Commissioner, Bangalore and Others, 1995, Writ Petition No. 4389/1988, *The High Court of Karnataka/Karnataka Law Journal*, [1995(1)].

¹⁹⁶ Patel Munireddy v Deputy Commissioner, Bangalore & Others, 1976, Writ Petition No. 6545/1975, *The High Court of Mysore/Mysore Law Journal*, [1976(2)].

¹⁹⁷ ArchakRangachar v Deputy Commissioner, Bangalore District & others, 1989, Writ Petition Nos. 17476 and 18670/1984, *The High Court of Karnataka/Karnataka Law Journal*, [1989(2)].

¹⁹⁸Bhavasara Kshatriya Samaj v State of Karnataka & Others, 1985, Writ Petition No. 8241/80, *The High Court of Karnataka/Karnataka Law Journal*, [1985(2)].

¹⁹⁹ M/s. ShakthivelnagaraGudisaluNivasigalaKshembabhivrudhiSangha, Bangalore, 1997, Writ Petition No. 5681/1991, *The High Court of Karnataka/Karnataka Law Journal*, [1997(2)].

²⁰⁰ B. Munegowda v State of Karnataka & others (1990), Writ Petition No. 9686/1985, *The High Court of Karnataka/Karnataka Law Journal*, [1990(2)], p. 384.

²⁰¹ The Agricultural Produce Market Committee, Yeshwanthpur, Bangalore v State of Karnataka and Others, 1997, Writ Petition No. 29569/1992, *The High Court of Karnataka/Karnataka Law Journal*, [1997(4)].

²⁰²Vishwabharathi House Building Co-operative Society Ltd. v State of Karnataka and Others (1991), Writ Petition No. 11973/1987, *The High Court of Karnataka/Karnataka Law Journal*, [1991(2)], p. 390.

²⁰³ ArchakRangachar v Deputy Commissioner, Bangalore District & others, 1989, Writ Petition Nos. 17476 and 18670/1984, *The High Court of Karnataka/Karnataka Law Journal*, [1989(2)].

²⁰⁴ M/s. ShakthivelnagaraGudisaluNivasigalaKshembabhivrudhiSangha, Bangalore, 1997, Writ Petition No. 5681/1991, *The High Court of Karnataka/Karnataka Law Journal*, [1997(2)].

²⁰⁵ Section 20 of the Urban Land (Ceiling and Regulation) Act 1976 gives powers to the concerned authority to exempt the excess ownership of land, under certain circumstances. It is as following- “Power to exempt.-(1) Notwithstanding anything contained in any of the foregoing provisions of this Chapter,-

- (a) where any person holds vacant land in excess of the ceiling limit and the State Government is satisfied, either on its own motion or otherwise, that, having regard to the location of such land, the purpose for which such land is being or is proposed to be used and such other relevant factors as the circumstances of the case may require, it is necessary or expedient in the public interest so to do, that Government may, by order, exempt, subject to such conditions, if any, as may be specified in the order, such vacant land from the provisions of this Chapter;
- (b) where any person holds vacant land in excess of the ceiling limit and the State Government, either on its own motion or otherwise, is satisfied that the application of the provisions of this Chapter would cause undue hardship to such person, that Government may, by order, exempt, subject to such conditions, if any, as may be specified in the order, such vacant land from the provisions of this chapter:

Provided that no order under this clause shall be made unless the reasons for doing so are recorded in writing.

(2) If at any time the State Government is satisfied that only of the conditions subject to which any exemption under clause (a) or clause (b) of subsection (1) is granted is not complied with by any person, it shall be competent for the State Government to withdraw, by order, such exemption after giving a reasonable opportunity to such person for making a representation against the proposed withdrawal and thereupon the provisions of this Chapter shall apply accordingly.” (As quoted in

the case *M/S Revajeethu Builders & Developers v S. Vasudeva& Others*, 1991, Writ Appeal. Nos. 2071 to 2074, 2059 to 2062, 1928, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1991(1)], pp. 535-36).

²⁰⁶ Section 35 endows powers to the State Government to issue orders and directions to the competent authority. It is as follows- “The State Government may issue such orders and directions of a general character as it may consider necessary in respect of any matter relating to the powers and duties of the Competent Authority and thereupon the Competent Authority shall give effect to such orders and directions” (As quoted in the case *M/S Revajeethu Builders & Developers v S. Vasudeva& Others*, p. 536).

²⁰⁷ Section 36 is about the powers of the Central Government to give directions to the State Government. It is as follows- “(1) The central Government may give such directions to any State Government as may appear to the Central Government to be necessary for carrying into execution in the State any of the provisions of this Act or of any rule made thereunder. (2) The Central Government may require any State Government to furnish such returns, statistics, accounts and other information, as may be deemed necessary” (As quoted in the case *M/S Revajeethu Builders & Developers v S. Vasudeva& Others*, p. 536).

²⁰⁸ The judgment deliberates and elaborates on the issue. The distinction is made between “hardship” and “undue hardship”. According to the court, the Section 20 of the act, “the satisfaction of Government must be with reference to the undue hardship that may be cause to the person who holds, vacant land in excess of the ceiling limit subject to the proviso which mandates that an order granting exemption under clause (b) of sub-section (1) of Section 20 of the Act shall record the reasons in writing for exempting the excess land on grounds of undue hardship” (p. 537). “The expression ‘undue hardship’ was the point which fell for consideration of the learned Judges. It was held that ‘undue hardship’ was not mere hardship. Undue hardship definitely cannot be hardship ordinarily so expressed. Any difficulty is hardship as a standard English Dictionary would indicate the meaning. Undue hardship, therefore, must be a hardship which is out of the ordinary or extraordinary. We must not lose sight of the fact that under the scheme of the Act, person holding land in excess of the ceiling limit will be deprived of it and a fixed compensation subject to a maximum limit alone is liable to be paid. Any loss of property, particularly immoveable property, in itself is a hardship. Therefore, the expression ‘undue hardship’ has special significance. For instance even under other laws dealing with compulsory acquisition of land for public purposes, legislature has always taken notice of the hardship caused to the person who has been deprived of the land for a public purpose. While he may be adequately compensated in accordance with the provisions of the law under which the acquisition is made, the provision... is always or invariably made for payment of solatium in addition to the value of land acquired. The payment of solatium is to offer solace to the person who has suffered hardship by losing his land which in the context of our country means displacement in many cases of a person from the land forcing him to shift to another land or another place. Therefore, undue hardship must necessarily be more than the hardship caused by mere deprivation of property... what constitutes undue hardship[?]... the learned Judges of the Gujarat High Court has clearly state that it is not possible to exhaustively enumerate what would be undue hardship which would cover all cases. Undue hardship would certainly vary from case to case... The financial liability could and would arise for various causes. But such liability, we have no doubt, to constitute under hardship should be a liability acquired before the Act came into force. It certainly cannot be undue hardship, if the liability or the undue hardship is created after the coming into force of the Act. It may not be necessary to pin point undue hardship related to heavy mortgage in favour of individuals or banks as the application of the provision of the Act in such cases would affect not only the mortgagor but also the mortgagee. The mortgagee’s security would stand extinguished if the excess land which forms part of the subject matter of the mortgage vests in the Government in terms of Section 10 of the Act. There may be several other instances which do constitute undue hardship. For instance, educational institutions run by individuals or Association of person having vacant land in excess of the ceiling limit would be hard pressed to provide adequate play-grounds for such educational institutions or provide for vacant land for development of the institution by increasing intake of the students or opening new disciplines to be taught. Similarly, an industry which has to diversify in order to survive economically must have at its disposal the land which otherwise would be acquired by the Government as excess land under the provisions of the Act. Yet another instance is where even an ordinary private individual not being an industry or educational institution or a trust administering charitable institutions may have excess land hit by the ceiling provisions of the Act and have a temple or a family burial ground or a memorial for the deceased members of the family which is sacred to him and him alone and who on that account may plead undue hardship and claim exemption that the ground haloed and dedicated to the memory of his ancestors in the form of graves, mausoleums or memorials shall not be desecrated. In appropriate cases, it is for the Government to satisfy itself whether such claims should be entertained and the exemption granted” (ibid: pp. 537-538).

²⁰⁹ Ibid: p.537.

²¹⁰ *The Bangalore City Municipality and Another v K. Rangappa*, 1953, *Mysore High Court/ The Mysore Law Journal Reports* [Vol. XXXIV].

²¹¹ Ibid: pp. 73-74

²¹² *Vishwabharathi House Building Co-operative Society Ltd. v Bangalore Development Authority*, Writ Petition Nos. 8719 & 8720/1989, *The High Court of Karnataka/Karnataka Law Journal*, [1989(3)].

²¹³ *Narayana Reddy & Another v State of Karnataka and Others*, Writ Petition Nos. 17775 & 17776/1986, 21417/1986, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1991(3)], pp.545-602.

²¹⁴ Ibid: p. 549.

²¹⁵ Ibid: p. 547.

²¹⁶ “In this Part, unless the context otherwise requires, “the State” includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India.” (Constitution of India, [http://lawmin.nic.in/legislative/Art1-242%20\(1-88\).doc](http://lawmin.nic.in/legislative/Art1-242%20(1-88).doc), p. 6, accessed in January, 2009)

²¹⁷ *Narayana Reddy & Another v State of Karnataka and Others*, 1991, pp. 550-551.

²¹⁸ Ibid: p. 555.

²¹⁹Ibid: p. 559.

²²⁰Ibid: p. 560.

²²¹Ibid: pp. 560-61.

²²²Ibid: p. 561.

²²³Ibid: p. 567.

²²⁴Vyalikaval Co-operative Society, H.M.T. Employees' Co-op. Society, Bank Officers' Co-op. Society, REMCO Employees' House Building Co-op. Society, Amarajyothi Co-op. Society, Bangalore Chickpet House Building Co-op. Society, and Jayanagar House Building Co-op. Society were the HBCS which were in accused of irregularities.

²²⁵Narayana Reddy & Another v State of Karnataka and Others, 1991, p. 583.

²²⁶Ibid: p. 585.

²²⁷Ibid: p. 594.

²²⁸Ibid: p. 600.

²²⁹Ibid: pp. 595-596.

²³⁰“Equality before law.—The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.” ([http://lawmin.nic.in/legislative/Art1-242%20\(1-88\).doc](http://lawmin.nic.in/legislative/Art1-242%20(1-88).doc), p. 6 accessed in January, 2009).

²³¹Narayana Reddy & Another v State of Karnataka and Others, 1991, p. 599.

²³²H.M.T. House Building Co-operative Society Limited, Bangalore v Syed Khader and Others, Civil Appeal Nos. 3011 to 3019/1995, *The Supreme Court of India/Karnataka Law Journal*, [1996(6)], pp. 322-345.

²³³Mrs. Behroze Ramyar Batha and Others v The Special Land Acquisition Officer, Bangalore and Others, Writ Appeal Nos. 1094 & 1095/1987, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1992(1)], pp. 589-604.

²³⁴Ibid: p. 596.

²³⁵Ibid: p. 599.

²³⁶Kanaka Gruha Nirmana Sahakara Sangha, Avalahalli, Bangalore South Taluk v Kota Srinivasa Murthy (since deceased) by L.Rs. and Others, Writ Appeal Nos. 75 & 95/1996, etc., *The High Court of Karnataka/Karnataka Law Journal*, [1998(1)], pp. 227-246.

²³⁷“No person shall be deprived of his property save by authority of law” (Constitution of India, [http://lawmin.nic.in/legislative/Art243-395%20\(89-184pp\).doc](http://lawmin.nic.in/legislative/Art243-395%20(89-184pp).doc), p. 124).

²³⁸“**Certain principles of policy to be followed by the State.**—The State shall, in particular, direct its policy towards securing—... that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;” (Constitution of India, [http://lawmin.nic.in/legislative/Art1-242%20\(1-88\).doc](http://lawmin.nic.in/legislative/Art1-242%20(1-88).doc), p.19 accessed in January, 2009).

²³⁹Section 3(f) of L.A. Act.

²⁴⁰Kanaka Gruha Nirmana Sahakara Sangha, Avalahalli, Bangalore South Taluk v Kota Srinivasa Murthy, 1996, p. 239.

²⁴¹Ibid: p. 242.

²⁴²[http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20\(BM\).pdf](http://www.karnataka.gov.in/dpal/pdf_files%5CBANGALORE%20DEVELOPMENT%20AUTHORITY%20ACT,%201976%20(BM).pdf), p. 109 (accessed on 21st May, 2009).

²⁴³Government of Mysore v. Mavalli Thimmaiah, 1951, Criminal Appeal No. 1 of 1950-51, D/- 9-10-1950, *Mysore High Court/The All India Reporter*, 1951 [Vol. 38], p. 51.

²⁴⁴M. P. Narasimha Murthy v State of Mysore, 1967, Writ Petitions Nos. 1575/64 etc., *The High Court of Mysore/Mysore Law Journal*, 1967 (1).

²⁴⁵B. Changaiah v State of Mysore & Others, 1970, Writ Petition No. 1756/1967, *The High Court of Mysore/Mysore Law Journal*, [1970(2)].

²⁴⁶M. Manicklal v. State of Mysore 1967(2), Writ Petition No. 674/65, *The High Court of Mysore/Mysore Law Journal*, [1967 (2)], p. 246.

²⁴⁷T. C. Srikantappa & Others v CITB & Another, 1969, Writ Petition No. 3776, *The High Court of Mysore/Mysore Law Journal*, [1969(1)].

²⁴⁸Aildas G & Others v Chairman, CITB & Others, 1975, Writ Petition No. 1394/1974, *The High Court of Mysore/Mysore Law Journal*, [1975(2)].

²⁴⁹Section 32 enables private owners of land to assist the development of the City of Bangalore in an orderly fashion by obtaining the permission of the authority to form the layout.

²⁵⁰Vishwabharathi House Building Co-operative Society Ltd. v. B.D.A., 1989, Writ Petition Nos. 15995 & 15996/1984, *The High Court of Karnataka/Karnataka Law Journal*, [1989(3)], p. 436.

²⁵¹*Ibid*: p. 436.

²⁵²Bangalore Development Authority v VishwaBharathi House Building Cooperative Society Ltd., 1992, Writ Appeal No. 1844/1990, *The High Court of Karnataka/Karnataka Law Journal*, [1992(1)].

²⁵³VishwaBharathi House Building Co-operative Society Ltd. v. B.D.A., 1990, Writ Petition No. 7910/1986, *The High Court of Karnataka/Karnataka Law Journal*, [1990(1)], p. 396.

²⁵⁴THE KARNATAKA REGULARISATION OF UNAUTHORISED CONSTRUCTION IN URBAN AREAS ACT, 1991, http://www.karnataka.gov.in/dpal/pdf_files%5CREGULARISATION%20OF%20UN-AUTHORISED%20CONSTRUCTIONS.pdf, p. 1 (accessed on 9th February, 2009).

²⁵⁵Munimasthaiah v State of Karnataka and Others, 1996, Writ Petition No. 36804/1994, *The High Court of Karnataka/Karnataka Law Journal*, [1996(1)], pp. 59-61. For more detail see Appendix- 3.

²⁵⁶K.C. Raju Reddy v The Commissioner, Bangalore Development Authority, 1995, Writ Petition No. 4822 to 4827/1993, *The High Court of Karnataka/Karnataka Law Journal*, [1995(4)], p. 483.

²⁵⁷*Ibid*: p. 487.

²⁵⁸*Ibid*: p. 487.

²⁵⁹*Ibid*: p. 488.

²⁶⁰*Ibid*: p. 488.

²⁶¹*Ibid*: p. 488.

²⁶²*Ibid*: p. 489.

²⁶³*Ibid*: p. 489.

²⁶⁴*Ibid*: p. 489.

²⁶⁵*Ibid*: pp. 489-490.

²⁶⁶*Ibid*: p. 490.

²⁶⁷*Ibid*: pp. 490-91.

²⁶⁸*Ibid*: p. 491.

²⁶⁹*Ibid*: p. 491.

²⁷⁰*Ibid*: p. 491.

²⁷¹*Ibid*: p. 491.

²⁷²Fathimabi and Others v State of Karnataka and Others, 1993, Writ Petition No. 23082/1992, *The High Court of Karnataka/Karnataka Law Journal*, [1993(3)].

²⁷³M. Ramachandra v Deputy Commissioner (Land Acquisition), Bangalore Development Authority, Bangalore and Others, 1998, Writ Petition No. 28292/1997, *The High Court of Karnataka/Karnataka Law Journal*, [1998(4)].

²⁷⁴K.C. Raju Reddy v The Commissioner, Bangalore Development Authority, 1995, pp. 488-492.

²⁷⁵Interview of Jayaram on 11th December, 2002, at Bilekahalli.

²⁷⁶M/s Revajeethu Builders & Developers & Others v S. Vasudeva & Others, pp. 537-538.

Chapter-5

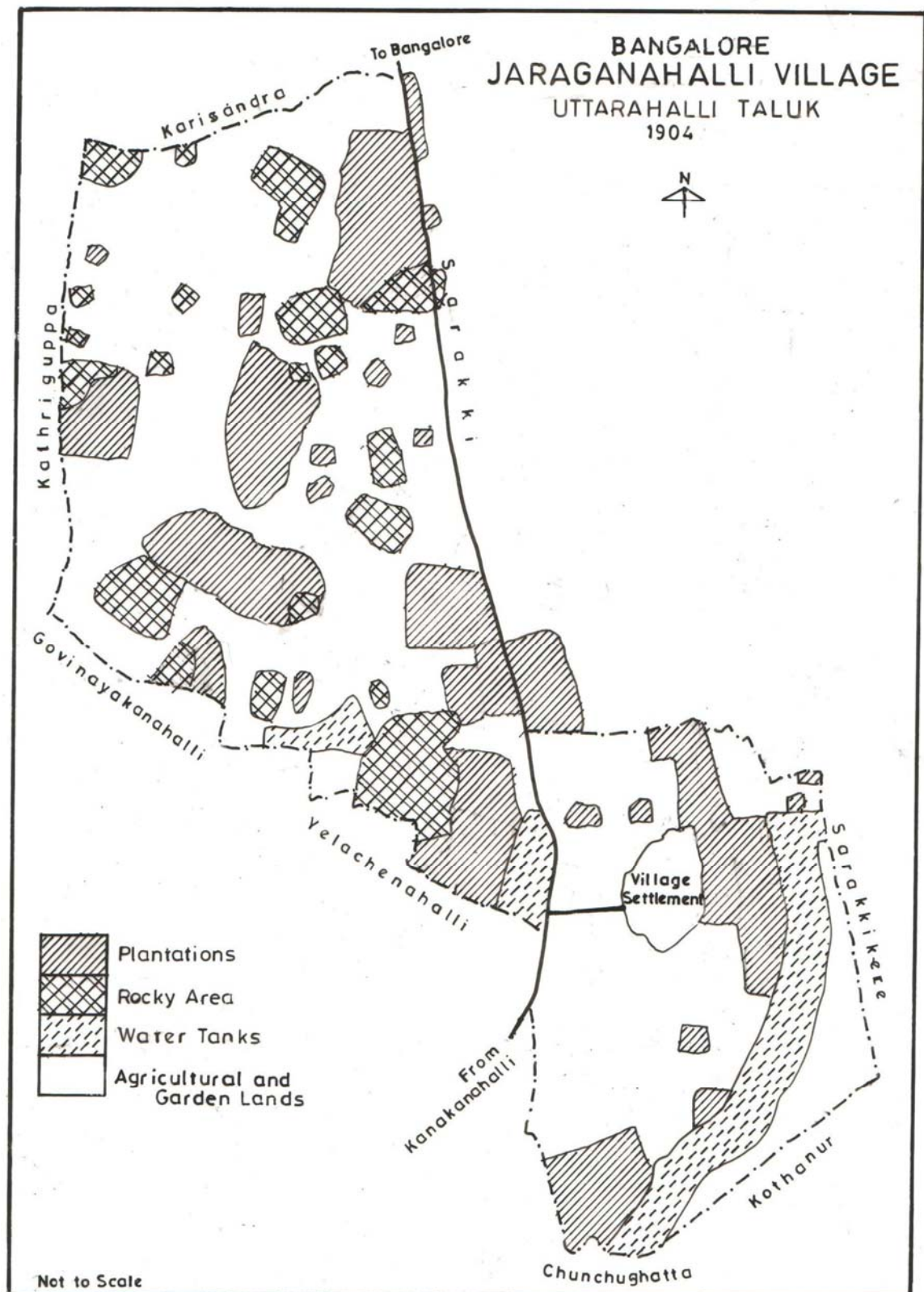
Strategies of Land Development: A Study of Two Areas of Bangalore City

The planning and legal documents provide ample strategies of land development initiated by the state and its agencies and other associations. Associations or the private bodies are aided and supported by the state and its agencies in the land development process. Land development for residential, industrial, open spaces, and other purposes is done with legal backups and with planning mechanisms at work. The other types of land developments that are produced are termed as unplanned or illegal, or informal settlements or developments. This phenomenon has been indicated in the planning documents, and these issues are marginally addressed at the legal level too. Whether ‘planned’ or ‘unplanned’, the expanding parts of the city are characterized as ‘outgrowths’ in the Census. The spatial outgrowths of Bangalore city have been increasing over the decades. These expansions have been due to planned and unplanned interventions. Planned interventions initiate a totally new growth. Unplanned interventions in the expansion of the city have happened through the formation of private layouts, revenue layouts, small-scale industrial setups, home-based industries, small-scale retailing, etc, which do not conform to the planning rules. These types of developments are characterized as “haphazard” growth pattern in the context of the expansion of the city. Though the unplanned expansion of the city takes place independently, the planning mechanisms appropriate such growths into their fold by implementing the planning rules and regulations through the process termed as ‘regularization’. The process of regularization basically attempts to bring the unplanned expansions to conform to planning. In this chapter, an attempt is made to illustrate and describe the different kinds of land development taking place over a period of time in two areas of southern Bangalore. The two areas studied are Bilekahalli and Jaraganahalli. The rationale in selecting the places for the study are the following: (a) Planners by the 1970s had identified Bannerghatta Road and Kanakapura road for developments. Hitherto industrial growth was concentrated along the national and state highways in the north, west and east connecting the city. So the planners had felt that

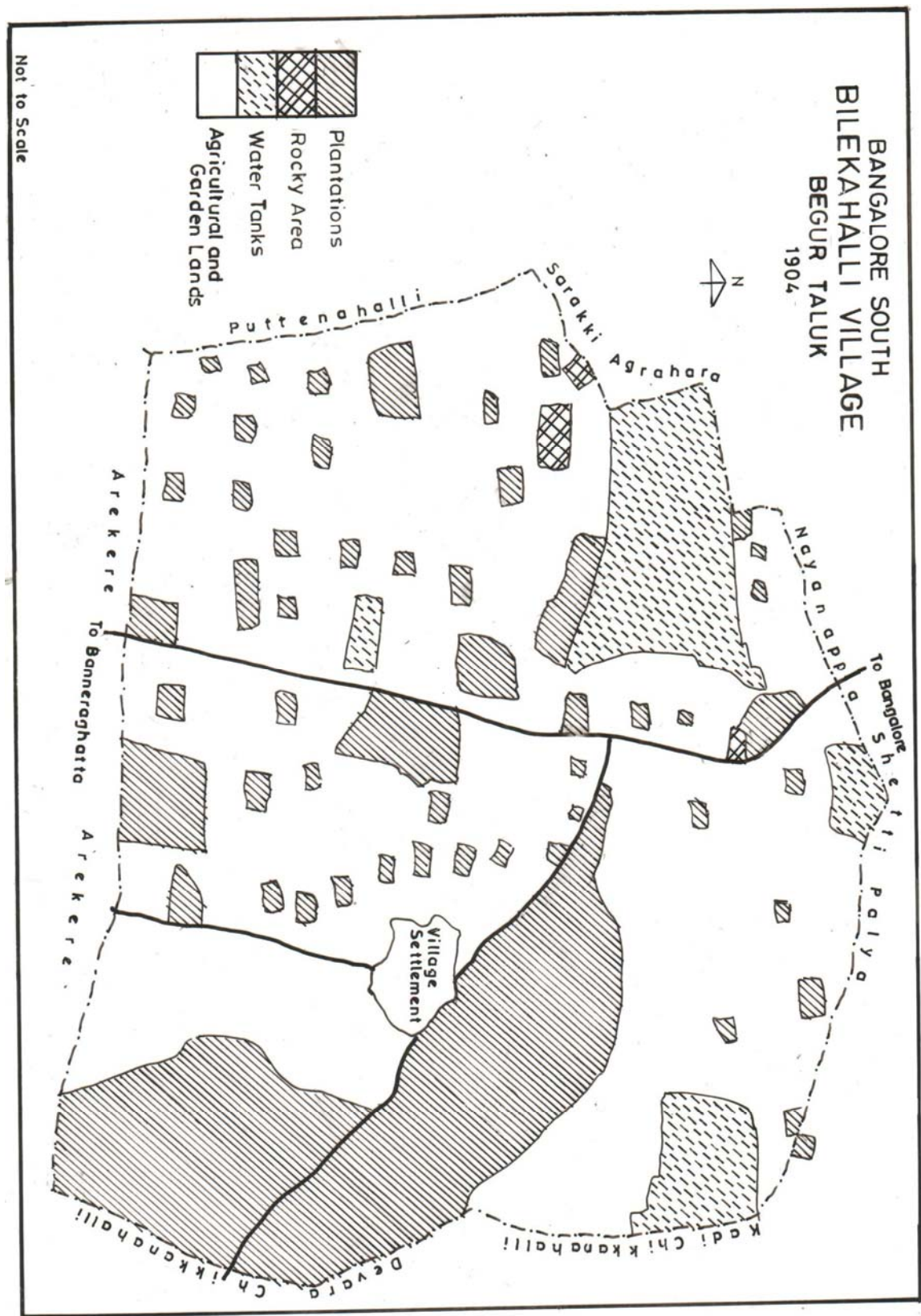
there was a need to allow industries to spread and grow in all directions. Therefore, the growth was to be concentrated along the highways in southern Bangalore (RCDP, 1976: 7-8). This phase of development of Bangalore has drawn our attention because Bilekahalli and Jaraganahalli (the former villages) which are situated along the above said main roads are adjacent to the city. Land developments, thus started taking shaping during 1970s and happened in many ways as we would see later. (b) These two places are representational of different dominant modes of land development. Bilekahalli has been part of two landmark legal disputes of land acquisition. They are *Narayan Raju v State of Karnataka & others (1988)* and *Narayana Reddy & Another v State of Karnataka and Others (1991)*. The former dispute clearly specified the sovereign rights and privileges of the Government in land acquisition and the latter showed that government-promoted legal cooperativism in land acquisition and development was generating widespread and large scale illegalities and were exploitative in nature as revealed in *GVK Rao, Report (1988)*. Bilekahalli's lands were acquired for different kinds of land acquisition in four phases for different purposes which are representational of different kinds of land developments. Other villages in the surrounding areas have not undergone such diverse developments. Jaraganahalli, typifies private small-scale land developments considered illegal, but presents an alternative to government-fashioned land developments. These places were villages before the village panchayats were abolished in the early 1980s surrounded by agricultural lands. Jaraganahalli is situated beside Kanakapura Main Road¹, it is about ten kilometres from the business district Krishnaraja Market. Bilekahalli is situated on Bannerghatta Road², eleven kilometres away from the city and is Russell Market/Cantonment Area.

These places were dependent on the market of Bangalore city to sell their agricultural produce. They become urbanized villages in the post-independent period. The earliest available Survey of India maps of Jaraganahalli and Bilekahalli date back to 1904 (See Maps 5.1 and 5.2).

Map 5.1: Jaraganahalli



Map 5.2: Bilekahalli



The people of Jaraganahalli were selling the agricultural produce and buying the needed things at K. R. Market and Gandhi Bazar. Similarly the people of Bilekahalli were mainly connected to the Cantonment Area, and to a lesser extent to K. R. Market and Gandhi bazaar area --- the western CBD. The villages – Bilekahalli and Jaraganahalli – measured 964.1 acres and 425.6 acres and had a population of 1535 and 1005, respectively³. The Government of Karnataka in 1965 notified both the villages as part of Local Planning Area or Bangalore City Planning Area. They became part of the list of 218 villages notified under this Area⁴. For a long time even after being included within the Local Planning Area of Bangalore city, they remained predominantly agricultural. The Census of 1972 still classified the land as ‘forest’, ‘irrigated’, ‘unirrigated’, cultivable waste and areas not available for cultivation which indicated that the village was predominantly agricultural⁵.

The dramatic shift in Bangalore’s urbanization during the 1970s, resulted in a number of ‘outgrowths’, mainly in the villages surrounding Bangalore city. These outgrowths became part of Bangalore’s urban agglomeration. The Census of 1981 enumerated 77 villages as outgrowths of Bangalore city, of which 36 belonged to Bangalore North District and 41 to South District⁶. Bilekahalli and Jaraganahalli in 1981 were enlisted as outgrowths of the expanding Bangalore city⁷. In the same year it was also noted that Bilekahalli had revenue layouts and Jaraganahalli had slums⁸. In the Census of 1991 had been shown as outgrowths of Bangalore Urban Agglomeration⁹.

The Census Abstracts of 1951 and 1991 hold contrasting pictures of Bilekahalli and Jaraganahalli indicating the change brought about by the expanding city of Bangalore and the processes of integration of these places with the city. (See Tables 5.1 and 5.2)

Table 5.1

Size of the Villages, Population and Occupational Classes in 1951

Bilekahalli Year: 1951 Area: 964.1 acres	Agricultural Classes	Cultivating Owners	787
		Tenant Cultivators	104
		Agricultural Labourers	189
		Non-Cultivating Owners	12
	Non-Agricultural Classes	Production other than Cultivation	86
		Commerce	54
		Transport	-
		Other Services and Miscellaneous sources	303
	Total Population		1535
Jaraganahalli Year: 1951 Area: 425.6 acres	Agricultural Classes	Cultivating Owners	328
		Tenant Cultivators	118
		Agricultural Labourers	220
		Non-Cultivating Owners	45
	Non-Agricultural Classes	Production other than Cultivation	120
		Commerce	54
		Transport	38
		Other Services and Miscellaneous sources	77
	Total Population		1005

Source: Census Handbook, 1951, Bangalore District, pp. 240-241.**Table 5.2**

Size of the Villages, Population and Occupational Classes in 1991

Bilekahalli Year: 1991 Total Population: 5923	Cultivators	284
	Agricultural Labour	385
	Livestock, Forestry, Fishing, Hunting & Plantation, Orchards & Allied activities	13
	Mining & Quarrying	3
	Manufacturing, Processing, Servicing & Repairs in Household Industry	1
	Manufacturing, Processing, Servicing & Repairs in Other than Household Industry	612
	Construction	192
	Trade & Commerce	212
	Transport, Storage & Communication	85
	Other Services	287
	Total Main Workers	2074
Jaraganahalli Year: 1991 Total Population: 23038	Cultivators	114
	Agricultural Labour	31
	Livestock, Forestry, Fishing, Hunting & Plantation, Orchards & Allied activities	71
	Mining & Quarrying	51
	Manufacturing, Processing, Servicing & Repairs in Household Industry	137
	Manufacturing, Processing, Servicing & Repairs in Other than Household Industry	2646
	Construction	1158
	Trade & Commerce	1584
	Transport, Storage & Communication	686
	Other Services	1533
	Total Main Workers	8011

Source¹⁰: Census Handbook, 1991, Bangalore District, pp. 204-205

The profiles of the two villages in 1951 and 1991 reveal changes in occupational structure, and increase in population due to in-migration. The changes can be noted mainly in terms of density of populations and expansion of multiple activities due to the establishment of production and service industries over a period of time.

These changes affected land development process. Land development forms the basis for the expansion of the city. The dynamics of land development is mediated by various actors, institutions, associations, etc., to give it an urban form and also indicates various purposes that shape the city.

Land Development and Planning-Administrative Mechanisms

In this section we will outline the process by which planning and administrative mechanisms have been conceiving and initiating of development in these two places — Bilekahalli and Jaraganahalli. Before that we shall make a brief account of the process and the purpose of bringing these places into the planning process. The Notification, 218 included mainly villages and some of the newly developed colonies¹¹ for the purposes of initiating ‘regulated planned growth of land use and development’ and ‘for the making and execution of town planning schemes’. This exercise was to ‘create conditions favourable for planning and replanning’ of the areas with a view to [provide] full civic and social amenities for the people’; ‘to stop uncontrolled development of land due to land speculation and profiteering in land’; and ‘to preserve and improve existing recreational facilities and other amenities’ which would contribute to the ‘balanced use of land’, and ‘to direct future growth of areas to ensure desirable standards of environmental health and hygiene and create facilities for the orderly growth of industry and commerce’. This kind of planning would finally ‘promote general standards of living in the areas’. For all the above listed reasons and goals to be achieved, the Local Planning Area (also known as Bangalore City Planning Area) was notified.¹²

Further, Comprehensive Development Plan (CDP) was to be fashioned according to the then existing trends of urban planning. The CDP proposed for the local planning area, among other things, significantly aimed for the creation of open spaces like parks, playgrounds, agriculture, public buildings and institutions etc.; lands for residential development; and new areas for future development, and the stages by which the plan was to be carried out¹³. These proposals included already developed and developing parts of the expanding Bangalore city which was divided into 18 many planning districts¹⁴.

Bilekahalli

Bilekahalli was for the first time notified as part of the Local Planning Area and brought into the purview of planning in 1965, according to the Karnataka Town and Country Planning Act, 1961. Bilekahalli with many other villages belonging to Begur Hobli¹⁵ and many other villages and colonies in other hoblies like Yeshwantpura, Yelhanka, Kasaba, Kengeri, Kasaba, Uttarahalli, Krishnarajapura, and Varthur-- in all, 218 places – were notified as Local Planning Areas/ Bangalore City Planning Area for the above mentioned purpose of the KTCP Act.¹⁶

Land Development and Planning in Bilekahalli

Bilekahalli was part of the Planning District Number 13. When this district was defined, it was bound by Hosur road on the north, the national highway on the east, 13 A, another district on the south and on Bannerghatta Road on the west. District No.13 was categorized as underdeveloped which consisted of 13 rural pockets and a residential layout in the northern part of the district known as Thavarekere-Madiwala Scheme initiated by the City Improvement Trust Board. There were already developed private residential layouts such as MICO Employees Layout, Karnataka Electricity Board Employees' layout etc., along Hosur Road. There were also a few godowns, a few industrial establishments, a college, a recreational space known as drive-in-theatre, and horticultural gardens along Bannerghatta road. In the rural pockets there were a few petty shops, primary schools, temples, etc. Except for the two main roads, Hosur Road (National Highway number 7) and Bannerghatta Road (a state highway) which bordered the district, the other roads which networked within the district were village

roads connecting rural pockets¹⁷. Earlier developments were along the major highways, the ribbon development and later developments were more widespread.

To begin with, the proposed plan focused on development in the northern part of the district alongside the two highways. In 1971 the population of the district was 32672 and the projected population for the district by 2001 was 90000¹⁸. The proposed land use as projected by the CDP until 2001 is shown Table 5.3.

Table 5.3

Proposed Land Use in District 13-1976

Sl. No.	Particulars	Area in Hectares	Percentage of total
1	Residential	356.37	42.28
2	Commercial	28.34	3.47
3	Industrial	102.83	11.41
4	Public & Semi-public	87.04	10.47
5	Parks & Playgrounds	60.73	7.44
6	Transportation	210.52	24.21
7	Water Sheet	6.07	0.72
-	Conurbation Area	851.80	100.00
8	Rural Tract	496.00	
	Total area of the District	1347.80 Or 13.48 sq. kms.	

Source: Report on the Comprehensive Development Plan of Bangalore, 1976, p. 193

The Table 5.3 indicates the desire of the planners to restrict the growth of the city by allocating 36.80% of the total land for the rural tract. The allocations for industrial, public and semi-public, and transportation uses indicate that the district was to become an industrial district with spaces for many public institutions. Residential developments were supposed to be concentrated in the northern part of the district with the existing developments initiated by the CITB – the Thavarekere-Madivala scheme. The commercial centres in the central part of the CITB initiated layout and industrial establishments were to be allowed alongside the highways. Public and semi-public land development and use were to be concentrated in the northern part of the district with the existing uses, and many sites were reserved for school, health centre, etc. A park was proposed near the district centre in the north and other parts and playgrounds were proposed to be set up along the natural valley of Madivala and Santhe Madivala. A burial ground too was proposed to be set up as part of the Thavarekere- Madivala scheme beside the Bannerghatta road. A road network was planned to be developed with the layouts and connecting roads to highways. Outer Ring Road which was part of

the proposal was to pass via south of Madivala. Apart from these proposals which were to be implemented in the district as part of the conurbation area, there was a rural tract consisting of three villages, of which Bilekahalli was one. There were no proposals for the rural tract, except sites reserved for schools and playgrounds.¹⁹ The Comprehensive Development Plan was finalized in 1984. Before finalizing, the planners had to take into account the increased population which touched unprecedented proportions. Revised plan of the district 13 identified new developments – the Thaverekere-Madivala Scheme (previously CITB initiated residential layout) which was renamed as Byrasandra-Thaverekere-Madivala scheme -- indicating the expansion of the layout by including one more village and its lands, and two more private housing residential layouts, the Bharat housing layout and the Vysaya bank layout. The housing layouts had developed in addition to the previous layouts identified in the report of the comprehensive development plan of Bangalore 1976. Apart from that, another new addition was the establishment of a central government institution -- the Indian Institute of Management. Besides this a new Bangalore Development Authority's residential scheme known as BTM Layout scheme, private layouts and a new network of roads were part of the evolving ecology of the district number 13.²⁰ The projected population for 2001 of the district was 165,000. Other things being the same, the proposed development identified new residential developments in the form of House Building Co-operative Societies (HBCS) – Vyalikaval HBCS and Vijaya bank HBCS etc.²¹

Table 5.4 Proposed Land Use in District 13 in 1985

Sl. No.	Particulars	Area in Hectares	Percentage of total
1	Residential	481.62	35.73
2	Commercial	31.28	2.32
3	Industrial	85.33	6.33
4	Public & Semi-public	102.74	7.62
5	Parks, Playgrounds & Open Spaces	279.67	20.75
6	Transportation	361.16	27.25
7	Unclassified	-	-
8	Total Developed Area	1347.80	100.00
9	Green Belt	-	
10	Total Area	1347.80	

Source: Comprehensive Development Plan, 1985, p. 98

The CDP (1985), reflected changes in comparison to previous RCDP (1976). The allocation of space for different kinds of land developments had changed significantly for the proposed plan project up to 2001. The residential development

took precedence over all other proposed land developments. Residential land development proposed in 1976 report was 356.37 hectares whereas in the report of 1985 it had increased to 481.62 hectares. Commercial spatial allocation for land development had a marginal increase. Allocation for industrial space too saw a significant decline. For public and semi-public development allocation was considerably reduced. For parks, playgrounds and open spaces the allocation was more than twice. Space for transportation and road networks increased considerably. The rural tract which existed in the district 13 in RCDP 1976 had disappeared or perhaps distributed among various other proposed land developments. (See Tables 5.3 and 5.4) What one could observe is that the increased land allocation for residential land development in the district, within a short span of time, had been taken up by private parties and associations like HBCS, private layouts and revenue layouts rather than by the BDA which had invested in the land development for housing.

Given the provisions in the law, The Karnataka Town and Country Planning Act, the government had to revise the Comprehensive Development Plan after a decade. It was revised in 1995. The proposed land development in the revised CDP of 1995 was like below.²²

Table 5.5

Proposed Land Use in District 13 in 1995

Sl. No.	Particulars	Area in Hectares	Percentage of total
1	Residential	490.45	36.42
2	Commercial	22.19	1.65
3	Industrial	121.06	8.98
4	Park & Open Space	250.52	18.60
5	Public & Semi-Public	96.26	7.14
6	Transportation	366.52	27.21
	Total Area	1347.52	100.00

Source: Comprehensive Development Plan (Revised) 1995: 192.

With an increase in residential development in the southern and western parts of the district and also an increase in the industrial space, land development for other purposes had reduced. One could observe that in the residential development there was a mix of both public agencies and private associations. Investment in the industrial land development was made by private parties, but the zoning was done through planning

mechanism. All kinds of land development for various uses were happening, despite Bangalore Development Authority prohibiting land development on the garden land in the 1970s. But a significant aspect of the revised plan for the concerned district was that it had given up the idea of a rural tract/green belt.

Jaraganalli

Jaraganahalli was a village which was surrounded by agricultural lands and two tanks. Jaraganahalli was brought into the purview of the planning process in 1965. Jaraganahalli became part of the notified Local Planning Area/Bangalore City Planning Area in 1965²³ and was still a part of a much broader administrative rural district known as Uttarahalli Hobli.²⁴ In 1976 'Report on the Comprehensive Development Plan of Bangalore' included Jaraganahalli in the Planning District Number 12 and 14.²⁵

Land development and Planning in Jaraganahalli

The planned district number 12 had 50% 'urban use' consisting of residential colonies namely N R Colony, Thyagaraja Nagar, Yediyur and Banashankari II and III stages. It had villages, apart from Jaraganahalli, Kaddrehally, Chikkalsandra, Govinayakanahally and Ittamadu. This district is bound by Kanakapura Road on the east, planning districts 12A and 15 on the west, and north and planning district no.12A on the south. The district measured 12432 hectares of which 87 hectares were assigned as rural in the southern parts of the district. The village pockets existed among new residential developments in the northern part of the district.

The new land development proposed in the district included the following Outer Ring Road which was to pass through the district which would halve the district into two. The proposed developments were to be more concentrated in the southern part than in the northern part which was already developed (lands belonging to Jaraganahalli village were assigned for 'City Regional Park' meant for recreation for the region). No Objection Certificate was already granted by the Planning authority in other parts of the southern district which were supposed to be for residential development and industrial development. The estimated population would increase to 100,000.²⁶ (See Table 5.6)

Table 5.6

Proposed Land Use in District 12 in 1976

Sl. No.	Particulars	Area in Hectares	Percentage of Total
1	Residential	655.00	56.68
2	Commercial	34.00	03.00
3	Industrial	54.00	04.56
4	Public & Semi-Public	80.00	06.96
5	Parks & Open Spaces	178.00	15.48
6	Transportation	154.00	13.32
	Total Conurbation Area	1155.00	100.00
7	Rural Tract	87.00	
	Total Area of the District	1242.00	

Source: Report on the Comprehensive Development Plan of Bangalore, 1976, p. 188.

