Chapter 1: NIRMAAN (Building Licences)

PART A: Rejection Analysis:

The application and service of Building licence across the State by reviewing every ULB was taken up for an initial study. Various parameters were taken into consideration and the report below prepared. Part A talks about Rejections, which Part B will talk about Pendency and Overdue for NIRMAAN.

A. District Wise Quarterly Analysis of Rejections :

DISTRICT NAME	March Receipts	March Rejections	Rejection Rate	April Receipts	April Rejections	Rejection Rate	May Receipts	May Rejections	Rejection Rate	Trend
BAGALKOTE	65	12	18.46	45	8	17.78	91	16	17.58	Stable
BALLARI	86	4	4.65	141	16	11.35	184	44	23.91	Rise
BANGALORE RURAL	49	1	2.04	54	9	16.67	48	9	18.75	Rise
BANGALORE URBAN	25	0	0.00	0	0	0.00	10	0	0.00	Stable
BELAGAVI	153	11	7.19	126	20	15.87	231	31	13.42	Stable
BIDAR	7	1	14.29	41	2	4.88	32	26	81.25	High Rise
CHAMARAJANAGARA	57	6	10.53	67	9	13.43	74	10	13.51	Stable
CHICKAMAGALURU	169	9	5.33	93	9	9.68	121	11	9.09	Stable
CHIKKABALLAPUR	18	4	22.22	21	8	38.10	31	14	45.16	High Rise
CHITRADURGA	74	19	25.68	40	29	72.50	98	6	6.12	Fall
DAVANAGERE	88	33	37.50	152	44	28.95	106	120	113.21	High Rise
DHAKSHINA KANNADA	84	22	26.19	82	14	17.07	89	23	25.84	Rise
DHARWAD	56	6	10.71	15	2	13.33	53	0	0.00	Improved
GADAG	121	24	19.83	107	21	19.63	117	35	29.91	Rise
HASSAN	160	19	11.88	73	33	45.21	105	21	20.00	Fall
HAVERI	149	21	14.09	136	14	10.29	194	20	10.31	Stable
KALABURAGI	56	6	10.71	47	9	19.15	68	7	10.29	Fall
KODAGU	13	0	0.00	28	3	10.71	27	3	11.11	Stable
KOLAR	39	2	5.13	37	1	2.70	88	9	10.23	Rise
KOPPAL	28	10	35.71	51	13	25.49	79	4	5.06	Improved
MANDYA	97	6	6.19	50	15	30.00	80	9	11.25	Fall
MYSURU	54	6	11.11	54	14	25.93	71	9	12.68	Fall
RAICHUR	50	5	10.00	90	11	12.22	139	4	2.88	Improved
RAMANAGARA	67	10	14.93	41	17	41.46	59	11	18.64	stable
SHIVAMOGGA	82	5	6.10	56	25	44.64	100	6	6.00	stable
TUMAKURU	74	19	25.68	60	12	20.00	106	30	28.30	Rise
UDUPI	41	2	4.88	66	26	39.39	81	11	13.58	Fall
UTTARA KANNADA	62	22	35.48	51	16	31.37	102	24	23.53	Fall
VIJAYAPURA	18	1	5.56	19	0	0.00	106	3	2.83	Stable
YADGIR	61	13	21.31	44	19	43.18	57	10	17.54	Fall
TOTAL	2103	299	14.22	1887	419	22.20	2747	526	19.15	Stable

Observations: Using the Data above, **a) Three** districts in the State has seen a marked improvement in the control of rejection rates. They are Dharwad, Koppal and Raichur. **The best improvement is seen in Dharwad.**

b)There are 7 districts that are showing a **FALLING** trend in the rejection rates which is good. This means they have worked on rejections and hence we see a fall in the rejections over the last 3 months.

c) There are 10 districts which are more or less stable either with slight improvements or have remained static. **Marked as Stable**.

d) While 6 Districts have shown a rise in the Rejection rates for building plans. This means there have been higher instances of rejections in these districts. Tumkuru, Gadag, Dakshina Kannada, Kolar ,Bellary & Bangalore RURAL show this trend. Bellary & Kolar shown significant rise. Needs attention.

