

**Our Government must be resourceful
ULCRA Act is vital for the City's Development**

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It is extremely necessary for our government to be resourceful in the interest of the city's development. The government must have land with it in order to influence and undertake the implementation of projects relating to social development works in larger public interest, such as affordable mass housing, development and maintenance of open-spaces, infrastructure and transportation projects etc.

Housing supply and the living conditions in our towns and cities is fact deteriorating, particularly for the poor and the middle class. Prices of real estate are at an unaffordable limit, whereby more and more people have to live in shanties. Various housing agencies of the government have not been successful in easing this situation. The private sector, which builds a much larger percentage of housing in urban areas, has not even ventured to mass housing schemes for the poor. As a result of this indifference, both by the government and the private sector, environmental and housing conditions in our cities and towns is fast deteriorating, leading to social tensions and sharpening of class differences. Slums are proliferating in our city because of unavailability of affordable housing options.

ULC Act promulgated in 1976: The aim of the ULC Act was to give summary powers to the State Government to acquire surplus land in towns and cities with populations exceeding two lacs at Rs.10 per sq.mts. The objective was to create a land pool with the government to undertake mass housing schemes by providing affordable shelters, the government hoped to reduce the stark urban inequity. It is argued by many developers and sections of our government that ULCRA's repeal will release land to spur growth of housing and bringing down prices. It is commonly believed that land which have been locked-up and unavailable for development, if released will lead to reduction in real estate prices, thereby making housing affordable.

These proponents are a bluff that is being perpetrated. Firstly we must realize that even before the ULC Act was promulgated in 1976, land and real estate prices were beyond affordable limit, not only for the poor but also for the middle class. When there were no restrictions our developers carried-out unscrupulous developments without caring to build mass housing schemes for the poor. Speculation in real estate had reached the sky and land was being captured for speculation and trading.

We must realize that housing for the poor and welfare scheme cannot figure in the programme of the private sector, builders and developers. Even if more land is available to the private sectors they won't get developed for affordable mass housing and for social infrastructure projects such as schools, hospital and health care units, open-spaces, play grounds, etc. The additional land that will be available will continue to be used for projects that will provide higher profits, such as high-end apartments, commercial complex, malls etc. thereby the short-fall in housing or the gap between demand and supply will continue to increase. If more land is available there will surely be more construction including additional housing stock (for the high segments), but the question is not about merely building more but building more for the segments where there is huge shortfall that is causing the housing crises.

It is amply clear that what has failed is not the legislation itself but its implementation; administrative apathy, legal loopholes, exemption provisions and more important, the lack of political will and commitment to implement the objectives of the Act. To throw out the Act because of its non-implementation will be like throwing out the baby with the bathwater.

It is therefore necessary to cut down exemptions, eliminate unintended concessions and thereby plug loop-holes for corruption in the implementation of the ULC Act as follows:

- a. Sections 19-1(iv), 19-1(iii), 20,21, 23 have to be radically altered and or scrapped for enabling the government to acquire land under this Act for social development.
- b. In Section 19-1 (iv) the State Government may exempt vacant land owned by any public charitable or religious trust and or if the same land is required for any public charitable and or religious purposes. This exemption should be deleted.

c. Landlords have formed charitable trusts sighted reasons of undue hardship and got away developers have built apartment buildings of smaller areas to get exemptions and have subsequently clubbed the apartments and or have sold multiple units to the same person, thus getting away from the ULC.

d. Section 20 allows extra ordinary powers to the State Government to exempt surplus land from being acquired, in the interest of the location of the land, and in consideration of the purpose for which the surplus land is proposed to be used whereby acquisition would cause undue hardship to the landowner. These powers should be withdrawn form the State Government.

e. In Section 21, the State Government may also exempt surplus vacant land from being acquired if the land owner declares that such land is to be utilized for construction of dwelling units for accommodation of weaker sections of society (each dwelling unit should not exceed 80 sq.mts.area). This exemption should be deleted.

f. All these above provision provide loopholes in the implementation of the Act. It also provides the State Government with extra-ordinary power to favour the landlords and exempt them, thereby encouraging corruption.