

LAWFUL INFORMAL DEVELOPMENT RESPONSE TO PLANNING POLICIES, CASE JAIPUR

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Abstract

Despite the efforts of the state and central government to address the high demand in the housing sector through housing schemes, informal, illegal, and unauthorised colonies can be found in almost every Indian city. These colonies represent a localized approach to urban planning. It is crucial to determine the disparity between planning and the anticipated result for metropolitan cities in order to develop practical recommendations that are specific to the city in issue.

Jaipur, like many other cities, has numerous illegal settlements that house a significant population in violation of the law. This study critically examines the policies related to housing standards, their approval, and regularization. This entails examining regulatory measures and modifications in existing government acts. The public's reaction to these statutory provisions is assessed by analysing financial records, planning documents, expert interviews, and media articles. It mainly concentrates on laws related to the legalization of informal housing, which is partially legal.

Among the different classifications of informal housing, research indicates that a significant proportion of legalized settlements consist of cooperative society housing. The government has continuously eased regulations regarding unlawful growth, despite efforts made by policies, acts, and their amendments to restrict it. This study indicates that this relaxation has had a direct and indirect impact on city-level planning.

Keywords: Housing demand, Informal settlements, unauthorized colonies, Regularization

1.0 Introduction

India is the world's second most populated country, with 31.8% of its inhabitants living in urban areas. This represents a 3.35% rise over the last decade, from 2001 to 2011. (Census of India, 2011) Approximately 91 million individuals have been noted as new additions to India's urban population. Additionally, the number of cities with a population above 1 million has risen from 35 to 53 during the course of this decade. While megacities shine brightly in the urban landscape, the majority of the responsibility for accommodating future population increase will fall on less prominent second-tier cities. (Davis, 2006).

The city's population growth rate during a period of ten years, with a population exceeding one million, surpasses the average growth rate of the entire nation. This indicates a rapid process of urbanization occurring in India, which is characteristic of many developing nations. (Jain et

al., 2016.) Performed a categorization of informal settlements in India, classifying them into five main groups. The first category, Unidentified Slum, refers to communities that have inadequate living conditions and a population of less than 60 homes, which leads to their exclusion from being officially classified as slums in the census. Conversely, settlements containing 60 or more households that satisfy the census criteria for a slum are classified as the second category, Identified Slum. The third classification, Recognized Slum, pertains to settlements that are formally acknowledged as slums by the state or municipal government in their official records. The category of "Notified Slum" refers to communities that have been legally declared as slums by the state government's official gazette, in accordance with the appropriate Slum Act. The fifth category, Unauthorized dwelling, pertains to settlements where the dwelling owners have legal ownership or leasehold rights over the land but may not have obtained necessary authorization or complied with building requirements. These classifications offer useful insights into the heterogeneous characteristics of informal settlements in India, revealing their different degrees of acknowledgment and legality.

Unauthorized Housing has become the most significant informal settlement in recent years. Historically, these regions were commonly linked with providing accommodation for individuals of lower socioeconomic status. However, they have since transformed to cater to middle-class and even affluent inhabitants in cities of both developing and developed nations. (Roy, 2003). Presently, unauthorized colonies have established independent frameworks for infrastructure and social amenities, showcasing their extensive recognition across the nation.

These colonies are established through the illicit partitioning of land, wherein private proprietors or covert settlers vend parcels to individual purchasers. The illegality stems from infringements upon zoning and subdivision restrictions or the absence of requisite authorizations for land subdivisions. The land in such colonies can be either privately owned, subject to expropriation notification, or classified as urban fringe agricultural property. Irrespective of the legal or quasi-legal nature of land ownership, individuals who own plots of land encounter difficulties in gaining authorization to construct buildings due to the unlawful partition of land. Moreover, the absence of adequate authorization hinders the expansion of infrastructure services to these regions (Banerjee, 2002). Distinguishing unauthorized colonies from squatter communities is crucial. Although both entail the unlawful occupation of land, unauthorized colonies arise from illicit partitions, and occupiers may possess certain legal entitlements to the land. Conversely, squatter settlements entail unauthorized possession and construction without any legal entitlements to the property or its development. (Banerjee, 2002).

In the state of Rajasthan, the issue of unauthorised settlements has become a pressing concern, prompting a comprehensive appraisal of existing policies. This article delves into the complexities surrounding informal urban development in India, a subject highlighted by (Roy, 2005), who argued that India's urban planning struggles due to informality. Both formal and informal settlements play vital roles in the urban landscape, with formal developments adhering

to legal requirements, while informal urban growth exhibits various degrees of formality (Fekade, 2000) A publication on 'informal housing' led by Jain V and his team reported that Indian cities contain 33 to 46% of informal housing, accounting for 15 to 25% of the total housing stock (Bhan, 2013). In examining planned illegalities, Bhan also discussed the legitimacy of informal settlements and the prevalence of unauthorised colonies. (Ghertner, 2019)and (Dupont, 2005) further contributed to the discussion on informal urban development through their respective articles, while highlighting populism as a driving force in its evolution.

