CHAPTER – I
AN INTRODUCTION TO URBAN GOVERNANCE

PART – A: GENERAL BACKGROUND

1.1 INTRODUCTION

The world is witnessing increasing urbanisation and there is growing importance of cities in national economy and development. With urbanisation, conventional methods of governing the city with top down approaches have proved to be restrictive and inadequate. There has been an increasing demand for avenues for participation, to increase transparency, modernize administration and improve service delivery. The need to adopt new systems and methods of governing the cities that are inclusive and facilitate active and effective participation of stakeholders is being increasingly released. There is also a realisation that the existing capacity of the urban local bodies is limited and needs to be substantially enhanced.

The proposed work is an attempt to study urban governance in Karnataka with special reference to the Bangalore Municipal Corporation. The preliminary chapter consists of two parts. Part –A offers a general discussion on the concept of urban governance in India and the working of the 74th Constitution Amendment Act, its implications and features. Part B is a discussion on the research problem.

1.1.1 Meaning and Importance of Urban Governance

The term ‘Governance’ has wider meaning and implications than those of the term ‘Government’. Government refers to the machinery and institutional
arrangements of exercising the sovereign power for serving the internal and external interests of the political community, whereas governance means the process as well as the result of making authoritative decisions for the benefit of the society.

Government as the most powerful institutional society is the major element of any system of governance. However in recent times, government position is being narrowed for deriving advantages from free market, privatization, structural adjustments, deregulation and decentralisation. Non-governmental organisations are being given wider role in the development process. The corporate sector plays a significant role in ensuring good governance and promoting well being of the people.

In many countries the democratic form of government is facing several problems like lack of transparency, misuse of power, embezzlement of funds and corruption. The concept of good urban governance becomes attractive as a remedy against this state of affairs. Governance recognises that power exists inside and outside the formal authority and institutions of government, emphasizing in the process where decisions are made based on complex relationships between many actors with different priorities.

Urban governance is defined as “the sum of the many ways individuals and institutions, public and private, plan and manage the common affairs of the city. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action can be taken. It includes formal institutions as well as informal arrangements and the social capital of citizens”.

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The concept of governance has assumed a lot of significance in public administration all over the world. In all sectors of public interventions and service delivery, it is now agreed that until and unless the state of governance is ‘good’, service or product delivery will not be proper. Governance is defined differently in terms of the context. P.S.N. Rao, defines public governance “as the ways in which stakeholders interact with each other in order to influence the outcome of public policies”.2 The characteristics of good governance are citizens involvement, participation, transparency in all decision making, accountability of actions taken, equity and social inclusions, ethical and honest behaviour, ability to compete in the global environment, efficiency of service delivery, respect for democratic values, respect for the rule of law, use of appropriate technology and environmental sustainability.

The United Nations HABITAT launched a global campaign on urban governance in the year 1999 in order to support the implementation of the Habitat agenda goal of ‘sustainable human settlements development in an urbanising world’. The goal of the campaign is to contribute to the eradication of poverty through improved urban governance. The UN HABITAT has also been propagating the concept of the ‘inclusive city’, a city which promotes growth with equity, a place where everyone, regardless of their economic status, gender, race, ethnicity or religion is enabled and empowered to fully participate in the social, economic and political opportunities that cities have to offer.3

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2 Ibid., p. 52.
The Habitat global campaign defined good urban governance as inextricably linked to the welfare of the citizens. Good urban governance must enable women and men to access the benefits of urban citizenship. Good urban governance based on the principle of urban citizenship, affirms that no man, woman or child can be denied access to the necessities of urban life, including adequate shelter, security of tenure, safe water, sanitation, a clean environment, health, education and nutrition, employment, public safety and mobility. Through good governance, citizens are provided with the platform which will allow them to use their talents to the full and to improve their social and economic conditions.

In order to implement the good urban governance agenda, the United Nations Habitat has proposed that good urban governance is characterised by certain principles. They include sustainability, subsidiarity, equity, efficiency, transparency and accountability, civic engagement, citizenship and security.

1.1.2 Urban Governance: Concept and Theories

Apart from historical perspective, there is a need to examine the conceptual and theoretical framework of urban governance. Some studies throw light on various phases of history and different types of civilizations. Mention may be made of Arnold Toynber, Lewis Mumford, Gibson, Max Weber and others who consider city as the base for growth of civilization. From the view point of economic growth, development is looked in terms of generation, distribution of income and its consumption. Scholarly works of Adam Smith Ricardo, Keynes, Karl Marx, Schumpeter and others belong to this category. In recent times poverty, hunger and development in developing countries has gained attention of thinkers like Sunnan
Myrdal, Amartya Sen, Jean Dreze and Arthur Lewis. Urban growth and expansion of cities in developing and less developed countries is gaining increasing attention. Theories and concepts have been put forth to explain the trends in their growth.

1.1.3 Local Governance: Concept and Theories

The local government jurisdiction is limited to a specific area and its functions relates to the provision of civic amenities to the population within the provision of statute, which has created it. It is subordinate to the state or provincial government which exercises control on it. Local government has been undertaking new activities, which either regulate the conduct of the citizens or are in the nature of services. In fact local government is much more important in the daily life of a citizen than the state or central government.

Local government has been defined as “an authority to determine and execute measures within restricted area inside and smaller than the whole state”. Robson defines local government as a “territorial non-sovereign community possessing the legal rights and necessary organisation to regulate its own affairs”.

According to Byrne, “Local government is marked out as a distinctive form of public administration by five features. It is elected, multi-purpose, operates on a local scale, has a clearly defined structure and is subordinate to Parliament”.

Mackenzie argues that local government is far from being a launching pad for democracy. He perceived local government primarily as a means of providing certain services although it may also offer the citizens the benefit of serving the community.

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To Mackenzie, therefore it is for government to regard its purpose as the propagation of democracy at the local level and there are others who also think on the same pattern.\footnote{Mackenzie, W.J.H., \textit{Theories of Local government}, Greater London Paper, London School of Economics, 1961, Paper No. 2.}

The conventional view of local democracy was highlighted by the writings of J.S. Mill. Mill considered local government to be “the prime element in democracy”. Other scholars pointed out that Mill’ arguments are somewhat misplaced with regard to purpose of local government. They argue that as a secondary form of government, instead of primary form of government, it is erroneous to regard local government as the basis of democracy.

The famous exchange writings between Langrod and Moulin on one side (anti-Mill’s) and Panter-Brick (pro-Mill’s) represent the debate about whether or not the purpose of local government is a representative democracy. Langrod and Moulin disapproved the notion that local government is the basis of democracy. Synthesising what maybe regarded as the continental view (both scholars being from the continent of Europe), they argue that local government is subordinate to democracy; and that any reference to a reciprocal relationship between it and democracy is a mirage. As Langrod said, “democracy does not come into being where local government appears, nor it ceases with the disappearance of the latter”. On the other hand Panter-Brick revell in the Mill’s tradition arguing that local government assesses the appreciation of individual interests. The position of Langrod and Moulin is that local government
cannot be justified within the concepts of local representative democracy as said by Mill and his followers. 

Mill’s assertion that local government is a training ground for citizens who may venture into national politics presumes that local interests aggregate into national interest. This cannot be applied universally. This position can be sustained in a policy characterised by a high level of homogeneity both in terms of socio-cultural and ideological manifestations, but it may not be so in a heterogeneous, diverse polity. In fact, a variant to this point is used by modern pragmatists to counter Mill. The influence exerted by local government on national politics, they argue, is determined by the “convention and traditional political framework” existing within a particular political system rather than by any universal principle of local participatory democracy.

1.1.4 Urban Governance in Other Countries

A. Urban Governance in European Countries

Cities in Europe suffer from a multitude of related problems, such as unemployment, high rising crime rates, a loss of feeling of safety, neighbourhood decay and ethnic conflicts. Local and national governments respond to these challenges by adopting urban development programmes. All kinds of European, national, regional and local funds are used to generate and implement social, economic and physical measures in order to increase employment, security, the quality of life, access to basic utilities, housing conditions and services.

For a country like Sweden, where people take pride in their effective labour market policy, well developed and generous social welfare programme, well-planned cities and neighbourhoods and an ambitious housing policy, the developments of the 1990s were in many ways traumatic. Apart from the economic problems, and the policy changes that were implemented in an effort to combat them, Sweden received close to half a million new immigrants between 1985 and 1996, and in 1995 the country joined European Union (EU). The economic crisis, the EU membership and the high level of immigration had an effect on policy and planning practices in many fields. This led to the emergence of new policy fields. One such field is the Metropolitan Development Initiative (MDI) launched in 1999 with the two-fold aim of promoting economic growth and ethnic integration.

It is a partnership between the central and local government, where the former has all control. Local government in Sweden has a strong constitutional foundation backed by a set of laws regulating local government relations to central government and to the citizens. It has its own fiscal rights, its political organisation is based on direct and proportional elections, and there is a huge staff of administrators and field workers to fulfill all the functions adopted by local government. The local government also contains a number of partnership-like networks at the municipal level, including workers belonging to local government as well as to local civil society. Their main aim is to implement the general goals set by the framework agreement between central and local government.9

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There are quite considerable differences in the autonomy and performance of local governments in European countries. Nevertheless, what is striking is that even the most centralised politics of western Europe have effected major decentralization during the post-war period. The reason for the decentralization was because of the economic development and the consequent demand for local public goods which resulted in pressure on politicians in electoral system to decentralise. This appears to have been the case with both the French Reforms, the British Reforms of 1830s as well as the Spanish and Italian Reforms. Nevertheless, these reforms have occurred at different times and in varied ways depending on the path of political change in various countries. In the southern European countries, vested interests of central state politicians prevented decentralisation for a long time. Political developments in the sphere of local government may not succeed until economic growth has first taken place. On the other hand, there is no doubt that there has been a demonstration effect in western Europe, with the citizens and politicians of the more centralised politics learning from their decentralised neighbours.

**B. Urban Governance in South Asian Countries**

The year 2008, marked a watershed in human history when for the first time, about 3.3 billion people migrated from various villages to live in towns and cities. This fact is particularly striking for South Asia, home to over 1.6 billion people or a quarter of humanity, of which a third live in urban areas.

South Asia is witnessing rapid economic growth and transformation, and its town and cities are at the heart of this process. Growth is taking place in dynamic sectors such as manufacturing, information technology, high-end service industries,
trade, retail and banking, insurance and finance, all of which are urban-centric. In Pakistan and Bangladesh, the cities of Karachi and Dhaka respectively dominate the economy. The mega-city of Karachi, for instance, not only accounts for about a tenth of the total population of the country’s 165 million people but it also generates 60 to 70% of the national revenue and over 40% of the value added in manufacturing.