Another feature of the proposed plan was to stop commercial development beside the roads and create ‘organized shopping centres’ and ‘work centres’ within the district.²⁷

Another district which partly engulfed Jaraganahalli into the planning process was the planning district no.14. This district, is much bigger than the previously analyzed districts. It includes old parts of Bangalore and the developed areas and areas which were to be developed were the villages/rural lands. Older parts of the city, Lalbagh, and Visveswarapuram, a portion Basavanagudi and the whole of Jayanagar, had been developed into residential and commercial areas. Lalbagh is one of the oldest and biggest parks/botanical gardens of Bangalore. It had health institutions, boulevards and wireless and tele-communication units. The developed part of the district was planned in a ‘grid-iron pattern dividing the area sector wise’. The villages which were brought into the fold of the district were Siddapura, Byrasandra, Marenahalli, Sarakki, Jaraganahalli, Puttenahalli and Doresanipalya. There were many tank beds which were part of the physical setting of the district.²⁸

District 14 was allocated for additional working centres along Bangalore-Anekal Road and Bangalore-Kanakapura Road and land for residential development. The proposed land development is shown in Table 5.7.

Table 5.7**Proposed Land Use in District 14 in 1976**

Sl. No.	Particulars	Area in Hectares	Percentage of Total
1	Residential	670.00	42.54
2	Commercial	39.00	02.52
3	Industrial	74.00	04.71
4	Transportation	371.00	23.60
5	Public & Semi-Public	186.00	11.86
6	Parks & Playgrounds	185.00	11.73
7	Water Sheets	30.00	01.85
8	Agricultural	18	1.19
	Total Developed Area (Conurbation)	1573.00	100.00
9	Rural Tract	296.00	
	Total Area of the District	1869.00	

Source: Report on the Comprehensive Development Plan of Bangalore, 1976, p. 199.

The Comprehensive Development Plan of 1985 curtailed the size of the district 12 from 1242 hectares (which was assigned in the Report on the Comprehensive Development Plan of Bangalore, 1976) to 1230 hectares, in which part of Jaraganahalli was included. Southern part of the district remained underdeveloped and the industrial use was ‘conspicuously’ absent.²⁹ Since the southern part of the district no.12 was still undeveloped it was proposed for residential and industrial development by issuing No Objection Certificate to those who were interested. According to the 1981 census the district population was 106641 and the projected population to 2001 was 225000.³⁰ The proposed land use is given in Table 5.8.

Table 5.8**Proposed Land Use in District 12 in 1985**

Sl. No.	Particulars	Area in Hectares	Percentage of total
1	Residential	582.70	47.30
2	Commercial	29.79	2.42
3	Industrial	56.35	4.58
4	Public & Semi-public	82.60	6.71
5	Parks & Playgrounds	132.02	10.70
6	Transportation	347.04	28.29
7	Unclassified	-	-
8	Total Developed Area	1230.50	100.00
9	Green Belt	-	-
10	Total Area	1230.50	

Source: Comprehensive Development Plan, 1985, p. 95.

The main thrust in the proposed plan of the district was to develop the proposed outer ring road and another main road in the district. It was also intended to promote industrial activity in the district. A major part of the district was already residential. Apart from the extended Banashankari residential layout, the CDP took note of the development of the residential Kumaraswamy layout developed by the BDA, and a shopping complex developed by BDA. Significantly the CDP of 1985 dropped the idea of proposed central Regional Park which was to be set up on the Jaraganahalli lands. The proposed Regional Park by RCDP 1976 was to use a vast expanse of Jaraganahalli's lands. Agricultural lands were allocated for industrial and agricultural uses by CDP 1985.

Another part of Jaraganahalli was included in the district 14. It had seen development of known as J P Nagar, a large extension, having nine blocks. J P Nagar was earlier known as Sarakki Layout. CDP of 1985 terms district 14 as a 'well organized' district. The district has Jayanagar Shopping Complex built on modern lines and two corporation markets built in the 1980s. The projected population of the district for 2001 was 340,000.³¹ The proposed land development is given in Table 5.9.

Table 5.9

Proposed Land Use in District 14 in 1985

Sl. No.	Particulars	Area in Hectares	Percentage of total
1	Residential	799.38	42.76
2	Commercial	80.43	4.30
3	Industrial	82.77	4.39
4	Public & Semi-public	107.15	5.77
5	Parks, Playgrounds & Open Spaces	338.15	18.09
6	Transportation	461.52	24.69
7	Unclassified	-	-
8	Total Developed Area	1869.40	100.00
9	Green Belt	-	-
10	Total Area	1869.40	-

Source: Comprehensive Development Plan, 1985, p. 103.

There was higher allocation of land for commercial, parks, playground and open spaces and there was significant increase in allocation of land for residential expansion within the district, as compared to the 1976 report.

The Comprehensive Development Plan, was revised in 1995.³² The boundary of district 12 measuring 1230 hectares remained the same in the revised Comprehensive Development Plan of 1995. Jaraganahalli and many other villages remained as part of the district. The district was changing with development of new residential colonies like Teachers colony, Padmanabhanagar and Srinivasanagar. The southern part of the district particularly was undeveloped which remained the same as indicated in the previous plans too. Though the revised plan too characterized southern part of the district as still undeveloped, it traced new developments – ‘unauthorized constructions’ and other layouts which had been approved by the concerned authorities in the form of private societies (HBCS). Industries too had become part of the geography of the district. By 2011 the projected population was to be 200,000. The remaining land was allocated for residential development. The proposed land development under various heads is given in Table 5.10.

Table 5.10

Proposed Land Use in District 12 in 1995

Sl. No.	Particulars	Area in Hectares	Percentage of Total
1	Residential	582.20	47.33
2	Commercial	29.79	2.42
Contd. 3	Industrial	56.35	4.58
4	Parks & Open Space	132.62	10.78
5	Public & Semi-Public	82.60	6.71
6	Transportation	346.44	28.18
	Total Area	1230.00	100.00

Source: Comprehensive Development Plan (Revised), 1995, p. 187.

The Tables 5.9 and 5.10 between 1985 and 1995 show that the land allocated for various development activities in the district has remained constant. The developments within the assigned lands for various purposes had become dynamic with the establishment of service industries, light industries and a medium scale industrial estate in the area. Apart from that, there were private investments in the residential sector and the growth of unauthorized constructions. Many educational institutions, a medical college, an educational institution, the Central Electricity Research Institute, Geological Survey of India, an office complex, health and other facilities were being established in the spaces allocated for the public and semi-public purposes. In this sector too both public and private sector industries and individuals were investing in development.³³

District 14 had encompassed another part of Jaraganahalli and other villages and it had been judged as ‘the biggest planning district having a well planned largest extension in South Asia. The entire area is under urban use and well planned with all required facilities such as shopping, education, health, etc.’³⁴ But the plan points out that ‘indiscriminate mixed land uses...[had] cropped up in the residential localities as well as along the transportation routes.’³⁵ The proposed land development pattern of district 14 is given in the Table 5.11.

Table 5.11

Proposed Land Use in District 14 in 1995

Sl. No.	Particulars	Area in Hectares	Percentage of Total
1	Residential	834.87	44.66
2	Commercial	98.59	5.27
3	Industrial	82.77	4.43
4	Parks & Open Spaces	288.53	15.43
5	Public & Semi-Public	103.12	5.52
6	Transportation	461.52	24.69
	Total Area	1869.40	100.00

Source: Comprehensive Development Plan (Revised), 1995, p.199.

Tables 5.10 and 5.11 show that between 1985 and 1995 the boundaries of the district 14 were not altered. But the allocations of the land under various developmental heads/portfolios were readjusted. Residential allocation increased marginally. Allocation for commercial use rose significantly. Allocation for industrial use remained same. There was a marginal increase or decrease in allocations for other kinds of land use.

The above analysis has portrayed the changes that the districts have seen over a period of time. What kind of inference could one draw from such an analysis, given the way planners conceive planned urbanization? To plan the areas first the villages and their constituent lands were notified as the local planning area/Bangalore city planning area. In other words the notified lands were to be for various development purposes. Development was mainly conceived as state driven, but individuals or private parties have been increasingly part of the development activities with the mandatory permission. Though planned development was imagined, the land development has

seen both adherence and violations with the involvement of private parties and individuals. The whole process has given rise to ‘haphazard’ or ‘unplanned’ or ‘unauthorized’ growth in the area and the city too. One could find the causes for such violative tendencies later in the discussion of different kinds of land development in the chosen areas for the study.

Administrative Mechanisms Configuring Jaraganahalli and Bilekahalli

Till now, one has taken note of planning districts in which the areas chosen for the study are situated and the way they are configured and reconfigured. Apart from planning, government was directly creating new supplementary administrative measures and divisions, to restrict and regularize the new unplanned areas to merge with the planned areas. Government was deploying other legal means to come to terms with the expanding city which is taken note of in the chapter on planning. Those were the general policy measures conceived to restructure cities in Karnataka. As one may notice from examples like the specific references and directions given to the BDA, Bangalore city was the main target. Apart from these blanket policy measures, Bangalore city was being restructured by dividing the city administratively. Especially the areas within the local planning area but outside the municipality limits, were the ones targeted for regularization. Housing and Urban Development Department, in 1993, constituted many notified areas – clusters constituted of villages or extensions. The notification was to constitute “Notified Area Committee” to set up improved arrangements to extend facilities which were available under section 349 of Karnataka Municipalities Act of 1964.³⁶ There were eight scheduled areas or clusters with a total of 232 villages and extensions were to get the municipal funds for civic improvements.³⁷ Jaraganahalli and Bilekahalli – the study areas were part of Sarakki notified Area Committee and Hongasandra Notified Area Committee respectively.³⁸

Again in 1995 the urban areas which were formerly categorized as Notified Area Committees which were hitherto directly under the control of the government/planning agencies within the urban agglomeration were reconstituted into City Municipality Councils³⁹ in pursuance of the 74th amendment to the Constitution of India.⁴⁰ To meet the needs of decentralization, notified area committees were dissolved and reshaped or fashioned as City Municipal Councils. Totally eight municipal councils were formed

for the administration of the areas which were located beyond the boundaries of the Bangalore City Corporation but within the local planning area/urban agglomeration. All these measures of organizing and reorganizing the administration and later municipal administration in the Local Planning Area/urban agglomeration had the sole aim of drawing these areas into planned development. The government order⁴¹ declares that “Since the areas presently comprising the city municipalities of Yelahanka, K R Puram, Bommanahalli, Byatarayanapura, Dasarahalli, Mahadevapuram and Pattanagere and Town Municipal Council of Kengeri are situated very close to the limits of the Bangalore City Corporation and within the planning area of Bangalore development authority, it is necessary to regulate a planned urban growth as per the revised Comprehensive Development Plan.”⁴² City Municipal Council (CMC) area was drawn up according to Section 9 of the Karnataka Municipalities Act. To constitute and categorize an area as Corporation Municipal Council, it had to fulfill the following four conditions of certain- size of population, density of population, amount of revenue generation capacity in the area, and the higher percentage of population employed in non-agricultural occupations.⁴³ Given this criteria CMCs were formed. The areas chosen for the study figured in the City Municipal Council area of Bommanahalli. Bommanahalli CMC had sixteen villages. This reconstitution of the areas was taking place in the context of both planned and unplanned development and growth or expansion of Bangalore city, over a period of time. This organization and reorganization of municipal administration was to deal with mixed or unauthorized land development in the Local Planning Area/urban agglomeration. The task before us then is to demonstrate the kinds of land developments and the strategies involved in the context of mixed production of space.

Given various sets of actors involved in the land development in the city, how do land development patterns, whether in terms of planned or unplanned, shape various places? What are the types of land development? What are the kinds of social processes that underlie land development process? Who are the actors apart from the government and its planning agencies, involved in the process of land development? To answer the questions two places – Jaraganahalli and Bilekahalli –were chosen for a micro level study to know the kinds of strategies involved in land development process and formation/evolution of newly urbanized areas of Southern Bangalore city.

Planned Formations: Instances or Phases of Land Development Activity in Bilekahalli Village

Apart from planning, what underlies the land development process? In this section, an attempt is made to understand the processes of land development from below – from the point of view of the people. People, either, become losers or sellers of land due to land acquisition for various land development purposes. What underlie the land development processes are socio-legal, socio-economic and socio-spatial processes.

Land Acquisitions

The land development processes which have configured and reconfigured Bilekahalli's space are the land acquisitions for various purposes over a period of nearly twenty years in different phases. The government initiated land acquisition process in the year 1976 to develop lands for institutional and residential purposes. The government had planned to set up the Indian Institute of Management and it was to be developed as a campus which included residential cum institutional space. For the purpose, under the section 4 of L.A. Act, a notification was published in the Karnataka Gazette in 1976.⁴⁴ This was the first phase of land acquisition with regard to Bilekahalli village lands. The second phase of land acquisition began in the early 1980s with the acquisition of land for the house building cooperative society. In 1983 new set of lands in Bilekahalli were again notified for acquisition for the Vijaya Bank Employees Housing Co-operative Society Limited (VBEHCSL), Bangalore. This land acquisition was termed for public purpose in accordance with the provisions of Sub-Section (i) of Section 4 of the L.A. Act (Central Act I of 1894) as amended by the Karnataka Act 17 of 1961. Notice was served to all the landowners whose lands were acquired. The said notification had cautioned the landowners not to enter into contracts with regard to the notified lands. The notification informed and warned landowners:

All persons interested in the said lands are hereby warned not to obstruct or interfere with any surveyors or other persons employed upon the said land for the purposes of the said acquisition. Any contracts for the disposal of the said lands by sale, lease, mortgage, exchange or otherwise or any outlay or improvements made therein without the sanction of the Deputy Commissioner, Bangalore District, Bangalore after the date of publication of this notification will under Section 24 (clause seventy) of the said act, be disregarded by the Officer assessing compensation for such parts of the said lands as may be finally acquired.⁴⁵

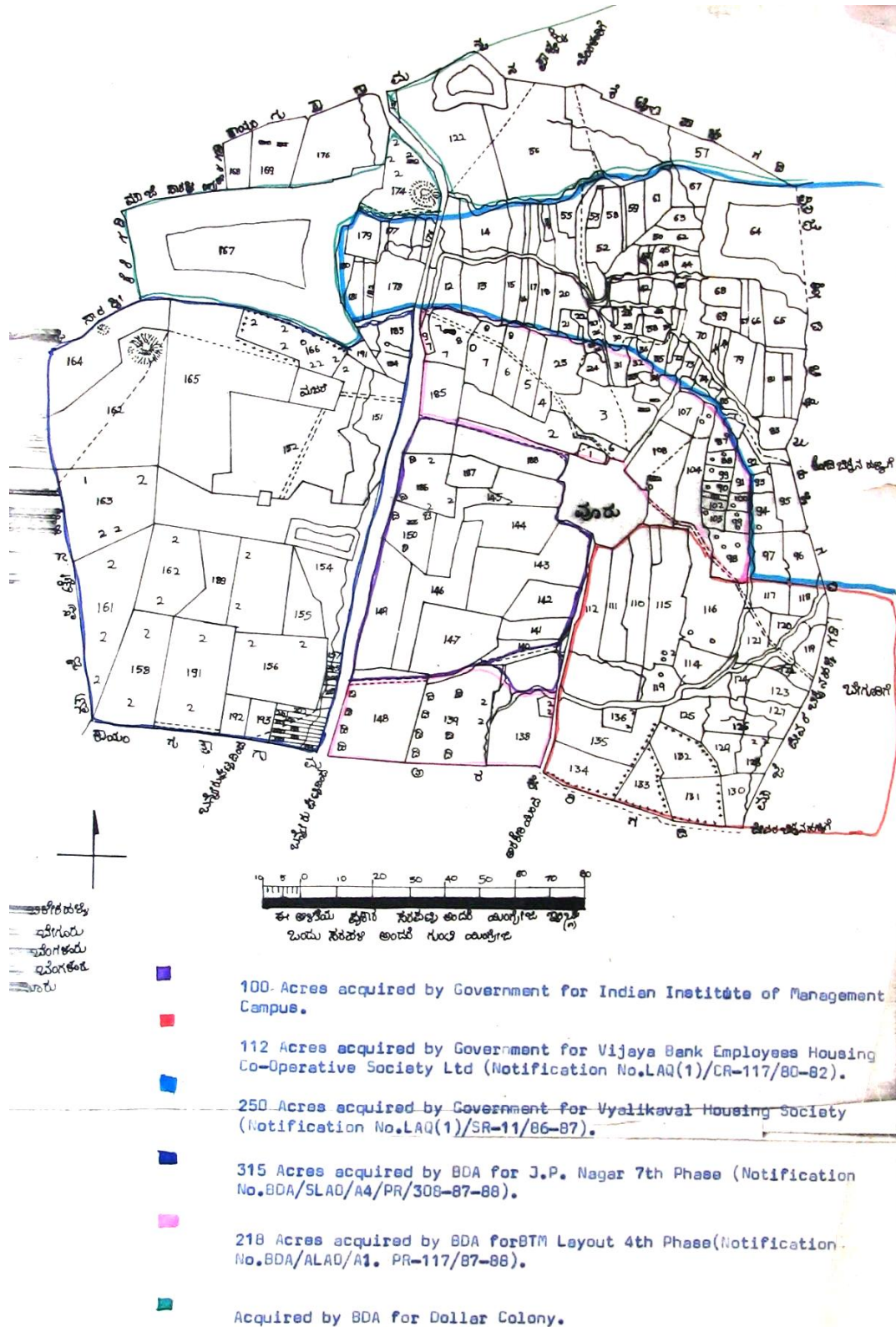
And the final declaration⁴⁶ of land acquisition was made in 1985 in the Karnataka Gazette for the VBEHCSL.

The next phase of land acquisition for residential land development began in 1986. Government initiated land acquisition for housing co-operative society by name Vyalikaval Home Building Co-operative Society Limited (VHBCSL) to provide developed housing sites for its members. In this connection the government issued a public notice in 1986 under Section 4(2) of the L. A. Act and under Rule 3 of the Land Acquisition Rules, 1965.⁴⁷ In 1988 the final declaration of land acquisition for the Vyalikaval Home Building Co-operative Society Limited was issued under Sections 9 and 10 of the L.A. Act. And it was published in 1987 Karnataka Gazette and two other local vernacular newspapers.⁴⁸ The next phase of land acquisition was planned by Bangalore Development Authority (BDA) in 1988 at Bilekahalli village coupled with the contiguous lands of another village Deverachikkanahalli. Preliminary notification was issued by the BDA under section 17(5) of the BDA Act 1976. The purpose of land acquisition was for forming a residential layout named BTM Layout Fourth Phase which was published in the Karnataka Gazette in 1988.⁴⁹ In 1990 the final declaration notification for land acquisition of Bilekahalli lands was published in the Karnataka Gazette for the formation of residential Byrasandra-Takarekere-Madivala (BTM) IV Phase Scheme.⁵⁰

Total land acquired, over a period of time, for various schemes of land development are as follows:

- (a) Land Acquired for institutional and residential purpose—to develop a campus for Indian Institute of Management was 50 acres.⁵¹
- (b) Land acquired for the Vijaya Bank Employees Housing Co-operative Society Limited was 111 acres 18 guntas.⁵²
- (c) Land acquired for the Vyalikaval House Building Co-operative Society was 250 acres.⁵³
- (d) Land acquired for the BTM Residential Scheme was 66 acres 29 guntas.⁵⁴
- (e) Total land acquired for J. P. Nagar 7th Phase, a residential Colony was 315 acres.⁵⁵
- (f) Land was acquired for Dollars Colony- a residential area for non-resident Indians.⁵⁶

Map 5.3: Extent of Land Acquisitions for Various Purposes as Marked by a respondent- Muniyellappa, C.⁵⁷



Spatial-Legal Formulations of Land Acquisition and Land Development

Land acquisition has been a contentious issue in Bangalore. Probability of uncontested land acquisitions is perhaps rare. The contentions in the post-independence period have gradually shifted from *rates of compensation fixed per unit of land* and to *regain land itself*, through litigation. Till the 1980s, the contentious issue was the rates of compensation to regain the land itself. This section will present a micro-level study of Bilekahalli village. It will consider both formal contests in the courts and the petitions or representations seeking interventions of political leaders, governmental authorities by the people of Bilekahalli over the questions of land and other related issues.

In 1976, the acquisition of 50 acres of land for the Indian Institute of Management was challenged legally. Total number of appeals filed in the civil court against the compensation settled by the Special Land Acquisition Officer included twenty-four groups and individuals. Appellants pleaded for the enhancement of compensation. The court had to fix the market rates for the lands acquired. The Special Land Acquisition Officer had valued 'some lands at Rs. 10,000/- per acre and certain other lands at Rs. 13,000/- per acre'.⁵⁸

While considering the compensation, the court took into account the location of the lands. Lands acquired were situated adjacent to Bangalore-Bannerghatta Main Road (a state highway), and was 'half or a mile' away from the limits of Bangalore City Corporation. The court also took note of the fact of existence of factories in the vicinity of the acquired lands.

Director of the Town Planning Development of government of Karnataka and his evidence discloses that these lands were reserved under development plan and that the said plan was approved by the government in the year 1972. In other words, the acquired lands had acquired considerable potential for industrial development as far back as the year 1972. It is because that these lands were adjacent to Bangalore city and that they were well suited for building factories and houses...In view of these facts it is held that the acquired lands had potential for building purposes.⁵⁹

The Land Acquisition Authority had not taken into account the above elaborated criterion to fix the value of the land. Thus the value of the acquired lands and the compensation had to be reworked again. The judge found the relevant sales agreements of lands in the vicinity during that time and accordingly appreciated the value of

compensation to Rs. 33,000/- per acre.⁶⁰ Thus the stage of the development of the area, the potential for industrial and residential development in the area and to the city were enhancing the potential of the land values gradually over a period of time.

In response to the judgment, the Special Land Acquisition Officer approached the high court with an appeal against the compensation rate fixed by the civil court. The plea was that the compensation rate of Rs. 33,000/- was on a higher side and the rate fixed per acre should not have crossed Rs. 25,000/- per acre.⁶¹ The appellant had pointed out that one of the sale agreement considered to fix the market value was inappropriate because the land sold existed adjacent to the main road, having higher 'potential' value. In another sale agreement the appellant had pointed out that the purchaser had bought the land in a hurry. So it did not "represent the price that could be paid by a willing purchaser". And in another sale agreements land area purchased was small when compared to the land area acquired for the Indian Institute of Management. Thus the appellant was emphasizing the nature of the agreements, the time of the sale agreements, the size of the land and location of the land.

The judge in this case did not find any evidence to show that due to urgency he paid a higher price. Thus judge observed that, "A purchaser becomes a *willing purchaser*⁶² only when he requires the land which involves the concept of an element of urgency and necessity".⁶³ The judge also observed that interior lands were not far away from the main road. The judge also found the land in sale agreement was 1 acre 25 guntas which was not small.⁶⁴ For the final contention that the appreciation rate of 10% on an average fixed was on higher side, the court observed, "we are concerned with the years 1972 to 1976 and the evidence on record shows that ever since 1961-62 the prices of the lands in the locality are in ascendance... It is a matter of common knowledge that the lands round about Bangalore [have] better and greater potential... The lands acquired are about 6 miles away from Vidhana Soudha [Karnataka Legislative Assembly]."⁶⁵ Thus the court retained the amount of compensation fixed by the civil court.

This contention was apparently about compensation. The question of compensation was intertwined with the potential for and nature of spatially expanding city (one of the constituting part of urbanization) and the land values it was generating.

Apart from that, the case also gives a picture of the private transactions in land by various parties who were developing land for various purposes, which definitely had consequences of increasing land values and the expansion of the city. From the point of view of the land development process, it was connected to the larger union government's educational-institutional and associated residential developments in the Bilekahalli area. The litigation process had thrown up only one contention of compensation. Otherwise, it was apparently a co-operative process between the acquirers and the acquired – the landowners.

Land Acquisition for the House Building Co-operative Societies (Vijaya Bank Employees Housing Co-operative Society Limited (VBEHCSL))

The next phase of land acquisition was for the housing co-operative societies. One has already taken note of this kind of a land development process in the chapter on legal processes and land development. This kind of land development has been meant for only housing needs of the associations of different neighbourhood groups, occupational groups, caste groups, etc., who want to have a permanent residence in Bangalore City.

For the first time, in 1982 itself, lands in the Bilekahalli were sought for the development of private residential purposes. Even before the government acquired lands for VBEHCSL, VBEHCSL had started buying lands for its society to form a residential layout for its members. VBEHCSL was forecasting the government action of land acquisition which was supposed to be in favour of housing cooperative society. Thus one of the agreements which is available states that,

[W]here as the steps are being taken by the government to acquire the scheduled land along with other lands for the purpose of the purchaser [VBEHCSL] to enable the purchaser to form a residential layout and form sites for the purpose of its members; and whereas with a view to facilitate the purchaser to expedite the acquisition proceedings and enable the purchaser to acquire the scheduled land....

That the vendor [B. Muniswamy] shall file such affidavit or statement before the authorities who take proceedings to acquire the scheduled land stating that the vendor has no objection for the acquisition of the scheduled land for the purpose of the purchaser and vendor will not claim compensation for the scheduled land more than the rate fixed in this agreement.⁶⁶

The whole language of the agreement which predicts the government actions/intentions is foreseen as favourable to one of the parties – the purchaser – in the

sale agreements. The agreement was moulding the actions of the vendor of the land for the future. (The G.V.K Rao Committee Report had held the actions of the HBCS in entering into such agreements with landowners as illegal.) This strategy of land development was placing greater onus on the landowners than on the purchasers or the government. Further the agreement sought more promises from the vendor as to not to challenge the predicted/proposed land acquisition of the scheduled land by the concerned authorities agreed in the sale. Still foreseeing the uncertainties of governmental land acquisition, if the “scheduled land is not acquired for the purpose of the purchaser by the government that vendor shall execute sale deed conveying his title in the scheduled land either in favour of the purchaser or its nominee as may be suggested by the purchaser in its absolute discretion...”⁶⁷ Either way, the land owner was being pressurized to enter into an agreement by making him conscious of the land acquisition so that he however would have to agree to the conditions put forth by the purchaser or otherwise face land acquisition.

Even before the matters of previous land acquisition for IIM were settled in the courts, another phase of land acquisitions initiated by VBEHCSL and it took the legal and logistical support of the government. In this context one could observe various responses of those people whose lands were acquired. Land acquisition process had taken approximately seven years of time – from 1983 to 1989. Acquisition process had to pass through various stages of official process before VBEHCSL could take the final possession of lands. At the stage of enquiry, government sought responses of the landowners to respond to the notified lands for acquisition. Landowners, governments’, and acquiring officer’s responses are conjoined in a report⁶⁸ juxtaposing the rationale of claims of the parties and the decision of the government. Here the exercise is to take note of different kinds of views of individuals or groups who were opposed to land acquisition and on what grounds the enquiry officer/government justified the land acquisition. The opposition to land acquisition could be classified into different sets of responses which highlighted different issues.

- A group of petitioners had submitted their objections to the land acquisition to Revenue Commissioner and Special Deputy Commissioner. The objections pointed out, the procedural lapses on the part of the government while initiating the land acquisition. Land acquisition notification published in the Gazette

1982, had not given thirty days of mandatory time from the date of publication, to file objections. So the objectors had requested the authority to cancel the land acquisition proceedings. Land acquisition officer in response to this objection had reported that government had cancelled that particular notification of 1982 as pointed out by the objectors and a fresh notification was issued without any procedural lapses, so there was no substance in the allegations.⁶⁹

- An objection contested the land acquisition saying VBEHCSL was not a “public body”, land acquisition was not for a “public purpose” as contained in the Land Acquisition Act.⁷⁰
- There were petitions which were at the same time in the form of appeal and contest against land acquisition. Household had expressed its inability to forego land, given its socio-economic position. The petition read that their household consisted of “8 persons. Their main occupation is agriculture [and if land is acquired] the claimant will be put to great hardship and misery”.⁷¹ In response to this, the land acquisition officer pointed out that the claimant had not appeared for the inquiry proceeding when it was conducted. So the objection ‘may be overruled’.⁷²

Fourth set of claimants were the ones who had already bought the lands through private transaction and had converted lands for residential purpose with the permission of the Special Deputy Commissioner. The objection highlighted the following: a. The notification of acquisition was issued subsequent to the formation of the layout; b. Individuals had site’s titles and numbers of sites in their name; and c. the acquisition proceeding had ignored the rules and procedure as prescribed by Sections 38 to 44 of the land acquisition act, i.e., opinion of the technical authorities should be sought before acquisition proceedings could begin, whereas in this case such opinion was ignored.

- Further, in an objection the petitioner had pointed out that the title of the land was in their name whereas in the notification it was wrongly notified as in someone else’s name. Land acquisition officer had postponed the judgment till the date of decision/enquiry of the award. And in another, the petitioner had stated that since the land under Eucalyptus cultivation which consisted of 11,000 trees was 5-6 years old and not mature for the harvest, acquisition of the land

was should cancelled. Land acquisition officer had postponed the decision till the date of the award regarding this objection too.

There were different sets of issues presented through or in the form of objection submitted by individuals and groups. These objections could be classified as procedural and legal, economic, questions related to planning, suggestive objections, institutional and principle questions. From the point of view of the acquiring body—VBEHCSL and the government—the decisions made could be classified as economic, procedural/legal, sympathetic, compensatory, suggestive compensation, concessional, land concessions and topographical justifications.

The following were the details of the objections along the lines of classified categories.

- Procedural/Legal: a. The concerned housing society should be viewed as a ‘company’ as enunciated in chapter 7 of the land acquisition act rather than viewing it as a “public body”. Thus the notification issued under section 4(1) of land acquisition act was considered to be appropriate; b. The government official who was to conduct enquiry under Rule 4 of the land acquisition rule should have had been Deputy Commissioner, but the government had not appointed an official of that rank. Instead enquiry was conducted by an official of a lower rank, a Special Land Acquisition Officer; c. Objections attacked land acquisition for housing society since it was not for a “public purpose” because objectors viewed house building cooperative societies as ‘private associations’; d. Time given to land owners to respond to the land acquisition was insufficient; e. Opinion of technical authorities was not sought before taking up land acquisition which was violation of section 30 to 44 of the land acquisition act; f. A portion of lands of the total land acquisition were already converted lands for residential purposes with the due permission of the designated authority. Thus acquisition proceedings were requested to be dropped; and g. Residential colony was formed before the acquisition proceedings were initiated. Thus for all above mentioned reasons land acquisition was sought to be cancelled.
- Economic: a. Lands acquired were agricultural and garden lands. Therefore in the objections the petitioners had pointed out that they would be unemployed if

the lands were acquired; b. Their investments in terms of farm houses, wells, water pumps, fence, etc., would be lost, and apart from crops, fruit bearing trees of various types would be lost. Hence they were opposing acquisition of such lands.

- Planning: Petitioners had claimed that their agricultural lands were included in the “Green Belt” assigned by the planning authority. Therefore it would violate planning norms. Hence acquisition was sought to be cancelled.
- Suggestive Objections: a. Land proposed for acquisition, in the view of objectors was far away from the city centre (12 kms). Therefore instead of acquiring their lands, they had suggested to the government to acquire agricultural land which was in proximity/adjacent to the city; b. Land proposed for acquisition was being occupied by the residential owners. Thus they opposed displacement; c. For another purpose (for Indian Institute of Management) their lands were once acquired and acquiring lands of the same people in next phase too was unacceptable, because they would totally lose all the land they had owned; d. In one of the objections it was pointed out that a canal passed through the owners lands. If that land was acquired for housing development, the other unacquired lands would not be fed with water since the canal would be blocked and leveled.
- Institutional: Objectors had questioned the role of BDA. They had questioned the housing cooperative society assuming the role of BDA. They felt that BDA was the only competent authority which could acquire lands, form layout, and distribute sites.

In response to these objections the acquiring body—VBEHCSL and the Land Acquisition Officer—had made a decision, which could be classified as economic, procedural-legal, sympathetic, compensatory, suggestive compensation, concessional, land concessions, and topographical justification, all intertwined.

- Economic: a. It is already elaborated in detail, the concessions given to the government employees who had bought sites in a private layout and had started building houses by procuring loans; b. After the assessment of the infrastructure invested in agricultural lands, the Land Acquisition Officer, though had felt sympathetic to the objectors, found the rationale in the compensating them

sufficiently for which VBEHCSL was ready to bear the costs and since lands were for “public purpose”, they were decided to be acquired because acquisition was according to law; c. VBEHCSL was not only ready to compensate, but was also suggesting that the petitioners buy lands elsewhere to practice agriculture. It was suggested that “society...[was] prepared to bear the compensation. The petitioner may purchase the land elsewhere”⁷³; d. In the cases where the petitioners were residing in farm houses, certain area of land was to be left unacquired; e. In case of three petitioners the acquiring body found that land acquisition could not be cancelled for the reason that lands were in the middle of other lands; f. The land acquisition officer found that, in the case of three petitioners, since their lands were “dry lands” they could be acquired without greater loss.

- Procedural/Legal: In response to that, the acquiring authority had stated/justified that “The members of this Society [VBEHCSL] are the employees of a Nationalized Bank. They are in need of houses in Bangalore City, where they are working.”⁷⁴ Therefore acquisition of lands had a legal basis i.e., section 4 (1) read with section 3 (f), section 39 and 41 of the land acquisition act gave the meaning of “public purpose”.⁷⁵ Another group of petitioners, the site owners in a private layout had highlighted that: a. The notification of acquisition was issued subsequent to the formation of the layout; b. Individuals had site’s titles and numbers of sites in their name; and c. The acquisition proceeding had ignored the rules and procedure as prescribed by section 38 to 44 of the land acquisition act, i.e., opinion of the technical authorities should be sought before acquisition proceedings could begin, whereas in this case such opinion was ignored. In response to these objections, the Land Acquisition Authority and the VBEHCSL were in agreement with the first two points with the objectors, but on the third point they had differed. To justify their difference Land Acquisition Officer elaborated on the procedures and the technicalities of the assessment. Firstly, the concerned had entered into an agreement by ‘abiding to all conditions’ and had deposited the required amount of money⁷⁶ with the authority for the acquisition costs of the land. Secondly, the opinion of the technical authorities—the BDA, Special Deputy Commissioner, Principal Agricultural Officer, Deputy Registrar of Co-operative

Societies, etc.—were taken. Thirdly, the converted land for non-agricultural purpose was not within ‘Green Belt’ and so on. What is significant is, apart from the legalities and technicalities involved, the authority was sympathetic to the claimants’ concerns. The Land Acquisition Officer assessed the situation and the whole socio-spatial formation and observed that land

measuring 2 acres 34 guntas in all has been converted for non-agricultural purpose, namely for residential houses...*Most of them all officials working in several Departments.* Each one of the sites purchased by them has been assessed by the village panchayat as a building site...*Many of the officials have obtained House Building Advances from their respective Departments and started constructions...*All these site owners...have formed an association and vehemently oppose acquisition of sites in favour of VBEHCS...*Since these 60 persons who have purchased the sites in this converted land are officials, started constructions by obtaining loans, etc., it is not desirable to acquire this land to give it [to] some other agency for the same purpose. As a matter of fact the society is the second applicant to ask for this land for this purpose.* Hence acquisition of 2 acres 34 guntas land...has to be dropped.⁷⁷ (emphasis added)

The Land Acquisition Officer was concerned about the official status of the site owners, their economic condition, their loans, and since they are employees of the government they were supposed to have the same legitimacy over the use of land for residential purposes as the concerned acquiring society had.

- Institutional: On the question of BDA’s role: which was supposed to perform the functions of producing a layout and distributing sites, on the contrary the private association-house building cooperative performed this role which was objectionable. Against the objection the inquiry official was of the view that according to the law it was sufficient to take the opinion of the BDA. Besides this, the government officials too had aided the land acquisition process. To that extent the role of BDA was mandatory and all other functions of the BDA could be substituted by the house building cooperative society. The official added that BDA was overburdened in creating ever expanding supplies of lands. Given this condition, if a housing society had volunteered to share the work, it would reduce the burden on BDA in solving the problem. The official said that:

It is humbly submitted that it cannot be denied that Bangalore Development Authority is not in a position to discharge its obligation to make available house sites to all the members of general public. Under these circumstances the Society [VBEHCSL] like the acquiring body has come forward as a matter of fact to *perform a public duty* of an authority like Bangalore Development Authority to help its members to acquire house sites and solve housing problem in Bangalore city and if the lands in question are acquired, sites formed and houses are built, to a great extent, it will reduce the burden on the state to solve housing problem in the city. Admittedly, the land in question is sought to be acquired for the purpose of the said society. It is a public purpose. Society is a company within the meaning of the Act. The acquisition of the land for the purpose of the acquiring body cannot be challenged on any ground.⁷⁸

What does this inquiry reveal? a. The housing colony which was formed before land acquisition was initiated, had the legitimacy of being and becoming a part of the urban area. The inquiry was sympathetic to the existence of the colony dwellers. b. The authority in considering or interpreting “public purpose” was legitimizing the creation of residential colony to the bank employees who were members of the housing cooperative society. c. Though the recommendations while addressing objections were sympathetic in a few instances, they were by and large compensatory in nature. The acquiring body and the inquiring body had considered monetary compensation as the only obligation or mandatory solution for the land losers. They assumed that the land losers in the acquisition process would purchase land elsewhere, which would substitute their lost agricultural land, employment, infrastructure, etc. The inquiry was purely urban-legal in its approach, which was creating conditions for the employees’ and officials’ housing.

Legal Proceedings

After the inquiry proceeding in 1985, the government made a decision to acquire land in favour of VEBHCSL.⁷⁹ There was a flurry of petitions at the Civil Court and the High Court seeking judicial interventions against acquisition. There were different groups among the people. They included individuals, caste groups, common groups, joint families, etc., who represented their cases in the courts at various levels and again approached the concerned authorities with new petitions pleading for withdrawal from the land, on both legal and social (poverty) grounds. At the legal level, again, they questioned that since the acquiring body, VEBHCSL, was a private body, land acquisition could not be for public purpose. And since VEBHCSL was considered a private ‘company’, the acquisition was not for public purpose, and so on. All these petitions and appeals were dismissed for one single reason that Section 3(f) of the land acquisition act (amended in 1984) among other things gave legitimacy for land acquisition for House Building Cooperative Societies by taking government’s assistance. People who were disoriented due to land acquisition were repeatedly petitioning the authorities and filing appeals in the courts expressing their conditions of unemployment, poverty, low compensation rate, and so on. Regarding these questions the court had only considered the enhancing monetary compensation as a solution and

no other social questions like poverty, unemployment, etc., were taken into account. The court reduced everything to monetary solution.⁸⁰

Special Land Acquisition Officer had fixed compensation amount at Rs. 55,000/- per acre, whereas the petitioners had demanded Rs. 70,000/- per acre, and marginally higher amounts of compensation. People were not very concerned about the compensation but were really bothered about land per se. They were worried about losing their small pieces of lands. Many of them had complained/petitioned that they had lost lands already and were parties to multiple land acquisitions.⁸¹ According to law these issues or contentions were non-contentions or non-issues legally for the courts and authorities, because policies of the government were aiming to solve the problems created by urbanization—the shortage of housing supplies. Even the civil appeals which were represented at the Supreme Court were dismissed on similar grounds.⁸² All these events were happening in the intervening period of declaration of land acquisition and the announcement of the award/compensation. The compensation was announced on 26 July 1987⁸³ which was again countered. However, all the petitions submitted at various levels went unheeded, and finally land was handed over for the possession of the Vijaya Bank Employees House Building Co-operative Society on 1st October 1988.⁸⁴

Land owners apart from approaching the courts, had also been approaching heads of the State and Executive with their petitions/complaints. Small farmers and villagers of Bilekahalli had sent a petition to the President of India seeking his intervention to direct administration to drop the acquisition proceedings. They had pleaded:

We the unfortunate small farmers of Bilekahalli...have been threatened with total annihilation by the threatened acquisition of our small bits of land for the Vijaya Bank Employees Housing Co-operative Society, Bangalore, and since our efforts to save ourselves from the ruination at the hands of the administration has not borne fruits. We take this GOD SENT OPPORTUNITY of bringing to your Excellency's notice our grievances and humbly pray your Excellency to be pleased to direct the administration to drop the acquisition and thus save our families.⁸⁵

Further petition also gave an account of the previous acquisition for the Indian Institute of Management and highlighted that the lands belonged to poor and backward castes.⁸⁶ Petitioners had also alleged, in a petition to the Chief Minister of Karnataka, that land acquisition was taken “under the influence of money and political influence”.⁸⁷

In 1985 “Land Owners of Bilekahalli” under the subject “crusade and boycott” of land acquisition, represented a letter to the Chief Minister of Karnataka, opposing land acquisition for the VBEHCSL. Land owners pointed out the problems involved in the interaction between the land acquisition officials and the land owners. They termed the treatment during the interactive sessions in the office of Land Acquisition Officer as ‘misbehaviour’ and the importance given to a ‘tout’ who was interfering during interactive proceedings of land acquisition matters.⁸⁸ They had finally pleaded Chief Minister’s intervention: “This is the last and desperate attempt we have at our disposal. With folded hands we pray for justice”, mentioned the letter.⁸⁹ The land losers of Bilekahalli had approached the Member of the Legislative Assembly (MLA) of their constituency. The MLA had written a letter to the then Revenue Minister highlighting that the lands which were proposed for acquisition belonged to small landholders from backward communities and who were involved in horticulture and agriculture. Thus, he requested the Revenue Minister to intervene and cancel the land acquisition which had been taken up for VBEHCSL.⁹⁰

The interventions to take over lands by employing police began in the first half of the year 1989. In the aftermath of the forceful take over of the acquired land, the villagers approached various heads and officials of the government with a flurry of petitions. These petitions were addressed to the police, Chief Minister, Governor, ministers, Chairman of BDA, Deputy Commissioner, etc. The two petitions to the governor of Karnataka indicate the process. Petitioners were expressing their “unbearable sorrow” and “agony” in trying to save their families and the village from the oppressive acts of VEBHCSL. Petitioners were still claiming lands as their own for these reasons: a. They were still cultivating their lands; b. Lands which were supposed to be taken into the possession were within the ‘gramathana limits’; and c. The ‘injunction suit’ was pending against acquisition proceedings in the City Civil court, Bangalore.⁹¹ They were pleading for the Governor’s intervention to prevent eviction from their lands by the police. They had characterized the land acquisition as ‘land grabbing’ by the House Building Cooperative Society. The petition reminded the Governor of the G V K Rao Committee investigation into the activities of the HBCS. The report had found gross violations and illegalities in the activities of most of the HBCS, except a few. The petition highlighted the police repression while taking the possession of the land.

