

Bruhat Bengaluru Mahanagara Palike and the Issues of Urban Governance

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Abstract: The entire developing world is witness to an unprecedented shift of human settlement to the cities. While India's population remains substantially rural, it is emerging as one of the fastest urbanizing countries in the world and has already a staggering large urban population of around 285 million. The economic base of the nation through expanding industries, trade, commerce and services has already shifted to urban centers. Cities have strongly emerged as the prime engines of Indian economy and generators of national wealth. Even though the level of urbanization is relatively low in India, the contribution of urban economy to national economic structure is significantly high. It is realized that handling of urban development is a very delicate issue and has to be strategically operated. Thus, it can be seen that urban India is facing a challenge. Cities must cope with great numbers of people, plan to provide them services, find resources to meet needs of maintaining infrastructure, respond to urbanization and poverty. Solving these complex problems is the goal of good urban governance. It envisages improving the quality of life in cities through improved local governance by reinventing the city as an inclusive city. Such a city provides space and voice to its stakeholders through inclusive decision-making, since decision-making is the heart of urban governance.

Keywords: Urban Governance, BBMP, Structure, Working, KMC Act, Ward Committee Act, Problems of Citizens in Bengaluru, Jannagraha Recommendations

1. Introduction

Urban governance as an issue has assumed critical importance in the context of ever-growing role of urban centers in the overall economic growth, employment generation and contribution such centers make to the national 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 centers 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 national 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 centers 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 reorganization of the states in 1956, there was no uniformity in the rules and regulations governing the urban government. The reorganization 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.

2. 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 the 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 urbanized 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 urban governance in Karnataka by taking Bangalore Municipal Corporation as a case study from 1990-2006.

The major findings are:

1) The numerous problems faced by the Bangalore

Municipal Corporation arises out of lack of financial resources and poor performance. Hence the nurseries of democracy should be revamped.

- 2) The indirect election of the mayor combined with his short one-year tenure makes him more of a figure head. Hence a demand has been made especially by the mayors themselves as well as 135 councilors to change the present system and have the mayor directly elected by the people.
- 3) Provision of some minimum academic qualifications for the councilors should be mandatory. It may improve the general tone of corporation leadership as well.
- 4) It is found that there is often poor coordination between the commissioner and the heads of the departments in the Bangalore Municipal Corporation. Since the departmental heads owe accountability to the committee, the commissioner's power of direction and effective coordination gets ineffective in actual practice.
- 5) The relationship between the mayor and the commissioner reveals that there is a need for the separation of politics from municipal administration.
- 6) In Bangalore Municipal Corporation there is a multiplicity of agencies dealing with solid waste management services. Due to this multiplicity of agencies, gaps and duplications are observed in the provision of services.
- 7) There is no public-private partnership existing between BATF and the corporation.
- 8) As far as the state government control is concerned it is found that there is too much of interference by the government in the working of Bangalore Municipal Corporation. Hence there is a strong need for relaxation of control from above.
- 9) The strength of the municipal council has not increased in proportion to the population of the city. There is an urgent need to increase the strength of the municipal council.
- 10) In the Bangalore Municipal Corporation, the municipal leadership lacks the capacity to visualize, conceptualize and crystallize definite strategies for the all-round development of the city.
- 11) There is an imperative need to strengthen and improve the committee system within the corporation for a detailed study and appropriate recommendations and decisions about specific problems of the city.
- 12) The ward committee is not a fully elected body like the *grama panchayat* which is a body formed only by elected representatives, each member equal to the other and having his/her own constituency and the backing of the people.
- 13) The nominated members have been given voting rights and since they number seven in a committee of 10-11 persons, they could always overrule the 3-4 elected councilors on the committee.

14) There is indifference of many officials towards the nominated members as they do not have the powers to get them transferred. Most of the officials attended only to the issues raised by the elected councilors as councilors have the power to get them transferred.

15) Most ward committee members have identified the major problems that have hindered effective functioning of the Bangalore Municipal Corporation as: unwillingness of elected councilors to share powers with nominated members, political interference and bureaucratic apathy.

3. Evolution of BBMP

As an administrative body specially meant for infrastructure and civic amenities, the Bruhat Bengaluru Mahanagara Palike (BBMP) came into force 2006-2007. After the completion of BMP council in November 2006, the Government of Karnataka dissolved it. The BMC area formed in 2007 January through a notification by combining 100 wards of the erstwhile BMP with seven City Municipal Councils (CMC)s, one Town Municipal Council (TMC) and 111 villages around the city. [1]

According to BBMP [1] "The Bruhat Bengaluru Mahanagara Palike (BBMP), is the administrative body responsible for civic amenities and some infrastructural assets of the Greater Bengaluru metropolitan area. It is the fourth largest Municipal Corporation in India being responsible for a population of 6.8 million in an area of 741 km. Its boundaries have expanded more than 10 times over the last six decades. Its roles and responsibilities include the "orderly development of the city" — zoning and building regulations, health, hygiene, licensing, trade and education, as well as quality of life issues such as public open space, water bodies, parks and greenery."