While on the one hand, towns and cities are ‘engines of growth’ for the rapidly growing economies of South Asia, unplanned and unmanaged urbanisation poses a serious threat to the very same growth, in addition to generating social tensions. All urban areas in the region, big and small, face similar challenges of providing good urban governance, livelihood opportunities, adequate housing, water, sanitation, transport and other amenities to their residents. Thus unless South Asia can make its towns and cities liveable where it can pursue economic progress, the region will not be able to sustain and accelerate its growth.

The key challenge in urban South Asia is to make local governments truly representative and accountable to the people. Here the experience of countries in the region has been varied. Local democracy went at an extreme end in Pakistan during the regime of General Musharraf. Following local government election in 2001, a lot of administrative and financial responsibilities were devolved to district governments headed by an elected Nazim (Mayor).

The second key challenge that many South Asian countries face is that, inspite of decentralization programme, local governments that have most of the responsibilities for managing urban change and growth often lack the power and resources to fulfill them. The inadequate revenues make cash-starved city
governments dependent on federal government. For South Asia to manage its urban transition and to ensure sustained economic growth, governments including local governments will have to take adequate measures for making cities habitable.

On the positive side, it is important to recognise that for the first time in many decades, democratically elected urban local governments are in place in all the South Asian countries. Though these local governments are in a nascent stage and their specific functional and fiscal domains are not well defined, there are examples of a few urban local governments that have adopted innovative approaches of urban governance to meet the new challenges. These ‘successful’ urban authorities provide useful lessons to others to embark upon a new mode of governance.\textsuperscript{10}

1.2 URBAN SCENARIO IN INDIA

The entire developing world is witness to an unprecedented shift of human settlement to the cities, which means morphology of settlements from hamlets to metropolis. While India’s population remains substantially rural, it is emerging as one of the fastest urbanising countries in the world and has already a staggeringly large urban population of around 285 million. It is estimated that by the middle of this century or probably earlier, it would reach the same milestone that the world had reached at the beginning of the century-of becoming more urban than rural. The economic base of the nation through expanding industries, trade, commerce and services has already shifted to urban centres.

India is at a crucial juncture, in the process of urbanisation. At present, India is among the countries which is at a low level of urbanisation. In 1991, only 26% of the population was living in urban areas. In 2001, only one-third of the country’s population was living in the urban areas. The projections put urban population’s share to be at 40% by 2021. Nonetheless, even at such a low level of urbanisation, the total urban population is very large. If urban India was to be considered a separate country then it would be the fourth largest country in the world.

In 1991, of the 20 largest cities in the world, three (Mumbai, Calcutta and Delhi) were from India. In 2001, size of the 20 largest metropolises in the world were from India. In 1991, there were 23 million plus cities in India and their number increased from 40 in 2001 to 70 in 2021. Hence the task of urban development requires special attention.

Urbanisation rate of India has usually remained between 3% to 4%. The rate was 3.5% per annum in 1940s, 2.3% per annum in 1950s, 3.3% per annum in 1960s, 3.8% per annum in 1970s and 3.1% per annum in 1980s. The natural growth of population has remained stable during the past three census decades at about 2.1% per annum. The declaration in urban growth has therefore, been attributed to the decline of rural-urban migration. Population share of class I cities (population above 100,000) has increased from 26% in 1901 to 65% in 1991. The larger urban centres have experienced faster demographic growth as compared to smaller order settlements. The class I cities, for example, have registered an average growth rate of

11 Census of India, Karnataka State, 2001.
3.0% per annum during 1981-91, which is higher than that of lower order towns. In the smaller towns that are mostly rooted in their regional economy, population growth is low and fluctuating over time and space. Thus there exists a dual urban structure in India wherein the larger cities are integrated with higher order system and are part of a growth dynamics, which is by and large, absent in smaller towns.

Cities have strongly emerged as the prime engines of Indian economy and generators of national wealth. As the National Commission on urbanisation stated, urbanisation is inevitable for economic change. The cities are considered as the backbone of national economy. Some projections state that the contribution of the urban sector to national economy has increased from 29% in 1951 to 55% in 1991 and 60% in 2001. Thus, even though the level of urbanisation is relatively low in India, the contribution of urban economy to national economy is significantly high. Mumbai has international relevance and is expected to be part of the chain of ‘global cities’ where the international business locate and link the national economies with the global economy. The urban planners and policy makers have therefore been focusing on the development of such large urban centres that would link Indian economy with the global economy in the period of economic globalisation and liberalisation, a path that India has embarked upon after 1991.

While the need of national and urban planners to focus policy efforts on the metropolitan cities to support and accelerate the process of economic reforms is understandable, there are two major issues that need to be focussed in India. First is that there are 3,697 urban centres in India as per 1991 census and their numbers will increase to about 5000 in 2021. Of these only 23 urban centres have population
million plus while more than 92% are small and medium towns. Secondly it is found that handling of urban development is a very delicate issue and has to be strategically handled, so that urban fabric and its users get utmost benefits, convenience and a comfortable life.

Urban India has to network with a great number of people, plan to provide them services, find resources to meet the needs of maintaining and augmenting infrastructure, deal with urbanisation and poverty, preserve their environment and retain their competitive edge. This re-engineering is precisely the goal of good urban governance. It envisages improving the quality of life in cities through improved local governance by reinventing a city as an all-inclusive city. Such a city provides space and voice to all its stakeholders through inclusive decision-making, since decision-making is the heart of good governance. The strategy for achieving the goals of good urban environment is to advocate the norms and country-specific issues of good urban governance and promote inclusive decision-making process.13

1.3 EVOLUTION OF LOCAL SELF-GOVERNMENT IN INDIA

Local government is the tier of government administration which is closest to the people as compared to the other tiers – national, state and regional/district level. It is a system under which the people of a locality possess certain responsibilities of public local affairs, and generating money to meet their expenses. Thus, the goal of this system is the betterment or welfare of every citizen. Such a government is necessary precisely because some public requirements are local in their intensity,

13 Good Urban Governance, India Launch, Documented by Human Settlement Management Institute, New Delhi, 2001, pp. 1-5.
character and scope. It provides an extensive range of services to the people and performs functions of great variety and magnitude. Local self government ensures a two-way communication between the state government and plans and programmes of the state and central governments flow in the reverse direction. Thus it can be said that local self government contributes to resilience, strength and richness of democracy by promoting diversification of political experience and by setting itself up as yet another centre of creative activity through democratic action. The evolution of local self government is divided into four periods. They are: (A) Ancient (B) Medieval (C) British and (D) Post-Independence period.

A. Ancient period

There was no conception of local self-government in ancient India, although it is said that the origin of local self government has very deep roots in ancient India. On the basis of historical records, excavations, and archeological investigations, it is believed that some form of local government did exist in the remote past. The Ramayana and Mahabharatha also point to the existence of several forms of local self-government such as paura, nigama, pauga, and gana, performing various administrative and legislative functions and raising levies from different sources. Local self-government continued during the succeeding period of Hindu rule in the form of town committees, known as Gosthis and Mahayan samitis.

Kautilya gives a vivid account of urban administration dominated by central organisation of the monarchy. Urban life was equally regulated. The direct control and participation of the state officials was felt in town administration under a Nagaraka, who was also called Puramukhya. Kautilya has mentioned that Nagaraka
was responsible for city administration with the assistance of *Gopa* or *Athanika*. Kautilya mentions different types of committees and specialist which appear fully relevant in modern times.

As regards, rural administration, village in India has been the pivot of administration since time immemorial. Ancient India was built on the basis of decentralisation in principle and government from the sovereign at the top extended through all grades and strata of society down to the lowest classes in the villages. Every village was self-governing federations. Despite being a staunch supporter of absolute monarchy Kautilya allowed the village communities to have freedom from central control. In the Mauryan period, followed by the Gupta era the system of local self-government continued to be more or less the same. The system was quite different in the Mughal period.

**B. The Mughal period**

The Mughal administration was concentrated in the provincial capital. It was a city government living and working in cities and concerning itself mainly with the inhabitants of the city and their immediate neighbourhood. The representative character was abolished and whole administration of the city was placed in charge of a nominated government official known as *Kotwal*. The *Kotwal* not only controlled the various municipal activities but also performed certain magisterial functions, including the control over police and intelligence. In the later Mughal period, the system suffered a marked decline, where, not only the urban areas became maladministered, but also most of them neglected till the time the British came and assumed authority.
C. The British period

The origin of the modern local self government owes much to Sir Josia Child, who obtained a charter from James II to set up a corporation at Madras in 1642. The British regime discarded indigenous foundations and the ancient local taxation system and new reforms were created. The local government in the British period had four distinct phases. They were:

1. First Phase (1833-1882)
2. Second Phase (1882-1919)
3. Third Phase (1919-1935)
4. Fourth Phase (1935-1947)\(^\text{14}\)

1. First Phase (1833-1882)

A highly centralised form of government was brought in the wake of the imperial system of finance in the first phase. To relieve the financial difficulties created by such system, the local self-government was established with a power to levy house-tax and a responsibility to provide civic amenities. The success was varied, and in 1850 a permissive levy system was introduced. A report in 1863 indicates the unhealthy conditions of towns. In 1870, Lord Mayo’s resolution brought about a change in the process of administrative devolution. A scheme of decentralization of administration was introduced.

2. Second Phase (1882-1919)

The second phase began with Lord Ripon’s resolution on 18th May 1882, which laid the foundations of the system of local self government as it exists today.

The principles as laid down included provision for various matters such as at least two-third members of the municipalities be non-officials, system of election, government control in respect to sanctioning powers, advice and ultimate suspension (if nothing worked), non-officials as chairman, local revenue resources, etc. Several taxes such as octoroi, house tax and professional tax were introduced and primary functions of construction, upkeep and lighting of roads, public health and education were fixed. It was laid down that expert advice, help and supervision of government officers should be made available to the municipalities as servants and not as their masters.

3. Third Phase (1919-1935)

This period is influenced by the recommendations of the Royal Commission on Decentralisation (1907-08) which led to the resolution of 1951 of the Government of India. The reforms made in 1919 made a clear cut demarcation of the taxation powers of the local bodies.


This phase begins with the Government of India Act 1935 and the inauguration of the provincial autonomy under the Act. The Act envisaged the reorganisation of India on a Federal basis with provinces and a Government of India. In the process, the local self-government became a purely provincial subject and a separate list of taxes which could be levied by and for local bodies only got abolished and was merged in the state list. Further decentralization was made by state legislatures in respect of local bodies. Though the functions were enlarged, the financial base got curtailed. The revenues had not much increased to allow them to
perform the functions efficiently and in an autonomous manner. Municipalities became more and more dependent on grants-in-aid and the control of provincial governments tightened.

The Government of India Act framed after Independence continued the same provisions with the same tendency.


