

Continuities and Discontinuities in Urban Development Institutions: A Case Study of  
Lahore Development Authority

By

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**Abstract**

City development authorities are one of the key institutions in urban development and planning in South Asian cities. Pakistan and India share a history and have experienced the similar trend of Town Improvement Trusts established by the British transforming into Development Authorities. Both these forms of institutions had a similar mandate – to improve the living standards in the city through planned development. Development authorities, in particular, were envisioned to undertake comprehensive and integrated master planning in the face of rapid urbanization that its predecessor failed to do so because of its institutional set up as a Trust. In this thesis, I focus on one such urban development institution in Lahore, Pakistan, namely the Lahore Development Authority (LDA) which has come under immense criticism in recent years. In order to understand the urban sprawl of Lahore and the complementary planned development, one needs to understand the institutions that are propelling this form of urban planning. I aim to understand the unequal development in Lahore through the lens of an institutional framework. The premise of my analysis is that even though the forms of institutions that come about and the way they evolve over time are influenced by the broader political and economic trends, it is the urban development institutions that dictate what kind of policies under its purview are produced, hence affecting the urban form. I argue that LDA was a continuation of the Lahore Improvement Trust in many ways, with a supposedly more comprehensive approach to planning, and it faced similar challenges as its predecessor and failed to achieve one of the objectives this parallel institutional structure set out to achieve: providing housing for the low-income groups. In my analysis, I highlight the role of legislation and political influence on LDA's operations. Political leadership and influence differentiate it from LIT and it can be its greatest strength if it is leveraged in the right way. In order to understand LDA's challenges and how these can be overcome, I analyse the following in this thesis: 1) why was LDA established and to what extent it was a continuation of its predecessor 2) how has LDA's policies evolved over the years and why, and 3) what are the challenges to cater to low income population for LDA and what are the ways in which it can achieve them?

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## Chapter 1: Precursors of LDA

### Introduction

City development authorities are one of the key institutions in urban development and planning in South Asian cities. Pakistan and India share a history and have experienced the same trend of Town Improvement Trusts established by the British transforming into Development Authorities. Both these forms of institutions had a similar mandate – to improve the living standards in the city through planned development. In this thesis, I focus on one such urban development institution in Lahore, Pakistan, namely the Lahore Development Authority (LDA) which has come under immense criticism in recent years. In order to understand the urban sprawl of Lahore and the complementary planned development, one needs to understand the institutions that are propelling this form of urban planning. I aim to understand the unequal development in Lahore through the lens of an institutional framework. The premise of my analysis is that even though the forms of institutions that come about and the way they evolve over time are influenced by the broader political and economic trends, it is the urban development institutions that dictate what kind of policies under its purview are produced, hence affecting the urban form. I argue that LDA was a continuation of the Lahore Improvement Trust in many ways, with a supposedly more comprehensive approach to planning, and it faced similar challenges as its predecessor and failed to achieve one of the objectives this parallel institutional structure set out to achieve: providing housing for the low income groups. In my analysis, I highlight the role of legislation. In my analysis, I highlight the role of legislation and political influence on LDA's operations. Political leadership differentiates it from LIT and it can be its greatest strength if it is leveraged in the right way. In order to understand LDA's challenges and how these can be overcome, I analyse the following in this thesis: 1) why was LDA established and to what extent it was a continuation of its predecessor 2) how has LDA's policies evolved over the years and why, and 3) what are the challenges to cater to low income population for LDA and what are the ways in which it can achieve them?

The key characteristic of urban sprawl in Lahore, the second largest city in terms of population in Pakistan, is the boom in sprawling housing schemes for middle and upper income groups that dot the periphery of the district, pushing the city district's

boundaries. These housing schemes, both private and public, have become the mechanism through which planned development is happening in Lahore. However, this doesn't mean that the housing stock for low income groups have increased. This development has made the inequality in the urban landscape very stark as the remnants of the villages surrounded by agricultural land still remain but most of these have not adequately been incorporated into the urban landscape despite their urban characteristics. Lahore district has been classified as completely urban, which hasn't only affected statistics but also service delivery in the periphery of the city (Adeel & Khan, 2017), however there still remain urban villages that are underdeveloped islands in a sea of pristine gated housing societies. This idea of a "housing society" is sold precisely on the premise that it is segregated from the rest of the "dirty and insecure" city.

Another emerging trend in Lahore district is the rapid land use conversion from residential to commercial of buildings in what were previously "well-designed and functionally segregated" housing societies, that have not only become a nuisance for the residents of elite housing societies who want the comfort and quiet that they paid for, but also the Lahore Metropolitan Corporation that depended largely on the revenue that came from land use conversion of commercial buildings ("Protest against unbridled commercial activity", 2016).

The backdrop of this pattern of urban development is the institutional structure of urban governance in Lahore district. The three important institutional structures in the urban development landscape in Lahore is the Lahore Development Authority, the Lahore Metropolitan Corporation, Cantonment Board and Defence Housing Authority, which are directly under the military and hence exist at the level of the federal government. Other institutions that are involved in housing development specifically are the cooperative housing societies and the private sector whereas urban utilities such as water and sanitation is provided by Water and Sanitation Agency (WASA) which is under the LDA and electricity is provided by Water and Power Development Authority.

In this thesis, I present three key arguments: 1) LDA as an institution wasn't much different from Lahore Improvement Trust and its establishment in the postcolonial city was aimed to intensify planned development with new legislative and regulations, and a more financially autonomous institutional structure. Moreover, both forms of institution were established to provide low cost housing to the poor, however neither was successful in doing so. LDA may have fared better in ensuring planned development in the city but it has also raised new issues such as the underdevelopment of urban villages that are left behind after land acquisition. This begs the question whether master planning of entire cities is an unrealistic goal due to the very nature of a city, and whether affordable housing can be provided through land development in big cities like Lahore. Moreover, I argue that even though postcolonial development was seen as something outside of politics (Mehra, 2013), there is a symbiotic relationship between the two. Building on this, I also argue that political influence in the form of the Chief Minister Punjab being its Chairman for a large chunk of its time, enabled LDA to be more flexible and responsive to changing circumstances of its projects. This is to say that LDA has been able to push for policy and regulatory amendments to facilitate its operations, rather than being dictated by law. Its regulatory and legal framework has been a mere background noise. This highlights that it is not policies that dictate institutions but institutions dictating policies. This is not to say, however, that LDA hasn't been a means to achieve national political agendas, depending on what the larger political and economic context was in the province and country. LDA's "responsiveness" to its project requirements has been a result of the Chairman of the institution being a politician rather than a bureaucrat. I argue that although there are trade offs to opt for either, the former has the power to influence policies effectively and enable an institution to be more flexible while the latter is wary of profit-making, even if it means sustainability of the institution and its projects. I highlight that LDA has fared better than Delhi Development Authority in terms of planned development and this is because of two main reasons: a) DDA is a bureaucratic institution with no institutionalized political leadership, and b) Delhi has a higher proportion of publicly owned land compared to privately owned land whereas Lahore has mostly privately owned land (Hasan, 2017), which is relatively easier to acquire. "Responsiveness" of LDA doesn't, however, mean that it achieved the goal of providing housing for low income groups. This has been because of its misplaced priorities. anti-poor standards for housing

societies and centralized nature. As mentioned above briefly and explained in more detail in this chapter, master planning hasn't worked in Lahore – the first master plan of Greater Lahore was never implemented and LDA's current master plan isn't being followed in its entirety, and the master plan is changed based on the changes on the ground. This reflects the limitation of master plans, especially spatial ones – growth on the ground outpaces planning. I argue that planning needs to be decentralized, however, as I explain in later chapters, this may not be the solution for Pakistan's context where local governments have been dissolved at the Provincial government's whim and throughout our history, there have been long duration of time where there was no local government in place because elections don't take place at regular intervals. I conclude by highlighting that LDA has a good opportunity to provide housing for the poor, not through land development but through rental housing within its schemes, by altering some of its design standards and land policies. This is possible if the political actors see and use LDA as an institution to achieve their goal of providing housing for the poor instead of creating new institutions to do the same.

### Overview of LDA

Lahore Development Authority (LDA) was established in 1975 during the first democratic government in Pakistan. It was created under the legislation of the Punjab Assembly when it passed the LDA Act in March, assented by the Governor of Punjab on 3<sup>rd</sup> April 1975 (*Lahore Development Authority Act 1975*). LDA is a financially autonomous body under the Secretary Housing and Physical Planning of Punjab. The rationale behind this Act was that "it was expedient in the public interest to establish a comprehensive system of metropolitan planning development in order to improve quality of life in the metropolitan area of Lahore" (*LDA Act 1975*) The Act emphasized an integrated metropolitan and regional approach for continuous planning and development – an idea of regional development that was borrowed from the West. In terms of its organizational structure the Chairman of the Authority, at its inception was the Commissioner of Lahore (World Bank, 1980). The Authority included 9 members in addition to the chairmen of Municipal Committees, the Managing Directors of the independent agencies that LDA had the power to create under its board such as

WASA and the Director General/Chief executive was a senior civil servant (*LDA Act 1975*). LDA has a number of key areas that it works on, including Katchi Abadis, Hidden Properties, Estate Management, Land Development, Commercialization and Housing (Lahore Development Authority, Government of Punjab). Each of these areas have a director and all of these come under the Urban Development Wing. There is also a section of coordination and implementation (Lahore Development Authority, Government of Punjab).

Despite an attempt to bring elected representatives of the Lahore Municipal Corporation on the board for better coordination, this aim remained unfulfilled, partly because of the fact that the Authority was largely comprised of senior civil servants/bureaucrats. However, the seeds for turning LDA into a bureaucratic institution weren't sown merely by the number of bureaucrats on the board but this was partly due to larger political context of Punjab and the rest of Pakistan as well, where local governments were barely allowed to thrive. Moreover, the initial bureaucratic nature of LDA was also a legacy of its predecessors, the Lahore Improvement Trust. Although it is true that locally elected politicians didn't have the power and LDA lacked local knowledge from the grassroots level, politicians at the Provincial government level, such as the Chief Minister Punjab was the Chairman of LDA in later years and had great influence. Changes in who headed LDA depended on changes made in the constitution under military or democratic regimes and in the local government system. Even after the devolution plan of 2001 in which local governments were greatly empowered, LDA managed to stay under the provincial government rather than the city district government after Lahore Development Authority Ordinance 2002 was passed (Lahore Development Authority Ordinance 2002). Although LDA wasn't responsive to the housing crisis in the city but it was responsive to the requirements of its projects it undertook, demonstrating the flexibility and power that is required to tilt the system in its favor. Its initial projects were geared towards providing housing to the low income groups, however, "affordability" of plots was defined as the size of plot, not taking into account speculative markets and the rise in value once development happens. Similarly, even though LDA's housing societies' standards stipulate that 20% of plots in the societies need to be 5 marlas or below but doesn't ensure that the value of these plots remain affordable for the low income. Moreover, in recent years, LDA's

housing projects reflect misplaced priorities, propelled by political interest of real estate politicians.

### Why was LDA created?

Institutional transition from the colonial Improvement Trusts to Development Authorities isn't unique to Lahore or Pakistan. This was a trend that was seen in South Asia in many cities. The idea of "development" in response to the crisis of the 1940s in postcolonial states was an attempt to break away from the colonial era, in which development was focused on strengthening the colonial rule (Legg, 2006). It was the urgency to deal with the housing crisis spurred by migration after the Partition of 1947 that the need for institutionalized planning was felt more. However, failure of LIT to respond adequately to the crisis is part of the story why the need for a development authority was felt. I argue that LIT and LDA were not very different from each other. Scholars argue that it was the nature of the trust that inhibited its ability to expand and invest its profits in more projects (Mehra, 2013). Although this is true and LDA can be seen as more financially autonomous as a corporate body than the Improvement Trust, it needs to be noted that LIT was making profit and despite being a trust that aimed to work on no profit, no loss (Mehra, 2013), 58% of LIT's plots were 1 kanal and larger, catering to high income groups (World Bank, 1980). Moreover, although the Town Improvement Trust Act 1922 doesn't mention that the trust will be responsible for undertaking "comprehensive planning", it was engaged in the expansion of the city and in handling the high density of the inner city by building housing societies in the surrounding areas (Mehra, 2013; Malik, 2014). However, these housing societies were based on a "colonial design" that catered to high income groups and neglected the local context of residents of Lahore for whom segregated land uses was an inconvenience (Malik, 2014). We see a similar pattern in LDA's most recent project that aims to build a self-contained utopia for the elite.

I argue that the three main reasons why LIT was disbanded and LDA was established were: 1) LIT was a trust which meant that it was dependent on loans from the provincial government and couldn't indulge in commercial or profit making enterprises

to invest in other projects, hence a corporate body was seen as an institutional structure that would be more suitable for fulfilling these objectives. Although it is argued in literature that LIT had difficulties in acquiring land for its projects (Malik, 2014), it should be noted that the Punjab Land (Housing) Acquisition Act 1973, according to which provided more favorable ways to compensation for land acquisition, was applicable to improvement trusts as well. Hence, to say that LIT's difficulties to do so was one of the reasons why a land development authority was established would be incorrect. It is, however, true that LDA was responsive and was able to influence policy and legislation to enable it to acquire land more effectively and efficiently as we see from the details of its later projects. This, however, is not to say that it didn't run into difficulties or bottlenecks. Another argument is that LIT failed to provide housing stock for low income groups and hence LDA was established to achieve this objective. However, it should be noted that LDA Act 1975 doesn't explicitly highlight this objective. It was in 1980 when the World Bank highlighted causes of the difficulty for LDA to provide for low income groups, and recommendations to overcome this (World Bank, 1980). The Lahore Urban Development and Traffic Study (1980) does highlight that LDA's projects in its initial years, provided smaller plot sizes than LIT had done. Affordability of plots were measured by their size not from their price, a problematic approach that is still present in LDA's projects and housing standards today. LDA has failed to provide enough housing stock for low income groups in Lahore. Hence, LDA has run into similar issues as LIT had. The major difference between the two was that LDA is politically more influenced than LIT was, which was a bureaucratic institution. So this begs the question of why LDA was established in the first place? Based on the literature review of LIT and other improvement trusts in India including Delhi Improvement Trust and Bombay Improvement Trust, we can ascertain that LDA came as a result of increased pressures of urbanization and LIT's failure to plan for the post-Partition violence and resettlement. The need to have more regulation and better planning instruments was felt, that could be achieved by comprehensive planning of the newly urbanized areas of Lahore district. In the next section I will go over the details of the difficulties faced by LIT and the influence of Western concepts of urban and regional planning, that is apparent in the "comprehensive approach" to the first master plan of greater Lahore.