Again similar issues were brought to the notice of the authorities with some new issues being added. One of the issues was the boundary of the village and space for the expansion of the village. For the expansion of any village, according to the rules, 600 feet or 200 metres of the land encompassing the village, termed as 'gramathana', was left vacant for the villagers' residential use. Acquired land had parts of built-up area with licenses of the gramathana land.⁹² The Vijaya Bank Employees House Building Co-operative Society had withdrawn from certain lands favouring some land owners. The petitions accused the society of adopting a strategy of 'divide and rule' to stop the agitation. One of the petitions accused that the leader and few of his close followers who had 'spear-headed' the agitation against the Society were given concessions by deleting more than 1½ acres of land which was originally included in the 4(1) notification and was promised 5 more sites in the layout when it would be formed and was given money from the secret funds of the Society.⁹³ Thus the petition had demanded that: "If one set of persons among the land owners be shown such concessions to the detriment of others, this amounts to discrimination in the acquisition of lands and there is no fair play but everything foul. If persons who have surrendered to the Society could be shown the concessions like deleting a portion of the notified land, grant of sites in addition, why not the same be extended to others."⁹⁴

The land owners were situating the problem of dispossession of lands in the broader context of government policy, expansion of the Bangalore City, and loss of employment. They pleaded:

We are poor farmers belonging to Thigala Community owning few guntas of garden land by each family and earning our livelihood. None of us own land in terms of acres. Each one of our families consist large number of members. We are by profession gardeners and almost the entire lands which were owned [by]our community, around the Old Bangalore City, is now being used to form several extensions by Bangalore Development Authority. They were all gradually acquired by the City Improvement Trust Board and extensions like Jayanagar, Koramangala, J. P. Nagar, Indiranagar, etc., [were] formed. On account of these lands acquired from our community members, it has struck a blow on our very existence. The Government was approached requesting to ban the acquisition of lands belonging to members of our community in order to prevent further ruination. Accordingly the Government was pleased to issue an order bearing No. HUD 91 GGL 78 dated 15th November 1978 directing that lands belonging to members of Thigala Community who are gardeners and horticulturists should not be acquired. Respecting this Government Order banning the acquisition of lands belonging to Thigala Community, the Bangalore Development Authority has been pleased to cancel the acquisition of lands belonging of the members of our community in Egipura, Neelasandra, Lottegollahalli, and in other places around the city. But in the case of acquisition of lands in favour of House Building Co-operative Societies, the said Government Order is not strictly enforced. In particular, in the case of Vijaya Bank Employees Housing Co-operative Society Ltd., the ban has been thrown to winds and all our lands which are protected from acquisition have been under acquisition...⁹⁵

There were dispossessions of other kinds too. Poultry farm owners who had established their farms which were part of the acquired lands incurred losses because the take over of the possession of land was done in haste without giving a prior notice to the landowners or the farm owners, leaving no time to shift the poultry birds. The poultry farm was set up from borrowings from banks and friends with proper approval and license from the concerned authorities⁹⁶. These were the copies of the petitions which were gathered from some of the respondents while doing fieldwork. The respondents who provided the copies of the letters said that these letters/petitions did not yield any response from the higher authorities. Thus they had lost faith in the administration and acquisition proceedings. The compensation fixed per acre of land was also very low. The costs involved in approaching the courts at various levels and petitioning various authorities were also mounting, and the results were not in their favour. Thus the villagers had lost hope.⁹⁷

What can one gather from the process of land acquisition and justifications for the kind of land development? At one level, apparently land losers were resenting the private housing cooperative society acquiring their lands. The real problem was mainly to do with the question of their future, especially employment, because many of them were losing their lands for the second time, compounded by lack of education, business skills, money, etc. They felt that compensation was very low and constantly referred to the rising prices of the sites in the interviews. Above all they constantly referred to their backward and schedule caste background.

Land Acquisition and Land Development of Vyalikaval House Building Co-operative Society (VHBCS)

In Bilekahalli the third phase of land acquisition began in 1986 in quick succession, even before the issue of VBEHCSL was settled. Land acquisition for the VHBCS was initiated in 1986 and was finalized in 1988 by the government. The analysis of the land acquisition and land development for VHBCS proceeded from a landmark judgment—*Narayan Reddy & Another vs. State of Karnataka and Others*⁹⁸—on the issue of land development taken up by house building co-operative societies in Bangalore city. The land acquisition for VHBCS in Bilekahalli was addressed too by

the court along with other similar cases. The court was mainly focusing on the petitions submitted against seven parties: HBCS-Vyalikaval House Building Cooperative Society, HMT Employees Cooperative society, Bank Officers Co-operative Society, REMCO Employees' House Building Cooperative Society, Amarjyothi Cooperative Society, Bangalore-Chickpet House Building Cooperative Society and Jayanagar House Building Cooperative Society. The court was addressing the broader questions of land development in the context of the findings of G V K Rao Committee Report regarding the wide spread illegalities/violations involved in residential developments by house building cooperative societies. The role of government and its institutions which were part of the illegal/violation processes were also questioned.

However what is significant is to take note of the case pertaining to VHBCS and the acquisition and land development process in Bilekahalli. It is important to recapitulate the two significant contentions which proved the illegalities of the housing cooperatives.

- (a) The acquisition on land in favour of the respondent, House Building Cooperative Societies, is not for allotment of sites to their bonafide members for their bonafide purpose, for the reason, these societies are indulging in big commercial ventures of sale of sites for which purpose the societies have entered into agreements with builders and contractors and have enrolled large number of bogus members and associate members for achieving illegitimate object, and the decision of the State government to accord previous approval and sanction for acquisition of the land was bad not only on account of non-consideration of these relevant facts but also on the ground that the impugned acquisition is a clear case of *colorable exercise of power*. (emphasis added)
- (b) The extent of large scale acquisition of land in favour of respondents, House Building Cooperative Societies..., would at once show that there has been large scale abuse and arbitrary exercise of power to acquire the lands under the Land Acquisition Act, which has the effect of circumventing and defeating the provisions of the Bangalore Development Authority Act, 1976, under which the power and obligation to develop the City of Bangalore and areas adjacent thereto and matters connected therewith, and thereby rendering the constitution of Bangalore Development Authority purposeless.⁹⁹

With regard to VHBCS, the petitioners had accused that affluent individuals were in the process of converting black money by investing in high rise buildings and housing sites with the help of real estate agents and HBCS. The members of the HBCS were neither from the state nor from Bangalore city. They pointed out the nexus between the political parties, bureaucrats and the real estate agents. Political parties which were in power were collecting huge amounts of money from HBCS.¹⁰⁰ VHBCS aided by the investments from real estate agents and the black money magnates was acquiring agricultural lands 'under the garb of distributing sites to its members'.¹⁰¹ The

society was employing agents who were paid huge amounts of money to bribe the officials and planning authorities to get the acquisition and layout approved. The officials were bribed to issue a preliminary notification of acquisition of lands.¹⁰² They would get the preliminary notification issued to scare the land owners of land acquisition. ‘The circumstances makes it clear that the Notification...would be issued primarily for the purpose of scaring the owners of the lands and pressurize them to submit to the dictates of the...[VHBCS]’.¹⁰³ Thus the land owners, ‘gullible, uneducated, helpless poor agriculturists blindly,’ would agree to sell the lands ‘for some higher price than what they actually get if their lands... [were] acquired and the agents of the [VHBCS] paid advances towards the purchase money to the owners of the lands and obtained...signatures on the blank papers by way of vouchers for the amount already paid.’¹⁰⁴

The case in point here is the agency which was employed by the VHBCS to commercialize the venture. VHBCS had set up its real estate business, instead of cooperative activity in housing for public purpose. The activities of VHBCS were evident in its advertising strategies to attract site buyers. The advertisement invited its prospective clientele saying “An invitation to make your Mighty Mansion in Bangalore”, and further mentioning that it was “yet another prestigious project’ in “The Garden City of India”. This particular project planned was on the Bilekahalli lands. Their consulting agencies were located in another part of Bangalore and in Dubai. VHBS was inviting people to buy sites in real estate projects from across places and non-resident Indians as well. It had announced its sites of various measurements catering to different segments of buyers.¹⁰⁵ The Table 5.12 gives the picture.

Table 5.12

Size and Price of the Residential Sites

Size in feet	No. of Sites	Sq. Yd. Per Site	Amount in Rs. 160/- Sq. Yd	Advance (in Rs.)	Deposit
60x120	100	1066.66	1,70,665	50,000	
60x90	150	600.00	96,000	40,000	
50x80	150	444.00	71,110	35,000	
40x60	600	266.00	42,665	20,000	
30x50	400	166.66	26,665	15,000	
30x45	150	150.00	24,000	12,000	
30x40	150	133.00	21,332	10,000	

Source: Narayana Reddy & Another vs. State of Karnataka and Others, p. 563

The widespread phenomenon of illegal land development and creation of market for distribution through exchange, led the government to appoint a committee to investigate acquisition of lands for one hundred house building cooperative societies which had sprung up within the Bangalore Metropolitan Planning Area. Acquisition of lands for housing societies had become a matter of “public debate and criticism”. Thus an enquiry was ordered by the government. The Registrar of Co-operative Societies, under Section 64 of the Karnataka Co-operative Societies Act, 1959 conducted the enquiry. The Committee headed by GVK Rao, had established the allegations against the housing co-operatives.¹⁰⁶ The VHBCS had failed to appear for the enquiry. Therefore a separate enquiry was ordered which was conducted by Joint Registrar of Co-operative Societies. The enquiry revealed that there were “a. Irregularities in the enrolment of members; b. Bogus membership; c. False agreements with landowners and Estate Agents; d. Collection of excess site deposits from members; and e. Irregularities in the distribution of sites”.¹⁰⁷

VHBCS had admitted members who were external to the spatial jurisdiction. Under the conditions of the bye-laws 2 and 13, VHBCS could admit only members within the spatial jurisdiction of Bangalore City Corporation and Bangalore Development Authority and the age of the member should have been more than eighteen years. On both the preceding counts VHBCS had violated bye-laws. Its membership included some residing outside Karnataka and outside India and those below eighteen years were in a few cases. The other irregularity included acceptance of ‘nominal members’ as ‘associate members’ who were not the shareholders and thus were not eligible for the sites. Some individuals had signed on behalf of the applicants. In significant number of cases applicants had given the same address for more number of sites.¹⁰⁸ The court termed the agreements as ‘false agreements’ since the VHBCS had entered into agreements via agents than directly with the land owners and VHBCS had paid large sums of advance without any security guarantee to real estate agents which was in violation of the provisions of Negotiable Instruments Act and so on.¹⁰⁹ For all the preceding reasons elaborated, the court had concluded that the “facts lead to an irresistible inference” that VHBCS was “indulging in the business of selling sites and to make money”.¹¹⁰

With regard to the second significant contention, the role of Bangalore Development Authority, the court said that “using power to acquire the land under the Land Acquisition Act and acquiring all available land in the area in favour of so many societies renders the Bangalore Development Authority workless and purposeless...”¹¹¹ Thus the court took a view that BDA as an institution must function effectively by initiating development works like the formation of housing layouts. Otherwise the BDA under special law would be futile and the investment in the institution would be a waste. Only in ‘exceptional’ cases the HBCS should be allowed to acquire land.

The court had allowed the writ petitions against VHBCS and had prohibited it from allotting sites and forming layouts. In response to the High Court judgment, VHBCS had approached the Supreme Court. The Supreme Court had only confirmed the findings of the High Court and dismissed the appeal of VHBCS.¹¹² The Supreme Court added that land acquired for the VHBCS was to be cancelled and the land ought to be restored to the respective owners irrespective of whether they had challenged the land acquisition or not, and after the restoration of the lands to the respective owners, they ought to pay back the amounts received as compensation either from the government or any others.¹¹³

Socio-Spatial Formation

To study the situation in Bilekahalli, a combination of survey and ethnographic methods were adopted. Spatial unit of the village as delimited and recognized by the villagers including the first survey map was used for the study of the area. The purpose of taking into account these two sources were:

- a. The village at present has expanded with the expansion of the city. In fact, it has now become a part of Bangalore City.
- b. Significant numbers of original inhabitants of the village continue to inhabit there, though many have expanded their lived places to the newly formed layouts which border the village.

All this came to light during the pilot study of the village. Accordingly, the old became the area of the study. The purpose of the study was to identify the original landowners of the village and to elicit information about the changes which had been

taking place in the village over a period of time. Thus, the first task was to undertake a household census.

Before we go into the question of the changes or the development in Bilekahalli area, one could briefly take a look at the existing general conditions before the developments could take place. During the post-independence period, small business establishments and factories gradually came into being along the Bannerghatta Road. Starting from Dairy Circle further along Banerghatta Road, there have been developments over a period of time. After the establishment of Bangalore Dairy, a government enterprise, a circle was constructed and named Dairy Circle. Dairy Circle is a meeting point of four roads. Roads from the north and west diverged towards east and south known as Hosur Road and the Bannerghatta Road. One of the earliest and major establishments opposite to one of the corners of Dairy Circle was the Dharmaram College established in the late 1960s. Before that, there had been the other establishments, opposite to the Dairy Circle, they are Dharmaram College and Government's Industrial Training Institute (ITI). Further, a Tiles Factory was started immediately after Independence near Guppanapalya Main Gate, beside Bannerghatta Road. And in the same place, Mule Rangappa Wine Factory was set up in the early 1960s. Further towards south besides Bannerghatta Road, Ruby Rubber Factory came up in early 1950s and was a furlong away from the Bilekahalli entrance. Villagers of Bilekahalli and other villages were its employees. In the later stages alongside Bannerghatta road many commercial establishments, small business enterprises, workshops, factories, etc., developed. For almost three decades of the post-Independence period, developments were gradual. But with the expansion of Bangalore in 1980s, the city developed faster. Those were the existing conditions before major change took place in the Bilekahalli village area.

In the foregoing discussion, one can see that by early 1960s, Bilekahalli was already a part of the Local Planning Area with many other villages. Before we map the changes in the Bilekahalli area, one could take note of the background of the development in the adjacent villages. What was taking place in the extreme southern end of Bangalore City? As one knows already, Jayanagar extension which was initially planned in 1945 was not developed until 1960s. The next phase of expansion was planned in the adjacent village lands of Sarakki, Marenahalli, Sarakki Agrahara, etc.,

and these were acquired from the late 1960s onwards from which Sarakki layout developed. Sarakki layout was renamed as J.P. Nagar (Jayaprakash Narayan Nagar) in the early 1980s after the new Janata Party government was elected to head the government. Simultaneously, in the south-west of Bangalore, Banashankari Layout and in the south-east Thavarekere-Madivala layout, were planned and developed by the government. Given this background, by 1970s the land available for the next phase of developments in the extreme south of Bangalore were the lands of Bilekahalli, Arekere, Sarakki gardens, Jaraganahalli, Kadarenahalli, etc., and they were to be developed.

Bilekahalli is situated in the southern part of Bangalore City. The boundaries of Bilekahalli village were bisected by the passing Bannerghatta main road running from north to south. Thus the village was divided into two. One was the western part of the village, and the second included village lands, the gramathana area and the residential core of the village. The western part of the lands was bound by villages Nayanappashettyalya and Sarakki Agrahara on the north, extending from north to north west; agricultural lands of Sarakki and Puttenahalli village in the west, extending towards south; and Arekere village in the south, extending towards east. The eastern part of the village was bound by Nayanappashettyalya village in the north extending towards east; Kodichikkhalli and Devarachikkanahalli village in the east, extending towards south; and in the south, Arekere, extending towards east. Again a road bisected the eastern part which ran towards Begur. In the western part, a water tank existed by name Ningannanakere, so also a small pond(kunte). And in the eastern part a small pond (kunte) and a part of Madivala tank belonged to Bilekahalli village. Most of Bilekahalli's lands were arable lands with only a few patches of kharab (fallow lands) lands (See Map 5.2).

One of the respondents said that Bilekahalli¹¹⁴ was known as “Kadu Bilekahalli” signifying wild (*kadu* meaning forest/wild here). In the early 1970s, Bilekahalli was a village with its own agricultural lands. People of the village were agriculturalists, horticulturalists and floriculturists. In those days, the village was situated about five to six kilometers away from Bangalore's boundary and about twelve kilometers away from the Cantonment centre and about fifteen kilometers away from K. R. Market of Bangalore city. There was another centre—Basavangudi-Gandhibazar—which the villagers were familiar with. Villagers were dependent on Cantonment than on other

places to sell their produce. People in those days would walk to the city, carrying on their head vegetables, fruits and flowers to sell in the market. If people could not carry on their head, then they would hire a bullock cart to transport horticultural or agricultural produce to the market. Other modes of modern automotive transport were still rare.

People of the village grew ragi, jowar, maize and paddy. Horticultural products like beans, carrots, double beans, brinjals, peas, broad beans, clustered beans, cauliflower, cabbage, radish, potatoes, beet roots, bottle gourd, bitter gourd, ash gourd, ribbed gourd, snake gourd, cucumber, sweet potatoes, pumpkin, sugarcane, tomatoes, spring onion, onion, ginger, turmeric, coriander, green pepper, lemon, sweet lemon, coconut, capsicum, and other greens/vegetables; flowers- jasmine, rose, marigold, sevanthige, sugandharaja, maraga, paneer, etc., were common. Fruits, mainly Bangalore Blue grapes, guava, chikoo, mangoes, etc. were also grown. Apart from this, they reared goats, sheep, cattle, local country fowl, etc., for local consumption and for milk used for both local consumption and for selling. Since the land holdings of the households were relatively small, the agricultural operations were manual and draught animals were used to prepare lands for cultivation. Lands were irrigated by the tanks and wells, and all the water sources were dependent on rains.

Bilekahalli was connected to the city by virtue of being in the vicinity because of its exchange of agricultural and horticultural produce.¹¹⁵ The social structure and organization of agricultural and horticultural production has been based on the caste composition in the village. Thigalas are the largest community in the village. The next largest community is the Scheduled Caste (Adi-Dravida), followed by Gowda/Vokkaliga, Mudaliar, Brahman, Bestharu, Agasa, Golla, and Balebanajiga. The Mudaliar households migrated to the village and settled down long back. There were also migrant Raju households who owned Bilekahalli lands, but were not part of the village community. Shanbhogs- the village accountants who were brahmins owned about fifty acres of land which was the highest land ownership in the village. Brahmins used agricultural labour to cultivate their lands and partially allowed share-cropping. One of the Mudaliar household owned twenty five acres which was the next highest. As Thigalas constituted the majority, they together owned more lands than any other community. All other castes households too owned lands. Due to land reforms in the

early 1970s, some of the households got their share from Shanbhog Inamthi lands. Table 5.13 shows the social composition of the village and land holdings of respondents before land acquisitions by the government and other agencies.

Table 5.13

Social Composition of the Land Ownership of the Sample Households

LandOwnership before land acquisitions	Different Castes Households								Total
	Adi-Karnataka	Thigala	Gowda/Vokkaliga	Didn't reveal the caste	Mudaliar	Bestharu	Golla	Bale-banajiga	
1-5 guntas		1							1
6-10 guntas	1	4					1		6
11-15 guntas	1	2							3
16-20 guntas		4							4
21-25 guntas	1	1							2
26-30 guntas	1	1							2
Contd...									
31-35 guntas		1							1
Table 5.13 (contd.)									
1-2 acres	12	11				1		1	25
3-4 acres	6	15	2		1				24
5-6 acres	2	6		1					9
7-8 acres	1	5	1						7
9-10 acres	1	2							3
10 acres and above		3							3
Total	26	56	3	1	1	1	1	1	90

Table 5.14 shows the occupational structure of the sample households' members.

Table 5.14

Caste and Occupation of Sample Household Members

Occupations	Members of Different Caste Households								Total
	Adi-Karnataka	Thigala	Gowda/Vokkaliga	Didn't reveal the caste	Mudaliar	Bestharu	Golla	Bale-banajiga	
Bank Employee		1	1						2
Government Employee		4							4
Agriculturist	22	41	2	1	1		1	1	69
Private Factory Worker		3				1			4
Dairying		2							2
Brick Kiln Worker	1	3							4
Bullock Cart Owner	1	1							2
Garden Work	14	36		1		1			52
Manual Work-Carriers of weights on their head-manure and soil to fields , horticultural products to the market, loading and unloading at the market, etc	7	15			1				23
Petty Business	1					1			2
Oil Seller- Kerosene, Edible oils, etc.								1	1
Blacksmith's Worker	1								1
Blacksmith	1								1

So far the process and phases of land acquisition of Bilekahalli village lands for Indian Institute of Management, Vijaya Bank Employees Housing Cooperative Society, Vyalikaval House Building Cooperative Society Ltd., BTM Layout, Dollars Colony, etc., which began in the mid 1970s and continued up to early 1990s has been outlined. Given this background and the process, the responses of the people of Bilekahalli would be mapped in this section.

The Table 5.15 shows, the sample number of households who had gone through multiple acquisitions and agencies which acquired lands.

Table 5.15

Land Acquisitions by different Governmental and Government Supported Agencies

Acquiring Agency	No. of Households
Central Government-IIM	29
State Government	13
Vijaya Bank Employees House Co-op., Society	47
Vyalikaval House Building Co-op., Society	18

Of the sample 90 households had gone through multiple land acquisitions. The Table 5.15 shows that the Central Government, State Government, and the House building Cooperative Societies were at work to consume lands of Bilekahalli for their needs. Largest number of households, forty-seven, had lost their lands in the acquisition for the VBEHCS. Twenty-nine households had lost their lands when the Central government acquired lands to establish Indian Institute of Management. Eighteen households had lost their lands when lands were acquired for Vyalikaval House Building Cooperative Society, and thirteen households had lost their lands in other State Government acquisitions. Thus there were multiple agencies that acquired lands. On the one hand the government agencies, both Central and State, acquired land to create space in a planned manner, and on the other, quasi-legal agencies viz., HBCS negotiated first with the government and with people whose lands were to be acquired and these agencies had to accept and adhere to the urban planning, drawn up by the government agencies according to law, to create space for their needs.

How were these agencies negotiating with the people and on what terms? One could take into account three instances which give a relatively complete picture. In the first instance of land acquisition to establish the Indian Institute of Management, the acquiring government agency was only negotiating the rate of compensation with the people and people were also negotiating the rate of compensation with the government. But the negotiations had failed. Thus there was a long drawn litigation process initiated by the people. The issue was eventually decided by the courts saying that the rates of compensation were low, and they had to be enhanced substantially. In this particular case, the court assessed the land values in terms of its 'potential' of the urbanizable land after considering the rates prevalent in the adjacent areas and the development, in terms of gradual industrialization of the area and the rising land values.

In the second phase of land acquisition, the Vijaya Bank Employees Housing Cooperative Society (VBEHCS), a registered body under The Karnataka Co-operative Societies Act, 1959 could seek acquisition of land through the government and government in turn had a provision in the Land Acquisition (Mysore Extension Amendment) Act 17 of 1961 to acquire land for any housing cooperative society. Even before the process of land acquisition could be initiated by the government, in the 1980s itself, the VBEHCS had begun negotiating with landowners to purchase lands. Some of

the landowners were ready to sell lands but most were not. Thus the VBEHCS attempted to purchase lands from the villagers of Bilekahalli through negotiation but Bilekahalli villagers did not yield to pressure from VBEHCS. They repelled the attempts. The VBEHCS threatened the villagers that they would acquire lands through the government. Since it became impossible to buy lands directly, the VBEHCS approached the government to acquire lands. Villagers were of the view that the VBEHCS could not negotiate to buy lands at cheaper rates and it also could not procure larger area of land for its needs since most of the villagers were not ready to sell lands. Thus it could not do with the fragments of lands it had directly bought. After the government initiated land acquisition for the VBEHCS, villagers began to resist the acquisition process. During those moments the VBEHCS approached the village leaders who were leading the movement and made a secret deal to make concessions for the select few. Under these conditions the leaders withdrew from the resistance, but villagers continued the resistance. When eventually acquisition process reached the final stage of taking possession of lands, villagers directly confronted the VBEHCS and the acquiring authorities. Since the villagers were not ready to give up the resistance, the acquiring authorities had to use the police force and the VBEHCS too deployed its own private extra legal force in addition to put an end to the resistance. Thus the villagers' resistance came to an end by forceful acquisition and possession of Bilekahalli lands. Three of the respondents showed deep scars of the violence on their bodies. Respondents said that the VBEHCS had brought mafia from Bombay. Villagers approached courts against the land acquisition both individually and collectively. This was a long drawn process that did not uphold people's interest. This form of land acquisition process was partially a transparent process, which was justified in pure legal terms, whereas the modes of negotiations of the land seeking quasi-legal bodies were not transparent. Respondents view that they lost their cases because they lost the legal battle in court. According to them, the case was lost because the persons (Bhunts) who were heading the VBEHCS had their own caste judge in the High Court. They also said that in the layout formed, Bhunts were allotted maximum sites. Villagers' say that the "group housing scheme"- the housing estate built for the Vijaya Bank Employees has not been used by employees. These houses have been let out by the house owners for rent. Software and other professionals have become tenants, which according to villagers is illegal because it has not served the purpose of land acquisition for the VBEHCS.

In the instance of the Vyalikaval House Building Cooperative Society (VHBCS) land acquisition, this time village leaders in alignment with the VHBCS initiated the process. It is already mentioned that the court had found illegalities in terms of the process of land acquisition for real estate business. So the court had ordered to stop the illegal proceedings. Simultaneously or in quick succession, Bangalore Development Authority, too had acquired Bilekahalli lands for Dollars Colony and BTM Layout, and the Forest Department had also acquired some lands. Against these acquisitions too, the respondents had approached the courts and got enhanced compensations.

Table 5.16 gives details of the sample households whose lands were acquired by different agencies and the number of times lands were acquired.

Table 5.16

Multiple Land Acquisitions by Different Agencies for Various Purposes

Combinations Acquiring Agencies	No. of Times Land Acquired	No. of Households	No. of Lands Acquired
CG	Once	8	8
SG		4	4
VBEHCS		26	26
VKHBCS		8	8
CG & SG		2	4
CG & VBEHCS	Twice	11	22
CG & VKHBCS		2	4
SG & VBEHCS		1	2
VBEHCS & VKHBCS		3	6
Table 5.16 (contd.) CG, SG, & VBEHCS	Thrice	1	3
CG, SG, VBEHCS, & VKHBCS	Four times	5	20

The Table 5.16 reveals that large number of households had lost their single piece of land in the acquisition proceedings of different agencies. The highest number, twenty-six, households had lost their lands in one acquisition the VBEHCS. The second highest number, eight each, of households had lost their lands in acquisition for the Central Government and the VKHBCS respectively and four had lost their lands in one acquisition for State government and its agencies. Most of the households had lost their lands in one acquisition or the other by various agencies. Significant number of households had lost two pieces lands. The highest number eleven of households had lost their two pieces of lands each in the Central Government-related and the VBEHCS

land acquisitions. The second highest three of the households had lost their two pieces of lands each in the VBEHCS and VKHBCS related land acquisitions. Thirdly, two households had lost their two pieces of lands each in the Central government and VKHBCS-related land acquisitions. Fourthly, a household had lost in State Government and the VKHBCS related land acquisition. Only one respondent household had lost three pieces of land and one each to Central Government, the State Government, and VBEHCS over a period of time. And five households had lost their four pieces of lands each, all related to the Central government, the State government, the VBEHCS and the VKHBCS land acquisitions over a period of time. Responses indicate that Bilekahalli land owners were losing their agricultural and horticultural lands totally in different land acquisitions taken up by various governmental and quasi-legal agencies.

Apart from the resistance in the form of direct confrontation, the households in the hope of saving their lands from dispossession had approached the court. Here one could see that a lot of time and money was spent by them. The litigants view costs over a period of time in terms of time spent, money spent for collecting information with regard to land acquisition, travel costs to reach the courts, expenses on food during visits to courts, lawyers, other offices, etc., lawyers fees, waiting at the courts, anxiety involved in waiting for the decision of the court, etc. (see Table 5.17)

Table 5.17

Duration of Negotiations, Arbitrations, and Litigations During Various Instances of Land Acquisition

Period of Litigation (in Years)	Litigants Against IIM	No. of Individuals Who Could Not Object to Land Acquisition
10-15	20	2
16-20	7	
21-25	0	
26-30	0	
Total	27	2
Period of Litigation (in Years)	Litigants Against VBEHCS	No. of Individuals who Could Not Object Land Acquisition
5-10	7	0
11-15	23	
16-20	0	
21-25	8	
Continuation of	9	

Litigation		
Total	47	
Period of Litigation (in Years)	Litigants Against VKHBCS	No. of Individuals who Could Not Object Land Acquisition
5-10	12	6
11-15		
16-20	0	
21-25	0	
Total	12	0

Apart from the ‘trauma’ and ‘humiliation’ the respondents’ had to go through they were also fighting through litigation even while being at the losing end. The Table 5.17 indicates the cumulative time spent from the beginning to the end of the process of land acquisitions and the court decisions. At the instance of land acquisition initiated by the Central Government to establish Indian Institute of Management, twenty litigants had to wait for ten to fifteen years and seven had to wait for sixteen to twenty years. Two of the respondents could neither attend the governmental negotiations and arbitration nor approach the courts because they did not have the money to spend. Another respondent did not have enough money to spend because he had an ailing father to take care.

At the instance of VBEHCS, seven of the litigants spent five to ten years. They could only make it to negotiations with the government. Finally they could only reach up to the Civil Courts. The majority, Twenty three had waited eleven to fifteen years and gone through the whole process and could approach the Civil Court and the High Court. Eight of them had waited twenty-one to twenty-five years by going through governmental process and litigations up to the Supreme Court. Nine of them were still in the process of litigation.

The nature of transactions and illegalities involved in the process of land acquisition for the VKHBCS is already discussed in brief. Since it was the third phase of land acquisition, villagers of Bilekahalli were finding it difficult because some of the villagers themselves were directly involved in the process. They had not only become the associates of VKHBCS but were also land procurers for the society. Out of eighteen respondents twelve had approached courts, and had gone through a phase of litigation of five to ten years. Six of them were not in a position to approach courts due

to financial reasons and four were involved in previous litigations of land acquisitions and thus were not ready to spend the time and money again.

Another important aspect of the acquisition process is the money spent by the villagers. The following section gives details of the money spent during negotiations, arbitrations and litigations in various land acquisitions. The respondents gave details of approximate amount of money spent in the process from the times of negotiations, arbitrations to litigations.

Expenditures During Negotiations, Arbitrations and Litigations in Various instances of Land Acquisition

Table 5.18

Amount of Money Spent by the Respondents towards Litigation and Other Related Expenses Against the Lands Acquired for Indian Institute of Management

Lands Acquired for IIM	Amount of money spent (In Thousands)													Total
	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	Could not spend	
1-5 Guntas														
6-10 Guntas		1												1
11-15 Guntas														
16-20 Guntas		1												1
21-25 Guntas														
Table 5.18 (contd.)		1												1
26-30 Guntas														
31-35 Guntas														
1-2 Acres		2	4	5	3	2							2	18
3-4 Acres						2				1				3
5-6 Acres							1	1	1			1		4
7-8 Acres												1		
Total		5	4	5	3	4	1	1	1	2	1		2	29

Though the Table 5.18 gives approximate expenditure, it does not exactly reflect the hidden costs which are already indicated before. Hidden costs, though all inclusive, could not be distinguished and quantified because the respondents could only give rough figures. One set of hidden costs is money spent during visits to various offices

during negotiations, arbitrations, and litigations, travel costs, interest on the borrowed to spend on litigations, money spent on food during various visits to the offices, courts, lawyer fees, etc. Among the hidden costs are also the pressures on their body and mind which could be measured in terms of health and death costs, but all that belongs to another line of enquiry. However, above all that, the sense of loss they were going through since they had lost their lands against their will, and the uncertain future that was overriding their actions was most worrisome. Thus they were in the hope of maximizing the compensation amount and were willing to spend money for that.

In cases related to land acquisition for the IIM, the highest number of land acquisitions of eighteen litigant respondents was within the range of one to two acres, numbering eighteen of them. Eighteen of them had spent different amounts of money depending on affordability. All the lands were under joint family ownerships.

- Families which had resources like gold ornaments and access to credit at informal level could reach up to the High Court. Individual households six owning one to two acres of land—spending up to fifteen thousand could go through the whole of executive and the Civil Court. Ten of them who owned one to two acres of land and spent more than fifteen thousand each could go through the executive process and the Civil Court, the high court. The differential expenditures are also due to minor variations in the land ownership and the consequent lawyer's fees. Some had incurred more hidden costs than the others like interest on the informally borrowed money, bureaucratic delays in sanctioning the compensation, etc. Of the two respondents, one could not enter the judicial process since he had an ailing father. Another respondent could not enter the judicial process because he did not have money or gold or access to informal credit.
- In the sample, the respondents with much smaller land ownership (less than an acre) were able to spend only up to ten thousand rupees. Given the financial constraints, they could only reach up to the level of Civil Court.
- There are three respondent litigants who owned three to four acres of lands. Two of them had spent up to thirty thousand rupees each, and one of them had spent up to fifty thousand rupees. There are four respondents who owned five to six acres of land and spent much more differential amounts ranging from thirty-one thousand to forty--five thousand rupees. A respondent had spent up to sixty

guntas					1															1
1-2 acres		1		4	2	5	3	1		1		1								18
3-4 acres		1		2			2	1	1	1									1	9
5-6 acres				1						2				1					2	6
7-8 acres										1				1						2
9-10 acres										1										1
Total		3	3	8	3	7	6	3	2	6		1		2					3	47

The Table 5.19 only gives a very a heterogeneous picture of costs for the same size of lands acquired.

- Individual litigants owning below one acre had spent ten thousand rupees to forty-five thousand rupees. These variations in the costs were due to the variations in the land holdings and the consequent lawyer's fees and the levels of courts. Households which had spent higher amounts of money had approached the Civil Court, High Court and Supreme Court. Apart from this, the hidden costs gave rise to higher expenses.
- The largest number of litigants had one to two acres of land. And their expenditures were not uniform for reasons similar as above.
- The only difference is that the legal expenditures in the previous land acquisition for IIM were low and contestation was only for the increase in the compensation amounts. Whereas here in the cases against the VBEHCSL, the legal costs were high since the price of land had increased during the same period and the fight was also for the restoration of land. Thus the costs and stakes were high. In the VBEHCSL case, different groups of petitioners approached the Supreme Court.
- According to the court ruling in this case, the appellants had to settle for an enhanced compensation instead of restoration of land.

Again in the mid 1980s, another phase of land acquisition for residential layout was initiated by the Vyalikaval House Building Cooperative Society. Land acquisition became a recurring phenomenon and so did increased expenses for the villagers of Bilekahalli. Old and new landholders were in the land acquisition process, with the new phases of legal contests.

Table 5.20

Amount of Money Spent by the Households Towards Litigation and Other Related Expenses Against the Lands Acquired for Vyalikaval House Building Cooperative Society (VHBCS)

Lands Acquired for VHBCS	Amount of Money Spent (in thousands)																				Did n't spend	Total
	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80	81-85	86-90	91-95	96-100		
1-5 Guntas				1	1	2		1														5
6-10 Guntas				1																	1	2
11-15 Guntas				1																		1
16-20 Guntas																					3	3
21-25 Guntas																						
26-30 Guntas												1									1	2
31-35 Guntas																						
1-2 Acres										1										1	1	3
Contd. 3-4 Acres										1				1								2
Total				3	1	2		1		2		1		1						1	6	18

The Table 5.20 gives a picture of legal expenses against land acquisition for the VHBCS. Other things being the same, the differences in this case compared to the previous instances of land acquisition were the following.

1. Nearly one third of the respondents in the sample whose lands were acquired did not seek legal help due to hopelessness and the inevitability of land acquisition. But still two thirds of the respondents were litigants. However, in this case, land acquisition was proved to be illegal because land was directly brought into the process of the real estate business for profitable reasons and not for public purpose. Both the High Court and the Supreme Court had ordered for the reclamation of lands for the appellants. They had also ordered the appellants to return the money paid as compensation by the VHBCS to the appellants for the acquisition of their lands. Six of them could not reclaim the land because they could not return the money they had taken from the VHBCS according to the court ruling.

There were land acquisitions again for the layouts which were taken up by the Bangalore Development Authority. Bilekahalli lands were acquired for the BTM Layout, Dollars Colony, etc. In these cases, thirteen had lost their lands in land acquisition made by the State Government's agencies like the BDA, Forest Department, etc. Of the lands acquired, seven pieces of lands measuring an acre were de-notified in two instances and less than an acre in five instances. And in six instances, lands measuring more than three acres (one instance), one acre (second instance) and less than one acre in other three instances were acquired. Litigants had requested courts to restore lands because they had lost lands in multiple land acquisitions and what remained were small pieces of land. All these appeals were dismissed by the courts. These litigants had spent fifty to sixty thousand rupees for their legal and other expenses.

From the above analysis of all the instances of land acquisition during various phases, land acquisition had on the one hand fostered different kinds of land developments and on the other, had consumed whatever the villagers had in terms of time, space, money and much more.

What happened to the villagers of Bilekahalli after these developments? This question could be answered by understanding changes in the occupational structure of the sample households. Table 5.21 gives a changed picture of occupations of household members.

Table 5.21

Occupations of the Sample Household Members After Different Modes of Land Development Process

Occupations	Caste								
	Adi-Karnataka	Thigala	Gowda/Vokkaliga	Didn't reveal the caste	Mudaliar	Bestharu	Golla	Bale-banajiga	Total
1	2	3	4	5	6	7	8	9	10
Bank Employee		1							1
Government Employee	1	1							2
Construction worker	7	3	1						11
Agriculturist									
Horticultural or floricultural Nursery Owner		1	1						2
Private factory Worker	4	12	2			1			19
Dairy	4	4		1					9
Brick Kiln worker	2								2

Bullock Cart Owner	1								1
Vegetable-Grocery Shop		2							2
Driver- Car, Lorry, Tractor, etc.	2	1					1	1	5
Painter	1	2							3
Lorry Garage Worker	1								1
Tiles Factory Worker		1							1
Table 5.21 Contd. Auto Driver		3		1					4
Vegetable Seller/Fruit Seller/Threading Flower and Vendor/Other types of vending.	3	6							9
Garden Work	1	3							4
Manual Work- Carriers of Weights on their Head- manure to fields, horticultural products to the market, loading and unloading at the market, water carrier, etc.	2	4							6
Watchman		1		1					2
Real Estate Agency/Agents	2	2							4
Lottery Ticket Selling Agency	1								1
Rentiers	6	21			1	1	1		30
Petty Business	1	3							4
Carpenter	2	3							5
Garment Factory Worker	4	1	2						7
Gardening & Landscaping		1							1
Social Work- Political Party Work	1	5	1						7
1	2	3	4	5	6	7	8	9	10
Stonewashing & Painting		1							1
Oil seller- kerosene, edible oils, etc.		3							3
Shop Worker/Canteen worker	1	1							2
Commission Agent- Fruits and Vegetables		4							4
Agriculturist Table 5.21(contd.) Elsewhere	4	8							12
Earth Digger	1								1
Shepard									
Retired		1							1
Contractor	3	9	1						13
Private Corporate		2							2
Tractor Owner/Lorry Owner/Bus Owner/Travel Agency		2			1				3
Unemployed		3							3
Brick Factory Owner	1	2							3
School Owner			1						1
Professional- Doctor, Engineer, etc.		1							1
Tailor		1							1
Phone Booth		1							1
Welding/Fabrication worker	1	1							2
Municipal Jobs- Sweepers, Plumbers,		1							1

etc.									
Teacher/Tutor, Home Tuitions, etc	1								1
Electrician	1								1
Bank Employee		1							1

After loosing their land the villagers had to seek alternative sources of employment. The Table 5.21 indicates that members of different households were scattered among different occupations. The highest number of individual thirty, were rentiers. Rent was only a supplementary income for the households. They had converted their existing properties within the gramathana limits and in the private layout by building small and relatively small houses, and tenements to earn rent. The next set of highest numbers—eleven, nineteen, twelve, and thirteen—were employed in construction work, private factory, agriculture elsewhere, and building and other contracts, respectively. The third set of highest numbers—nine, six, seven and seven—were employed in dairy work, vending, manual work, garment factory work, social work and political party work, respectively. A large number of members of households were distributed among many other occupations. Except bank and government employment, most of these occupations would fetch incomes to maintain households at subsistence level. Some had setup new small scale industries and businesses in the vicinity. Many of these occupations were pursued in the village and adjacent areas. Some were mobile occupations and quite a few were in far flung areas.

Compensation is not substantial by the time people really get it. For people who totally depend on land, they lack educational orientation or property to convert that into investments or start a business. The governmental mode of land acquisition and development pauperizes the condition of the people. Though some of the respondents have bought lands and practice agriculture elsewhere, they all complain that agriculture is no more a profitable business, because the investments are very high and the returns do not commensurate. Educational level of respondents is low, thus better or high earning employment opportunities in the urban condition is impossible. Education is expensive. The Table 5.22 shows the level of education of the household members.

Table 5.22

Present Educational Level of the Household Members

Educational Level	No. of Members of the Households
Primary	73
Secondary	77
Intermediate/PUC	18
Graduation	10
Professional Courses	2
Diploma	8
Post-Graduation	2
Industrial Training	7
Illiterate	62

Except very few, none of the household members were highly educated to seek high earning occupations. The Table 5.22 shows that greater numbers were educated only up to primary and high school level and the numbers educated in other categories were marginal. A significant number of household members were illiterates.

In the case of IIM, VBEHCS, VKHBCS and other instances of land acquisition for BDA the compensation paid was thirty thousand rupees, fifty-three thousand to ninety-three thousand rupees, sixty thousand to a lakh rupees, and one lakh twenty or thirty thousand and so on, respectively. In the early 1990s when the real estate boom in Bangalore City was at its peak rate per acre ran into lakhs of rupees. In this context, the villagers' lands were being acquired at cheaper rates. Villagers feel that, the land acquisitions through the 1980s to early 1990s in Bilekahalli were at cheapest rates. Given the multiple acquisitions and multiple litigations which took a long time, the compensation amounts had become just token amounts. These token amounts of compensation were utilized to perform marriage, debt repayment, building small tenements to the existing structures, to start small businesses like phone booth or petty shop, to buy consumer durables etc. Since people lacked education or other orientations or alternatives, and compensation was merely a token amount, the life styles and conditions led to the marginalization of the communities in the given urban

condition. Government land acquisition policy treat or take into account the landowners mostly as economic actors. Their conditions of existence, social life and other interdependencies are taken for granted. The adaptation of the people in the new emerging urban economy is in the 'informal sector' and their social life is fragmented.

