

# Background of Transfer of Development Rights (TDR's)

- **History of TDR?**

- **Started first in Europe countries in 1950's to develop the agriculture land**
- **In 1980's India started implementing TDR**
- **Bombay introduced TDR in 1990 to develop the slum**
- **Hyderabad introduced TDR to widen the road**

- **Types of TDR**

- **Road widening, slum, Heritage, Agriculture land etc**

- **Alternative methods of Land Acquisition**

- **Normally land acquisition was done through L A Act, but it is long process, so Government is implement TDR which is easy to get land without any litigation**

# Bangalore Scenario

- In Karnataka government planned to introduce in Bangalore and Mangalore
  - According to BMP to reduce traffic decongestion in center city
  - 85 roads to be implement TDR
  - Total length 144 kms
  - Elite groups are pressuring for more roads to be widened/ specially in center city – Chickpet. Many RWAs have proposed more than 250 roads to be widened
  - Using TDR under “urban renewal” component of JNNURM to decongest and redevelop central city areas

- The area remaining after surrender shall have the same floor area, which was available before surrender for the original site or land as per regulations.
  
- Explanation. - For the purpose of this section.-
- (a) Public purpose means. –
  - (i) widening of an existing road or formation of a new road
  - (ii) providing for parks, playgrounds and open spaces or any other civic amenities;
  - (iii) maintaining or improving heritage building or precincts notified by the state government
  
- (b) “development right” means the right to carryout development or to develop land or building or both