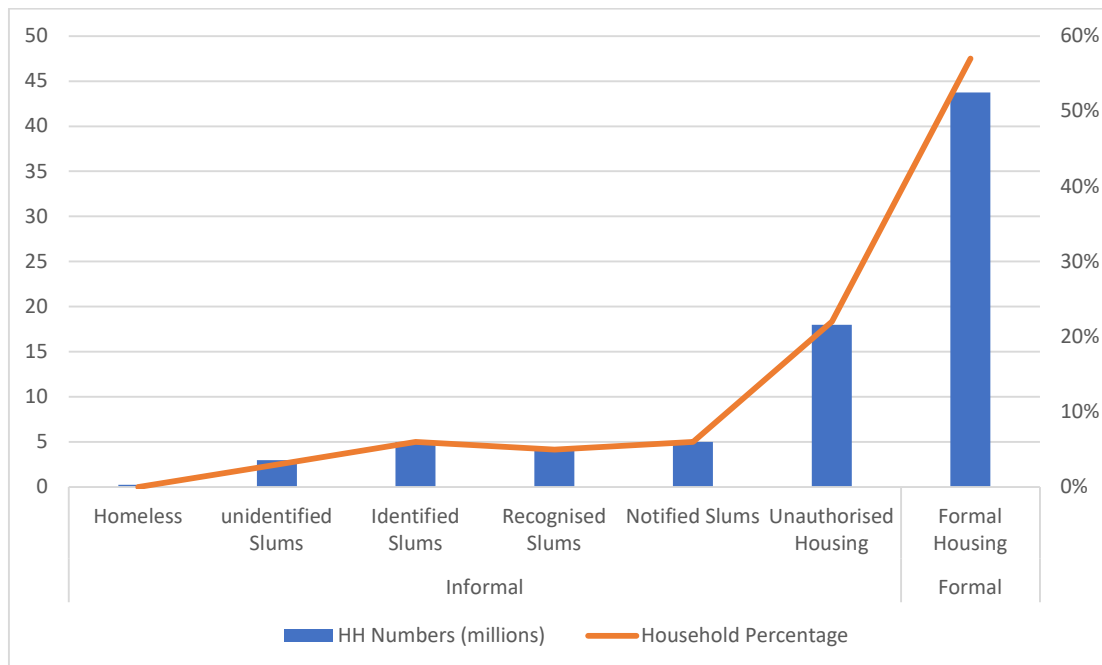


Table 1: Sizes of housing Categories in India.

Source: Jain V 2016: “Informal Housing, Inadequate Property Rights” FSG Publications; Census of India 2011

However, estimating the scale of informal settlement developers remains challenging due to the variations in informality definitions across regions, dictated by state laws. It is crucial to recognize that informality is not synonymous with poverty, as argued by (Roy, 2009). Various factors, such as regulation and deregulation, limitations in land acquisition by development authorities, housing supply shortfalls, and significant migration, have catalysed informal development. India's rapid growth from 2001 to 2011, with a rise in cities with populations exceeding one million from 35 to 53, has contributed to major informal developments sprouting at the periphery of urban areas. Neuwirth (2004) referred to these developments as shadows of the city. The decision of authorities to extend city boundaries significantly impacts adequate densities and approvals for development beyond the delineated limits.

Within the spectrum of informal settlements lie unauthorised housing that may or may not be eligible for formalisation. Resolving this complex equation falls upon India's democracy and planners, given the country's socialist democratic nature. (Zimmer, 2012) examined Delhi's

case and the regularisation drives for unauthorised colonies, revealing that residents were encouraged by past instances of successful formalisation. This aims to explore the Dynamics of informal urban development and the challenges faced by policymakers in tackling unauthorised settlements in Rajasthan. By delving into the multifaceted aspects of informality, we hope to contribute to a deeper understanding of the dynamics at play in India's urban planning. In summary, unauthorized colonies have become significant urban phenomena, accommodating a diverse range of residents. Despite their informal nature, they have developed their own unique systems and pose distinct challenges compared to squatter settlements.

2.0 Context and categories

Rajasthan, the largest state among the 28 states in India, is home to approximately 5.6% of the country's total population, with 25% of its residents living in urban areas as per the Census of India 2011. The state's population density is lower than the national average, mainly due to the percentage of urban population being lower in the western desert region. This indicates a slower pace of urbanization in that area, possibly influenced by higher urbanization costs. Three cities in Rajasthan had populations exceeding a million in 2011, with Jaipur being the largest with 3 million inhabitants. Jaipur's rapid growth necessitated the establishment of the Jaipur Development Authority (JDA) in 1982, responsible for managing the development. The latest master plan for Jaipur suggests a decadal growth rate of around 45% since 1991, projecting a population of around 75 million by 2025. The JDA aims to develop adequate infrastructure to accommodate this anticipated population growth. Delhi's metropolitan region has served as a guiding example for JDA, but studies have shown that the capital city has faced challenges in supplying sufficient public housing stock and identifying enough notified zones for development (Bhan, 2013). In conclusion, Rajasthan's urbanization particularly in Jaipur, is undergoing significant changes. The JDA's efforts to manage growth and infrastructure development will play a crucial role in shaping the city's future. By critically evaluating past policies and their implications, there is an opportunity to identify strategies to address informality in urban housing and create more inclusive and sustainable urban environments.