## Precursors: Lahore Improvement Trust

Besides the objective to carry out integrated metropolitan planning and development, the need for LDA was also felt due to the inadequacy of LIT to provide housing, a crisis that exacerbated after East Pakistan, present day Bangladesh, broke away from West Pakistan. The figures show that from 1947 to 1975, LIT developed an average of 302 plots per year, and out of the total number of plots developed by LIT, 58% were of 1 kanal and above, hence catering to high income groups, whereas 31% were of 7 to 10 marlas for the middle income groups and only 11% were intended to be for low income groups (World Bank, 1980). One of the main reasons for LIT's slow delivery was the tedious task of land acquisition under the Land Acquisition Act of 1894 which was used for most part of LIT's history until the Punjab (Housing) Land Acquisition Act was enacted in 1973 that was later used by LDA till 1985 when it was repealed and the Land Acquisition Act 1894 was reinstated (Malik, 2014; Qadeer, 1996). However, one needs to be cognizant that after 1985, LDA was operating under the Land Acquisition Act 1894 as well but LDA was able to circumvent the Act and adopt alternative ways of land acquisition along the DHA model in its most recent projects (Lahore Development Authority, 2013). This highlights LDA's responsiveness and ability to emend policies to facilitate its processes and be able to navigate around already instated rules and regulations with the help of political influence. This highlights the "fluidity" of legislation for LDA. Laws are followed as long as they cater to its needs, and when they don't, LDA has adopted other mechanisms. I argue that this has been possible due to the activism and influence of Chief Minister Punjab. LDA hasn't been dictated by law but it is the institution that has tweaked legislation directly related to its projects. However, these very legislations have also led Chief Minister Punjab and LDA to court cases when it hasn't followed its own rules down to the letter, as this happened in the case of the Punjab Land Development Company's Ashiana Housing Scheme case when it violated the Punjab Private Public Partnership Act 2014 ("Timeline in development of Ashiana Housing scam", 2018). This case also highlights how the elected Chief Minister Punjab used LDA as a means to favor his political allies. This is apparent when the Ashiana Housing Scheme was handed over to the Lahore Development Authority and LDA then awarded the contract for development to a proxy of the Paragon City, Private Limited, which is a company associated with the former Railway Minister of PML-N, Khawaja Saad Rafique ("Timeline of development of Ashiana Housing scam", 2018).

After LIT's performance in providing developed plots to people, there was a greater awareness and a shift in policy when LDA was created to better utilize public investment to cater to lower income groups. This is also highlighted in the early projects undertaken by LDA (World Bank, 1980). Moreover, LIT's capacity to provide urban utilities, for example, water supply under its water wing was inadequate and it was taken over by WASA when LDA was created (World Bank, 1974).

LDA's creation is traced back to the Lahore Improvement Trust that was established in 1936 under the British rule according to the Town Improvement Trust Act 1922. This was one of the network of town improvement trusts established in large cities of India and the rationale behind creation of this institution was to focus on urban planning for the future development of cities that were rapidly expanding after the Industrial Revolution (Malik, 2014). Establishment of a Town Improvement Trust aimed to separate day to day municipal affairs from urban development for the future. The LIT was a semi-autonomous agency and after 1940 the Lahore Municipal Corporation implemented and monitored some of the regulations introduced by LIT (Malik, 2014).

From 1954 to 1970 the One Unit Policy was in place in West Pakistan, eliminating the four provinces and during 1957-1967 West Pakistan had undergone a lot of administrative changes. By 1967 both Lahore Municipal Corporation and Lahore Improvement Trust were responsible to the Ministry of Basic Democracies and Local Government (World Bank, 1974). The area under LIT's jurisdiction was 128 square miles and included Lahore Municipal Corporation, Cantonment Board and West Pakistan Railway depots area as well. LIT performed schemes of land acquisition, housing, slum clearance and general public works as well as providing sanitary facilities to the developed land (World Bank, 1974). LIT's organizational structure comprised of eight trustees on its board. These included five members appointed by the Provincial Government, namely the Chairman of the Board who was a senior government civil servant, i.e. Deputy Commissioner of Lahore, chairman of Lahore Municipal Corporation and three senior civil servants, the remaining three were elected from councilors of the Lahore Municipal Corporation (Malik, 2014). In February 1967, municipal facilities of water, sewerage and drainage were handed over to the Lahore Improvement Trust

from the Lahore Municipal Corporation because the latter had incurred financial deficits due to its inefficient operations, charging inadequate rates, poor billing and collection and because a large chunk of the water produced was supplied free of charge. When in 1967 Government of Pakistan requested development credit from the International Development Association (IDA) to improve and expand water, sewerage and drainage system of Lahore Municipal area, that was still using a system that had been in place since 1937, it was noted that LIT would require outside assistance in terms of operation and organization to maintain municipal utility that had recently been transferred to them, and to deal with the organizational inefficiencies that came with this transfer (World Bank, 1974). LIT's revenue structure included grants from the provincial government and its cost recovery mechanism was to sell developed land to private individuals. Until 1967 LIT wasn't responsible for maintenance of sanitary facilities and instead would transfer these to the LMC for maintenance free of encumbrances (World Bank, 1974).

LIT was working in two separate legal jurisdictions – one of the Punjab Municipal Act 1911 and the Punjab Improvement Trust Act 1922. The former one was seen as a more “restrictive planning” where LIT merely played the role of an advisory body while the latter was a model of “positive planning” where the LIT had the power to acquire land rather than maintaining or improving existing built up area or that of slum clearance (Malik, 2014). In the Punjab Improvement Trust of 1922 the themes that are focused on are street schemes, improving of existing building structures and providing housing schemes for all classes of society including the poor and industrial workers (*Punjab Town Improvement Act 1922*). However, examining the structure of financing for LIT reveals that it became increasingly difficult for the institution to develop projects for the poor. In terms of financing, LIT's nature as a Trust was the biggest impediment to its operations. As a Trust it depended on annual loans from the Provincial Government at a 2% interest rate that was higher than a non-governmental loan and to be able to extract loans from the Treasury per its need required an amendment in the Punjab Improvement Trust Act (Malik, 2014). This is one of the major reasons why the Trust focused on acquiring land in order to finance its operations through land appreciation without little effort gone into the development work (Malik, 2014).

In existing literature, it has been argued, however that the planned housing schemes built by LIT failed to take into account the cultural context of Lahore and the pattern of indigenous housing development already in place, resulting in a separation of residential and commercial areas – something that was inconvenient for residents (Malik, 2014). Scholars also argue that LIT's downfall came about as a result of its inability to tackle with the challenges of post-Partition reconstruction and rehabilitation (Malik, 2014; Groote & De Jonge, 1988). However, LIT's waning importance as an institution for urban development is apparent in the fact that LIT and Lahore Municipal Corporation were both absent in developing the first Master Plan of Lahore in 1966, which was undertaken by the Punjab government under the recommendation of the Second Five Year Plan (1960-1965) The two institutions were deemed to be inept to take up this task, however they were assigned to implement the plan in their own jurisdictions (Master Plan Project Office Punjab Pakistan, 1973). This highlights that LIT as an institution was neither intended to undertake master planning as we know it today neither was it equipped to do so (Punjab Town Improvement Trust 1922). However, it needs to be highlighted here that the ideals of comprehensive planning were present in pre-Partition era when British planners in the 1920s and 1930s emphasized the need for it as opposed to piecemeal planning in the subcontinent (Mehra, 2013). Moreover, the Lahore Improvement Trust was involved in planning for the expansion of the city and it was establishing housing societies, as LDA is currently doing.

Moreover, LIT's failure to provide housing for the poor was apparent and the need to introduce additional land policies to arrest speculation were proposed by the Master Plan where it emphasized the need to enable the government to provide housing and other community amenities at an affordable cost. One of the proposals to limit rising land values was to authorize LIT to acquire land or declare its intention to acquire land for development schemes and other allied public purpose, in advance of framing detailed schemes to arrest land speculation (Master Plan Project Office, Punjab Pakistan, 1973).

Master Planning before LDA

The first master plan of Greater Lahore that was published in 1973 provides us insights into the institutional and policy approach towards urban development in Lahore before the creation of LDA. The administrative and institutional context in which the master plan was published and the recommendations within the plan highlight the gaps that a new institution should aim to resolve and how the Master Plan Committee envisioned a new institution that would be responsible for comprehensive planning would look like (Master Plan Project Office, Punjab Pakistan, 1973). Despite the fact that the master plan wasn't mentioned or referred to anywhere in LDA's operations and most projects undertaken by LDA were rather chosen on an adhoc basis or through the knowledge of requirements of influential groups or the press (World Bank, 1980), it is important to briefly discuss the master plan to highlight the spatial planning approach that was predominant during this period rather than a policy approach to master planning – this will also provide a backdrop to the evolution of LDA and to what extent it broke away from this approach in later years.

The delay in publishing of the master plan was due to administrative and legal bottlenecks. It was drafted in 1966 and submitted to the Provincial Government for vetting but it wasn't until 1970 that the Government of West Pakistan realized the urgent necessity of sanctioning the Master Plan (Master Plan Project Office, Punjab Pakistan, 1973). A Governor's Working Group was created to review the recommendations. However, this Working Group couldn't complete the task that year due to the dismemberment of the One Unit and transfer of its Chairman and Governor from Lahore. However, the Working Group was reconstituted in June 1971 and Lahore Division's Commissioner became the Chairman. The Working Group also had the chairman of Lahore Improvement Trust, Lahore Municipal Corporation and Army Representatives in its members. This master plan was the first plan for Lahore or rather any city of West Pakistan that was predominantly put together by domestic experts with no mention of international agencies such as the World Bank or Asian Development Bank in it (Master Plan Project Office, Punjab Pakistan, 1973). The plan was drafted by the Directorate of Town Planning , Housing and Physical Planning Department, an institution that was at the provincial level. The Plan was formally adopted by the Lahore Municipal Corporation on 13<sup>th</sup> July 1972 and the Commissioner of Lahore Division as the Controlling Authority of the Lahore Municipal Corporation

sanctioned it under section 74 of Municipal Administration Ordinance 1960 (Master Plan Project Office, Punjab Pakistan).

In 1971 some of the recommendations of the Plan were amended and it was decided that it will be adopted as an interim measure under section 74 of the Municipal Administration Ordinance 1960 for the areas situated within the municipal limits (Master Plan Project Office, Punjab, Pakistan, 1973). Lahore's expansion since this plan has occurred manifold. This is demonstrated by the fact that in the master plan it was recommended that Lahore's growth should not go beyond Township Scheme in southern part of Lahore, which has now become a bustling city center and numerous housing societies and ancillary services have propped up way beyond this limit (Master Plan Project Office, Punjab Pakistan, 1973).

A clear distinction was made that this was not merely an "urban development project" but was based on a scientific approach to comprehensive planning for the future growth of the Greater Lahore. This emphasis on a "scientific and comprehensive approach" to planning as opposed to isolated "projects" was a remnant of the planning narrative that gained support in the international arena post-World War II. Out of this rational comprehensive planning approach emerged the idea of "master planning" that was very closely linked with national planning (Master Plan Project Office, 1973). Although, this planning approach had started being criticized in the discipline as American cities were being planned on a different principle, Pakistan was still following the rational comprehensive planning approach. This is evident in the fact that the master plan of Greater Lahore came about as a result of the idea stipulated in the Second Five Year Plan at the national level (Qadeer, 1997).

The master plan was also seen as an important step towards extending civic services to the entire city as it expanded. Existence of slums and jhuggi clusters were seen as a consequence of uncoordinated and unplanned growth of the city in public and private sector, and providing adequate water, sanitation and road infrastructure was seen as the main challenge (Master Plan Project Office, 1973). Although aiming to provide a clear guide to the planning of future growth of the city, the Master Plan was meant to be

flexible enough to adapt and accommodate changes as it was supposed to be reviewed every 5-7 years (Master Plan Project Office, 1973).

A Master Plan Committee was set up to undertake the Master Plan Project, which was headed by the Lahore Division's Commissioner who is a high ranking civil servant in the bureaucracy. Moreover, as mentioned before, the military has had an influence on the urban development of Lahore. Similarly, in this Master Plan mainly due to the recent 1965 war and hostile relations with India, the Plan was reviewed by army officials to ensure that the settlements are at a safe distance away from the India-Pakistan border in the east of Lahore (Master Plan Project Office, 1973). This highlights that in a country like Pakistan whose identity is based on the premise of India being its enemy, urban planning isn't protected from not only political influence but also military influence.

One of the most important recommendations of the Plan was to establish a Planning Authority. This was based on the recognition of the problematic nature of having multiple regulatory bodies to be responsible for the urban development. The Planning Authority would act as a coordination body between different relevant institutions that are responsible for urban development in Lahore – these included the Lahore Improvement Trust, Lahore Municipal Corporation, Cantonment Board and the Provincial Government. Some of them had overlapping jurisdictions. LIT and Provincial Government operated within its own schemes whereas the LMC operated in all areas within the municipal limits except the ones under the aforementioned agencies. Cantonment Board operated in its controlled area with its own constitution and set of rules. The Planning Authority was to formulate a closely knit planning policies, control, regulate and guide the development programs of various agencies engaged in land development and administer the implementation of the Master Plan (Master Plan Project Office, 1973). Hence, we see that the foundation of establishing the Lahore Development Authority was present in the recommendations of the first master plan for Greater Lahore, however, it is true that it never turned into the coordinating Planning Authority that the Plan envisioned it to be.



## Chapter 2: Evolution of LDA

The importance of the first master plan for Greater Lahore was shortlived. It wasn't referred to in LDA's operations and did not influence how it chose its projects. Rather projects were chosen based on an ad hoc need basis (World Bank, 1980), which is how government organizations work as opposed to a "scientific" way of choosing projects. If we compare LDA in the 1980s and 1990s and what LDA is today, there are two major changes that have taken place: a) its jurisdiction has extended to cover Lahore division, which includes the districts of Sheikhpura, Kasur and Nankana, and b) abandoning the Land Acquisition Act of 1894 to acquire land and collaboration with private developers in acquisition and development. Moreover, its most recent housing project LDA City marks a break away from the form of housing projects LDA undertook in its initial years. In order to understand these changes, one must understand the political and economic transformations that have taken place in Punjab since 1975.