e) The fifth and the last category of the rejections are the **HIGH RISE -** where the rejection rate has shot up drastically. Reasons for the same need to be understood and continuously monitored. Bidar, Davangere and Chikkaballapur fall in this category.
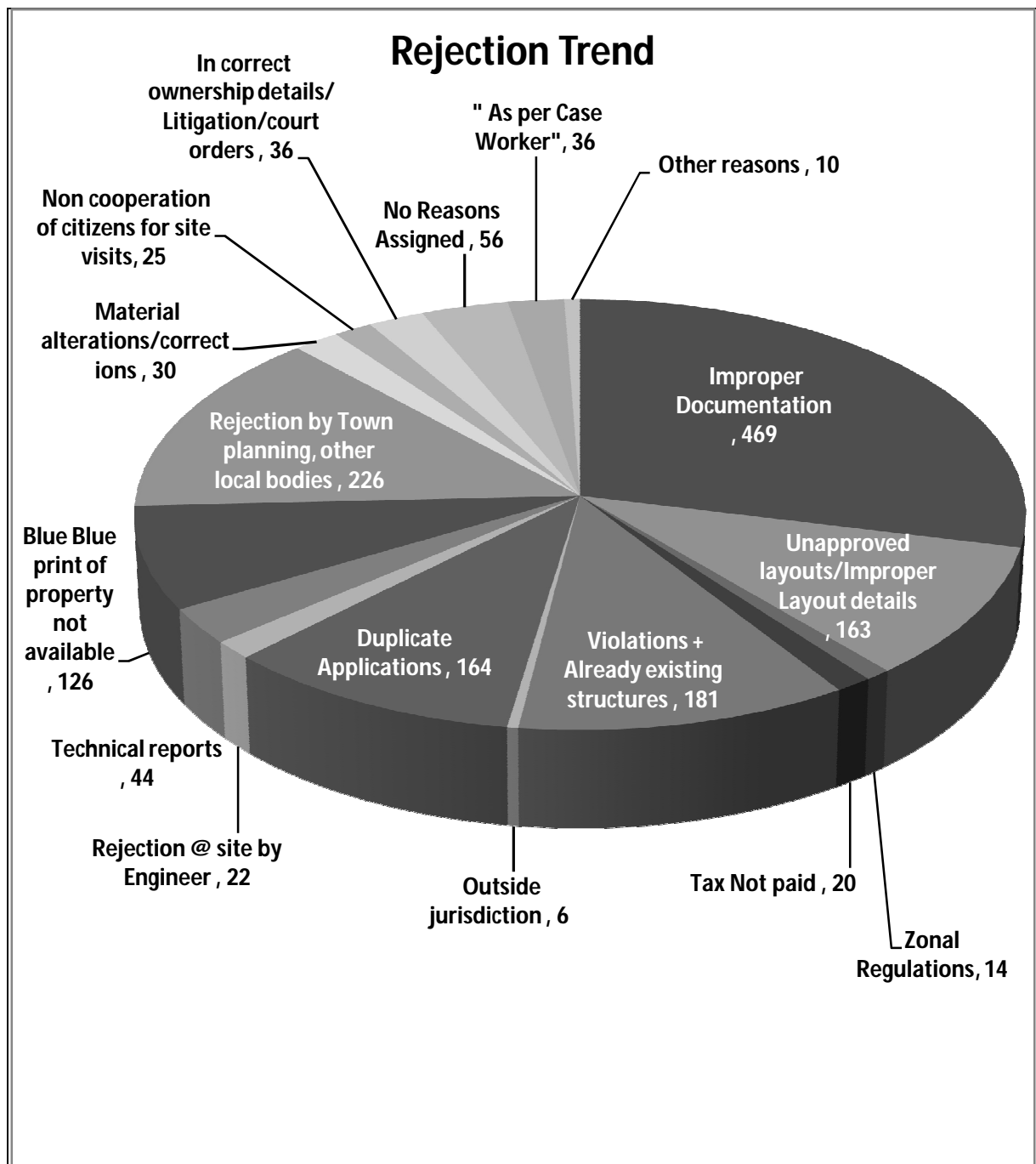
General Observation: Bidar's trend is not clearly understood. However, faster growing cities like Chikkaballapur, Kolar, Tumkur, Davangere show higher rejection rates. These could be attributed to (a) lack of knowledge on the part of citizens as to procedures for application for building licence which may be addressed by effective ICT or (b)Officers being strict about approvals (which is an excellent trend) or (c) discretion is at play.