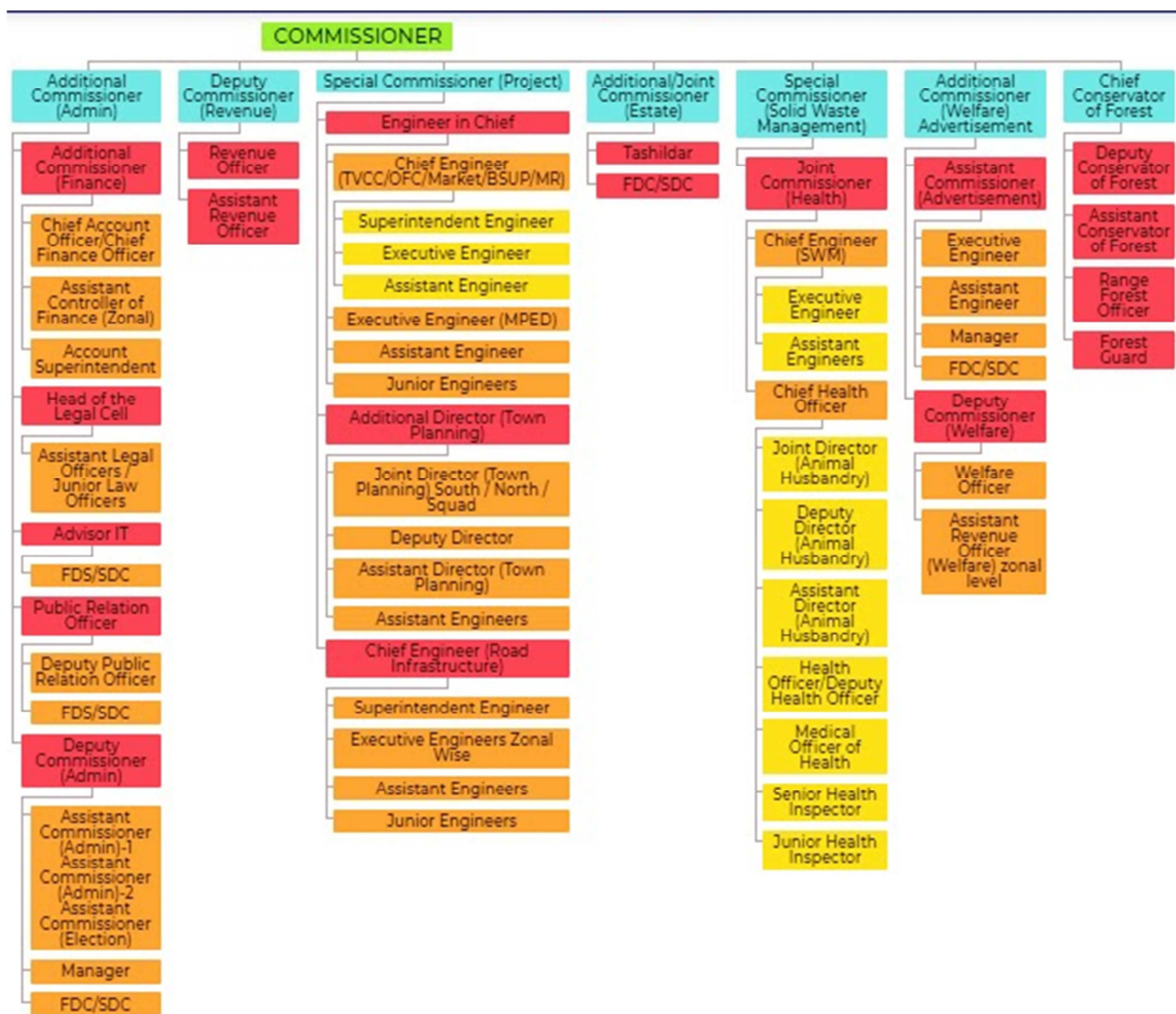
After the Central and the State Government, BBMP represents the third level of government. This body is a representative body elected through a popular mandate every five years. [2]

3.1. Structure Role and Functions

BBMP is divided into ten zones, for the ease of administration each administered by a Zonal Commissioner. [1]

- 1) Bommanahalli Zone
- 2) Dasarahalli Zone
- 3) East Zone
- 4) Mahadevapura Zone
- 5) 5.RR Nagar Zone
- 6) South Zone
- 7) West Zone
- 8) Yelahanka Zone

3.2. Structure



Source: BBMP Website

Figure 1. Structure.

3.3. Role of BBMP

According to the BBMP, following are the key roles performed [1].

3.3.1. Property Tax Collection

A shift to a unit area self-assessment method of property tax collection in Bengaluru was successful, leading to a sharp rise in tax collection revenues.

3.3.2. Roads and Infrastructure

The BBMP's contracting system for the city's roads are reported to operate under a corrupt commission system. When work is tendered and the bid won by a contractor, a percentage is paid to the area corporator, MLA and BBMP council.

3.3.3. Tender SURE

In 2011, the Jana Urban Space Foundation published a

document called TENDER SURE (Specification for Urban Roads Execution) which contained detailed guidelines for the design, specifications and procurement contracts needed to bring India's road infrastructure up to an international standard within the Indian context.

3.3.4. Tree Planting

The BBMP's responsibilities include planting and maintaining street trees. The BBMP has embarked upon numerous tree planting schemes over many decades and with varying levels of success. The most notable period of planting is held to be the period of 1982 and 1987 when Chief Minister R Gundu Rao appointed forest officer S G Neginahal to green the streets of Bengaluru with more than 15 lakh trees.

3.3.5. Stormwater Drains

The BBMP reports that it administers 800 kilometers of storm water drains and another 1,500 km of secondary drains.

3.3.6. Garbage Disposal

Bengaluru's waste volumes have grown strongly since 1990 and the BBMP has come under ongoing criticism for its mismanagement of the city's garbage disposal system, particularly throughout 2012–13 when Bengaluru was routinely referred to as "Garbage City". As of 2018, seven waste processing plants are reported to be operating at only one third of their capacity.

3.3.7. Public Open Space

Bengaluru contains more than 416 neighbourhood parks. Current Karnataka legislation requires 15% of residential layouts to be retained for public open space, and an additional 10% for civic amenities.

3.4. Issues

3.4.1. The Debate on Trifurcation

Early in 2015, the then Congress government proposed a bill in the state legislature to abolish BBMP and reconstitute it into multiple bodies. The contention of the government was that the population of the city is too large enough to be administered by a single body or a lone corporator. Widely criticized by from various quarters, the Bill had sought the trifurcation of the BBMP.

