

January 2009

**METROPOLITAN GOVERNANCE IN INDIA**  
**AN OVERVIEW OF SELECTED CITIES**

**K C Sivaramakrishnan and Arundhati Maiti**  
**Centre for Policy Research: Delhi**

This is an over view of the organizational arrangements as they exist presently in the metropolitan cities of Bangalore, Chennai, Hyderabad, Kolkata, Mumbai and Delhi. This is a background paper and not an extensive analysis. Information about the establishment of the City Corporations and metropolitan level institutions have been provided on a comparable basis to enable a preliminary understanding of their status.

Part I of the paper contains an account about how metropolitan areas are defined in these cities for legal and other purposes. Part II contains brief city wide information in a common format. At the beginning of this part a six city table has been provided for various common items. Part III is a short outline of some persisting issues.

While this paper is being made available for use during the workshop on Katmandu being organised in February 2009 with the collaborators of the East West Center, Honolulu, Hawaii, it may be noted this paper is part of ongoing work in the CPR about India's urban future. This is not to be reproduced without the permission of the Authors and the CPR.

## **Part I - Definition of a Metropolitan Area**

Various terms such as mega city, metropolitan area, urban agglomeration, greater urban area etc. are used by various scholars. The Indian census uses the term urban agglomeration which comprises a core city, other contiguous municipalities and what census considers as urban outgrowths. It is necessary to note that the Indian census considers an area as urban only if it fulfills the following criteria:

- (a) The population of the settlement should be 5000 or more
- (b) Density of atleast 400 persons per sq.km
- (c) Atleast 75% of the male workers engaged in non agricultural occupations

2. However, the Census is also required to recognise those settlements which are given a formal status as a town by a state government. As a result, there are two types of urban areas identified in the Census, the first being Census Towns fulfilling the criteria and the second are called Statutory Towns. As of 2001 there are 1363 Census Towns in the country and 3798 Statutory Towns making a total of 5161 urban centers. This classification creates problems for comparative analysis of data across the States and also inter censal periods.

3. In regard to size classes, the Census has a six-fold classification ranging from class VI with a population of 5,000 to class-I with a population of 100,000 or more. Over the years, some towns merge into the next higher level. In regard to class-I cities, the Census recognises and presents data only for two categories namely those with a population of 10 lakhs (1million) or more and the rest. According to the 2001 Census there are 35 urban areas which have a million or more people which are commonly referred to as million plus cities.

4. For these million plus cities the Census definition of an urban agglomeration requires that it should be a continuous urban spread constituting a town and its adjoining urban growths or two or more physically contiguous towns together with adjoining outgrowths. Each of such outgrowth may not satisfy the minimum population

limit to qualify it to be treated as an independent urban unit but may deserve to be clubbed with the principal town as part of an urban spread. However, the definition of metropolitan areas adopted by the Planners in several cities however, much larger areas including villages, whether urbanising or otherwise, but which are at the periphery or intervening in an urban agglomeration.

5. In addition to these various definitions which make comparative analysis a complex task for academics, the administrative and legal position is now derived from the 73<sup>rd</sup> and 74<sup>th</sup> Amendments to the Constitution. Under these amendments which became effective in 1993, every settlement in the country excepting military cantonments and areas which are occupied principally by indigenous or tribal communities which are identified as 'Scheduled Areas' in the Constitution itself, have to be either a Panchayat if it is rural, or a Nagarpalika if it is urban. Panchayats are to be organised at the village, intermediate level for a group of Panchayats usually a Taluk or a Community Development Block and at the District level called a Zilla Panchayat. Nagarpalika is a broad term covering a Municipal Corporation, a Municipal Council or a Nagar Panchayat which is a settlement in transition from rural to urban. No population criteria have been specified in the Constitution and it is left to different state governments to constitute Panchayats or Nagarpalikas taking into consideration population, occupational pattern etc.

6. The 74<sup>th</sup> Constitutional Amendment contains two very important and special provisions in regard to planning at the District level as well as the Metropolitan level. For this purpose a metropolitan area is defined in clause (c) of Article 243P as follows:

**“Metropolitan area means an area having a population of ten lakhs or more, comprised in one or more districts and consisting of two or more Municipalities or Panchayats or other contiguous area, specified by the Governor by public notification to be Metropolitan area for the purposes of this Part”**

7. For each metropolitan area, a Metropolitan Planning Committee has to be constituted. Two-thirds of its membership comprises elected members of the Municipalities and elected Chairpersons of the Panchayats falling within the metropolitan area defined under Article 243P. Similarly, for each district a District Planning Committee has to be set up. Its membership is to consist of elected representatives from the Municipalities and members of the District level panchayat. The mandate for both the DPC and the MPC are elaborate and serve as their term of reference.