The advent of Independence opened a new chapter in the socio-economic reforms embodied in the Directive Principles of state policy incorporated in Part IV of the Constitution of India. With the end of British rule, there was self-government at all the levels – union, state and local. Since Independence, more important legislations, for reshaping the local self-government was passed. The Constitution of local bodies was demarcated by the introduction of adult suffrage and the abolition of communal representation.

Although, there was growth in the number of local self government bodies and appreciation of their plan in the system of administration, there was no corresponding development of the usefulness and effectiveness of local bodies. The main factor for this state of affairs was the inadequacy of financial resources available to them. As a result, post Independence era has witnessed numerous impressive attempts for reform at the level of urban government. However most of the thinking on municipal reforms remained confined to augmenting the financial resources only. As a result, they have failed miserably in dealing with the dynamic growth created by the process of steady urbanisation and urban growth. In view of this in the year 1985, the National Commission on Urbanisation made recommendations about the need for measures
required for strengthening the management and administration of urban local
government institutions in the country. The need for according an independent status
to urban local government institutions had been considered. It aimed to take the
government to the people, to make the administration accountable to the people and to
ensure people’s participation in the administration.

With the purpose of achieving these objectives, the Union government
introduced in the Lok Sabha the Constitution (65th Amendment) Bill in 1989 which
could not be passed due to dissolution of Lok Sabha. Another Bill (72nd Amendment)
was introduced by the succeeding Janata Party government and met with the same
fate. Again, in 1991 another bill (73rd Amendment) was introduced and passed in
1992. It was ratified by majority of the states, and after the Presidential assent, it came
into force with effect from April 24, 1993 as the Constitution (74th Amendment) Act.

The 74th Constitution Amendment Act is a landmark in the history of urban
local government in the country. The Act places urban local bodies in the Indian
Constitution by inserting part IX. The local institutions are favoured with a fixed
tenure. The representative character of local bodies is ensured. The Act provides for
mandatory as well as discretionary provisions which were to be adopted compulsorily
throughout the country. The mandatory provisions included the uniform
structuring, stability, representation, ward committees, district or Metropolitan
Planning Committees, Finance Commission, State Election Commission, etc. Local
government being a state subject, the discretionary provisions were left to the states to
enact to their needs and local situations. Thus urban local government in the country
has been given a face lift by the Constitution itself.
The state governments have modified and amended their municipal laws in conformity with the 74th Constitution Amendment Act. The decentralisation phase has started. The provisions of the Central Act are being implemented in letter and spirit. Despite a uniform structural framework having been enunciated by the 74th Constitution Amendment Act (CAA) urban governance is not uniform all over the country. The regional socio-political economic situations differentiate local grassroots governance pattern and diversity characterises uniformity.15

1.4 CONSTITUTION 74TH AMENDMENT ACT

People’s participation in urban development is not a new concept in India. India has been conscious of people’s participation in planning and urban development from the very inception of planned economy. The five year plans clearly defined that ‘democratic planning’ will not succeed unless the sanction of an awakened public opinion operates powerfully and the force of public action in pursuit of constructive ends continually grows.

In December 1992, the Parliament passed the 74th Constitutional Amendment Act (CAA), 1992, and it came into force from 1st June, 1993. It became mandatory for all the state governments to amend their municipal statutes in conformity with the act within a stipulated period of one year of its enactment.

The 74th Constitutional Amendment Act (CAA) 1992, ushered in a new era in the history of urban local government in the country. It ensures adequate constitutional obligation so that democracy in the municipal government is stabilised.

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It aims at systematic Constitution of the urban sector with proper representation to all sections of society. The Constitution Amendment Act, 1992, devolves a Constitutional status on the local governments for the first time in the history of India. Thus on principle, the local self government is being formed as per the Constitutional process and state laws subject to that process. Local governments will no longer be formed as merely an arm of the state. The 74th Constitutional Amendment Act (CAA) is a pointer to the determination of the state to bestow power to the people, to plan for themselves and participate in the decision-making process.

A. Evolutionary Perspectives

The *Panchayats* and *Nagarapalika* Amendment Bills of 1992 are not the first initiative towards decentralisation. Earlier there existed the Community Development Project of 1952. This process of decentralisation was derailed, because the leaders at the village, block and district levels had a strong local identity and a better perception of the local problems. Political leaders at higher levels felt threatened. If the leadership at the decentralised level was of a political party different compared to the one in power at the state level, such difference was taken as a loss of power, rather than a fact of political pluralism.

Thus by the 1970s the process of decentralisation was derailed as the real control of funds and decision making reverted to the state level leadership and to the officials acting at their behest. The Singhavi Committee, which was appointed in 1986, urged that Panchayati Raj should be given constitutional recognition. The report of the Sarkaria Commission, 1988, preferred a model bill based on consensus in the Inter-State Council, which would then have to be enacted by the states. Efforts
to usher in constitutional amendments were not an isolated process but a rethinking on national planning. The Panchayati Raj and the Nagar Palika initiatives were not so much a resumption of the decentralisation process, but an attempt to force the pace of change.\footnote{Implementation of the 74\textsuperscript{th} Constitution Amendment Act, All India Institute of Local Self Government, Mumbai, LSG Press, 2002, pp. 16-20.}

In order to popularise and create awareness, Prime Minister Mr. Rajiv Gandhi organised the Panchayati Raj and Nagarpalika sammelans between January-April 1989. The purpose of decentralisation was seen not only as an attempt to enlarge representation and thereby counter ‘power brokers’ but also as a most efficient way of canalising public resources to finance development programmes. On 15\textsuperscript{th} May 1989 Mr. Rajiv Gandhi introduced in the Lok Sabha, the 64\textsuperscript{th} Amendment Bill 1989 to establish Panchayati Raj at the village, intermediate and district levels, comprising mainly of representatives elected from territorial constituencies.

Apart from a three-tier system of panchayats, the bill also envisaged elections to be conducted by the Election Commission, reservation of seats for Scheduled Castes/Scheduled Tribes (SC/ST), women, a five-year tenure, empowering the Panchayats to audit their own accounts. While introducing this bill, Mr. Rajiv Gandhi also announced that a similar exercise would be taken to provide a constitutional mandate for urban local bodies. It is imperative to note that the Ministry of Urban Development, Government of India had a very peripheral role to play with regard to local governance as this subject was regarded as the responsibility of the state government.
The Ministry of Urban Development, Government of India acted on issues of local government only through the state governments. *Nagarpalika sammelans* were held at Cuttack, Bangalore and Delhi by the Ministry of Urban Development, Government of India to focus attention on the critical issues of urban self-governance. More than 5000 officials and municipal elected representatives participated in the *sammelan* events. Most of them had proven administrative skills, some background in urban development and experience in managing municipalities in their respective states. Responses at these sammelans indicated an overwhelming consensus for providing a constitutional guarantee against suppression and for regularly elected municipal bodies at various levels. It was also suggested that urban local bodies be set up in three categories – *nagar panchayats*, municipalities and municipal corporations – all for a period of five years.

Rajiv Gandhi insisted that a multi-ethnic, multi-cultural society like India, required a widening of the area of representation. A large number of regional political parties such as the Dravida Munnetra Kazhakam (DMK), the Communist Party of India (Marxist), the Telugu Desam Party (TDP) argued that Mr. Rajiv Gandhi was by-passing the spirit of the Constitution by seeking to legislate on subjects which was clearly within the domain of the state governments. Even the Congress government advised caution against such a move and suggested that the Centre should limit itself to policy guidance and leave it to the states to work out the details.

Drafting and preparing an Amendment Bill for the Panchayats was not a Herculean task as the recommendations of the Balwantrai Mehta Committee were taken into account. The *Nagarpalika* Bill was an after thought and was introduced
by Mr. Rajiv Gandhi for the first time, while introducing the 64th Amendment Bill in the Lok Sabha. The Draft Bill for the *nagarapalikas* tried to build on the responses of the ideas, which emerged from the *sammelan* events.

While drafting the Amendment Bill for the *Nagarapalika*, two items were debated by the drafting group, namely (1) The setting up of Ward Committees and Zonal Committees as a measure for enhancing proximity between citizens and their elected representatives, and (2) The provision for District Planning Committees.

When the drafting of the *Nagarpalika* Bill was taken up, there was some opposition from the Planning Commission, as well as to the making of a constitutional provision for district planning. It was believed that providing a constitutional status for planning at the district level might have unexpected and adverse implications for the Planning Commission itself. It was however argued by the then Congress government that providing a statutory basis for district planning would not undermine state authority or the status of the Planning Commission at the national level, it would on the contrary be an important input for the state plan.

Eventually, it was decided to provide for District Planning Committees composing mainly of elected representatives drawn from the *Zilla Parishads* and urban local bodies. During the second half of July 1989, discussions were held with regard to the cut off figures of population for constituting *Nagar panchayats*, municipalities and municipal corporations. It was agreed that the cut off would remain at 20,000 population for a municipal council and 3 lakh population for a municipal corporation. As a corollary to district planning, a proposal to set up metropolitan planning committees for large urban agglomerations consisting of
multiple municipalities and urbanising fringes was considered by the group holding discussions on the amendment.

The rapid urbanisation and growth of large cities over-riding existing municipal boundaries has been an important feature of India’s urbanisation. According to 1981 census there were a dozen of these urban agglomerations with a population of one million or more. The draft settled for indirect election of mayors and municipal chairpersons. The Panchayat Bill faced much opposition in the Parliament. Panchayats and local self government were mentioned in the state list, so the objection raised by regional parties like DMK, TDP, CPI(M) was “the Parliament appropriate to legislate and consider such a bill ?”

The second objection that was raised was that by adding a new part and providing a constitutional status to *panchayats* and municipalities, the Amendment Bill was altering the basic features of the constitution. Another objection was that if the Election Commission was to conduct *panchayat* elections and the Controller and Accountant General (CAG) was to audit the accounts, then these measures would only serve to increase centralisation.

On the other hand, the proponents of the bill maintained that, the parliament had an inherent right to legislate and to enact constitutional amendment and that whether the bill altered the basic structure of the constitution or not, was a matter of interpretation. Further, fulfilling the obligations set forth in the Amendment Bill would be a constitutional responsibility and failure on that account would amount to a failure to discharge constitutional obligations.
The *Nagarpalika* Amendment Bill labelled as the 65th Amendment was ready and introduced in the Lok Sabha on 7th August 1989. In the *Nagarpalika* Bill, Mr. Rajiv Gandhi introduced items like district level planning, State Finance Commission and Metropolitan planning which had not been included in the panchayat bill. The *nagarpalika* bill was envisaged as a companion of the panchayat bill. The opposition pointed out that in states like Andhra Pradesh, Kerala and Karnataka that were governed by non-Congress governments, local self-government had been a reality for years. Further states like Andhra Pradesh, Karnataka, Tamil Nadu and West Bengal had done much in regard to Panchayat Institutions.