3.4.2. BBMP Bill

The State Government has introduced Bruhat Bengaluru Mahanagara Palike Bill and postponed the elections which were due this year (September 2020). The Bill is meant to bring a new law as the basis of governance in Bengaluru city. According to a report at present "Bengaluru comes under the purview of the Karnataka Municipal Corporation Act, which has been found to be inadequate to deal with some of the unique problems faced by a city with a population of 1.2 crore and an area over 700 sq km." [2] The term of the Mayor is only a year and it is only 2.5 years as proposed in the BBMP Bill. Moreover, the Mayor represents executive power rather than popular mandate. This structure gives more power to the government and less autonomy to the BBMP. Even though "BBMP will now be charged with urban planning, in reality, crucial civic responsibilities like water and power supply, infrastructure development, lake management, sewage system, metro rail and local bus transport will continue to remain with other agencies. The new legislation has overlooked the urgent need to set up an umbrella organization to coordinate multiple agencies which are currently working in silos and often at cross-purposes, leading to a complete breakdown in the management of the city" [2] "Political decentralization in the form of zonal committees — with all councilors from the zone as its members and an empowered zonal commissioner — has been a long-standing demand. Both the Kasturirangan Committee Report of Bangalore Governance – 2008 and BBMP Restructuring Committee Report – 2015 had recommended the formation of zonal committees." [3]

Sandeep Anirudhan of Citizens' Agenda for Bengaluru, Coalition for Water Security, Bengaluru Agenda for Mobility

points out following issues/challenges of urban governance in Bengaluru city. [4]

- 1) Environmental challenges.
- 2) Sustainability.
- 3) Devolution of powers to the lower levels of the government.
- 4) Dismantling of the colonial structures of governance.
- 5) Conflict between other parastatal bodies and BBMP.
- 6) Accountability.
- 7) Uniform Jurisdiction.
- 8) Decentralized Planning.
- 9) Peoples' Participation.
- 10) Mayor's term and the number of wards.

4. Status of Bengaluru in Janaagraha's ASICS 2017 Study

In its study titled "The Annual Survey of India's City-Systems (ASICS)" Janaagraha surveys the "City-Systems of India's cities". [5] According to the Report "ASICS evaluates the quality of governance in cities by assessing the quality of laws, policies, institutions and institutional processes that together help govern them".

ASICS score for Bengaluru in 2017 is as follows: [5]

Rank	City	Score	Score change over 2016
1	Pune	5.1	0.9
2	Kolkata	4.6	0.5
3	Thiruvananthapuram	4.6	0.2
4	Surat	4.4	1.2
5	Bhubaneswar	4.4	0.9
6	Hyderabad	4.4	0.5
7	Ahmedabad	4.3	0.9
8	Mumbai	4.2	0.1
9	Delhi	4.2	0.6
10	Ranchi	4.1	0.7
11	Raipur	4.0	0.6
12	Kanpur	3.8	0.2
13	Guwahati	3.8	-
14	Lucknow	3.8	0.4
15	Ludhiana	3.6	0.6
16	Bhopal	3.6	-
17	Visakhapatnam	3.6	-
18	Chennai	3.3	-0.3
19	Patna	3.1	-0.3
20	Jaipur	3.1	0.5
21	Chandigarh	3.1	1.0
22	Dehradun	3.0	0.1
23	Bengaluru	3.0	-0.3



London
Score: 8.9



New York
Score: 8.8



Johannesburg
Score: 7.7

* Source: Janaagraha's ASICS 2017 study

Figure 2. City System in Indian Cities.

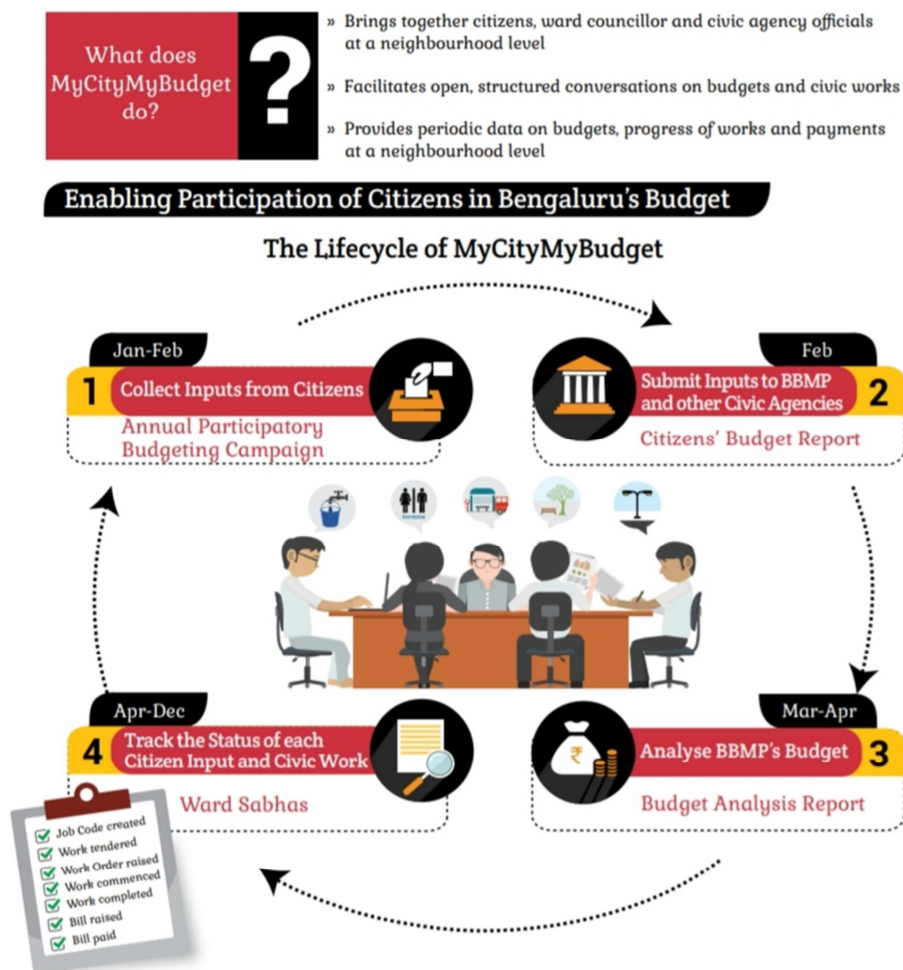
Bengaluru's Town and Country Planning Act is relatively old and needs a revision. [6]