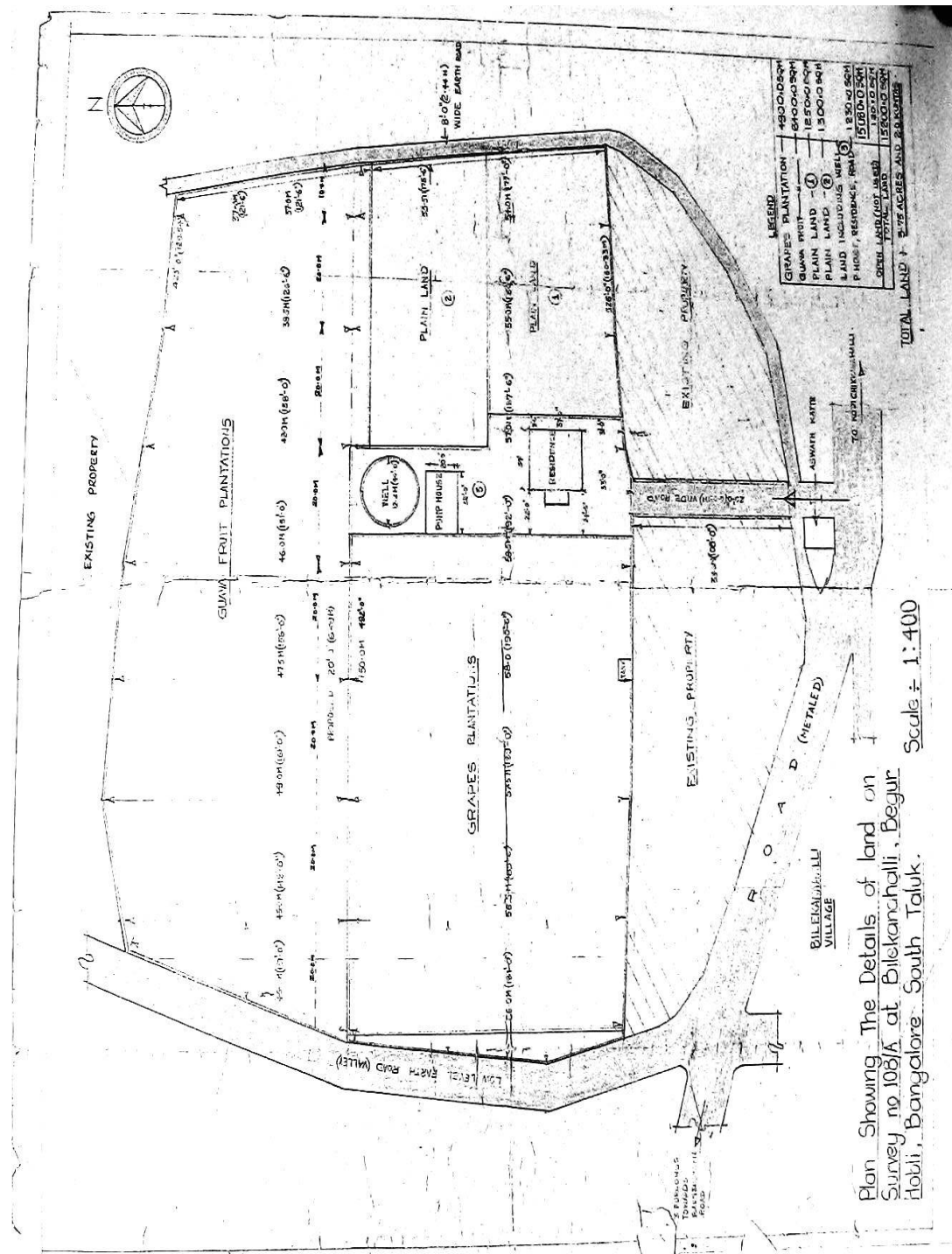
Invasion of migrants is another noticeable change that has taken place in the village. The socio-spatial structure of the old village core remains the same in terms of its division on the basis of caste. The Scheduled Castes live in a separate area. Though the villagers still see these divisions intact and stay in their spaces without any crossover, but migrants have made a difference. Migrants belonging to different castes, religions, languages, etc., have settled down in both the areas.

The approach road to Bilekahalli village is connected to Bannerghatta Main Road which is a furlong away from the village. The road is to the westside of the village. The village core is a semi-circular shaped space. For a long time beside the Bannerghatta Main Road, the lands of were agricultural until the advent of the new institutions, business organizations, housing estates, marriage halls, small retail shops of different varieties, repair shops, hardware shops and other businesses, etc. In recent times, significant developments that have taken place include new software firms, grand marriage halls, high rise housing estates, automobile outlets, etc. The space extending from Bannerghatta road to the edges of the village core consists of mixed land development. It includes the residential area, warehouses, retail grocery shops, tailor shops, phone booths, video shops, a firewood depot, small temples, a plastic wares factory, small automobile workshops, cycle repair shops, a small dye unit, etc. These new developments have used up agricultural and garden lands. Layout is dense and roads are narrow. The newly urbanized spatial arrangement is established on the older spatial logic of agricultural layout with minor changes.

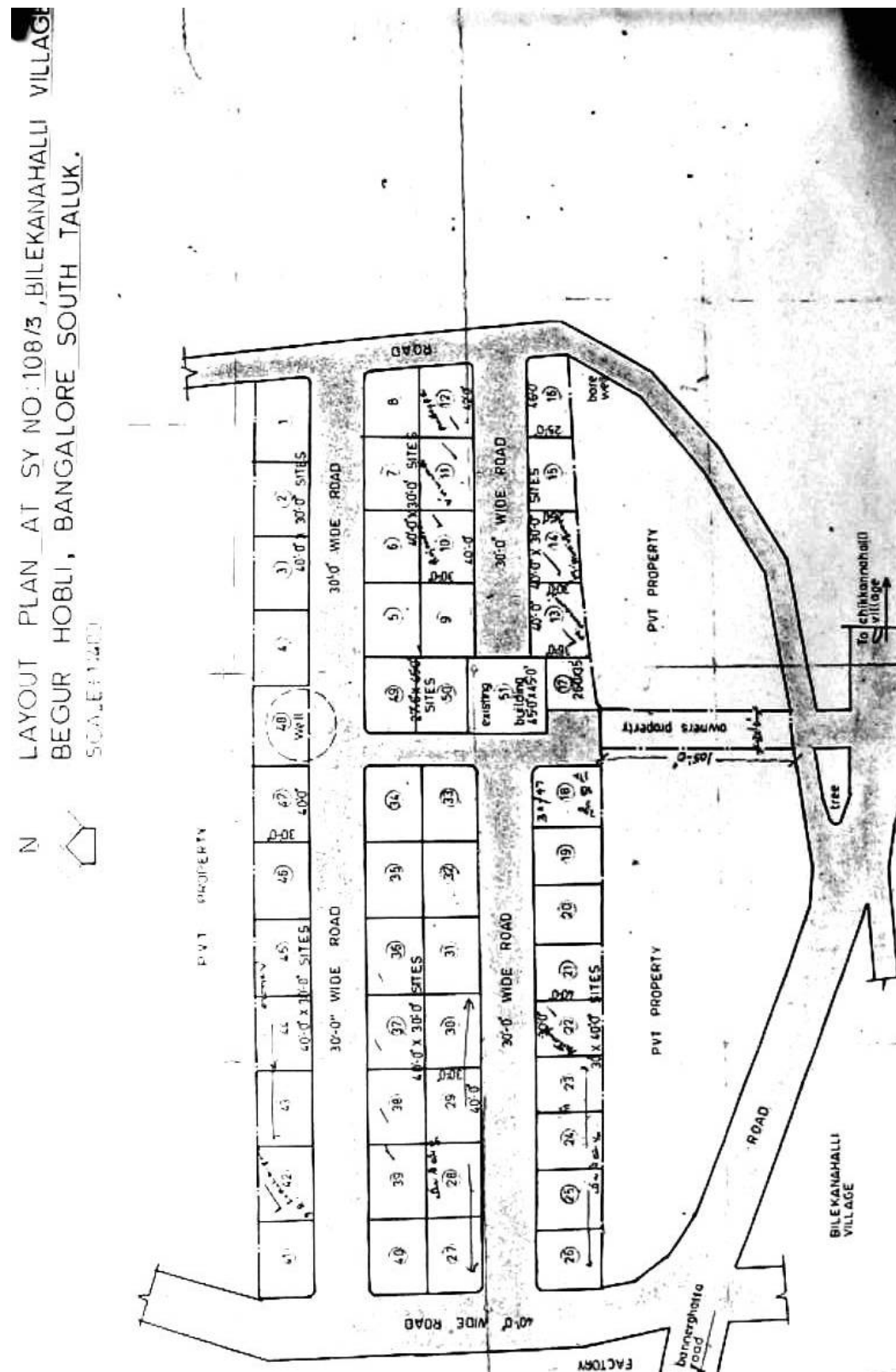
On the other side of the approach road, to the north and north west of the village core are the portions of planned BDA Layout—BTM Layout, private housing estates, a horticultural and floricultural nursery, three horticultural gardens, private layout for middle-class housing set-up on independent sites, small factories, engineering works, a college, a school, temples, vacant sites, rentiers' tenements, a automobile service station, warehouses, small-scale engineering and fabrication works, a brahman's

charitable trust, etc. This layout is partially organized on modern lines. Pockets of middle-class houses with independent sites have broader lanes, underground drainage, electricity, etc. Water supply still is privately managed, with most of the houses owning their own wells and bore wells. Other residential and small scale industrial pockets follow the older spatial logic of the agricultural layout with minor changes. This layout faces the Madivala water tank and extends up to its edge.

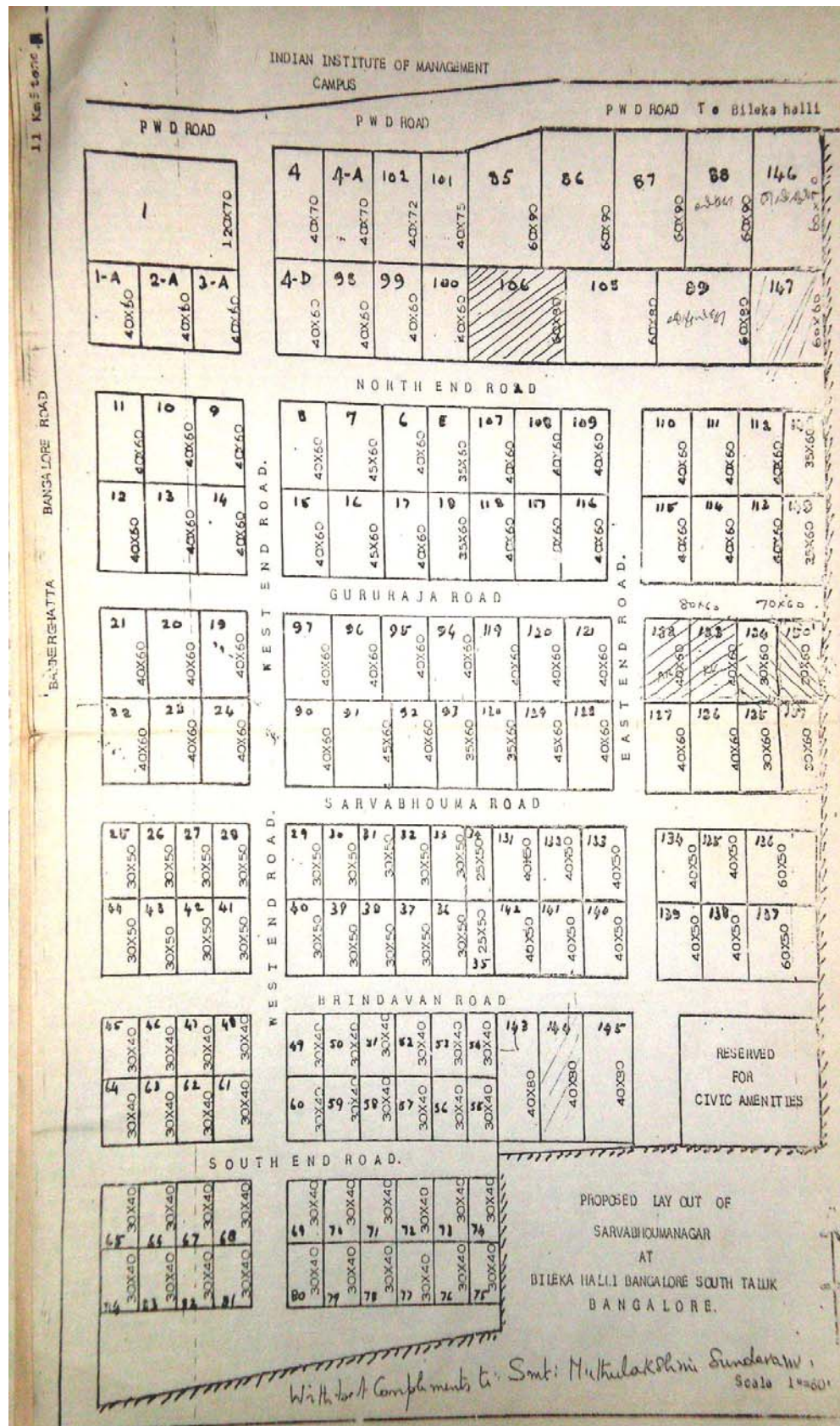
Map 5.4: Before the layout was planned and its constituents

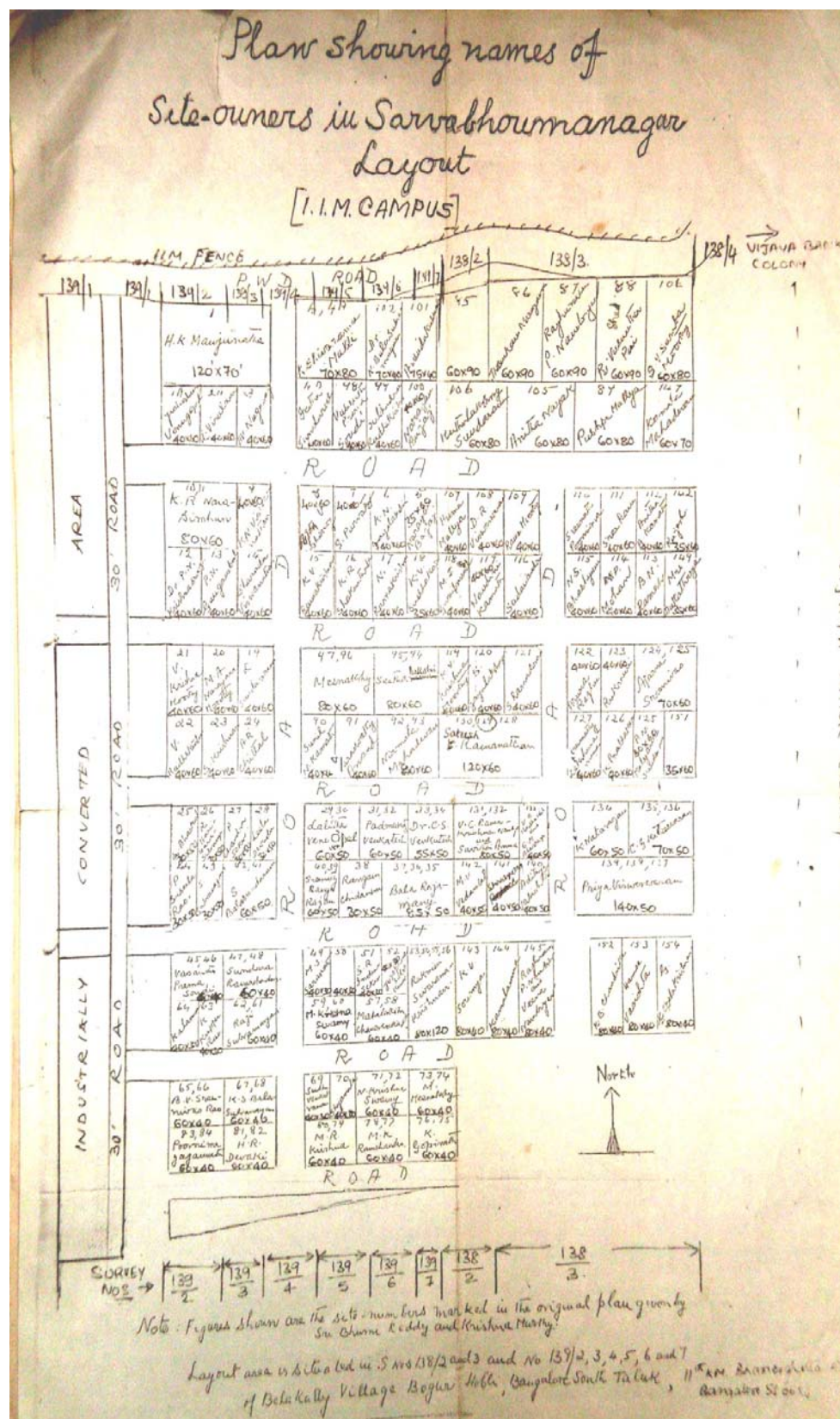


Map 5.5: After the layout was planned and its constituents



Map 5.6: Plan of Sarvabhoumanagar





The village core of Bilekahalli has given rise to a new built environment. In the last fifteen to twenty years, many older structures have given way to new and altered structures. The residential space has grown vertically. Poor and lower income groups have occupied the residential space. Housing is in the form of tenements with two to three storeys. Rarely there are middle class houses. The spatial structure of the old village structure has remained the same, with narrow congested lanes. Most of these lanes are only covered with stone slabs and very few lanes are metalled. Along these narrow lanes are open narrow drains posing a health hazard. Village core has changed not only in terms of its physical form, but also in its socio-spatial structure. Some of the surrounding areas within the gramathana limits and a few of the congested private layouts envelop the village core. These are the lower class areas having migrants, small-scale industry, and the native village population which has lost most of its lands and sold the remaining unacquired lands.

To the east of the village core exists a completely VBEHCS planned layout—a leafy suburb with parks, wide avenues and civic services—shaped in a grid iron form. VBEHCS layout is now named Sundar Ram Shetty Nagar. The layout has its own large scale housing estate known as Vijaya Enclave. The layout mainly consists of typically middle-class and upper-middle class independent houses.

Conclusion

It is clear from the analysis of various instances of land development in the foregoing sections that land development initiated by the government mainly to produce space for the residential needs of certain classes of population. Prerequisite to such a process has been land acquisition. Land acquisition has been a highly contentious issue, for the following reasons.

- a. To begin with compensation was the issue, it was enhanced by the court.
- b. Apparently, the acquisition of land by the VBEHCSL was challenged in the court since acquisition for a private housing association was not considered as a public purpose by the people of Bilekahalli. But the actual reasons were the fast increasing land values in the market, and the bleak future of the people of Bilekahalli. In the case of VHBCS, it was very clear that the aim was to acquire lands at substantially cheaper rates and sell at higher rates over a period of time. Apart from that, people were most of the times worried about their future, especially about their employment and their sustenance. For all these reasons land acquisition and land development process have been a contentious, competitive and violent processes.

However, though people claimed that agriculture was their main occupation and wanted to be employed in it, the findings show that the unacquired lands and the regained lands were converted into private layouts fearing future acquisitions and to maximize revenues to use it for other purposes. In many ways, all the forces were consuming the lands of Bilekahalli to realize the increasing needs of housing of the expanding Bangalore City. Now one finds a congested village pocket surrounded by few unplanned layouts, large number planned housing estates and planned residential layouts.

Unplanned Formations: Instances or Phases of Land Development Activity in the Jaraganahalli Village

After Jaraganahalli area was included in the Local Planning Area or the Conurbation of Bangalore City, part of the agricultural area was to be converted into a regional park, after making allowances for industrial growth and development, and residential areas for the industrial labour force. But did these visions of planning correspond to realities?

To ascertain what was happening, a combination of survey and ethnographic methods were adopted for the study of Jaraganahalli. Spatial unit of the village as remembered by the villagers and the oldest, survey map were used for the study of the area. The reason for taking into account these two sources were the following.

- a. The present village has expanded with the expansion of the city and become a part of Bangalore City.
- b. Significant number of original inhabitants of the village continue to inhabit there, though many have shifted their residence to the newly formed layouts which are bordering the village.

All this came to light during the pilot study of the village. Accordingly, the old village's delimited boundary and its inhabitants became part of the study. The purpose of the study was to identify the original landowners of the village and to elicit information about the changes which have been taking place in the village over a period of time. Thus, first, household census was conducted to know who inhabited then and inhabit now at the place.

Before we get into the question of changes or the development in Jaraganahalli area, a brief look at the existing conditions before the developments took place is essential. The boundaries of village lands were bisected by the Kanakapura Main Road passing through the middle of the village. Thus the village was divided into two. One part extended along the north-western part of the Kanakapura Road, extending down south and another part extended further towards south-west along the Kanakapura Road. The first part of the village lands were bound by the villages Karisandra on the

north, Kadirenahalli on the north-west, Govinayakanahalli and Yelachenahalli in the south. The second part of village lands were bound by the villages of Sarakki, Sarakki Kere (tank), Kothnur, and Chunchaghatta and this part extended from south and south-east along previously mentioned boundaries. Two water bodies were attached to Jaraganahalli, one was Jaraganahalli Kere and another was the Sarakki Kere¹¹⁶. Parts of the cultivable agricultural lands were situated in the north-western part of the village. In the south-eastern part were the gardens, horticultural and floricultural lands. The village settlement in the south-eastern part of the Jaraganahalli lands was nearer to the Sarakki tank. There were two routes to reach the village, one connected to Kanakapura Main Road on the south. In those days the movement of people and goods was between the city and the village. Another approach road was toward north of the village leading to Sarakki village. People in those days would walk to the city, carrying vegetables and flowers on their head to sell in the market. If people had to carry bulk of horticultural or agricultural produce then they would hire a bullock cart. Other modes of modern automotive transport were still rare.

Images of the Jaraganalli Village drawn by a respondent- J. Rangaswamy

Drawing 5.1: Jaraganahalli- before changes took place



Drawing 5.2: Jaraganahalli- after changes took place



People in Jaraganahalli were dependent on land for their livelihood. Lands were used to produce agricultural, horticultural and floricultural products. People of the village were growing millets—ragi, jowar, maize, etc., and paddy; horticultural products—beans, carrots, double beans, brinjals, peas, broad beans, clustered beans, cauliflower, cabbage, radish, potatoes, beet roots, bottle gourd, bitter gourd, ash gourd, ribbed gourd, snake gourd, cucumber, sweet potatoes, pumpkin, sugarcane, tomatoes, spring onion, onion, ginger, turmeric, coriander, green pepper, lemon, sweet lemon, coconut, capsicum, and other greens/vegetables; flowers—jasmine, rose, marigold, sevanthige, sugandharaja, maraga, paneer, etc., and fruits—Bangalore blue grapes, guava, sapota, mangoes, etc. Apart from that they reared goats, sheep, cattle, local country fowl, etc., for local consumption and milk for both local consumption and for selling. Since the land holdings were relatively small, the agricultural activities were manual and draught animals were used to prepare lands for cultivation. Lands were irrigated by tanks and wells. Another major supplementary occupation of the villagers was the threading of flowers grown in the garden and were sold in Gandhi Bazaar and K. R. Market, to temples and households in the City.

Basically Jaraganahalli¹¹⁷ was a village in Bangalore's South Rural District, which was connected to the city through the exchange of its agricultural and (mainly) horticultural produce. Apart from that, it was also connected to the city culturally through its caste relations and the annual civic festival, Karaga. Thigala community in the village was numerically dominant, Reddy, Viswakarma, Adi-Karnataka, Golla, Balebanajiga, Brahman, Ganiga, Achary (Viswakarma), Sadaru, Lingayat, and Agasa communities also inhabited the place. All the castes were involved in agricultural occupation, apart from their caste vocation. For Brahmans and Agasa castes agricultural occupation was marginal whereas for all other castes agriculture and horticulture were the main occupations. The Achary and Reddy communities were the largest landowners in the village. The Achary households had let most of their lands for sharecropping. Reddys were cultivating their lands either by themselves or by hiring labour. The Tables 5.23 and 5.24 indicate the social structure of the village on the one hand and land holdings and occupations of the respondents, before land use changed, on the other.

Table 5.23

Before Land Use Changes- The Land Ownership of the Sample Caste Households

Measure of Land	Household of Different Castes											
	Adi-Dravida	Thigala	Golla	Bale-banajiga	Brah-man	Ganiga	Achary	Sadaru	Reddy	Linga-yat	Agasa	Total
1-5 Guntas		3									1	4
6-10 Guntas		7			1		1					9
11-15 Guntas		6										6
16-20 Guntas		5										5
21-25 Guntas		1										1
26-30 Guntas	1	3		1		1						6
31-35 Guntas		1										1
1-2 Acres		21					1		1	1		24
3-4 Acres		11	1					1		1		14
5-6 Acres		2	1				1					4
7-8 Acres		1										1
9-10 Acres and More		1					2		1			4
Land-less		1										1
Total	1	63	2	1	1	1	5	1	2	2	1	80

The Table 5.23 indicates the existence of eleven caste groups. The table does not give the total picture of landownership. For example, the Reddys and Acharys were the largest landowners. The extended joint families of Reddys owned about 200 acres of land, and Acharys owned about 100 acres, the only Thigala extended joint family known as *Doddamaneyavaru* owned about 40 acres. The table shows only the individual households' land ownership. Thigalas have been the numerical majority in the village. Out of the 63 households of the sample, 26 owned less than one acre; 21 owned 1 to 2 acres of land and 11 owned 3-4 acres.

Table 5.24

Before Land Use Changes--Caste and Different and Multiple Household Occupations

Occupations	Members of different Castes' Households											
	Adi-Dravida	Thigala	Golla	Bale-banajiga	Brahman	Ganiga	Viswakarma	Sadaru	Reddy	Lingayat	Agasa	Total
Horticultural and Floricultural Gardening	1	58	1	1	1		1	1	2	1		67
Agriculturist		19	2		1	1	1	1	2	1		28

Table 5.24 (contd.) Vegetable Seller/Fruit Seller/Threading Flower and Vendor/Other Types of vending		21		1						1		23
Dairy		19							1	1		21
Government Employee		4				3						7
Manual Work- Carriers of Weights on Their Head- Manure to fields, Horticultural Products to the Market, Loading and Unloading at the market, Water carrier, etc.	1	5										6
Bullock Cart Owner		4	1									5
Petty Business		1				1						2
Social Work- Political Party Work		2										2
Teacher		2										2
Poultry Owner		2										2
Priest/Temple Owner					1							1
Dhobi											1	1
Grocery Shop		1										1
Small- Monastery(Ashram) Owner											1	1
Bank Employee										1		1
Private Factory Worker		1										1
Brick Kiln Worker		1										1
Auto Driver		1										1
Worker in the Shop		1										1
Fruit Merchants		1										1
Worker during Death Ceremonies	1											1
Tractor Owner		1										1
Cycle Repair Shop		1										1
Goldsmith										1		1
Worker during Marriage Occasions and Village festivals	1											1
Chit Funds		1										1
Sharecropper	1						1					2

The Table 5.24 indicates that members of different caste households involved in different occupations were more into horticultural and floricultural gardening. Thigalas were mostly engaged in this occupation with 58 members of their households. The participation of other caste households in horticultural and floricultural gardening was marginal. The second major occupation was agriculture. 28 members of households

were involved in agriculture. Thigalas were highest in number with 19 members involved in the occupation and all other caste groups were marginally involved. But other caste groups, especially Reddys and Acharys employed labour, on their land holdings. Members of different caste groups involved in vegetable or fruit selling or threading Flower and vending numbered 23 out of which the Thigala members were 21. It was only a supplementary occupation. Members in cattle rearing, horticultural and floricultural gardening and agricultural occupations were the chief occupations.

A portion of land on the hillock was given on request by the village panchayat to Dayanandsagar Educational Institution in the early 1960s, in exchange for easier access of seats for villagers. Later villagers realized that though the seats in the educational institution was available for the villagers, the tuition fees and other admission fees and donations to admit their children were too high. Therefore villagers ultimately could not access education in the institution. After a phase of tenancy reforms, between the late 1960s and early 1970s a phase of land acquisition phase of agricultural lands was introduced to convert lands into residential layout by the City Improvement Trust Board. Later this layout was named as 'Kumaraswamy Layout'. This land acquisition consumed north-western parts of agricultural lands of Jaraganahalli. In a similar manner, a small piece of land was given to the government to construct Block Development Office. Villagers fought for retaining the burial ground which was supposed to be acquired for Sarraiki Layout.

Landowners by the late 1970s had begun converting lands of south-eastern part of Jaraganahalli into 'revenue sites'. The effects of expanding Bangalore City manifested itself in the conversion of Jaraganahalli lands from agricultural use to urban use. Jaraganahalli was within the Local Planning Area, which was part of the potential space for the expansion of Bangalore. And the lands acquired from adjacent villages like the Sarakki were converted into residential layouts of what is J.P. Nagar today, ITI Colony, etc. Acquisition of Jaraganahalli lands for residential layout and other developments were taken up by the government. Within that context people were conscious of the developments, but were only taken by surprise at the pace of developments.¹¹⁸

The impact of the growth of Bangalore City initiated by the government was giving way for further expansions which were initiated by the village landowners. Jaraganahalli villagers partially had experienced a phase of land acquisition earlier. They had known that rates of compensation which were fixed by the government were abysmally low. They were conscious that litigation for enhanced compensation in different courts at various levels was resource and time consuming process. The time taken by courts was at least a decade to settle the disputes and bureaucratic hurdles involved in the sanctioning of the compensation were again consuming time. In some cases acquisition of lands and litigation for the enhancement of compensation for Jaraganahalli villagers at various levels and in different courts took approximately twenty-five years. Lands were acquired in the early 1970s and the final settlement of the disputes was completed by 1995.

There were also other complexities. The ownership of land in some cases belonged to extended joint families. Given these conditions, when the lands were acquired, there were always problems in sharing the compensation amounts among various households. This would complicate the matters. At one level, they had to contest the rates of compensation announced by the government, and at another level they had to contest among themselves about sharing the compensation.

Above all that, the main concern was the vocation. There has been widespread feeling among the Jaraganahalli villagers that due to land acquisition there is much to lose than gain anything. Firstly, the new land developments on the acquired agricultural lands have brought major ecological changes. For instance agriculture on the adjacent lands has become unviable. Sources of water like ponds or tanks or wells have gradually decreased and water flows and their natural paths have been generally blocked and diverted, making water scarcer. Secondly, due to the growth of new residential areas lands have become insecure. Thirdly, since they owned less than an acre, the acquisitions would not fetch enough compensation to sustain their life in the long run. Fourthly, the orientation of Jaraganahalli villagers is only agricultural and they formal education to take up skilled occupations. They do not have capital to invest in any other enterprise and are not skilled to take up any other occupation. Seenappa, a respondent says,

In 1977-78 itself the villagers had begun to convert land into revenue sites and were selling them. In 1976 Urban Land Ceiling [Act] came into being. According to the Act, we were informed that people could not own more than 10 guntas of land. We didn't know whether it was meant for owners of lands within the city limits or for the agriculturists. Many people belonging to my caste (Thigala) owned more than 20 to 30 guntas. All of them who owned more than 10 guntas of land sold the lands. Most of the small landholders who sold the lands could not foresee anything that would happen in the future. Now 90% of our villagers are in a kind of a void and are in a dilemma. Now agriculture is not profitable. During the last ten years agriculture has become unprofitable, now one would only incur loss by continuing in agriculture by investing anywhere else outside Bangalore. One cannot imagine what may happen in the future. People have lost their lands. Now people are in jobs like flower selling or manual work or small factory jobs. They have lost their agricultural skills.¹¹⁹

Chandrashekar, one of the respondents says,

In 1975-76 the government sent a notice that the Jaraganahalli lands were within the Green Belt limits. So we were not supposed to convert the agricultural lands for any other purpose. But government acquired 300 acres of lands which were on the other side (Western part of agricultural lands of Jaraganahalli) of the main road to form a CITB layout which was named as Kumaraswamy Layout. These lands were part of Jaraganahalli. BDA did not acquire the lands which were adjacent to the village. They were small holdings. Thus BDA was not interested in these lands. If the BDA had acquired the lands which were in the vicinity of the village, it could not have formed roads properly (according to the plan). The village and the intervening lake were obstacles for them to form a layout. Therefore lands which were in the proximity of the village were not acquired. The lands which were left unacquired were small horticultural lands (known as 'kaithota'). Vast tracts of lands belonging to Sarakki area were also acquired. Similarly, the horticultural lands of Sarakki which were small land holdings and where people lived were not acquired. People were afraid that BDA would later acquire these small lands. Thus land holders collectively invited other parties to form small layouts, roads and sites. Sites were sold and the area became a built-up area by the time BDA wanted to acquire lands further. BDA could not demolish the built-up area.¹²⁰

Rangaswamy, one of the respondents, says,

In 1980, they [BDA officials] came to us after serving notice. They raised objections against us building houses. We told them that government had not given us jobs. So our lands could not be acquired. If the government had given us jobs we would have allowed them to acquire lands. We also told officials that we were building houses for own use and not for sale. The officials could not answer us and left the scene. We basically asked them to give us jobs and take the lands. After all that officials didn't bother us. During that time Sarakki Garden's landowners who were adjacent to our village lands, started selling their lands by converting them into sites. Our uncles too started selling their lands. Only our land was vacant. Later, we took our share of land from the joint property.¹²¹

For the above reasons the people of Jaraganahalli began developing land for various uses. The ribbon development took place by the early 1970s on the fringe of Jaraganahalli along the Kanakapura Road in the form of small business establishments, retail shops, workshops, factories and other establishments. These developments induced land development in the area. These developments were not peculiar to the borders of Jaraganahalli along the Kanakapura Road. They were part of the general development along this route, beginning from Sarakki Gate area to Konankunte.

Khodays Distilleries, Seetharamaiah & Co., Best and Crompton, Hegde & Golay, etc., were industrial establishments set up from the 1960s through the 1970s. Apart from those pressures, there were also pressures from migrants. Sporadically the interiors of Jaraganahalli's horticultural lands began to develop with the migrants from Kanakapura¹²² and other places seeking land for residential purposes.

Apart from this, the supply of urbanizable lands and their prices were propelling land development in Jaraganahalli. During the next twenty-five years people sold most of their lands. The Tables 5.25 indicates the phases of land development over a period of time.

Table 5.25

Private Revenue Land Development and Pricing over a Period of Time

Time Period	Size of the Land	Price of the Land Sold (In Thousands of Rs.)										Total No. of Transactions by the Households
		1-500	501-1000	1001-1500	1501-2000	2001-2500	2501-3000	3001-3500	3501-4000	4001-4500	4501-5000	
Late 1970s	1-5 Guntas											0
	6-10 Guntas											0
	11-15 Guntas	1										1
	16-20 Guntas											0
	21-25 Guntas											0
	26-30 Guntas											0
	31-35 Guntas											0
	1-2 Acres		1	1	3							5
	3-4 Acres	1										1
	5-6 Acres											0
	7-8 Acres											0
	9-10 Acres		2									2
	Total	2	3	1	3	0	0	0	0	0		9
1981-85	Size of the Land	Price of the Land Sold (In Thousands of Rs.)										Total No. of Transactions by the Households
		500-1000	1001-2000	2001-3000	3001-4000	4001-5000	5001-6000	6001-7000	7001-8000	8001-9000	9001-10000	
	1-5 Guntas	1										1
	6-10 Guntas	1			3	1						5
	11-15 Guntas											0
	16-20 Guntas			1		1					1	3

	Table 5.25 (contd.)											0
	21-25 Guntas											
	26-30 Guntas			1		1					1	3
	31-35 Guntas											0
	1-2 Acres					2		1	1		1	5
	3-4 Acres			1		1			1		1	4
	5-6 Acres			1		1					1	3
	7-8 Acres						1					1
	9-10 Acres				1	1	2					4
	Total	2		4	4	8	3	1	2	0	5	29
1986-90	Size of the Land	Price of the Land Sold (In Thousands of Rs.)										Total No. of Transactions by the Households
		1000-5000	5001-10000	10001-15000	15001-20000	20001-25000	25001-30000	30001-35000	35001-40000	40001-45000	45001-50000	
	1-5 Guntas			1								1
	6-10 Guntas					1			2			3
	11-15 Guntas			1	2	2						5
	16-20 Guntas	1		1	1						1	4
	21-25 Guntas											0
	26-30 Guntas			1		1	2					4
	31-35 Guntas										1	1
	1-2 Acres			3	4	1	3	1	2		1	15
	3-4 Acres		1	3	3	1	2	1	2			13
	5-6 Acres			1			1					2
	7-8 Acres											0
	9-10 Acres					1					1	2
	Total	1	1	11	10	7	8	2	6	0	4	50
1991-95	Size of the Land	Price of the Land Sold (In Lakhs of Rs.)										Total No. of Transactions by the Households
		1-1.50	1.51-2.00	2.01-2.50	2.51-3.00	3.01-3.50	3.51-4.00	4.01-4.50	4.51-5.00	5.01-5.50	5.51-6.00	
	1-5 Guntas											0
	6-10 Guntas											0
	11-15 Guntas											0
	16-20 Guntas											0
	21-25 Guntas											0
	26-30 Guntas		1									1
	31-35 Guntas										1	1
	1-2 Acres	6	3		1			1				11
	3-4 Acres	2			1							3

	Table 5.25 (contd.)		1									1
	5-6 Acres											
	7-8 Acres	1										1
	9-10 Acres						1	1				2
	Total	9	5	0	2	0	1	2	0	0	1	20
1996-2003	Size of the Land	Price of the Land Sold (In Lakhs of Rs.)										Total No. of Transactions by the Households
		1-1.50	1.51-2.00	2.01-2.50	2.51-3.00	3.01-3.50	3.51-4.00	4.01-4.50	4.51-5.00	5.01-5.50	5.51-6.00	
	1-5 Guntas											0
	6-10 Guntas											0
	11-15 Guntas											0
	16-20 Guntas											0
	21-25 Guntas											0
	26-30 Guntas				1							1
	31-35 Guntas											0
	1-2 Acres		2		2							4
	3-4 Acres				2							2
	5-6 Acres							1				1
	7-8 Acres											0
	9-10 Acres									1	1	2
	Total	0	2	0	5	0	0	0	1	1	1	10

The Table 5.25 above indicates that land that was privately developed on the revenue lands in the late 1970s was still marginal. In the first half of the 1980s the site sales became steady. The mid 1980s through to the late 1980s was the period when site business was brisk. With the gradual completion of the sales of lands in the early 1990s, the number of people selling sites gradually declined and became marginal from the mid 1990s. Most of the respondents were involved in the sale of sites more than once over a given period of time. It was not just the supply of land that made a difference but also the prices of land that made a huge difference in sales. During the first half of 1980s the prices of sites had begun to increase but from the mid-1980s onwards there was greater increase in the price of the sites. Although the prices were increasing in the 1990s too, the decline in the supply of land, perhaps, was the factor in the decline of number of sales. The available supply of land and the high prices were the second set of economic factors which propelled land development. There were both

external and internal forces operating which paved way for the land development at Jaraganahalli.

There were other factors which were giving rise to revenue layout land development apparently for livelihood and survival. The mode of development and organization of such production of revenue layouts itself was significant for the techniques the sellers were inventing and adapting to sell sites, for transactions, violation of laws which were prohibitive, the transfer of property rights, etc. The Table 5.26 gives a broader picture of the modalities involved in the private revenue land development process.

Table 5.26

Modalities involved in the Land Development Process		No. of Households
Selling of sites	Through local brokers	19
	Site buyers seeking land directly	8
	Through friends/relatives	17
	Through local brokers and site buyers seeking land directly	7
	Through local brokers and through friends/relatives	5
	Site buyers seeking land directly and through friends/relatives	3
	Through local brokers, site buyers seeking land directly, and through friends/relatives	11
Nature of Transactions	Payment in installments	33
	Full payment while the site was bought	15
	Advance payment and full payment while registering the site again	1
	Full payment while the site was bought but site owners were made to pay more money by the original owner later while registering the site	2
	Paid in installments and full payment while the site was bought	14
	Paid in installments, full payment while the site was bought; and payment while registering the site again	1
	Paid in installments and payment while registering the site again	2
	Paid in installments, full payment while the site was bought, payment while registering the site again; and site owners were made to pay more money by the original owner later	1
	Paid in installments and site owners were made to pay more money by the original owner later	1
Conversion of Lands	Conversion of land with permission of the concerned authority	7
	Conversion of land without the permission of the concerned authority	58

	Table 5.26 (contd.)	5
	Portions of lands converted with the permission of the concerned authority and portions of land converted without the permission of the concerned authority	
Transfer of the property rights to the site buyers	General power of attorney	46
	Through registrations	15
	Portions of lands were transferred with general power of attorney and portions of lands were transferred through registrations	9

At the beginning all these private layouts were produced illegally without the planning permissions from the authorities, but however layouts were brought into the ambit of regularization process. Jaraganahalli villagers began forming layouts when the village panchayat, the local government, was still in existence. Revenue private layout makers were given sanction by the village panchayat to form layouts. With the villages becoming urbanized over a period of time, the local governing bodies—the village panchayats—were inadequate to administer the new developed areas. The sanctioning of layouts by these bodies was not in concurrence with the urban planning rules and regulations of Bangalore Development Authority, etc. Under these circumstances, the government dismantled these local governing bodies and these newly developing urban areas were to be administered by the new structures set up by the government. Jaraganahalli too was part of these changes. Thus when its local governing body was discarded and recast with other administrative mechanisms which were in control of the village, it became difficult to adhere or follow new rules and regulations. People were also not made aware of the new mechanisms. Under the changed circumstances, villagers had their own contingency plans to form private layouts. The Table 5.6 indicates that the highest number i.e., fifty-eight of revenue private layout makers had not taken any permission from the authorities to form layouts. Seven of them had taken prior permission to convert the land and five of them had adopted both the methods to convert their lands. Intertwined to the formation of these kinds of layouts had been the issue of the transfer of property rights to the site buyers. One can see from the Table 5.6 that the highest number i.e., forty-six layout makers had transferred the property rights by conferring ‘general power of attorney’ or popularly known as ‘GPA’. Over a period of time, significant number of layout makers with the previous and changing rules, had registered the sites to transfer property rights to individuals who had bought sites and nine of them had adopted both the methods.

Connected to this process of transfer of property rights were the government initiatives of regularization—the process which had legalized newly converted layouts by paying fines and payments towards the civic amenities which the concerned authorities would provide or had already been providing. Jaraganahalli village areas had been under various mechanisms of administration and urban planning over a period of time. In recent times, after the establishment of Corporation Municipal Council, the illegally formed layouts could be regularized.

All the above described processes had consequences for the new urbanization and expansions of Jaraganahalli and they became a part of the expanding Bangalore city. The pressures and processes which had urbanized Jaraganahalli were also in a way creating new needs of employment, housing, education, marriage, etc. This was captured in Parajavani Srinivas's¹²³ expression—*survey number hana*. *Survey number hana* is the proceeds from the sale of sites. He was talking about the money spent conspicuously on marriages, building new houses, pilgrimages, etc. The reasons that the layout makers gave were that they had adapted to new life with changes in employment, new kind of housing for themselves and changes in the kinds of relationships that existed in the village. Most of them now had tenants who paid monthly rents. Though most of them wanted to spend on the education of their children, they were unable to spend more money. The expenditure on marriages increased drastically and conspicuously after the layout makers made money by site sale proceeds. Thus the developed land and the needs of the people were creating alternative spatial formations.

