

CHAPTER 5

IMPLEMENTATION MECHANISM

5.1 FUNDAMENTALS FOR PLAN IMPLEMENTATION

Once the Master Plan is approved, it will be the endeavor of the concerned departments to work towards the successful implementation of the provisions and proposals contained in the plan document. Havelock & Neil Islands are unique and so the Master Plan for these Islands. Concept of Sustainable Tourism had been the guiding principle in the Master Planning exercise, helping to derive a responsive Master Plan, in all likelihood expected to contain the development impacts within the carrying capacity of these islands. Tourism here is poised for greater growth and set to gain a major share of economy in the coming years. Accordingly, the Master Plan has paid adequate attention on this sector, and identified projects towards increasing the number of tourists and as well sustaining their interests. Therefore, the Department of Tourism along with the Department of Town & Country Planning (presently Town & Country Planning Unit of APWD) is to take the lead role in channelizing all efforts towards implementation of the Master Plan.

It is also important to review the Master Plan recommendations and the implementation periodically, in order to incorporate necessary changes in project detailing, adjust timeframes and reorient development policies and strategies. This revision will become necessary in the context of growing internal & external economies and socio-cultural changes expected to happen among the local population and the tourists.

5.2 REGULATION ON LAND AND BUILDING DEVELOPMENT ACTIVITIES

At present the building and land development activities in Havelock & Neil Islands are governed by the Andaman and Nicobar Islands (Panchayat Administration) Rules, 1997. However, on notification of above two islands as Development Area, under the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 and coming into the operation of this Master Plan, the provisions contained as 'Development Regulation' in this Master Plan shall also apply to all developments within the notified development area. In such case, every person/body (including a Departments of Government of India or the Administration), desiring to undertake any development in the Development Area shall obtain the permission, in writing, by making an application under section 4(1) of the Andaman and Nicobar Islands Town and Country Planning Rules, 2005. Notwithstanding anything contained in any other law, no person shall, after coming into operation of this Master Plan, use or permitted to be used, any land or building in the development area, otherwise than in conformity with this Master Plan, as per the section 10 of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994.

The Andaman and Nicobar Island (Panchayat Administration) Rules, 1997 apart from providing the general framework for Panchayat Administration in the island also provide prescriptions for control of building operations within the jurisdictions of the Panchayats and lays down several rules for orderly physical development. Chapter VII of the above said rules include some of the planning parameters such as setback requirements, plot coverage, minimum road width etc. for the constructions activities Panchayat area. In addition, procedures relating to application and exemption for permission are also included.

The Development Regulations prescribed as part of the Master Plan comprehensively cover all the planning parameters and also the Master Plan lays down the procedures for obtaining planning permission. In case of conflict between the Development Regulations stipulated in the Master Plan and the Andaman and Nicobar Island (Panchayat Administration) Rules, 1997 the provisions contained in the Development Regulations & Implementation Mechanism suggested in the Master Plan will prevail.

5.3 DEVOLUTION OF POWERS

Under Section (12) of the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 the Town Planner is vested with the powers to issue Planning Permission within a Development Area. The powers and functions of the Town Planner may be delegated to the following institutions and the representatives heading these institutions for the purpose of granting planning permission and approval of the building plans within the Panchayats forming part of Havelock and Neil Islands.

- i) Local Self Governments (Gram Panchayats) forming part of Havelock & Neil Islands
- ii) Town & Country Planning Unit, APWD (proposed to be upgraded as Department of Town and Country Planning - DTCP, as per Master Plan for Port Blair Planning Area)

Both Havelock & Neil Islands comprise of five revenue villages each and these villages fall under the jurisdiction of three Gram Panchayats as mentioned in Table 5.3.

TABLE 5.3 REVENUE VILLAGES/PANCHAYATS AT HAVELOCK & NEIL ISLANDS

Name of the Panchayat	Revenue Villages
Shyam Nagar (Havelock Island)	Vijaynagar
	Krishnanagar
	Shyamnagar
	Radhanagar
Govindanagar (Havelock Island)	Govindanagar
Neil Kendra (Neil Island)	Lakshmanpur
	Neil Kendra
	Ramnagar
	Bharatpur
	Sitapur

Presently, the building activities in the revenue villages at Havelock and Neil Islands are regulated by the respective Gram Panchayats. It is proposed to devolve powers to these local bodies to issue planning permission and approval of building plan for all developments, in plots not exceeding 200 sq.m. For developments in plots exceeding 200 sq.m., DTCP will be the competent authority to issue the planning permission and the approval of building plan is to be accorded by the concerned local body.