The opposition looked upon the bill as a device to usurp the powers of the state and that while it passed on all responsibility to the states, it curtailed their rights. What was needed for decentralisation, they said was not a constitutional amendment but political will and political leadership. Mr. Rajiv Gandhi argued in favour of the amendments on the grounds, that a uniform structure of panchayats and *nagarpalikas* was essential so that the pattern and degree of democracy should not differ from one part of the country to the other. The proposed amendments, it was reasserted, would vastly increase the number of elected representatives and thereby reduce the gap that separates the voter from his elected representative.

The 64th and 65th Amendment namely Panchayat Raj and Nagarpalika Bills were drafted on 13th October 1989. On 16th September 1991, the 72nd and 73rd Amendment Bills were introduced during the period of Narasimha Rao government (Congress). They were passed in Parliament on 22/23 December 1992. After the passing of the bills, ratification by half of the states was required. After
ratification, the amendment acts, renumbered as the 73\textsuperscript{rd} and 74\textsuperscript{th} Constitutional Amendments received the assent of the President.

**B. Salient Features of Constitution 74\textsuperscript{th} Amendment Act**

The salient features of the Constitution 74\textsuperscript{th} Amendment were as follows:

1. The act mandated that three grades of municipal bodies will be set up in the country, viz. nagar panchayat, municipal council and municipal corporation.
2. The tenure of urban local bodies was for a term of five years.
3. The ward committees were mandatory in case of cities with more than 3 lakhs population but their size and composition was left to be determined by the state legislature.
4. In case of zonal committees, there was no specific mention but it was open to the state governments to form other committees.
5. Seats were reserved for scheduled castes, scheduled tribes and women.
6. Representation given to Members of Parliament and Members of Legislature Assemblies was left to the discretion of the states.
7. Separate State Election Commissions were to be setup to conduct elections.
8. Elections for the positions of mayors and municipal presidents were also to be decided by the states.
9. Removal of chairpersons was to be judged by the states.
10. A draft of the Development Plan was to be prepared for the metropolitan area as a whole. Metropolitan planning was to be extended to all cities with more than 10 lakh population.
11. A new clause, to amend Article 280 of the Constitution was added. Thus it became necessary for the states and the State Finance Commissions to take note of the needs of the rural and urban local bodies and to reflect on the same in their own submissions and report to the Central Finance Commission.\textsuperscript{17}

C. Salient Features of the Amended Municipal Legislations by the States

Urban local bodies in India are governed by the municipality and corporation laws of the respective states. All states amended the municipalities and corporation Acts in 1994 to give effect to the 74\textsuperscript{th} Constitution Amendment Act. Some state governments further amended the laws from time to time to meet the emerging political, legal and administrative problems. The status of municipal legislation in some states are as follows:

1. Andhra Pradesh

There were two municipal laws in the state prior to the 74\textsuperscript{th} Constitution Amendment:

(a) Andhra Pradesh Municipalities Act, 1965

(b) Hyderabad Municipal Corporations Act, 1955 (which governs Hyderabad, Visakapatnam and Vijayawada Municipal Corporations)

The law related to municipalities (Andhra Pradesh Municipalities Act, 1965) was amended in conformity with the 74\textsuperscript{th} Constitutional Amendment through Andhra Pradesh Municipal Laws (Second Amendment) 1994 and became effective from June 1994. The earlier Hyderabad Municipal Corporations Act, 1955 which governed the Hyderabad, Visakapatnam and Vijayawada corporations was amended under the

\textsuperscript{17} Ibid., pp. 21-22.
Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994 and also became
Corporation Act, 1994 governing all the municipal corporations in the state excluding
the three corporations of Hyderabad, Visakapatnam and Vijayawada was enacted and
became effective from July 1994.

2. Gujarat

There were two major municipal laws in the state prior to the 74th Constitution Amendment:
(a) Gujarat Municipalities Act, 1963
(b) Bombay Provincial Municipal Corporation Act, 1949

In pursuance to the 74th Constitutional Amendment the provision of the
conformity legislation relating to municipalities in Gujarat now flows from Gujarat
Municipalities (Amendments) Act, 1993 and for municipal corporation from the
Both the amended laws became effective from August 1993.

3. Haryana

There was no municipal law in the state prior to the 74th Constitutional Amendment namely the Haryana Municipal Act, 1973. After 1992, Haryana amended
the municipal law through the Haryana Municipal (Amendment) Act, 1994 and
4. Karnataka

There were two municipal laws in the state prior to the 74th Constitutional Amendment.

(a) The Karnataka Municipalities Act, 1964

(b) The Karnataka Municipal Corporations Act, 1976 governing all the municipal corporations in the state.

These two acts were amended in 1994 to give effect to the amendment in 1994 through the amended acts of:

(a) The Karnataka Municipalities (Amendment) Act, 1994

(b) The Karnataka Municipal Corporation (Amendment) Act, 1994

Both the above acts became effective from June 1994.

5. Kerala

There were two municipal acts in the state prior to the 74th Constitutional Amendment:

(a) The Kerala Municipalities Act, 1960

(b) The Kerala Municipal Corporation Act, 1961

There was only one unified municipal law – Kerala Municipality Act, 1994, applicable to the town *panchayats*, municipal councils and municipal corporations replacing the earlier two laws to give effect to the Constitutional Amendment in 1994. The new act came into effect by June 1994.
6. Madhya Pradesh

There were two municipal laws in the state prior to the 74th Constitutional Amendment:

(a) Madhya Pradesh Municipal Corporation Act, 1956

(b) Madhya Pradesh Municipalities Act, 1961

The above two laws were amended to give effect to the Constitutional Amendment 1994, with enactment of the following two amendment acts;

(a) Madhya Pradesh Municipal Corporation (Amendment) Act, 1994

(b) Madhya Pradesh Municipalities (Amendment) Act, 1994

Both these acts became effective from May 1994.

7. Maharashtra

There were four municipal laws in the state prior to the constitutional amendment:

(a) The Bombay Municipal Corporation Act, 1888

(b) The City of Nagpur Corporation Act, 1948

(c) The Bombay Provincial Municipal Corporation Act, 1949


The above four municipal laws were amended through the Maharashtra Municipal Corporations and Municipal Councils (Amendments) Act, 1994 and was brought into effect from May 1994.
8. Punjab

There were two municipal laws in the state prior to the constitution amendment:
(a) The Punjab Municipal Act, 1911
(b) The Punjab Municipal Corporation Act, 1976

These two laws were amended to give effect to the provisions of the amendment by:
(a) The Punjab Municipal (Amendment) Act, 1994
(b) The Punjab Municipal Corporation (Amendment) Act, 1994

These acts came into force with effect from May 1994. In 1999, a Unified Act – The Punjab Municipal Act 1999, to replace the existing municipal acts was passed by the state legislature but is awaiting presidential assent.

9. Rajasthan

There was only one municipal act in the state prior to the constitutional amendment, The Rajasthan Municipalities Act, 1959. To give effect to the provisions, the above act was amended by the Rajasthan Municipalities (Second Amendment) Act, 1994. The act was brought into force from May 1994.

10. Tamil Nadu

Until the enactment of the amendment, there were four municipal laws in the state:
(a) Tamil Nadu District Municipalities Act, 1920
(b) The Madras City Municipal Corporation Act, 1919
(c) The Madurai City Municipal Corporation Act, 1971
(d) The Coimbatore City Municipal Corporation Act, 1981

The following amendments to the above laws were made in the form of conformity legislation aimed at giving effect to the constitutional amendments.

(a) Tamil Nadu District Municipalities (Amendment) Act, 1994


In addition, three more new laws related to the following corporations were enacted:

(a) The Tiruchinapalli City Municipal Corporation Act, 1994

(b) The Tirunelveli City Municipal Corporation Act, 1994

(c) The Salem City Municipal Corporation Act, 1994

All these amended laws came into effect from June 1994 and later in 1998, unified new Municipal Act covering all aspects of urban governance – Tamil Nadu Urban Local Bodies Act, 1998 replacing all other Municipal Acts – was enacted and made effective from August 2000. The same is under suspension at present.18

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18 TN Outdoor v/s Government of Tamil Nadu: A writ petition was filed by the TN Outdoor, where they wanted to retain the hoardings erected in public places belonging to government. The division bench High Court had struck down the provision. So the government has decided to make provision in Tamil Nadu Urban Local Bodies Act to regulate the hoardings by issuance of licence. Accordingly the government has decided to act. And for the same reason it is under suspension, while other acts are in progress.
11. Uttar Pradesh

There were two municipal laws in the state prior to the 74th Constitutional Amendment:

(a) United Provinces Municipalities Act, 1916

(b) Uttar Pradesh Municipal Corporation Act, 1959

(c) United Provinces Town Area Act, 1916

After the amendment of the Constitution, the Uttar Pradesh Local Self-Government Laws (Amendment) Act, 1994 was passed by the state legislature, which came into force with effect from May 1994. The United Provinces Municipalities Act, 1916, and the Uttar Pradesh Municipal Corporation Act, 1959 have been renamed as UP/Uttar Pradesh) Nagarpalika Act, 1916 and UP Nagar Nigam Act, 1959 while the United Provinces Town Area Act, 1914, has been replaced.

12. West Bengal

There were seven major municipal laws in the state prior to the Constitutional Amendment:

(a) The Calcutta Municipal Corporation Act, 1980

(b) The Howrah Municipal Corporation Act, 1980

(c) The Siliguri Municipal Corporation Act, 1990

(d) The Asansol Municipal Corporation Act, 1990

(e) The Chandernagore Municipal Act, 1955

(f) The Chandernagore Municipal Corporation Act, 1990

(g) The West Bengal Municipal Act, 1993
All the five municipal corporation laws and the Chandernagore Municipal Act, 1955, were amended by the West Bengal Municipal Corporation Laws (3rd Amendment) Act, 1994. The West Bengal Municipal Act, 1993, was amended by the West Bengal Municipal Amendment Act, 1994, to bring them in conformity with the amendment. These acts became effective from July 1994.

In addition, the following three new acts were enacted:

(a) The Durgapur Municipal Corporation Act, 1994, and made effective from October 1996

(b) The West Bengal District Planning Committee Act, 1994 and made effective from May 1994

(c) The West Bengal Metropolitan Planning Committee Act, 1994 and made effective from June 1994.\(^{19}\)

13. Himachal Pradesh

There were two municipal acts in the state prior to 74th Constitution Amendment Act, 1992:

(a) Himachal Pradesh Municipal Act, 1968

(b) Himachal Pradesh Municipal Corporation Act, 1979

As of today both these Acts standards repealed.