B. Reasons for Rejections : NIRMAAN

On an analysis of the reasons for rejections, we were able to identify about **15 major reasons for rejections**. Each rejection had a share amongst the ULBs. The chart below gives the reasons with numbers associated with that reason. a pie chart diagrammatically shows the distribution. Some sporadic reasons have been clubbed into 'Others'. It is interesting to note that the reasons are almost standard among ALL ULB, and there is assignable reason specifically attributed to a specific region. With the exception of Hospet (Bellary) and Hassan and Harappanahalli (Davangere) where reasons were not given at all. These were about 150 cases that were not justified for rejections. A software update of not accepting rejections unless reasons are assigned should be introduced.

Here are some of the major reasons attributed for rejection of Building licences:

Sl. No	Reason for Rejection	Sub Reason	Numbers
1	Improper Documentation	Incl. no submission of documents, attachments not submitted, clarity missing. incorrect Titles	469
2	Unapproved layouts/Improper Layout details	Layout plans not approved, not numbered, site not mapped in layout etc	163
3	Zonal Regulations	Restrictions/Violations	14
4	Tax Not paid		20
5	Violations + Already existing structures	Reapply for existing structures as if new + and structure violations + wilful wrong specs	181
6	Outside jurisdiction	Not the appropriate authority to approve	6
7	Duplicate Applications	Some are entered wrongly by the staff, some are deliberately submitted.	164
8	Rejection @ site by Engineer	After site visit	22
9	Technical reports	Technically infeasible	44
10	Blue print of property not available	Either not submitted or not present or incorrect	126
11	Rejection by Town planning, other local bodies	As per regulation specific to geography	226
12	Material alterations/corrections	Made to already approved documents	30
13	Non cooperation of citizens for site visits	Applicant not turning up on defined dates for site visit	25
14	In correct ownership details/ Litigation/court orders	No clear Title to applicant	36
15	No Reasons Assigned	**Seen in Davangere**	56
16	" As per Case Worker"	Case worker Discretion? **Seen HOSPET (Bellary)**	36
17	Other reasons	Applicant name incorrect, Name of the engineer not mentioned correctly etc	10

Rejection Trend

In correct ownership details/ Litigation/court orders , 36

Non cooperation of citizens for site visits, 25

Material alterations/correct ions , 30

" As per Case Worker", 36

No Reasons Assigned , 56

Other reasons , 10

Improper Documentation , 469

Rejection by Town planning, other local bodies , 226

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Blue Blue print of property not available , 126

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Technical reports , 44

Rejection @ site by Engineer , 22

Outside jurisdiction , 6

Tax Not paid , 20

Zonal Regulations, 14

Observations: It may be noted that nearly **28% of rejections are on account of Documentation not submitted.** Reasons could be varied which can include improper information about the procedures. One of the best ways to tackle this, would be to upload the procedure and the SLA into the website for public to view and understand. Sign boards etc. This may include the workflow that is involved into the whole process of approval. It is also suggested that approvals for special areas such as zonal areas, coastal areas, areas near archaeological sites or any other may be specifically put up in ULBs in the form of charts and display boards. This will educate citizens and reduce the instances of rejections.

The next highest reason for rejection is " **rejected by Town planning and other regulatory bodies:. This constitutes 13% of rejections**. Complex process may be streamlined and put into simpler blocks for general public to understand & submit plans which are in line with regulations laid down by these agencies. This way what is approved by the ULB, which is subsequently rejected by a higher body can be avoided.

While about **10% of applications** are attributed to " plans submitted from **unapproved layouts, layout plans itself not being submitted or approved**. These are a slightly risky composition which leads chaos in the upcoming urban areas. These must be restricted. A detailed list of approved layouts could be displayed and citizens should be informed about not indulging into any other layouts. The list should be updated as and when town planning approves a layout for residential purposes.

About 11% of applications pertain to " Violations of bylaws + application for building plans where structure already exists". This is a blatant, wilful deliberate attempt by the citizen to cheat the authorities. This should be severely dealt with. Blacklisting of such applicants, the site and the property must be strictly done besides intimating the jurisdictional sub registrar (or registering authority) to prevent sale. A heavy one time fine may be collected for attempting the fool the system.

Duplicate applications constitute **10% of applications rejected**. These may be categorized into two sections. (1) The office entering it due to clerical error. (2) The citizen trying again to obtain a licence if previously rejected/ applying multiple time through multiple modes. a further study of this could reveal more trends.

<mark>Software Changes Recommended</mark>: : **Not assigning any reason** for rejected is simply not acceptable. **This constitutes 5% of the applications**. <u>Under any circumstance, applications closed without a valid reason should not be allowed to be closed at the application level itself.</u>

    1. A minimum of 50 characters is a must to close any application which is rejected. An signed endorsement by the head of the approving authority should be a pre requisite for closure. This can be viewed by anyone having access to that information. This way accountability is established from both citizens & Officers.