The two relevant Articles are reproduced below:

**“243ZD. Committee for district planning – (1) There shall be constituted in every State at the district level a District Planning Committee to consolidate the plans prepared by the Panchayats and the Municipalities in the district and to prepare a draft development plan for the district as a whole.**

**(2) The Legislature of a State may, by law, make provision with respect to-**

**(a) the composition of the District Planning Committees;**

**(b) the manner in which the seats in such Committees shall be filled;**

**Provided that not less than four-fifths of the total number of members of such Committee shall be elected by, and from amongst, the elected members of the Panchayat at the district level and of the Municipalities in the district in proportion to the ratio between the population of the rural areas and of the urban areas in the district;**

**(c) the functions relating to district planning which may be assigned to such Committees;**

**(d) the manner in which the Chairpersons of such Committees be chosen;**

**(3) Every District Planning Committee shall, in preparing the draft development plan-**

**(a) have regard to-**

**(i) matters of common interest between the Panchayats and the Municipalities including spatial planning, sharing of water and other**

- physical and natural resources, the integrated development of infrastructure and environmental conservation;
- (ii) the extent and type of available resources whether financial or otherwise;
  - (b) consult such institutions and organisations as the Governor may, by order, specify
  - (4) The Chairperson of every District Planning Committee shall forward the development plan, as recommended by such Committee, to the Government of the State.

**243ZE Committee for Metropolitan Planning – (1) There shall be constituted in every Metropolitan area, a Metropolitan Planning Committee to prepare a draft development plan for the Metropolitan area as a whole.**

**(2) The Legislature of a State may, by law, make provisions with respect to-**

**(a) the composition of the Metropolitan Planning Committees;**

**(b) the manner in which the seats in such Committees shall be filled;**

**Provided that not less than two-thirds of the members of such Committee shall be elected by, and from amongst, the elected members of the Municipalities and Chairpersons of the Panchayats in the Metropolitan area in proportion to the ratio between the population of the Municipalities and of the Panchayats in that area;**

**(c) the representation, in such Committees of the Government of India and the Government of the State and of such organisations and institutions as may be deemed necessary for carrying out the functions assigned to such Committees;**

**(d) the functions relating to planning and coordination for the Metropolitan area which may be assigned to such Committees;**

**(e) the manner in which the Chairpersons of such Committees shall be chosen;**

**(3) Every Metropolitan Planning Committee shall, in preparing the draft development plan-**

- (a) have regard to-**
  - (i) the plans prepared by the Municipalities and the Panchayats in the Metropolitan area;**
  - (ii) matters of common interest between the Municipalities and the Panchayats, including co-ordinated spatial planning of the area, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation;**
  - (iii) the overall objectives of investments likely to be made in the Metropolitan area by agencies of the Government of India and of the Government of the State and other available resources whether financial or otherwise;**
- (b) consult such institutions and organisations as the Governor may, by order, specify;**
- (4) The chairperson of every Metropolitan Planning Committee shall forward the development plan, as recommended by such committee, to the Government of the State.**

8. It was expected that the MPC would provide a representative basis with a constitutional mandate for the planning and development of a metropolitan area. There was a further expectation that this could be the starting point for an innovative form of metropolitan management. These expectations have not been fulfilled so far. The MPC has been set up only in one metropolitan area i.e. Kolkata. While the DPCs have been set up in many states their composition and functioning is usually dominated by the State level political leadership and the district administration.

## Part II Background information

### Metro Cities; Background Information

Sl No	Items	Bangalore	Chennai	Hyderabad	Kolkata	Greater Mumbai	Delhi
1	Metropolitan Area/Regions (in Sq. km.)	8,022	1,189	7116 (Expanded HUDA)	1,855	4,355	33,578 (the NCR Region)
2	UA Area (sq. km.) Census	1,307	1,180	1,860	1,026	1,097	
3	Total metro / UA Population	5,840,155	6,560,242	5,742,036	13,205,697	16,434,386	
4	Main City Area (sq. km.)	800	181.06	650 (GHMC)	185	468	1,483
5	Main City Population (2001 Census)	4,301,326	4,343,645	3,637,483	4,572,876	11,978,450	9,879,172
6	No. of other Municipalities, Cities etc.	11	21	12	72	27	52 (NCR)
7	No. of semi Urban Villages	284	233		527	>1000	165 (NCR)
8	Migration (% of Total Migrants to the main city population) 1991-2001	17.7	10.0	13.7	18.0	20.8	21.4
9	Sex Ratio	908	955	931	869	822	822
10	Household size	4	4	5	5	5	5
11	Literacy Rate (in %)	74.9	76.8	68.5	74.9	76.8	70.2
12	Work Participation (in %)	38.5	34.2	30.4	34.8	36.6	32.9
13	Male Work Participation (in %)	57.6	54	48.7	55.6	56.2	52.3
14	Female Work Participation (in %)	17.5	13.3	10.7	10.8	12.6	9.3
15	Main Worker (in %)	36.3	31.4	27.9	32.2	34.5	31.3
16	Marginal Worker* (in %)	2.2	2.8	2.5	2.6	2	1.6
17	Non Worker (in %)	61.5	65.8	69.6	65.2	63.4	67.1
18	Percentage of Slum population	10	18.9	17.2	32.5	54.1	18.7

Note: For items 8 to 18, the information pertains to the main city.

\* Marginal workers are those who had worked for less than 6 months.

Source: Census, State Handbooks and other published material for each city.