### LDA's initial years

LDA never had a monopoly over land development in Lahore, specifically in housing. Other authorities such as the Defence Housing Authority, which was working under the defense ministry at the federal level with its own rules and regulations (Gazdar, 2009), and Cooperative Housing Societies, were key actors in providing housing. These agencies initially aimed to provide subsidized plots to its employees, i.e. defense personnels and employees of government agencies such as WAPDA. The DHAs across the country became increasingly notorious as it moved away from the welfare organization model that catered to its employees, to a commercial entity that developed elite enclaves without accountability (Gazdar, 2009). These elite housing enclaves were established mostly on vast agricultural state land that was gifted to mostly high ranking military personnels for their services, a practice that was a remnant of the British administration (Gazdar, 2009). However, once DHA started expanding, it subsumed more agricultural land and villages in its surroundings, for example Charrar Pind, and a lot of the times land was acquired through sheer force. As the DHA was the only authority that could develop in its controlled area, the landowners that were selling their land had little choice but to sell at the value given to them. This is not to say, however, that all the sellers were losers in this game. DHA provides "files" or plots in

compensation rather than transact in cash. in addition to this, impunity from accountability for the military enables DHA to undertake development in an efficient way (personal interview, 2018).

The real estate boom of 1980s and 1990s brought in foreign investment for development that DHA capitalized on (Gazdar, 2009). Similarly, this was the time when most cooperative housing societies functioning under the Cooperative Societies Act developed housing schemes, that were aimed to provide subsidized plots to its employees but also sold plots on open auction to non-employees (personal interview, 2018). Similarly, LDA was undertaking completion of schemes started by LIT and developing new ones.

The projects that LDA undertook in its early years, specifically in terms of housing can be seen as a response to LIT's failure to provide adequate number of plots in general and for the low income groups in particular. Although, the number of smaller sized plots developed by LDA may be higher than the ones developed by LIT, affordability of these plots weren't ensured in terms of price. Moreover, LDA's evolution in its early years as an institution as well as the kinds of projects it undertook was influenced by the World Bank funding in 1980s and the land policies embedded in the political context of the time, including ease of land acquisition that was facilitated by the Punjab Land Acquisition Act 1973 and the mandate issued by the President to restrict sale or disposal of agricultural state land (Lahore Development Authority, 1991). In addition to this, one needs to remember that Pakistan was still considered as an agricultural country in 1970s with a dominant percentage of its economy dependent on that sector and hence, the urban extent of Lahore district wasn't as far as it is now (Zaidi, 2005). LDA's earlier schemes also demonstrate that some of them such as Allama Iqbal Town were being built in close proximity to already established housing colonies that were then incorporated into the LDA housing scheme instead of in the far periphery of the city.

The importance of land acquisition for its operations can be highlighted by the fact that in its nascent years, LDA's main source of revenue was its development work followed by grants from the Provincial government (World Bank, 1980). In this section, I will first

turn towards policies geared towards land acquisition that LDA adopted to facilitate its operations. This shows the ability of LDA to influence policy and legislation due to its political leadership, the Chief Minister of Punjab, rather than a bureaucratic one.

Although LDA was established under Zulfikar Ali Bhutto's Pakistan People's Party (PPP), the PPP government was soon replaced by military dictatorship of General Ziaul Haq. And it was under his administration, that LDA launched most of its housing schemes (Lahore Development Authority, 1991). However, it should be kept in mind that Ziaul Haq's policies didn't completely undo the impetus that Bhutto's populist politics had started. Evidence of this is apparent in the local government system that Ziaul Haq brought in that had adopted some of the main principles of Bhutto's local government reforms of 1972 and 1977 that were never implemented. These steps were taken to contain the mass politics that began in the 1960s and 1970s (Cheema et al, 2001).

Bhutto's party won majority seats in Punjab in the 1970 elections. Bhutto's government and its populist slogan tilted towards public initiative for social and economic development. Its urban policies were guided to fulfill its promise of providing mass housing for the low income groups through public programs and redistribution of land to landless peasants catered to one of its important constituencies (Qadeer, 1997). Statistics shown in development expenditures and allocation for physical planning and housing in the five year plans also show that during the six years of Bhutto's government, expenditures were the highest and exceeded budget allocation for this sector (Qadeer, 1997). Bhutto's populist regime also saw public programs of allotting 3 Marla and 5 Marla plots to the poor and working class people (Qadeer, 1997). Since one of the reasons he got elected to power in 1972 was because of his lobbying to regularize areas of Lyari when he was a cabinet minister under Ayub Khan's military rule, he continued supporting this policy of regularizing Katchi Abadis, especially in Karachi, since that was his political constituency (Gazdar, 2009). It is, however, interesting to note that despite a focus on regularization of informal settlements in Karachi, in Punjab it wasn't until 1978 under Ziaul Haq that an ordinance for regularization of Katchi Abadis came about and it wasn't until 1992 that the Punjab Katchi Abadi Act was passed

to provide a legal framework to regularize katchi abadis in Punjab (personal interview, 2018).

LDA's operations in the early years need to be understood with the backdrop of policy of nationalization, land reforms that redistributed land to the landless and restriction to sell or dispose agricultural state land in 1973. One of the key issues with Land Acquisition Act 1894 was that the compensation mechanism mandated by it did not take into account the increased value of land after development and hence made acquisition under it a difficult task (Lahore Development Authority, 2013). The Punjab Land Acquisition Act of 1973 enabled the Provincial Government to acquire land for housing at one hundredth of the market value (Qadeer, 1997). However, land acquisition under Punjab Land Acquisition Act of 1973 and the complementary exemption policies of LDA was marred with administrative difficulties (Lahore Development Authority, 1991).

The exemption policy, in general, was more advantageous to the landowners than LDA and for this reason maintaining land prices at a low rate became difficult as the plots siphoned off to the open market for middle and upper middle income groups (World Bank, 1980). Although the policy provided a lucrative opportunity for landowners and made acquisition acceptable because the difference between the value of developed land exemptees received and the value of undeveloped land they gave up was high. This, however, also meant that LDA had little land left to auction in the open market or allocate to low income groups (World Bank, 1980).

LDA's housing schemes were not built on state land but were acquired from private landowners. Central government land wasn't to be included in the acquired land of the scheme and transfer of state land ran into delays as the district commissioners weren't able to submit all documents required to the Board of Revenue (Lahore Development Authority, 1991). Moreover, in some LDA schemes the land that was acquired from private landowners was evacuee property that the grantee was selling. LDA documents from the late 1970s note that there was a request to the Board of Revenue and Government of Punjab to let the Authority treat these parcels of land as private land for the purposes of acquisition (Lahore Development Authority, 1991). While the Punjab

Land Acquisition 1973 was in place, the exemption policy of LDA was to give 30% of the acquired land as developed plots to the owner as compensation rather than giving compensation in the form of cash (Lahore Development Authority, 1991). This exemption policy attempted to lower the administrative costs and make land acquisition palatable for the owners. Despite these efforts, land acquisition process was still not barrier-free. Some of the issues with the exemption policy were that even though LDA's Acquisition Collector identified owners from whom land was acquired, the process of granting exempted plot would only start when individual exemptees applied. Moreover, determining the percentage of exemption in the form of developed plots and identifying entitlement for exemption were some of the major problems with the process (Lahore Development Authority, 1991). Although, for its later schemes such as Johar Town, requirement to apply for exemption was scrapped but other issues arose such as owner subdividing his plot that was earmarked for land acquisition and selling them to other private individuals to get more developed plots against the plot acquired by LDA (Lahore Development Authority, 1991). In addition to this, as the exemption policy didn't grant developed plots to those whose acquired plots were less than 10 marlas, there was protest against this in some schemes such as Gujjarpura where most acquired plots were less than 10 Marlas (Lahore Development Authority, 1991).

The disposal of land in LDA schemes has been done in a number of ways according to different policies at different times. In 1980s plots were disposed according to the Martial Law Instruction 35, which had quotas for large and small plots for different groups of people. This policy included an element of discretion for Martial Law Administration to allot 7% large plots and 5% small plots in compassionate and hardship cases. This quota was increased to 10% and the discretionary element was retained in subsequent land disposal policies under political regimes (Qadeer, 1997). While LDA's responsiveness due to political influence can be seen as an advantage if leveraged in the right way, the institution was also used to achieve legitimacy for politicians. These discretion-oriented policies were used to dish out developed plots against political gains (Qadeer, 1997). These discretionary policies, if used well, could've allocated plots to specifically low-income groups. Land disposal policy of 1998 attempted to get rid of the discretionary and group bias and auctioned plots above 10 Marla whereas plots of 10 Marla and below were to be allotted on a criteria. This,

however, meant that 95% of the plots were disposed off through open auction, making it even more difficult for the low-income groups to enter the formal housing market (Qadeer, 1997).

The 5<sup>th</sup> Five Year Development Plan focused on providing housing to the low and middle income groups. As a result of this Federal Government restricted maximum size of housing units in public sector sponsored schemes to be 420 sq meters and 840 sq meters outside government sponsored schemes. This policy prescription is reflected in the projects of LDA between 1980-1999. These schemes had a larger proportion of plots that were 250 sq yards or smaller catering to middle income groups (Qadeer, 1997).

After 1985 it became increasingly difficult for LDA to acquire land and develop it as the Punjab Land Acquisition (Housing) Act was repealed in 1985 and the Land Acquisition Act of 1894 was restored according to which LDA had to pay a rate lower than the market price, which wasn't acceptable to the landowners. In 1997-1998 LDA's new scheme, Jubilee Town was launched. LDA had adopted a unique way of acquiring land for this project. It mortgaged its available assets with a bank against a certificate issued by it. This guaranteed the availability of money which was a legal requirement for the land acquisition process to start. LDA was then able to collect substantial funds by selling residential plots at a fixed price in advance. During the course of acquisition, saleable assets, i.e. public utility, residential and commercial plots remained frozen. This adversely affected revenue collection, budgeting and resource allocation for other developmental activities. This model cannot be relied upon for other development works due to depletion of assets (Qadeer, 1997).

### World Bank's influence

The Lahore Urban Development and Traffic Study undertaken by the World Bank in collaboration with LDA in 1980 is seen as the second comprehensive master plan for Lahore. Subsequent loans and projects were to be undertaken based on this study and recommendations, specifically related to institutions and organizational structure, greatly influenced LDA in its formative years. Strengthening of institutional capacity was focused towards LDA rather than Lahore Municipal Corporation, which was

primarily seen as a body to maintain municipal services rather than as an agency for planning and implementing integrated urban development. LMC was identified along with LDA as the agency to be primarily responsible for project execution but technical assistance for LMC was limited to street maintenance and solid waste management studies as per the areas that come under its purview and jurisdiction (World Bank, 1980). WASA, along with other agencies such as WAPDA and Sui Gas, was also to be involved in components that came under its jurisdiction, i.e. maintenance of water supply, sewerage and drainage. Most of the funding for the project was coming from IDA while the Government of Punjab's grants made up the second major revenue source (World Bank, 1980). LDA was providing funding for land, infrastructure and civil works while LMC was providing funding for the solid waste management equipment and study (World Bank, 1980).

Organisational changes included the formation of TEPU – Transportation and Engineering Planning Unit to be a coordinating unit within LDA for the numerous agencies responsible for transportation and related infrastructure (World Bank, 1980). Moreover, the report emphasized on a holistic policy approach to planning that included targeting economic and social policy and engineering as well. For this reason, the report proposed that land use should be eased in order to accommodate small commercial and manufacturing enterprise within a scheme, a policy of LDA that is being criticized heavily in recent years not only by residents of housing schemes but also the Lahore Metropolitan Corporation (World Bank, 1980). However, World Bank's recommendation highlights that greater regulations and planning may be detrimental for the city. This is demonstrated by what was seen with Delhi Improvement Trust – its monopoly over land ownership contributed to speculation and gave little choice for private developers to build formal housing, leading them to operate in the informal market (Mehra, 2013).

The report aimed to provide a framework for neighborhood upgradation, expanding water and sewerage system and transit schemes. It had chosen a neighborhood in Northern Lahore as the pilot project and selected four other neighborhoods that were later to be incorporated into the project. World Bank's lack of understanding of the local context is highlighted by the unintended consequences its neighborhood upgradation

project had. In Gujjarpura, the Member of Provincial Assembly (MPA) filed a petition to stall the project as there was a lot of resistance from landowners regarding the exemption policy and land acquisition process employed there. World Bank ignored the contextual situation of the neighborhood as most landowners owned plots less than 10 Marlas and they were protesting because the exemption policy in place didn't recognize their entitlement to exempted developed plots. This petition, however, was not resolved as the Chief Minister Punjab responded that the feasibility report of the project had already been undertaken and the loan from World Bank had already been received (Lahore Development Authority, 1991). This case highlights the importance of local knowledge in planning and development and the necessity to involve elected politicians working in the project constituencies along with the technical expertise World Bank consultants and professionals may provide

Till the 1960s UN agencies were funding urban development on a project by project basis but World Bank transformed this relationship and its funding came with policy agenda that was contingent upon its institutional model and advice (Qadeer, 1997). The report stated that one of the hurdles in effective development efforts was the lack of coordination between the separate responsibilities of maintenance and development between institutions. It also noted that the three major reasons for the prevailing situation in the urban sector was weak institutions for revenue collection and operations, lack of cost recovery for services and shortage of trained manpower (World Bank, 1980). Although the current organizational structure of LDA includes a coordination department but it is mainly to coordinate operations of units within the Urban Development Wing. Moreover, despite sharing a board with WASA, there is little coordination between the two where WASA has its own master plan, providing services to both LDA and Lahore Metropolitan Corporation jurisdictions. WASA and the Urban Development Wing, however, do coordinate on major projects that are either funded by international agencies or the provincial government (personal interview, 2019; Lahore Development Authority, 2013). Moreover, in the report of 1980 it was also noted that inter-agency coordination was difficult because LDA had little power over other agencies. Here, I would like to point out that coordination needs to be understood in a nuanced way – there are two levels of coordination, planning and execution level. And not all agencies need to coordinate. Based on my research, currently LMC and LDA

coordinate at the planning level, as they comply to the same master plan, but not at the execution level necessarily. This, however, has resulted in challenges for the two institutions and for residents in areas where they are not sure which institution to reach out to for development works. As a result, residents in these areas approach the person most accessible to them – the locally elected politician or the politically influential. This leads to piecemeal development. WASA, on the other hand, doesn't coordinate with LDA for day-to-day projects as WASA provides services to areas based on applications submitted by individuals or housing societies themselves. Moreover, WASA has its own master plan and provides services in both LMC and LDA controlled areas. The reason why WASA isn't providing services to some areas in Lahore district isn't because it doesn't have the knowledge that those areas exist but it is mostly because of political reasons. The root cause of blurry or overlapping jurisdiction is embedded in the Lahore Development Act itself, where the Authority has been given the power to extend or change its controlled area at any time and for any reason (*LDA Act 1975*).