    2. Another check that could be brought would be to map the name of the owner, site details and other critical details to be mapped and cross verified with the newer applications to ensure that a minimum wait period be adhered to be eligible for a reapplication. For example: If an application has been rejected by the Town planning for a valid reason, a minimum wait period should be introduced for a re application.

3.Running through the available data before approval could be another check to:

        (a) ensure the same owner does not get multiple building licences (perhaps with different specifications)by applying under different modes.

        (b)Citizens who have applied earlier for building licences where structure already exist should be outright rejected even before getting to the officers. This will not only prevent them from reapplying, but also prevent discretion by officers/ other pressures. If such exceptions are approved, then, the approving officer should upload the reasons for approval with his credentials.

        (c) <u>Tax challan that is generated for remittance by citizens after approval, may be introduced with a defined validity of say 10-15 days.</u> After which the validity of the tax challan expires and subsequently the approval. Citizens will be permitted to pay the challan with a penalty of 5% per day up to 15 days, after which a fresh payment process begins by paying an application fees of 1000/-

Self assessment and self declaration with GIS features of the building sites will be discussed in the ensuing reports. <u>The need for site visits by officers can be reduced and upload of photos by applicant itself with GIS coordinates could be thought about.</u> With the shortage of staff, the best help to the citizen should be the citizen himself. Detailed report on the modalities will be presented in the coming days after a detailed study. Fundamentally, a system where every site in the ULB is identified, mapped, photographed and GIS coordinates enabled and a unique number allotted will ensure all issues are resolved. Collection of taxes, be it vacant sites or built properties can be done efficiently year on year and evaders penalised.

After all, the bloodline of any municipality are Taxes!

Part 2: PENDENCY: NIRMAAN:

On analysing the trend of applications and Disposals, we also spent some time on Pendency. The very term Pendency could mean two things. One- the Application is pending to be delivered back to the citizen . Two - The dates for delivery back to citizens has crossed the due date and hence it is 'OVERDUE'

In the following chapter, we have analysed the OVERDUE.

Overall, there were 597 overdue applications for NIRMAAN as of a report taken on 16 June 2016. Overdue are basically applications that are yet to be delivered. They are pending with the office where the building licences. The citizen has not received the service yet. The chart below gives the gist and diagrammatically represented by the pie chart.

Person pending with	Number
Case Worker	97
Engineer	114
Operator	92
Revenue Officer	37
Urban Dev Auth/Town Planning	192
Commissioner/Chief Officer	65
Total	597
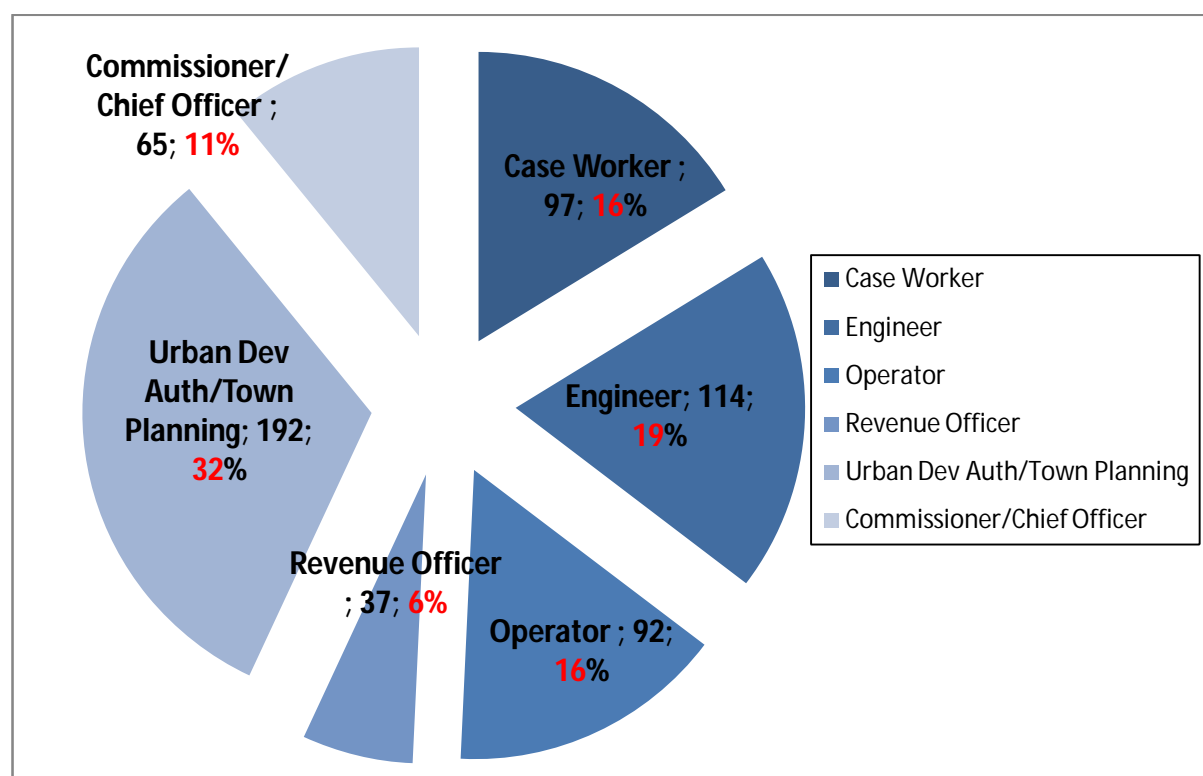
We can observe that the highest overdue is with the Urban Development Authority/Town planning Department with about 192 applications overdue.(32%), followed pendency with Engineers @19%. The Case workers and operators holding 16% each with about 95 applications each. The final approval with the Commissioner & Chief Officer saw 65 overdue constituting 11%.