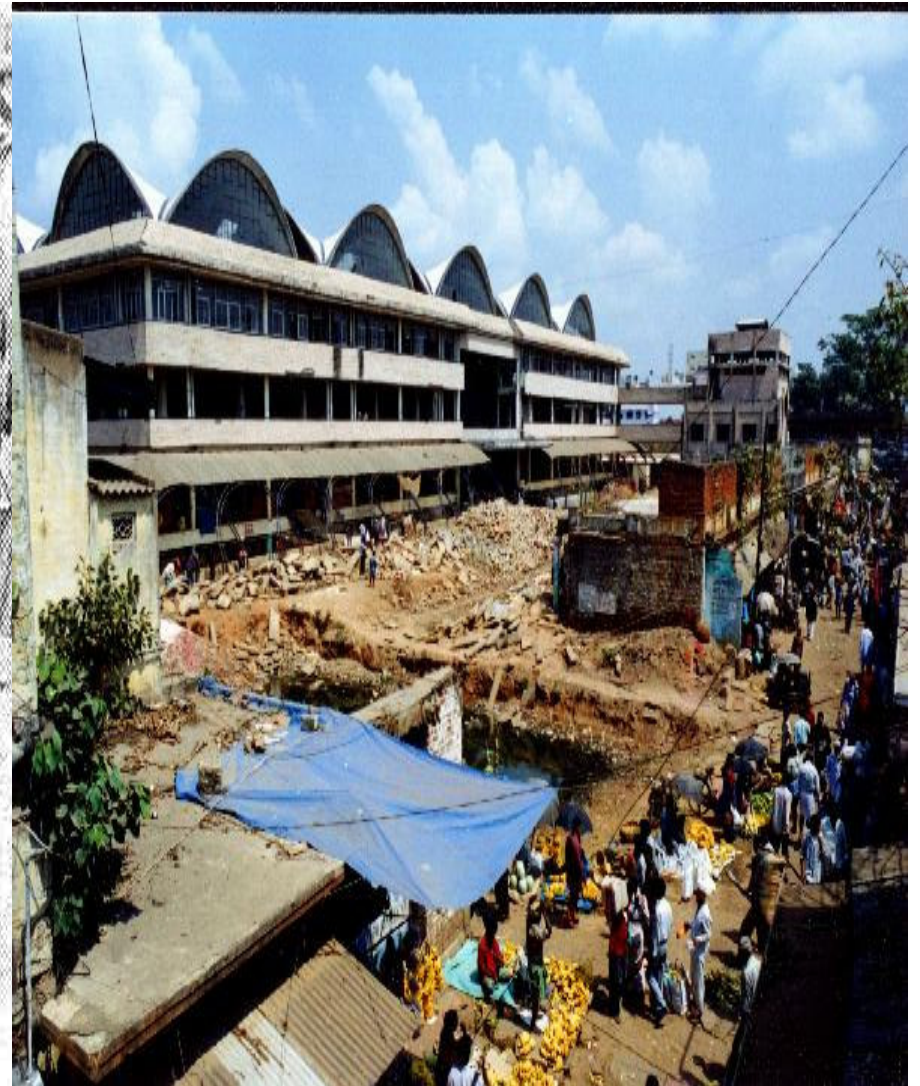
## Impact of TDR on Urban poor

- Mainly street & terrace families, coolies,
- hawkers, small & petty traders,
- tenants, sub tenants,
- service sectors such as goods vehicles, lorries, push carts
- small financiers
- small real estate
- small scale manufactures are affected
- Shifting of whole sale markets – grains, fruits, onion, potato & vegetable market going to be shifted etc
- Bangalore has got Rs 600 crores under JNNURM for infrastructure projects like flyovers, underpass. This will displace many hawkers, small traders, homeless
- Bangalore is planning to introduce PPPs in slum rehabilitation and housing under JNNURM. This model (Mumbai model) is problematic because buildings don't have proper amenities, high maintenance fees, lumpsum payment for plots, water problems

**Urban renewal & T D R : An `anti-politics' machinery  
destroying existing and functioning pro-poor  
economic environments in the name of “Planned  
Development” and “slum removal” ...**



***The Demolition of KR Market in Bangalore and its replacement by a “Modern” shopping center... eviction of hawkers***



# Protests against Transfer of Development Rights as part of Urban Renewal





# Impact in Neighbouring States

- Maharashtra Initiative
- Road TDR                    5,35,285 sq.m.                    (366 roads)
- Reservation TDR    16,03,701 sq.m.                    (339 plots)
- Slum TDR                    15,36,808 sq.m.
- Local Body saved Rs.35,000 crores
  
- Being used in Andhra Pradesh also mainly for road widening.
- Based on experience of Maharashtra and Andhrapradesh – Karnataka Government amended the KTCP Act in June 2004 – Section 14 B - Benefit of Development Rights is introduced

## **Section 14 B**

**14B benefit of development rights.** Where any area within a local planning area is required by a planning authority or local authority for a public purpose and the owner of any site or land which comprises such area surrenders it free of cost and hands over possession of the same to the planning authority or the local authority free of encumbrances, the planning authority or the local authority, as the case may be, may notwithstanding anything contained in this act or the regulations but subject to such restrictions or conditions as may be specified by notification by the State Government, permit development rights in the form of additional floor area which shall be ***equal to one and half times of the area of land surrendered***. The development right so permitted may be utilized either at the remaining portion of the area after the surrender or anywhere in the local planning area, either by himself or by transfer to any other person, as may be prescribed.

I.	Plot Area	500 Square Meters
ii.	Permissible Floor Area Ratio	1.5
iii.	Buildable Floor Area	$500 \times 1.5 = 750$ Square Meters
Iv.	Area Surrendered	100 Square Meters
V.	Additional Floor Area in the form of Development Rights	150 Square Meters
Vi.	Plot Area after Surrender	$500 - 100 = 400$ Square Meters
Vii.	Buildable Floor Area in Plot Area Of 400 Square Meters (After Surrender): A) If Additional Floor Area is not utilised in the same Plot. B) If Additional Floor Area is utilised in the same Plot.	750 Square Meters  $750 + 150 = 900$ Square Meters

# Where & Who benefits?

- Where?
  - Metro Rail
  - Greater Bangalore
  - New Layouts which government notified
- Who benefits?
  - Apartment owners
  - Real estate investors and speculators
  - Land developers

S

E

Z

# Land Acquisition in Karnataka

<b>Villages</b>	<b>Projects</b>	<b>Farmers/labour</b>	<b>Land (acres)</b>
111	GB	6,30,496	2 lakh
136	Townships(5) Ring road	84,430 18,000	45,450
140	SEZ (41)	1,12,000	32,000
Not Identified	KIADB	within 10 months	25,000

# What are SEZs?

SEZs are duty free “foreign territories” with respect to trade operations, duties and tariffs.