The Government of Rajasthan addresses these challenges through its urban improvement trust and development authorities. In doing so, it recognizes three main categories of major housing developers: public, private, and cooperative entities. These developers played crucial roles in shaping the housing landscape in the state, including formalizing informal settlements. The regularization process involves granting legal approval and recognition to existing informal settlements, thereby providing residents with formal property rights and access to basic services and infrastructure. Due to the insufficient documentation of ownership rights, these assets face limitations in their ability to be easily converted into capital, traded beyond close-knit local networks where trust is established, leveraged as collateral for loans, or utilized as a stake in investments. (Gilbert, 2002). Regularisation is essential for improving the overall living conditions of inhabitants in these settlements and ensuring their integration into the formal

urban fabric. It is crucial to strike a balance between formality and informality to foster sustainable urban development and provide equitable living conditions for all citizens. Rajasthan faces challenges in dealing with informality, especially in its housing sector. By addressing the regularization of informal settlements and engaging various housing developers, the government seeks to create a more inclusive and structured urban environment that benefits all residents.

No.	Housing	Nos. (HH)	Percentage
1	Rajasthan Housing Board ¹	61,385	16.5
2	Development Authority/ Improvement Trust Urban	76,090	20.5
3	Private and Cooperatives Societies	1,13,240	30.5
4	Traditional (Walled City)	64,800	17.5
5	Katchi Basties (Slums)	55,680	15.0
		3,71,195	100

Table: Housing typologies in Jaipur City; Source: MDP Jaipur 2025

The Master Development Plan 2025 of Jaipur city incorporated two supplementary classifications: traditional houses in the walled city or urban villages, and the Kacchi Basti settlements, which account for around 15% of the city's overall population based on the 2011 Census. Consequently, the city's housing can be classified into five overarching types. Private (Niji Khatedaari) and cooperative organizations are projected to create around one-third of the homes. According to the economic assessment conducted by the Government of Rajasthan for the years 2020-23 (Economic review 2022-23), the proportion of people living below the poverty line is less than 15%. However, the review also implies that other income categories, such as LIG/MIG/HIG, may also have a presence in these private and cooperative colonies. (Srivastava, 2013).

The Rajasthan Land Revenue Act of 1956 and the Rajasthan Cooperative Society Act of 1965 serve as the legal frameworks to facilitate these developments, which may or may not adhere to regulatory guidelines established by authorities. Deregulation represents a purposeful transition towards a less formal state, marked by deliberate acts and strategic organization. Within this particular environment, the observable decrease in regulatory power encourages a justification for the distribution of resources, accumulation of resources, and the exertion of power. (Roy, 2009). The Land Revenue Act facilitates the transformation of rural land into urban land, while the Cooperative Society Act empowers self-help groups to strategize the development of residential areas and guarantee housing accessibility for communities. These legal measures were implemented to address the disparity between the availability and demand for housing. However, they have also resulted in substantial delays in the provision of official housing due to difficulties in acquiring land. This has been referred to as "underwriting the right to participate in the market." (Roy, 2009). The Master Development Plan of Jaipur City

incorporates many housing categories, with private and cooperative organizations assuming a prominent role in the construction of housing units for various economic brackets. Nevertheless, obstacles pertaining to land procurement and compliance with rules continue to exist, affecting the availability of official housing and resulting in the formation of informal settlements. (Bhan, 2013)

Informality is a prevalent aspect across Rajasthan, and it extends to nearly all its citizens. There are two key challenges concerning informal settlements were identified. (Jain et al., n.d.). The first challenge is related to the approach towards legalizing or regularizing these settlements, and the second challenge involves implementing interventions to enhance living conditions in these colonies. In this context, we will focus on the evolution of such colonies. The regularization and approval of such housing and the associated legal aspects also will be critically reviewed along with policies for urban development and housing in Jaipur and their alignment with the master development plan. This article explores how urban policies are responded to by the people and vice versa. It delves into the impact of these policies on different groups and aims to generate research inquiries concerning the development of informal settlements and the influence of other factors. The literature and policy review are conducted to gain insights into the effects of policies and their implications on diverse urban layers.

3.0 Jaipur City and Informality

Jaipur is the capital of the Indian state of Rajasthan and also acts as the district headquarters and divisional headquarters. Jaipur is the most populated city in the state, boasting a population of three million people. Additionally, the population of the second most populous city is less than half of Jaipur's.

3.1 Planning for Elite- 1940 to 50

The city was confined to the walls at the beginning of the last century. Outward growth was initiated with the development of railway lines and other economic factors. In the 1930s, five schemes for developed named Fateh Tibba, South of Ramniwas Bagh, Ashok Nagar, new colony in Jalupura and Banipark, commonly known as A B, C,D and E schemes respectively. Civil line area was developed primarily to house the senior government servants. The urban growth and the housing requirement both are under control and responded to by state government, lower income remained in the walled city and people who have been housed outside were conveniently commuting to the walled city. There was no instance of informality outside the walled city as economic weaker section got accommodated within the city only, they were confined physical but got accommodation.