Further, it is also proposed to devolve powers to the Panchayats within the Planning Area to approve layout for plots, in case of number of plots does not exceed 8 and also the total extent of site considered for layout does not exceed 1000 sq.m.

5.4 PROCEDURE FOR OBTAINING PLANNING PERMISSION, BUILDING PLAN APPROVAL AND LAYOUT FOR PLOTS FOR DEVELOPMENT

The Development Regulations apart from prescribing the rules and standards for land and building development also proposes for 'Normal' and 'Special Sanction' Categories for according planning permissions. The procedure for obtaining / granting planning permission are briefed hereunder.

(a) For developments in plot with an extent not exceeding 200 sq.m.

If the proposed "development" is within a plot not exceeding 200 sq.m., the applicant may apply in the prescribed format to the concerned local body for obtaining both planning permission and approval of the building plan. The local body in turn, may accord Planning Permission as per the provisions of the Development Regulations stipulated in the Master Plan for Havelock and Neil Islands and also approve the Building Plan as per the provisions of the Andaman and Nicobar Islands (Panchayat Administration) Rules, 1997 in consonance with the Master Plan for Havelock and Neil Islands.

If the activity requires Special Sanction the local body may forward the proposal to the DTCP for the issue of planning permission before granting the approval of the building plan.

(b) For developments in plot with an extent of more than 200 sq.m.

In case of developmental activities in plots exceeding 200 sq.m., the applicant may apply in the prescribed format to the Town Planner, DTCP through the concerned Local body. The Chief Town Planner, DTCP may accord Planning Permission as per the provisions of the Development Regulations stipulated in the Master Plan. The Building Plan approval is to be accorded by the Local body as per the provisions of the Andaman and Nicobar Islands (Panchayat Administration) Rules, 1997 and in consonance with the Master Plan for Havelock and Neil Islands.

(c) Others

In case of layout for plots not exceeding 8 in number and in case of the site for layout not exceeding 1000 sq.m the applicant may apply in the prescribed format directly to the local body for approval. The local body may accord approval for the same in accordance with the provisions of the Development Regulations stipulated in the Master Plan for Havelock and Neil Islands.

For layout for plots exceeding 8 in number or layout for plots in site exceeding 1000 sq.m in extent, the applicant may apply in the prescribed format to the Town Planner, DTCP through the concerned local body for consideration and approval. The DTCP may accord approval for the same in accordance with the provisions of the Development Regulations stipulated in the Master Plan for Havelock and Neil Islands.

5.5 CONSTITUTION OF AN ADVISORY BODY

As already mentioned in section 5.3, the Town Planner appointed under Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 is vested with the powers to issue Planning Permission within the revenue villages contained in the Havelock and Neil Islands. However, his / her powers and functions in respect of granting planning permission in the revenue villages contained in the Havelock and Neil Islands may be delegated to the representatives of the Local Bodies and the DTCP, as proposed in section 5.3 and 5.4.

Further constitution of an Advisory Body may help the Town Planner, whenever and wherever he/she consider necessary to have broader consultations and consensus in matters relating to implementation of Master Plan and granting Planning Permissions. Therefore, it is proposed that an Advisory Body in the name of 'Havelock and Neil Advisory Body' (HNAB) is constituted to offer advice and recommendations to the 'Town Planner' in matters relating to planning and development of the Havelock and Neil Islands. The Town Planner, if he/she considers necessary, may also refer the applications for Planning Permission sought under the Special Sanction category.

The Town Planner or the Town & Country Planner of the DTCP, in the capacity of the Chairman of the HNAB will be in-charge of the Plan Implementation and Development of the Havelock & Neil Islands. The function of the Member Secretary for the HNAB may be served by the Town & Country Planner or Associate Town & Country Planner. The Deputy Commissioner (South Andaman) along with the representatives of the departments of Tourism, Environment and Forests, Fisheries, and Public Works may be included as the members of the HNAB. Representatives of the Local Bodies in Havelock and Neil Islands may also be considered for inclusion as members in the Committee. The broad functions of the Authority include the following:-

- (i) Recommend appropriate strategies towards implementation of the Master Plan.
- (ii) Offer assistance in realization of identified programmes and projects in Master Plan.
- (iii) Help to achieve coordination among the sectoral agencies and various other stakeholders to overcome issues confronting successful implementation of the Master Plan.
- (iv) Offer opinion on granting planning permissions that fall under Special Sanction category, may be referred by the Town Planner or any other person on whom the powers for according the Planning Permissions are delegated.
- (v) Offer opinion on land use reclassifications, referred by the Town Planner or any other person on whom the powers for according the land use reclassifications are delegated.
- (vi) Offer its views on any other matter referred by the Administration, relating to planning & development of the Havelock and Neil Islands and the implementation of the Master Plan.