- Only 35% of land in SEZs needs to be for industrial/export purposes. 65% can be used for developing townships, elite housing, shopping malls, golf courses etc
- Labour laws are not applicable in SEZs
- Environmental regulations are weakened
- Governance is privatized and Gram Panchayats/Municipalities have no authority
- Huge tax exemptions and no export/import duties
- Large numbers of small farmers/labourers are displaced from their land and livelihoods**
- SEZs supposed to use only wasteland and single crop lands but 80% of lands acquired are fertile lands (> 4 crop)**

# Current status

- A total of 276 SEZs have been approved
- 400 more applications pending
- Total land coverage: 1,35,000 ha
- States with most SEZs: Maharashtra, Gujarat, Rajasthan, Karnataka, AP, WB
- Largest SEZ in Haryana (4500 ha); 2<sup>nd</sup> largest in Karnataka, Malur, (3,500 ha)



# Who loses?

- Small and medium enterprises like dairy, sericulture, brick making, grape cultivation, eucalyptus: 95% of city and town employment, and 67% of economic value addition come from such small firms – these are excluded with the promotion of SEZs
- Farmers and communities who depend on farm land and forests
- Women workers
- Middle income groups who bear the subsidy burden given by govt. to the elite.
- Urban local self governments (ULSGs)/Panchayati Raj Institutions (PRIs)
- State governments, state Legislatures and politicians
- Natural resources (trees, plants), animals, lakes, rivers, ponds, common property resources (graveyards, playgrounds)

# Who benefits?

- Real estate developers and real estate funds. Most real estate developers haven't even waited for SEZ project approvals before announcing mega Initial Public Offers (IPOs)
- Big business investors (including foreign investors) in infrastructure, construction, retail, entertainment, etc
- Speculators/rent seekers (business houses, politicians, bureaucrats) who make a killing by manipulating the property market
- Corporate associations (CII) and corporate organizations like India Brand Equity Foundation (IBEF) who wish to project India as an investment hub
- Senior IAS officers

# Details of land acquired

Name	No of acres	No of farmers/labourers	Type of land
Chikballapur (18 villages)	2,500	19,000	80% - wet land 20% - single crop land
Malur (27 villages)	3,500		60% - wet land 20% - single crop 20% - eucalyptus
Hassan (8 villages)	950	12000	75% - wetland 15% - single crop 5% - waste land
Devanahalli (14 villages)	1400	18000	75% wet land 25% single crop land

# New townships – “Knowledge cities”?

- Privately developed and run townships
- Displacement of panchayats/democratic processes
- No provision for housing or other amenities for poor groups
- Loss of villagers’ houses, land, animals, rivers, small enterprises/household business

LAND AVILABILITY DETAILS FOR  
**BMRDA TOWNSHIPS** (Acres)

Townships	Pvt. land	Govt. land	Total
BIDADI	6959	2725	9684
RAMANAGAR	3621	392	4013
SATHANUR	5891	10341	16232
SOLUR	9661	2864	12525
NANDAGUDI	13762	4745	18507
<b>TOTAL</b>	<b>39894</b>	<b>21067</b>	<b>60961</b>