* Source: Janaagraha's ASICS 2017 study

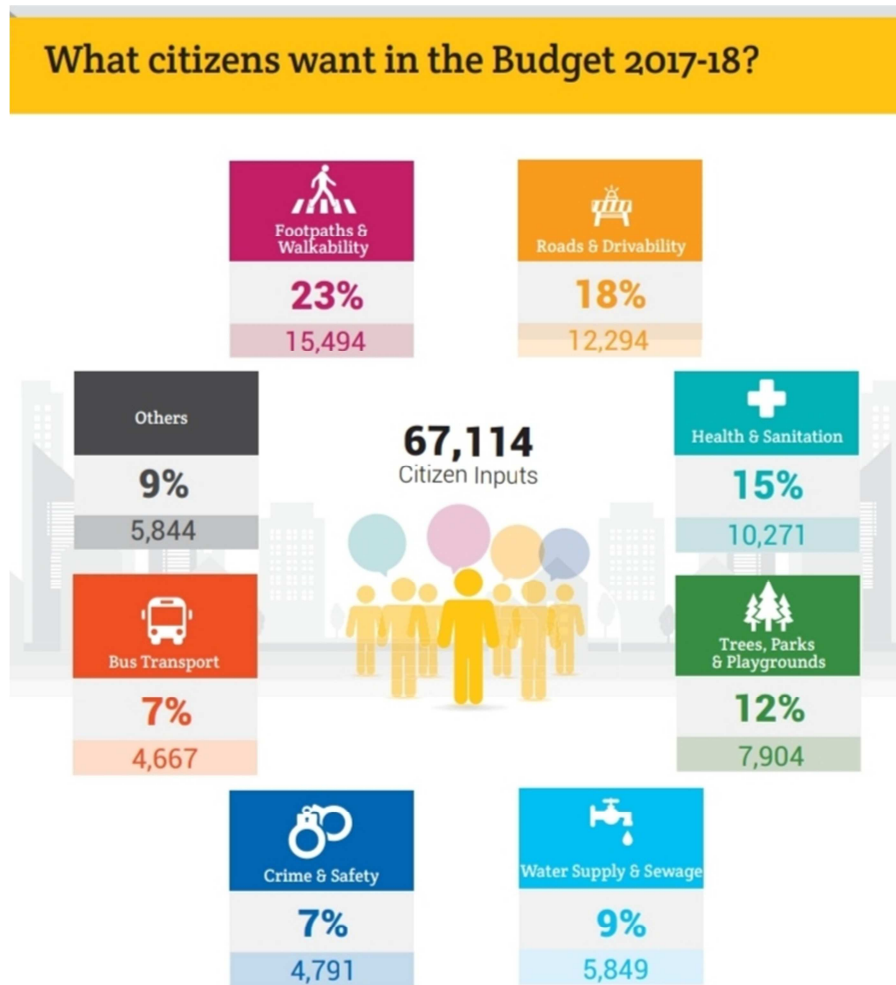
Figure 3. Town and Country Planning Growth in India.

Janaagraha launched I Change My City annual participatory campaign in December 2016. Budget inputs were collected and submitted to civic agencies. After submissions, Janaagraha tracks the performance of the BBMP on budgets. It also analyses data on civic projects, bills paid and job codes raised. [7]



Source: Citizens' Budget 2018-19: A Partnership for a better Bengaluru, Janaagraha Centre for Citizenship and Democracy, Bengaluru

Figure 4. People's Participation in Making Budget.



Top 5 Sub-categories

Category	Sub-category	Number of Citizens Asking	Number of Inputs Given
Roads & Drivability	Potholes	4,777	6,192
Crime & Safety	Surveillance Cameras	4,473	4,791
Health & Sanitation	Public Toilets	2,868	3,556
	Fogging and Pest Control	2,560	3,523
Pedestrian Infrastructure	Road Side Drains	2,275	3,220

Source: Citizens' Budget 2017-18: A Partnership for a better Bengaluru, Janaagraha Centre for Citizenship and Democracy, Bengaluru

Figure 5. Citizen's Requirements.

Observations on the CAG's Performance Audit Report on Implementation of 74th Constitutional Amendment, 1992 By the Government of Karnataka [8].

The main objective of the CAG's Performance Audit Report is to assess whether the State Government empowered ULBs (Urban Local Bodies). It also looked into whether the institutional framework is strengthened and transfer of

functions, funds and functionaries realized.

The report dealt with the questions of implementation of the provisions of the 74th CAA in State legislations, empowerment of ULBs, financial base and accessibility of ULBs and ULBs autonomy in mobilizing and incentivizing human resources.

Karnataka has 38.67% urban population and 280 ULBs.

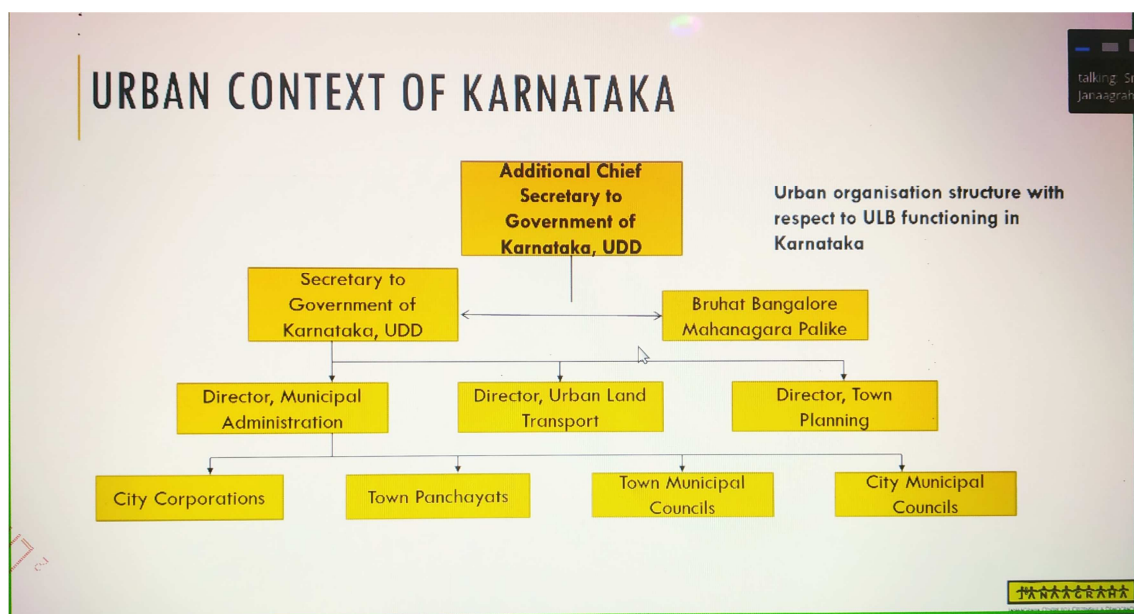


Figure 6. Urban Development Department Structure in Bengaluru.