5.6 ROLE AND RESPONSIBILITIES OF THE AGENCIES

Master Plan document has identified proposals towards realization of sustainable tourism development in the Havelock & Neil Islands. Attention has also been given to identify proposals which could substantially enhance socio-economic conditions of the local population in the Master Plan. Though the success of these projects would depend on the support and coordination of the various agencies and the public, the process of project implementation is required to be initiated by the respective agencies/departments on which the projects will be finally handed over for operation and maintenance. Coordination among Tourism Department, Department of Town and Country Planning and the Gram Panchayat at Havelock & Neil Islands will be critical and important as these agencies will be mostly responsible for laying out required policies and strategies for successful implementation of the Master Plan and as well the enforcement of the provisions contained in the Master Plan.

The departments responsible for the projects enlisted in the Master Plan need to initiate actions towards preparation of Detailed Project Reports and Environmental Impact Assessment Reports wherever necessary and obtain clearance from all relevant authorities. As land is an essential component of every project conceived in term of spatial context, the government departments are to take appropriate steps in acquiring lands for the development projects through innovative means.

Master Plan provides for reclassification of land use in order to accommodate the local needs and to ensure that individuals are not unduly affected in the process of Plan implementation. However, the Andaman and Nicobar Islands Town and Country Planning Regulation, 1994 does not provide for 'Reclassification of land use'. Therefore, the Administration may consider amending the Regulations for incorporating such provision.

Unlike in other places, Gram Panchayats at Havelock and Neil Islands are over burdened as they need to cater not only for the local population, but for a sizable and increasing number of tourists population, which could exceed the local population in number by the end of plan period. However, their organizational structure and powers are the same comparable with any other local government, which may not augur well for an efficient administration. These Local Governments at Havelock & Neil Islands are seen to lack in technical manpower and may find difficult to manage the situation. Further, these institutions have been empowered by the Master Plan to issue both Planning Permission and Building Plan approval for all developments in plots, not exceeding 200 sq.m. in extent. Considering all these, the Administration is required to take appropriate decisions towards strengthening the local administration at Havelock and Neil Islands.

5.7 RESOURCE MOBILIZATION

Master Plan has identified projects for improving the service delivery for the local population and also several other projects, capitalizing opportunities to attract more tourists and extend their duration of stay at Havelock and Neil Islands. Projects targeted to benefit the local population in the Master Plan do not require huge capitals, as the combined population of these islands does not exceed 10,000 as per the 2011 census. However, projects intended to promote tourism are capital intensive, and also require longer gestation period. As tourism is all set to take the lion share of local economy, there are many tourism development projects identified in the Master Plan, requiring high capital costs for implementation.

Though, public financing could be availed partly for these projects, it may not be totally sufficient for implementation of the tourism projects.

However, Private Public Partnership (PPP) approach suits tourism projects more, than projects in any other sector. All projects relating to tourism development in the Master Plan, are sure to attract the participation of the private sector. Almost all State Governments in India have began applying the PPP concept for implementing tourism projects, which will definitely attract more bidders considering the scope and potential for tourism development in Havelock and Neil Islands.

The Government of India encourages and supports several types of tourism projects through various Schemes of the Ministry of Tourism. Cruise Tourism, Eco Tourism, Adventure Tourism, Heliport Tourism, and Accessible Tourism are the broad areas under which tourism related projects are encouraged and supported by the Ministry of Tourism, Government of India. The Department of Tourism, A & N Administration, is expected to dovetail the projects identified in the Master Plan under the broad areas of support offered by the Government of India and obtain necessary financial aid towards implementation of the projects.

The Departments of the A & N Administration are also expected to initiate action towards incorporating the projects identified in the Master Plan in the Annual / Five Year Plans of the Administration to secure allocation under the plan schemes.

Availability and possession of land is another critical dimension, in plan implementation. Land is a valuable asset, and serves as a resource for development. In most development projects, the share of the land cost is significant. Therefore, the development agencies of the Administration are expected to have a complete inventory of the land under their possession and prepare a management plan for these critical resources as part of their asset management. It is advantageous that the lands are only leased to the private in the Islands and the renewal of lease is to be accorded only after examining the need for public use of the lands. While conceiving the PPP models for implementing the infrastructure development projects, providing land for the project could be the share of investment by the Administration.

The DTCP may also study the possibilities of practicing land management tools such as Transfer of Development Rights (TDR), which may substantially reduce the project cost, where land acquisition is necessary. TDR could be an effective strategy to preserve the pristine ecology of the islands and also to sustain economic development without compromising dynamism in physical development.