## **Part II Background information**

### **1. Bangalore**

#### **The City Corporation**

1.1 The Bangalore Municipal Corporation was established in 1949 by merging the City area and the Cantonment area. At that time its population was about 0.75 million and it had only seven elected councillors. Progressively the area was expanded. By 1995, the municipal area was 226 sq.kms comprising 100 wards with one councillor elected from each. In 2007, the Municipal Corporation was further expanded by amalgamating eight adjoining municipalities as well as 110 peripheral villages. This has been done under the provisions of the Karnataka Municipal Corporation Act, 1964. The present area of the Greater Bangalore Municipal Corporation or Brihat Bangaluru Mahanagara Palike (BBMP as it is called) is about 800 sq.kms and a 2001 Census population of 5.8 million. The BBMP formally came into existence in 2008. The delimitation of the municipal area into wards and elections for the Corporation have not been held so far. It is expected the Corporation will have about 145 members.

#### **Parastatals**

1.2. A separate Bangalore Water Supply and Sewerage Board (BWSSB) was set up in 1964 under a separate act. The entire system of water supply, sewerage and sewage disposal is the responsibility of the BWSSB. Another organisation, the Bangalore Development Authority was set up by a Special Act in 1976. Earlier there was a City Improvement Trust Board. The BDA's jurisdiction covers 1307sq.kms and thus much larger than the Bangalore Municipal area right from the beginning. The BDA consists of a Chairman, a Commissioner and full time members for finance and town planning / engineering. Additionally, the Commissioner of the Municipal Corporation and nominees of other parastatal organisations like BWSSB as well as some members of the State Legislature and Corporation Councillors etc are also included in the membership. According to the Act, the BDA's objective is planning, coordinating and supervising the proper and orderly development of the metropolitan area and take up development schemes. Over the years, the BDA has emerged as the dominant planning and land development body with significant real estate operations.

1.3. Notwithstanding this, the Government considered it necessary to set up yet another body namely the Bangalore Metropolitan Region Development Authority. This body was also created by a Special Act in 1985. Its jurisdiction however is much larger than that of the BDA covering 8072 sq.kms. The Chief Minister of Karnataka is the Chairman of the Authority. The Minister, Urban Development is the Vice Chairman. Secretaries to the State government in the related departments are members. Additionally there is also a provision for the Mayor of Bangalore, members of the State Legislature and representatives of the local authorities in the metropolitan region to be nominated to the BMRDA. The mandate of the BMRDA is to prepare a structure plan for the development of the metropolitan region, coordinate the execution of town planning schemes, coordinate the activities of the BDA, the Bangalore Corporation, the BWSSB, the Slum Clearance Board etc. Additionally there are local planning authorities whose jurisdiction is separately defined. The Bangalore International Airport Area Planning Authority (985 sq.kms), The Bangalore-Mysore Infrastructure Corridor Area (311 sq.kms), The Neelmangla Planning Authority (735 sq.kms) and five other similar authorities are in existence. There are other important parastatal organisations such as the Bangalore Metropolitan Transport Corporation, the Karnataka Urban Infrastructure and Finance Corporation, the Lake Development Authority etc.

### **MPC**

1.4. Under the 74<sup>th</sup> Amendment to the Constitution, there is a provision for setting up Metropolitan Planning Committees for each metropolitan area, having a population of one million or more comprised in one or more districts and consisting of two or more municipalities or panchayats and other contiguous areas. The Bangalore Metropolitan area is thus required to have an MPC. Though an enabling law for this purpose has been passed by the Karnataka government, the Metropolitan Planning Committee itself has not been brought into existence.

### **The State Government's role**

1.5. It will be apparent that the Karnataka State government has been adding new organisations to cope with the problems of urban expansion from time to time. On the

economic side Bangalore has witnessed considerable growth in the IT industry. Compared to the industrial development which took place in Bangalore after independence in the manufacturing sector, the IT industry has given significant visibility to Bangalore in the global arena. In an effort to review and reorganise the city and the metropolitan level institutional set up in November 2006, the Karnataka government constituted an Expert Committee to review comprehensively the institutional situation in the metropolitan region. The Committee submitted its report in March 2008 proposing an extensive reorganisation of responsibilities in the expanded Greater Bangalore Corporation as well as the BMRDA. The report also has made specific proposals on how the constitutional requirements are to be fulfilled through a significantly reorganized BMRDA. The executive summary of the Committee's recommendations are contained in the attachment to this note.

1.6. After receiving the report the recently elected state government held an executive consultation meeting with a cross section of political leaders, civil society organisations, trade and industry, representatives and experts about implementation of the report. Yet another Task Force, called the Bangalore Agenda Task Force has been set up under the chairmanship of a former Government of India Minister to consider follow up action and monitor other development projects in Bangalore. The outcome is awaited.

## **The City Corporation**

### **2. Chennai**

2.1. The Chennai Municipal Corporation covers 176 sq.kms. It is one of the oldest Municipal Corporations in the country tracing its origin to the British colonial period. The geographical area and the composition have changed from time to time. Presently the Corporation Council consists of 155 councillors representing an equal number of municipal wards. Previously the Mayor of Chennai was elected by and from among the Corporation Councillors for a one year term. The Corporation was also under supercession for nearly 24 years from 1973. After the 74<sup>th</sup> Constitution Amendment, the Chennai Corporation Act was amended in 1996 to provide for a directly elected Mayor for a five year term Mr. M K Stalin son of the State Chief Minister was elected as Mayor in 1996 and again in 2001.