After all these changes, what were the natives of Jaraganahalli doing? What kind of exists at present? The land-use occupational profile and the give a picture of urbanized Jaraganahalli. Table 5.27 gives the occupational profile and the activities of the members of households.

Washerman											1	1
Non-Governmental Organization							1					1
Bullock-Cart Owner		1										1
Petty Business		1										1
Carpenter		1										1
Shepard			1									1
Table 5.27 (contd.) Municipal Jobs- Sweepers, Plumbers, etc.	1											1
Repair shop- Electronic Goods		1										1
Life Insurance Corporation Agent										1		1
Private Contract Jobs										1		1
Transport Van Owner		1										1
Construction Worker		1										1
Brick Kiln Worker		1										1
Grocery Shop		1										1
Commission Agent- Fruits and Vegetables		1										1
Go-down Worker/ Warehouse Worker		1										1
Printing Press Worker		1										1
Fruits Business		1										1
Chit Funds		1										1
Painter		1										1
Garment Factory Worker		1										1
Phone Booth		1										1
Cable TV Network Operator		1										1
Small-time Money lender		1										1
Worker during Marriage Occasions and Village Festivals	1											1
Pushcart Hawker	1											1
Worker during Death Ceremonies	1											1

How does the built environment or the land-use pattern look like? The creation of new layouts for urban needs has not replaced the nature of spatial structure organized for agriculture needs. The practical logic of the use value of agricultural layout had been to maximize the use of land to grow plants or trees. The approach or way to agricultural lands for each owner was through narrow paths or over bunds. When converted to urban use, these narrow paths or bunds replicated into narrow lanes or marginally extended roads. The maximum utility of land has maximized utilization of land by converting them into more number of sites. Small layouts were made by the individual landowners with minimum road space and drainage facilities. Water supply

was local for a long time, until Jaraganahalli was part of Bommanahalli Corporation Municipal Council. Residents of newly formed layouts and the native villagers were dependent on the local wells, which were the only sources of water. Since the village had electricity, it was extended from there to the new layouts too, but not without restrictions. They had to take a No Objection Certificate (popularly known as NOC) by bribing the concerned authorities for electricity connections in the revenue layouts, besides facing frequent questioning by the planning authorities, threat of land acquisition by the government, etc. The newly developed layouts were put to mixed uses than on any other rationale of zoning. Most of these uses depended on rent earnings. The Table 5.27 indicates the new developments.

Table 5.28

Land Use Changes

Types of Land Uses		Multiple Converted Land Uses by the Layout Makers
Completely Built-up Clusters	Residential- Own Housing and Rent Housing	74
	Commercial area -- Different kinds of Shopping area.	22
	Factory Area	10
	Party Hall/Marriage Hall, Temples, School, workshops, floricultural nurseries, weavers handlooms, stone polishing and cutting, etc.	4
Relatively Built-up Clusters with Some Unused Spaces	Residential -- Own house and Rent House	2
	Commercial area -- Different kinds of Shopping areas.	0
	Factory Area	2
	Party Hall, Marriage Hall, Temples, School, Workshops, Floricultural Nurseries, etc.	2
Unused Spaces- Garden Owners, Vacant Spaces, etc.		2
Total		118

Site makers had sold the sites for multiple uses. Each site maker had sold many a site for different purposes or land in bulk. Each category had multiple uses. Firstly, the Table 5.27 indicates that the Totally Built-up Area was the highest—seventy-four. Relatively Built-up Area was marginal—six, and Unused Spaces was the least—two. Jaraganahalli area was totally a built-up area. In the totally Built-up Area, larger number of sites within the given clusters has been put to residential use. Commercial use occupies a space of twenty-two sites in the clusters. Factory use occupies ten sites in the clusters, and Party Hall/Marriage Hall, Temples, etc., occupy

four sites in the given clusters. Relatively Built-up areas are few. Except commercial, all other categories of uses share two sites each within the clusters and unused spaces are the least with two sites.

Built environment too has changed over a period of time. Residential rent and commercial rent have formed the backbone of earnings of the residents. Now houses are cement/concrete walled and RCC roofed, concrete walled and asbestos sheet roofed, and old buildings with country tiled. Small houses are in the form of tenements, and tenements which are double storied or triple storied. They are cement concrete structures with RCC roofing and concrete structures with asbestos sheet roofing. Medium sized houses are single storied or double storied concrete buildings. Houses in the old village core area are of various kinds. Cement/concrete walled and RCC roofed, concrete walled and asbestos sheet roofed, and old buildings with old tiles roof of houses, as mentioned previously. Houses in the layouts have RCC roofing and concrete structures with asbestos sheet roofing. A 'small house' is around 200-250 sq. ft. A 'single bedroom' house is around 500-700 sq. ft. and a 'double bedroom' house has about 800-1200 sq. ft.

Lands bordering Kanakapura Main Road have become mostly commercial establishments—small grocery shops, meat stalls, photo studios, bakeries, hardware shops, household steel utensils shops, cloth shops, fabrication shops, service stations of automobiles, gas stations, small factories, a car showroom, a school, medical shops, canteens, electrical hardwares, tailor shops, phone booths, sweet stalls, private housing estates or the apartment blocks, etc. In the interior areas lands have been used for housing, and in a scattered manner lands also have been used for other purposes like workshops, grocery shops, crèche, school, tile making units, temples, cattle sheds, old small gardens patches, temples, church, horticultural nursery, fabrication units, warehouse, etc. Within the old village core unit, the older built structures, built for one's own use or to earn rent are intact but gradually they are giving way to new concrete buildings. The western side of the Jaraganahalli lands has a similar spatial formation.

Conclusion

The private layout formation is generally characterized, from the legal-planning point of view as 'unauthorized' or 'unplanned' spatial formation. That apart, private layout plans are part of the social plans in terms of adaptation to the fast changing villagers' scenario in the land market. One can see from the above analysis that there are larger processes underpinning the private layout formations. One could summarize the factors influencing the formation of private layouts in the following way.

a. The process of urbanization influencing the expansion of Bangalore city has been addressed and managed by the governmental spatial production. This process allows and makes provision mainly for large scale industrial production and business, and their concomitant residential and other needs. The spatial needs of lower classes are only marginally addressed, and the planners are neither conscious of nor can afford legal planning. Thus planning which works through exclusion, not only engenders unequal spatial production, but also is unaffordable. Thus places like Jaraganahalli produce unplanned/unauthorized formations because they are affordable for work and residential uses.

b. Low compensations fixed by the courts, are not equal to the market values. As always, courts or even the authorities take into account the registered market value in private transactions or other transactions to fix the compensation value. The registered market values are usually far below the market values. If a private transaction is registered at the market value, the parties involved in the transactions have to pay more taxes or fees. Therefore the transacting parties, all the time, quote a low value while registering, to evade taxes. Residents of Jaraganahalli due to the fear of land acquisition by the government decided to form private layouts. This move maximized revenues and at the same time gave rise to mixed land uses.

c. Finally, as a corollary to the previous two points, private layouts are not planned according to the planning rules or laws for the below mentioned reasons. 1. The small scale land holdings of horticulturists/agriculturists are mainly put to form layouts at individual level which have always been to maximize the spatial production for urban uses in terms of exchange value i.e., to maximize returns through sale of sites. 2. Since

there is no collective production of large scale urban uses i.e., governmental production of space for all, the spatial logic of agricultural formation, as described earlier, replicates itself, by and large, to form unauthorized urban uses.

Endnotes and References

¹ Kanakapura Main Road starts from the Western central part of the Bangalore city, extends towards Bangalore South Rural District, and touches the taluk headquarters of Kanakapura.

² Banerghatta Main Road radiates out of the city from the Cantonment Area- the eastern central part of the Bangalore City. It extends towards Bangalore South Rural District and touches taluk headquarters of Anekal.

³ *Census Handbook, 1951, Bangalore District*, p. 240.

⁴ Sathpal Pulliani (Ed) 2005, *The Karnataka Town and Country Planning Act, 1961*, Notification No. PLM 42 MNP 65, dated 1-11-1965, Karnataka Law Journal Publications, Bangalore, Pp. 118, & 121-122.

⁵ *Census of India 1971, Series-14, Mysore, District Census Handbook, Bangalore District, Part X-A: Town and Village Directory*, pp. 68-71.

⁶ *Census of India 1981, Series-9, District Census Handbook, Bangalore District, Part XIII-A&B: Town and Village Directory, Village & Townwise Primary Census Abstract*, pp.53-55.

⁷ Ibid. pp. 83-84.

⁸ Ibid. p. 971.

⁹ *Census of India, 1991 Series-11 Karnataka, Part XII-A, District Census Handbook, Bangalore, Village and Town Directory*, p. xxxix.

¹⁰ *Census of India, 1991 Series-11 Karnataka, Part XII-A, District Census Handbook, Bangalore, Village and Town Directory*.

¹¹ Sathpal Pulliani (Ed) 2005, *The Karnataka Town and Country Planning Act, 1961*, Notification No. PLM 42 MNP 65, dated 1-11-1965, p. 118.

¹² Ibid. p. 7.

¹³ *Report on the Comprehensive Development Plan of Bangalore, 1976*, p. iii.

¹⁴ Ibid. pp. 119-222.

¹⁵ Hobli is an administrative unit comprising of many villages.

¹⁶ Sathpal Pulliani (Ed) 2005, *The Karnataka Town and Country Planning Act, 1961*, Notification No. PLM 42 MNP 65, dated 1-11-1965, pp. 118-125.

¹⁷ *Report on the Comprehensive Development Plan of Bangalore, 1976*, p.192.

¹⁸ Ibid. p. 192

¹⁹ Ibid. pp. 193-194.

²⁰ *Comprehensive Development Plan, 1985*, p. 97.

²¹ Ibid. p. 98.

²² *Comprehensive Development Plan (Revised), 1995, Bangalore- Report*, p. 3.

²³ Sathpal Pulliani (Ed) 2005, *The Karnataka Town and Country Planning Act, 1961*, Notification No. PLM 42 MNP 65, dated 1-11-1965, p. 118.

²⁴ Ibid. p. 122.

²⁵ *Report on the Comprehensive Development Plan of Bangalore, 1976*, p. 187.

²⁶ Ibid. p. 187.

²⁷ Ibid. p. 188.

²⁸ Ibid. p. 199.

²⁹ *Comprehensive Development Plan*, 1985, p. 94.

³⁰ *Ibid.* p. 94.

³¹ *Ibid.* p. 102.

³² *Comprehensive Development Plan (Revised)*, 1995, p. 3.

³³ *Ibid.* pp. 187-188.

³⁴ *Ibid.* p. 198.

³⁵ *Ibid.* pp. 195-198.

³⁶ Notification No. HUD 150 MNE 93, Karnataka Government Secretariat, Bangalore, dated 12 October 1993.

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Karnataka Gazette, Extraordinary*, dated 24-1-1996, Notification No. HUD 703, MLR 95, dated 22-1-1996.

⁴⁰ *Proceedings of the Government of Karnataka, Government Order No. HUD 80 MLR 96*, Bangalore, dated 07-03-1996.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ The details of the criteria to form a City Municipal Council are: (i) The population of such area is not less than fifty thousand and not exceeding three lakhs; (ii) The density of population in such area is not less than one thousand and five hundred inhabitants to one square kilometer of area; (iii) The revenue generated for local administration from such area from tax and non-tax sources in the year of the last preceding census is not less than Rs. 22, 50,000/- per annum of a sum calculated at the rate of rupees forty-five per capita per annum whichever is higher; and (iv) The percentage of employment in non-agricultural activities is not less than fifty percent of the total employment (*Karnataka Gazette, Extraordinary*, dated 24-1-1996, Notification No. HUD 703, MLR 95, dated 22-1-1996).

⁴⁴ As stated in the notice served to Muninanjappa, Notice No. LAC 191/75-76, Special Land Acquisition Officer, Government of Karnataka.

⁴⁵ *Karnataka Gazette*, Part IX, June 16, 1983, Notification No: LAQ (i) CR 177/81-82 dated 30 May 1983 Under Section 4(i) of the Land Acquisition Act, 1984, p. 569.

⁴⁶ *Karnataka Gazette*, Part IX, June 20, 1985, Notification No: RD 179 AQD 84 dated 1 June 1985, Declaration under Section 6 of the Land Acquisition Act, 1984.

⁴⁷ Public Notice No. LAQ SR 289: 83-84, served by the Office of the Special Land Acquisition Officer, Bangalore, to B. M. Krishnappa, dated: 1-10-1986.

⁴⁸ Declaration of land acquisition, No. LAC. 324/87-88, served by the Office of the Special Land Acquisition Officer, Bangalore, to B. M. Krishnappa, dated: 4-1-1988.

⁴⁹ Bangalore Development Authority, Notice No. LAC 250, served by the Office of the Special Land Acquisition Officer, Bangalore, to B. Muniswamy, dated: 6-8-1988.

⁵⁰ *Karnataka Gazette* 1990, No. HUD 334/MNX 90, dated 3 November 1990, Housing and Urban Development Secretariat.

⁵¹ *Aiappa@Muniappa and others Vs Special Land Acquisition Officer*, First appeals LAC Nos. 851, 855-858, 872, 904, 923, 927, 986, 988, 992-993, 1018, 1020-1021, 1034, 1051, 1053, 1076-1077, 1086, 1158, and 1191, dated 4 December 1980, In the court of the XIII Additional City Civil Judge, Bangalore City, p.9.

⁵² Declaration, Notification No. RD 179 AQB 84, dated 1 June 1985, Office of the Special Land Acquisition Officer, Bangalore.

⁵³ *Karnataka Gazette Preliminary Notification*, No. LAQ (1)/SR-11/86-87, dated 12-8-1986, Part-9, pp. 900-911. Housing and Urban Development Secretariat.

⁵⁴ *Karnataka Gazette* 1990, No. HUD 334/MNX 90 dated 3 November 1990, Part-III-1, Housing and Urban Development Secretariat, pp. 1-17.

⁵⁵ From the map prepared by Muniyellappa, C1994.

⁵⁶ *Ibid.*

⁵⁷ The map prepared by Muniyellappa does not represent the exact area of lands acquired finally. Some of the entries mentioned and marked in the map are land proposed for acquisition. But the map broadly represents the process of land acquisition initiated by the

government for various kinds of land development over a period of time, pertaining to Bilekahalli. The researcher had to depend on the map prepared by Muniyellappa for the reason that the information sought from various institutions of the government was only partially available.

⁵⁸ Aiappa@Muniappa and others Vs Special Land Acquisition Officer, 1980, p.14.

⁵⁹ Ibid. p. 14.

⁶⁰ Ibid, pp. 12-23.

⁶¹ The land acquisition authority was questioning the rationale of land value in the judgment of the civil court. Land values were fixed on the basis of sale deeds. "The learned civil judge has fixed the market value mainly on the basis of a sale deed which has come into existence pursuant to our agreement of sale dated 11-12-1972. The price paid was at Rs. 24,600/- per acre. The total area sold was one acre 25 guntas. That is in Sy. No. 155/3 of Bilekahalli. The learned judge, taking that as the basis has added the appreciation value at the rate of 10% per year on an average. The sale price is of the date 5-12-1972 and the preliminary notification in this case is dated 26-2-1976. Therefore there is a difference of 3 years and 3 months from the date of agreement on which date the sale price was fixed and the date of preliminary notification. Having done so he came to the conclusion that the market value in the present case would work out to Rs. 33,000/-. The lands sold were from Nayanappasettypalya. It works out to Rs. 26,000/- per acre. The agreement of sale was in November 1973. Six acres 8 guntas were sold in all. There is gap of two years and 3 months between the date of agreement of sale on which date of sale price was fixed and the preliminary notification. Adding 10% appreciation the learned civil judge has come to the conclusion that Rs. 33,000/- per acre for the suit lands would be proper as the proper market value." (Special Land Acquisition Officer, Bangalore Vs Aiappa@Muniyappa & Others, M.F.As. Nos. 786-789, 791, 793, 794, and 796-809 of 1982, In the High Court of Karnataka, dated 16 August 1984, pp. 6-7)

⁶² Emphasis added.

⁶³ Special Land Acquisition Officer, Bangalore Vs Aiappa@Muniyappa & Others, p. 8.

⁶⁴ Ibid. pp. 8-9.

⁶⁵ Ibid. pp. 10-11.

⁶⁶ From the Sale Agreement Paper between B. Muniswamy and Vijaya Bank Employees Housing Co-operative Society, Limited, dated 12. 8. 1982, pp. 2-3.

⁶⁷ Ibid: p. 4.

⁶⁸ Enclosure to Report under Section 5(A) of the Land Acquisition Act- Acquisition of lands at Bilekahalli, Bangalore South Taluk in favour of Vijaya Bank Employees House Building Co-operative Society, Limited, Bangalore, Office of the Special Land Acquisition Officer, Bangalore, dated 3-9-1984.

⁶⁹ Ibid. p. 1, Claimants Column.

⁷⁰ Ibid. p. 1, Claimants Column.

⁷¹ Ibid. p. 1, Claimants Column.

⁷² Ibid. p. 1, Land Acquisition Officer's Column.

⁷³ Ibid. p.4, column of respondent society.

⁷⁴ Ibid. p. 1, Claimants Column.

⁷⁵ Ibid. p. 1, Land Acquisition Officer's Column.

⁷⁶ Required amount was Rs. 33,00,000/-

⁷⁷ Ibid. pp. 2-3, Land Acquisition Officer's column.

⁷⁸ Reply Statement of the acquiring body VBEHCSL to the objections filed, Before the Special Land Acquisition Officer, Bangalore, No. L.A.Q. (1) CR. 177/81-82/L.A.Q. SR. 290 of 83-84, p. 2.

⁷⁹ Karnataka Gazette June 20, 1985, Part IX, Notification No. RD 179 AQB 84, dated 1 June 1985, pp. 262-266.

⁸⁰ Before the Special Land Acquisition Officer, III floor, Podium Block, Visveswaraya Centre, Ambedkar Road, Bangalore-1, L.A.No. 21 of 85-86, dated 28-9-1987; L.A.Nos. 55&67 of 85-86; and L.A.Nos. 7, 28 & 29 of 85-86, dated 28-9-1987. And In the Court of the Special Land Acquisition Officer, Bangalore, No. LAC.55/85-86, dated 7-9-87; E.Muniyappa Vs Vijaya Bank Employees Housing Cooperative Society & Special Land Acquisition Officer, Bangalore, In the High Court of Karnataka at Bangalore, WP. 25402 to 25409/1995; V. Krishnappa & ors Vs State of Karnataka & ors, In the court of the City Civil Judge at Bangalore, OS. No. 3359/1989, dated 28 June 1989.

⁸¹ Ibid.

⁸² Interview with Muniyellappa on 14 December, 2002; Interview with Madhurnath Padki- Advocate on 13/1/2002; Interview with Ramakanth Shetty, Advocate of Vijaya Bank Employees Housing Cooperative Society, Limited, on 15th May 2003; and Interview with Papanna on 16 February 2003, etc.

⁸³ Before the Special Land Acquisition Officer LAC Nos. 7, 28&29 of 85-86; LAC No. 55&67 of 85-86; & LAC No. 21 of 85-86.

⁸⁴ Papanna vs The Secretary, Vijaya Bank Employees Housing Cooperative Society Limited, No. 2012/1996, In the Court of the XVII Additional City Civil Judge at Bangalore, p. 4.

⁸⁵ From the Carbon Copy of the Petition submitted to the President of India, dated 1st September 1983.

⁸⁶ Ibid.

⁸⁷ A carbon copy of the letter, submitted to the Chief Minister of Karnataka, dated 4-11-1985.

⁸⁸ The letter gives a picture of list of complaints in an animated manner. It is as follows: a. In response to notice we go to the Land Acquisition Office...a tout will always be present. Any statement we give him, he [LAO] first gives it to [tout to seek his opinion on the notice]...Tout has swallowed lakhs of rupees and has bribed every authority. Many a times there has been scuffle between him and some of us...; b. As regards the rates we ask for he asks us 'is it your father's or grand father's property to pay that amount. Although there is provision to pay advance compensation he [LAO] always asks us to approach him [tout]...Otherwise he will not only kick us out of the lands but also see to that we do not get the compensation even after a decade; c. Tout owns a car and LAO always uses his car, and for spot inspection also he used his car and tout has a permanent seat by the side of LAO's chamber in the office...Even when LAO is not in the officer, tout occupies the seat and goes on phoning and phoning to whosoever he likes and he has taken the LAO's chambers as his personal officer room...LAO does not do anything without consulting tout...tout commands everybody in the office and entertaining the official class...What is all this? Is it a Government Office or a market place? Why should tout have so much privileges in the office and who is to pay for the phone calls he makes?... and so on (ibid).

⁸⁹ Ibid.

⁹⁰ A carbon copy of a letter written by M. Srinivas Member of Legislative Assembly, Uttarahalli Constituency, Karnataka, dated 8-4-1985, addressed to Revenue Minister, Government of Karnataka, Bangalore.

⁹¹ A carbon copy of a petition submitted to the Governor of Karnataka by the Villagers of Bilekahalli, dated 8-6-1989.

⁹² A petition submitted by M. Muniraju to The Deputy Commissioner, Bangalore District (Urban), Bangalore City, dated November 9, 1988 and A petition submitted by the Citizens of Thigala Community of Bilekahalli to The Deputy Commissioner, Bangalore District (Urban), Bangalore City, dated November 10, 1988.

⁹³ A petition submitted by M. Muniraju to The Deputy Commissioner, Bangalore District (Urban), Bangalore City, dated November 9' 1988.

⁹⁴ A petition submitted by the Citizens of Thigala Community of Bilekahalli to The Deputy Commissioner, Bangalore District (Urban), Bangalore City, dated November 10, 1988.

⁹⁵ Ibid.

⁹⁶ A petition submitted by the partner of Therasa Poultry Farm of Bilekahalli to The Deputy Commissioner, Bangalore District (Urban), Bangalore City, dated October 22, 1989.

⁹⁷ Interviews with- Muniyellappa on 23 February 2002, Muniveerappa on 13 March 2003; Muniyappa on 8 April 2003; Muni Raju on 10 January 2003, and Muniswamy on 28 January 2003.

⁹⁸ *Narayana Reddy & Another v State of Karnataka and Others*, Writ Petition Nos. 17775 & 17776/1986, 21417/1986, etc., The High Court of Karnataka/Karnataka Law Journal, [1991(3)].

⁹⁹ Ibid. pp. 550-551.

¹⁰⁰ Ibid. p. 559.

¹⁰¹ Ibid. p. 560.

¹⁰² Section 4(1) of the Land Acquisition Act.

¹⁰³ *Narayana Reddy & Another vs. State of Karnataka and Others*, p. 561.

¹⁰⁴ Ibid. p. 561.

¹⁰⁵ Ibid. pp. 562-563.

¹⁰⁶ Ibid. pp. 566-567.

¹⁰⁷ Ibid. pp. 576-577.

¹⁰⁸ Ibid. pp. 577-578.

¹⁰⁹ Ibid. pp. 579-580.

¹¹⁰ Ibid: pp. 585-586.

¹¹¹ Ibid: p. 599.

¹¹² *H.M.T. House Building Co-operative Society v Syed Khader*, Indian Law Reports, Karnataka Series, Vol. No. 45, 1 July 1995, Part 13, pp. 1963-1986.

¹¹³ Ibid. pp. 1981-1982.

¹¹⁴ Forty years ago, Bilekahalli was still non-urbanized but was connected to the city. However, the wilderness was just ten to twelve kilometers away towards the south of Bilekahalli. People of Bilekahalli used forest for firewood. Another respondent remembered that there was another Bilekahalli in the Cantonment area which the British later pronounced 'Blackpally'. A British 'doresani', a white woman, he said, had visited Bilekahalli about a hundred and fifty years ago. After the visit of the white woman some of the Bilekahalli villagers converted to Christianity. Villagers who joined the Christian fold formed another village called Doresanipalya which is adjacent to Bilekahalli. Yet another respondent remembered that Mahatma Gandhi had visited Bilekahalli and other places, and then Bilekahalli villagers had supplied lemon to prepare lemonade for Gandhi. Those were the distant memories of time, of connections of Bilekahalli to the wild, the city and the nation.

¹¹⁵ Apart from that, it was also culturally connected to the city through its caste relations and the annual civic festival, the Karaga, associated with a particular caste group, namely, Thigalas. Sometime in the mid 1970s the caste relations of Thigalas and Adi-Karnatakas, the untouchables within the village, came into conflict over the issue of Adi-Karnataka's demand to enter the village temple. Adi-Karnatakas took the help of police to enter the temple. Though Adi-Karnatakas eventually got access to the temple, Thigalas abandoned the use of the temple. This finally made Adi-Karnatakas voluntarily give up the use of the temple to Thigalas. Thigalas, after rituals of purification (Shuddi), started using the temple. Adi-Karnataka caste members even today do not enter the temple. They have only taken liberty to enter the front precinct, the front platform of the temple and offer prayers. They share that space with all other caste members now. The front platform of the temple has become a meeting platform for all caste groups. Adi-Karnataka caste members view that they were charitable to the village community by withdrawing from the temple entry. However, the caste relations in the village did not remain the same. The relations of Thigalas and Adi-Karnataka groups were recast, members of the both the caste groups started visiting each other.

¹¹⁶ Narayana Swamy, one of the respondents, recollected a tale that Sarraiki Kere was built 300 years ago, when the resources of the tank in terms of its water and the fish were to be shared between two villages Jaraganahalli and Sarakki. Authorities then had given the option to villagers to choose either of it—fish or water. Jaraganahalli villagers chose to fish in the tank than consume water, because they did not own any land in the area irrigatable by the tank water. So goes the story.

¹¹⁷ Jaraganahalli was, as one of the respondents put it, "[a] village which till early 1980s was the same from the days of the dawn of civilization. But later, from early 1980s onwards everything here has totally and rapidly changed. In those days eating rice was a luxury. Only on festival days rice with some sweet was a luxury. Daily consumption used to be *ragi mudde* with locally grown vegetables and pulses or on occasions locally available country chicken and meat. Now people eat rice everyday and *ragi mudde* is rare and now even the dogs of the village will not eat *ragi mudde*" (Interview with Seenappa, a native and resident of Jaraganahalli, on 13 April 2002). In difficult times, the members or the households of the village community led a life of cooperation with mutual sympathy and empathy. "Community life has changed a lot. Earlier there was cooperation among all people of the village irrespective of caste. If people had to incur greater expenditures on occasions like marriage or illness, people would help each other. People in the village were not allowed to sell land to perform functions. Today the conditions have changed, everything is becoming fashionable, whether its festival or marriage, today people sell their lands to perform these functions. Now people have become selfish, people want to accumulate; individually people want all the benefits for themselves. People had fear and ethics then. If anyone were to be in trouble people would go to their rescue irrespective of caste" (ibid).

The same respondent who gave the picture of a harmonious village community life, later in the course of interview demystified the harmonious nature of relationships in the newly emerging context of policy changes to redistribution of land and the loss. He was talking about intolerance shown by the Thigala Community against other castes in the village. When any other caste fellow would progress in terms of buying or possessing more property or if any other community were to prosper, it was not tolerated by the Thigalas. Relationships between communities changed due to land reforms, it created hatred and dislike between communities. The castes who lost out were few in number, and had no control over land and therefore could hardly show any resistance to retain lands. Perhaps the member of the caste was expressing his disapproval because Thigalas and all other castes in the village had gained land during the period of Tenancy Reforms initiated by the Government. Narayanaswamy, one of the respondents, had spoken about the tenancy reforms and about how the worst losers were the Achary community. When 'Land to the Tiller' was introduced, the Achary (Viswakarma) community was the largest owner of land. Though they constituted few households in the village, the Acharys had let out the land for share cropping. When land reforms in the late 1960s were introduced, they lost their lands to other castes in the village who were cultivating their lands. Another family too had lost during the tenancy reforms. An extended joint family of Scheduled Caste community was not directly cultivating lands they owned and therefore the actual cultivators claimed the lands. Though the respondent's father-in-law had cultivated the land for sometime, he had later leased the land for a share of the crop. The respondent (son-in-law) did not have enough to invest in the land either. So they had leased the lands. Cultivators, who were upper caste (Reddy) and backward caste (Gollas) went to court with tenancy cases. Courts decided in the cultivators' favour. The respondent did not have proper records to prove in the court that the land belonged to them. His father-in-law had not maintained any records or even the revenue tax receipts to prove that. Apart from that his father-in-law did not have proper land records for the lands. Totally his family owned 2 ½ acres, 1 acre 10 guntas and 2 acres in three different places. Inamthi lands were the only lands that remained. Actually village people were cultivating their lands, when tenancy reforms were introduced and his family lost all the aforementioned lands. Inamthi lands were granted to his caste family traditionally from times immemorial which were passed on from one generation to another for performing traditional thoti functions (Thoti announces various happenings and ceremonies in the village viz., marriage, death, village festivals etc., and, performs the

accompanying music for death ceremonies) in the village. This land was owned by all (Madiga) Scheduled Caste families until it was sold.

The major portions (about 60 to 70% of the lands) were pastoral (Gomala) lands and uncultivable or barren (Kharab) lands belonging to the north-western parts of Jaraganahalli. Ten Thigala caste households owned agricultural land in the same area. The households of Yelechenahalli and Kadarenahalli too owned lands within the same part of Jaraganahalli area. Five Marathi households too owned agricultural lands. The major portion of the land ownership was with Reddies who owned approximately two hundred acres of agricultural land in the same area. Part of that area was a hillock (which continues to exist) known as 'Shavige Malleswarana Gutta'. On the hillock a temple of Shavige Malleswara, a god, continues to exist.

¹¹⁸ Munisanjevappa, a respondent, says that "People did not expect such drastic changes. These changes could be compared to the Industrial Revolution. Before changes could take place, there was a certain kind of normalcy—people would stay here and would do the same work for ages, and if they were to earn and gather more money, they would only buy additional land for gardening and agriculture; otherwise there were not many great changes in the lives of people. We did not expect great changes" (Interview with Munisanjeevappa, a native and resident of Jaraganahalli, on 15 May 2002).

¹¹⁹ From the Interview with Seenappa, a native and resident of Jaraganahalli, on 20 March 2002.

¹²⁰ From the Interview with Chandrashekar, a native resident of Jaraganahalli, on 12 February 2002.

¹²¹ From the Interview with Rangaswamy, a native resident of Jaraganahalli, on 18 May 2002.

¹²² Kanakapura is Bangalore's South Rural Taluk.

¹²³ From the Interview with Prajavani Srinivas, a native resident of Jaraganahalli, on 28 April 2002.

Chapter-6

Conclusion

By the way of concluding, what could one think of the object of this thesis? It all began with a thought of an exploration into land development and urban planning in the context of the expanding city. In a way the study has attempted to investigate the spatial aspects in the city growth and development. The proliferation of urban areas across the world during the 20th century has been remarkable. Instead of viewing the growth of urban areas as local, regional, national, and global one can see the imbrications of social, economic and political processes of various scales in different urban regions and the formation of urban areas are part of their historical processes too. Moreover, the thrust of the arguments has been to highlight the global connections of urban phenomenon viz., global cities as sites possessing the command and control over certain kinds of production of products and services and dispersal of various industrial and financial activities across the world, as postulated by Saskia Sassen, or internationalization of urban policies, rescaling of statehood in the context of destabilized and decentered national scale of political-economic regulation with the emergence of new scalar hierarchies of state institutional organization and state regulatory activity in the major urban regions to boost local economic growth capacities, etc., as postulated by Neil Brenner, etc. Though the global political-economic processes seem to have a major influence over the urban regions across the world, it is not clear as to demonstrate the scale of changes this kind of globalization would bring about across the world and how they rearticulate the local or regional or national political economic processes in the developing countries. There has been challenge to the policies at all levels within the national territories, in terms of implementation of programmes, lack of legitimacy, lack of participation, the unbalanced development pattern between territories even under the former regime of welfare state. Most of the regions remained out of the purview of the welfare programmes and lack of redistribution of investments and enterprises between regions, etc. Urban regions across developing countries are situated within the (many a time situated within the vast swathes of impoverished and dry and rain dependent) agrarian regions. Apart from that Governments in the developing countries still have to focus mainly on the development of agriculture, land redistribution and land reforms, etc. Given these conditions, one is reminded of Desai's argument that urbanization in India is characterized by the movement of rural people to urban areas due to the oppressive social, political and cultural conditions. He terms this kind of migration as "distress migration" which leads to the growth of the poor settlements and informal sector in the cities.¹ Apart from that urbanization is characterized by development of industries,

educational and financial institutions, trade, information technology industry, planned residential settlements, etc.

Similarly, the cities of developing India are situated among the vast rural regions. Most of the states in India have a big capital city or a metropolis which is incomparable to any other urban area in any given state, with very few exceptions like Maharashtra having more than one metropolis- Bombay, Pune and Nagpur, Tamil Nadu having Chennai, Madurai and Coimbatore, etc. Metropolitization is one of major developments with the growth and expansion of state capital urban regions. Clearly primacy of one city in each state is still viability or a norm. Cities are in transition. Cities of the present times in India give a fragmented picture socio-spatial picture.

Urban Space: Competing Marxian Paradigms of Space

Apart from causes for the emergence of city or a metropolitan region, the urban studies teach us that the configuration of space is fundamental and needs a theoretical articulation of space.

(a) Castells' articulation of space mainly focuses on the formation of the metropolitan regions and its configuration in terms of capitalist organization. For Castells the spatial aspect finds its meaning only in relation to of social structure. In that sense, space and social structure are indivisible. Then the specific 'urban' character of social structure is determined ideologically, by politico-juridical instance and by economic instance. The contemporary urban units are divided, determined and characterized by units of economic system. Castells views organization of various means of production and labour power belong to various realms but are interrelated. Within the classification of space the activities of production, consumption, exchange and management, are seen as elements in a given social system. Organization of means of production for Castells, is a regional question which is embedded in the historical process and is the result of contradictions within the social formation, whereas the labour power and its reproduction characterizes the urban spatiality.

(b) In contrast to Castells' articulation Lefebvre discovers autonomy of space. For Lefebvre, spatial design should be accounted as one of the significant elements among productive forces of society which include also technology, human knowledge, labour power, etc., which add to the "productive potential".² All properties of space accounted so far, are termed as 'first nature of the role of space in production'. Beyond that, inherent to space is its 'second nature'. That is the 'dialectical properties of spatial relations articulate with the externalized properties of the mode of production at a number of levels' which signifies that the quest for the control over spatial relations and design holds equally revolutionary potential as the control over other means of production.³ Its material form determined by exchange value is a commodity but unlike any other commodity produced viz., sugar, cloth, etc. Unlike other commodities, places or locations cannot be put together or heaped together. Lefebvre views that Engel's

formulation, apart from reflecting the industrial production, also demonstrated that the economy had two sectors- the primary and secondary circuits of capital. Primary circuit of capital included manufacturing, commercial banking, retailing, etc., and the secondary circuit of capital included real estate industry- its banks and other financial conduits, real estate agents, owners of property and its markets, which were mainly instrumental in bringing about changes in the metropolitan environments. The logic of secondary circuit of capital is relatively autonomous from the logic of primary production. The flows of capital in and out of secondary circuit compounded and complicated the crisis cycles in the primary circuit.⁴

The fundamental difference between Castells' and Lefebvres' articulation of space is that the former argues that space is only part of the capitalist production process and finds its expression in the organization and reproduction of labour power in urban space, whereas the latter argues that space is not only part of the capitalist production process, but also autonomous which in turn generates the second circuit of capital viz., real estate industry.

Planning and Space

For Castells the management of urban system is central in ensuring the extended reproduction of the system in regulating the non-antagonistic relations and in repressing the antagonistic contradictions, and assuring the interests of the dominant social class and the structural reproduction of the dominant mode of production.⁵ Management of urban system happens through state intervention in terms of urban planning. The process of planning involves the intervention of the political in the different instances of a social formation (including the political) and/or in their relations.

Urban planning is designed to address the crisis in the provision for 'Collective Consumption'. The idea is that individuals or individual entrepreneur do not volunteer to invest in the production of goods and services that are consumed collectively. Capitalists are disinterested to produce/invest in such projects since margin is negligible. Goods and services consumed collectively, draws state's investment due to the inevitable nature of consumption daily viz., roads, electricity, water, hospital, housing, etc., without which modern human life, in the city, would come to an end. Collective consumption attends to the needs of 'reproduction of labour power' and 'reproduction of means of production' which otherwise is at stake since they are essential elements in the production process. Thus to maintain the capitalist production process, state invests in production of collectively consumed goods. Therefore the 'Urban Question' is about the organization of means of collective consumption.

For Lefebvre, the state intervenes through planning which he characterizes as a class strategy. Cities are viewed as beautiful oeuvres with their traditional centres and culture which are representational of use values. With capitalist industrialization and

advent of planning, the city is de-centered by the way of suburbanization, speculation in land, etc., and the use value is lost and the exchange value dominates. The oeuvre is representational of social space with its community sentiment converted to the fragmentation and expansion of city which is representational of 'abstract space' which generates exchange values. The opposite of social space is the 'abstract space' which is 'two-dimensional, instrumental space of planning, state intervention, and capitalist exploitation.' 'It is when space, together with the daily life it represents, becomes an abstraction and an object of manipulation that it takes on its alienating form. Abstract space is the structural correlate of instrumental human action. It can be exploited through state intervention, as well as by capital.'⁶ The consequences of States' domination generates violence, social entropy (social energies are put to disuse or unused generating disorder or chaos), use value is lost to exchange value, etc.

David Harvey too is concerned with the intervention of the state in urban affairs due to 'Overaccumulation' crisis of capital in the primary circuit for various reasons. Harvey deals with intervention of State at two levels: a. at the level of creating channels of money supply and credit system, and; b. at the level of planning. The intervention of state aids switch of overaccumulated capital only through money supply and the credit system that creates "fictional capital". Though the financial and state institutions are autonomous, in times of crisis of overaccumulation, they play a coordinating and mediating role for smooth switch over from primary to secondary circuit. The idle capital is siphoned off via financial and state institutions and further into the generation of fictional capital in the credit system, which finds deployed in the built environment. State also invests in the tertiary circuits i.e., in science and technology and in social expenditures for the reproduction of labour power. Apart from that state aids in creation of planning mechanism to manage the creation in roads, housing, health care, education, police forces, military and so on. The channelization of investments in different circuits contributes to the profitability of investments in various sectors of the economy, but this is not to be so. That is because the overinvestment and overproduction in the secondary and tertiary sectors leads to further crisis, which leads to devaluation of built environment. This results in the crisis within the financial and State structure itself.

Roweiss and Scott deal with 'contradictory nature of the value of urban land' which is a contingent, non-functional process of uneven development which is the result of contradictions inherent in capitalist production process which generates asymmetrical urban landscape. Under the conditions of capitalist competition in the land development, the initial phases of city growth, is 'unplanned and socially undecidable', and the state intervenes to control the quality of land development process. But this rationalization of land development leads to expropriation of use values by private expropriation. Urbanization processes and urban land problems are not merely about 'competitive bidding for land', but also about 'deep structure of urban property relations'. For them value of land depends on its relative location that

determines its exchange price in terms of high or low. This is reflected in the rent differentials based on the locational advantages.

Gottdiener finds the limitations of various perspectives in dealing with urban land. Marxists view urban planning and built environment as a corollary of economic contradictions which are internal to the process of capital accumulation. The rent and economic analysis of the land without taking into account the struggle over social space are not sufficient explanations for urban land development. In advanced capitalist countries landownership is widespread throughout the social order which provides scope for acquiring wealth in addition to the 'institutionalized returns to capital and labour'. Real estate is a commodity within its own market. The value of real estate is determined by sociospatial matrix of locations and activities associated with the production of wealth are attributed with use value function socially. The returns of monopolistic market of real estate is contingent on the nature and capability of capitalists groups to coordinate real estate activities in alignment with state to pool resources and plan development in particular directions spatially. Land development process has been uncoordinated and chaotic within a loose framework of business and institutional arrangements and in the context of rapidly expanding fringe of metropolitan regions. Beyond these economic considerations, social space is made and remade by culture and politics, sociospatial conflicts, sociospatial cleavages viz., class fractions, racial divisions, gender issues, ethnic conflicts, etc. Struggles over 'quality of life' cuts across class lines and are community based viz., the struggle between pro-growth and no-growth advocates, struggles over environmental quality, issues of pollution, crime, etc.

Theories of space are intertwined with capitalism and the State. The perspectives of Castells and Lefebvre differ in the following manner:

One, for Castells space is defined by and is part of the social structure whereas for Lefebvre space is relatively autonomous to the social structure i.e., space and society act on each other.

Two, for Castells space is an element of means of production and consumption in the whole of the capitalist order of space is a passive means and an end in use. For Lefebvre space generates a different circuit and relatively autonomous capitalism that generates wealth apart from the wealth generated in the primary circuit viz., industry.

And three, for Castells State is only an intervening agent during times of crisis which is the result of contradictions within the capitalist society. State plays a role to offset the crisis by intervening by investing in the provisions for the production of products and services of collective consumption which are unprofitable but nonetheless essential for the uses of the capitalists and the labour. Whereas for Lefebvre State is not merely intervening agent to offset the crisis in the capitalist production of goods and services for the market, but also an omnipresent agent in the production of space to galvanize capitalist production on the one hand and market of space itself on the other.

More than Castells, Lefebvre seems to have had a great influence on the generation of scholars. Notable are Harvey and Gottdiener. Harvey's perspective on 'urban built environment' though is similar to Castells, articulation of crisis in the capitalist production and its relation, it takes note of overaccumulation crisis and the intervening-investing State to offset the crisis. Significantly like Lefebvre he takes note of the secondary circuit (built environment for both consumption and production) and tertiary circuit to create channels for over switch of overaccumulated capital into the latter circuits, and he demonstrates the crisis of overinvestment and overproduction within the latter circuits. Like Lefebvre, Gottdiener shows the relatively autonomous circuit of spatial economy on the one hand and the socio-spatial praxis on the other. Harvey demonstrates, the unprofitability and overinvestment and overproduction in the secondary circuit, whereas Gottdiener shows the profitability and wealth generation capacity of the second circuit. This is because Harvey views all circuits of capital as connected and capital moves linearly and second circuit is unprofitable and has no market, whereas for Gottdiener second circuit is relatively autonomous and generates profit in its own market.