3.2 Housing the Migrants- 1950 to 60

Jaipur had remarkable expansion in the post-independence era as a result of the arrival of displaced individuals from Pakistan and its designation as the capital of the newly formed state of Rajasthan (Dupont, 2005). Under the initial administration, the city underwent significant growth in the southern direction. The Urban Improvement Act was enacted in 1959, establishing the Urban Improvement Trust. The newly established entity was entrusted with the task of overseeing deliberate urban development. During this decade, the city expanded its boundaries to the South with the founding of Rajasthan University. The government of Rajasthan created the residential estates of Bapu Nagar in Gandhinagar and Jyoti Nagar Adarsh Nagar during this period. In parallel, Raja Park was established to accommodate migrants from Pakistan.

3.3 Uncontrolled expansion- 1960 to 70

During this decade, the Urban Improvement Trust (UIT) in Jaipur formulated a plan for the development of the Jhotwara Industrial sector. The city has expanded its municipal boundary from 12 km² to 18.5 km². This increase was unparalleled and enabled the UIT to propose the master plan. Jaipur has experienced a growth rate of over 1.5 times in the past decade, increasing its population from 450,000 to approximately 600,000. UIT has commenced its socioeconomic study for the master plan, as the city continues to expand and grapples with a significant influx of migrants. Furthermore, UIT, constrained by financial limitations, focused on managing new development and refrained from participating in redevelopment initiatives over the years. As a result, the informal settlement, *Kachchi Basti*, continued to expand. That refers to squatters which were trespassing on government property. This marked the initial occurrence of informality in urban dwelling in the post-independence history of Jaipur City. These developments are unauthorized, meaning they were built without proper authorization, and are therefore illegal. As a result, they have been transformed into slums.



Image: urban area existing 1971 as per MDP 1991 with Jaipur masterplan boundary MDP2025



Image: urban area MDP 1991 with Jaipur masterplan boundary MDP 2025

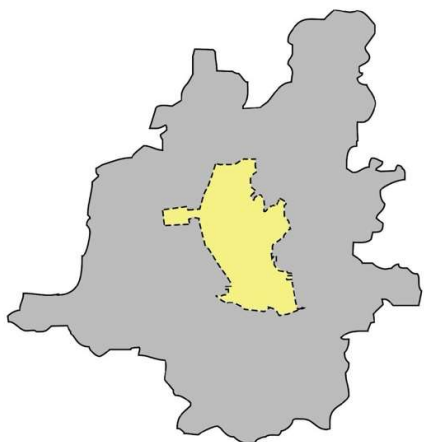


Image: urban area existing 2011 as per MDP 1991 with Jaipur masterplan boundary MDP2025

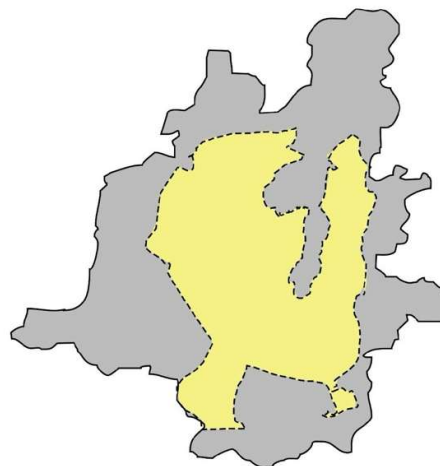


Image: urban area MDP 2025 with Jaipur masterplan boundary MDP 2025

1974: The funds for environmental improvement of the *bastis* of Jaipur were utilized in the redevelopment of the *bastis* of Jaipur. Relaxing the norms.

1981: Govt took the decision to regularize all squatters till 1981 and realized after due expenditure in upgrading the infrastructure, it gave rise to the squatter problem in a big way (about 2.5 times as of 1974). The same approaches have been taken by Govt of Rajasthan with not more than a frequency of 10 years, But the problem persists and is not controlled.

1999: Inspired from DDA, UDH GoR declared that Cooperative society colonies registered after 17-06-1999 shall not be considered for regularization. Which made the land conversion rule 90 B Termination of rights and resumption of land in certain cases of " The Rajasthan Land Revenue Act 1956".

2012: Again, regularization was difficult under Section 90 B. through an amendment GoR Deleted Section 90 B, incorporating necessary changes in Section 90-A - Use of agricultural land for non-agriculture use. This followed the Mass regularization movement "*Prashashan Shehron ke Sang 2012*" with an objective of regularizing over 1700 colonies, this was followed by PSKS -2015 with the same but extended objective but the cut-off date was kept to be 1999 only. During 'PSKS 2021', through an ordinance, GoR has relaxed the cutoff date from 17 Jun1999 to 31 Dec 2021.