2.2. However, the political leadership in the State changed after the elections. The new government brought an Amendment to the relevant Act preventing any persons from holding two posts such as Mayor and member of the State Assembly. Mr. Stalin resigned from the position of Mayor preferring to retain his membership of the Assembly. His party came to power again and Mr. Stalin is now the Minister for Local Government. Hence his government revoked the Mayor's direct election system and reverted to the system of indirectly elected Mayor in 2006. The executive powers of the Corporation are vested principally in the Municipal Commissioner who is appointed by the State Government.

### **Parastatals**

2.3. A Chennai Metropolitan Development Authority was established in 1974 under the provisions of the Tamil Nadu Town and Country Planning Act mainly for the tasks of preparing a master plan for the area as also planning and development of new towns within the area. A Minister designated by the State government usually dealing with the subject urban / municipal development is the Chairman of the BMDA. The Authority consists of ten other officials of different agencies or departments of the State

government, two members of the State Legislative Assembly and four members of the local bodies in the metropolitan area.

2.4. Additionally, there is a Chennai Metropolitan Water Supply and Sewerage Board which was set up in 1978 responsible for the supply and distribution of water as well as provision of sewerage and drainage. There are other parastatal organisations like the Tamil Nadu Slum Clearance Board, the Tamil Nadu Housing Board, the Metropolitan Transport Corporation etc. Other important parastatal organisations and state government departments active in the metropolitan area are the Slum Clearance Board, the Housing Board, the Public Works Department etc.

### **MPC and the role of the State Government**

2.5. As of now the Chennai Metropolitan Area covers 1183 sq.kms and consists of one corporation, 16 municipalities and 224 urban / urbanising panchayats. The CMDA is the dominant planning and development agency. In the case of Chennai also the constitutional requirements of a Metropolitan Planning Committee has not been implemented though an enabling act was drafted a few years ago.

### **3. Hyderabad**

#### **The City Corporation**

3.1. The Hyderabad Municipal Corporation came into existence in 1933. From time to time adjoining areas were merged into the Corporation. In 1955, the Corporation of Secunderabad was also merged and the Hyderabad Municipal Corporation was established under the 1955 Act.. The area became 170 sq.kms. Proposals to merge another 12 adjoining municipalities into Hyderabad were pursued from time to time but given up due to various reasons. Finally in April 2007, these areas were merged by notification under the 1955 Act. As of now the area of the Greater Hyderabad Municipal Corporation is 650 sq.kms and the 2001 Census population is 3.63 million.

3.2. As in the case of Tamil Nadu there was a provision for direct election of Mayors and Municipal Chairpersons. About three year ago this was changed. The Mayors are now to be elected from and among the elected Councillors of the corporation. However, elections have not taken place since May 2007 when the Greater Hyderabad Municipal Corporation was formed. The completion of the exercise for delimitation of the municipal wards is stated to the reason.

#### **Parastatals**

3.3. Under the provisions of the AP Urban Development Act, 1975, Hyderabad was notified as an urban development area with a jurisdiction of about 1348 sq.kms. which included the 173 sq.kms of the Municipal Corporation areas as before as well as the adjoining municipalities and semi urban villages. The Hyderabad Urban Development Authority (HUDA) is responsible for master plans and zonal development plans in the whole metropolitan area. The organisation has the authority to enforce the plan through rules and regulations. Additionally, the authority has been engaged in planning and executing major infrastructure projects in the urban area.

3.4 In addition to the HUDA, a Hyderabad Metropolitan Water Supply and Sewerage Board was set up in 1989. Additionally, there are some other parastatal agencies working in the Hyderabad area such as the Multi Model Transport System, AP Roads

and Buildings Departments, Power Transmission Corporation. AP Housing Board, AP Infrastructure Development Corporation etc.

### **The MPC and the State Government's role**

3.5. Prompted by the Government of India, as part of the Agenda under the Jawaharlal Nehru Urban Renewal Mission and in belated compliance with the provisions of the Constitution, the AP Government provided for a Hyderabad Metropolitan Planning Committee as envisaged under Article 243ZE under the AP Metropolitan Planning Committees Act of December 2007. Since the composition of the MPC is prescribed in the Act itself, there is little scope for deviation. Under the Act two thirds of the MPC should comprise elected representatives of the urban and rural local bodies in the metropolitan area. Since elections to the principal constituent of the area i.e. the Municipal Corporation have not been held so far, the MPC has not been formally constituted. Further more, the mandate of the MPC has been more narrowly construed in the Act. The MPC is required to prepare a draft development plan by consolidating the plans prepared by the Urban and Rural Local bodies and forward the same to the State government. The relationship between this planning activity and the spatial planning specifically conferred by the law on HUDA are not mentioned.