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The state conformity legislation for the municipal corporation and municipal council after the enforcement of the 74th Constitution Amendment Act, 1992 were:
(a) Himachal Pradesh Municipal Act, 1994
(b) Himachal Pradesh Municipal Corporation Act, 1994

There have been no amendments in the state’s conformity legislation for the municipal corporation and municipal council after the enforcement of the 74th Constitution Amendment Act (CAA), 1992.

14. Assam

Prior to the implementation of the 74th Constitution Amendment Act, 1992 the principle acts for the creation of municipal corporation and municipal board were:
(a) Guwahati Municipal Corporation Act, 1969
(b) Assam Municipal Act, 1956

State’s conformity legislation for the municipal corporation and councils after the enforcement of the 74th Constitution Amendment Act (CAA) 1992 are:
(a) Guwahati Municipal Corporation (Amendment) Act, 1994
(b) Assam Municipal (Amendment) Act, 1994

In the new act, the voters qualification requires him/her to be a payee of any municipal tax (or is member of a joint family of such a payee) apart from the standard qualification of possessing adult franchise.

15. Bihar

There was one municipal act in the state prior to the implementation of the 74th Constitution Amendment Act (CAA) 1992. This act was applicable to the states of Bihar and Orissa. It included:
(a) Bihar and Orissa Municipal Corporation Act, 1922

After the enforcement of the 74th Constitution Amendment Act it was called the Bihar Municipal (Amendment) Act, 1994

Amendments in the state’s conformity legislation for the municipal corporation and boards after the enforcement of the 74th Constitution Amendment Act, 1992 was the Bihar Municipal (Amendment) Act, 1992 which was amended by Act 2 of 1995.

16. Orissa

Prior to the implementation of the 74th Constitution Amendment Act, 1992 the principle act for the creation of Municipal Corporation and Municipal Councils were:

(a) Bihar and Orissa Municipal Corporation Act, 1922
(b) Orissa Municipal Act, 1950

State’s conformity legislation for the municipal corporation and councils after the enforcement of the 74th Constitution Amendment Act, 1992 were:

(a) The Orissa Municipal Corporation Act, 2003
(b) Orissa Municipal Act (Amended), 1994

17. Goa

The Municipal Act application to the state of Goa prior to the 74th Constitution Amendment Act was:

(a) Goa Municipalities Act, 1968
The Municipal Act applicable after the implementation of the 74th Constitution Amendment Act was:

(a) Goa Municipalities (Amendment) Act, 1993

There are the amended municipal legislations of few states in India. These states have amended their Municipal Acts in conformity with the 74th Constitution Amendment Act (CAA), 1992.

D. Impact of the 74th Constitution Amendment Act on the Working of Local Bodies

It was the 74th Constitution Amendment Act, 1992 that marked a turning point in urban decentralization. The 74th Constitution Amendment Act, 1992 aimed to accord a Constitutional status to municipal bodies by initiating a process of democratic decentralization. The aim of the decentralization process was to make urban governance closer to people, which constituted an important precondition for effective urban management and efficient delivery of urban services and improve quality of life. It mandated that three grades of municipal bodies be set up in the country, ‘a nagar panchayat’ for transitional areas, ‘a municipal council’ for a smaller urban area and ‘a municipal corporation’ for a larger urban area. They would have a term of five years, and would not be superseded. In the event of their dissolution by any state before the completion of their full tenure, they would be reconstituted within a period of six months. The act provided for an independent State Election Commission for the superintendence and control of municipal elections. The act also

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stipulated that seats shall be reserved for scheduled castes and scheduled tribes in proportion to their population in the municipal area. A revolutionary feature of the enactment was the mandatory provision of reserving one-third of the seats in every elected urban body for women representatives. Reservations were also provided for chairpersons of municipalities.

For large urban local bodies a population of 300,000 ward committees were made mandatory. For the purpose of planning, a District Planning Committee had to be compulsorily constituted. In addition, for every metropolitan area, with more than a million population, a metropolitan planning committee had to be formed. A State Finance Commission was also made mandatory, charged with the task of reviewing the financial position of the municipalities and making recommendations. Thus the 74th Constitution Amendment Act, 1992 envisaged strengthening of municipal bodies in India with an objective of enabling them to function as effective institutions of self-governance.

**Impact on the Working of Local Bodies**

The 74th Constitution Amendment Act, 1992 made some of its provisions mandatory and leaving many others as suggestive and largely to the discretion of the states. However even where provisions were mandatory, there has been a discernible reluctance on the part of the states to decisively move for their implementation through conformity legislations in the states. Where there was discretion, little space was provided to accommodate the constitutional spirit imported by the 74th Amendment Act. For example, the act indicated, interlaid, population, demographic density, revenue and non-agricultural activities as primary criteria for
classification of *nagar panchayats*, municipal councils and municipal corporations. The states have ended up with very wide variations in their appreciation of these criteria and in classification of towns.

There has been wide variation in the composition of wards. In Kerala, there is a ward committee for every ward. In Maharashtra, ward committees have been set up for groups of wards. In Madhya Pradesh and Tamil Nadu legislations only specify that ward committees shall be constituted to municipalities with a population of three lakhs or more. The creation of ward committee, a sub-set of its organisation implies the division of a city or town for administrative purpose, thereby guaranteeing decentralization. In case of Kerala, the task to be performed by the ward committee has been elaborated in the rules. In Maharashtra, the ward committees are in effect. Zonal committees have been assigned specific functions. The provision of ward committees is intended to divert the attention of the council or corporation to other issues while leaving local issues to the ward committees. While legal provision for the constitution of ward committees have been made in most of the states, the actual spirit of the amendment is diffused since the state government can club several wards together to form a single ward committee.

The states, could by law, provide representation of ‘persons having special knowledge or experience in municipal administration’. However, states have interpreted knowledge and experience to their convenience and have generally tended to use the provision of the 74th Constitution Amendment Act, 1992 to nominate municipal bodies party functionaries or those who are unable to win local elections. There is a wide variation in the manner of elections of mayor, chairpersons of
councils including their term of office and provisions for their removal. States also seem to have widely differing views on representation to Members of Parliament and Members of Legislative Assemblies in urban local bodies.

Similar variation is noticeable in the allocation of functions to municipalities. The act stated that “the legislature of a state, may by law, endow the municipalities with such powers and authority, as necessary to enable them to function as institutions of self-government and such laws may contain provisions for the devolution of powers and responsibilities upon municipalities . . . including those in relation to matters listed in the 12th Schedule in the Constitution.”.21 This however, has still left it ambiguous whether the functions have in reality been given to municipal bodies, and if so, whether they are being discharged. This was an area that the 74th Constitution Amendment Act, 1992 left to the discretion of the states. Since the 12th Schedule included in the Constitution was suggestive and not mandated, it was a menu to which the states could add, subtract or amend.

With regard to urban finance, the discretion is left to the states, except that the Constitution of State Finance Commission (SFC). The act stated that the legislative of the state may, by law, authorize a municipality to levy, collect and appropriate such taxes, duties, tolls and fees levied and collected by the State government to provide for making such grant-in-aid to municipalities from the consolidated fund of the state. The Finance Commission shall also review the financial position of the municipalities and make recommendations to improve the financial position of the municipalities.

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21 Ibid., p. 82.
The 74th Constitution Amendment Act, 1992 is probably the first attempt to incorporate the planning in the Constitution. Though the responsibility of planned development and town planning has been assigned to urban local bodies, most states have not commenced the process to amend the Town and Country Planning Acts. The states have put in place enabling acts for the Constitution of District Planning Committees (DPCs) and Metropolitan Planning Committee (MPCs) but few have constituted these committees. At the same time state planning authorities continue to prevail.

The amendment provides for the setting up of District Planning Committee (DPCs) to consolidate the plans prepared by the municipalities within the district and to prepare an Integrated Development Plan (IDP) for the district as a whole. The municipalities are to be represented on it. The integrated development plan has to be prepared with respect to matters of common interest between the panchayats and municipalities. Similarly Metropolitan Planning Committee (MPCs) are to be set up in the metropolitan areas having a population of ten lakhs or more.

The committee will be doing a similar planning exercise for the metropolitan areas as is to be done by the District Planning Committee in the district. District Planning Committee has been set up only in Kerala, Madhya Pradesh, Rajasthan and Tamil Nadu. No state has been able to take specific action on the situation of development authorities except Kerala where the process is underway. The Constitution of Metropolitan and District Planning Authorities have the objective of encouraging local participation in planning and formation of responsive and need-based structures to decide upon local needs and priorities.
The objective of legislation is primarily to strengthen local democracy in India by transforming power to the people and encouraging their participation and involvement in the decision-making processes concerning the overall concept of urban governance. In this regard the National Commission to review the working of the Constitution (2001) has recommended that “the urban local bodies must have by substantive law a distinct and separate functional domain and a similar distinct and separate tax domain. In effect this is the crux of the issue of decentralization in India”.22

1.5 CHANGING PATTERNS OF URBAN GROWTH IN INDIA

There has been change in the pattern of urban growth. The urban growth rate from 1951 was generally high in relatively less developed states Bihar, Madhya Pradesh, Orissa, Rajasthan and Uttar Pradesh. The relatively better developed states like Punjab, Tamil Nadu and West Bengal experienced low urban growth. A few of the developed states like Gujarat, Haryana and Maharashtra recorded high or medium growth. There was a significant departure of this pattern in the 1990s from the earlier decades as the developed states registered urban growth above the national average while the less developed states experienced growth either below or at the most, equal to that of the country’s growth rate. Urbanisation during the 1990s is thus characterised by concentration of population in developed regions and larger cities. Consequently, the disparity in urban population growth across the states went up during the 1990s.

Table 1
Urban Growth Rate of States

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<tbody>
<tr>
<td>India</td>
<td>3.09</td>
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</tr>
<tr>
<td>Andhra Pradesh</td>
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<td>1.37</td>
</tr>
<tr>
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<td>2.65</td>
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<tr>
<td>Goa</td>
<td>3.96</td>
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</tr>
<tr>
<td>West Bengal</td>
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<td>1.84</td>
</tr>
</tbody>
</table>

Source\textsuperscript{23}

Attitudes to urban growth within the country tend to swing between two extremes. Cities are seen either as an unavoidable evil or in a more positive way as ‘engines of growth’. The former view is held by those who focus on the growth of slums and squatter colonies, the congestion on the roads and environmental degradation. The other, in contrast, focus on the busy formal and informal sectors in urban areas. From this point of view, the moderate pace of urbanization in the country has been a cause of disappointment. However, there is no rural vs urban conflict either in terms of national growth, or in development properties. Due to the success of rural development programmes along with the limited availability of land for squatting in central urban areas, there seems to be no runaway migration from rural to urban areas. The impact of the growth of population on urban infrastructure and services has mostly been adverse. Cities with high rates of growth would be expected to have more resources for investment in the cities, but the fact is that much of this potential has remained untapped. On the other hand, smaller cities with less economic growth face inadequacies of financial and other resources to cope with increasing demands on services, and this may call for supplemental support from the budget. Hence the existing institutional arrangements may not be adequate to ensure that the cities can cater to the present demand as well as to the future. The institutional arrangements for urban management and the quality of services are closely linked. Strengthening the decentralized urban local body structure to cope with the demand for civic services, is identified as the priority.24

PART – B: THE RESEARCH PROBLEM

1.6 NATURE OF THE RESEARCH PROBLEM

Urban governance as an issue has assumed critical importance in the context of ever growing role of urban centres in the overall economic growth, employment generation and contribution such centers make to the rational and state wealth. With urban centers growing rapidly, urban governance becomes crucial especially on the impact it has on the life and liberty of the innumerable urban dwellers. With cities becoming centres for large investment, specialized services, amenities and their effective and efficient functioning assumes added importance. If urban centers have been termed as engines of economic growth, urban governance can rightly be called wheels of such engines.