The major impediment to efficient and effective working of LDA was attributed to lack of financial resources. Although it had the power to levy betterment fee with the approval of the Government, it hadn't used that power in the early 1980s because it hadn't undertaken projects where this betterment fee would be appropriate, i.e. upgrading areas (World Bank, 1980). Hence, in the 1980/1981 out of its total development budget (US\$25 million), its predominant source of revenue was from sale of developed plots (US\$18 million) and from federal loans and grants (US\$2.5 million). LDA is also expected to operate as a commercial entity (World Bank, 1980). On the other hand, LMC's revenue is predominantly made up of the property taxes levied by the Provincial Government, of which 40% is transferred to it (World Bank, 1980). As deficiencies in property tax collection were identified in recent years, there have been effective reforms implemented to improve the collection system by providing incentives to collection officers who would otherwise dabble in corruption (personal interview, 2019).

*LDA in the real estate era: collaboration with real estate developers and politics of extending jurisdiction*

In terms of jurisdiction, in 1980s and 1990s Lahore Metropolitan Area fell within the jurisdiction of City District Government/LDA and Cantonment. It extended beyond the area controlled by the City District Government and Cantonment Boards. Dual control over some areas and lack of institutional framework and technical knowledge in some organizations created legal problems and caused haphazard development in the suburbs of the city (The Urban Unit, 2004).

LDA already had building control in its controlled area. However, as the real estate boom took momentum and reached its peak in the early 2000s, a model of gated communities or what are locally known as housing societies came about. These were built by private developers and housing cooperative societies were built by public sector agencies. In a poor economic milieu, construction business was on the rise and the safest investment for people was to invest in plots. In response to this and a rising incidence of illegal and unapproved housing schemes, LDA drafted its Private Housing Scheme Rules in early 2000s. This was to ensure that LDA and Town Municipal Administration remain the only competent authorities that had control over private housing scheme approvals.

However, in 2013, LDA's jurisdiction was extended through the Provincial Government, amending the LDA Act of 1975. The jurisdiction was extended to all of Lahore district and to districts of Sheikhpura, Nankana and Kasur, which now makes up the Lahore Division (Lahore Development Act 1975 Amendment 2013). LDA's justifications for this decision was that due to the heavy interdependence of Lahore and the surrounding districts, it made sense for LDA to act as a regional agency, coordinating development in all four districts, mainly development of private housing schemes (The Urban Unit, 2009). Moreover, Town Municipal Administrations that are a tier of the Lahore Metropolitan Corporation were seen as incompetent and inefficient in approving buildings and housing scheme plans. It was noted that TMA had approved a lot of buildings and housing schemes that didn't satisfy the standards. However, there was backlash on this and critics argued that LDA lacked the capacity to undertake more operations that it already had and a lot of the development in its existing schemes, such as Johar Town, were still pending (Hasnain, 2013). It is important to understand that LDA's jurisdiction in Lahore district doesn't include building control in controlled areas

of TMA, these are usually in the old built up neighborhoods and areas. When asked why these areas haven't been handed over to LDA as well, LDA town planners noted that the institution doesn't have the capacity to undertake this additional responsibility (personal interview, 2018). This highlights the selective nature of responsibilities that LDA undertook – profitable revenue generating sources were taken up while the rest were left with the TMAs. It also highlights the relationship of negotiations between the local government and LDA, where the latter hasn't made the former completely redundant and irrelevant. The fact that LDA's jurisdiction was extended to the Lahore Division to cater to specific projects regardless of the institution's capacity is apparent in the logistical challenges LDA is facing. LDA employee noted that there are plans to retract the jurisdiction because it is becoming increasingly difficult for field officers, residents and developers in Kasur, Sheikhpura and Nankana to coordinate with the headquarters in Lahore for approvals (personal interview, 2019). Moreover, LDA's jurisdiction also excludes Cantonment Area and Defence Housing Authority.

Another consequence of LDA's extension of jurisdiction has been that it has taken control of commercialization in Lahore district. Commercialization was previously under the TMA and had been a primary source of revenue (personal interview, 2018). This revenue source now makes up most of LDA's income. The ease of land use conversion has not only empowered LDA as an institution while weakening TMAs but it has also attracted protests from residents of middle or upper income groups living in residential areas and their daily lives being disturbed by an increase in traffic that the newly commercialized areas attract ("Protest against unbridled commercial activity", 2016).

LDA has also tried more innovative ways to acquire land in its recent housing scheme of LDA City. This project is an ambitious one with an area of 58,000 kanal, located on the outskirts of Lahore. It is important to note that it was after facing agitation and protests by landowners that LDA responded by providing alternative options to landowners and signing an agreement of terms and conditions. Landowners weren't ready to sell their land according to the rules of the Land Acquisition Act 1894 that gave them a lower value at the District Collector's rate than the market rate. LDA negotiated with landowners and decided to set up a Price Assessment Committee that would assess

market rate value of the land and gave them the option to either get 30% of developed plot as compensation with 50% development fee charged or to get compensation in cash. As landowners weren't eager to be compensated through 30% developed plots in return for their land, LDA decided to hire property dealers or "development partners" who had the capacity to negotiate better with individual landowners and could manipulate the market. Moreover, LDA offered 1% of developed plots in commission to development partners, who were selected through an RFP, if they could convince landowners to choose the option to get developed plots rather than cash compensation at market value (Lahore Development Authority, 2013). LDA has collaborated with big private developers including Paragon City, PAK Group, Urban Developers, who will purchase land and transfer it to LDA. This is a land acquisition model adopted from Defence Housing Authority (Lahore Development Authority, 2013). This project is a classic example of misplaced priorities. In LDA's official documents of the meeting minutes of the discussion that took place when deciding on this project, it was highlighted that Prime Minister Nawaz Sharif identified south of Lahore to locate this project because of the lack of planned development in the area and lack of facilities such as recreational, educational and commercial facilities in the area – there was no mention of the need to build housing for low income groups (Lahore Development Authority, 2013).

In the real estate era when politicians are themselves involved in real estate, policies of land development are influenced by these actors. Based on interviews conducted with bureaucrats who were involved in LDA projects, it has been highlighted that the decision to extend LDA's jurisdiction was based on political reasons rather than purely logistical and administrative ones. In 2012 a Korean funded Riverfront Development Project was to be built in the area that falls in the Sheikhpura district. Chief Minister Punjab Shahbaz Sharif saw this as a lucrative development project and under his direction LDA's jurisdiction was extended to facilitate the land acquisition process for the project (Lahore Development Authority, 2013; personal interview, 2019). Similarly, this is another example of misplaced priorities as in the meeting minutes of the discussion on this project, it was noted that Ravi River has almost completely dried up and the water table level is low so the Chief Minister based on how foreign cities have made use of their riverfronts is to build vast riverfront housing development, which

would be self-contained, with all luxurious facilities within it (Lahore Development Authority, 2013). Moreover, for reasons similar to why jurisdiction was extended to Sheikhupura, the decision to include Kasur district was also influenced by the Railways Minister Khwaja Saad Rafique, a member of national assembly and the then ruling party of PML-N as he owns the Paragon Housing Society and wanted the land acquisition to be facilitated through LDA for expansion of the housing scheme (personal interview, 2019). Moreover, the current Vice Chairman of LDA is a business tycoon in the textile industry (personal interview, 2019). These points highlight the close relationship between land economy, real estate, business and politics.

## Chapter 3: Parallel Structure of Urban Governance: Lahore Metropolitan Corporation and Lahore Development Authority

### LDA's relevance as an institution

Master planning in Pakistan has mostly been spatial, with little regard for complementary economic and social policies. It hasn't been as "scientific" as the first master plan of Greater Lahore boasted it to be. This is because urban growth outpaced planning. In response to this, and to the revenue generation opportunity it provides, LDA has been changing land uses with considerable ease, depending on the growth trends on the ground. There have been cases where LDA "regularized" private housing societies that were built on area classified as agricultural land by changing land use to residential (personal interview, 2018). Similarly, LDA's land use master plan hasn't curtailed growth of housing societies on the periphery of the Lahore district that are subsuming agricultural land with now little green area left. This "flexibility" begs the question of what the merits of centralized spatial master planning are. Land use master planning can be vital in securing agricultural land, if land use conversion for this specific category can be more restrictive. However, it can be argued that higher levels of "planned development" in Lahore district as compared to Delhi is because of flexibility in land use conversion (personal interview, 2018). The more regulations one imposes, the more "informality" crops up. This argument is on the premise that people make up a city and they will settle wherever there are economic opportunities for them. This is apparent in the pattern of densification of urban villages within housing societies. Moreover, residential settlements have also been established by subdivision of agricultural land by private landowners (Hasan, 2017). What LDA is really doing is giving these settlements approval by ease of land use conversion, rather than adopting a punitive approach. By tweaking its standards and regulations, LDA is legalizing what otherwise would've been illegal. As a result the number of "approved" and "planned development", especially housing, has increased. Moreover, although LDA has demolished commercial plazas that do not conform with its land use master plan along Canal Road, people rebuild it until LDA officials are bribed not to demolish their buildings (personal interview, 2019).

On the other hand, Lahore Metropolitan Corporation also has a jurisdiction in spatial planning, and according to the Punjab Local Government Act 2013, LMC can devolve this power to the Union Council level, which is the lowest tier of local government (Punjab Local Government Act 2013). In terms of the LDA brand of master planning, this task can be done by the LMC, which to some extent it was doing before LDA extended its jurisdiction in 2013. LMC had the power to approve private housing societies and buildings. However, LMC was seen as inefficient and ineffective, and Chairmen at the Union Council level were seen as incompetent and lacking technical expertise to undertake spatial planning of their areas. Moreover, another power that LDA has but LMC doesn't is the task of land development, which LDA uses to build housing societies. Although LDA has increased the supply of housing but it has done so for the upper middle and upper income groups. Despite ensuring that every housing society should have a 20% quota of plots for low income groups, this standard depends on the size of the plot, rather than its price (LDA Private Housing Scheme Rules 2014). In a speculative market like Lahore's, developed plots in housing societies are not affordable for the low income, even if they are of a smaller size as stipulated by LDA's private housing scheme rules. Moreover, in some private housing societies, this loophole in the regulations is being manipulated, for example, in Bahria Town, 5 marla plots are sold at a higher price per marla than a 1 kanal plot, hence LDA's standards having little effect on Bahria Town's profit margin (personal interview, 2019). Despite this, it cannot be denied that LDA's jurisdiction in land development can be leveraged to cross-subsidize housing and even its housing societies can turn into pilot projects for rental housing schemes for low income groups.

Recent criticism against LDA claims that being an institution of the provincial government, it is usurping power of the local government and although spatial planning at the local level would be a better option, in this chapter I argue LDA's relevance for Lahore district as an institution by highlighting the challenges that local governments have faced historically. Planning cannot be relied upon on the LMC as Pakistan has gone through periods where local government elections didn't occur. Moreover, it should also be noted that the recent debates on the inter-governmental power as a result of LDA's increasing powers stem from the fact that LDA's existence has produced a parallel structure of urban governance where there are overlapping jurisdiction between LDA

and Lahore Metropolitan Corporation. However, this parallel structure isn't a new one. It was established when the British created Lahore Improvement Trust in 1936. The rationale behind LIT's creation was that development and planning will be efficient if its outside the purview of politics. Moreover, the British didn't want to give power to the local representatives, who were increasingly dominating Lahore Municipal Council to undertake capital development works (Mehra, 2013).

LDA being an institution established by the Provincial Government, has throughout its history been headed by senior civil servants/bureaucrats, who have either reported to the Punjab Chief Minister, Governor of Punjab or Lahore district's Mayor, depending on the local government system in place. These elected politicians have chaired LDA and have had a significant influence on its operations. It is housed under the Housing and Physical Planning Department. LDA's board that is headed by the Director-General LDA, a senior civil servant was shared by LDA's agencies, WASA and later TEPA. WASA's managing director has usually been a technocrat or a professional. LDA was envisioned to be a comprehensive metropolitan planning authority that would also coordinate with its agencies and Lahore Municipal Corporation for implementing the Metropolitan Development Plan (Lahore Development Authority Act 1975). Moreover, although LDA has the option of getting funding from the Provincial Government, it doesn't make up a major proportion of its revenues because there are limitations and accountability criteria imposed by the Planning and Development Board at the Provincial level (LDA Act 1975; personal interview, 2019).

Pakistan has had a tumultuous political and governance system. With most of its history marred by military dictatorships, it has experienced few democratic regimes that have successfully completed their 5 year tenure until recently, although the current government of Imran Khan's party Pakistan Tehreek-i-Insaf has increasingly been seen as a military backed one. With a strong military-bureaucracy nexus, democratic institutions such as the local governments with little financial or administrative powers have not flourished. These power dynamics are also evident in urban planning and development works at the district level. As already mentioned, the military is a key player in the land economy and real estate whereas the bureaucrats are in authority at the district levels and influenced by politicians at the provincial levels. Lack of

empowerment of local governments is also evident by the fact that before LDA was established officially, Lahore Water and Sewerage Authority was established in February 1975 that was to be headed by the Mayor and it was to be operational in the jurisdiction of the Lahore Municipal Corporation (Lahore Water and Sewerage Authority Act 1975). The impetus for this Authority's establishment was the World Bank funded Lahore Water, Sewerage and Drainage Project that started when LIT was in place. Its members included elected representatives of the People's Municipal Committee under the Local Government Ordinance of 1972 which was introduced by Zulfiqar Ali Bhutto, members of Provincial Assembly, Secretaries of Public Health and Engineering Department, Finance Department and Secretary of Local Government (Lahore Water and Sewerage Authority Act 1975). And in the interim period while a Mayor isn't elected for the Municipal Corporation under the Local Government Ordinance 1975, the Minister of Local Government and Social Work Department at the provincial level would act as Chairman of the Authority (Lahore Water and Sewerage Authority Act 1975). However, Lahore Water and Sewerage Authority was disbanded when LDA Act 1975 was introduced a few months later in the same year and WASA, which was previously under Lahore Improvement Trust came under LDA that would be governed by the same board as LDA's. This can be seen as not only an attempt to improve coordination by having multiple agencies under one authority but also LDA being a continuation of LIT. Even though LDA and WASA do coordinate on major projects that are usually funded by international agencies, there is little coordination between the two on a regular basis. If one looks through the meeting proceedings headed by LDA about its projects, only relevant departments are present. WASA is present whenever the meeting agenda includes a project or concern directly related to water and sanitation, rather than being present even if discussions are underway about land acquisition or development of LDA's housing societies (Lahore Development Authority, 2013).

Even though the current organizational structure of LDA includes a coordination wing, it is mostly for inter-department or inter-wing coordination within LDA rather than with its agencies (personal interview, 2019). And WASA is operating independently for all intents and purposes, with its own master plan and providing services both in Lahore Metropolitan Corporation controlled areas and LDA controlled areas, however,

there are still places where it isn't providing services. Rather than seeing it as a consequence of lack of coordination between WASA and LDA, one needs to understand it as a political and a cost recovery issue.