# SALIENT FEATURES OF BIDADI TOWNSHIP

- **VILLAGES COVERED**  
(9 villages) Byramangala, Bannigiri, Hosur, K.G.Gollarapalya, Kanchugaranahalli, Aralalasandra, Kempaiahnapalya Kaval
- **APPROXIMATE LAND AVAILABLE**  
Total 6959 Acres Hiduvalli land  
2725 Acres Govt. land  
9684 Acres
- **POPULATION** 12,000

## APPROXIMATE DISTANCE

- **FROM BANGALORE CITY** 35.00 Kms.
- **FROM NH / SH** 3 to 15 Kms.
- **RAILWAY STATION** 9 Kms.
- **DEVANAHALLI AIRPORT** 45 Kms.
- **WATER AND POWER SUPPLY:** Special Projects are required.
- **EST. COST OF THE TOWNSHIP** Rs. 3500Crore

## SALIENT FEATURES OF NANDAGUDI TOWNSHIP (HOSAKOTE Taluk)

<p>➤ VILLAGES COVERED (<b>36</b> VILLAGES)</p>	<p>Shivanapura, Tharabahalli, D.Shettalli, Mothakahalli, Hindiganahala, Meduru, Beerahalli, Nelavagilu, Disanahalli, Hosadimbahalli, Sarakanuru, Dimbahalli,</p>	<p>K.Sathyavari, Geddalahallipura, Banahalli, Karapanahalli, Chokkasandra, Giddanahalli, T.Agrahara, M.Hosahalli, Cheenasandra, Srinivasapura, Muddanahalli, Bhuvanahalli,</p>	<p>Ramagovindapura, Nandagudi, Chikkondahalli, Ittasandra, Gullenahalli, Kondarahalli, Bhavapura, Hosavenkatapura, Siddanahalli, Oballi, A.Vaddahalli, Cheemasandra.</p>
<p>➤ APPROXIMATE LAND AVAILABLE</p>	<p>13762 Acres Hiduvalli Land 3953 Acres Govt. land 792 Kharab etc.</p>		
<p>Total ➤ POPULATION</p>	<p><b>18507</b> Acres 25,000</p>		
<u>APPROXIMATE DISTANCE</u>			
<p>➤ FROM BANGALORE CITY</p>	<p>50 to 55 Kms.</p>		
<p>➤ FROM NH / SH</p>	<p>20 Km from NH-4.</p>		
<p>➤ RAILWAY STATION</p>	<p>35 Km from K.R.Pura R.S.</p>		
<p>➤ DEVANAHALLI AIRPORT</p>	<p>30 Kms.</p>		
<p>➤ WATER AND POWER SUPPLY</p>	<p>Special Projects are required.</p>		
<p>➤ EST COST OF THE TOWNSHIP</p>	<p>Rs. <b>6600</b> Crore</p>		

## SALIENT FEATURES OF RAMANAGAR TOWNSHIP

- VILLAGES COVERED      Mayaganahally, Kempanahally,  
Darapura,              (8 villages)      Kenjigarahalli, Madapura, Kethohalli,  
Basavanapura, Balaguli,
  
- APPROXIMATE LAND      3621 Acres Hiduvalli land  
AVAILABLE              392 Acres Govt. land  
Total                      4013 Acres
- POPULATION              12,000
- APPROXIMATE DISTANCE
- FROM BANGALORE CITY      35 Kms.
- FROM NH / SH              3 to 15 Kms.
- RAILWAY STATION              9 Kms.
- DEVANAHALLI AIRPORT      85 Kms.
  