Given the perspectives of space and urban planning, the focus of understanding of the field of urban planning has been straddling between three areas of its concerns – theory, method and practice – given its quasi-academic or quasi-practical existence, and many kinds of actors involved in the field- academicians, businesspersons, planners working for the government, etc.⁷ Urban planning means “planning with a spatial or geographical component” with an objective for the creation of a spatial structure for the activities which are ‘better’ than the existing ones. It is basically physical-spatial planning. Land use and development still play a major role in urban planning. Over a period of time, perspectives have developed over the methods of planning. There are broadly three methods- a. Master planning i.e., Survey-Analysis-Plan; b. Systems planning i.e., Planning is visualized as a continuous process which seeks information of the functional aspects of the control system through the observation to ascertain the effectiveness of the control system or else to bring subsequent modifications to create a more effective control system; c. Participative-conflict planning or no planning i.e., about including all the actors who have stakes in the planning process and its outcome, and post-modernists insist on no-planning because planning is monolithic in nature and does not give space for differences in thought or practices.

The designs/models and advocacies of planning have emphasized not only the physical shape of the city but also the purpose of such designs. Social City/Garden City design emphasized decentralization of industry from the city centres and community managed industrial townships in the countryside with natural green space advantages, management of real estate, etc. Garden City was conceived as a self-sufficient community. Similar models were proposed across Europe and United States (Broadacre City by Frank Lloyd Wright) with some variations. Patrick Geddes work underlined the symbiotic and delicate relationships that were present between human habitation and the land. Industrial enterprises in the regions had generated suburban

growth and emergence of giant urban agglomerations or *conurbations*. So he proposed town and country planning on regional scale. Another notable among the urban designers was Le Corbusier who proposed a view that to relieve the congestion in the city centres, it was necessary to increase the density by building massive form of tall structures win large open spaces. He also proposed equal densities across the city to minimize pressure on the central business district or anywhere in the city. Most of the urban designers were proposing decentralising of the city centre to reduce congestion, but Corbusier was arguing for high densities by promoting vertical growth of the city. All these planners were concerned about the 'natural' and healthy living conditions. Most of these plans were visualized with a view that innovations and expansions of transport networks would allow such designs to function efficiently. Most of the planning visions, except Howard's and Geddes', were mainly visualizing the erasure of existing settlements to be replaced by new ones. The questions of democratic practices were not part of their designs and most of the planners were physical planners who offered narrow solutions to the problems of the city/region.

Latter half of the 20th century witnessed different critical advocacies of planning. The advocacies of planning grew by attacking the scientific claims the planning had made. Systems planning came under attack by some planners, who nullified the scientific claims⁸ which the systems planning claimed. The planning which was conceived as scientific was non-participatory and apolitical in nature. The emphasis on the involvement of citizenry in the planning exercise struck at the roots of the role of a planner being a 'scientific expert'⁹. *Advocacy planning* formulated by Davidoff emphasized inclusion of non-physical aspects to physical planning considering aspects of inclusion, participation, plurality of actions, and relation between the planners and the aims of the social actors, the ideals of equality in planning, the social-legal meaning of the planning as reflected in the physical environment, public interest and the sociality involved in the whole planning exercise itself. *Non-Euclidian Mode of Planning* formulated by Friedman underlined the need to redefine planning in terms of non-physical terms to connect different kinds of knowledge with forms of actions in the public domain. Friedman emphasized that planning should be sensitive to the local and regional differences and involve civil society in the decision-making process. Planning should be local and regional to make it participatory and democratic. *Communicative Planning Theory* put forward by Healy underscored the urban environmental problems and ways of solving them. Communicative planning prescribes "public argumentation and communicative policy" in the context of interests, values, reasoning, etc., of different conflict groups. *Just City* perspective according to Susan Fainstein underlines the need to face the problem of formulating goals and identifying agents within the structure of social domination. The forces globalization, sectarianism and the repressive state apparatus have rendered people defenseless and the people offer resistance whereas the state would work towards maintaining the stasis. *Just City* theory accepts the conflictual views in the society and seeks 'progressive social change' through the exercise of power by participating groups which were hitherto excluded from the governance and planning, and its equitable outcomes. It is equally concerned

with evaluation of outcomes with regard to groups defined by gender, race and secular orientation. It emphasizes the role of an entrepreneurial state which not only provides welfare but also generates wealth.

The planning perspectives in general have moved away from the 'objective' understanding or Euclidean/physical-geometrical way of perceiving and configuring the city. Mere physical configuring of the city by not taking into account the non-physical aspects of city formation has come into question across the perspectives. The idea and modes of democratic planning, issues of participation, negotiation, norms and ethics, justice, laws, communicative-argumentation, etc., have figured across the perspectives each emphasizing different issues in their its manner given their its social theoretical predilections.

Urbanization, Planning, and Land Development in the Developing Countries

The second half of the 20th century experienced the growth and expansion of urban areas in the developing countries. Incorporation of huge expanding areas within metropolises has been the major concern rather than niceties of redevelopment, aesthetic considerations and environmental reclamation. There has been an increasing demand for more utilities, housing, commercial and industrial sites. In response to these needs the Governmental planning process focuses on the preparation of master plans, zoning regulations, subdivision regulations, building codes, etc., to give shape to urban development. The aims of regulated planning is to conserve urban and natural environment, increase investments in urban development, and maintain and enhance property values, provide access of land to the poor, control land speculation, and land inflation. But there is a crisis within planning at the level of logistics of planning and the state and its plan operationalizing institutions.

Comprehensive or master plans have been critiqued for their being technocratic, time-consuming, rigid in terms of its proceduring, ignoring costs or financing, and ignoring the real economic potential of city. The plan implementing parastatal institutions which are involved in the land development are supposed to produce space for the needs of the low and moderate income households, control speculation, and work on risky projects. Though goals per se are good their success rate is minimal. That is because elite-planners design cities for other elites into which the rest of society must fit as best as it can. Land development process and distribution of the urban land lacks legitimation resulting in civil disobedience in the form of land invasions, squatting and illegal land developments.

The Present Study

A survey of studies on Bangalore reveals its history in terms of its political developments modes of industrial development (including information technology), structural configuration of the socio-economic geography, ecological divisions, different social and cultural contests for various kinds of political space, politics of aesthetics, planning and economic development, governance, etc., (Venkatrayappa 1957; Prakasa Rao & Tewari 1979; Benjamin 2001; Heitzman 2004; Janaki Nair 2005). To put succinctly, the studies have mapped the modernizing city in their own ways with different kinds of focus. The recent works dealing with micro-level processes have mainly concentrated on the macro picture of various themes and issues of the city. The present study has attempted to present a meso-level articulation of the urbanization, urban planning, legal disputes and the nature of land development which is the result of all these processes. At the same time, the study has captured the micro-level dynamics of city development and expansion as inscribed in the local areas vis-à-vis macro-level dynamics.

From the Expanding City to the Metropolis

The present day Bangalore city has evolved through various phases. Broadly one can classify these phases as follows: pre-industrial fort town; modern/colonial town; Industrial city; and the expanding metropolis. In each of these phases certain characteristics were markedly different from other phases, which had consequences for the development and urbanization of Bangalore city.

The first two phases belong to the pre-independence period. Bangalore was a fort town primarily established for commerce and services. During this phase it also developed into a military town in the Princely Mysore. During the British rule it became a bi-nuclear town with establishment and growth of Civil and Military Station. In the process of establishing a new town for British's Civil and Military Station, the old town area was totally reconfigured, and the built environment of fort was broken down and the city boundaries were opened. With the new action of contingencies viz., plague and modern city as an administrative military and industrial centre its population grew over time. Apart from that, with the development of modern town new civic-administrative institutions evolved. New technical-educational institutions were established. The city developed into a heterogeneous space with density of population by the mid-20th century. The emergence of middle class areas-extensions, slums, industrial areas, etc., characterized the period.

Urbanization of Bangalore in the post-independence period has been phenomenal in the context of two spurts of massive increase in the population in the 1940s and 1970s, steady accretion of industries, institutions, etc. Post-independence period phase of industrial developments could be divided into three- i. public sector phase of industrialization; ii. transition phase to the private sector with the existence of

public sector; and iii. dominance of private sector. Apart from that growth of informal sector became pronounced from the 1970s onwards. Over a period of time, there has been development of different kinds of industrialization and expansion of other services in the city. Industrialization and urbanization were creating certain kinds of asymmetries within the concentrations of different kinds of populations and growth of different kinds of social spaces. Increase in the population and the spatial expansion was taking place on the edges of the city by acquiring or occupying the agricultural land and village pockets. At another level, the city gained primacy within the region and within the state itself. At the end of the millennium, as Heitzman puts it- "Bangalore had become a big place located in an unexceptional Indian state [Karnataka]." ¹⁰

The second phase of industrialization was marked by the growth of private industries in addition to the existing public sector industries. By the end of 1970s, urbanization of Bangalore had taken a new turn, with greater outward growing urbanizing areas. There was an increase in the number of industries, the expanding informal sector and the population. Parallel to that was increasing number of informal sector population and its settlements. Again, the migration to the city remained consistent, which brought different kinds of population to the city- both the skilled classes of workers, professionals, and the unskilled workers. The increases due to migration and natural increase of population in the city, has resulted in the competition for the acquisition of residential land and also by the small scale enterprises for industrial land, in the context of shrinking production of urban land by the government. Last two decades also saw the increase in the land rates of both serviced and non-serviced urban and urbanizable land. People employed in the formal sector too were seeking residential spaces in the informally produced spaces viz., unauthorized private layouts and also in quasi-formal authorized private layouts. The last two decades are also marked by the growth of IT industry and electronics, automotive and transport, electricals, engineering and manufacturing, textiles, etc. Given all that the growth of population in the city has been high leading to the uncontrolled expansion and growth of the city. The City by the end of the century had more of intermeshed growth of the mixed land uses on the one hand and the old public sector enclaves, planned layouts for both industry and for residence, new IT enclaves, slums, etc on the other.

Within the conditions of industrial development, the question of Bangalore city's environs has been one of the major discourses in defining its urbanism and modernity. This has been a point around which aesthetics of Bangalore city has been developing. It has been one of the characteristics of Bangalore's urbanization. The 'park' and the use of park was a royal aesthetic idea during colonial times ¹¹, whereas 'gardens' directly had greater exchange and use value for the community in terms of occupation and livelihood. Apart from that it also was greatly contributing to the changes, latently giving a form to the town, to its surroundings, and its hinterlands. Bangalore has been a garden city for two reasons- firstly, there is a traditional caste group which had been involved in gardening. The city has been a garden city. The town was configured within the environs of gardens. With new developments and demand

for space for different purposes, garden lands disappeared within the cityscape. Now these gardeners, gardens and gardening are confined to peripheries of Bangalore city and its rural district. Secondly, parks became a permanent feature of the landscape which replaced gardens, gardening and gardeners. Gardens became a major part of the ambience of the expanding town itself in the 19th century and well into the 20th century until industrialization and major expansion of Bangalore was initiated. During the post-independence period the same imagination was organizing the Bangalore city. Aesthetics of Garden City was the dominant organizing principle in the formation of layouts and industrial townships. The vision found its place in the administrative district, layouts and industrial townships. In the later phase of urbanization, new IT industrial and residential enclaves which emerged and spread across in a corridor, and privately developed luxury housing estates became part of the city. With the growth of informal sector, 'slums', 'unauthorized layouts', 'private layouts', 'revenue layouts', etc., have been increasing. Even the middle class and lower middle class have made their residential spaces and opened small industrial and business establishments in such settlements.

Planning and Expandability

Various factors have contributed to the urbanization of Bangalore city and its resultant expansion. More than that, urban planning has not been merely a response to urbanization process. Planning over time has been envisioned to produce a city in a particular way. Though there has been a kind of a 'negative' response against the higher scales of concentration of activities, and people in the city, planning has also been selective in expanding certain kinds of activities, built environment, and people in the city. In a way planning has a vision to expand the city spatially in a particular manner, and at the same time planning wants to restrict the city growth and spatial expansion which is 'undesirable' for the planners. In the process of expanding the city in a particular manner, the planning has spawned different kinds of land developments.

Bangalore Development Committee has classified Greater Bangalore's boundary into two administrative divisions- "The area of the Bangalore City Corporation would be approximately 40 sq. miles and that of the Trust Board (i.e., Greater Bangalore) about 150 sq. miles."¹² This plan subsumed all the areas produced during the previous regimes. The city was visualized as an emerging industrial city with its greener parts to be kept intact. Bangalore Development Committee (BDC) 1954 thought:

Agricultural lands, though not open to public use, form a valuable open space asset of the City. They form a substantial proportion of the available *lung space*. They are the principal source of supply of the *essential requirements* of the City population such as, fruit, fresh vegetables, milk and cattle fodder. Interspersed as they are between the various extensions and residential areas, *these stretches of green vegetation help to break the monotony of continuous building and to give certain portions of Bangalore the appearance of a Garden City*. The future use of agricultural lands in and near the City should be determined with due regard to the healthy, economic and aesthetic considerations involved and not solely with reference to their suitability for housing or industrial purpose.¹³ (emphasis added)

The Outline Development Plan for the Bangalore Metropolitan Region (1963) had projected 19 lakhs population by 1976 and had fixed the boundary of the metropolitan region at 193 square miles. The approved Outline Development Plan (1972) by the Government increased and fixed the “compact area” of the city from 79 sq. miles¹⁴ to 102 sq. miles.¹⁵ Metropolitan Region was extended up to 193 square miles. It added 43 square miles to the previous 150 miles boundary drawn for Greater Bangalore.

Planning as a modern exercise began by outlining and surveying the immediate needs of the city in the immediate post-independence period. Then the city had experienced the massive population concentration and simultaneous industrialization. Thus the immediate concern was to make space for more housing and industrial needs. It was recognized the need to involve the private individuals, associations and the capital to invest to expand the housing stock. That was because government was not in a comfortable fiscal position to finance housing. Planning in an elementary form was visualizing an industrial city with low density population in the context of ‘haphazard’ development of the city. There were increasing number of unauthorized layouts during those decades. The plan visualized a rational design for the city with modern civic amenities and housing. The idea of a master plan and the need for legal support for planning was recommended. The expanding city started acquiring metropolitan dimensions by occupying the rural periphery. One can observe three phases of planning. In the first phase, the concern was to take stock of the town which had become chaotic due to the spurt in decade long developments during 1940s owing to the Second World War production and the drastic increase of population in Bangalore city. Apart from that planning had conceived city as an industrial labour community. For that spatialization of law was a precondition to formulate a master plan. One could characterize the urban planning for Bangalore till the end of the ODPs’ term as preparatory or formative planning period. Both the plans of – Bangalore Development Corporation (BDC) 1954 and Outline Development Plan (ODP) 1963(approved by the government in 1972), were grappling with the problems engendered by industrialization, urbanization and the fast expanding city. It was also a period when the authority structure, legislations, other logistics viz., delimiting the boundaries of city growth, finances, etc., were to be systematized. The plan and its policy was, in a very ideal sense, attempting to offset the speculation and profiteering to counter the exchange value itself in the free market play. It was also expected and advocated that the private and quasi-private associations, builders, individuals, etc., should concentrate on creation of housing in the sense of its use values.

Unplanned developments viz., private layouts, revenue layouts, slums, etc., were increasing. With that the increasing concentration of population in the city was a major source of concern for the planners. Thus the major concern was to restrict the growth and expansion of the city. Mainly the strategy was to deflect the industrial developments and their accompanying population to other regions. It was also thought that the development of smaller townships within the Bangalore region could ease the

pressure on the city. Planners were involved in mapping the possibilities to plan Bangalore city for a long term comprehensive development. Regularization was a new instrument or a process; government had resorted to such a process of making legal provisions to convert illegal/unauthorized constructions by paying fines and development charges.

With that the ideas of local planning area, conurbation, zoning, etc., and Karnataka Town and Country Planning Act were introduced to rationalize the new growths. Outline Development Plan was conceived with more technical rational solutions and new administrative structures for stricter land uses again in the context of the growth of unauthorized spatial growths. During this period regularization became a measure to plan the unauthorized/unplanned areas. Thus this phase of planning was aiming at short term solutions to contain the city growth in a haphazard fashion. These initial planning exercises were to lead up to a much broader and significant plan- the Comprehensive Development Plan. Within the new legal-rational framework, planners concentrated on mapping the city through surveys and based on that information plan was to be formulated. With the local planning area demarcated, regulation of various land uses with the application of zoning, de-emphasis on industrialization, land allocation for various uses, planning divisions termed as planning districts, controls over the indiscriminate expansion of the city by marking the green belt, etc., became part of the part of the planning exercise.

CDP was to “create conditions favourable for planning and providing full civic and social amenities, to stop uncontrolled development, to ensure desirable standards of environmental health and hygiene, to create facilities for the orderly growth and development and to promote general standards of living in the State”.¹⁶ The planners were gripped by the expanding city which was becoming unpredictable and unimaginably disproportionate. Planners were confronting a city which was running away from the grips of the urban planning. In the 1970s with another spurt in population increase in the city and the spatial expansion, planning had to reconceptualize, reconsider, and expand its scope into the newly grown peripheries to rationalize its existence. The Comprehensive Development Plan of 1985 expanded its scope by reducing the greener parts of its planning districts and increasing demand for residential spaces. Mixed land uses, slums, and unauthorized settlements were on the increase. As part of governmental policy measures quasi-planned residential layouts and housing with planned developments were allowed/permitted. With such rationalization process, city had gained relatively elastic and perfectly expandable propensity. The classification of the planning districts and their reclassification with the changes explicate such a process. By the end of 1980s the city had become uncontrollable. Another slew of measures of regularization as a part of rationalization measures were again introduced. More classifications and demarcations of different administrative boundaries for the city at various levels were initiated.

The Bangalore Metropolitan Region measured 500 square kilometres¹⁷ (193 sq. miles) in 1985, due to “rapid increase” in population of the city¹⁸ and the *shifting*

boundaries of the city.¹⁹ Land use surveys had to be reworked on the expanded scale due to the *unexpected* rise in the population of the City. 1279 square kilometres were surveyed to fix the different spatial practices zoned by the Comprehensive Development Plan (Report, 1985). The Bangalore Metropolitan Area was re-notified. The conurbation area was stretched from 321.4 square kilometres (124 sq. miles) to 449 square kilometres (173.0 sq. miles); an addition of 127.6 square kilometres was added to the previous total area. Green Belt was fixed at 830 square kilometres. Finally the revised metropolitan area stood at 1279 square kilometres (494. 0 sq. miles).²⁰

Given this trend in urbanization, the plan had contemplated the “future policy of development of Bangalore”. According to the new recommendations it was to “seriously curb the growth of Bangalore metropolitan area and encourage the other urban centres in the State as well as small and medium towns in the State.”²¹ City planning was taking restrictive form to contain the trend of urbanization. In those existing conditions, given the already uncontrolled developments in the built environment, population, space, etc., the strategy of planning was to liberalize the production of space especially in the residential sector. In the residential sector, parallel to the governmental production of space, the quasi-governmental production of space was promoted by the government. Given the ‘heavy demand’ for the developed residential sites in Bangalore Metropolitan Area, and the inability of the governmental agencies to maintain the supplies, private housing societies were allowed to operate in the field of housing. What does that signify? The population which has the purchasing power and the propensity to buy and consume the civic/municipal- spatial products viz., sites produced by BDA or by HBCS, underground drainage system, etc., and services viz., garbage removal, municipal plumbing, maintenance of parks, etc., of modern urban plannings’ creation and production.

Planning was attempting to create a kind of associational residential layouts for different kinds of groups- Cultural Associations, Teachers’ Associations, Peer Group Associations, Religious Associations, Labour Associations, Educational Institutions, Employees of Government Institutions, Charitable Associations, Area level associations, etc. Underlying this approach was the law – The Karnataka Co-operative Societies Act, 1959²² – for the private initiatives through cooperative and associational mode of production of social spaces for different occupational groups and other groups belonging to middle classes. The city of Bangalore by the 1980s had seen higher growth rates in HBCS activities in residential land development. There were widespread allegations with regard to the nature of land development activities by HBCS. These activities were seriously questioned in the public sphere and the government commissioned an enquiry.²³ The inquiry broadly summarized the allegations into four aspects-

- 1) Bogus agreements with the land lords and Estate Agents.
- 2) Bogus membership and irregularities in registration of members.
- 3) Irregularities in distribution of sites.
- 4) Collection of exorbitant site advances from the members.²⁴

Further, the inquiry summarized the nature of irregularities in the activities of HBCS which were against the laws and principles which constituted the HBCS. The violations were summarized as-

1. Procedural irregularities in admission of members.
2. Admission of ineligible persons as members.
3. Admission of Associate members without necessary provisions in the Byelaws.
4. To acquire the lands outside their jurisdiction.
5. To collect site deposits from Associate members though the objective of the Society is to form layout and distribute sites only to the members.
6. Entering into agreements with land lords and agents indiscriminately and in some cases unwarranted agreements.
7. Payment of exorbitant advances to the agents without proper securities; and
8. Collection of site deposits from the members without reference to the payments to be made to various agencies.²⁵

From the legal and planning point of view, condition of uncontrollability was also engendering unauthorized layouts/revenue layouts. Thus unauthorized expansions or unplanned growth of spaces was to be disciplined by padding planning with a different set of policy measures of regularization or clearance. Regularization was a not a new instrument or a process. The government had resorted to such a process on previous occasions too, but the scale varied and this time the new rules/laws were being introduced.

The planning and policies were perhaps able to control the large scale industrialization, but could not control the residentialization of the city- in the context of governmental production of space which could not keep pace with the changing needs; liberalized quasi-governmental production of space which was striving to become a real estate business serving totally the private interests; and totally beyond the purview of any planned or legal means were the growing totally private production of space. Industrialization of Bangalore had taken a new form of development of medium and small scale enterprises. In the changing circumstances, the plan had chosen to orient itself by adopting quasi-pragmatic approaches.²⁶

The preamble of the CDP (Revised) 1995 clearly sounded realistic²⁷ in its approach towards urban planning for the expanding city of Bangalore. The plan announced: "Bangalore is one of the fastest growing cities in the country...While urbanisation is *inevitable and cannot be stopped*²⁸; our endeavour should be to ensure that it takes place on an orderly and systematic basis."²⁹ In the similar vein further it added that the goal of the plan was "to regulate the growth of the metropolitan area in an orderly manner."³⁰ Plan had shifted its focus from *restricting urbanization to regulating it*. Planning was viewed as a continuous process calling planner to be attentive to the rapidly changing context. Planning was recasting itself to address the emerging contingencies and uncertainties within the given plan period. With regard to regulations, it displayed certain amount of flexibility. Thus plan had clearly become pragmatic.

The Comprehensive Development Plan (Report (Revised) 1995) changed the terms of its understanding of city expansion. This change in perception happened in the context of the fall in rate of population increase between 1981 and 1991. The report said, “The size of Bangalore city has extended during the period 1901-1991 from 74.72 sq. kms, to 200 sq. kms. In the same period its population increased from 0.16 million to 4.08 million. This unabated spectacular sprawl of the city is due to the **lack of natural barriers** as well as **low density with single storey residential development**.”³¹ It further said: “The concept of wedge and corridor development which was adopted in the approved CDP has been given a go by with a view to avoid unauthorised developments in the wedge area as far as possible. Due to this an additional area of 148 sq. kms had been included in the conurbation of the revised CDP.”³² Thus the city expanded upto 1427 sq. kms.

Land development was directly linked to the economic development and the functions of the expanding city were characterized in terms of- administrative role for the whole state of Karnataka and the region; centre of trade and commerce connected to both metropolitan region and the region; industrial centre; centre for science and technology, research and higher learning; centre of economic and financial services; centre of social services- health, education, etc., and; a place which produced various kinds of services termed as tertiary sector which included also the ‘informal sector’.³³ Measures were suggested to control land prices, ‘efficient and economic utilisation of land’, and increase the supply of developed land. For the purpose apart from Governmental efforts were emphasized to take active part in the management and increased supply of developed by the means of Large scale land acquisition, distribution of land by public authorities, abrogation of Urban Land Ceiling Act, and restrictions on land use; and Government was to promote quasi-land development viz., Group Housing Schemes and promote private land development.

Again, new survey in the early 1990s revealed that the whole of the local planning area was under the use and the new survey of 2003 clearly confirmed the completion of the expansion process. The vision delineated in the Outline Development Plan had become a reality of three phases of development of the city. Plannings were to comprise of- one, to delimit the boundaries of various civic and administrative bodies or parastatal institutions of the state which produced and maintained the city space; two, preparation of the Comprehensive Development Plan which were to include the earlier preliminary surveys and the ‘detailed investigations’ of the ‘long-term needs and potentialities’ of given areas so that they would “serve as a standing blue print of the land uses to be permitted, and the developments and improvements to be made in the entire planning area over a fairly long period” (ODP 1963: iii). The third stage was to comprise of “preparation of town improvement schemes for the purpose of implementing the proposals contained in the Comprehensive Development Plan” (ibid: iii). Given the nature of expandability of the city, the approach of revised Comprehensive Development Plan was clearly shifting its emphasis

from survey-analyze-plan-implement to the continuous process which implied the application of systems planning. Planning has remained throughout, by and large, paternalistic. Of late, there has been advocacy by planner-administrators to make it participatory in its approach. One can see from the preceding analysis of various plans, that the issues of social justice are marginal to the concerns of the city planners.

What kind of a city did the planning achieve? What was the socio-spatial character of the city? What was nature of land developments? The answer to the first question lies in the pronouncements of the new plan³⁴. The new plan declares:

Bangalore has been substantially affected by globalization and rapid urbanization over the last decade. The demand on services and the quality of life in the city is not confined to the central core or the erstwhile Bangalore Mahanagar Palike jurisdiction but spreads beyond into the peri-urban areas, the Metropolitan Area and outwards, into the Bangalore Metropolitan Region. With the emergence of the Bangalore-Mysore Infrastructure Corridor, the Bangalore International Airport and the planned ring roads, urbanization is no longer confined to the Bangalore Metropolitan Area and has now spread into the Bangalore Metropolitan Region (BMR).³⁵

The revised plan of 1995 was realistic in predicting the course or the path urbanization would take. It had reconciled with the reality of inevitable urbanization and expansion of the city. The new plan says:

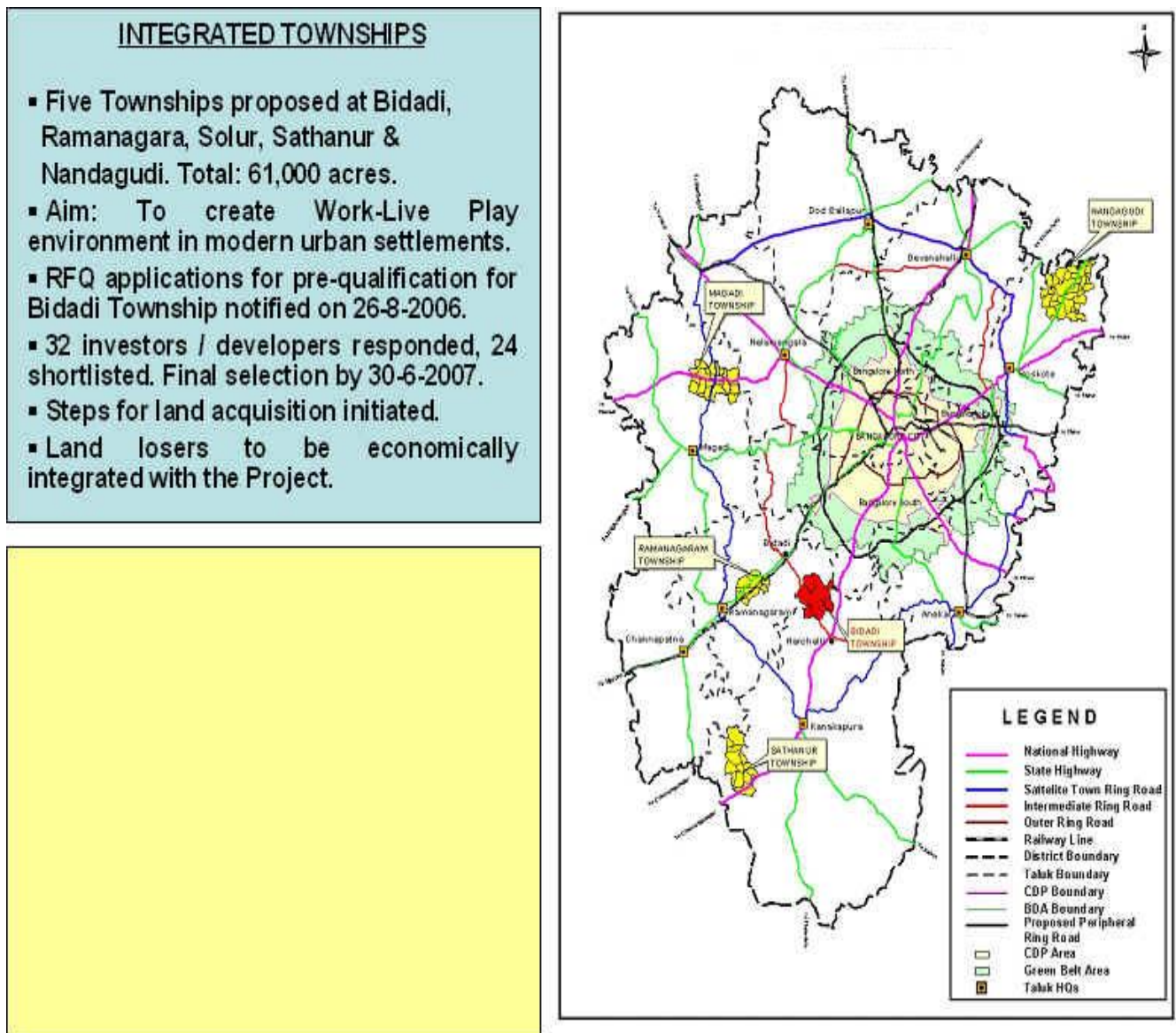
“Bangalore has *incontestable advantages* to develop into an *international metropolis* but at the same time faces significant constraints. The city is embedded in its history and depicts the greatness of a *truly Indian city* established before invasions and colonization. It has a diverse set of activities, from silk to aeronautics, from clothing to information technology, and is a *gauge of dynamism and solidity of the city*. While the city is internationally recognized for information technology, the industrial public sector occupies an important place and ensures a balance between the public and the private sector. The quality of technical training is renowned and constitutes the best support structure for development of advance technologies and the *overall urban structure is coherent*; it ensures a *good correlation between activities and social classes*. Natural drainage, climatic advantage and the availability of water in the Cauvery basin are factors that assist in improving the quality of life in the city.”³⁶

It seems now Bangalore in the near future is expected to become an extended metropolitan region. The current plan- Bangalore Master Plan-2015 announces infrastructure development in the Bangalore Metropolitan Area to attain international standards and urbanization of extended Bangalore Metropolitan Region. In search of more and more land it opens to the whole of Bangalore rural district that is the Bangalore Metropolitan Development Authority (BMRDA) area. BMRDA has the plan for development of townships in the Bangalore Metropolitan Region which is spread across taluks of Bangalore rural district. Bangalore Metropolitan Region comprises of five ‘Area Planning Zones’ and six ‘Interstitial Zones’ which are planned along the transport ‘corridors’ of (1) Bangalore – Bidadi, (2) Bangalore – Nelamangala, (3) Bangalore – Devanahalli, (4) Bangalore – Whitefield, Hoskote, and (5) Bangalore – Anekal, Sarjapur – Hosur. BMRDA is expected to coordinate developmental activities in association with Bangalore Mahanagara Palike, Bangalore Development Authority, the Bangalore Water Supply and Sewerage Board, the Karnataka Slum Clearance

Board, the Karnataka Power Transmission Corporation Ltd., Karnataka Industrial Areas Development Board, Karnataka State Road Transportation Corporation etc.,³⁷ in these expandable hubs. Map 6.1³⁸ shows Bangalore Metropolitan Region Local Planning Areas and Map 6.2³⁹ shows integrated townships.

Map 6.2

Integrated Townships



Map 6.1 gives a broad overview of the welter/intermeshed planning operations to come. Expandability with the metropolitan region is imagined in circular fashion which is clearly indicated in the planned “ring roads”, though there are multiple

nodes/hubs/corners earmarked for planned development of townships which are seven nodes in total- Devanahalli, Hoskote, Anekal, Kanakapura, Ramanagara, Magadi and Nelamangala which are taluks. Each of these taluks is conceived as Local Planning Areas (LPAs) for administrative purpose for future growth, development and expansion within the Bangalore Metropolitan Region (BMR). Broadly, beyond the Bangalore Metropolitan Area (BMA) the areas of BMR are conceived and classified into two-

Area Planning Zone (APZ): Area Planning Zone is an area where urban development is permitted subject to certain regulations...[and] **Interstitial Zone (IZ) :** As the name suggests, it is an area lying between APZ's where urban activities are restricted giving more emphasis to environmental issues like protection of forest area, bringing waste land in to more productive use, increase in agriculture produce etc.⁴⁰

The “Area Planning Zones” marked by different patches of colours on the map are expandable zones. Two of the zones are specialized transport projects meant for namely Bangalore International Airport Area Planning Authority (BIAAPA) zone in the Devanahalli LPA and Bangalore-Mysore Infrastructure Corridor Project Area (BMICPA) zone in the Ramanagara LPA.

The Map 6.2 shows the “integrated townships”...“to create Work-Live Play environment in modern urban settlements”. In 1999, in its tenth meeting, BMRDA had approved the ‘Draft Structure Plan’ for the “balanced planned development” of the Bangalore Metropolitan Region.⁴¹ The government order ‘GO NO. UDD 97 BMR 2006’ elaborated on the functions of balanced planned development.

In order to preserve and improve the *quality of life* for the citizens within the Bangalore Metropolitan Area (BMA) and at the same time to *cater to needs* of the rapidly increasing population, it is felt necessary to take up development of new integrated urban settlements in Bangalore Metropolitan Region (BMR) that would *relieve the pressure on BMA and facilitate balanced urban growth*. In this context, the Bangalore Metropolitan Region Development Authority (BMRDA) has proposed the following set of major activities to solve these problems in a planned manner:-

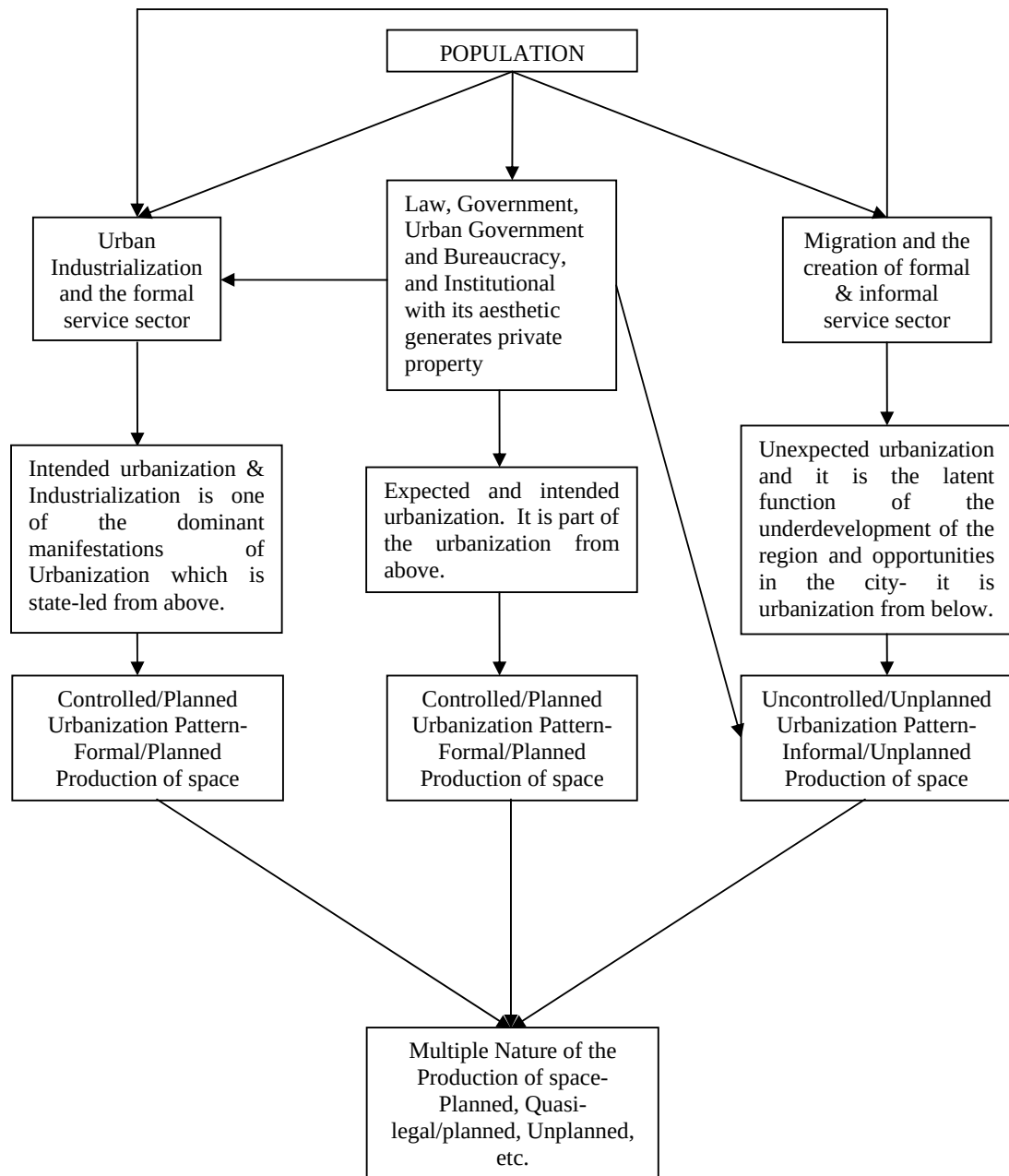
- a. Development of a series of “integrated townships” focused on one or more economic activity, providing for complete work-home relationship;
- b. Development of Satellite Towns Ring Road (STRR), Intermediate Ring Road (IRR) and the Radial Roads; and
- c. Preparation of Interim Master Plans for the various urbanisable blocks in the Metropolitan Region.⁴² (emphasis added)

It is the articulation of spatial integration of the core with various parts in the periphery of the region. The core is BMA and the peripheral areas are the “integrated townships”. The economic-spatial integration and containment of migration by diverting the population into particular economic zones, as a strategy in the context of expansion of Bangalore City has not been successful so far. It seems planners assume that people could be domesticated into the economic dynamics of the city and its extended metropolitan region.

Broadly if “area planning zones” are meant for urban activities- economic- mainly for different kinds of industrial activities and residential, the “interstitial zones” are meant for agriculture, horticulture, mining and quarrying etc., and its linked built environment and amenities, and amenities associated with highways, etc. In the interstitial zones residential developments are allowed within 200 meters from the gram thana (the village boundary), for the “natural growth” of the gram thana and such

buildings would be limited to two floors.⁴³ In that sense “interstitial zones” are supposed to function as producers and suppliers of various non-agricultural raw materials and agricultural products to the metropolitan region.

Planning has been top-down in its approach. Though, of late, there has been an indication of participation of people in the planning exercise. Still it remains to be a least participatory mechanism. If planning were assessed by its outcomes, continued existence and increasing of non-conforming or informal large-scale settlements are a clear indication of the lag in implementing or applying redistributive justice in the city development and expansion. This has only exacerbated into legal contests and competitions for land among dominant state and legitimized or legalized associations, large-scale private property developers, subsistent small-scale informal land settlements, slum dwellers and other informal settlements. Government from the days of initiation of modern planning has desired or has been promoting private development of land for housing, though with cooperative and affordability spirit which would give access to land and housing to residents most. The laws formulated too express such intent. But over period of time, private development in land for the upper and middle classes has been consciously promoted. Without consideration to the intent of the spirit of laws, there have been large-scale violations on the part of the state and legitimized civil society associations.



The above flow chart indicates the nature and process of urbanization, planning and land development. Long back it was accepted that urban land became a commodity, while considering the market value of land. It was judged and decided that market value of land was to be considered in terms of its price in the immediate past, the willing vendor and purchaser, and the potentialities of the land which could be put to various uses and exchanges interchangeably with its increasing or decreasing prices.⁴⁴ The belief in the market as a deciding force has been gradually accepted and market has become a dominant force. Such a belief has set terms for expandability of the city instead of the controlled expansion of the city within its boundary of local planning area. In Bangalore city's context, the underlying ethical principles of rational-

technocratic planning are- i. its ethical reasoning is teleological; ii. focus is universal; and iii. interests served are of individual. It has been enabled by different forces in the market of multiple interests, competitions, conflicts and contests to develop land. One may perhaps draw taxonomy of kinds of actors and social processes involved in the land development process.

<i>Actors</i>	<i>Nature of Activities</i>	<i>Interests & Alignments</i>	<i>Social Processes</i>	<i>Investments</i>
<i>State/government's agencies or Parastatal Authorities</i>	Planning & Acquisition, and Land Development and Housing	Coerced land acquisitions by the government with the purpose of affordable land parcels and housing	Legal contests and violent conflicts	Both central and state Governments' or international financial institutions
<i>Land Owners/ Farmers</i>	Governmental or Private Land Development- through the acquisitions or voluntarily use/exchange in urbanizable land	Coerced land acquisitions by the government with the purpose of affordable land parcels and Housing or Voluntary speculative development for profits for subsistence	Legal contests, violent conflicts	Public investment or land itself is invested to generate revenues/capital
<i>Legalized Private Land Developers/ Builders</i>	Quasi-governmental- Government plans and policy will have to be accepted for the land development and directly purchase lands from the concerned land owners	Voluntary involvement for Supernormal profits	Competition	Private financial institutions, public banks, 'black money', informal sources of loans, etc.
<i>Non-legal Private Land Developers/ Builders</i>	Lack of any legal or governmental plans and lack of consciousness of the purpose of legality and governmental plans or policies	Voluntary involvement in Speculative development for profits	Legal contests, violent conflicts and forced evictions	Land itself is invested to generate revenues/capital
<i>House Building Cooperative Societies</i>	Quasi-governmental- Government plans and policy will have to be accepted for the land development and directly purchase lands from the concerned land owners	Coerced land acquisitions by the government with the purpose of affordable land parcels and housing	Legal contests and violent conflicts	Savings and loans from financial institutions and banks
<i>Slum Dwellers</i>	Lack of any legal or governmental plans and lack of consciousness of the purpose of legality and governmental plans or policies	Voluntary involvement for survival	Legal contests and violent conflicts and forced evictions	Marginal/nil

Above chart gives a picture of four kinds of land development which are part of planned, unplanned, quasi-planned, and privately planned. Planned development was the dominant form of land development in the initial stages of the planning in the post-independence period, though unplanned and quasi-planned developments too were prevalent in marginal forms. It was happening in the context of compulsory land acquisitions for public purpose and low compensations. In the later stages there were vast spread of unplanned forms of developments since the compensations were low and coerced acquisitions without much scope for the negotiations for higher prices. Negotiations and bargains were only nominal. State expected patriotic altruism on the part of the land owners and others in accepting low level of compensations and forego the land so that public purpose would be achieved. With the expansion of the city the production of planned areas did not keep pace with the demand. Such patriotic planned production of space only yielded in the long run more of unplanned formations. As it became clear that it was difficult to produce space at cheaper/affordable rates for the salaried middle-classes or for others, quasi-planned, private planned developments were

allowed or forced. Since planned developments or all other kinds of land developments were targeted at private ownership by individuals, the speculation in land to seek profit became a wide spread phenomenon. The value of a BDA site or any small parcel of land has been considered a prized possession. Disspossessive land acquisition in such a context has become not only a shock and a real loss but also a moral outrage. Violent resistance or legal contests have not been successful for the concerned people who expect “market price compensation” or want to get back land itself. Thus it all manifests in the form of unplanned developments which have provided a stiff competition to the planned developments, though not directly. Actually land value has been measured with the increasing amounts of money, and individual becomes the focus of ownership. There has always been the tension between the welfare’s collective aims of land as the ‘need’ for the targeted populations in general and the exchange/use at the individual level. The increasing potential of money to grasp land has been engendering more tensions and competitions.