3.4 Housing Suo-Moto – 1970 to 1980

In 1971, the Indian government, in its third five-year plan, acknowledged the issue of urban informalities for the first time. Studying the abhorrent living conditions of Bastis (Slums) in Calcutta. The Indian government allocated funds in its proposed budget for the environmental enhancement initiative targeting Kacchi Bastis (Slums). This strategy was implemented for all towns with a population over 100,000, specifically the class one cities according to the Census of India. A total of INR 10 million was allocated for the redevelopment of the squatter and informal settlements in Jaipur as part of this program. This marked the initial implementation of regularization for all these encroached colonies. The land was allocated to

the residents at a minimal cost. Regularization was implemented in colonies where rehabilitation was carried out. A comprehensive assessment of informal settlements in Jaipur was conducted, revealing that around 100,000 individuals out of a total population of 636,076 were living in these informal communities. Until this decade, the term "unauthorised colonies" did not exist until the introduction of the Urban Land Ceiling Act 1976 (ULCRA, 1976), which imposed a limit on vacant land in urban development zones. The Urban Improvement Trust (UIT) was responsible for assessing and developing these areas before officially designating them as development areas. The city saw rapid and significant urban expansion. At that time, it ranked as the second-highest in India.

As stated by Manuel Castells his book *City and the Grassroots* - A significant portion of community-based initiatives and alternative projects have been absorbed into what's known as the third sector (Mayer, 2006). This signifies the beginning of the development of unauthorized settlements in the city. The unlawful development was facilitated through the utilization of the Cooperative Society Act of 1965, which differs from cooperative statutes in other states. In Rajasthan, these cooperatives were granted the authority to allocate land to their members, although in the rest of the country, it is limited to housing units and not the land. This can be seen as asserting that labeling such processes as extra-legal is simplistic, as they are not apart from the law. These behaviors are not just governmental actions, but rather they are components of a broader system of governing power and territorial administration.

This is informality from above, rather than informality as a subaltern revolution from below' (Roy, 2009). This is in sheer contrast with the concept of considering informal development illegal, paralegal or extra-legal.(de soto, 1989), (Chatterjee, 2004). The cooperatives obtained larger land holdings through collective sales or relinquishment, and thereafter allocated the land to their members. The land was made accessible, but the required physical infrastructure was created informally, leading to unregulated borewells and the absence of a drainage system. The only service provided to these settlements was electricity, as there was a lack of cooperation among various government offices. The developers exploited the threat of Land Ceiling Act to coerce landowners, and subsequently, a cooperative group, under the developers' control, acquired the land under a contractual agreement, establishing a novel privately-owned land reserve. Illustrative instances encompass Pink City and Navjivan Society.

Private developers, pretending to be self-help groups, developed highly profitable layouts of colonies which does not conforms to statutory requirements. Unfortunately, the authority refused to give license for the established colonies since they did not comply with the regulations. Before 1974, there was no set policy regarding urban land. Conversely, the government issued sporadic administrative decrees. In 1974, a collection of official instructions was created, and the urban land disposal regulations of 1974 were published, delineating the government's approach to communalizing urban land in terms of ownership. According to the regulations, there will be no provision for the allocation of land without charge. The guidelines stipulate that land allocation for residential use will be determined according to the income bracket.(Ferguson and Navarrete, 2003)

The initial master plan, which covered the period from 1971 to 1991, was put into effect in 1974, running almost simultaneously with the implementation of the Urban Land Ceiling Act. The journey ahead was challenging, as the master plan extended the city's land from 60 km² to 155 km². The area, spanning approximately 390 square kilometers, is legally classified as urban under the JDA 1978. The developers requested aid from the Master Plan for the proposed land utilization, but, the authorities are encountering obstacles in procuring the site due to the existence of cooperative factions.

3.5 Regularization - 1980 to 98

Redevelopment works persisted until 1981. The urban land experienced a persistent rise in pressure, leading to a large increase in land rates within metropolitan regions. The current scenario in this decade diverges from earlier occurrences. Observers have noted that a valid settlement guarantees regularization. In 1981, the Rajasthan government announced its intention to legalize the occupation of government land till January 1981. According to the housing survey conducted in the same year, the population in these informal settlements increased from 100,000 to 250,000. The Jaipur Development Authority commenced the implementation of the sector plan this year. In 1980, the current legislation prevented JDA from exercising control over its informal settlements. The sole measure undertaken was to suggest a road network in order to prevent the unregulated expansion of the residential colony from leading to disorganized urban development. However, the city was expanding beyond the anticipated scope of the master plan. The cooperative society's design were exceedingly lucrative, with no regard for amenities such as utilities, parks, or common areas. During this decade, the public sector developers, specifically the Rajasthan Housing Board, introduced a new form of development. Their first significant project was the creation of the Mansarovar colony in the southern part of the city (RHB, 2022). The board was not only allocating the plot, but also erecting a residential unit. Simultaneously, the JDA has granted approval for the establishment of residential areas in Malviya Nagar, consisting of four sectors. Additionally, cooperative societies are thriving in the region, although no private developers have initiated the sale of plots in the JDA and Housing Board colony. The public sector initiatives inadvertently stimulated the informal development, as private developers operating under the Cooperative Society Act (JDA, MDP 2011) capitalized on the strategic position of institutionalized housing. They promoted these colonies by highlighting their proximity to public colonies.

