A. THE CONTEXT FOR DEBATE

1. Goa was (and continues) as the only State of the Union to have a State Level Regional Plan. Thereby the entire territory is covered by differentiated regional level land uses. This Spatial Plan was formulated under the Goa, Daman and Diu Town and Country Planning Act 74. It was made operational in the early 1980’s for a perspective upto 2001 (RPG -01). At that time Goa was still an Union Territory but with a legislative assembly vertically linked to Federal systems and resources. This broad brush Plan (RPG-2001) enabled a modicum of synergy between the sectoral developers (by and through Central and State Government Departments) and the Spatial intent on the appropriate use of land.

2. However, when Goa became a State (1986), the main State Level Sectoral players became increasingly developmentally bullish with India’s smallest State promoted as a destination for investments—primarily for international tourism and small to medium scale industries. Also, the extraction and shipment of ferrous earth increased manifold. Thus liberties with the statutory but regulatory RPG-2001 emerged (largely perceived as a development enabler). Worse still a disconnect was engineered between the Regional Plan and its Settlement Plans as regulated by Development Authorities (popularly known as ODP’s/CDP’s) but through a single Goa Town and Country Planning Act (GTCP Act 74).

3. By this time RPG-2001, was due for an update. This emerged in the form of RGP-2011 through consultants. This updated Plan was found generally acceptable though it did not address the 73\textsuperscript{rd}/74\textsuperscript{th} Constitutional Amendment Acts 1992 and through which (a) elected governments were in place for the Municipalities and Panchayats of Goa and (b) ground level activism had now a constitutional rallying point vis-à-vis a legislative assembly horizontally linked to Federal governance other than political manifestos.

4. Just as RPG-2011 was in its final stage of processing, government through ambiguous clauses in the GTCP ACT 74 made a large scale non-consultative changes in the Plan, in favour of promotional development. Thus the focus with panache was not only on Goa as a destination but as an investment hub in terms of land and built space. This
led to a vehement coordinated citizen opposition to the Plan. Thus for the first time ever in India, Government had to retract from a spatial development plan process. This epoch making roll-back led to reverberations in most States of the Union and where statutory land uses were being changed from that of common interests to that of interests of developers and investors.

5. RPG-2021 was announced as an alternative with fanfare. A Task Force was constituted through gazette to produce draft RPG 2021. The Task Force was chaired by the Chief Minister-cum-Minister for Town Planning-cum-Chairman of the Goa TCP Board. (This Board through statute has armed itself with powers for change and/or regularisation on use of land and built space on land). Arch. Charles Correa was the vice-chairman of this Force and at least four of the other seven members are on the panel for this Goenkaracho Ekvott sponsored debate at Delhi.

6. After surveys and research and consultations spread over a year, draft RPG-2021 was legally placed in the public domain in October 2009 for suggestions from the public and with assistance from village panchayats. Four months were given for this exercise (against the customary 60 days). This period was further extended in stages for a further four months (upto end of June 2010). However upto this time, the updated draft RPG-21 by a State Level Committee headed by the CM is still in process of being made public before being statutorily processed as RPG-2021.

7. Draft RPG-2021 gives cognisance inter-alia to:-

   a) The 73rd Constitutional Amendment Act of 1992

      (i) By covering the State through 2 District level regional land use plans for processing through a strengthened District Planning Committee by declaring each District a Planning area.

      (ii) By ensuring settlement level plans for every Municipality and Panchayat of the Districts with each such settlement declared as a Local Planning Area for participatory planned development;

      (iii) By recognising that each such Local Authority (Municipality or Panchayats) comprises of statutory electoral wards for which detailed development plans are required through a participatory process.

   b) Draft RPG-2021 also recognises regional land uses through near zero or limited built spaces in eco-sensitive zones. Thus around 80% of Goa’s fragile eco-system has been kept outside the purview of promotional and/or concerted built development.
c) Primarily draft RPG-2021 attempts a relationship between Spatial planning (through land uses) and socio-economic development planning (through sectoral players). It thus attempted to usher in mapped data as a developmental base and as understood "by the people" in lieu of the written proposals as in vogue "for the people”.

d) Draft RPG-2021 was formulated through the GTCP Act’ 74 and which enables reformatting plans on the above basis but is otherwise weak vis-à-vis the 73/74 CA Act 92 in its processing intent and through an anachronistic GTCP Board.