India is passing through a phase of massive urbanization with the numbers and sizes of urban centers growing larger and larger. Despite the fact that urbanization in 2001 stood merely at 27.78%, number of urban dwellers recorded was 278 million. Next five decades are likely to witness enormous growth of urban centers, raising the number of metro cities from 35 to more than 100 with Calcutta, Bombay and Delhi occupying a higher slot and rating amongst the largest urban centers in the world. Considering the future population scenario, it is important that these centers are effectively and efficiently governed so that they are able to play their designated role in national emancipation.

Urban centers besides housing large chunks of concentrated population in a limited area make substantial contribution to the rational economies also. Accordingly it becomes important that adequate attention is paid to the urban centers in terms of
their productivity, sustainability efficiency and healthiness. With India following a policy of economic liberalization, globalization, urban centres in general and large urban centers in particular are likely to emerge as the hubs around which India’s economy would gravitate. Accordingly it becomes essential that appropriate environment in these centers are created which would help them to attract investment, provide employment, ensure a quality of life and make them more productive. Urban governance accordingly becomes more relevant and critical in this context because the capacity of a nation to pursue its economic goals is contingent upon its capacity to govern towns and cities effectively and efficiently.

India is a large country with sub-continental proportions. It has 28 states and 6 union territories and 1 national capital territory. About a third of country is urbanized. However in future, it is believed that urbanization will increase. The prediction is that in a few decades, half of India’s population will reside in urban areas. This is going to have implications on the manner in which cities are governed in the country. With urban population on the increase, the system of urban governance would become increasingly important in the days to come.

Local self-government is a system under which the people of locality possess a certain responsibility of public local affairs. A beginning of local self government in modern India may be said to have been made in 1687 when for the first time a local self governing body was set up for the city of Madras. With the advent of democracy, in 1947, local self-government institutions attained remarkable status and importance.
Although there was a growth in the number of local self government bodies and appreciation of their plan in the system of administration, there was no corresponding development of the usefulness and effectiveness of local bodies. The main factor was the inadequacy of functional resources available to them. As a result post independence era witnessed numerous impressive attempts to reform urban government. One such reform introduced in the year 1993, was the 74th Constitution Amendment Act. According to this act constitutional status has been accorded to urban local bodies. With this local government is state subject and the state legislature is left within their powers to define the details of the powers and functions of different units of urban government institutions whose broad outline only has been drawn by the parliament.

In the post 74th Constitution Amendment Act scenario, the state governments including Karnataka have amended their respective municipal sets. When Karnataka enlarged as a unified state after the linguistic reorganisation of the states in 1956, there was no uniformity in the rules and regulations governing the urban government. The reorganisation of the State of Mysore, incorporated not only the areas of former Mysore state, but also the entire area of Coorg and some areas from the states of Bombay, Madras presidencies and the Nizam’s state of Hyderabad. To bring in a uniform type of urban government throughout the state of Karnataka, two new acts were enacted by the Karnataka state legislature. They were: (1) The Mysore Municipalities Act of 1964 and (2) The Municipal Corporation Act of 1976.

These acts, were very systematic and elaborate, but the government was suffering from many problems like frequent suppression of the urban governments by
the state government, financial problems and structural defects. In this context the study is intended towards exploring the organizational and functional aspects of Bangalore Municipal Corporation after the 74th Constitution Amendment Act. It seeks to study the cooperation and coordination between various authorities and the role of public and resident group in improving the corporation’s activity for better living in the city.

1.7 NEED FOR THE PRESENT STUDY

The decline of the local government institutions during the last five decades has been constantly attracting the attention of policy makers, professionals, academicians and governments. Working of these grassroot local government institutions has been affected due to heavy concentration of powers both at the centre and state levels. Local autonomy and resources crunch has hindered the institutional capabilities of these local government institutions. These urban units have become dependent on the state government, not only for the execution of development works, but also for their routine expenditures inadequate and inequitable distribution and deteriorating level of infrastructure services which is observed in a majority of urban centers.

In order to revitalize there institutions, the union government enacted the 74th Constitution Amendment Act (CAA) 1992, which is considered to be a historic landmark in the history of urban governance in the post-independence era. It was a step towards democratic decentralization, local autonomy and participatory planning. The act has firstly aimed at improving the municipal governance through a systematic change mechanism with the ultimate aim of making the municipal government more
responsive and responsible. Secondly, it has opened up new opportunities for the improvement of municipal institutions.

In the post 74th Constitution Amendment Act scenario, the state governments including Karnataka have enacted conformity legislations to amend their municipal acts. Karnataka is the fourth most urbanised state in India with an urban population of 13.91 million in 1991, constituting 30.92 percent as level of urbanization. Bangalore, the state capital with a population of about 5.7 million in 2001, is the fifth biggest city in India and also the fastest growing metropolitan area in the country. Among the 21 class I cities in the state, Bangalore is the only metropolitan city enjoying absolute urban primary in the state and it accounts for 30% of the total urban population. In Bangalore, municipal related functions are spread across a multiplicity of agencies. Among them Bangalore City Corporation (BCC) is one.

After the introduction of the 74th Constitution Amendment Act, Karnataka has amended the municipal acts to meet the requirement of the 74th Constitution Amendment Act, but no major amendments have been made in the existing legal framework. In this context, the present work tries to study the urban governance in Karnataka by taking Bangalore Municipal Corporation as a case study from 1990-2006.
1.8 LITERATURE REVIEW

A brief review of the studies related to urban governance and issues involved in urban governance are provided here.

The review of literature is broadly classified into:

1. Studies related to urban governance and its aspects
2. Studies related to 74th Constitutional Amendment Act and decentralisation process
3. Studies related to people’s participation in urban governance
4. Studies related to solid waste management.

1.8.1 Studies Related to Urban Governance and Its Aspects

According to J.K. Gupta, despite the fact that role of urban local bodies is critical in urban governance and 74th Constitutional Amendment have put them on the pedestal of government in their own right, but keeping in view their structure, resources and culture it appears that their capacity in the area of urban governance is lacking.

Pawan Kumar Banta unfolds the story of urbanisation in India and have assessed in terms of its growth in different class size towns as well as their proportion to the urban population.

Indirjeet Singh Sodhi, identifies that development of basic infrastructure services like water supply, sanitation facilities, solid waste management and transportation could not keep pace with the growth of urban population.

P.S.N. Rao observes that India is on the road of progress. Initiatives for good urban governance are very much underway. In order to take the agenda of good urban
governance forward, the road ahead is that all urban local bodies in India need to reform.

K.T. Gurumukhi and R. Srinivas identifies the issues of urban governance, efforts made by the state governments in improving urban governance and concludes with saying the success of urban governance will depend on how effectively is the commitment of the ULBs in implementing the 74th CAA.

According to Centre for Policy Research, India has experienced rapid growth of urbanisation during the last four decades. There are however, wide variations among states in the level of urbanisation as well as growth rates.

K.C. Sivaramakrishnan opines that although countries have embarked on economic liberalisation and globalisation, most of the urban governments have not been in the mainstream of these changes.

Hasnat Abdul Hye finds that the large city growth is a prominent feature of South Asia’s urbanisation. There are 23 cities in India with a million people or more, 7 in Pakistan and 3 in Bangladesh. He also discusses the task of governance which are alleviating poverty, infrastructure, sanitation, transport, environment, etc. and also says that the structures of urban governance have remained rather static.

Amitabh Kundu assesses the changes in work force structure and system of governance associated with macro economic reforms and their impact on the rate and pattern of urbanisation in India. He analyses the development dynamics in the 1990s and shows that there has been all-round decline in the growth of employment.
R. Ramachandra traces the history of urbanisation which is divided into five periods – the pre-historic period, the early historical period, the medieval period, the British period and the post-independence period.

Kamal Siddiqui, Shariat K. Bhowmik, Shahid A. Siddiqui, Madhulika Mitra, Shuchi Kapuria, Nilay Ranjan and Jamshed Ahmed discuss the evolution of governance in the mega cities i.e. Mumbai, Kolkata, Delhi, Dhaka and Karachi. They recommend for governance improvement.

Hasnat Abdul Hye suggests that there are many local initiatives of innovative urban governance that would be qualified as good governance practices. They are strategies of enablement, strategies of participation and strategy of capacity building.

M. Fazlul Hasan in his book called Bangalore through Centuries discusses about the heroic land called Bengaluru and traces the historical origin of the city and also about the founder of the city called Kempe Gowda. This book also deals with the origin of local self-government in Bengaluru.

U.B. Singh traces the origin of local self-government in India and divides it into various eras like pre-independence era and post-independence era and says that there are various challenges ahead like the increasing population, the personnel at all levels needs orientation and says that the institutions has to be built and developed in consonance with the changing scenario.

H.D. Kopardekar outlines the origin and growth of local self-government in India. He concludes by saying that the salient features of the proposed Nagarapalika bill will give a proper shape to the local self-government in the country.
Kathyayani Chamaraj focuses on the current status and urban governance in relation to JNNURM with special reference to Bangalore and says there are many defects in the act.

S. Ramanathan, throws light on the pre-independence and post-independence development in Karnataka and also suggest certain policy changes for the better development of the city.

C.P. Barthwal points out the recommendations of National Council of Urbanisation and finally concludes by saying that relatively few nations in the world have designed comprehensive national urban policies.

Yoginder K. Alagh opines that while the need for reform is universal there is hardly any organised debate and action on the operationalisation of change.

Annapurna Shaw observes that the outward expansion of large metros, gradual changes in the land use and occupations have transformed the rural hinterland into semi-urban or peri-urban areas.

Mohit Bhattacharya in his article focuses attention on the role of elected municipal councillors in urban development. He says a more enlightened councillor role is necessary to come to grips with the complex urban problems.