With increased judicial activism, extension of LDA's jurisdiction and the clash that arises with overlapping jurisdiction with the local government reforms in recent years, LDA has been attacked with criticism. The National Accountability Bureau cases that have been rounding and cracking down on senior civil servants have also put LDA in close scrutiny under the current PTI government. It is a known fact that Director-General of LDA is a coveted position for bureaucrats and these postings are influenced by politicians. Chief Minister Punjab Shahbaz Sharif under the former government have had close relations with bureaucrats and he has exerted his influence to post his "favorites" as the Director General of LDA. This, however, is not to say that these bureaucrats weren't the most competent. Shahbaz Sharif chose young and competent civil servants to lucrative posts in the government including LDA and the public corporations that were established under him to provide basic service delivery, such as water, solid waste management as well as affordable housing (personal interview, 2019). As the military cracked down on Nawaz Sharif's government, as it had done in the 1990s, a lot of his close associates in the bureaucracy were rounded up, put on trial, and in some cases jailed, under charges of corruption.

LDA City, LDA's most recent housing project as mentioned in the previous chapter has been charged in a corruption case by the Supreme Court as a lot of the people who bought files in LDA City have still not received their plots. Part of the reason is that the land acquired by development partners is scattered and hence, Supreme Court has asked LDA to acquire more land in a limited amount of period or else the scheme will not be allowed to be completed ("LDA City scam", 2019; "LDA City case", 2018). Moreover, Director General of LDA has also commented that LDA's development partners acquired c-category land ("LDA City case", 2018). Moreover, LDA has come under attack especially after the extension of its jurisdiction. These arguments are usually based on the premise that LDA is overstepping its mandate and taking away key revenue sources and mandate of the local government, further weakening it. However, while discussing LDA's current role, it needs to be taken into account that Municipal

Corporations were historically seen as responsible for maintenance work rather than development or urban planning, even if the most recent local government reforms give some of these responsibilities to the Metropolitan Corporation of Lahore. Moreover, historically the federal and provincial level of government has been so strong that local government systems haven't been allowed to work or flourish for long. This is also apparent in the fact that despite Local Government reforms of 2001 that gave unprecedented power to local governments, LDA was able to avoid working under the city district government and remained a subject of the provincial government. This was done through the enactment of LDA Ordinance of 2002. For these reasons members of Provincial Assembly have taken up the responsibility of service delivery through their development funds. On the other hand, based on interviews conducted with Assistant and District Commissioners, they believe that locally elected politicians have skewed development priorities and it is dependent on providing services to areas within their constituencies or where influential people live (personal interview, 2018). However, we see that these services do extend to all residents in the vicinity gradually.

Local governments, however, have little power or financial resources to function and become a key institution that are able to contribute to development efforts. Local government reforms in 2001 under General Pervaiz Musharraf was the only system out of all that empowered local governments (Cheema et al, 2001). However, this wasn't given enough time to give desirable results (personal interview, 2018).

In recent years, the debate spurred by the petition registered in the Lahore High Court against an infrastructure project of signal free corridor that LDA undertook highlights some key points on the operation of LDA as an institution. The petitioners highlighted the unconstitutionality of LDA's role as the initiator of an urban development project such as the signal free corridor pointing to Article 140A of the Constitution that did not permit sharing of power between the Provincial and Local Governments. The Lahore High Court upheld petitioners' argument that the Provincial Government had usurped powers of the Local Government through LDA. This argument, however, was later contested by the Supreme Court that overruled Lahore High Court's ruling against LDA, opining that the "law abhors a vacuum" pointing to the vacuum that was left due to the local government elections not being held. However, a petitioner highlighted that an

executive authority cannot carry out functions of another authority just because there is a vacuum (Siddiqui, 2017). On the other hand, the Supreme Court, taking a pragmatic approach rather than going by the literal letter of the law also noted that clearly outlining duties and functions for both Provincial and Local Government will freeze growth and slow down progress (Siddiqui, 2017).

Lahore High Court also struck down some provisions of the LDA Act as it noted that the Metropolitan Corporation under the Punjab Local Government Act 2013 and LDA have overlapping functions, and Article 46 of the LDA Act gives overriding effect to the Local Government Authority under PLGA 2013. Since this can potentially disrupt the Local Government Authority, the LHC struck down some sections of the LDA Act in light of the fundamental rights enshrined in the Constitution and Article 140A (Siddiqui, 2017).

These arguments highlight the issues and tensions related to a parallel structure of governance that was created by empowering local governments to undertake development work while development authorities were already established whose scope of work was similar to metropolitan corporations. This isn't a new phenomenon, This parallel structure has been in existence since LIT's establishment and LDA in this way is a mere continuation of the British legacy. Development authorities' unelected and technocratic characteristic was seen as its strength. It was believed that development work needs to be centralized and free of political pressures – characteristics that a Municipal or Metropolitan Corporation at the local level may be plagued with (Sanyal & Tiwari, 1991).

Pakistan is a federal country with the federal and provincial levels of governments having the power in all policy domains. Local governments have hardly thrived and the constitution of Pakistan didn't even recognize the local government level of the state until 2001 (Gilani, 2019). Throughout the country's history, local governments have been "empowered" under non-representative political regimes. This is counter-intuitive to the idea of empowering the people and fostering democratic values. These reforms were complementary to wider constitutional changes that aimed to centralize power in the hands of the non-representative regime (Cheema et al, 2001). Despite an absence of legislative framework to acknowledge the third tier of governance at the local level in

the constitution for most of Pakistan's history, local governments aren't an alien concept. Under the British after the annexation of Sindh and Punjab, they put in place formal local government institutions. These structures weren't built up on existing village panchayats but were established from scratch (Cheema et al, 2001). The local governments weren't truly empowered and the objective to put in place this system was to co-opt the local elite by establishing representative local governments (Cheema et al, 2001). These local governments were made in a top-down manner, they had circumscribed powers and functions and they were not locally elected but were nominated by the British bureaucracy (Cheema et al, 2001). The District Commissioner, a senior official of the bureaucracy became a principal actor at the local level.

Under the non-representative state structure, the substantive power lay at the central and provincial levels. Hence, in the subcontinent before and during independence movement the main political demands of national political parties became greater representation at the provincial and central levels of government, taking away focus from representative governance at the local levels (Cheema et al, 2001). As the political emphasis of Indian political parties under the British shifted to autonomy at the provincial assembly, local governments became less relevant as means of representation and local governments became dormant in areas that later constituted what is now Pakistan (Cheema et al, 2001).

Another important feature of the British system of local governments was the rural-urban divide. Local councils in urban areas were established to provide necessary municipal services whereas local councils in rural areas were established to co-opt the local elite by providing them limited representation and hence circumscribing their capacity to provide municipal services even further. The local elites in rural areas were co-opted by the bureaucracy through land settlement policy and granting land in canal colonies. This protection of landowning class from political and economic dominance of the urban elite became a colonial policy and restricted politics away from the urban middle classes (Cheema et al, 2001). And from the very beginning there was a contradiction between local self-governing institutions and the imperialist local level bureaucratic control (Cheema et al, 2001).

At the provincial levels, there was little focus on strengthening local governments in the newly formed Pakistan. The limited local governments that did exist were controlled and superseded by the central bureaucracy by not holding elections and where elections were held, by limited 'franchise' and massive malpractices (Cheema et al, 2001). In the 1950s weakening of local governments coincided with more centralization and a center increasingly dominated by civil and armed bureaucracy (Cheema et al, 2001).

Local government reforms took place for the first time in Pakistan under the 1958 Martial Law. National and provincial assemblies were disbanded. In absence of elected governments at the provincial and central levels, General Ayub Khan decided to revive local governments under the Municipal Administration Ordinance 1960 (Cheema et al, 2001). This comprised of a hierarchical system of four linked tiers. The lowest tier was that of the union council that was elected based on adult franchise, and the union council members elected a chairman amongst themselves. The higher tiers of local government were either indirectly elected by these directly elected members or officials nominated as Chairmen by the Government. Under Ayub's regime the local government system was controlled by the bureaucracy as they were the controlling authorities vested in the DC, Commissioner or Government at different tiers (Cheema et al, 2001). The controlling authority could quash, reject or curtail proposals or orders of the local body and even though the local government was responsible for development functions especially at the lower tier, it wasn't able to carry out these functions due to limited fiscal capacity (Cheema et al, 2001). It is argued that Ayub's local government system was a means to legitimize his unitary Presidential Constitution of 1962 which gave effective state power to the armed forces through the office of the President. The constitution linked the office of President to the newly elected local bodies and the 80,000 Basic Democrats were to act as the Electoral College and elect the President and the national and provincial assemblies. This is what is known as Ayub's "controlled democracy" which was a mixture of bureaucrats and politicians (Cheema et al, 2001). In this system, the bureaucracy was supposed to guide the politicians while restricting their corrosive influence. This partly bureaucratic and partly political system was to distribute resources and win a mandate for Ayub's regime and build a constituency for military regime (Cheema et al, 2001). There was also a legislative divide between the

rural and urban where the Municipal Administration Ordinance of 1960 was to govern the urban areas and Basic Democracy 1959 was to govern the rural areas (Cheema et al, 2001). More development funds were directed towards the rural areas as this was the main support base for Ayub. Rural local elites who made up most of the local government were associated with development programs at the local level (Cheema et al, 2001).

After the nascent period of local governments under Zulfikar Ali Bhutto, which was the first ever democratic regime in Pakistan, local governments were revived under Zia ul Haq, another military dictator in a series of non-representative regimes that Pakistan's history is filled with (Cheema et al, 2001). The Local Government Ordinance of 1979 was similar to the Basic Democracies System and the Municipal Administration Ordinance of 1959 and 1960 – revival of local governments was complemented with greater centralization at the federal level and no administrative or fiscal functions were decentralized at the local level. Local governments as a means of political legitimacy as demonstrated in Ayub and Zia's regimes wasn't translated into substantive empowerment (Cheema et al, 2001).

Local governments are established at the whim of the provinces. As the recent Punjab Local Government Act 2019 comes in replacing the 2013 under which elections were held in 2015 where the PML-N made up the tier of government, this further highlights the whim of the provincial government (Gilani, 2019). After 2001 amendment in the constitution and further strengthening of local governments through Article 140A in 2010, PLGA 2019 are technically unconstitutional as the province has disbanded the previous local government without letting it complete its term. This is because under Article 140A provincial governments are no longer allowed to suspend local governments at their whim as this third tier of government is recognized (Gilani, 2019).

There were still some differences in Zia's Local Government Ordinance as he had adopted some populist measures from Bhutto's unimplemented Local Government Ordinance of 1972 and 1975; representation of bureaucracy was abolished in the local governments and the chairmen and members were elected based on adult franchise at all tiers. This was in lieu of the political atmosphere of mass politics of the 1960s and

1970s. however the representative-ness of these local governments remained weak as the local government elections were carried out on non-party basis (Cheema et al, 2001). This limited mass-based political parties that had emerged in the 1970 federal and provincial elections as important players to have a substantial role at the local level. This led to the localization and personalization of politics at the local level (Cheema et al, 2001). The continuation of the urban-rural divide also meant that urban councils didn't have to share their increased revenues, that came from socio-demographic changes in the 1980s and continued in the 1990s, with the rural councils (Cheema et al, 2001). Although it meant that the urban middle class that had made a large chunk of the anti-Bhutto movement, was accommodated under this system, it also meant that the rural councils had to depend on the provincial tier of government for service delivery. Moreover, due to the revenue concentrated in federal and provincial level, provincial politicians became key actors in service delivery (Cheema et al, 2001).

When Zia's military regime came to an end in 1985 and elected governments were revived, there was a localization of politics. Local body politics dominated the revived assemblies. The non-party nature of 1985 assemblies also personalized patronage as elected government ministers began to use development funds to increase chances of reelection. And due to the non-party basis, party organization was weak (Cheema et al, 2001). Moreover, the non party nature of politics meant that there was an absence of political linkages between different tiers of government which created tensions between provincial and local politicians with the local tier seen as a competitor for patronage. Discretionary special development programs became widespread at the higher tiers and became effective mechanism for federal and provincial politicians to obtain unaudited control over local level development allocations (Cheema et al, 2001).

Local bodies were suspended between 1993-1998. It was under General Pervez Musharraf in 2001 that the most progressive and empowering local government reforms came about. It devolved administrative and expenditure responsibilities to local governments. Although it did remove the distinction between rural and urban in Lahore, the reforms had come rapidly and under military rule when no federal or provincial governments were present (Cheema et al, 2001). However, there was a reduction in bureaucratic power with the abolition of the office of district commissioner

and the mayor being on top of the district coordinator (Cheema et al, 2001). Moreover, public services that were previously under the purview of district administration was transferred to the local governments. Political linkages between different tiers of government were fostered by ensuring that two third majority in Tehsil and district councils were elected politicians (Cheema et al, 2001). Moreover, several of the services that were previously the domain of urban and rural councils now came under the district administration, for example, water supply, sewerage, street lights (Cheema et al, 2001).

However, this system didn't stay for long. One of the biggest weakness of local governments in the past have been that provincial governments can suspend them at any time, however, this has been rectified with amendments in the constitution in recent years but based on the recent development under the PTI government, it seems like the changes in 2010 to strength local governments, haven't had much effect on new governments bringing in their own local government reforms (Gilani, 2019). Moreover, because these local government reforms came about under non-representative regimes, there is no political ownership by the provincial government (Cheema et al, 2001). However, the blame of weak or non-existent local governments cannot entirely be put on non-representative governments designing these systems to strengthen their own legitimacy. Local governments have been weak in other countries as well, for example in India despite having strong democratic regimes. Since the British era capital development works and planning was given to the bureaucratic/technocratic institutions. This is due to the prevalent concept of planning as being effectively outside of politics. Moreover, as planning is seen as a continuous process that shouldn't be effected by the changing governments, it was deemed best to operate outside political institutions. It can be argued that the concept of master planning purported is a centralized one and too big for local governments to handle, that are by nature decentralized institutions. As highlighted in this chapter, local governments have always been weak throughout Pakistan's history and existence of existence of development authorities, creating a parallel governance structure, is a continuation of the legacy of its predecessor, the LIT. to simply say that these institutions are a colonial legacy would be simplistic – it is more to do with maintaining power of the ruling elite, whether it is the British Raj or democratically elected government where the bureaucratic-military

nexus is strong. When the locally elected politicians are seen as competitors of elected politicians at the provincial level or bureaucracy, empowering the local governments to undertake development work wouldn't be possible. However, it would be more possible when the political linkages between provincial and local levels are stronger and a democratically elected government has a sense of ownership for the local government reforms. Moreover, building capacity of locally elected politicians is also important to make these institutions work effectively.