3.6. While elections to the expanded Municipal Corporation have not been held and the MPC itself not constituted, the AP Government proceeded to enact yet another law in April 2008 called the Hyderabad Metropolitan Development Authority Act, 2008. This law is probably one of the most comprehensive laws available as of now in the country at the metropolitan level. Greater HUDA's powers include planning as before i.e. preparation and revision of master plans and zonal development plans, regulation and control of development, undertaking developmental projects and also coordinate with other public agencies the provision of urban infrastructure services and amenities. Greater HUDA also has the powers to administer a metropolitan development fund. The urban local bodies in the area are required to make a contribution to the HUDA's fund. HUDA has the power to issue directions to the urban local bodies and other agencies in most matters connected with planning and provision of services in the metropolitan

area. The HUDA Act also provides for unified Metropolitan Transport Authority responsible for planning, building and operation of transport services.

3.7. As of now the Act provides for 22 members. The Board is chaired by the Chief Minister of the State. The Urban Development Minister is the Vice Chairperson and the Mayor of the Greater Hyderabad Municipal Corporation a member. Provision has been made for four elected representatives from the Urban Local Bodies and another four from the Legislative Assembly / Council. The remaining 12 members are all officials and other nominees of the State government. One representative of the MPC is also included as a token. The HUDA has clearly emerged as the dominant body in the metropolis but its composition is not representative. Given the preponderance of state officials and chaired by the Chief Minister, it is obvious that HUDA is virtually an extension of the State government.

3.8. The Metropolitan Planning Committee has the representative character but it has no mandate of significance. On the other hand, HUDA has a highly visible and powerful mandate but no representative character. It is also worth noting that in addition to Greater HUDA, there are a few other separate development authorities which continue to function such as Hyderabad Airport DA, Cyberabad DA, Budhapurnima Project Authority and Quli Qutb Shah Urban Development Authority. The HUDA was formally inaugurated in September 2008. Its interaction with the other organisations and the outcome are yet to be assessed. A copy of the new Hyderabad Metropolitan Development Authority Act of 2008 is annexed as an Attachment to this note.

## **4. Kolkata**

### **The City Corporation**

1.1. The Corporation of Kolkata as it is presently called, was established as early as 1876. It has gone through several changes both geographical and legal from time to time. The most recent was a new Calcutta Corporation Act which became law in 1980 and provides for the first time in the country a cabinet system of municipal government with a Mayor-in-Council system. The Kolkata Corporation presently covers an area of 185 sq.kms and is divided into 141 wards with a councillor elected by each. Additionally, there are 15 boroughs into which these wards are grouped.

4.2. Under the present system of Mayor-in-Council, the Mayor is elected by and from among the Councillors. He, in turn, appoints a Dy. Mayor and 10 other councillors as members of the Mayor-in-Council. While the MIC is answerable to the Corporation Council, the Mayor has a preeminent position as the Executive Head of the Corporation. The Commissioner is an official appointed by the State government but is answerable to the Mayor. The Corporation Council itself is presided over by another person called the Chairman of the Council. The Corporation is responsible for administering a variety of services in the City including water supply, sewerage treatment and disposal of solid waste management, building and maintenance of roads etc.

### **Parastatals**

4.3. Late in the 50s, the Calcutta and its surrounding areas were seriously affected by outbreaks of the cholera epidemic. In the 60s an elaborate exercise was organised with the assistance of the Ford Foundation through an organisation set up for the purpose called the CMPO (the Calcutta Metropolitan Planning Organisation). The Basic Development Plan prepared by the CMPO proposed a series of functional authorities with metropolitan wide jurisdiction such as water supply, sewerage, traffic and transportation, parks and playgrounds etc. Two separate development authorities for undertaking new town development on the west bank and east bank were also proposed. A planning organisation at the top was to provide the strategy and coordination. The Calcutta Metropolitan Water Supply and Sanitation Authority was

indeed set up under a special law but in the absence of any fund it became a non-starter.

### **Metropolitan level initiatives**

4.4. Between 1966 and 1970, the situation deteriorated further accompanied by serious industrial recession and significant loss of employment. In 1971, a special revival plan for Calcutta was put together with substantial assistance from the Government of India borrowings. A special tax on goods entering the metropolitan district was also levied by the State government and utilised to service market borrowings for metropolitan development. A compact organisation called the Calcutta Metropolitan Development Authority was created which was to administer the metropolitan development fund, sanction projects, designate the agency to implement the same and coordinate the work. Over the next 10 years some progress was made but the organizational situation remained the same. In 1979, the Calcutta Metropolitan Development Authority was designated as a Statutory Planning and Development Authority under the West Bengal Town and Country Planning Act, 1979. It combined powers of town planning as well as development. By then CMDA had become an overarching command organisation with the CMWSA, the Calcutta Improvement Trust and Howrah Improvement Trust as its subsidiaries. Most of the Municipalities were under supercession with no elected body in position.

### **Role of the State Governments and the creation of MPC**

4.5. From 1981 onwards elections to the Calcutta Corporation and other municipalities became more or less regular. Ten years later, the 74<sup>th</sup> Constitutional Amendment became law in 1992. Calcutta became the first metropolitan area in the country to set up Metropolitan Planning Committee as envisaged under Article 243ZE though this also took six years after the Constitutional Amendment.