According to S.S. Dhaliwal, good urban governance is the key to providing incentives for improvements in urban service delivery. It focuses on inclusive planning and management, accountability and transparency and ensuring security for citizens, especially the urban poor and disadvantaged.

P.K. Chaubey finds that India has undergone a silent yet definitely significant political revolution. With the passage of 73rd and 74th Constitution Amendment Act,
1992, they are yet to be fully realised by over 30 lakh people’s representatives, 73000 in urban areas.

Partha J. Shah and Makarand Bakore in their book concentrates on government functions and governance capacity. They also discuss the role of governance and also concentrate on participation and governance and participatory state.

T.N. Srivastava, points out that in a Parliamentary system of government, urban and rural local bodies derive their powers, functions and responsibilities from the state government. This paves the way for a proper delineation of functions and powers of the latter for the smooth flow of funds from state governments.

According to Mulkh Raj, integration of a policy, resources, people and committed institutions can only help us to create cities with new hope and new life.

Vinod Vyasulu argues in his paper that the third tier of government is today, 10 years after these amendments, no more than an agency and not even the sole agency of the state government.

Bidyut Mohanty in his book discusses the ways of strengthening the municipal authorities. He says that the existence of the local self-government as a viable democratic unit can only be justified if it has sufficient political, executive and financial autonomy.

Shipra Maitra is of the view that the external assistance forms less than 10 percent of total plan finances. In India, urban sector gets much less of this assistance according to plan priorities.
C.P. Barthwal in his book “Good governance in India” discusses about various issues like what is good governance, elements of good governance, characteristics and reforms of good governance, and finally issues in good municipal governance.

Janaki Nair concentrates on the growth of Bangalore from its past to the present, the design of the city, roads, the language and culture that was followed in the past and concludes by saying “Is Singapore Bangalore’s Destiny?”.

R. Somappa has elaborately concentrated on the origin and development of Mysore Municipal Corporation, the political structure, elections, the administrative machinery and its role, the problems of autonomy and concludes by saying that the future of the municipal corporation in Mysore can change, if the state government modifies its present attitude of adhocism and negligence.

U.B. Singh has discussed about the working of municipal government in South India – Andhra Pradesh, Karnataka, Kerala and Tamil Nadu.

P.S.N. Rao observes that cities are engines of development. Indian urbanisation no doubt has slowed down a bit, but nevertheless, the sheer size and ramifications are extremely complex to handle.

According to Census of India, the urban population in the Karnataka state has increased from 12.59 percent in 1901 to 33.88 percent in 2001. The population of Bangalore has increased from 20 lakhs in 1991 to 42.92 lakhs in 2001.

Arthur W. Bromage discusses about the working of local government in United States and says that people want the president and governors who represent people to a positive force in legislative matters.
Rajeev Narayan is of the view that the municipal administration has not been able to meet the growing responsibilities because of their anachronistic structures, limited resources and increasing abilities, so it is obvious that the urban administration should be rationalised in terms of functional structures with a personnel department at the centre of the organisation.

N.S. Patil discusses the relationship between the elected representatives and officials where he says both blame each other for their non-performance and says that there is a need for understanding each other’s role.

M. Venkatarangaiya traces the origin of local self-government in India. He says that the local self-government was more or less representative of local inhabitants, autonomous in character instituted under the state legislation.

G.S. Badhe is of the view that though elected on universal adult suffrage, the local bodies enjoy a limited autonomy state governments which create them has reserved wide powers with it in regard to their Constitution, suspension, dissolution, etc.

According to Surendranath, the urban agglomeration by their very nature, need a minimum of basic services for their healthy existence. However the state of most of the urban areas in this respect is far from satisfactory.

Prof. Murti V.S. makes out a case for good personnel system in the municipal administration. He makes a number of suggestions to improve the personnel system and stresses the need for a philosophy of municipalisation.
Sharda Chopra elaborately discusses the evolution of local government and municipal corporation, the rationale of state control over municipal corporation and the financial control.

According to A. Ravindra, in many states local bodies have become weak and ineffective on account of variety of reasons. As a result, urban local bodies are not able to perform effectively as vibrant democratic units of self-government.

M. Lakshminarasaiah is of the view that the key to a livable and viable future for the India’s urban areas is neither to encourage uneven growth nor to try to stifle growth altogether.

Marina Pinto is of the view that the local government structure has to be remodeled and rationalised so as to strike a balance between ideals of self-government and demands of efficiency.

According to Ritu Pant, for the ills of municipal administration, municipal officers and elected councilors are being held responsible, and to keep them in check, municipal executive administration is being steadily developed under the aegies of state government.

Gopal Kadekodi, Ravi Kanbur, Vijayendra Rao putforth their idea of a “Karnataka Model of Development” with its emphasis on technology and governance-led development.

Shirish B. Patel, Alpa Sheth, Neha Panchal identifies two new concepts to help understand and evaluate urban layouts; the public ground area per capita and the buildable plot ratio.
P.K. Muttagi is of the view that training is a part of the personnel development programme. To launch effective training programmes, trainers have to develop a large number of integrated training courses.

Ajit M. Banerjee and K.A. Chandrasekaran opines that for the success of the macro economic policies aimed at structural adjustment, an integrated view of macro-economic, urban development and decentralisation policy for sustaining productivity and growth, poverty reduction and improved quality of life with the people at the focus is needed.

According to Pradeep Kumar Panda, sustainable urbanisation policy should employ certain strategies and he suggests around six strategies for sustainable urban development.

According to Gopal Bhargava, the political structure is biased in terms of an administrative and management system. The success of local self-government would be governed on the basis of greater planning activities and financial accounting.

1.8.2 Studies Related to 74th Constitutional Amendment Act and Decentralisation Process

Hoshiar Singh has concentrated on the Constitutionalisation and new trends in urban local government, where he says that the 74th Amendment Act is a step in the right direction to revitalise the urban government units for better civic services.

According to Urmila Bagga and V.S. Singh, working of grass root local government institutions has been seriously crippled due to heavy concentration of power both at the centre and at state levels.
Prof. Hoshiar Singh is of the opinion that the numerous problems faced by the city government at present arise out of lack of financial resources; general feeling in government and public is that they are not competent and able to perform the functions.

P.K. Mohanty identifies certain key factors of municipal decentralisation and is of the opinion that decentralisation experiments are bound to take time to yield results.

P.N. Parashar points out that the local bodies is an important unit of the framework of the government in every state in India. This sphere of practical service can be regarded as a school for democracy or training institutions for people.

P.K. Mohanty identifies certain issues of capacity building like municipalities to function as institutions of self-development, establishment of ward committee, state finance commission, district planning committee and metropolitan planning committee.

The All India Institute of local self-government is of the view that the primary role of the state should be in laying down urban policy, in devising urban strategies for implementing policy, with an overriding concern for equitable growth of cities.

The All India Institute of local self-government has undertaken a study to assess the implementation of the 74th Constitutional Amendment Act (CAA) 1992 in the five states of India, viz. Himachal Pradesh, Assam, Bihar, Orissa and Goa.

M.A. Oommen opines that the recommendations of the eleventh finance commission with reference to the responsibilities cast on it by 73rd and 74th Constitutional Amendments and explicitly incorporated in its terms of reference
can alter significantly the nature of fiscal federation and public finance in the country.

K.P. Kannan highlights the discussion in a seminar conducted at the Centre for Development Studies where they focused on the framework for local bodies as laid down in the 73rd and 74th Constitutional Amendment Acts.

According to M.A. Oommen, the twelfth finance commission has contributed significantly towards healthy fiscal federalism. But the local bodies are yet to be put prominently on the public finance map of India.

Vivek N. Patkar is of the view that the prevailing Indian urban scene is characterised by a rapid transformation of majority of settlements.

K.K. Pandey is of the opinion that under the existing arrangements, municipalities are straved of funds which is one of the reasons for their poor services.

Though grants-in-aid plays a vital role in the development process of municipal bodies, its structure and pattern of dispersal is confusing. Therefore M.P. Mathur, advocates for restructuring of the grants-in-aid system.

According to S.C. Vajpeyi, the main factors which affect the success or failure of decentralisation process are the degree to which decentralisation gets administrative and political support, the degree to which adequate financial, human and physical resources are made available to organisation.

K.C. Sivaramakrishnan has dealt in detail about the past and present efforts towards decentralisation and the detailed discussion about the bill.

A.N. Mishra, Anil D. Mishra and Sweta Mishra in their work “Public Governance and Decentralisation” says that, with proliferation of functions of the
state, its administrative machinery expansion and its authority requires specialised institutions to perform them.

Abhijit Datta analyses the possible cause for friction between the Commissioner representing the executive wing and the mayor, the standing committee and the council representing the deliberative wing and tries to indicate the type of relations that exist.

U.B. Singh summarises that all the problems faced by the local bodies have reduced the efficient functioning of the system. Accordingly, steps could be taken to find solutions to the problems.

S.N. Jha and P.C. Mathur opine that decentralisation should be seen as a means of effective democratic functioning.

Mohit Bhattacharya points out that the bigness of a city with a mono-centric local government sooner or later creates an unhealthy distance between the citizens and the government.

R.B. Das makes a observation in his article that the local authorities will vary greatly in size and in functions allocated to them. The developing nations need to design or to reconstruct the structure of municipal administration to make possible the most efficient discharge of functions.

### 1.8.3 Studies Related to People’s Participation in Urban Governance

Ramesh Ramanathan is of the opinion that while panchayati raj institutions for the rural dwellers have given self-governance structures nothing similar has been done for urban dwellers.
According to P.M. Bora, citizens’ participation in municipal administration and politics can be considered as a barometer of country’s democratic faith and conduct.

The regional centre for urban and environmental studies, after their research study conducted in few selected states and cities makes the observation that the ideal form of ward committees may take some more time to evolve.

Prabhat Datta emphasises that the decentralisation and participation are the twin principles of democracy and constitute the keystone in the arch of democratic governance.

According to Sneha Palintkar, people’s participation means not only enlistment of the support of the masses but also their active involvement in different stages of formulation and implementation of policies.

J.K. Chopra indicates that the onward march of democracy has been accompanied by the gradual extension of the right to participate effectively in the process of governance.

Niraja Gopal Sayal, Amit Prakash, Pradeep K. Sharma summarises that when we talk of urban governance we must perforce talk of safety in cities. The idea is to deal with the situation not in a traditional way, but improve the safety of cities through partnership and participation of citizens.

Marina R. Pinto is of the view that democracy and good governance are the buzzwords of the today. There is a lack of people-centred development.
UMP Asia City Consultations is of the view that, improving governance in cities is a complex and difficult task. Nearly all challenges, economy or any other have a governance connotation.

Regional Centre for Urban and Environmental Studies of All India Institute of Local Self-Government in their study have analysed that the good local governance is characterized by the extent and nature of participation of the community.