Moreover, it is important to note that the local government reforms, including the Punjab Local Government Act 2013 isn't implemented in Cantonment areas, neither were the reforms before it. This highlights the divide in city governance due to the superiority and influence of military in every policy sphere in Pakistan. The elections under the PLGA 2013 were held in 2015 and some candidates running for local government elections mentioned that there was interference of the military personnels in deciding who will get the party ticket to run in the elections (personal interview, 2019). With Lahore district having a Metropolitan Corporation and the only district in Punjab that was declared completely urban, a lot of the functions of Metropolitan Corporation are overlapping with LDA. These include site development, right to acquire and hold property, exercise control over land use and land subdivision and to approve and develop mass transit system (Punjab Local Government Act 2013). Moreover, LDA's extended jurisdiction not only at the regional level but also in the domain of commercialization has greatly hurt the revenue of Metropolitan Corporation of Lahore. The MCL only has building control in specific zones, road maintenance and street lighting under their domain and as MCL areas are mostly already built up, revenue from approval of new buildings is scarce (personal interview, 2018).

Hence, in absence of strong and continuous local governments and an agency at the metropolitan level responsible for land development with elected politicians leading it, LDA still has relevance in Lahore district's urban governance. Its powers can be leveraged in a positive way to cater to the low income groups, which right now it is failing to do so. It is not that there haven't been efforts by previous and current governments to provide affordable housing but LDA hasn't been seen as the driving institution to design or implement these projects.

## Chapter 4 LDA's attempts and failures to cater to low income population

Increase in private housing schemes approved by LDA is a testament of the ease of land use conversion. A requirement for approval of housing schemes is that the developer needs to submit a land use conversion fee, which isn't high. This has led to agricultural land on the periphery of Lahore to be subsumed by housing schemes, not only private but also housing cooperative societies. LDA approves housing schemes based on the land use master plan they have. The Metropolitan Corporation also complies with this master plan. However, in recent years there have been cases where LDA "regularized" or changed the land use after the housing scheme had started developing on agricultural land. Town planners of LDA say that this is done when they see a trend on the ground of housing schemes being built in specific areas and based on the high demand, they later make changes to their master plan accordingly. This "regularization" of housing schemes is done in exchange of a fee (personal interview, 2019). Critics say that LDA is opportunistic and without complying with any "comprehensive" master plan in letter, it has found new ways of raising its revenue. However, the flipside of this argument is that LDA is being a pragmatic and a flexible organization.

These housing schemes are providing housing to the upper middle and upper income groups. This is, however, not to say that LDA hasn't worked to regularize katchi abadis or informal settlements. LDA has a separate department for Katchi Abadis and the role of the department is to survey and regularize the settlements, and then to provide services to them. Moreover, although there is a department of engineering specifically to provide basic utilities to the informal settlements once they are regularized, most of the development work in those areas are not carried by this department but by Member Provincial Assemblies and Assistant Commissioners in the area – a pragmatic approach in absence of strong local governments. MPAs using their development fund to carry out development work has been seen as perpetuating clientelism by political science scholars. An argument can be made, however, that elected politicians are merely responding to their constituencies – the way democracy is supposed to work, however this becomes problematic when relative development becomes integral to the way people vote. This is to say that people vote or at least are perceived to vote by

politicians, based on the relative rather than absolute development their area gets. Recent research, however, has highlighted that development work isn't the main factor based on which people vote. Rather political connections of candidates are a more important factor.

LDA's first efforts to regularize katchi abadis on public land in Lahore was in 1977. It was a project funded by an international agency and LDA worked in collaboration with the Lahore Municipal Corporation (Qadeer, 1997). Such efforts to regularize katchi abadis continue till now, although there are hurdles in the process that are beyond the scope of LDA's work.

Despite the encroachment drive undertaken by the current Prime Minister Imran Khan's government where shops that had been illegally erected were demolished. Few katchi abadis have faced the same fate in Lahore. This is due to a combination of civil society efforts after the Capital Development Authority evicted residents of the I-11 katchi abadi in Islamabad and PML-N's pro-poor disposition in terms of their schemes of katchi abadi regularization, that is more progressive than the one in Sindh or Islamabad (personal interview, 2018). Punjab Directorate of Katchi Abadi sees Punjab's katchi abadi regularization policy more progressive than the ones in other provinces because the latest updated cut off date is 2011 as opposed to 1997 in Sindh and Islamabad. The cut off date means that informal settlements on public land that have been in existence before this date will be notified as katchi abadis and hence, will be eligible for regularization and urban infrastructure provision (personal interview, 2018). The more recent the cut off date, more informal settlements can be recognized and notified as katchi abadis.

Despite the Punjab katchi abadi regularization program in place, there are still major hurdles in implementing the program. And a lot of the times the steps required to be completed before LDA can regularized and upgrade an informal settlement aren't completed. One of the major barriers is that the regularization process in a number of the katchi abadis that have been surveyed and notified for regularization has been stalled because of unwillingness of the public agency or private company who owns the land to give a no-objection certificate to continue the transferring process to LDA

(personal interview, 2018). One of the unresolved cases is the katchi abadi behind Forman Christian College (FC College) near Kalma Chowk. The land is owned by FC College and they refuse to transfer the land to LDA to regularize it. Residents also claim that FC College sold part of the land to a businessman so the transfer of land is more complicated with an additional party as the stakeholder. Services in the area, however, have been provided by the area's MPA and MNA (personal interview, 2018). Another similar case is the katchi abadi on Pakistan Railways land. Similar to the FC College case, Pakistan Railways has refused to transfer land to LDA even though the Punjab Directorate Katchi Abadi has tried to reason with Pakistan Railways that considering the katchi abadi on their land is an old one, it is obvious that they are not going to leave the land so might as well provide property rights to them. Moreover, additional complexities are added to the scenario as tracts of land adjacent to each other and occupied by katchi abadi residents are owned by different public agencies and departments. This mix of land ownership makes it difficult to bifurcate the land. Moreover, convincing each party to transfer ownership of land becomes more difficult. Another reason for the public departments to not transfer land to the government is that government has a fixed rate of transferring land – this is currently Rs. 22,000 per acre which the Pakistan Railways refused to pay. They insisted that they will pay a lower rate. Another example of this instance is that Auqaf insisted that it will pay a rate of PKR 900 per acre for transferring land. In the case of Pakistan Railway, the land was federally owned. They had transferred the land based on the 1985 regularization scheme where the cut off date was 1985 which meant that houses that were existent since 1985 will be regularized. However, this cut off date has been changed to 2011 in the most recent regularization scheme but the recent one has been passed by the Provincial government so Pakistan Railways denied the applicability of this scheme to them. Pakistan Railway agreed to regularize the katchi abadi themselves under Khawaja Saad Rafique but before this could go into the implementation process, the government changed (personal interview, 2018).

A key characteristic of most major housing schemes is that within them or in close proximity to them are urban villages, walled out from the housing schemes around it. These usually comprise of the homestead area and some of the agricultural land that were not sold to housing schemes. These urban villages aren't only within housing

schemes of LDA such as Johar Town which has Samsani Village within it but also within Defence Housing Authority where the scheme is built on agricultural land of Charrar Pind and public cooperative housing societies such as Wapda Town within which Sattu Katla is located. They are the islands of underdevelopment in a sea of clean and well organized gated housing societies. Although the economic linkage of the urban village with the housing schemes are integral as most of the migrants from other rural areas near Lahore or urban areas elsewhere in Lahore work as domestic workers or construction workers in the housing schemes, these urban villages are still marred with problems of poor urban infrastructure delivery. This is not to say, however, that the urban villages don't take advantage of services available in the housing schemes, case in point the water filtration plant that is located in Wapda Town and used by residents of Sattu Katla village as well (personal interview, 2018).

#### *Urban Villages: Unrecognised Informal Settlements*

In terms of informal settlements, Lahore's case is different from Karachi's that has been extensively studied. As Arif Hasan (2017) notes, Lahore has a lower proportion of land that is publicly owned than Karachi. Conditions of urban villages are worse than settlements that are officially recognized as "katchi abadi" – an informal settlement. These katchi abadis are defined as illegal settlements on public or company/society land and programs for their regularization, which provides titles to residents of settlements with more than 40 units of houses, and upgradation, have been in place (Punjab Katchi Abadi Act 1992). Urban villages, by virtue of their nature, however, are not considered as informal settlements in official documents as they are on either shamlaat land of the village, that is common property of the village dwellers, or are privately owned by individual landowners. Housing units may be built on the shamlaat land. A lot of the times it is either tolerated by the village elites and seen as a common practice or it is demolished by them requesting the Lahore Metropolitan Corporation for facilitation (personal interview, 2018). There is no dedicated department in the government or program to upgrade these urban villages, as there is Punjab Directorate of Katchi Abadi and a separate department in LDA that deals with regularization of katchi abadis. Nor are these spaces the responsibility of private or cooperative housing societies – the most they do is provide urban villages with a right of way that goes

through the housing society (personal interview, 2018). In LDA's official documents, whenever a housing project is undertaken, the village area which is categorized as built up area or homestead area are categorically excluded from land acquisition as demolishing these areas would require LDA to pay extra compensation to village dwellers (Lahore Development Authority, 2013).

#### *Development and service delivery in absence of LDA*

Sattu Katla, the urban village I am focusing on in this section as a case study falls under the controlled area of LDA, residents of this urban village do not get water and sanitation services from WASA. In absence of these institutions, there are other government institutions functional here such as the Punjab Health and Engineering Department, whose development work is based on the development funds of elected Member of Provincial Assembly (MPA) even though PHED's jurisdiction is only supposed to be in areas of Lahore District that aren't considered urban (personal interview, 2018). As Lahore District is now considered completely urban, PHED mostly works in "rural" areas outside the Metropolitan Corporation boundary beyond Thokar Niaz Beg. This can be seen as a consequence of the lack of coordination between LDA and WASA, however WASA being a corporate body collects its own revenue and cost recovery from specific areas combined with political influence are the reasons why some areas may not be as well served as others (personal interview, 2018). WASA isn't providing services in Sattu Katla because they doubt that residents will pay and also because the number of households in the urban village may not be enough to cover the cost. The reason why residents may not pay for services is because of a trust deficit – they do not believe that constant service will be provided to them. Trust deficit is a major reason why cost recovery efforts of agencies may fail. Moreover, service delivery to areas also depend on the political influence of residents living in the area.

#### **How urban villages come about and exist in the way that they do**

Sattu Katla village is couched between three public sector cooperative housing societies: Wapda Town, NFC and Punjab Employees Cooperative Housing Society. Some phases of these housing societies are built on what was previously agricultural land of the Sattu

Katla mauza/estate. Here, I am making a distinction between the agricultural land (khasra) and the abadi-deh which is now part of the urban village. In the case of Sattu Katla, there is no agricultural land left and all of it has been purchased by public and private agencies to develop housing societies. In rural lands of Punjab, the abadi deh/homestead area is usually surrounded with agricultural land. Abadi deh is the homestead land and this part of the village remains as it is while the surrounding agricultural land subsumes in development of housing societies. The development, however, doesn't travel to these urban villages where rental housing construction for low-income groups rises. The transition from agricultural land to urban land also requires the labor skill to change – people who were previously farmers now become drivers and domestic house helpers. A lot of the residents of Sattu Katla village are also janitors at the nearby hospitals and educational institutions. Some residents are the original village dwellers who didn't move out while others, mostly living in rental housing, are migrants from other rural areas or from other parts of Lahore. Rental housing is built by the village elites or smaller landlords. Construction workers are hired on a contract and these workers are the same as the ones who build houses in the formal market. The building plan isn't approved from LDA or Lahore Metropolitan Corporation. Availability of rental units is spread through word of mouth and many families are settled in this village – a family member first shifted to the area and made his/her other relatives aware of the area and opportunities present there. Property dealers, usually residents of the village with strong connections to the village elites, have makeshift offices in the settlement. Renters reach out to these property dealers and after submitting their personal information to the police station of the area, they move in the house. This process of submitting personal identification information to the police station is also prevalent in the formal housing market due to the security situation in the country. Rent is around PKR 5000 – 8000 for a 3 marla house. Electricity and water bill is included in this, depending on the family size (personal interview, 2018).

In order to understand the establishment of housing societies, be it public cooperative housing societies or private housing societies, and the consequent growth of urban villages, one needs to understand the process of land acquisition and the stakeholders involved. In the case of Wapda Town, location was first identified based on the price of

land and the required area of land needed. In order to purchase the land from different landowners, Wapda hired a property dealer who was a resident of Samsani Village. He, Malik Habib Khokhar, was a member of the Khokhar family and had social ties with other villages nearby as well. This relationship was crucial to negotiate the conditions to purchase land in Sattu Katla, Kambha and Sadoqi villages – the three mauza whose area fall under what is now Wapda Town. Malik Habib Khokhar hired an intermediary from the respective villages. He had set up a small office in Samsani village to keep the record. Through the intermediary, individual landowners transferred and sold their landholdings. Malik Habib did “bayana” (agreement) as the third party with the landowners through the intermediary and then transferred land to Wapda. Wapda registered these parcels of land and Malik Habib, the property dealer’s name was included as the witness in the papers. In return the intermediary gets his commission. These parcels of land were the khasra number plots. After purchase of land, there was a survey conducted. Boundary line was drawn and then the topographic survey was conducted (personal interview, 2019).

Based on the interviews I conducted, the abadi deh isn’t purchased along with the agricultural land to make it a part of the housing society because the public sector is wary of demolishing existing housing structures of villagers. Moreover, in order to understand the legal status of the abadi deh and the different types of land existing within, we must look at the historical and cultural status this land had. During pre-British time huge tracts of land would be lying under the sovereignty of the local feudal lords. With their expressed or implied permission, an individual could bring a piece of wasteland under his cultivation by digging a well. The original cultivator of the wasteland and his associates would be constituted the original landowners and the land they cultivated would become their property. Near this cultivated land, they would set up their dwelling in a village that would be collectively owned by them. Around the cultivated land owned by the original founding families of the village, there could be huge tracts of wasteland called the Shamlaat, collectively owned by the village and the founding families of the village could either reclaim the land themselves or let others do it. The cultivators had the right to bring further Shamlaat wasteland under cultivation by digging a well or through other means. However, they couldn’t allow strangers to bring Shamlaat land under cultivation. Herdsmen could also have grazing rights over

the Shamlaat by paying a fee. In the mid-19<sup>th</sup> century, the British started to formally demarcate village area and distinguished between the private property and the Shamlaat. Boundaries of Shamlaat lands were also demarcated. There could be some variation regarding the Shamlaat land but the main structure remained with the Aala Maalkan (primary owners). The unit of agricultural land independently owned is called a khasra. The khasra dars were collectively owners of the village (Malkan Deh). The khasra was private property that was exclusively owned by the khasra-dar. This was the difference between Shamlaat and Khasra or “holding” land – the former was collectively owned and it was not exclusive. Hence, Shamlaat is not an ownerless land but it is fully owned by the Khasra-dars but the ownership is collective and not exclusive in nature (“Opinion on Shamlat Lands”, Ahmed & Qazi).