Legal Cases Related to Land Acquisition.

For all the planned development, procurement of land forms the basis. For the internal operations of the plan within the legal boundaries and its land requirements are clearly defined by the way of laws acting as catalysts to procure land. The logic of planning for Bangalore city has been the *expandability* of various kinds of developments under the existing laws of L.A. act 1894 and the CBIA 1945. Those were the two laws which were mainly acquisitive in nature, though the latter one was rudimentarily the planning law too until KTCP 1961 was brought into force in the post-independence period. CITB in consent with the government was the institution which had been giving effect to CBIA, L.A. Act, and KTCP, until BDA was established. KTCP clearly had prescribed accessing land for planning through acquisitions though consent was still an option. Apart from that KTCP had also prescribed to set up a planning institution for the development of the city in a planned manner. Thus the logical offshoot was the coming into existence of BDA by superseding CITB. The establishment of BDA – the planning and land development institution which would give effect to KTCP –with passing of the law- BDA Act, 1976. BDA Act again was to perform triple functions of planning, land development and acquisition. In the post-independence period the whole gamut of laws had been mainly acquisitive in nature. In addition to these laws was the ULCRA 1976 which was confiscating in nature to prevent concentration of land with the few. Even the well intentioned Karnataka Regularisation of Unauthorised Constructions in Urban Areas Act, 1991 was on the path to recover land for the government than allowing people to use it or exchange it, in a given developed form. All these laws were enunciating a planned development of Bangalore city. The acquisitive nature of laws gives least scope to the private planning

and land development in principle, except for the investors (should be quasi-legal bodies) or private individuals or corporates who would adhere to planning and its rules of law.

An attempt is made in Chapter 4 to concentrate on the kinds of disputes that the acquisition processes had given rise to and the modes of acquiring or accessing land by different institutions, individuals, social groups, associations, etc. For the purpose, a survey of two journals was made to identify issues related to Bangalore city's land. These journals publish landmark judgments which give a comprehensive view of disputes and the significant interpretations of laws. The journals are (1) All India Reporter (AIR) and (2) Mysore Law Journal (Mys. L. J)/Karnataka Law Journal (K. L. J). A total of 137 reported land dispute cases related to Bangalore city were available from the two law journals. For analytical purposes, the cases had to be classified under various clusters of laws and acts, which would clearly distinguish the disputes which focus on acquisition, modes of acquiring land and other issues. Of 137 reported land dispute cases majority i.e., 90 cases were with regard to land acquisition

The laws work to control, provide, and regulate city's development, growth and expansion. Laws are characterized not just by *eminent domain*; they create conditions of dominance to impose the sovereign-will which is hidden in the term "public purpose" as a justification to put into practice. Most of the times the content of the contentions are merely "incidental" to the actions of law and insignificant when compared to the purpose of the law and the content of the planning. Legal judgments cannot have a say on the quasi-judicial actions or decisions of the authorities. Authorities have discretionary powers to deploy and employ laws of their choice in operations to strategize in regulating land acquisitions or developments. Issues of time/duration and jurisdiction are all incidental and flexible in developmental projects of the city and are non-issues to be judged through a legal process. Issues of environment, viability of the projects, etc., are not be judged by the courts. They are all technically assessed and decisions are taken. Thus they belong to the realms of technocratic understanding. Again issues of policy are unquestionable in the court of law, because they are left to the discretion or judgment of the government or the parliament. By the late 1980s and through the 1990s the government and the courts became more conscious of the dynamics of land development. But still the approach to the disputes and contentions did not change drastically. The Government and laws could not contain speculation and profiteering in land development and business. Given the ways of individualizing the property by the law, it was only propelling all through the perceived illegitimate and illegal market dynamics. People doing business in urban land mostly negotiate with the institutions and the powerful actors have the

chances to influence the decisions of the institutions to work in their favour. One knows now, planning within the districts have proceeded by allowing private actors to do business in lands. It is partly due to the policy and also due to other influences. Planners have always been proud of their middle class settlements and private investments in creation of such settlements were not considered undesirable. Those options existed for newly emerging associations and relatively big investors. Small investors and land owners with small holdings seem to have lost in the process and have been subjected to land acquisitions.

The only effective and generally expected and accepted way to agitate, protest, oppose, etc., against land acquisitions or regularization is mainly in the courts. In the whole process the problem to oppose or to protest or to even accept anything is individualized and fragmented, whereas the logic of planning, law and its purpose pose a unity. They attempt to derive and demonstrate the cohesion of the imposing state. Apart from that, laws and its authorities, and its planners, expect and assume that people should have a clear understanding of not only the law but also the purpose of the land acquisition or regularization. The law, courts, authorities, etc., who all work in tandem expect the property or land losers to be not only aware of the laws and its purpose, but also to submit to it. Many a times communities which are untouched by the government or law, when they come into direct contact are caught *unawares*. Land acquisitions operate on the entire communities. The only option available for the property or land losers is the access to the lawyers who can inform their land-loser clients and the court.

The return for the land acquisition has been only the compensation which had been the source of contention for several years. Since it is an incommensurable loss to the individuals land itself has been central to disputes, directly or indirectly. In the cases of regularization it has been mainly paying fines and in the lost legal cases it has been demolitions of illegal structures. The conceptual scheme of perceiving the loss of land or property seems to be inadequate. The L.A.Act merely enlists what constitutes the “public” and hence that public deserves the land sacrifice for the “purpose”. Monetary compensation constitutes restitution for resuscitation. In that sense land is merely seen as a convertible and exchangeable thing. In socio-spatial sense land which is part of social organization is reduced to the level of economic compensation or nominalization. Land which forms the base/source of agriculture and a part of the educational and learning process passed on from previous generations is destroyed.

The Village Studies

The dramatic shift in Bangalore’s urbanization during the 1970s resulted in a number of ‘outgrowths’ in the villages surrounding the city. These outgrowths became part of

Bangalore's urban agglomeration. The Census of 1981 enumerated 77 villages as outgrowths of Bangalore city, of which 36 belonged to Bangalore North District and 41 to South District⁴⁵. Bilekahalli and Jaraganahalli in 1981 were enlisted as outgrowths of the expanding Bangalore city⁴⁶. In the same year it was also noted that Bilekahalli had revenue layouts and Jaraganahalli had slums⁴⁷. In the Census of 1991 they had been shown as outgrowths of Bangalore Urban Agglomeration⁴⁸.

The Census Abstracts of 1951 and 1991 hold contrasting pictures of Bilekahalli and Jaraganahalli indicating the change brought about by the expanding city of Bangalore and the processes of integration of these places with the city (See Tables 5.1 and 5.2). The profiles of the two villages in 1951 and 1991 reveal changes in occupational structure, and increase in population due to in-migration. The changes can be noted mainly in terms of density of populations and expansion of multiple activities due to the establishment of production and service industries over a period of time. These changes affected land development process. Land development forms the basis of the expansion of the city. The dynamics of land development is mediated by various actors, institutions, associations, etc., to give it an urban form and also indicates various purposes that shape the city.

To plan the areas first the villages and their constituent lands were notified as the Local Planning Area/Bangalore City Planning Area. In other words the notified lands were to be for various development purposes. Development was mainly conceived as state driven, but individuals or private parties had been increasingly part of the development activities with the mandatory permission of the government. The land development has seen both adherence and violations with the involvement of private parties and individuals. The whole process has given rise to 'haphazard' or 'unplanned' or 'unauthorized' growth in the area and the city too.

Bilekahalli and Jaraganahalli were in the City Municipal Council area of Bommanahalli. Bommanahalli CMC had sixteen villages. This reconstitution of the areas was taking place in the context of both planned and unplanned development and growth or expansion of Bangalore city, over a period of time. This organization and reorganization of municipal administration was to deal with mixed or unauthorized land development in the Local Planning Area/Urban Agglomeration. The task before us then is to demonstrate the kinds of land developments and the strategies involved in the context of mixed production of space. Given various sets of actors involved in the land development in the city, how did land development patterns, whether planned or unplanned, shape various places? What are the types of land development? What are the kinds of social processes that underlie land development process? Who are the actors apart from the government and its planning agencies, involved in the process of land development? To answer the questions two villages – Jaraganahalli and Bilekahalli – were chosen for a micro level study to know the kinds of strategies involved in land development process and formation/evolution of newly urbanized areas of Southern Bangalore city.

In the Chapter 5 an attempt was made to illustrate the kinds of land developments in two areas- Bilekahalli and Jaraganahalli chosen for intensive study. Fieldwork involved ethnography and survey of these two areas (See Methodology in Chapter 1). Study took into account the planning mechanisms, law, various actors, etc., involved in the development of these areas. Study more significantly attempted to investigate the responses from below to the different kinds of interventions in land development. Bilekahalli gives a picture of the kind of planned land development process and formation that has taken place. The village mainly depended on agriculture and horticulture/floriculture. The village was populated mainly by the Backward classes and the Scheduled castes. It became part of the ribbon developments in the wider process of urbanization, planning and expansion of the city. Changes in the village were initiated by the processes of land acquisition. Interior agricultural and garden lands were acquired over a period of time in phases by CITB, BDA, Central Government, and House Building Cooperative Societies, for the institutional and residential land developments. Marginally garden lands were quickly converted by the people into unplanned layouts in the midst of multiple acquisitions before any governmental or quasi-governmental could initiate another phase of land acquisition proceedings. All these processes are described elaborately in Chapter-5. There are a few points which need some elaboration here. For the agricultural communities land is the source of livelihood. Land as a legal entity is very significant. Land is part of the social life and existence. It is part of the socio-spatial structure. Land is meant for marketing the cultivation of different kinds of crops for their consumption. Loss of land leads to shock, because the communities concerned are responsible for the future sustenance of the households. Thus such a transaction is discouraged. The residents were forced to sell their lands under the aggravating circumstances. The State with its legally legitimated power, coercively has acquired lands. As an adaptive strategy some of the inhabitants of both the places- Jaraganahalli and Bilekahalli, have bought lands in Bangalore rural district. This is indicative of inadaptability to the urban occupations. They have directly confronted and engaged the authorities of the state and police, the aligned agencies- House Building Cooperative Societies, in a violent manner. The villagers have experienced harassment in the processes of negotiation for compensation and to retention of land, at various levels of the bureaucracy. They have legally contested the acquisitions leading to enormous loss of money and time.

Land acquisition has been a highly contentious issue, for the following reasons.

- a. To begin with compensation was the issue; it was enhanced by the court.
- b. Apparently, the acquisition of land by the Vijaya Bank Employee Housing Co-operative Society Limited (VBEHCSL) was challenged in the court since acquisition for a private housing association was not considered as a public purpose by the people of Bilekahalli. But the actual reasons were the fast increasing land values in the market, and the bleak future of the people of Bilekahalli. In the case of Vyalikaval Home Building Co-operative Society Limited (VHBCSL), it was very clear that the aim was to acquire lands at substantially cheaper rates and sell at higher rates over a period of time. Apart

from that, people were worried about their employment and sustenance. For all these reasons land acquisition and land development processes have been contentious, competitive and violent.

The findings of this study show that the unacquired and regained lands were converted into private layouts fearing future acquisitions and to maximize revenues. Now one finds a congested village pocket surrounded by few unplanned layouts, large number of planned housing estates and planned residential layouts.

The former village of Jaraganahalli represents mainly the unplanned socio-spatial formation. It was mainly an agricultural revenue village constituted by caste communities involved in dryland agriculture, horticultural, floriculture. Main land owners were the 'upper castes'- Achary and Reddy, Ligayats and 'lower caste'- Thigalas. Most of the communities belong to the backward castes, upper castes belong to general category and only one belongs to scheduled. The villages lands were acquired for the residential development by the City Improvement Trust Board, industrial and commercial uses along the Kanakpura Road. These developments led to immigration of outsiders. The developments within the surrounding villages had influenced the developments at Jaraganahalli village.

Jaraganahalli today has mixed land-use having residential industrial and commercial uses. Many residents have rented houses. Such process of land development has created more number of landlords of rental housing which could be termed as 'subsistence landlordism'⁴⁹. All these landlords have undertaken produced housing to satisfy their daily needs and consumption than to accumulate. Such rental income generally adds as supplementary income for the households. Most of the households members are employed or self-employed in the low paid or low-income informal sector jobs. Given the small landholdings held before selling the lands, the revenues generated by selling the lands were invested in the production of such low-income rental housing which is their only source of subsistence. Largest numbers of household members have become subsistence landlords. The village serves the use needs of the low-income population. From the point of view of planning, the area represents a crowded one- in terms of density of the built environment and the concentration of people, with lack of- building norms, proper roads, water supply, etc. The village core and its surrounding social-spatial formation and the built environment represent the creation of more of use values than the exchange values. The growth and development of Jaraganahalli in an unplanned manner clearly indicates the lack of consciousness of the significance of planning because it does not address the questions of the conditions of existence of the village inhabitants, and thus planning lacks legitimacy.

The private layout formation is generally characterized, from the legal-planning point of view as 'unauthorized' or 'unplanned' spatial formation. That apart, in Jaraganahalli private layout plans are part of the social plans in terms of adaptation to

the fast changing villagers' scenario in the land market. One can see from the analysis (see Chapter 5) that there are larger processes underpinning the private layout formations. One could summarize the factors influencing the formation of private layouts in the following way.

a. The process of urbanization influencing the expansion of Bangalore city has been addressed and managed by the governmental spatial production. This process allows and makes provision mainly for large scale industrial production and business, and their concomitant residential and other needs. The spatial needs of lower classes are only marginally addressed, and the planners are neither conscious of nor can afford legal planning. Thus planning which works through exclusion, not only engenders unequal spatial production, but also is unaffordable. Thus places like Jaraganahalli produce unplanned/unauthorized formations because they are affordable for work and residential uses.

b. Low compensations fixed by the courts, are not equal to the market values. As always, courts or even the authorities take into account the registered market value in private transactions or other transactions to fix the compensation value. The registered market values are usually far below the market values. If a private transaction is registered at the market value, the parties involved in the transactions have to pay more registration fee. Therefore the transacting parties, all the time, quote a low value while registering, to evade taxes. The residents of Jaraganahalli due to the fear of land acquisition by the government decided to form private layouts. This move maximized revenues and at the same time gave rise to mixed land uses.

c. Finally, as a corollary to the previous two points, private layouts are not planned according to the planning rules or laws for the below mentioned reasons. 1. The small scale land holdings of horticulturists/agriculturists are mainly converted into layouts to maximize the spatial production for urban uses in terms of exchange value i.e., to maximize returns through sale of sites. 2. Since there is no collective production of large scale urban uses i.e., governmental production of space for all, the spatial logic of agricultural formation, as described earlier, replicates itself, by and large, to form unauthorized urban uses.

Lefebvre (1993) says,

In connection with the city and its extensions (outskirts, suburbs), one occasionally hears talk of a 'pathology of space', of 'ailing neighbourhoods', and so on. This kind of phraseology makes it easy for people who use it – architects, urbanists or planners – to suggest the idea that they are, in effect, 'doctors of space'. This is to promote the spread of some particularly mystifying notions, and especially the idea that the modern city is a product not of the capitalist or neocapitalist system but rather of some putative 'sickness' of society. Such formulations serve to divert attention from the criticism of space and to replace critical analysis by schemata that are at once not very rational and very reactionary. Taken to their logical limits, these theses can deem society as a whole and 'man' as a social being to be sickness of nature. Not that such a position is utterly indefensible from a strictly philosophical viewpoint: one is at liberty to hold that 'man' is a monster, a mistake, a failed species on a failed planet. My point is merely that this philosophical view, like many others, leads *necessarily* to nihilism.⁵⁰

The study shows that the intervention of State in the land development through urban planning generates the market in land, thus the second nature of space i.e., real

estate business obtains itself automatically. State by deploying laws individualizes property. All these tendencies have led to new rescaling of property and property relations in Bangalore. The terms like legal/illegal, authorized/unauthorized, planned/unplanned, etc. are only epiphenomenal.

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- ¹ A. R. Desai & Devdas S Pillai, 1990, *Slums and Urbanization*, Popular Prakashan, Bombay, p. 432.
- ² M. Gottdiener. *The Social Production of Urban Space*, p. 123.
- ³ M. Gottdiener. *The Social Production of Urban Space*, pp.124-125.
- ⁴ M. Gottdiener 1997, *The Social Production of Urban Space*, pp. xi-xii.
- ⁵ Manuel Castells *The Urban Question*, p. 261.
- ⁶ M. Gottdiener 1997, *The Social Production of Urban Space*, p. xiv.
- ⁷ Marc Los. 1981, *Some Reflexions on Epistemology, Design and Planning Theory*; Peter Hall. 2002, *Urban and Regional Planning*; Scott Campbell & Susan Fainstein eds. 2003. *Readings in Planning Theory*, Oxford/Melbourne: Blackwell Publishers Limited.
- ⁸ Scientific epistemology was based on “the notion that it was scientific, in the sense that the world could be completely understood and its future states predicted; the notion that planning could be value-free, in that the planner could disinterestedly determine what was best for society; the notion that the planner was planning for a society that was a homogenous aggregate, in which the welfare of the entire people was to be maximized, without too much concern with distributional questions; and the notion that the task of planning was to come to terms with – which, in practice, meant adapting to – the facts of rapid growth and change” (Hall 1996: 246).
- ⁹ The experiments in US and UK are case in point. In US “Community action in planning” became popular. In 1970s in UK influence of intellectual currents in Marxism held a sway over the planning exercise leading to the ‘community development projects’ at local levels in the cities (Hall 1996: 247).
- ¹⁰ James Heitzman 2004, *Network City*, p. 69. Bangalore’s urban district consistently maintained the top rank on most of social and economic scales within the state of Karnataka (ibid: 69).
- ¹¹ Fazlul Hasan, 1970, *Bangalore Through the Centuries*. Environment of Bangalore of 17th and 18th centuries was partly human made and was also endowed with natural advantages. In the second half of 18th century fort town and its ecologies started changing under the royal patronage of Nawab Haider Ali Khan. Bangalore was becoming a military town, however what is significant here is the other ecological changes that were promoted- the ‘Gardens’ mainly and ‘Parks’ in the region started spreading. The only known big park that was laid out during that time was Lal Bagh. What is much more significant is the import of a caste/community of gardeners known as Tigalas. This was to change the scenario of the Bangalore’s environs (ibid: 147). The preferences for a particular kind of city environment found such representations and resonated among the colonial settlers- ‘The domiciled Europeans, mostly Englishmen, who found *Bangalore an ideal place to live to create ‘the green’ of English countryside here and adorned their home with beautiful gardens – ‘the entrancing beauty spots’...Of course, Bangalore had ‘no parched plains and no dust laden (sic) sky even in summer’* (ibid: 214) (Emphasis added). Bangalore was conceived as a place of ‘elsewhere’ to become ‘the green English countryside’, the beauty of gardens. It was no more a Bangalore of Princely Mysore State or of the people. The influence of the British processed the townscape into a form for leisurely lifestyle. However, the bi-nodal town, constituted of native town and Cantonment area, was situated within the environs of greatly non-built environment – among parks, gardens and tanks, and the vast spread countryside in the vicinity in all directions – by the end of 19th century. What is significant here is, to just take note of the fact that ‘park’ in the town’s landscape found legitimacy and support from the authority. Park had already become a necessary feature of the Bangalore Town. Cubbon Park indicates such a propensity. Such an ambiance gave way to the Public Offices Building too from where the government was functioning. Many more parks like, Langford Gardens, Richmond Park, Cole’s Park, etc., were all created during those times (ibid: 214). Similar resonances of a ‘beautiful city found a place, in consonance with the dominant pattern – of the view of how city is to be – in the ruling establishment and the bureaucracy of Princely Mysore in the first half of 20th century. It was the times when new buildings for public uses, parks, etc., were fashioned. Though the native town area was developed in the similar aesthetic spirit of the Cantonment area, but it was not without a difference of added paternal welfarism. After ‘Silver Jubilee Celebrations’ of Maharaja in 1927, the programmes were taken up as the larger part of ‘beautifying’ the city and increasing public utilities. Notable were the creation of Silver Jubilee Park, Town Hall, Technological Institute, maternity hospitals, new circles, broad roads, etc., were added to town landscape. Dewan Mirza Ismail took greater interest in ‘beautifying the City’. Few individuals too contributed through donations to such an urban patterning and urbanization process (ibid: 216). This kind of urbanization provided the overarching principle to configure Bangalore City in both the parts of the divided city of the pre-independence times
- ¹² Report of the Bangalore Development Committee, 1954, pp. 103.
- ¹³ Report of the Bangalore Development Committee 1954, pp. 68-69.
- ¹⁴ The Outline Development Plan For The Bangalore Metropolitan Region, 1963, pp. 105.
- ¹⁵ See The Outline Development Plan, 1972, p. iv.
- ¹⁶ RCDP 1976, p. i.
- ¹⁷ There was slight change in the system of measuring the space of city. City was measured in miles, in 1985 the measure was indicated in kilometers. (Comprehensive Development Plan Report, 1985, p. Introduction)

¹⁸ Rapid increase in the population was given as the reason for the city expansion within the context of city being “administrative centre, industrial centre, centre for trade and commerce and as an educational centre.” (Comprehensive Development Plan Report 1985: Introduction)

¹⁹ Report highlights the question of expanding boundaries of city while expressing its environmental concerns. It goes on to say that- “The City has a salubrious climate earlier but due to *very rapid expansion of the City and shifting of the Green belt of the City* is experiencing change in environment resulting in higher temperature.” (emphasis added; Ibid: Introduction)

²⁰ See Comprehensive Development Plan Report, 1985, p. 23.

²¹ Comprehensive Development Plan Report, 1985, Introductions’ second page without page number.

²² The Karnataka Co-operative Societies Act, 1959, Department of Law and Parliamentary Affairs, Government of Karnataka. The law and approach to it, is discussed in greater detail in the following chapter.

²³ G.V.K. Rao 1988, Report on an Enquiry Conducted Under Section 64 of Karnataka Co-operative Societies Act 1959 into the Activities of Certain House Building Co-operative Societies of Bangalore City, Bangalore. (from now on for reference purposes or citation the usage would be- GVK Rao, Report 1988)

²⁴ GVK Rao, Report 1988, p. 1.

²⁵ GVK Rao, Report 1988, p. 2.

²⁶ From the political point of view Quasi-pragmatic approaches were also an indication or response to a kind of a people’s will and other conditions of the region or the urbanization, etc., were all part of a broader democratic process, to which planning, policy, law, etc., were only adapting, all that was unsaid though.

²⁷ CDP-Revised was not alarmed as it happened with CDP 1985.

²⁸ Despite such declaration, the plan tends to do the opposite, or rather it is ambivalent, when it declares that “recommendations are made to seriously curb the growth in Bangalore Local Planning Area and encourage growth of other small and medium towns in the state” (CDP-Revised 1995: 3).

²⁹ Comprehensive Development Plan (Revised) Bangalore-Report, 1995, Bangalore Development Authority, Bangalore, p. i. (Emphasis added)

³⁰ CDP-Revised, 1995, p. i.

³¹ Comprehensive Development Plan (Revised) 1995, Bangalore Report, Bangalore Development Authority, Bangalore, p. 1.

³² Ibid: p. 3.

³³ CDP-Revised, 1995, p. 73.

³⁴ DRAFT MASTER PLAN – 2015 (2006) An Integrated Planning Approach...Towards a Vibrant International City, Bangalore Development Authority, Bangalore, <http://www.bdabangalore.org/pdfs/brochure.pdf> (20 Nov 2006). This master plan’s time period would be from 2005 to 2015.

³⁵ Bangalore Master Plan – 2015 (2007), Vision Document, Volume I, Government of Karnataka, Bangalore Development Authority, http://www.bdabangalore/Vision_Document_RMP2015_BDA.pdf, p. 1 (November 14, 2007).

³⁶ Bangalore Master Plan – 2015, p. 1.

³⁷ <http://www.bmrda.kar.nic.in/> (accessed on 23rd September, 2009)

³⁸ <http://www.bmrda.kar.nic.in/> (accessed on 23rd September, 2009)

³⁹ <http://www.bmrda.kar.nic.in/> (accessed on 23rd September, 2009)

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⁴⁴ The Bangalore Municipality’s Commissioner v The Sub-division Officer, Bangalore, and Five other respondents, Regular Appeal No. 105/Case No. 2 of 1943-44, Appellate Civil/ The Mysore Law Journal Reports [Vol. XXVII], 1946, p. 148.

⁴⁵ *Census of India 1981, Series-9, District Census Handbook, Bangalore District, Part XIII-A&B: Town and Village Directory, Village & Townwise Primary Census Abstract*, pp.53-55.

⁴⁶ Ibid. pp. 83-84.

⁴⁷ Ibid. p. 971.

⁴⁸ *Census of India, 1991 Series-11 Karnataka, Part XII-A, District Census Handbook, Bangalore, Village and Town Directory*, p. xxxix.

⁴⁹ Sunil Kumar 1996, *Subsistence and Petty Capitalist Landlords: A Theoretical Framework for the Analysis of Landlordism in Third World Urban Low Income Settlements*, *International Journal of Urban and Regional Research* 1996 - Vol.- Issue-2 Page 317-329.

⁵⁰ Henri Lefebvre [1973] 1993, translated by Donald Nicholson-Smith, *The Production of Space*, Blackwell Publishers, Oxford/Cambridge-Massachusetts, p. 99.

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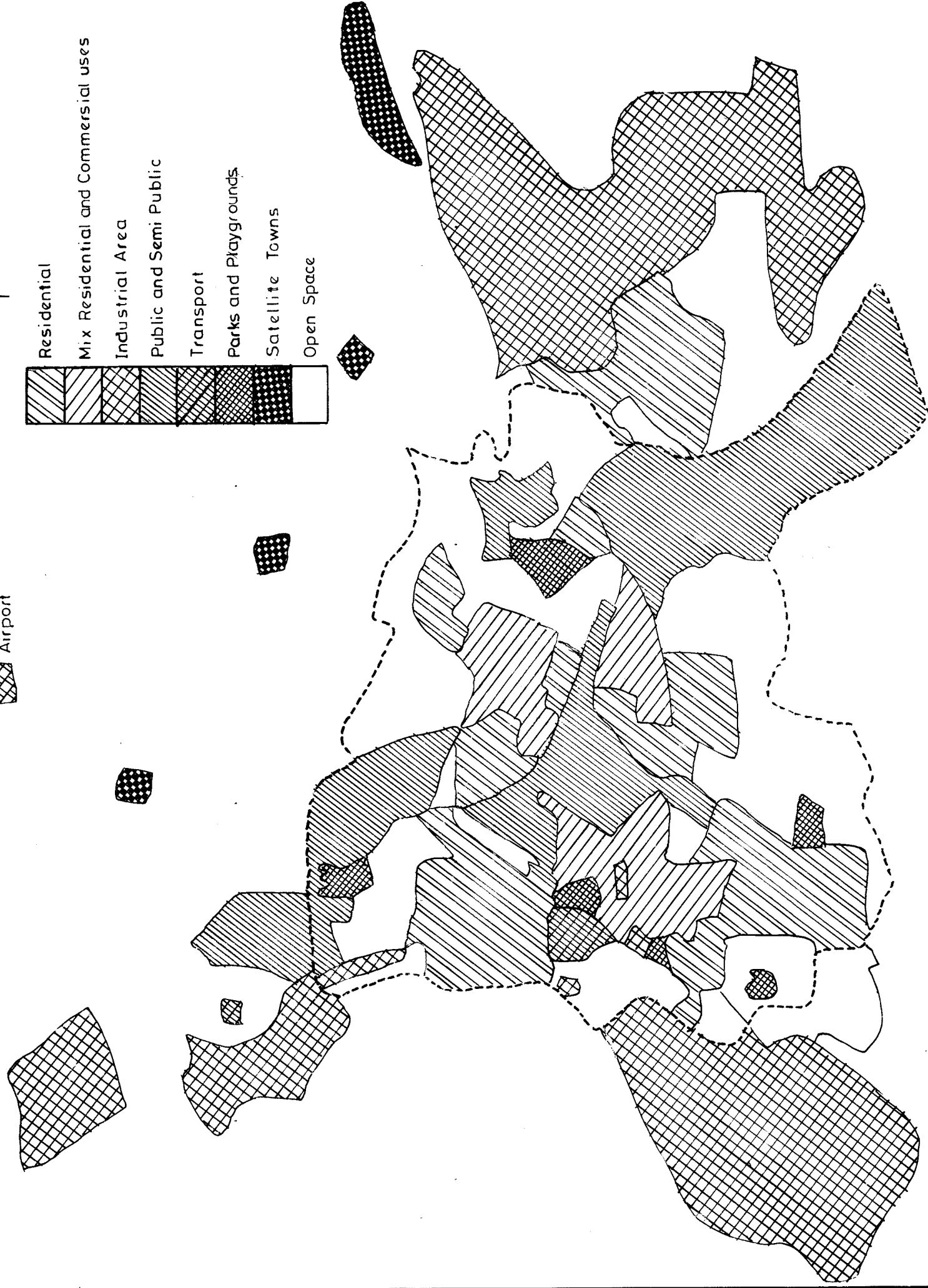
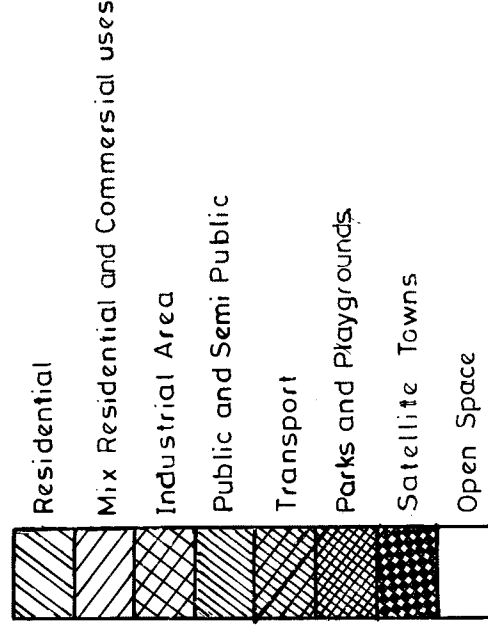
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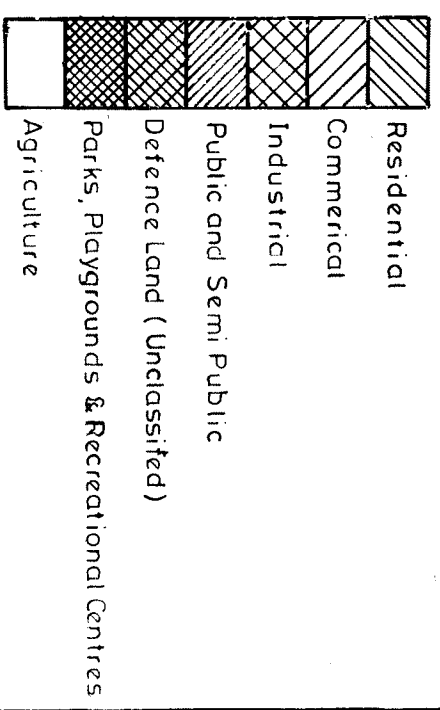
BANGALORE BANGALORE DEVELOPMENT COMMITTEE PROPOSED LANDUSE ~ 1954



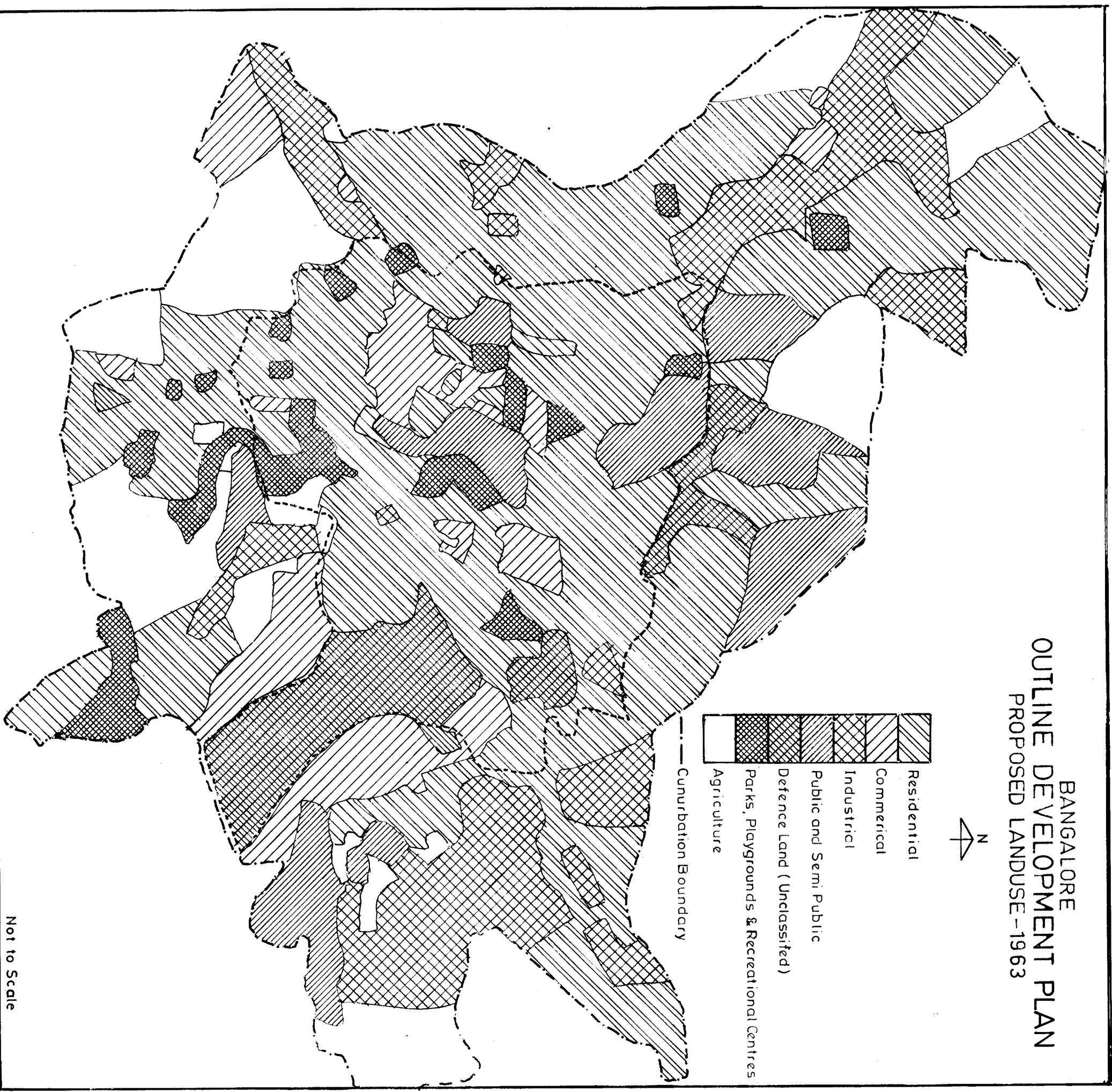
----- Existing Bangalore City Corporation Boundary

Not to Scale

BANGALORE
OUTLINE DEVELOPMENT PLAN
PROPOSED LANDUSE - 1963

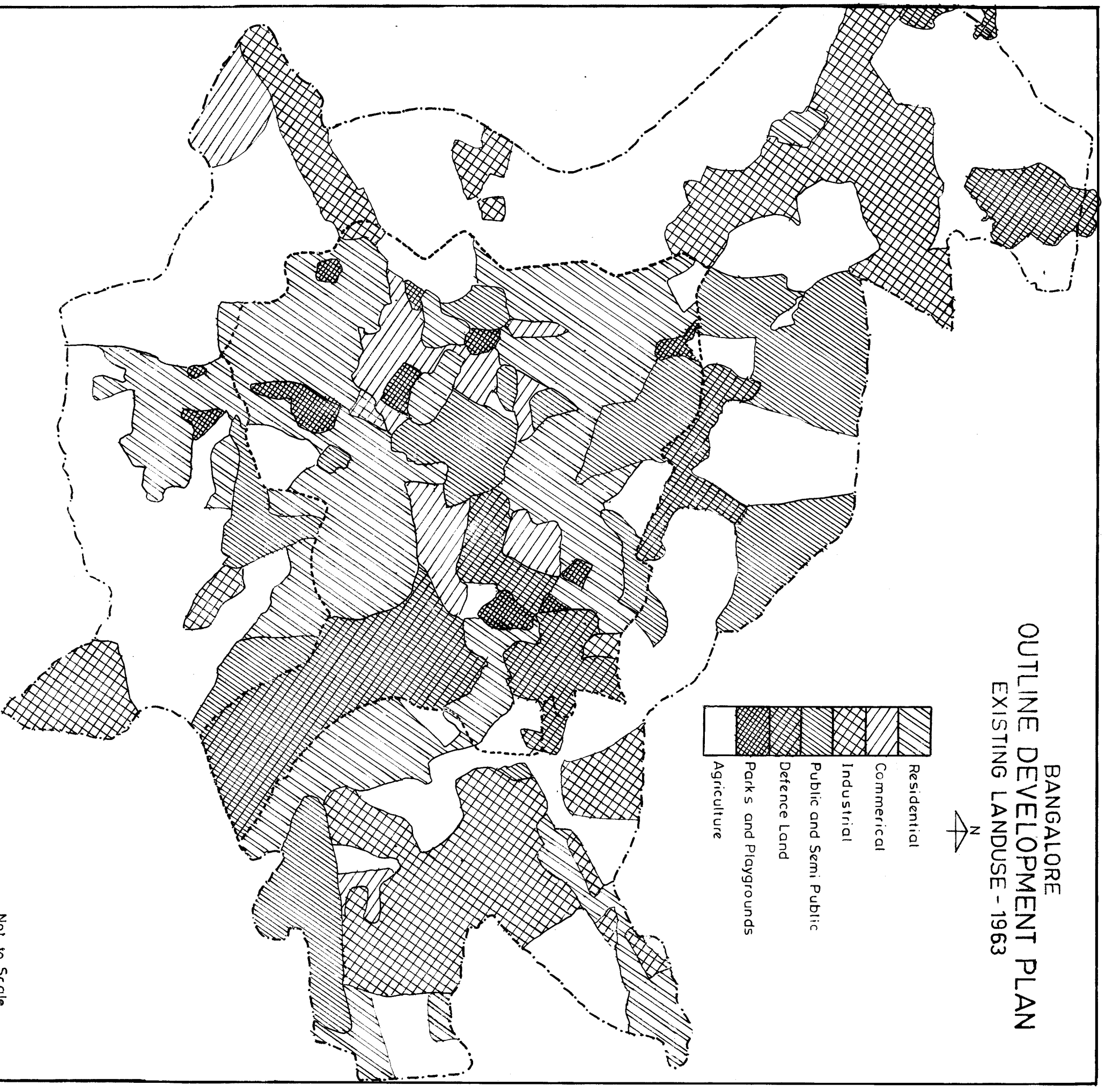
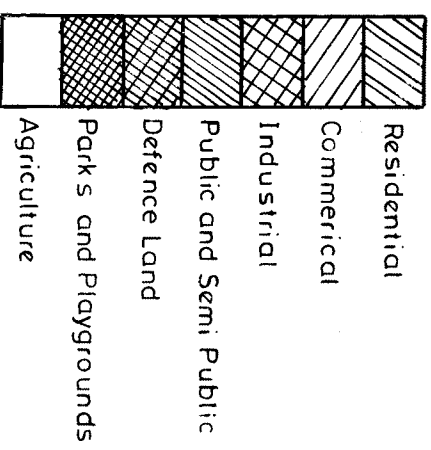