Source: Presentation by Janaagraha Team, IIPA – KRB: webinar on – Implementation of the 74th Constitutional Amendment in Karnataka, Time: Dec 5, 2020 03:45 PM India.

Following are the audit findings:

- 1) Whether provisions of the 74th CAA have been adequately covered in State Legislations?

Statutory compliance with the 74th CAA provisions such as constitution and composition of municipalities, constitution and composition of ward committees, reservation of seats, duration of municipalities, powers over functions, finance, formation of finance commission and state election commission, conduct of elections etc.

- 2) Whether ULBs were empowered by the State Government to discharge their functions effectively through the creation of appropriately designed institutions/institutional mechanisms, and the functioning thereof?

The State Government through amendments to KMC Acts had transferred 17 out of 18 functions to ULBs. Fire services has not been devolved by law. [9]

But at the same time, the State government has overriding powers over ULBs, which is against the spirit of 74th CAA. These powers are the following:

- 1) Power to make rules.
- 2) Cancel and suspend a resolution or decision taken by ULBs.
- 3) Dissolve ULBs.
- 4) Approve by-laws.
- 5) Deposit and invest surplus funds and borrow money by ULBs.

5. Recommendations Highlighted by Janaagraha [10]

- 1) Take decisive action to translate the vision of achieving

decentralization into reality. Ensure ULBs enjoy adequate degree of autonomy in respect of the functions assigned.

- 2) Entrust State Election Commission with powers over delimitation to ensure timely elections.
- 3) Constitute ward committees as per the KMC Act, nurture and encourage ward committees to function effectively so that the priorities of citizens are factored into the decisions of the ULB.
- 4) Tap into the full potential of DPC and MPC Mechanism.
- 5) Avoid delays in the constitution of the State Finance Commission and implementation of its recommendations. Implement the recommendations of SFC relating to devolution as well as institutional matters to the extent possible, taking into account its impact in creating genuine institutions of local governance.
- 6) Create a fully functional property tax board to provide technical assistance to ULBs.
- 7) Involve fully the democratically elected ULBs in planning, regulation, slum development and water supply and sanitation functions.
- 8) Remove limitations on the ability of the ULBs to raise revenue through sources such as property tax, advertisement tax, solid waste management cess etc.
- 9) Put in place measures to motivate the ULBs to prepare their budgets in a scientific manner taking into account requirement of capital expenditure as well as a realistic projection of funds expected to be mobilized.
- 10) Revise delegation of powers relating to works and other expenditure.
- 11) Delegate adequate powers over manpower resources to ULBs in matters such as assessment and recruitment of

required staff.

- 12) Deploy personnel from KMAS in ULBs to the maximum extent possible. Ensure ULBs are headed by persons of sufficient seniority and caliber.

6. Conclusion

Urbanization in India is a worldwide phenomenon. Indian urbanization has proceeded as it has elsewhere in the world as a part and product of economic change. Occupational shift from agriculture to urban based industry and services is one part of the change. At the same time, increased agricultural performance has also promoted urbanization as noticed in several top rice and wheat producing districts in the country. To cite some examples, in the district of Chengalpet, Krishna, Burdwan, Ludhiana or Kurukshetra, the percentage of urban population is run to be higher than the state average. New industrial investments and expansion of the service industry in new locations is also another factor.

In 1991, India had 23 cities with population of one million or more. In the year 2001 there are 85 cities with a million plus population. Out of these seven are mega cities with population of above 40 lakh. Amongst them three cities, viz. Mumbai, Kolkata and Delhi have population above one crore and four cities, viz. Chennai, Hyderabad, Bangalore and Ahmedabad have population above 40 lakh. Expansion in the number of urban cities is a healthy trend. They absorb some of the potential migrants to mega cities. However, many of the urban centres are characterised by the shocking absence of civic amenities and planning. The signposts of urbanity in smaller cities are malls and apartment blocks. Unfortunately the presence of a few shopping and housing complexes do not constitute vibrant cities. If India's smaller cities are to thrive, there must be some serious thought given to urban planning and civic infrastructure. Ways are to be found to equip them to cope with urbanization, plan ahead for expansion, use their resources substantially and deliver essential services.

The conventional methods of governing the city with top-down approaches have proved to be restrictive and inadequate. 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 realized. There is also a realization that the existing capacity of the urban local bodies (ULBs) is limited and needs to be substantially enhanced.

UN-Habitat defines urban governance 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 and diverse interests may be accommodated and cooperative action can be taken. It includes formal institutions as well as informal arrangements and social capital of the citizens. Good urban governance is a process by which quality of life in the cities can be improved. It is an efficient and effective response to urban problems by accountable local governments working in partnership with civil societies.

Good urban governance is characterized by several criteria, viz. sustainability, government authority and resources, access to decision centers, efficient delivery of services and promotion of local economic development, transparency and accountability, civic engagement and citizenship, security of people and the environment to avoid conflict, crime and disaster.

In future, local government may be said to be a part of the five-tier system of government. At the apex is the supranational agency like the United Nations which is purely voluntary in character and which lays down a code of conduct and behavior in regard to relations between the sovereign members. The second-tier falling below it are the regional groupings like the European Union, the South Asian Association of Regional Corporation (SAARC). The third-tier comprises individual national governments functioning in accordance with their national constitutions with their national borders. The states or provinces form the fourth tier. The fifth and the bottom tier is the local government which until 1993, was created by national and state enactments and functional within a limited jurisdiction as provided by various statutes. They are the most important branches of our political system. They not only deal with the local issues more efficiently than the distant state or the central government, but also integrate the people into the system by ensuring their participation in the local government, and, thus strengthen democracy.