4.6. The Kolkata Metropolitan area presently consists of three municipal corporations namely Kolkata, Howrah and Chandan Nagar, 38 municipalities and nearly 600 non municipal urban and urbanising panchayats and other settlements. When the CMDA was set up in 1971, it had the Chief Minister of the State as the Chairman, two other

State Ministers and three representatives of the Municipalities nominated by the State Government. Later on the KMDA was enlarged as a 11 member Board with the Minister, Urban Development as the Chairman. The Metropolitan Planning Committee i.e. the KMPC has 60 members. As provided in the Constitution, two thirds of the members are elected from amongst the elected representatives of the urban and rural local bodies within the metropolitan area out of these 40, 14 are elected by the elected councillors of the Kolkata Corporation and remaining 20 are representatives elected from the other urban areas in the Metropolitan District. Six members are from the rural parts. Another 20 members represent the parastatal agencies and other officials. The Chief Minister is the Chairman of the KMPC.

4.7. Over the past few years, the KMDA itself has emerged as the Administrative and Technical Secretariat for the KMPC. The plans prepared by the KMDA are reviewed and endorsed by the KMPC with necessary modifications. The KMPC does provide representative character and political legitimacy for the metropolitan planning and development set up.

4.8. In regard to the provision of services, the Corporations and Municipalities are prima facie responsible for most of the day to day services like water supply and sanitation. They also execute many of the projects included in the development programme. Inter municipal projects and large scale infrastructure projects of metropolitan significance are planned and executed by the KMDA. The KMDA's resources are mainly from special programmes of the Government of India and the State government such as the JNNURM, the Ganga Action Plan, basic services to urban poor etc. The KMDA also takes loans from the financial institutions. On the revenue side, the entry tax which was introduced in 1972 was abolished and fixed grants are given to the KMDA in lieu thereof.

4.9. During the past two decades, the Kolkata Municipal Corporation with its Mayor-in-Council system has stabilized and survived political changes. The KMDA and the KMPC have also evolved a positive working relationship. It has to be acknowledged the overall acceptance of local self government and adherence to constitutional provisions by the State leadership has been an important reason for this.

## **5. Mumbai**

### **The City Corporation**

5.1. The Municipal Corporation of Mumbai is one of the oldest in the country. The Act for its creation goes back to 1881. The corporation has an area of 603 sq.kms. The Municipal Council consists of 255 elected councillors. Unlike other cities the wards in Mumbai are multiple member wards. The Mayor is elected for a 2 ½ year term from among the Councillors of the Corporation. The executive authority vests more or less fully in the Municipal Commissioner appointed by the Maharashtra State Government who has for long, been regarded as one of the most powerful officials in the City. He is responsible principally to the State Government rather than the Mayor or the Corporation.

5.2. Mumbai experimented briefly with the Mayor-in-Council model adopted earlier in Calcutta. However, due to inadequate understanding of the system and insufficient political, legal and administrative preparations the experiment was given up and the City administration reverted to the 'ceremonial mayor-executive commissioner' model.

5.3. The Greater Mumbai Municipal Corporation is responsible for a wide range of services and amenities. In addition to water supply, sewerage and drainage, the Corporation also handles health care, including running of major hospitals and education. The Corporation is also responsible for distribution of electricity and operation of bus transport through a subsidiary called BEST. Under the provisions of the Maharashtra Regional Town and Country Planning Act, the Corporation is regarded as a Statutory Planning Authority responsible for land use and zoning plans as well their enforcement through development, regulations and building controls. However, this aspect of the Corporation's powers have been steadily encroached upon by the State government itself

### **Parastatals**

5.4 The Mumbai Metropolitan region covers a much larger area of about 4355 sq.kms. nearly ten times the size of the Municipal Corporation. In addition to the Corporation area, it covers seven other corporations namely Thane (147 sq.kms), Navi

Mumbai (163 sq.kms) Kalyan (137 sq.kms), and Ulhasnagar, Bhiwandi & Mira-Bhayandar. There are 13 other municipalities and innumerable semi urban settlements. The Mumbai Metropolitan Region Development Authority was set up under an Act of 1974. Like other authorities it is responsible for the preparation of perspective plans, promotion of alternate growth centers, strengthening of infrastructure facilities and undertaking significant projects on its own. At present the MMRDA's composition of 17 members includes the Minister for Urban Development as its Chairman, two other Ministers, the Mayor of the Corporation, three members from the Legislative Assembly and Council and five other officials. The Metropolitan Committee heads the office and functions as its member secretary. There is a functional division for planning, transport, energy etc. The total staff strength is about 30.

5.5. In addition to the MMRDA, the Metropolitan Housing and Area Development Authority (MHADA) set up under an Act in 1976 is active in part of the Metropolitan Region with specific housing and area development projects. A Slum Redevelopment Authority was also enacted in 1995 to work on some of the mayor slums of Mumbai. There are several other Departments of the Central and the State governments as well as parastatal organisations emerged in providing several services in the Mumbai region such as the Airport, the Mumbai Docks and Navasheva Port, the Western and Central Railways, the Maharashtra State Road Transport Corporation etc.