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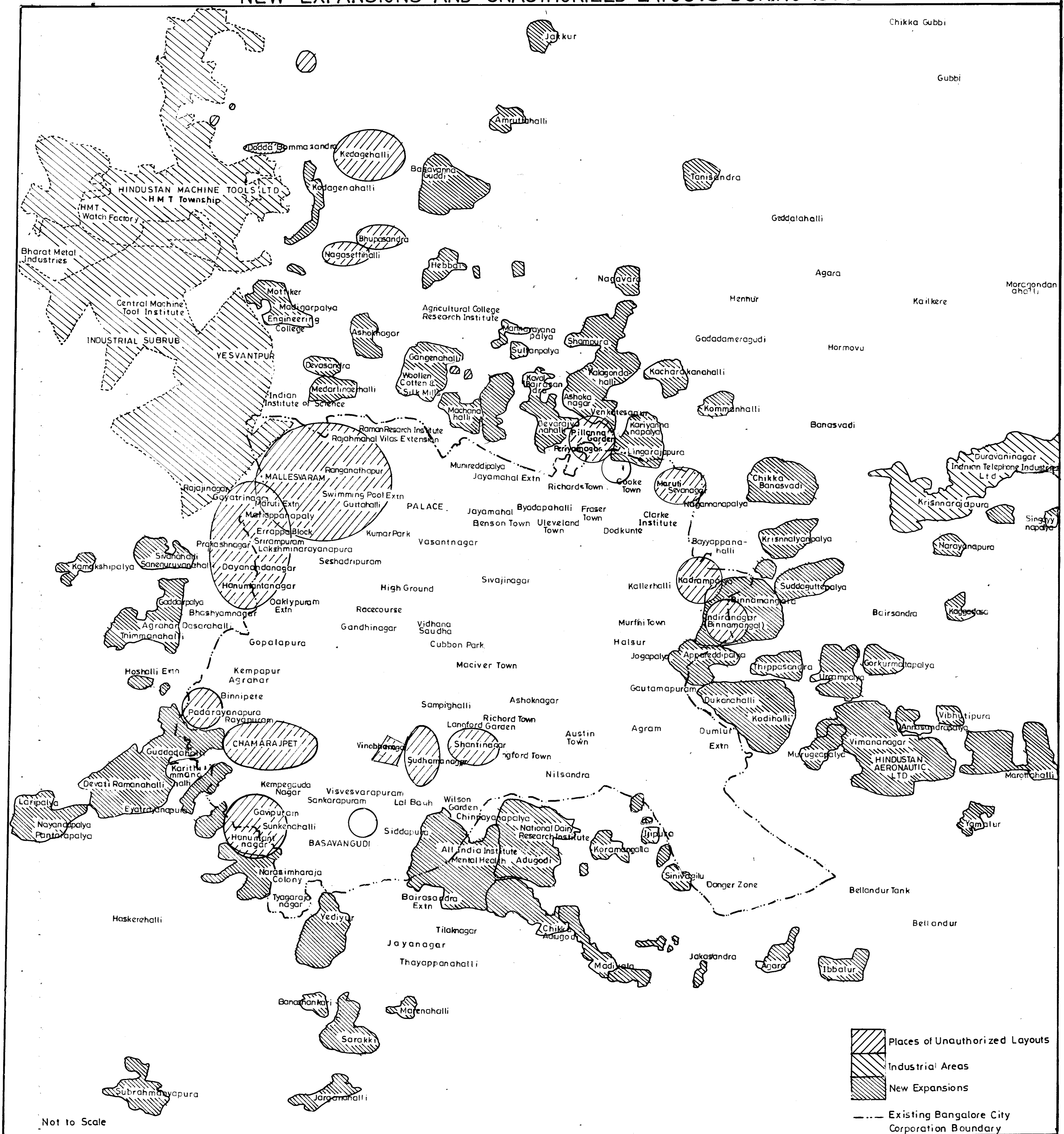
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BANGALORE
OUTLINE DEVELOPMENT PLAN
EXISTING LANDUSE - 1963

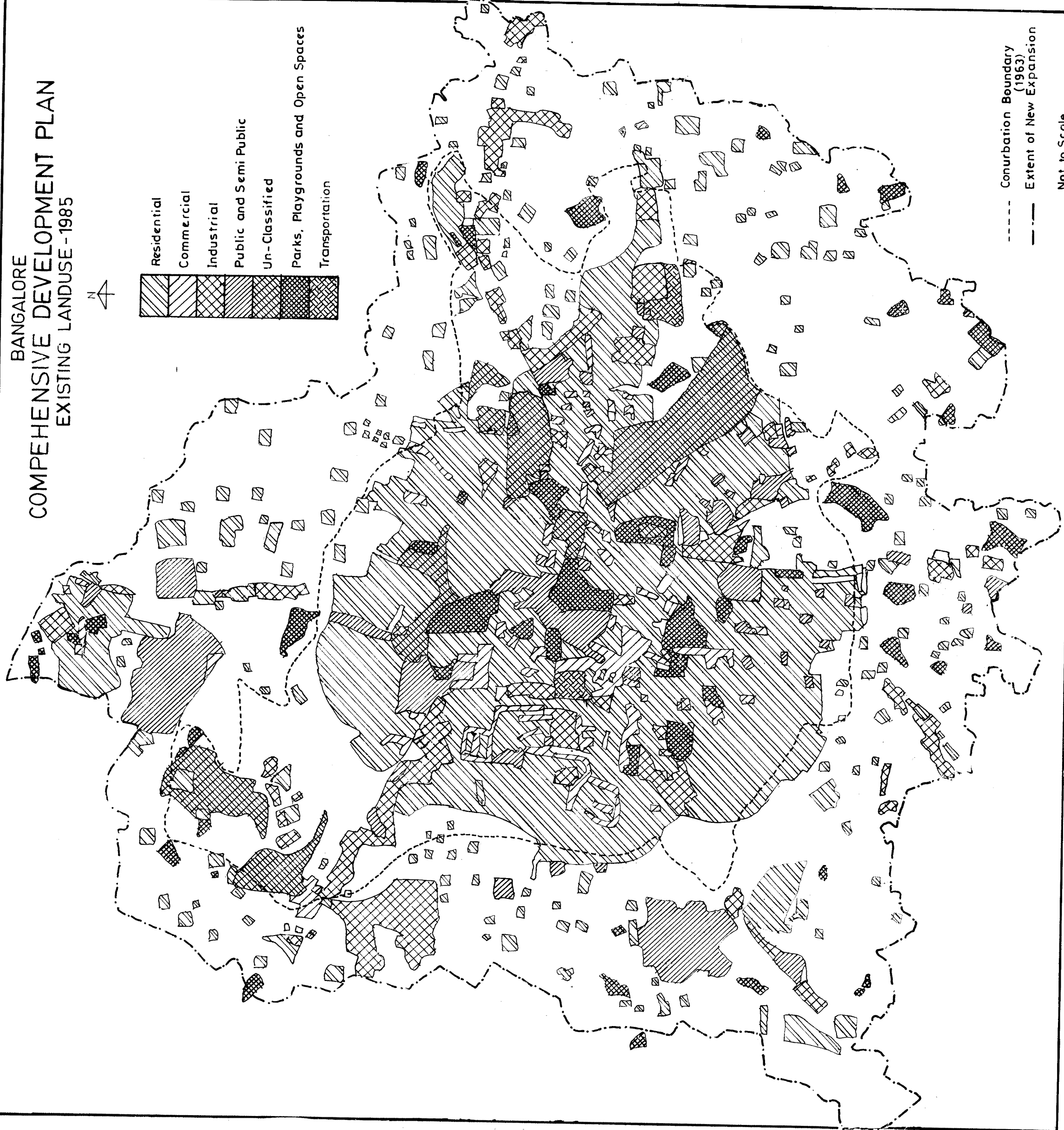
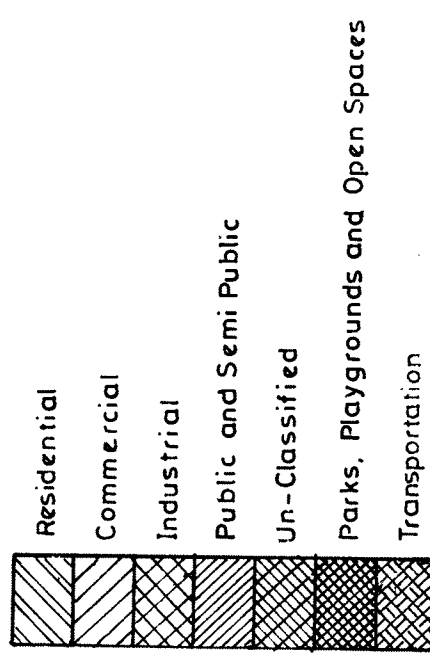


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NEW EXPANSIONS AND UNAUTHORIZED LAYOUTS DURING 1960s



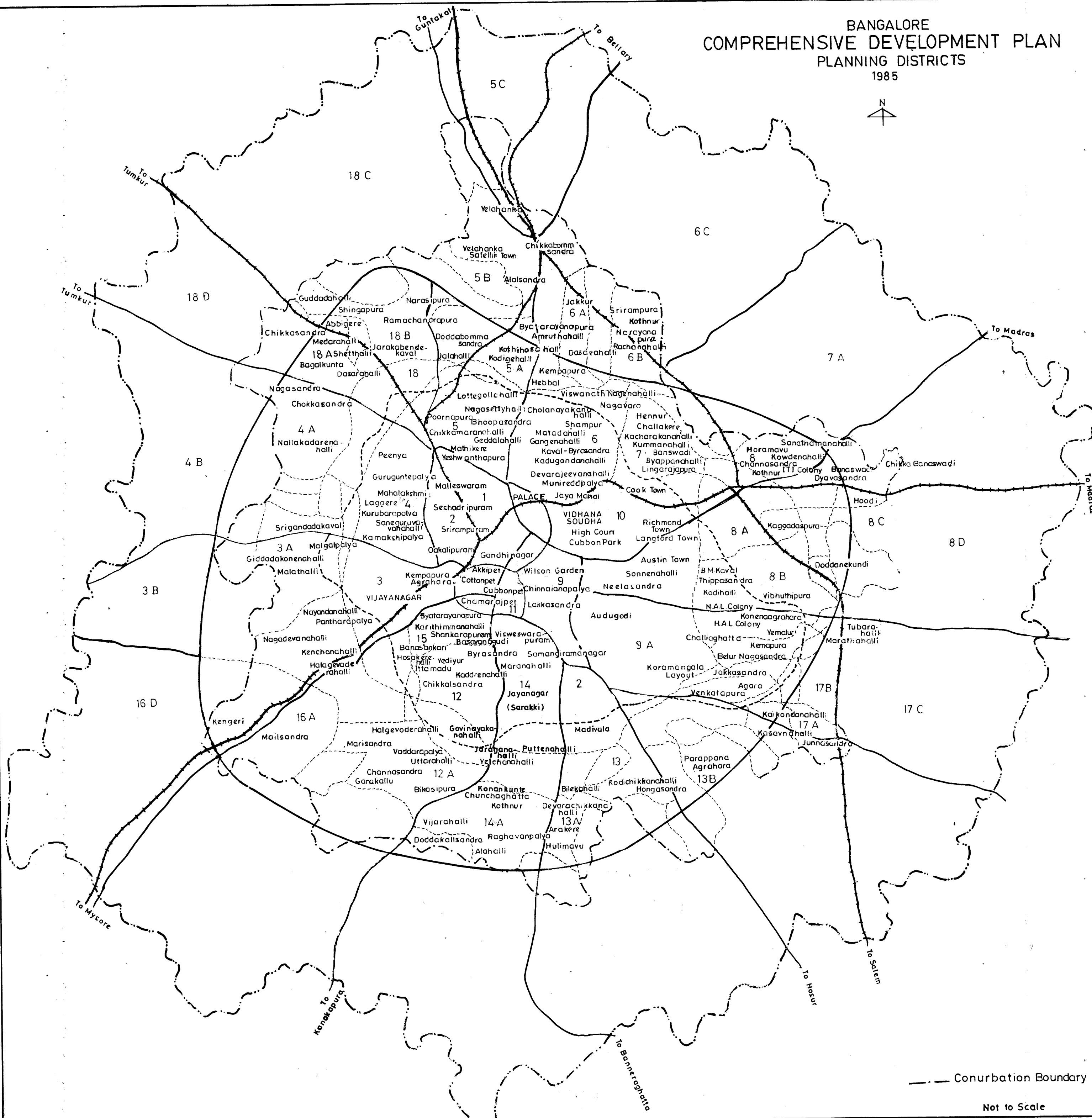
BANGALORE COMPEHENSIVE DEVELOPMENT PLAN EXISTING LANDUSE - 1985



--- Conurbation Boundary (1963)
— Extent of New Expansion

Not to Scale

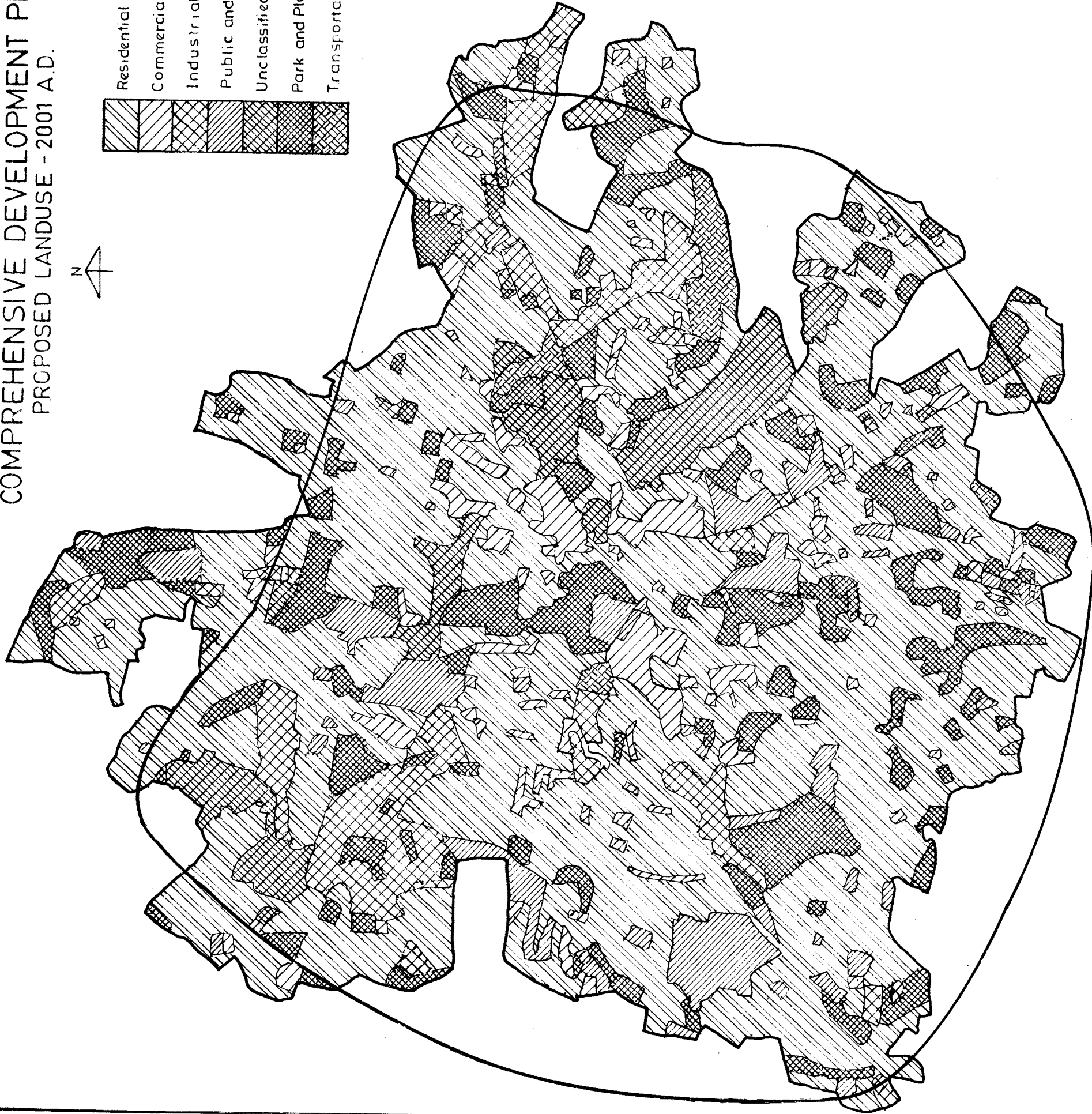
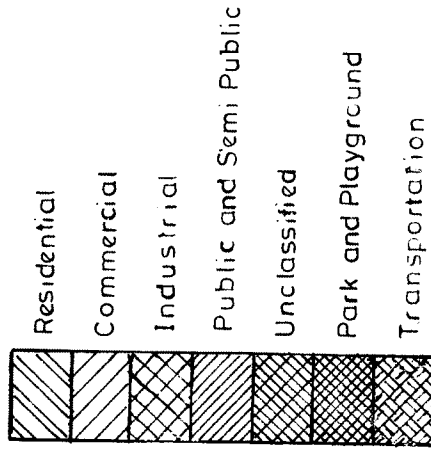
BANGALORE COMPREHENSIVE DEVELOPMENT PLAN PLANNING DISTRICTS 1985



--- Conurbation Boundary

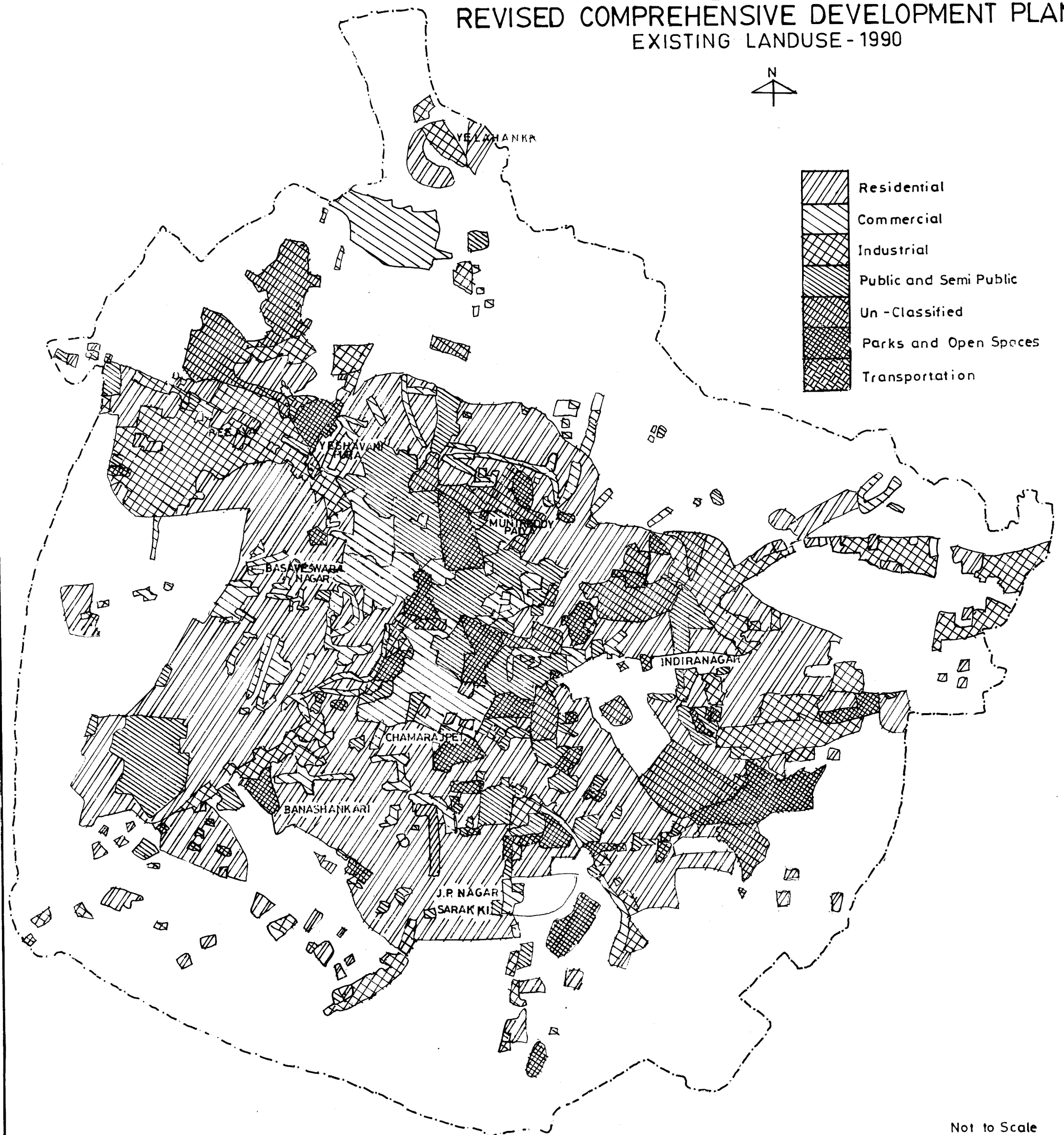
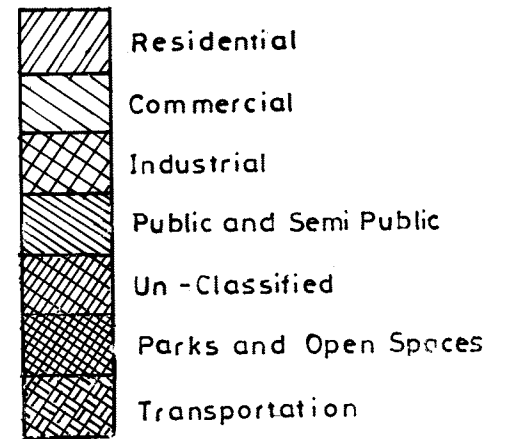
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BANGALORE
COMPREHENSIVE DEVELOPMENT PLAN
PROPOSED LANDUSE - 2001 A.D.



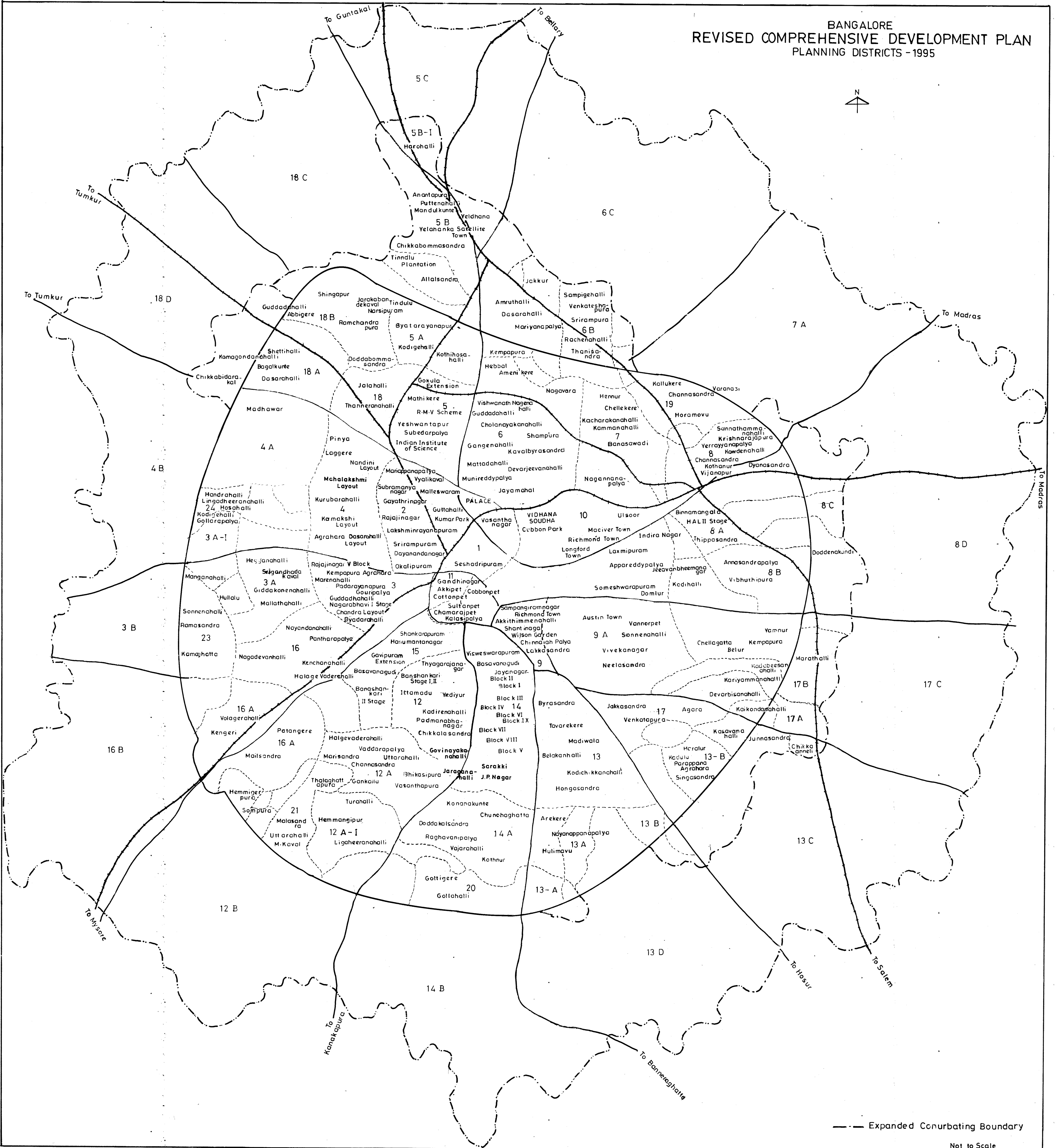
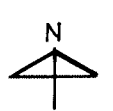
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BANGALORE
REVISED COMPREHENSIVE DEVELOPMENT PLAN
EXISTING LANDUSE - 1990



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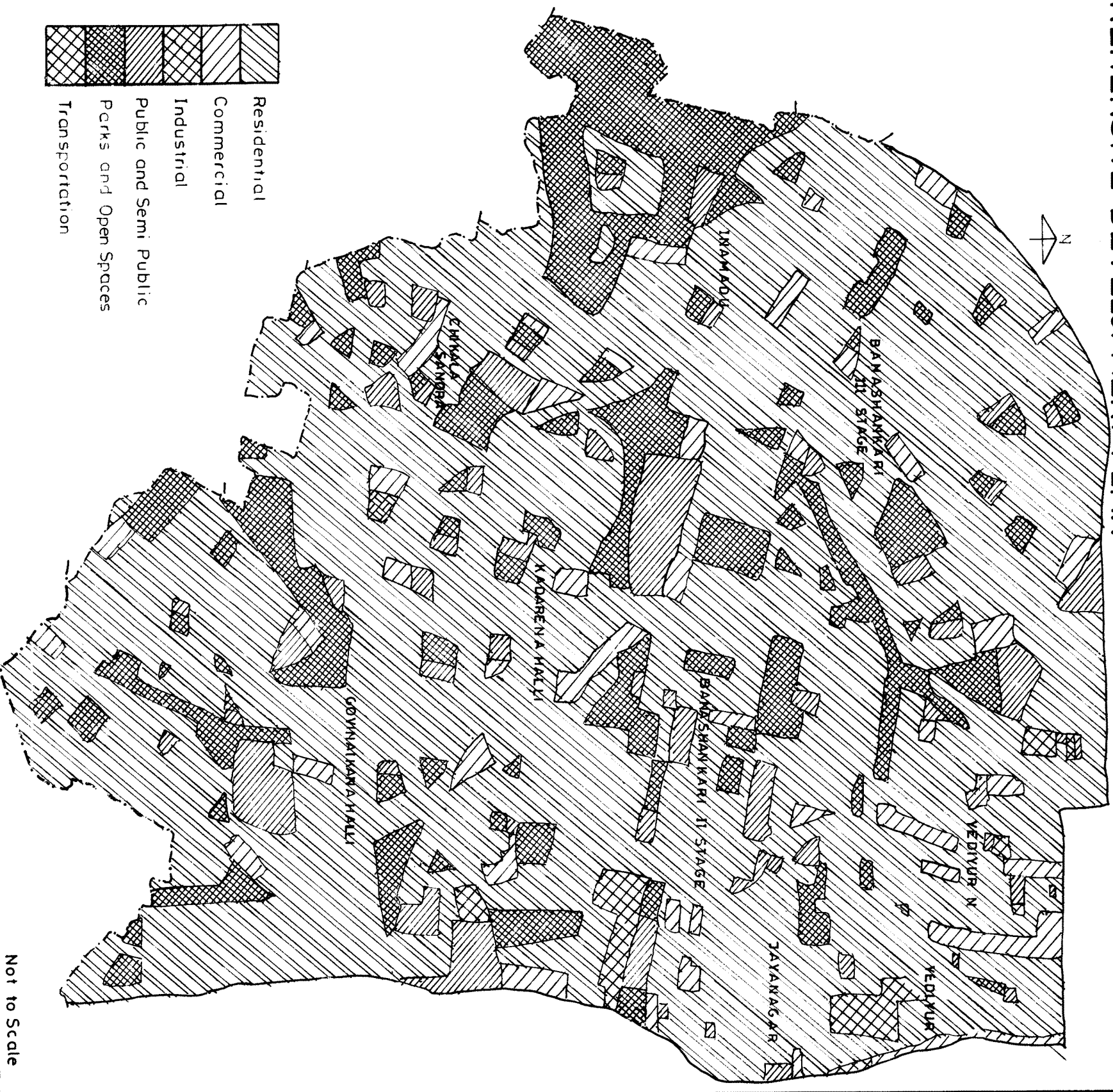
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REVISED COMPREHENSIVE DEVELOPMENT PLAN
PLANNING DISTRICTS - 1995



--- Expanded Conurbating Boundary

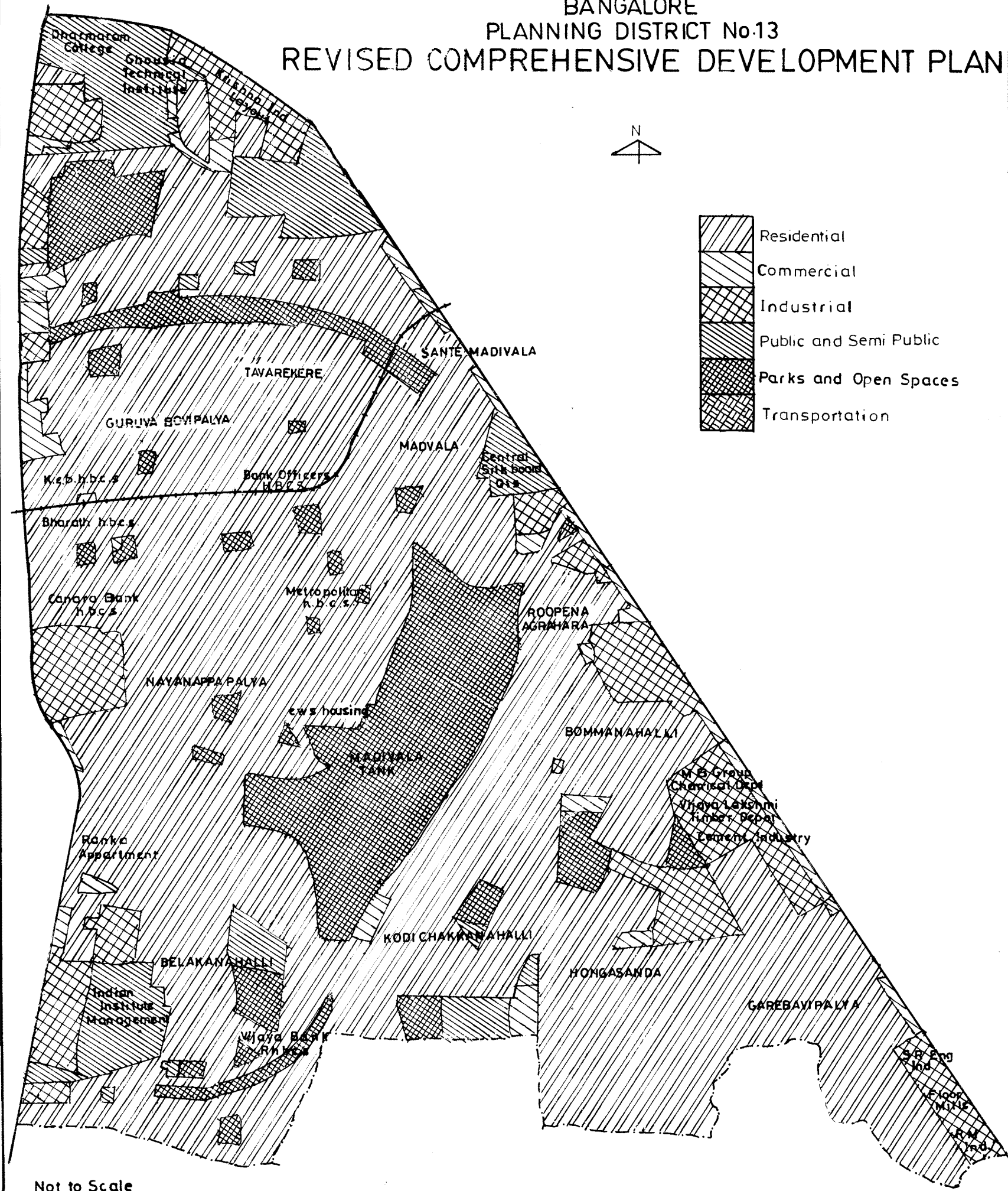
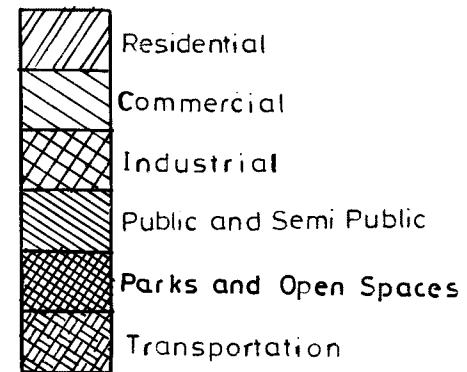
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BANGALORE PLANNING DISTRICT No12 COMPREHENSIVE DEVELOPMENT PLAN



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BANGALORE PLANNING DISTRICT No.13 REVISED COMPREHENSIVE DEVELOPMENT PLAN

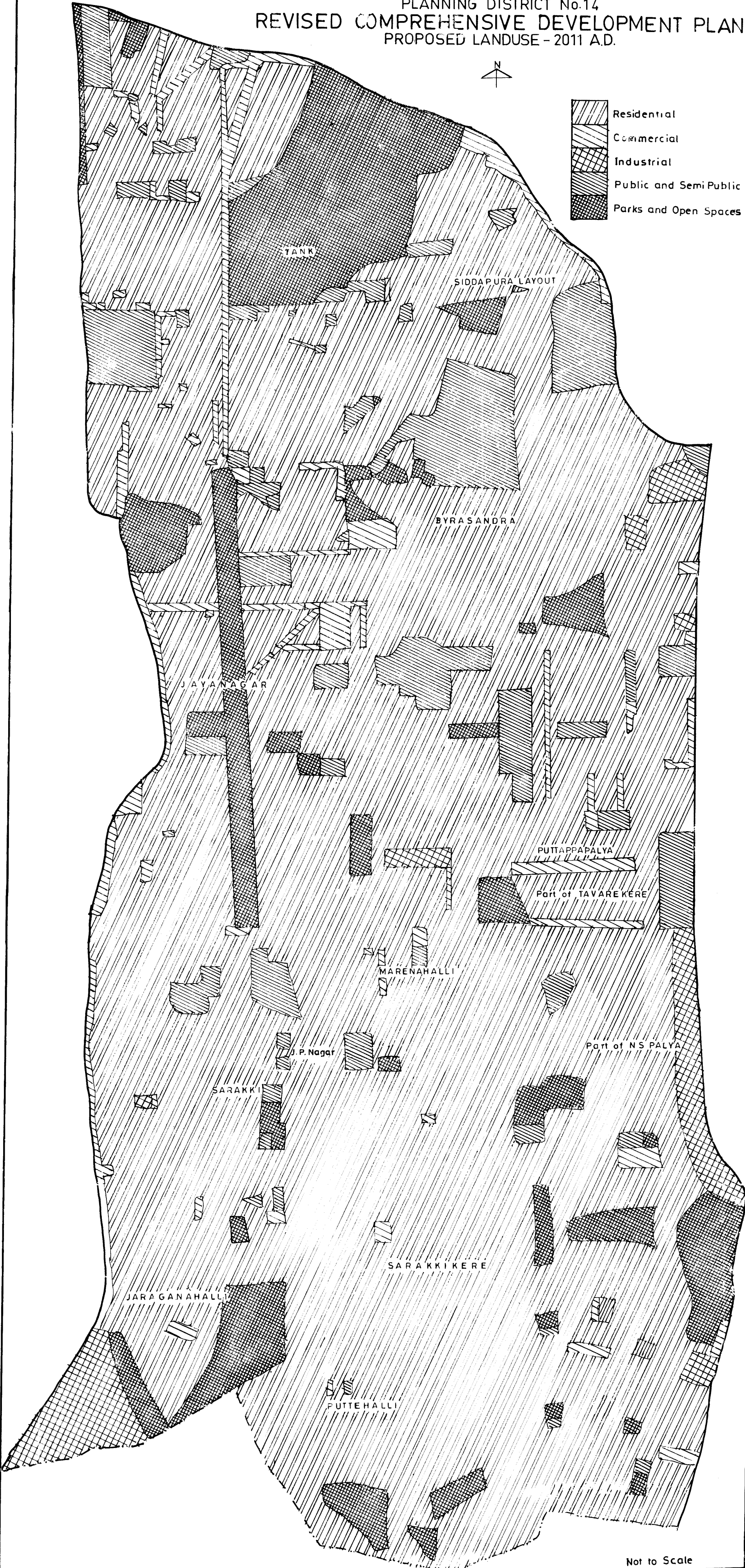


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BANGALORE
PLANNING DISTRICT No.14
REVISED COMPREHENSIVE DEVELOPMENT PLAN
PROPOSED LANDUSE - 2011 A.D.



- Residential
- Commercial
- Industrial
- Public and SemiPublic
- Parks and Open Spaces



Not to Scale

BANGALORE
REVISED COMPREHENSIVE DEVELOPMENT PLAN
PROPOSED LANDUSE - 2011 A.D.



APPENDIX II

INTERVIEW SCHEDULE

1. Are you a resident of this village?

Respondent No:

Name:

Village:

Caste & Religion:

Mother Tongue:

How many brothers and sisters you had?

2. Before the processes of Acquisition/Conversion

Head and the members of the Household	Age	Sex	Marital Status	Occupation	Edu	Income	Location of Work/Sch/Colle	Distance travelled daily to School/College/Place of Work	Mode of Transport to School/College/Place of Work

3. During/After the Processes of Acquisition/Conversion

Head and the members of the Household	Age	Sex	Marital Status	Occupation	Edu	Income	Location of Work/Sch/Colle	Distance travelled daily to School/College/Place of Work	Mode of Transport to School/College/Place of Work

4. Have you changed jobs? If you have changed jobs, why you have changed? How many jobs have you changed? And what are those jobs? What job are you in, now?

For land owners – acquisitions

1. Did you own the land?
2. How many acres of land did you own?
3. How many acres do you own now?
4. Were you land acquired?

5. If you were compensated for the land acquired, and at what rates? Did you have the chance to bargain for the rates that were fixed?
6. Which government agency/quasi-government agency acquired lands?
7. When was your land notified? Were you served with the notification? Do you have the copy of notification?
8. What did you grow on the lands you possessed? Were you totally dependent on the lands for your sustenance?
9. Were you happy/satisfied with the compensation that the concerned authorities fixed to your lands? If yes/no, why?
10. Did you raise any objection against acquisitions with the any concerned authority?
11. What objection did you raise against acquisitions?
12. Did you file any case against the authority concerned in the court?
13. How long did the litigation proceed?
14. How much have you spent towards litigation?
15. Finally what was the settlement? Were you happy with the decision of the court? If yes/no, why?
16. Did you go to the higher courts? If yes, on what grounds did you go against the decision of the lower court?
17. How long did it proceed? How much did you spend on the proceedings approximately?
18. What is the final order of the higher court?
19. How much was the compensation that was finally decided? Or could you retain the land?
20. Are you part of any litigation group?
21. Do you think the justice has been done?
22. Do you think these courts and concerned authorities have been helpful in getting you a better deal?

Intra-dynamics-effects of this process on the local social structure or vice-versa

1. Do you have siblings? How many of them? Did/do you, own the joint family property?
2. Have there been any disputes among your family members of with your other relatives over the claims for the property or compensations?
3. What is the name of the dispute?
4. Why do you think these disputes have occurred?
5. Haven't you gone to court to settle your disputes?
6. If yes, how long these disputes have taken to be settled or is it an ongoing one?
7. How these disputes were settled? Describe the process.
8. Do you think the justice has been done? If yes/no, how?

Dynamics of consumption

1. How did you spend the money you got by the way of compensating/by selling lands?
2. Do you believe in educating your children?

3. Have you educated your children?
4. Do you own a house/plots/land, anywhere else? If yes, since how long have you owned them?
5. Do you have access to all civic amenities- water, electricity, connection to corporation, sewerage, health facilities, transport etc., and from how long you have these facilities and connections? Do you pay charges for all these amenities provided?
6. Have you performed marriages to your children or any of your siblings?
7. How much have you spent on each of these marriages?
8. Do you spend money on ceremonies/festivals- birth/death, and other festival occasion? How much have you been spending on various occasions?
9. On what items do you spend more money every month?
10. Do you visit temples? Have you donated any money to any of the temples or towards construction of temples? How much?
11. Do you celebrate annual village festivals? How much do you spend during this particular occasion?
12. Do you take up pilgrimage trips? If yes, how many times in a year? Since how long? To which place do you visit?
13. Do you lend or borrow money? If yes, from how long have you been doing this?
14. For what purpose do you lend/borrow?

Network Dynamics

1. Are you part of any network/organization/association? (may be caste/religious, recreational, etc.)
2. Are you part of the chit funds? For how long?
3. Are you part of any political party? If yes, what is your role at various levels during various elections- local body elections, assembly and Lok Sabha elections? Other than elections, what other work do you do for the party and what benefits do you derive out of that work?
4. Have you approached any of the institutions/organizations/associations with a grievance? (apart from the legal issues) (it may be civic issues, police, or anything else).
5. Do you have friends in the layout neighbourhood? If yes, in what ways you are related to them?
6. Do you have any youth club or any clubs in the village?
7. Do you have cable TV connections and access to computer and internet connection? Or do you see them?

Landowners-conversions

1. How many acres of land did you own? Have you converted them into plots/sites?
2. What did you grow on the land previously?
3. When did you sell your lands?

4. Have you sold all the lands or do you retain some plots for yourself?
5. To whom did you sell your lands?
6. At what market rates did you sell these plots?
7. How did you market your plots?
8. How did you transfer the right over the property to the buyers?
9. What is the nature of transactions?
10. Are the conversions of lands legal?
11. Did any authority raise any objection against conversions?
12. Have the converted lands come under the purview of regularization?
13. Do your converted lands have been absorbed into corporation or CMC?
14. Lands that you have sold- has it been converted into a built-up area?
15. Are these converted lands serviced (water, electricity, sewerages etc.) when were these lands serviced?
16. Have you been paying “betterment charges” or any other charges to corporation?
17. Did BDA or any other authority issue any notifications to acquire your lands?
18. If yes, were there any demolitions of the buildings or forceful evictions from or acquisition of land?

Image of the City and Village

1. What is your generalized and significant view about your village?
2. Can you recount some significant moments that you have come across, may be in your personal life or otherwise, that you cannot forget or you can recall?
3. What is significant about this place?
4. Have you liked residing in this place? If yes/no, for what reasons?
5. Did you ever think of moving out of this place? (if the person has not liked the place for various reasons)
6. What are your daily routine movements in the city?
7. What places impress you or would you like to visit frequently? For what reasons do you like or dislike these places?
8. Would you like to draw a map of your daily routines?

For Village Migrants

1. When did you migrate?
2. Why did you migrate? (-supplement with some more questions related to other opportunities or opportunity cost).
3. How many acres of land you have bought here? (per acre rate)
4. How much money have you invested on these lands here?
5. Infrastructure?
6. What do you cultivate?
7. Do you depend on any other sources of money- like bank loans, borrowings from your relative or friends, or any other sources for investment in agriculture?
8. Do you think agriculture is profitable?