Local self-government has been defined as the organization of local inhabitants into a local body which possesses autonomy within its limited sphere, raises revenue through local taxation and spends its income on local services. In India, local government institutions were modeled and continue to be modeled on their British counterparts. Though the institutions of local government existed in ancient India, the modern local government institutions carry a perceptible imprint of their British counterparts. In ancient India, Kautilya's and other authorities refer to these institutions in Vedas and particularly in Rig Veda. In *Santi Parva* of Mahabharatha, there are many references to the existence of *grama sanghas* or rural communities. References to the *grama sabhas* or the local village assemblies are found in the *jatakas* as well. The municipal administration in ancient India was quite advanced and highly organized.

Although local government existed in India in ancient times, its present structure and style of functioning owes its existence to the British rule in India. The first municipal corporation was set up for the city of Madras in 1687, and this marked the beginning of local government in urban India. The Charter Act of 1793, established municipal administration in the three presidency towns of Madras, Calcutta and Bombay and authorized the Governor-General of India to appoint justice of peace in these towns. The year 1870, witnessed Lord Mayo's famous resolution which introduced the scheme of financial decentralization. In Lord Rippon's resolution (1882), fuller scope for local self-government was introduced. Lord Rippon's resolution is

regarded as the Magna Carta of local government in India. In 1947, there were only four corporations – Bombay, Calcutta, Madras and Trivandrum corporations.

After independence, there was a proliferation of local government institutions and several types of such institutions were created under the Acts of Parliament and State Legislatures to satisfy the urge of the people for self-government. The most important unit of the urban local government is the municipal corporation which is designed to administer the civic affairs of each of the top class cities in the country. However, the number of corporations in India has rapidly increased in recent years. These corporations have been established by laws passed by the state legislatures, except the Municipal Corporation of Delhi which has been established under the Act of Parliament.

Even though 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 effectiveness of local bodies. The main factor for this was 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. Yet, most of the thinking on municipal reforms remained confined to augmenting the financial resources only. As a consequence they failed miserably to deal with the dynamic growth created by the process of steady urbanization and urban growth.

As a consequence of this 'National Commission on Urbanization' was set up in 1985, which gave detailed recommendations about the measure required for strengthening the management and administration of local government institutions in the country. The commission aimed to take the government to the people, to make the administration accountable and to ensure people's participation in the administration.

With the purpose of achieving these three objectives, the union government introduced in the year 1992, the 74th Constitutional Amendment Bill. Its aim was to provide a common framework for urban local bodies and to help strengthen the functioning of urban local bodies as effective democratic units of self-government. The Indian Parliament passed the 74th CAA in December 1992, and the Act received the assent of the president on 20th April, 1993 and it came into force from June 1, 1993. A new Part IX-A relating to municipalities has been incorporated in the constitution. It ensures adequate constitutional obligation so that democracy in the municipal government is stabilised. The CAA 1992, devolves a constitutional status on the local self governments for the first time in the history of India.

The Act provided statutory definition to the urban local bodies of different categories, stipulating the requirements of their constitution and composition, as well as outlining the domain of their powers and functions. It provided the framework for establishing a process of democratic decentralization of the planning and development of urban areas. It also provided a mechanism for ensuring devolution of functional and financial powers to the urban local bodies

on a regular and continuing basis. The 74th CAA, 1992 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.

After passing the 74th CAA, 1992, all state governments also passed the conformity legislation by 31st May, 1994. Some state governments further amended the Acts from time to time to meet the emerging legal, administrative, political issues and problems. The past experiences have shown that the processes and procedures of the governance need to be changed if urban governance is to become effective.

Urban governance has assumed increasing importance with the growth of urban centres and increasing population. Democratic decentralization and the 74th Constitution Amendment Act have further enhanced the growing importance of urban governance. The rapid growth of population and the pace of urbanization and industrialization in Karnataka have resulted in increasing demand for better facilities and services. In this context the Bangalore Municipal Corporation has assumed an important role in urban governance.

For a balanced working of the Bangalore Municipal Corporation a balanced relationship between the executive wing and the deliberative wing is essential. Various regulations exist to govern the relationship between the commissioner and the mayor. Still on general occasions the differences between the commissioner and the mayor has hampered the smooth conduct of administration. Both the wings have ill conceived notions about the other. This has generated a debate about the separation of the two wings and consequently in the administrative dynamics of Bangalore Municipal Corporation both the corporators and officials have come to occupy a place of prominence.

The successful working of urban governance depends on the active and effective participation of the people. Democratization of civic administration requires greater people's participation. To achieve this objective, Karnataka government has established the ward committees vide inserting Section 13-A into the Karnataka Municipal Corporation Act. However due to several reasons, people's involvement in urban governance particularly in Bangalore Municipal Corporation Ward Committees has been weak and minimum. This has resulted in isolation of the people from urban administration despite the fact that people have the potential and interest to participate in urban governance. Hence for effective working of the Bangalore Municipal Corporation indeed there is an inherent need for people's participation.

7. Major Findings

- 1) The numerous problems faced by the Bangalore Municipal Corporation arises out of lack of financial resources and poor performance. Hence the nurseries of democracy should be revamped.
- 2) The indirect election of the mayor combined with his short one-year tenure makes him more of a figure head.

Hence a demand has been made especially by the mayors themselves as well as councilors to change the present system and have the mayor directly elected by the people.

