



Like air and water, land is for everyone

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- Invited for the theme of 'Reimagining the Post-Covid-19 City'

Cities are the physical expression of a society and its values, or more precisely, the values and priorities of its leaders and decision-makers. Will Covid-19 change these values and priorities? If not, nothing will change in our cities. Neither in the existing built forms (which once built are hard to change anyway) nor in their anticipated additions, which are likely to be many considering the extent to which India is expected to urbanise.

U R Ananthamurthy reminds us that we are a pagan civilisation that has successfully drawn everything into its fold, including Islam and Christianity. So we have innumerable gods and goddesses, plus the widest possible choice of moral values. And there are two other deep traditions that impact urban affairs. One is the inward-looking focus on the self, tempered luckily by the basic human instinct to share. The other is our long honed ability to comprehensively ignore those we choose to, to the extent that these people cease to exist. Entirely, including in our imaginations.

The focus on the self aligns perfectly with unbridled capitalism, every man for himself, and of course, the hindmost are not even there for the devil to take, having conveniently vanished. That works comfortably for Mumbai's developer-politician leadership. Any building controls that would ensure light and ventilation to slum rehab buildings can be brushed aside because the occupants don't exist anyway, so this is like worrying about the health of ghosts.

AERIAL VIEW OF THE SETTLEMENTS
IN MAHIM, WESTERN RAILWAY LINE
AND MANGROVES

IMAGE CREDIT: MEHAK TIKU

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“It is a zero-sum game: the winning side (including the government) takes away money; the losing side gives away health.”

Concern for the poor is a wonderful battle cry for those inflicting the greatest harm. Slum-dwellers offered free housing in multi-storeyed blocks are being fooled into squeezing up into half the area they currently occupy. Densities will be doubled beyond anything the world has ever seen. Living in flats on the lower floors is guaranteed to damage respiratory health. The other half of the slum plot will be converted to luxury use and will generate large profits to be shared with the government. It is a zero-sum game: the winning side (including the government) takes away money; the losing side gives away health.

How do we change any of this, and what to? Ideally, we should find a set of ideas that a sturdy Opposition can offer to win over voters. Dynasty is not one of them. But one idea that might work is to say that we need a form of capitalism where land is not part of it. Land is not a commodity like other commodities. Like air and water, it is a commons, to be shared, protected from misuse, and with some of it for everyone.

This is a big ask, but we could begin by recognising immediately that all government land belongs to the people. It must be put to the best public use. Unlike a private developer, the government is not free to maximise profits from the land. It must maximise use-benefit, not profit.

There is nothing new in the notion that certain lands have to be put to common use. That is what roads are. Owned by the government but used by everyone. Also parks and schools and hospitals, railways and ports. Each managed by a different authority, but with use open to all. Common use should also include land for low-income housing. Occupants should be expected to pay for their own construction but not for the land, which like a road, is made available without charge for common use. There may be an annual tax but no down payment. All the land that goes into low-income housing should be taken off the

market. It should no longer be a tradable commodity.

We are already halfway there. We have a long and successful history of cooperative societies in Mumbai. A group of residents comes together, acquires a piece of land, and builds on it. Each resident has a share in the society that owns the land and building. On resale, the old resident realises the gain in the value of the land during the period he or she has been in occupation, not having done anything to earn that gain other than just hanging around.

A simple variation would be that the society (set up as a not-for-profit Company called a Community Land Reserve) would own the land. For low-income housing, such land would be provided free to the CLR. Residents would contribute to their share of the construction cost. On vacating, a resident would be required to sell back only to the CLR for the amount of the original investment plus interest, exactly as if the amount had been kept in a fixed deposit with a bank. This is more than fair because the resident has enjoyed the use of the property without paying anything other than the CLR's maintenance charges. The CLR can then offer the flat to another occupant for the same price. The mechanism for selection has to be transparent and fair, and open to scrutiny and audit.

Notice that the land price appreciation has been taken out of the transaction. The affordability of the premises remains assured for all time.

How the CLR is organised, how its Board should be structured and the rules for its functioning are now well understood, after experience over decades with Community Land Trusts in the USA and around the world.

Shirish B Patel is a civil engineer with a deep interest in urban affairs, on which he writes regularly.

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He was one of the three original authors who suggested the idea of New Bombay (1965). When CIDCO was formed to develop it (1970), he was appointed Director of Planning & Works, in charge of planning, design and implementation of the new city.

With two co-authors, he is currently finishing a book '6 Metros', which looks at various aspects of urban planning and implementation in London, New York, Tokyo, Hong Kong, Delhi and Mumbai to see what can be learnt from comparisons.