### **The State Government's role**

5.6. The Maharashtra Government has not set up a Metropolitan Planning Committee as required by the Constitution though enabling legislation has been passed under which the MMRDA will function as the Secretariat of the MPC. In response to specific litigations seeking the creation of the MPC, the State government has given repeated assurances which are yet to be fulfilled.

## **6. Delhi**

### **The City Corporation**

6.1 The Municipal Corporation of Delhi is one of the large corporations in the country established under the Municipal Corporation Act 1957. It covers an area of 1397 sq.kms. It consists of 134 wards. A councillor is elected from each. The Mayor is elected by these members and has a term of one year only. There is an elaborate committee system in the Corporation comprising more than a dozen special committees and equal number of ad hoc committees. The municipal and administrative powers are vested principally in the Municipal Commissioner who is appointed by the State government. For administrative purposes the Corporation is divided into 12 zones.

6.2 The New Delhi Municipal Corporation (NDMC) is another municipal body, but this covers only an area of 42.74 kms. Unlike the Municipal Corporation of Delhi, the NDMC is a totally nominated body chaired by an official appointed by the Central government. The NDMC has been set up under a separate Act of 1994. There is also a Cantonment Board set up under the Cantonment Act of 1924 which is spread over an area of 42.97 kms.

6.3 In addition to these three municipal bodies, there are some village areas as well. Taking them all together the Union Territory of Delhi comprises 1483 sq.kms. In 1992, a separate Act called the National Capital Territory Act was enacted under which the Territory became a separate state. The Legislature comprising 70 members. This Government is headed by the Chief Minister. However, the State of Delhi is not completely on par with other states in India. Some of the responsibilities and authority pertaining to the other states are exercised by the Central government in the case of Delhi through the Lt. Governor of Delhi appointed by that Government. Land as well as Law and Order are instances.

### **Parastatals**

6.4 The most important parastatal body in Delhi is the Delhi Development Authority (DDA) which was set up under the Delhi Development Act of 1957. The DDA has the

mandate to formulate master plans for the area, acquire, hold, manage and dispose off land and other property and to carry out various development and building projects. The DDA is chaired by the Lt. Governor. The Ministry of Urban Development in the Central Government is its administrative ministry. The plans prepared by the DDA are applicable to the entire area. A unified building code is administered by the three municipal bodies within their respective jurisdictions but subject to the provisions of the master plan.

6.5 The Delhi Urban Arts Commission which is another body nominated by the Central government also exercises special powers for reviewing and approving major development projects in the capital, from the spatial planning, architecture and heritage points of view.

6.6 Another important parastatal is the Delhi Jal Board. This organisation functions under the State Government of Delhi and is responsible for bulk water supply, leaving internal distribution to the NDMC, the MCD and the Cantonment for some of the areas. Similarly, the distribution of electricity is also handled by the State government through the Delhi Vidyut Board which in turn operates the system through companies, given area based contractual arrangements.

6.7 Other departments and agencies handling important development projects and services in the Delhi area are the Public Works Department and the Delhi Transport Corporation. It may also be noted that the Delhi Metro Rail Corporation has been set up by the Government of India which is responsible for building and operating an extensive multi model transport system in the area.

### **The Metro Region**

6.8 Prima facie, it would seem that the Union Territory has a self contained organizational frame work. However, this is not the case. Planners define a metropolitan area which goes beyond the limits of the Union Territory and includes town such as Gurgaon, Faridabad, Noida, Ghaziabad, Sonipat etc. When the Delhi development plan

exercise was initiated during the 1950s, it was realized that the problems of growth in the Delhi area can be addressed effectively only with regional perspective. A National Capital Region was identified accordingly. In 1985 this entity was given formal status under the National Capital Region Planning Board Act, 1985. This Board covers a large area of about 33,578 sq.kms including parts of the Haryana, UP and Rajasthan's states which adjoin the Union Territory. The Planning Board Act is a unique and special purpose act enacted by the Parliament with the consent of the States. Its composition is interstate and includes the Chief Ministers of the participating states, representatives of the Government of India Ministries as also Departments of the participating State. The NCR Planning Board has a full fledged secretariat functioning under the Ministry of Urban Development.

6.9 The master plan for Delhi 2020 has gone through a process of public hearings and objections and has been notified though its formal implementation is held up due to litigation in the Supreme Court. Similarly a plan for the National Capital Region with a time frame of 2021 has also been prepared which in turn has been approved by the NCR Planning Board. The Board mobilizes and administers a fund which is given as loans for the execution of projects of regional importance.

6.10 It is fair to say that nowhere in the country has so much resource and effort gone into planning in general and spatial planning in particular as in the case of Delhi. It is equally true to say that nowhere in the country equal effort has gone into diluting and bypassing these plans. Contemporary Delhi is locked very much in the embrace of a burgeoning real estate market. In spite of elaborate legal prescriptions, the command and distribution of power within the Union Territory as also within the Capital Region continue to be fragmented.

## **Part III – Persisting Issues**

### **1. The Mayor as ceremonial or executive head of a city government;**

In most Indian cities the Mayor performs ceremonial functions with very limited executive responsibilities. The Mayor-in-Council system in Calcutta is an exception. There can be no accountability without authority; related to this is also the question of tenure; in many Indian cities the tenure varies from one year to five years and in some cases like Maharashtra, Gujarat 2 ½ years; direct or indirect election of the Mayor is also an issue.