As described by (Appadurai, 2002) The persistent presence within the community, without attracting the attention of the government, becomes a valuable resource that enables the operation of self-monitoring, self-accounting, and self-regulation systems at the intersection of family, land, and housing, which are the main areas for material transactions in slum life. The more effort is exerted to regulate informal development, the greater the public response in creating new opportunities for the growth of these informal developments. In addition, fundamental infrastructure was not adequately provided in these developments. Comparable instances might be found in another region of the globe, where Approximately 75% of essential

necessities are informally supplied in most African cities, while the integration of information technology is progressively extending to other industries and aspects of urban life. (Simone, 2004).

This time in the planning of Jaipur city was very destructive and sparked a discussion regarding the legitimacy of the existing regulations that allowed for the legalization of these informal developments. In Rajasthan, apart from slums, private growth primarily focused on cooperative organizations, which were evaluated and authorized. Instead, these colonies were deemed 'authorized'. None of the governments in the democratic system were willing to accept the responsibility of disqualifying the candidacy of such development for approval. The Jaipur Development Authority persevered in their endeavor to enhance the road infrastructure, which is the minimum action they can take to facilitate the progress.

As stated by James Holston in his book 'Insurgent Citizenship' he discussed the dignity associated with the ownership of their houses, also how people thoughtfully purchased such properties in city peripheries with the expectation of legalization Holston, J. (2007). After 1980, JDA began the process of regularizing these colonies by periodically revising the cut-off date. From 1980 to 1998, the number of colonies/households that were officially approved by the JDA exceeded the number that were actually created by the authority. The authorities issued multiple notifications regarding the modifications in cut-off dates and minimum requirements. Multiple developments have been authorized with minimum standards, as attested by developers in written documents, but have not actually been implemented in reality.

Further as discussed by (Auyero, 1999), the upgradation of this infrastructure is not enough without legalization. (Modarres, 2003) argues that equating development with social justice and democracy and using it as the magic pill for righting all wrongs. This is mere done by adding little community sanitation /public toilets, just to create some evidences of development(Roy, 2005). On the other hand, a noticeable change occurred as these colonies began to focus on the upper class as well, offering larger plots at competitive prices. The government has acknowledged these projected significant changes and has taken steps to monitor the unregulated expansion. Informal projects were favored due to various advantageous qualities, such as affordable rent, a strong religious community, flexible payment options, and proximity to workplaces. The existence of family or friendship networks that offer informal credit, as well as the emotional bonds between individuals and their homes, hinders our capacity to comprehend the implications of regularization (Varley, 2002).

3.6 Lawful Informality 1999- 2012

The Rajasthan High Court and the government of Rajasthan have officially stated that any housing cooperative association that was registered after 17 June 1999 is deemed illegal. This ruling can be seen as a significant milestone in the development of informal settlements. Prior to this, periodic notices were sent regarding the regulations that needed to be adhered to in order to maintain minimum standards for housing developments. The government aims to involve development authorities, UIT, and other local agencies in the allocation of residential plots to prevent the creation of highly profitable layouts with insufficient road width and public

utility spaces. The declaration stated that December 2001 was set as the deadline for submitting the layouts for approval to the authority, in accordance with section 90 B of the Rajasthan Land Revenue Act, 1956, which pertains to the "termination of right and resumption of land in certain cases." This provision allows for the termination of the property right of Khatedaar, the land owner, if they wish to convert the land from agricultural use to other urban purposes. According to Section 90 B, prior to any subdivision or transaction involving agricultural land, it is necessary to pay a conversion fee for changing the land use. This cost ensures that the revenue generated from the land, if it were to continue in agricultural use, is recovered.

According to this provision of the Rajasthan Land Revenue Act of 1956, if a person who owns agricultural land transfers possession of the land through a sale agreement or by granting power of attorney, the district collector's office, authorized by the state, has the right to summon that person and give them a show cause notice. The lessee or occupant of the land, or any individual properly authorized by them, may submit an application to the collector to relinquish the land. However, the applicant must fulfill the necessary conditions to ensure that the relinquished land can be reclaimed for urban purposes. If land is free from any burdens or obstacles, it will be considered as made available to the relevant party. It signifies that there are two stages for authorization. Firstly, there are repercussions for land conversion under 90 B, which involve terminating ownership rights and transferring the site to the government for urban development and allotment to the khatedaar with converted Land-use. Secondly, the layout and allotment of lease deeds to the individual owners need to be approved. After the application in 90 B, the land is officially recognized as being changed from a rural area to an urban area. This conversion is legally permitted, and developers often utilize the concept of 'the termination of the right' to promote new residential areas. However, this conversion is still subject to approval. These colonies were not authorized due to the non-compliance with regulations, but the land conversion procedure was finalized by imposing land conversion fees, so rendering these colonies quasi-legal.