- WATER AND POWER SUPPLY:      Special Projects are required.
- EST COST OF THE TOWNSHIP      Rs. 1500 Crore



## SALIENT FEATURES OF SATHNUR TOWNSHIP (KANAKAPURA TALUK )

- |  |   |
|--|---|
| ➤ VILLAGES COVERED<br>(12 villages)      | Sathnur, Dolimba, Kachuvanahalli,<br>Hosahalli, Kabbalu, Kamsagara, Aluru,<br>Thiluru Forest, Maradevanahalli,<br>Halasinamaradahalli, Naripura, Anagamanhalli. |
| ➤ APPROXIMATE LAND<br>AVAILABLE<br>Total | 5891 Acres Hiduvalli Land<br>10341 Acres Govt. land<br><b>16232 Acres.</b>  |
| ➤ POPULATION                             | 13,000  |

### APPROXIMATE DISTANCE

- |                            |                                    |
|----------------------------|------------------------------------|
| ➤ FROM BANGALORE CITY      | 72 Kms.                            |
| ➤ FROM NH / SH             | 9 Kms.                             |
| ➤ RAILWAY STATION          | 8 kms Channapatna Railway Station. |
| ➤ DEVANAHALLI AIRPORT      | 85 Kms.                            |
| ➤ WATER AND POWER SUPPLY   | Special Projects are required.     |
| ➤ HISTORICAL PLACE         | Famous Sri Kaballamma Temple.      |
| ➤ EST COST OF THE TOWNSHIP | Rs. 6000 Crore                     |

## SALIENT FEATURES OF SOLUR TOWNSHIP (MAGADI TALUK)

- VILLAGES COVERED (20 villages) Lakkenahalli, Beeravara, Koramangala, Parvathanapalya, Kannasandra, Hosahalli, Marikuppe, Gudemaranahalli, Kudulur, Chikkasolur, Solur, Thubarapalya, Kalyanapura, Somedevanahalli, Thattekere, Goruuru, Lingenahalli, Ramanahalli, Uddanadahalli, Byadaranahalli.
- APPROXIMATE LAND AVAILABLE  
Total 9661 Acres Hiduvalli Land  
2864 Acres Govt. land  
**12525** Acres
- POPULATION 17,000

### APPROXIMATE DISTANCE

- FROM BANGALORE CITY 40 to 50 Kms.
- FROM NH / SH Adjacent to Mangalore – Bangalore NH - 48.
- RAILWAY STATION New railway line under construction
- DEVANAHALLI AIRPORT 80 Kms.
- WATER AND POWER SUPPLY Special Projects are required.
- EST COST OF THE TOWNSHIP Rs. **4500** Crore

## GENERAL DETAILS OF INTERMEDIATE RING ROAD

- Length of the Road : 188 Kms
- Connectivity : Nelamangala, Bidadi, Harohalli, Tattakere, Hosakote, Aradeshahalli, Mylenahalli
- Features : 8 lanes including two service roads & 10 to 15 mtr wide median.  
The right of way is 90 mts.
- Estimated Cost : Rs. 750 crore
- Extent of Land required : 4182 Acres
- Extent of Land to be acquired : 2053 Acres
- Cost of Acquisition : Rs. 100 crore
  
- Roads to be constructed as per IRC Standards

## GENERAL DETAILS OF SATELLITE TOWNS RING ROAD

- Length of the Road : 284 Kms
- Connectivity : Dobbuspeta, Magadi, Ramanagara, Kanakapura, Anekal, Hosakote, Devanahalli, Doddaballapura
- Features : 8 lanes road including two lane service roads. The right of way is 90 meters with 10 to 15mts width median.
- Estimated Cost : Rs. 1150 crore
- Extent of Land required : 6303 Acres (Estimate)
- Extent of Land to be acquired : 4153 Acres
- Cost of Acquisition : Rs. 160 crore
  
- Roads to be constructed as per IRC Standards



# What's happening in other states?

- National Association of People's Movements (NAPM)'s Urban Development Struggle Action Committee passed a resolution opposing SEZs
- Mass based groups in many states protesting on this issue (Rashtra Seva Dal, Lokayat, Virodhi Sangharsha Samiti Maharashtra)
- Individual villagers protesting around Bangalore, the fishing community in Mundhra, Gujarat, is agitating against a special economic zone that threatens their livelihood, Nandigram and Singur in West Bengal

**CASUMM**

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**We welcome your comments and questions on this Working Paper**

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