The Regional Centre for Urban and Environmental Studies is of the opinion that the citizens play an important role in enabling participation. This will generate a greater sense of responsibility, accountability and responsiveness on the people.

According to the Regional Centre for Urban and Environmental Studies, public participation means the whole hearted involvement of people at various stages of local development. The involvement of people in the planning process will give them the feeling of belongingness to the development.

Sanjay Mitra in his paper makes an attempt to present an alternative model for urbanisation and associated infrastructure provision by the state.

Pradeep Sachdeva summarises that the local government is conceived as an instrument for the widest possible participation of the people in grassroot governments.

Jaisen while critically looking at Habitat-II conference views that, for the first time community band organisations (CBOs) have been recognised as a specific category in the international meeting.

Sivaramakrishnan in his article discusses some of the major aspects of the delivery of urban services to identify some of the major economic, social,
administrative and other constraints and then put forward some of the views on the question of local level participation.

M.N. Buch in his article highlights that every urban settlement is under pressure on three counts. First is the increase in population, second pressure in the ever increasing cost of maintenance and third is the drying up of financial resources.

According to Kathyayani Chamaraj and Prasanna Rao, ward committees were envisaged in large municipal corporation areas for putting into effect the ideas of decentralisation, local self-governance and people’s participation.

Sabir Ali is of the opinion that community participation or community involvement in almost any area of human settlement development forms a major imperative.

Partha J. Shah and Makarand Bakore opines that citizen participation is not just a moral argument, it is a strong accountability mechanism, while rural participation is imbedded in the Constitution, citizen involvement in urban areas is still very indirect.

Ellorapuri is of the view that many of the arguments made in favour of participation do not capture the reality of the dynamics of community participation.

1.8.4 Studies Related to Solid Waste Management

According to J.C. Kala and R.R. Khan, a number of methods can be utilised to treat and dispose off the refuse that is generated in cities.

Madhushree Sekher in her paper broadly examines the process of municipal solid waste management in our cities, focusing on the situation in Karnataka.
P.S.A. Sundram describes the structures and role of the authorities and agencies concerned with solid waste management in India. Certain new developments in the institutional field are then traced and future prospects in the area are highlighted.

Jack J. Fritz and Girish K. Misra describe the salient issues in solid waste sector in both India and China stemming from reconnaissance missions carried out in mid-1990. It also recommends a series of actions to be followed by both governments which are now in the process of being considered.

U.S. Teotia, D. Ghosh and P.C. Srivastava opine that urbanisation while having a positive impact on income levels, employment and production, economies has brought with it many problems including a shortage of housing, inadequate water supply, sanitation, waste disposal and so on.

The recommendations made by N.P. Singh in his article centre around evolving and implementing an effective policy for ‘at source’ segregation, systematic collection and recycling and other measures for scientific disposal of solid waste.

C.N. Ray in his article has concentrated on the municipal solid waste management in Ahmedabad, where he is of the view that though Ahmedabad is ahead many of the other cities as far as SWM is concerned but still lacunae exist at the community and the authority level.

Jayasheela, U. Arabi and M. Shoukat Ali in their article makes an attempt to understand the different types of existing SWM practices adopted by Mangalore Municipal Corporation.
From the above review of literature it is clear that the role of urban governance is very vital for urban development. It is also clear from the review of literature that decentralisation process in Indian urban local bodies is not up to satisfactory level. Local bodies are facing numerous problems such as functional, financial, administrative, technical, etc.

As seen from the review no systematic and detailed study appears to have been made by researchers to probe the governance problem confronting Bangalore city. A few studies that are reviewed confined only to segmented aspects such as garbage, ward committees and people’s participation aspect in Bangalore Municipal Corporation. However none of these is holistic in nature. This is a maiden attempt to understand and analyse the Bangalore Municipal Corporation needs, problems, expectations of the people, etc. particularly after the 74th Constitutional Amendment Act with a view to throw up policy related suggestions.

In this context this thesis analyses the importance of urban governance, structure and functions, administrative dynamics and the role of people’s participation in urban governance in Bangalore City Corporation.

1.9 PURPOSE OF THE STUDY

The proposed study intends in particular to enlighten us on urban governance taking Bangalore Municipal Corporation as a case study on the following aspects:

1. Importance of urban governance
2. Origin of Bangalore Municipal Corporation
3. Structure and functions of Bangalore Municipal Corporation
4. Administrative dynamics of Bangalore Municipal Corporation
5. Urbanization and people’s participation in creating participatory democracy

6. Summary and conclusion

In general the study aims at understanding the working of the Bangalore Municipal Corporation during 1990-2006.

1.10 SCOPE OF THE STUDY

The proposed research aims at examining the structure and role of the Bangalore Municipal Corporation and identify its powers and functions. It also proposes to examine the people’s involvement and the role of civil society in establishing participatory democracy. The present study tries to understand the working of Bangalore Municipal Corporation in the light of the 74th Constitutional Amendment Act of 1992.

1.11 OBJECTIVES OF THE STUDY

The main objectives of the study are as follows:

1. To understand the decentralized planning process after the implementation of the 74th Constitutional Amendment Act.

2. To know the structural aspects of the Bangalore Municipal Corporation.

3. To know the administrative dynamics of the Bangalore Municipal Corporation.

4. To make policy suggestions based on the research findings.

1.12 HYPOTHESES OF THE STUDY

For the purpose of the study, the following hypotheses have been drawn.

1. In Karnataka, the Bangalore Municipal Corporation has an important role to play in urban governance.
Urban governance as an issue has assumed crucial importance in the context of ever growing role of urban centers in the overall economic growth, employment generation and the contribution such centers make to the national and state wealth. With urban centers growing increasingly, urban governance becomes important. It gained more importance after the 1990s because of decentralisation which enhanced the importance of local self government. Along with it the 74th Constitutional Amendment enhanced the importance of municipal corporations. In this background the above hypothesis has been formulated.

2. In the administrative dynamics of the Bangalore Municipal Corporation, the role of municipal corporators and the appointed officials have assumed crucial importance.

There are elaborate regulations to govern the relations between the commissioner and the mayor. Most of there relate to the correspondence between the municipal corporations and government and also to the preparation of agenda for the council meetings. The mayor has the right to include any subject he desires in the agenda for the information of the council. The commissioner is also given a similar right but without consulting the mayor he is advised not to take any action on any motion sent by a member. Whatever may be the instrument of instructions issued by the government from time to time, the smooth functioning of the municipal administration depends much upon the cordial relations and understanding between the mayor and the commissioner. Under the act, both are quite essential for the successful management of municipal government.
In the background of this, the cordial relations between the municipal corporators and officials of the Bangalore Municipal Corporation have to be thoroughly examined. This is one of the aims of the study and the present hypothesis has been drawn to study the relationship between the municipal corporators and officials.

3. There is an inherent need for people’s participation in the working of the Bangalore Municipal Corporation.

Active and effective participation of the people in the affairs of the government, national, state or municipal is the basis of democracy. The 74th Constitutional Amendment Act is meant to bring in genuine urban local self-government through decentralisation of powers from the state to local level along with transparency, accountability and people’s participation. A citizen of a town can participate in municipal affairs and act as a watch dog of municipality.

The above hypothesis has been formulated in this background.

1.13 METHODS USED FOR THE STUDY

The present study is carried out with the help of historical, analytical, case studies and sociological methods of discussion and informal interviews.

The historical developments and the role of historical factors is examined by making use of the historical method.

The important role played by the corporators in the administration and in the functioning of the Bangalore Municipal Corporation will be researched into by utilising the sociological methods of discussion and informal interviews.
The overall dynamics of urban governance in Karnataka will be discussed by studying the functioning of Bangalore Municipal Corporation from 1990-2006 by using the case study method.

1.14 SOURCES NEEDED FOR THE STUDY

The present study relies on both primary and secondary sources. The secondary sources are relevant books, articles from various professional journals, newspapers, clippings published from time to time. The reports of the various committees set up by the Government of India and Government of Karnataka on urban governance, the central and state government orders, state government gazetteers, Karnataka state legislative assembly and council debates, annual reports published by the Government of Karnataka are all made use of as secondary sources for the purpose of the present study.

In addition to this, the thesis relies on the primary data collected from the officials and corporation in Bangalore Municipal Corporation through a combined technique of discussion and interview method. The data thus collected have been made use of in the last chapter of the thesis.

1.15 PLAN OF THE STUDY

Briefly stated the thesis has been divided into six chapters. Apart from thesis chapter entitled, ‘Introduction,’ the next chapter on ‘origin of Bangalore Municipal Corporation’ is concerned with the history of local self-government in Karnataka. Further an attempt has also been made in this chapter to discuss the origin and development of the Bangalore Municipal Corporation. The chapter also discusses the constitution 74th Amendment Act, 1992, its implications and impact on the working of
urban local bodies with special references to Karnataka. All these aspects are being discussed here in the context of providing a historical background to the study of urban governance in Karnataka.

The third chapter provides a discussion on the structure and functions of the Bangalore Municipal Corporation according to the Karnataka Municipal Corporation Act, 1976. The chapter also concentrates on the structural organisation of political and administrative wings and analyses their functions after the Constitutional 74th Amendment Act.

The Administrative Dynamics of Bangalore Municipal Corporation including the role of corporators according to the Karnataka Municipal Act and the role of government officials, the relationship between the executive and deliberative wing and the causes for conflicts between the two wings have been discussed in detail in Chapter four of the thesis.

Chapter five relates to ‘People’s Participation in Urban Governance’ in the working of Bangalore Municipal Corporation. Besides discussing the legal provisions for establishing ward committees in Karnataka, the chapter also discusses the size, composition and functions of ward committees involvement of civil society in creating participatory democracy in urban governance and factors responsible for people’s non-participation in BMC.

The last chapter ‘Summary and Conclusions’ presents the summary of findings, evaluations of the working of the Bangalore Municipal Corporation, policy suggestions for its improvement, verification of hypotheses and statement of thesis.
and also areas demanding attention for further research on urban governance in Karnataka with special reference to the Bangalore Municipal Corporation.

1.16 LIMITATIONS OF THE STUDY

The present thesis is limited to the study of the main aspects of urban governance in Karnataka with special reference to the Bangalore Municipal Corporation. They include importance of urban governance structure and functions of the Bangalore Municipal Corporation, administrative dynamics of the Bangalore Municipal Corporation, People’s Participation in Karnataka. The limitations of the study are as follows:

1) The study focuses only on urban governance in Karnataka with special reference to the Bangalore Municipal Corporation.

2) The financial aspects have not been focussed as it constitutes a separate study.

3) In the present study the elected representatives to the Bangalore Municipal Corporation for the period from 1990-2006 have been randomly selected.