

Bill No. LXXII of 2024

THE URBAN AREAS (DEVELOPMENT AND REGULATION)
BILL, 2024

A

BILL

to establish an Urban Areas (Development and Regulation) Committee to ensure regulation and development of urban areas in the country and for all matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Urban Areas (Development and Regulation) Act, 2024.

Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “appropriate Government” means in the case of a State, the State Government of that State and in all other cases, the Central Government;

10 (b) “Committee” means the Urban Areas (Development and Regulation) Committee established under section 3;

(c) “prescribed” means prescribed by rules made under this Act; and

(d) “Urban Areas” means the territorial areas of a Municipality as is notified by the Government under article 243Q of the Constitution.

Explanation: For the purposes of this clause, “Municipality” means an institution of Self-Government constituted under article 243Q of the Constitution. 5

Establishment
of Urban
Areas
(Development
and
Regulation)
Committee.

3. (1) **The Central Government shall, by notification in the Official Gazette, establish a Committee to be known as the Urban Areas (Development and Regulation) Committee for carrying out the purposes of this Act.** 10

(2) The Committee shall consist of—

(a) the Prime Minister of India who shall be the *ex-officio* Chairperson of the Committee;

(b) the Union Minister of Housing and Urban Affairs — *ex-officio* Member; 15

(c) one Member of Parliament each from the House of the People and the Council of States to be nominated by the Presiding Officers of the Houses concerned— *ex-officio* Member;

(d) a representative of the NITI Aayog to be appointed by the Central Government in such manner as may be prescribed— *ex-officio* Member; 20

(e) a representative from the Indian Administrative Services to be appointed by the Central Government in such manner as may be prescribed, who shall be the Member-Secretary to the Committee; and

(f) **one senior architect engineer to be appointed by the Central Government in such manner and on such salary and allowances and terms and conditions of service, as may be prescribed— Member.** 25

(3) **The Central Government shall appoint such number of officers and staff, as it deems necessary, to aid the efficient functioning of the Committee.** 30

(4) **The salary, allowances and other terms of conditions of services of officers and staff of the Committee shall be such, as may be prescribed.**

(5) The Committee shall meet at least twice in a month and shall observe such rules of procedure with regard to transaction of business at its meetings as may be prescribed by the Central Government. 35

Provided that the Committee shall meet at such time and place and at such intervals, as the Chairperson of the Committee deems fit.

Provided further that the Union Ministry of Housing and Urban Affairs shall provide secretarial assistance during the meetings of the Committee. 40

Functions of
the
Committee.

4. (1) The Committee shall recommend to the appropriate Government to,—

(a) ensure availability of means for the development and regulation of urban areas under this jurisdiction;

5

(b) impart modern training in techniques of urban development to the institutions and persons involved in the regulation and development of urban areas;

(c) ensure adherence to the stipulated method for financing the development of urban areas, *i.e.*, seventy-five percent. of the expenditure shall be borne by the Central Government and rest of the twenty-five percent. by the State Government;

10

(d) put an obligation on the District Magistrate concerned to ensure appropriate development and regulation of urban areas under his jurisdiction;

15

(e) establish durable, strong and inclusive infrastructure required for the development and regulation of urban areas in the country;

(f) establish natural land cover including parks and playgrounds in the urban areas in the country;

20

(g) ensure availability of safe housing, clean water, water management, healthcare facilities and appropriate educational facilities in the urban areas of the country;

(h) ensure complete ban on encroachment upon lakes, wet lands and rivers;

(i) establish balance between supply and demand of public transport facilities in the urban areas;

25

(j) ensure availability of electric buses, establish bus corridor and bus rapid transit system for promoting green mobility in the urban areas;

(k) promote e-participation of urban local bodies in the development and regulation of urban area under their jurisdiction;

30

(l) establish suburbs along with metropolitan cities to make a balance between population and resources; and

(m) undertake such other measures as are required for the regulation and development of urban areas;

35

(2) The Committee shall prescribe the form and manner and the time within which the appropriate Government shall prepare and submit an action taken report on its recommendations.

40

5. The appropriate Government shall prepare a report on the action taken on the recommendations of the Committee including the reasons for non-implementation and/or delay in taking action thereon and submit the report to the Committee, in such form and manner and within such time, as may be prescribed by the Committee.

Duties of the appropriate Government.

6. (1) The Committee shall prepare once every year, in such form and manner as may be prescribed, an annual report giving the summary of its activities,

Annual report.

including schemes it has undertaken and recommended to the State Governments during the previous calendar year containing therein the statements of annual accounts of the Authority.