The case worker's overdue range from 1 day to a huge 73 days overdue. The same trend is seen with Engineers overdue too. **Data entry operators holding application for beyond one day is unacceptable. There is no decision making process here and a severe investigation as to reasons for holding applications should be found. There are 92 cases ranging from 59 days overdue.**

Assumptions:

1. We have assumed a 23 day window for the case worker. This is giving maximum 'benefit of doubt' for delays. There are 2 windows at which every application touches the case worker. In the first case it is the 3rd day, and after further processing, it again comes back on the 23rd day. Since the system is defined as one designation as 'case worker', it was slightly hard to zero in on who is holding up the application. Hence a exact pin point at which stage this is pending was not possible.

2. Different entities within the ULBS such as City corporations, CMCs, TMC and TPs have slight variation in the designation wise workflow. Hence, a generic and mostly mapping trend has been reported.

Software Changes Recommended:

 1. The Workflow should be part of the system which can generate reports of what is pending with whom. Currently, the system does not map the workflow in the software. This should be done at the earliest.

2. Determining the above can also help in understanding which application will be definitely delivered in time, likely to be delivered delayed can also be determined, thereby helping the officer to focus on priorities. A detailed logic can be prepared and introduced into the software to take care of this. SMS could be mapped to this as reminders.

2. A clear distinction of In-time disposals, Delayed Disposals, Not yet due for Disposals and Overdue should be made. Applications that are delivered well within time will fall in the 'In time Disposals', Applications whose time is not yet matured will fall in the 'Not yet due for disposals', Those applications who have been delivered, but after the due days should be delayed disposals. Applications not yet delivered in spite of the due date having passed will be

3. One other critical reason for high pendency in the Building licence part is that - After the approval of the Building plan applied by the citizen , The citizen does NOT pay the required fees through the challan generated from the system. If the citizen does not pay the fees, it continues to be sitting in the head of the ULB as overdue. This should be removed. The moment the Fees is payable by the citizen, another status called ' Fees pending by citizens' should be introduced, thus absolving the ULB of being pressured for closing the case.

Secondly, the challan should be given a defined validity of say 15 working days and on the expiry of the same, the software application should revert back to status of building licence application to " On hold". A penalty of a defined %age of the fees payable should be remitted by the citizen within 1 month, after which the penalty doubles if paid within 2 months and on the expiry of 2 months, the licence is invalid and the citizen needs to reapply. Such cases should be permitted to reapply only after 6 months.

Tax and penalty should continue to be the backbone of any ULBs. Citizens should be discouraged from applying for licences when fees itself is not remitted. Only serious citizens interested in obtaining building licences should only apply.

Identifying operators holding applications beyond one day should be generated as an exception report, which should result in deduction of pay or recovery of penalty. As there is no role here other than to enter what is given besides basic verification, delays should not be tolerated.

Payment integration, if feasible. Facilitation of online remittance of fees could be introduced, which will auto change the application from one status to another.

Similar reports for JALANIDHI, VYAPAAR, JANAHITHA will be taken up and submitted.