8. Thus Draft RPG 2021 received a series of perceived jolts from the word go:-

a) Within a month of the draft plan being placed in the public domain, Government withdrew the five major municipalities and the high land value Panchayat of Caranzalem from the RPG 2021 suggestions process on grounds that these settlements had ODP plans awaiting approval

b) Government through a legislative amendment next kept the bulk of its governmental proposed built space developments outside prescribed approval processes, though Central Government definitions for such clearances apply only to “Operational Constructions”;

c) Government then, in quick succession, allowed certain departments like Industries and Health to decide their own land uses and even intensities of development (FAR’s) through legislative amendments

d) Worst of all contrary to the provisions of the GTCP Act’ 74 it was decided that until the final RPG 2021 is approved, the provisions of the (outdated) RPG 2001 would apply along with all its promotional amendments from time to time.

9. By November 2010, draft RPG 2021 would have been in the public domain for two years with RPG 2001 being the Regional developmental reference. Just as Governments intent in finalising RPG 2021, was being increasingly questioned it was announced that as a first step, RPG 21 would be expedited for two of Goa’s eleven talukas Pernem (in North Goa District) and Canacona (in South Goa District). Thus confusion on RPG 2021 has further increased.
B. THE ISSUES FOR DEBATE

1. On the basis of the above background, a series of issues arise on decision making in the future of India’s built environment given the fact that land is a resource getting scarcer by the day. Therefore the initiative of Goenkaracho Ekvott in organising this debate in the Capital of India is most opportune. The Question :- Is RPG 21 replicable for India as Goa’s contribution to the Nation

2. Among several issues emerging from draft RPG -21 the following need consideration from the view of its replicable intent:-

   a) Given the fact that the epoch-making 73rd/74th Constitutional Amendment Act of 1992, under which elected Government (that cannot be superceeded) is in place for all municipalities and panchayats in India for down-top participatory developmental governance within the context of the on-going top-down developmental parameters, has draft RPG-21 offered a replicable framework for the other States of the Union?

   b) Was draft RPG -21 proposed by Government to overcome a political crisis? Was the Chief Minister wearing his hat as Chairman of the Goa Town and Country Planning Board and Minister for TCP compelled to dent the draft RPG-2021 Plan from the start of its approval process by the top-down elected legislative constituencies fearing loss of leadership on the use of land and the intensity of such use?

   c) Was the Chief Minister wearing his hat as head of the Cabinet and the Treasury bench compelled to propel a series of amendments to State instruments and which visibly dented draft RPG 2021 proposed as a District Level Statutory Document that offered a participatory framework for integrated development, supported by fleshed out detailed plans for the municipalities and panchayats and their electoral wards to follow?

   d) If the Constitution requires an infusion of down-top participatory developmental governance for integrated growth, should the second tier through legislative instruments or otherwise, perpetuate a FOR-THE-PEOPLE growth instead of a WITH THE PEOPLE development and as required by the Constitution?

   e) Shouldn’t critical state level instruments dealing with Municipalities / Panchayats, Below Poverty Line (BPL) inclusiveness and Urban and Regional Planning be revisited through provisions for decisions by elected local and state representations in the right mix rather than through government official subject to directives and second tier ministerial diktats?
f) Could draft RPG-21 promote mapped transparency at several levels (in lieu of
decisions through file)? If so, is this still possible in its dented form leading to a
statutory RPG 2021?

g) Finally, is RPG-2021 an exercise which other States of the Union could follow as
being pro-people through a LOCAL –STATE partnership or an exercise to avoid
as being a perpetuation of STATE level diktats for the people?

10. The workshop by Delhi-based Goenkarancho Ekvott seeks views from the citizens of
the Capital on the pressing issue of spatial frameworks for development as land all
over India gets scarcer and with more competitive uses. The Constitutional intent of
1992 points to the need of such frameworks as a major objective through the people.
Thus RPG-21 was looked upon by the other states of the Union with interest as a
replicable exercise. Has it gone wrong? or does it have any successes to offer? to
elected decision makers? administrations? planners? activists? And most importantly
to the People as Stakeholders?

Prof. Edgar Ribeiro