- 3) Provision of some minimum academic qualifications for the councilors should be mandatory. It may improve the general tone of corporation leadership as well.
- 4) It is found that there is often poor coordination between the commissioner and the heads of the departments in the Bangalore Municipal Corporation. Since the departmental heads owe accountability to the committee, the commissioner's power of direction and effective coordination gets ineffective in actual practice.
- 5) The relationship between the mayor and the commissioner reveals that there is a need for the separation of politics from municipal administration.
- 6) In Bangalore Municipal Corporation there is a multiplicity of agencies dealing with solid waste management services. Due to this multiplicity of agencies, gaps and duplications are observed in the provision of services.
- 7) There is no public-private partnership existing between BATF and the corporation.
- 8) As far as the state government control is concerned it is found that there is too much of interference by the government in the working of Bangalore Municipal Corporation. Hence there is a strong need for relaxation of control from above.
- 9) The strength of the municipal council has not increased in proportion to the population of the city. There is an urgent need to increase the strength of the municipal council.
- 10) In the Bangalore Municipal Corporation, the municipal leadership lacks the capacity to 12 councilor, conceptualize and crystallize definite strategies for the all-round development of the city.
- 11) There is an imperative need to strengthen and improve the committee system within the corporation for a detailed study and appropriate recommendations and decisions about specific problems of the city.
- 12) The ward committee is not a fully elected body like the *grama panchayat* which is a body formed only by elected representatives, each member equal to the other and having his/her own constituency and the backing of the people.
- 13) The nominated members have been given voting rights and since they number seven in a committee of 10-11 persons, they could always overrule the 3-4 elected 12 councilors on the committee.
- 14) There is indifference of many officials towards the nominated members as they do not have the powers to get them transferred. Most of the officials attended only to the issues raised by the elected 12 councilors as 12 councilors have the power to get them transferred.
- 15) Most ward committee members have identified the major problems that have hindered effective functioning of the Bangalore Municipal Corporation as:
 - unwillingness of elected 12 councilors to share powers with nominated members, political interference and bureaucratic apathy.
- 16) The numerous problems faced by the Bangalore Municipal Corporation arise out of lack of financial resources and poor performance. Hence the nurseries of democracy should be revamped.
- 17) The indirect election of the mayor combined with his short one-year tenure makes him more of a figure head. Hence a demand has been made especially by the mayors themselves as well as 12 councilors to change the present system and have the mayor directly elected by the people.
- 18) Provision of some minimum academic qualifications for the 12 councilors should be made. It may improve the general tone of corporation leadership as well.
- 19) It is 12 councilor that there is often poor coordination between the commissioner and the heads of the departments in the Bangalore Municipal Corporation. Since the departmental heads owe accountability to the committee, the commissioner's power of direction and effective coordination gets ineffective in actual practice.
- 20) The relationship between the mayor and the commissioner reveals that there is a need for the separation of politics from municipal administration.
- 21) In the Bangalore Municipal Corporation there are a multiplicity of agencies dealing with solid waste management services. Due to this, gaps and duplications are being observed in the provision of services.
- 22) There is no public-private partnership existing between BATF and the corporation.
- 23) As far as the state government control is concerned it is found that there is too much of interference by the state government. Hence there is a strong need for relaxation of control from above.
- 24) The strength of the municipal council has not increased in proportion to the population of the city.
- 25) In the Bangalore Municipal Corporation the municipal leadership lacks the capacity to 12 councilor, conceptualize and crystalline definite strategies for the all-round development of the city.
- 26) It is imperative to strengthen and improve the committee system within the municipal corporation for a detailed study followed by appropriate decisions about specific problems of the city.
- 27) The ward committee is not a fully elected body like the *grama panchayat* which is a body formed only by elected representatives, each member equal to the other and having his/her own constituency and the backing of the people.
- 28) The nominated members have been given voting rights and since they number 7 in a committee of 10-11 persons, they could always overrule the 3-4 elected 13 councilors on the committee.
- 29) There is indifference of many officials towards the nominated members as they do not have the powers to

get them transferred. Most of the officials attend only to the issues raised by the elected 13 councilors as 13 councilors have powers to get them transferred.

- 30) Most ward committee members identified unwillingness of elected 13 councilors to share powers with nominated members. Political interference and bureaucratic apathy were cited as the major problems that hindered their effective functioning.

8. Policy Suggestions

The Bangalore Municipal Corporation was established under the city of Bangalore Municipal Corporation Act, 1949. Its aim was to manage the civic affairs of the people of Bangalore city and it has performed its functions satisfactorily despite several limitations and obstacles. It has been also bogged down by financial stringency, functional overloading and restricted autonomy coupled with public apathy. The image of the municipal corporation in the public mind has been that of inefficiency, maladministration and general stagnation. The study of Bangalore City Corporation in the preceding chapters has substantiated this view.

The study shows that the strength of the council has not been proportionate to the growth of the population. Bangalore city has been growing beyond its limit and the strength of the council is limited. There are two dangers if the council is a small one. Firstly, it results in the denial of representation to some sections of population in the city and thus deprives them of a say in the administration of the city. Secondly, a small size of body is likely to be more susceptible to the control and influence of unscrupulous party managers. A large sized council has a built-in corrective to abusive practices. The elimination of even a few interest groups will provide ample ground for lack of trust and confidence in the council. Thus, the increase in the ratio of councillors to population makes the corporation most representative and close to the people. As regards to the inclusion of the members of the legislative assembly, member of parliament and members of legislative council who represent a part or whole of the city of Bangalore, this study shows that this has not been satisfactory. Their inclusion as ex-officio members is not only undesirable but also offends the principle of local democracy. It is recommended that provisions be made to enable state government to nominate experts with the knowledge of municipal affairs as members of the council.

The position of the mayor of the Bangalore Municipal Corporation under the existing set up, is not very stable or strong. The indirect election of the mayor combined with his short one-year tenure makes him more a figure head rather than an active or constructive functionary. Since he is elected by the councillors, not directly by the people, he cannot be said to have obtained a mandate from the city people. A demand has therefore been made by the mayors to change the present system and have the mayors elected directly by the people. The one-year term of mayor is open to two serious objections. First, it is too short to enable a mayor to acquire

insight into the corporation administration and help in planning on a long term basis. Second, it serves only to strengthen the bureaucracy headed by the commissioner vis-à-vis the elected set up represented by the mayor. A mayor elected for only one year, finds himself ineffective and powerless in his relationship with the commissioner who outstays him. A one-year term for mayor as against a five-year term for the council and two-year tenure for the commissioner appears anomalous. Therefore, it may be argued that the mayor should be directly elected by the people for a five-year term which would be co-terminus with the term of the councillors.

The mayor and the deputy mayor as a team exercising authority have not proved themselves very successful, mainly because of party politics and group pressures prevailing in the present system. Moreover, they have little experience in administration and have little time to spare for their executive work. This results in administrative inefficiency, negligence, corruption, mismanagement and misappropriation of municipal corporation funds. The municipal leadership lacks the capacity to visualize, conceptualize and crystalize definite strategies for the all-round development of the city.