The master plan for 2011 came into force in 1998 after evaluating the current city profile and the effectiveness of the previous master plan. The population growth at that time exceeded the projected growth for the future year. Residential utilization has been established in nearly all other designated applications. The primary cause of this issue is the housing cooperative Society's expansion, which has disregarded the master plan and reduced the allocation of recreational public and semi-public spaces. These housing colonies were divided into smaller parts and societies were formed without following the guidelines of the master design. Furthermore, it was determined that the primary responsibility for housing building did not lie with public developers. Instead, it was primarily undertaken by two sectors: housing cooperative organizations and Kacchi Basti. The residential land use accounted for around 62.8%, a much greater proportion mostly driven by informal development. The city was grappling with challenges such as urban density and a lack of available area for urban utilities.

S.No.	Type	Ownership	Right to Participate in Market	Approval from Authority	Informality
1	Colonies under Cooperative societies	ü	ü	N/A	Only ownership of plots is awarded with legal tenure, and non-conformity to the standards.
2	Colonies with land use conversion	ü	N/A	N/A	No legal tenure , non-conformity to the standards.
3	Agricultural Sub Divisions	ü	N/A	N/A	No legal tenure, non-conformity to the standards, no land-use conversion.

Table: Categories Unauthorized Colonies in Rajasthan

3.7 Remediating the Discrepancies- 2013-2022

The year 2012 marked a crucial turning point for the master plan. During the initial investigations for the master development plan 2025, it became evident that the population density is higher than initially expected in the master plan, resulting in the emergence of unlawful development. The Amendment Bill, which was introduced in 2012, implemented concurrent modifications to the Rajasthan Land Revenue Act of 1956, the JDA Act of 1980, the Jodhpur Development Authority Act of 2009 in Rajasthan, the UIT Act of 1959, and the Rajasthan Municipality Act of 2009. This modification repealed Section 90 B of the comprehensive Rajasthan Land Revenue Act, 1956, which dealt with the cessation of rights and the reacquisition of land under particular conditions. Instead, further regulations were included in Section 90 a to specifically cover the use of agricultural property for non-agricultural activities.

As per this alteration, it is now feasible to convert agricultural land into non-agricultural purposes. Furthermore, the cessation of land rights prior to the sale of the land is now limited to properties that were established prior to 17 June 1999. The elimination of the intermediary step of terminating the right has made it clear that land conversion can be approved if the proposed development is in line with the master plan or any other development plan/scheme. This alteration also made all 90 B conversions/surrenders quasi-legal and initiated a discussion about the approval status of these colonies. These colonies, however, offered the chance for the application to seek approval from the local government with less strict requirements. During the current decade, the administration has continually made efforts to authorize and endorse these colonies. Following amendments to the Land Revenue Act, there was a significant increase in the implementation of regulations. The Prashshan Shehron Ke Sang

2012 (Government plan) is being reinstated with the aim of legitimizing 1700 colonies in the state. Although after regularization relying on the market for urban development and delivering public services can be effective, it is crucial to establish stronger channels of participation through invited space and transparent governance. This is necessary to prevent elite capture and to actively involve impoverished groups in decision-making processes (Pottinger-Glass and Pfeffer, 2021). By doing so, their capabilities can be strengthened, leading to an improvement in their quality of life. In 2015, a comparable regularization camp was arranged. This initiative aimed to expedite the authorization procedure, however, the government discovered that land developers were reluctant to give their agreement for these settlements. By conducting a comprehensive analysis, we can discern the core differentiation between section 90A and 90B. The developer has incorporated the urban assessment fee in compliance with the recent modification. The aforementioned charge is applicable to recently established settlements, where the process of land development necessitates obtaining clearance prior to engaging in any commercial activities, as stipulated in the Rajasthan Land Revenue Act of 1956. Nevertheless, in the colonies where 50 or 60% of the land parcels have been assigned to the users, the developers were not opting to request authorization. This concept was additionally reinforced by the individuals' unwavering resolve to acquire authorization through many methods, a pattern that has endured for the past decade. Developers during this time period redirected their attention from selling individual land parcels to selling apartment units, resulting in the rise of multi-story residential complexes. Despite the exorbitant land prices, the availability of affordable housing remains unaffected. The "Housing for All" strategy was implemented by the Indian government in 2015. The enforcement of this regulation also impacted private developers by creating a clear division between residential units and planned developments without residential units, in accordance with the 'Housing for All policy'. Between 2015 and 2018, the Developer mostly focused on the housing sector and module to offer users subsidies under the Pradhan Mantri Awas Yojana (PMAY). Nevertheless, the advancement of planned construction, particularly in Jaipur, was exceedingly slow during this timeframe. After a nearly two-year period of inactivity due to the impact of Covid-19, JDA has now again introduced numerous projects for auction and lottery allocation. The Rajasthan government's pronouncements were promptly met with responses from private developers, as has been observed in previous instances of development projects. The sociospatial differentiation of the urban area is a reflection of both the limitations and accomplishments of town planning and housing policy, as well as the influence of private initiatives, responses, and official involvement. (Dupont, 2004) In this specific instance, the Jaipur Development Authority (JDA) shown increased vigilance. As per the data provided on the JDA website, a grand number of 745 authorized colonies were completely destroyed in the year 2020. Nevertheless, this degree of surveillance may only be accomplished within the boundaries of the capital city and the specifically specified master plan area. Other districts were constantly experiencing informal development. An analysis of the policy formulation process by the government of Rajasthan and its connected organizations, along with the reactions of the public, can be conducted by examining four separate layers in chronological order. The

hierarchy of importance is as follows: firstly, the individual user; secondly, the community; thirdly, the local self-government; and fourthly, the organizational authority.