### **2. Should the Mayor's office have a single person focus or should it be shared?**

In Tamil Nadu and Andhra Mayors were directly elected until a few years ago. There was no Mayor-in-Council system, but the executive powers of the Mayor were limited. The two states have reverted to indirect elections now. If the Mayor is only ceremonial, it does not matter if the post has a single person focus. If on the other hand if mayor as the executive head is preferred a Mayor-in-Council or Chairman-in-Council system which is similar to a cabinet or a Standing Committee arrangement involves the sharing of power. In West Bengal and Madhya Pradesh for both Corporations and Municipal councils this system is followed. However, the Mayor is the person who appoints members of the Mayor-in-Council or President-in-Council.

### **3. How does one ensure the proximity of citizens to elected representatives**

The 74<sup>th</sup> Constitutional Amendment provided for wards committees with the Municipal Council as the Chairperson. The composition of the Committee and the manner of their appointment are left to the State governments. Only in a few states the Ward Committee system has been adopted. In these cases, either the Councillor or the Council itself choose the membership. In some states like Maharashtra, ward committees are for group of wards whereas in Kerala and West Bengal there is a ward committee for every municipal ward. In Kerala extensive criteria is laid down for choosing by a combination of selection and election the members of the Ward

Committee. The experience in regard to the Ward Committees is uneven and is documented in People's Participation in Urban Governance published by the Institute of Social Sciences, Delhi.(>>>>)

4. **How relevant and frozen are municipal boundaries?**

Municipal boundaries are rapidly overrun. There are serious limits to expanding municipal boundaries though in a few cities like Hyderabad and Bangalore, the expansion has been done. However, if the economy develops, spatial growth is inevitable. So are agglomerations. Indian experience confirms that it is not possible to provide for governance through a single, unitary and comprehensive municipal framework.

5. **Is multiplicity of authorities a problem?** – Here again the Indian experience shows clearly that there is no escape. Because the tasks to be performed in a metropolitan area are highly varied, they require different actors and different structural formats. While some congruous functions like water supply, sanitation, streets, street lighting, solid waste ext. can be grouped as municipal, many other services are inter-municipal and metropolitan wide in coverage especially transport, electricity, rail and air connectivity etc. A minimum organizational set up is necessary to bring these important agencies to a platform which can determine a metropolitan wide strategy, planning and action.

6. **What are these tasks?** The identification of which tasks are to be performed at the agglomeration or metropolitan level and which tasks are to be performed at the State metropolitan level will vary from one area to another. An identification of tasks is a prerequisite before considering an organizational set up. The guiding principle should be, which tasks can be performed only at the metropolitan level and will go by default, if not identified and provided for.

**7. How does one accommodate the interests of a provincial or a national government in metropolitan management?;**

The Indian experience clearly shows that no state government is willing to give up control of a metropolitan area. The fear of the large cities and in particular the fear of the leadership in that large city as a potential threat to state and the national leadership has existed for a long time. In India the Constitutional structure is a carry over from the colonial period of the Union-State - Municipality. This three-tier system based on a hierarchy of authority and responsibilities may not be adequate for managing an agglomeration area or a metropolitan area. In India almost all the million plus cities and their agglomerations are multi district and multi municipal. In all of them the State and Central government agencies and departments are active. All of them also have significant entities of trade, commerce and service provision in the private sector. It is essential to recognise that a **metropolitan area is an intergovernmental entity**. A major reason for the reluctance of state governments to devolve control over a metropolitan area is the enormous financial and political clout that urban land and therefore real estate operations carry. In many Indian cities, inspite of the Constitutional Amendment stating very clearly that “urban planning including town planning” and “regulation of land use and construction of buildings” as the first and second items in the 12<sup>th</sup> Schedule, these powers have not been fully devolved on municipalities.

**8. Who should claim the metropolitan political turf?**

In most Indian cities the Members of Parliament and Members of State Legislature occupy the same constituency area. While the constituency of an MP may be very large and covers a population of 2 to 2.5 million, the constituency of a State Assembly member may be just 2 or 3 times the size of a corporation councillor’s constituency. After the recently completed Delimitation of Lok Sabha and Assembly constituencies in the country, on the basis of the 2001 Census, the number of MLAs in metropolitan areas have increased because of the growth of population. MPs and MLAs cannot enter each others legislatures and double membership is specifically forbidden by the Constitution. However, in the case of city corporations, both the MP and the MLA are eager and happy to join. In some state this is provided for formally, while in some others

this is by an invitation. Additionally, in almost all the States, there is a scheme called Local Area Development Scheme under which an MP or an MLA is given a lump sum allocation ranging from a few lakhs of rupees to one or two crores every year to be spent at the discretion of the member concerned for development activities which are very much within the purview of a municipality or a panchayat. The combination of both political and money power thus renders the Corporation Councillor inferior in status and power to an MP or an MLA. In some countries, it is possible for today's mayor to become tomorrow's Prime Minister or President. That prospect appears quiet distant from the Indian experience.

\*\*\*\*\*