Further, they do not know the exact duties conferred upon them by the acts, rules and government orders. Therefore, unless steps are taken for proper training of the mayors and councillors, they may not be able to discharge their duties properly. Imparting training is very important. The government has to take up this task with the required zeal and alertness. It is important because through proper training a desirable and capable set of non-officials can be produced to shoulder bigger responsibilities.

As regards the tenure of committees, this study shows that the short-term for standing committee does not enable their members to acquire knowledge or experience. Therefore, the term of the standing committees of the Bangalore Municipal Corporation should be extended from one year to two years. This would contribute to strengthen the functioning of various committees.

Further, lack of proper coordination between the commissioner and the departmental heads like municipal health officer, engineer and chief accounts officer has resulted in dysfunction and frictions. Hence it is desirable that the inter-departmental link must be established to bring about coordination between the departments on the one hand and the commissioner and the departments on the other.

This study also reveals that there has been lack of coordination between the deliberative and the executive wings. The relationship between the two wings is a matter of delicate adjustment and harmonious working. It should be based on mutual respect, support, cooperation and a sense of responsibility. The council should make use of the commissioner by giving him whole-hearted cooperation and support.

The employees of the corporation are adequately equipped with the latest knowledge relating to civic amenities and techniques of work. Therefore, employees should be exposed through sound training courses in the necessary skills and

developments in the field of municipal administration. In Karnataka, there exists practically no training facility for municipal services. Hence the officials and councillors have emphasized the need for comprehension post-entry training and refresher courses for officers and other personnel of the corporation. Thus, there is a need for establishing a municipal training and research institute in the state.

The efficiency of a corporation is adjudged by the standard of civic amenities that it provides to the people. The Bangalore City Corporation has failed to solve the problems of growing population as a result of rapid industrialization. Due to haphazard planning, poor layout, bad drainage and ineffective sewerage system, the inhabitants of the city have been experiencing considerable discomfort. The drainage provided in the city creates problems particularly during rainy season. As there is every possibility for the unprecedented rapid increase in population by the end of the century, the city will experience larger civic problems such as sanitation, air-pollution, drinking water, etc.

As regards to public health, the Bangalore City Corporation has taken measures like garbage collection from individual homes and sends them to the dumping yard situated far away from the city. Few of the localities have covered trucks to carry garbage but most of the other localities do not have it. The hoteliers throw the leftovers in their backyard or by the side of the roads thus creating a breeding ground for all kinds of epidemic diseases. Hence the corporation's duty is to strictly enforce the rules for maintaining cleanliness.

As far as state government's role is concerned, it exercises its control over all aspects of the corporation. As a matter of fact, the corporation is in the octopus grip of the state control. If the corporation is to play its rightful role in the management of local affairs there is certainly no need for the intervention by the state government in municipal affairs. State supervision should be exercised in such a way that the initiative and the sense of responsibility of the municipal administration are strengthened and not weakened. The conception of government's role should change from that of a controller to that of an advisor, guide, counsellor and protector. The interests of the corporation and the state government are so closely inter-related that a high degree of coordination and cooperation between them is necessary as both aim at providing the best possible and most effective services to the people. The state government must realise that it is only by strengthening the municipal government that the larger interests of the community can be served.

It may be said that a powerful system of municipal government financially independent and autonomous in its sphere will enhance the quality of the life of the citizens. If the present system of municipal government is reformed, the attitude of state government towards municipal corporation is changed from that of the superior to being a partner, municipal corporation can provide a more efficient democratic and humane atmosphere for the inhabitants of the city. A fresh approach to state-municipal relations is needed

and unless some action is taken to reorganize the municipal government both internally and externally, it is quite likely that this effective democratic local institution may wither away in the times to come.

The efficient and effective functioning of the corporation also depends upon the cooperation of the local elites, interest groups and the common man. The apathy and indifference of the citizen is responsible for the poor functioning of the corporation in Bangalore. The citizens of the Bangalore city are highly critical of the performance of the corporation but seldom take any active and sustained interests in its activities. Their interest is mainly confined to occasional outburst of public protest and criticism. A corporation is generally viewed by them as a mere tax-collecting agency. Perhaps this is mainly due to the fact that large sections of the people are ignorant about the methods of operation of the corporation and no systematic effort has been made to stimulate and sustain the interests of citizens in the corporation affairs. An enlightened participation and vigilance of the citizens can, to a great extent, make the municipal government efficient and effective. Therefore the corporation should encourage citizens of the city to take interest in municipal affairs. It is of utmost importance, that the municipal corporation shall not, once selected, hold itself aloof from the people and carry on administration without reference to the people's will. On the contrary, it should keep itself in the closest touch with the electorate. The people of the city should be fully and constantly informed of the activities and aims of the corporation and should be given every opportunity for expressing their opinions.

The following suggestions may be made for arousing civic sense among the citizens of the city.

- 1) There should be one ward committee appointed per ward. A ward should be broken up into further sub-wards and the rules should be amended to allow for direct election of ward committee members from the sub-divisions of the ward.
- 2) All planning, prioritizing, implementation, monitoring and auditing of ward works should be through the ward committees, through an ascending process involving citizens and not merely through the councillor/chairperson and officials.
- 3) The corporation should frequently display documentary films which exhibit an ideal city and portray dutiful citizens assisting the corporation administration in the performance of its tasks.
- 4) Links should be established between informal structures and processes of citizen's participation, such as BATF and ward committees to mutually strengthen the functioning of each and impart the democratic legitimacy to these informal processes.
- 5) Good work done by the corporation should be highlighted as this will help in improving its image in the opinion of the public.

Thus, the future of the municipal corporation in Bangalore could be very high if the state government modifies its present attitude of adhocism and neglect. The unsystematic

and piecemeal efforts to improve the functioning of the corporation have not only led to the erosion of its financial jurisdiction and administrative autonomy but also left it weak. An active and sustained concern on the part of the state government is required for transforming the municipal corporation into an effective instrument to deal with the challenges and complexities of civic life and enable it to successfully encounter the problems which arise as a consequence of the process of urbanization and industrialization.

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