Issue	Policy Response	People Response	What went wrong
Migration after partitions, where unprecedented influx, demanding accommodation.	Peripheral belts identified to house this population, government colonies were proposed as a response	Not all were allotted land, adjoining areas to the refugee colonies were encroached by the poorest. Evolving substandard housing, slums	There was a gap in demand and supply, peripheral areas have large land holdings, which are difficult to be acquired for urban development
Large Land Holdings with Elite and statesmen, including the peripheral land parcels	Urban Land Ceiling act, to get the larger land holding surrendered to the state government	Developers: Purchased land from any and every landowner with larger holdings. Disposal of the developed land through cooperative society regulations.	Under the threat of the Land Ceiling Act land owners sold the lands to private developers, resulting highly profitable layouts not adhering to the planning standards.
Encroachments on govt. land, squatter and illegal development	Policy to dispose the land to the dweller id generated with nominal charges (socialising the land), fund collected to be utilised for development of social and physical infrastructure	After getting property rights, residents sold their land and encroached further abundant government land.	It generates confidence among citizens about getting regularization.
Scarcity of Housing Supply, less land acquisition for urban land disposal	Cooperative Society rules in the land revenue act allow social groups to develop housing for needy people.	In place of social groups land developers, only come in front to develop the cooperative society housing.	There was no mechanism to differentiate cooperative form developers, Govt. The policy itself became the catalyst for informal development.

Too much societal input in development	Society housing was banned and only development which was regulated through the Land Revenue Act with proper land conversion considered liable for regularization	Developers only get the statutory land conversion and do the business without getting the necessary approvals. People also bought such land unknowingly the fact of approval	Conversions and approval was a two-stage process, which has given liberty to the developers to skip the later with convenience
Many colonies get developed informally where a large population residing in inappropriate infrastructure	Various schemes for regularisation are carried out, with identified cut-off dates.	People apply for approval of their colonies, along with necessary development charges.	Regularization only offered equitable property rights to the residents, but not the relevant infrastructure

Table : Peoples response to the Government policies.

Conclusion

The growth of Jaipur can be categorized into distinct phases, each representing a different aspect of informality in the state of Rajasthan. Moreover, according to the study, it can be asserted that the supply of homes provided by public developers is restricted. Formal housing markets in developing countries often provide less than 20 percent of new housing units. Consequently, individuals are compelled to resort to constructing their own makeshift dwellings or relying on informal renting arrangements (Davis, 2006).

Distinct income brackets have devised their own housing methods of gentrification (Berner, 2000). Firstly, The economically weaker sections of society have unlawfully occupied public land, establishing informal settlements or slums. The government has taken notice of most of these settlements and identified them for eviction, as they lack legal ownership rights and are therefore unable to sell their plots.. They hold these resources in defective forms: houses built on land whose ownership rights are not adequately recorded, (Gilbert, 2002; Obayomi et al., 2023). Due to the political setup of India, it seems to be more tolerant of quiet encroachment than those in capitalist countries such as the USA.(Bayat, 2000). Second, the Higher income Groups was able to acquire the property, such as land or houses, due to the relatively limited scarcity in this particular market segment compared to its abundance. Third, those belonging to lower and middle-income brackets, who lack the means to occupy land illegally and are unable to buy costly housing, actively search for alternatives, leading to the proliferation of informal settlements. While cost and economic formality are important factors, it is crucial to additionally consider availability, closeness, homogeneity, belongingness, and other related aspects that require further investigation. This economic bracket emerged as the predominant

consumers/inhabitants of the informal settlements, which are neither completely unlawful nor possess the characteristics of formal housing.

Another one of the most significant reasons for unauthorized informal development is the lack of coordination that exists between the many offices that make up the government. essential colonies were provided with electricity connections by power boards, and every individual within them built unauthorized borewells and septic tanks despite the fact that sewer and drainage systems were not in place. This allowed them to continue living there despite the lack of essential services (Nassar and Elsayed, 2018). The lack of coordination that occurs between the several entities that make up the government is one of the most significant factors that contributes to the growth of informal development.

It has been noticed that this kind of informal development is not yet completely under control despite the fact that the government has devised a great number of programs, perks, and subsidies to avoid formal development. Citizens discover ways and means to deregulate the restrictions, and there is a disparity between what people anticipate and what the formal housing market can provide. Collaborative approaches towards planning using formal wisdom along with informal preferences, (Innes et al., 2007) to gain a better understanding of the various facets of the preferences of the people living in these housings, such as whether it is simply a matter of taking the last available resort or whether it also involves some sense of choice.

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