(2) A copy of the report shall be forwarded to the Central Government, and the Central Government shall lay the report before each House of Parliament as soon as it is received. 5

Central Government to provide funds.

7. The Central Government, shall from time to time provide, after due appropriation made by Parliament by law in this behalf, requisite funds for carrying out the purposes of this Act.

Power to remove difficulty.

8. If any difficulty arises in giving effect to the provisions of this Act, the Central Government, in consultation with the State Governments, may make such order or give such direction, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of any difficulty: 10

Provided that no such order shall be made after expiry of three years from the date of commencement of this Act. 15

Power to make rules.

9. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section, shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 20 25

STATEMENT OF OBJECTS AND REASONS

India's biggest tragedy after independence is the migration of about fifty crore people from their ancestral homes and villages. A study of the changes in this socio-economic structure reveals that almost one-third of the country's population (about 31.16 percent.) is now living in cities. Census data of 2011 shows that the number of people leaving the villages and migrating to the cities is increasing constantly and now thirty-seven crore and seventy lakh people live in the cities. On comparing the figures of 2001 and 2011 census, it is found that during this period the population of cities increased by nine crore and ten lakhs, whereas the population of villages increased by only nine crore and five lakh.

The population of villages in the country is still about 68.84 crore, that is, two-thirds of the total population of the country, but the contribution of agriculture in the country's GDP has been continuously decreasing to only fifteen per cent. There is a decline in the standard of living in villages, lack of education, health care and basic facilities and lack of employment, and so people there are moving to the cities in search of a better life. As a result, all big cities including the metropolitan cities of the country have turned into slums. Out of a total of 7.89 crore families living in cities across the country, 1.37 crore families live in slums.

Urbanization should be seen as an opportunity and urban centers as engines of growth. Urban and rural development in the country should complement each other. If we analyze from the perspective of development in the field of urbanization in different States of India, it is evident that the quantum and speed of urbanization in different States is not the same. For urbanization and development to move on the same track, there should be people-centric urban development, which can weave the fabric of such cities and which shall be built according to the required global standards. A city that is two steps ahead of people's aspirations, a city built on global best practices, a city that integrates technology, transportation, energy efficiency, proximity to work, etc. A city where all urban development plans are undertaken with people's participation.

As per a report by the United Nations, globally, a total of 31 such cities are home to an estimated 5 crore people. This is 6.8 per cent. of the world's total population. By the year 2030, the number of mega cities shall increase to 41 and their population shall be 7.3 crore, which would be 8.7 per cent. of the population of the entire world. The administrative boundaries of the cities have not been relied upon in this report. Instead, priority has been given to use the concept of growing urban area. The report reveals that only people from urban areas live in these mega cities. About 21 per cent. of the world's people live in cities, whose population is between 50 thousand and one crore. By the year 2030, 60 percent of the world's population shall live in small and big cities, which is currently 54 per cent. Most developing cities in Asia and Africa are seeing population growth, and by 2030, 33 of the 41 mega cities shall be in third world countries.

According to a report by the Department of Economic and Social Affairs of United Nations, by the year 2030, India shall have seven mega cities, each with a population of 96 lakh. Among these seven, Delhi shall be second in terms of population.

The World Cities Report, 2016 states that at present, the country has five mega cities, - Delhi, Mumbai, Kolkata, Bangalore and Chennai, each with a population of

more than one crore. Hyderabad and Ahmedabad will also join the ranks by the year 2030.

The need is to create development centers across the country instead of adopting foreign models for urbanization. Inequality and imbalance shall increase further by adopting foreign models. Uneven and imbalanced urbanization is not correct considering the diversity of India. In view of the above, the present Bill is very important so that the people of the urban areas of India may be able to live in conditions suitable for humans.

Hence, this Bill.

BHIM SINGH.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of an Urban Areas (Development and Regulation) Committee with a senior architect engineer to be appointed as a member thereto. It also provides for appointment of requisite number of officers and staff to assist the Committee as well as their salary and allowances and other terms and conditions of their service. Clause 7 provides for the Central Government to provide requisite funds to the Committee for carrying out the purposes of the Bill.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees two hundred crore per annum will be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees fifty crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government, in consultation with the State Governments, to make such order or give such direction for removing any difficulty in giving effect to the provisions of the Bill. Clause 9 empowers the Central Government to frame rules for carrying out the purposes of the Bill. As the orders, directions and rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

RAJYA SABHA

A

BILL

to establish an Urban Areas (Development and Regulation) Committee to ensure regulation and development of urban areas in the country and for all matters connected therewith or incidental thereto.

(Dr. Bhim Singh, M.P.)