Shamlaat land includes the wasteland held in common by the Khasra-dar regardless of whether it was brought under cultivation by them, as well as the land allotted for residential purposes of the Khasra-dar which was the Abadi Deh. The Abadi Deh would comprise areas where houses had been constructed and area reserved for community needs, for example, place of worship, graveyard and areas reserved for village expansion or for communal activities. Moreover, partition of Abadi deh covered by houses is hardly ever permitted. Abadi Deh in revenue records is demarcated by the red line (lal lakeer) and Shamlaat can be within the Abadi Deh or outside of it or both. Land Revenue Act doesn't apply to Abadi Deh, which means that land revenue isn't collected from it except in rare cases (“Opinion on Shamlat Lands”, Ahmed & Qazi). This nature of shamlaat also highlight that “occupation” on this land wasn't “illegal” per say but it was a way of life in the villages that the contemporary urban set up doesn't take into account, as occupying a land which isn't registered as yours in land records is labelled as illegal occupation. This practice of “occupying” shamlat land is still present in urban villages and they are mostly acceptable to the village elites. However, in some cases there is conflict on religious lines over this occupation as the occupier may be seen as a “stranger” rather than a cultivator. Now that cultivation, per say, doesn't happen, people occupy shamlat land by tying their animals, for example cows, on the shamlat land marking their territory. In recent years there was a case against demolition of houses constructed by the Christian residents of Sattu Katla village on shamlat land that was demarcated for the settlement's graveyard. A member of the founding family

demolished the houses with the help of LMC and its machinery. However, a non-government organization working for the welfare of Christians in Pakistan, filed a case against this demolition as violating human rights (personal interview, 2018).

The collective and non-exclusive ownership of Shamlaat doesn't, however, mean that it can not be sold or mortgaged. This characteristic further demonstrates that the reason why the homestead areas of former villages aren't purchased along with the agricultural land is not because of its legal status or any additional hurdle in purchasing or acquiring the land but it is because of either the landowners not willing to sell their land, mostly due to contestation in inheritance among the family that owns the land ("Opinion on Shamlat Lands", Ahmed & Qazi). There is also reluctance to demolish existing construction in the urban village in fear of a reaction from the civil society or the additional cost of compensating for demolished structures (personal interview, 2018).

The existing Sattu Katla Village is located in the southwest of Lahore District right next to Wapda Town, NFC and PECHS cooperative housing society. The village is made up of both the Abadi deh area and the khasra number tracts of land that were not sold to the public sector cooperative housing societies. This was because land acquisition at that time was done at below market rate according to the Land Acquisition Act 1894. Moreover, the price the seller gets isn't adjusted for the rise in their land's value once the society will be built. For this reason, there isn't a lot of incentive for landowners to sell their land (personal interview, 2018).

The privately owned agricultural parcels of land are owned by the founding family of this village – the Khokhar family. This family isn't only the founder of this village but also other villages nearby named Samsani that is now subsumed by LDA's earlier housing scheme, Johar Town. The homestead area of Samsani Village has also remained the same as the agricultural land around it became urbanized. While the Khokhar family has bigger, well-maintained houses that are similar to the ones in the cooperative housing societies nearby and private housing schemes elsewhere in the city, there are smaller landowners as well. Some of the small landowning families I interviewed have also rented out portions of their houses or erected extension of their houses on their land to migrants that either come from other cities or nearby villages. The Khokhars

have also constructed additional quarters on the land they own or on the Shamlaat lands. This also allows them to exercise their political influence – Khokhars are the political linkages to the MPAs and other levels of government institutions that provide services. Migrant residents are happier with the relatively higher wages in the city that they earn from domestic work in the nearby housing cooperative societies. They also find the city life easier than their lives in the villages where their work in the fields required more strenuous work. Moreover, proximity to urban services such as transportation, healthcare and entertainment facilities add to their quality of life. However, renters always have the fear of being evicted by their landlords arbitrarily and the rent increase can come at any time at the discretion of the landlord (personal interview, 2018).

Power dynamics between the landowning family and other tenants of the village isn't a new development. When the British surveyed villages in Punjab, they noted that villages, especially in central Punjab, where Lahore is located, already have robust land and social administration. There were variances in the village arrangement and its administration in the pre-British era. The British brought in the concept of individual property rights as they documented land ownership. The process of identifying true possessors of land was political in itself – influential castes were registered as land owners while the tenants and non-agricultural castes were further marginalized. Although after partition, there was an opportunity for the poor to dip their toes in the land market as refugees who were allocated land by the government, sold their land to locals (Gazdar, 2009). Based on the narrative of members of the Khokhar family, their ancestors had been the original owners of the village, there are smaller landowners present who may have bought their plots from refugees.

### Political linkages and service delivery in absence of LDA and WASA

MPAs and civil servants that are posted as Assistant Commissioners or District Commissioners are seen as key actors influencing service delivery, especially in underserved areas. Informal settlements and urban villages are seen as opportunities for politicians to establish their “vote banks”. Moreover, weak local government system makes it difficult for residents to rely on local government elected officials alone but

these elected officials do become the liaison between the community and MPAs and civil servants. Research in Punjab on voting behavior shows that people mostly vote on the basis of their candidates' political linkages rather than their past performance in providing development work to the area (Liaqat et al, 2018). Founding families such as the Khokhar family in Sattu Katla are longstanding politicians and have served long consecutive terms as Members of Provincial and National Assemblies.

Sattu Katla village has 4000 voters registered and the Chairman of the Union Council, Manzar Abbas, an elected representative of the Union Council in which Sattu Katla village falls is a member of the Khokhar family. Before being elected, he had been involved in social work to improve the conditions of his community. He also assists the Pakistan Airforce to acquire land for their operations. Proud of his heritage and the history of his village, he explains that his great grandfather by the name of "Satto" killed the Hindus and drove them out in the pre-British era which gave the village its name "Satto Katla" where Katla translates to murder. Other members of the Khokhar family also boast that the village votes on the basis of "baradari". Voting blocs and electoral behavior on the basis of baradari is still prevalent in this area. This is not necessarily only a baradari lines but it is also influenced by the fact that the dominant caste of the village are established politicians and have political linkages that helps to get services and development work (personal interview, 2018). In the recent national elections of July 2018, Imran Khan's party Pakistan Tehreek-i-Insaaf won from the Sattu Katla constituency and majority of the village voted for PTI. Manzar Abbas, himself, was a party worker in former Prime Minister Nawaz Sharif's PML-N and only joined PTI two months before the elections. This is representative of the broader political trend that had been observed months before the elections of 2018. Political scientists and commentators highlighted that the Army is backing Imran Khan's PTI and succeeded in weakening PML-N before the elections. Although instances of rigging on the election day were few, events leading up to the elections substantiated the military's support to PTI. Nawaz Sharif's arrest despite strong evidence supporting the Panama case, PML-N party members leaving the then ruling party to join PTI – these pointed towards the military's efforts to weaken PML-N and smooth out the way for PTI to win in the 2018 elections. The reasons for this were speculated to be PML-N's rising power and influence and Imran Khan seen as a more favorable ally of the military than PML-N. This added layer

of military interference in politics makes things more complicated for analysis as compared to a democratic regime where the two key groups in urban governance are the politicians and the bureaucrats.

Khokhar family is one of the major biradaris in Lahore and Khokhar family members are established politicians. In 2018 general elections, Zaheer Abbas Khokhar ran from the NA-134 constituency in which Wapda Town and Satto Katla village fall. It is interesting to note how urbanization effects political dynamics and political campaigning. PTI is seen as the party of the middle and upper income groups, the party of the “educated youth”, and an urban political party, whereas PML-N and PPP are parties of the rural areas and the poorer segments of society. The rise of PTI has changed the dynamics of in which areas its candidates focus their campaigning. This time around Zaheer Abbas Khokhar, a PTI candidate was counting on the vote bank PTI had in the upper middle class housing societies as PTI had won from these urban housing societies in the 2013 general election as well. On the other hand, candidate from the Mayo biradari was aggressively campaigning in rural areas of NA-134 including Satto Katla village whereas Zaheer Abbas Khokhar expected favorable results from these villages for PTI (“NA-134 all set for a two way fight”, 2018). The Khokhar biradari has had a longstanding presence in the National Assembly and Provincial Assembly. Afzal Khan Khokhar and Saif ul Malooq Khokhar have been elected more than once to the National and Provincial Assemblies. The Chairman of Union Council Manzar Abbas Khokhar had supported Saif ul Malooq Khokhar in 2016 when both were affiliated with PML-N. However, with one of the brothers joining PTI in the general elections of 2018, Manzar Abbas also joined the now ruling party. Presence of gated housing societies, especially cooperative housing societies that are self-sufficient means that residents of these societies are more dependent on society committee made up of Wapda employees and non-employee residents, than the locally elected politicians (personal interview, 2019).

Currently, Satto Katla village has evidently stark conditions from the housing societies in close proximity. Satto Katla and the surrounding housing societies fall under the LDA controlled area which means that the building control in Sattu Katla village is LDA’s responsibility. However, few applications for building approvals come due to

inadequacy of legal documents pertaining to ownership of land. In terms of municipal services, the area falls under the jurisdiction of the Metropolitan Corporation Lahore Union Council which is the lowest tier of local government and its Chairman who is a member of the Metropolitan Corporation Lahore is responsible for street improvement, street lighting and repair of potholes, Lahore Waste Management Company (LWMC) is responsible for solid waste management in the area but the company refuses to pick up animals' solid waste as they claim it damages their machinery. Moreover, the chairman Union Council also complained that when innovative initiatives are proposed to recycle the solid waste from cows and buffaloes to produce solar power, non-profit organizations working in collaboration with the community do not get the no objection certificate from relevant departments. WASA doesn't provide water and sanitation facilities to the village despite the Union Council Chairman's repeated requests as they say they are not sure whether they will be able to recover cost from this area or not as residents may not pay charges. Currently, residents of the village get groundwater through water bores. Landlords have a bore and they extend the water supply to their tenants in return for a fee that covers the digging cost. This water, however, is contaminated due to the proximity of the settlement to one of Lahore's largest drains – the Sattu Katla drain. For this reason, most residents get their water from the nearby water filtration tanks for free. These filtration tanks are located in Wapda Town and there is one in the village itself as well but maintenance of the filter tank is poor and the water has been contaminated due to negligence. These water filtration tanks are installed from the development funds of the Member of Provincial Assembly of that constituency. Water and sanitation responsibilities are given to the Public Health and Engineering Department (PHED) in the absence of WASA. PHED's work and jurisdiction is limited in Lahore district as its responsibilities are primarily concentrated in the rural areas of Punjab. The Chief Engineer at the PHED highlighted that Sattu Katla village technically shouldn't come under their jurisdiction as it is classified as urban and everything beyond Thokar Niaz Beg falls under their controlled area. Secondly, he highlighted that the major organizational constraint for PHED is that it has no revenue collection mechanism. The money they get annually is from the Provincial government which is insufficient or they are allocated a proportion of the development fund of the MPA/MNA who asks PHED to provide services based on their budget and estimates (personal interview, 2018).

In Bheer Pind, which is an urban village couched within Johar Town, LDA's scheme, the houses in the inner lanes get their water from water bores as in Sattu Katla village but the houses that are on the main road have water connection from WASA. Similarly, within Sattu Katla as well, there are variations – streets are paved and services are provided to houses of the landowning family members. Moreover, a katchi abadi, Ferozianwala in Johar Town, have paved streets, water connection provided by WASA and they are aesthetically cleaner than the urban villages. This katchi abadi has been surveyed for notification but they haven't been given property rights despite a longstanding struggle for property rights. LDA claims that residents of Ferozianwala are illegally squatting on their land which is part of the Johar Town Housing Scheme whereas Ferozianwala residents insist that the land belonged to their ancestors and their families had been living there for centuries. Despite the LDA repeatedly demolishing their houses, residents have now invested in building good quality housing structures and they believe this will deter LDA to demolish their houses again. Moreover, this point is interesting to note as it falsifies DeSoto's arguments that one of the advantages of granting land titles is that it encourages people to invest in their houses. This trend is not limited to Ferozewala, however. Many of the private housing schemes in Harbanspura are illegally occupying government land. However, this hasn't deterred people from investing in their houses as they have political protection and backing from influential MPAs and MNAs. However, in light of the recent judicial activism and the rise in suo motos, especially under Chief Justice Saqib Nisar, effectiveness of the protection by politicians to people who illegally squat on government land can be debated (personal interview, 2018).

In Ferozewala, residents started getting urban infrastructure and services from WASA such as water connection as a result of the settlement's location. There is no clear demarcation between the settlement and houses that are located in Johar Town Housing Scheme, hence when the residents of Johar Town in close proximity started getting these service connections, residents of Ferozewala also benefitted from it as these services were extended to them.

WASA's jurisdiction is a subset of LDA's jurisdiction in Lahore district, however WASA doesn't extend its services to private housing schemes, which have their own water bores owned by the housing society. however, WASA has been providing water and sanitation provisions to settlements outside of its jurisdiction. The factors influencing these decisions are: how old the settlement is, which is how consolidated the settlement is and community organization and mobilization, and influence of the MPA/MNA under whose constituencies the settlements fall are. Moreover, media attention to issues in these settlements also push WASA to provide services. The above examples show that WASA's service delivery depends on its assessment of cost recovery, which is important for it considering it is a corporate body that can earn profit and expand accordingly, and political factors rather than a matter of jurisdictions (personal interview, 2018).

## Chapter 5: Continuities and Discontinuities of LDA: Restructuring LDA to provide affordable housing

Establishment of LDA did create a parallel structure of governance but this has been historically true. When the British established LIT before empowering the Municipal Committee, they believed that elected representatives should not be given the power to undertake capital development work, instead nominated officials were given this responsibility (Mehra, 2013; Ansari, 2009). This was the beginning of the creation of parallel structures for urban governance, that remains till today. Centralized agencies dominated by nominated officials rather than elected ones were seen as a better model to propel planning and development, as planning and development was seen as a sphere outside of politics although it became a key political tool in practice (Mehra, 2013). LIT was headed by nominated officials unlike LDA.

Transformation of LIT into LDA wasn't unique to Lahore. Throughout South Asia where the British legacy of Improvement Trusts existed underwent this transition. In postcolonial cities, the violence and disruption caused by independent movements and partition gave rise to the need of restructuring and rebuilding the city. Lahore Improvement Trust after the Partition of 1947 was faced with this challenge. The inflow of refugees also gave rise for resettlement and housing. It is noted, however, that despite providing housing to the poor, in addition to industrial workers, in LIT's mandate, LIT failed to do so. As mentioned in Chapter 1, 58% of LIT's plots that it developed from 1947 to 1975 were equal or larger than 1 kanal, which meant that they catered to the upper income groups, whereas only 11% plots were small enough to cater to low income groups. Despite LIT's failure to provide housing for the low income groups and its inability to handle the additional responsibility of Lahore Municipal Corporation's water supply and drainage, which was transferred to LIT in 1967, it needs to be highlighted that establishment of LDA doesn't mark a complete breakaway from its institutional predecessor. There were continuities between the two. It would be incorrect to say that LDA's establishment was premised on a concept of comprehensive planning which was new. Ideals of integrated town planning were being propagated in the subcontinent since 1915 when British planners such as Patrick Geddes advocated for integrated planning rather than piecemeal planning (Mehra, 2013; Ansari, 2009).

Interestingly the need for comprehensive planning was the impetus for establishing LIT in the first place in 1936 as it was for LDA in 1975. Moreover, similar arguments were made to justify why the Municipal Corporation cannot undertake development work as it was deemed lacking technical expertise and immunity from political pressures, as they are made today if one argues about LDA usurping local government's powers – Lahore Municipal Corporation and later Lahore Metropolitan Corporation are seen to be too prone to political pressures, personal motives of elected politicians to undertake development work efficiently. The Town Improvement Trust Act 1922 highlights that Improvement Trusts would be responsible for improvement of existing settlements, widening of streets and establishment of housing schemes, keeping in mind the interests of the poor and industrial workers. Although the Act doesn't mention the Trust to have the responsibility of drafting or implementing a comprehensive master plan but in practice the Trust was responsible for expansion of the city, which it did through creating housing schemes, a trend that we see in LDA now as well (Malik, 2014). Moreover, since LIT depended on loans that were given to it by the provincial government at unfavorable rates (2% higher than non-governmental loans) it depended on sale of developed plots for revenue generation. This, however, only led it to add housing stock for the high and upper middle income groups rather than low income groups. Its focus on land development rather than housing programs was the reason why it failed to cater to low income groups. Similarly, LDA today is facing the same problems and one questions whether establishing a new institution made any improvement in the living conditions of the poor.

It cannot be denied, however, that LDA is faring better in planned development than Delhi Development Authority or even its predecessor LIT. Now that we have gone over the ways in which LDA was a mere continuation of LIT, I will also highlight the ways in which it is not. This also touches upon the question of why LDA was established. As mentioned before, transition between LIT and LDA needs to be taken as just that rather than a complete breakaway or creation of a new institution altogether. In 1967 when LIT was finding it hard to handle the water supply and drainage responsibilities of LMC, idea of transforming LIT into LDA were present. Employees who were hired in 1971 in the water supply wing were interviewed by LIT, and the same staff was transferred to LDA and the agency under it, namely WASA (personal interview, 2019). The Trust's

main constraint was the financial stringency and by its nature it was unable to be a for profit institution. This was changed with the establishment of LDA, which was a body corporate and an “authority”, and it could get favorable loans from the government under the Loans for Authorities Act. Moreover, the fact that an elected official was its chairman rather than a nominated one, provided it with the flexibility and the ease with which it could push for legislation to facilitate its operations. In terms of comprehensive or master planning, why LDA has failed to implement the master plans points to the problematic nature of these plans. Master plans for entire cities that are based on spatial planning rather than social and economic policies haven’t been successful in Pakistan’s history. Urbanization outpaces these plans and as a result LDA’s “flexibility” in changing land uses and altering the spatial master plan according to changes on the ground rather than other principles such as environmental concerns or a specific level of commercialization that is desirable has highlighted the irrelevance of these master plans in Lahore. This is not to say, however, that ensuring that agricultural land is safeguarded and not subsumed by sprawling housing societies isn’t important for environmental sustainability of the city. However, in absence of this, master planning as it has been done in Pakistan seems to have little effect on planned development. Packaging of master planning as structural planning in 1980 in Lahore also faced similar difficulties. What LDA has ended up doing is planning through building or approving housing societies. This is the engine that is leading to Lahore’s urban sprawl. And these housing societies, mostly self-sustaining in terms of land use – it has its own commercial and recreational areas, are seen as “local plans” (De Jonge, 1998).

Elected politician as its Chairman is LDA’s greatest strength. Although this has led to a lot of its projects, especially in recent years, to be deemed to be for the benefit of politicians own interests, and hence corrupt, political leadership has also enabled it to push for legislation and policy changes to facilitate its operations. LDA can be seen as an institution that isn’t dictated by already existing legislation but it enacts legislation to facilitate its operations, for example, ease in land acquisition. This has enabled it to be flexible and responsive to changing circumstances of its projects. One such example is the collaboration with private developers to make land acquisition easier for LDA in response to resistance from land owners who didn’t want to be compensated based on the Land Acquisition Act 1894. Moreover, it should be noted that the Punjab Land

Acquisition Act 1973 provided an alternative way to compensate – not only by cash but also through developed plots to the landowners. As noted in the meeting proceedings regarding LDA City, despite the repeal of Punjab Land and Housing Acquisition Act in 1985 and reinstatement of Land Acquisition Act 1894, LDA has been able to give multiple options to the landowners on how they can be compensated, and 30% developed plots in return for 50% development charges is one option. This is because some articles of Punjab Land Acquisition Act 1973 were to be read as they were part of the LDA Act 1975. (LDA Act 1975) This has enabled LDA to operate on the Defence Housing Authority model of compensation which is seen to be more favorable for landowners. LDA's complementary exemption policy made land acquisition easier and more palatable for landowners. Although LDA has built housing societies for government employees, it has failed to provide low cost housing. This is partly due to the fact that LDA isn't seen as a agency that provides low cost housing, per say. This is also the view of LDA's employees, as when I asked the chief metropolitan planning about LDA's stance on affordable housing, he said that this doesn't come under LDA's purview and LDA does stipulate standards to ensure that private housing schemes have a quota of 5 marla or less sized plots for low income. However, due to speculation the price of these plots rise and there are no mechanisms to ensure affordability of these plots. This is also apparent in the fact that in its Act, this responsibility isn't highlighted. LDA does have a standard of having 20% plots in housing societies to be for low income groups but this only defines low income in terms of the size of the plots. A number of private housing societies that have been approved by LDA have manipulated the loophole in this standard. For example, although Bahria Town has the 20% share of 5 marla or less plots, it sells these plots at a higher per marla price, hence maintaining its profit margin.

This is not to say, however, that there have been no programs to cater to low income groups and their housing need. Apart from LDA's katchi abadi directorate which regularized informal settlements, in 2014 there was a proposal by LDA to establish a public corporation namely the Punjab Land Development Company which would facilitate public private partnership to build affordable housing. This was a mandate given by the Chief Minister Punjab through LDA. Moreover, the Chief Minister Punjab was also able to pass the Punjab Public Private Partnership Act 2014 to facilitate the

different kinds of PPP agreements that the PLDC can make. Although the company wasn't under LDA as the Public Private Partnership Steering Committee which would approve or reject proposals for projects from government agencies like the LDA was under the Punjab Planning and Development Board, this still highlights the power that Chief Minister Punjab can yield in the Provincial Assembly to pass legislation to facilitate projects and operations (Punjab Private Public Partnership Act 2014). Moreover, after the National Policy 2001 was passed that highlighted the need to house low income groups, Punjab Housing and Town Planning Agency was established in 2002 that would specifically build low cost housing. This agency has the power to acquire land and plan schemes for low cost housing at the provincial level. For this reason, it does coordinate with development authorities in the city but it has been defunct until recently when the incumbent government of Imran Khan's PTI launched its affordable housing scheme in smaller cities of Punjab.

Although PLDC was able to establish the Ashiana-e-Quaid Housing Scheme on Ferozepur Road in Lahore, its other scheme on Burki Road Lahore namely Ashiana-i-Iqbal was stalled due to court cases against it. In Ashiana-i-Iqbal's case, Chief Minister Punjab, Director General LDA and employees of PLDC were arrested on the charges that Chief Minister Punjab forced PLDC to cancel contract with the winning bidder and instead go with the bidder who has linkages with Khwaja Saad Rafique's Paragon City. This was a violation of the Public Private Partnership Act 2014 and the rules under which PLDC was established and it was seen as politicians and their allies using the company for their own personal gains ("Timeline of Ashiana Housing scam", 2018). These were part of the series of court cases against the former PML-N government. And the PLDC remains defunct under the new government of PTI. Although the Ashiana-i-Quaid Housing Scheme has been able to be affordable for middle income groups to own a house, it has still not been able to cater to the low income groups. One reason for this is their allotment process. In order to apply for the lottery, the applicant needs to provide documents of evidence of employment and salary. This isn't possible for the poor who are mostly employed in the informal economy, including domestic houseworkers. Another reason is the high cost of construction and as these houses are constructed rather than empty plots, their cost is high even though the size is small. Moreover, although mechanisms are put in place to ensure that people who already

own a house don't occupy these houses, there are still loopholes and people register the houses in the name of their other family members.

Compared to PLDC, LDA has survived for a relatively long time. Part of the reason for this can be that LDA was seen as a successor to an already established agency and that LDA wasn't associated with a particular party or a single project. It had a broader mandate, that of metropolitan planning.

Profit making is considered a vice, especially when the government does it and it is dubbed as corruption. However, when the system favors a particular type of development and the revenues for an institution are running low, undertaking projects that would be financially sustainable seems like the pragmatic approach to take. And in this case it would be unfair to blame a single institution on charges of corruption. As a patwari I interviewed succinctly said, the root of corruption isn't the government officials executing a program but the complex processes and the transaction cost associated with it; the more complex the system is to navigate, there will be more opportunities for rent seeking. As LDA's major function is to acquire or purchase land for development, the problem lies with the system of land administration rather than with the institution itself. It is not to deny, however, that LDA has done little in terms of providing low cost housing. The trajectory of LDA does tell us however that it can be in a favorable position to be innovative, as its mandate has legal backing to support its change in policy. Moreover, the existence of urban villages provides a good opportunity to develop these areas and foster a mixed income area. As mentioned in the last chapter, lack of water supply services to urban villages can be seen as a failure of LDA and WASA to coordinate but this idea of better coordination resulting in better performance as many World Bank reports suggest only provides an incomplete picture. Other agencies such as WAPDA that provides electricity provides service in nearly all the slums in Lahore but it doesn't have better coordination with LDA than WASA does. This is because there is more to the explanation than a lack of coordination. Even though WASA and LDA are governed by the same board, WASA is functioning like an independent body corporate under its Managing Director who reports to LDA's board. WASA also has its own master plan of service areas that cover areas under LDA's jurisdiction theoretically. However, in some areas it is currently not providing services is because it

doesn't expect to recover its costs either because laying the pipes would cost more than the revenue they will generate due to low number of houses in the area. Hence, coordination at the planning level between institutions responsible for land development, for example, makes sense but not at the execution level. Moreover, based on the findings from meeting proceedings of LDA, it is seen that WASA and other relevant agencies or departments are only called when the discussion is directly related to their jurisdiction or functions.

NGOs and social enterprises in Lahore have come up with somewhat successful models of affordable housing but they are at a small scale and their policies still have loopholes. However, these models can provide us with policy ideas that LDA can adopt. I argue that LDA is a strong institution to undertake low cost housing and has the financial capacity as well as the political support the following are my policy recommendations to enable LDA as an institution to undertake low cost housing programs (personal interview, 2018).

## Recommendations

### Institutional Structure:

#### Short term

- 1) LDA to remain under Chief Minister Punjab, as its Chairman. This is in view of the weak and precarious nature of the local government. Moreover, with LDA's jurisdiction extended and it being a regional body, it makes sense for it to remain under Chief Minister Punjab.
- 2) LDA board should include representative of Punjab Housing and Town Planning Agency (PHATA) to ensure that LDA has the mandate of building low cost housing as well.

### Policies

#### Short term and mid-term

- 3) WASA to impose differential pricing: levy higher charges per unit of water supply to high income areas and low charges to low income areas, for example, urban villages.
- 4) LDA to decrease its standard of street width by 10 inches. This would allow more plots to be developed.
- 5) In meetings regarding building of housing societies, LDA to ensure WASA's present in the meeting and ensure that the villages left out of the land acquisition get water supply if there is habitation in these village homesteads.
- 6) In already existing urban villages, WASA should immediately be asked to extend its services, using the differential pricing model. Instead of WASA surveying areas, Member of Provincial Assemblies (MPAs) of each area can apply on the behalf of their area.
- 7) Rental housing scheme (not a housing society): This scheme will be passed by the Chief Minister Punjab. Affordability through land development is a challenge, as seen by examples in other parts of the world and in Lahore itself. If the government wants to provide housing for the low income, it needs to explore rental housing programs. Examples of urban villages provide us with an idea that the poor will be satisfied with rental housing if

they are ensured that they will not be evicted arbitrarily. LDA to make it mandatory in its own housing societies and private housing societies to have a quota of housing units for rental. These units must be small in size and rent should be stabilized at a rate that takes into account low income group's disposable incomes. This data can be taken from socio-economic and demographic studies undertaken by policy think tanks such as Center for Economic Research in Pakistan (CERP). Self-exclusionary policies should be put in place to ensure that only low income groups access this. These policies can include the requirement that the tenant will contribute to either the construction or maintenance of the houses and streets themselves. Rent stabilizing legislation should be enacted through the Punjab Assembly to ensure security of tenants. However, it needs to be taken into account that rights of tenants do not hurt developers.

- 8) Compensation for land acquisition to be given on the basis of exemption policies. In return for land acquired, a percentage of the land acquired to be given as developed plots to the owners.

#### Long term

- 9) Based on models of NGOs and social enterprises that have built affordable housing, LDA's upcoming housing project must include a quota of affordable housing units. These plots will be developed first and sold to low income groups at a subsidized rate. Cost for this subsidized rate can be recovered from other plots that will be sold at market value. Affordable housing units will be constructed incrementally. A maximum amount of time should be stipulated in which occupants must occupy the house to control vacancy rates. In order to establish this mixed income neighborhood, a project unit under urban development wing of LDA can be established for oversight and implementation of the project.
- 10) For middle income housing – the model of PLDC can be used. Private developers construct and finance the project and transfer developed land to LDA while LDA in return gives part of the land back to them for commercial

use to sell at market value.

- 11) In the long term, spatial planning should be devolved to the union council level, with technical training of the Lahore Metropolitan Corporation. LDA can provide a general framework for this planning, in specific, to ensure enough agricultural land remains intact for the city's sustainability.

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