



Urban Local Governance in India: Structure and Challenges

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Abstract : Urban local government entities, or municipalities, are established for the upkeep and strategic development of urban regions. The aim is to guarantee the availability of adequate infrastructure and services for the populace. In numerous regions of India, the quality of living in urban areas is deplorable, and the inhabitants endure considerable hardships. The Indian government has undertaken a number of reforms to enhance local-level governance in order to address this issue. This paper aims to elucidate the principal governance difficulties at the local level and to pinpoint significant obstacles faced by urban local government institutions in India, considering recent urban sector changes. It is determined that innovative approaches are essential to address the challenges faced by urban local governments in India.

IndexTerms - Urban local government, Urban development, Municipal Corporation, issues, Suggestions

I. INTRODUCTION

Urban development in India falls under the jurisdiction of the states. The 73rd and 74th Amendments of the Constitution were enacted in 1993 to effectuate a fundamental transformation in governance. Article 243P (e) acknowledges a municipality as a self-governing entity, while Article 243W suggests that a State Legislature may, through legislation, confer upon municipalities the requisite powers and authority to operate as self-governing institutions, including provisions for the devolution of powers and responsibilities to municipalities. Subsequently, the NUPF recognises that state governments bear the primary constitutional obligation for urban development and has therefore endeavoured to provide substantial support to states in formulating their own urban plans.

Consequently, state governments bear the primary constitutional obligation for urban development. Since that time, municipalities have been established, and elections are predominantly being conducted. The Constitutional Amendment has advised that state governments allocate a certain set of 18 tasks as delineated in the Twelfth Schedule. Nonetheless, as observed by the Administrative Reforms Commission (2008), this has not resulted in genuine decentralisation of authority to the municipalities. The Amendment lacks clarity about the devolution of finances, delegating this responsibility to state legislatures' discretion. State administrations have only partially adhered to devolution, and this has generally not been supported by the transfer of cash and personnel.

The majority of Urban Local Bodies (ULBs) are inadequately staffed, both technically and administratively, the current personnel possess restricted competencies in project management, and there is a high turnover of officials due to the lack of a dedicated municipal cadre. The institutional foundation for supporting ongoing capacity-building initiatives is inadequate, relying on normal ad-hoc training rather than being demand-driven. The mechanisms and frameworks for public engagement are non-operational. This has led to insufficient gathering of disaggregated data that can guide policy discussions and appropriate resource distribution. Numerous urban local bodies have yet to leverage the benefits of capacity building through digital methods to enhance the quality and cost efficiency of public services, as well as to gather and manage data in a manner that facilitates integrated information provision at the local level for decision-making purposes.

II. DIVERSE FORMS OF URBAN ADMINISTRATION

The administration of urban areas in India involves 8 types of urban local bodies, each with its own specific purpose and jurisdiction are mentioned below:

Municipal Corporation:

Municipal corporations are established for the administration of major cities like Delhi, Mumbai, Kolkata, Hyderabad, and others.

They are established by State legislatures (in States) or the Parliament of India (in union territories).

Municipal corporations have a council, standing committees, and a commissioner as their key authorities.

Indian cities are expanding rapidly. With growing urban population, city infrastructure such as water supply, sewerage, solid waste management are under pressure and require appropriate government efforts. There is a need to strengthen urban local bodies to deal with rising pressure on urban governance.

Municipality:

Municipalities are set up for the administration of towns and smaller cities.

Like municipal corporations, they are established by State legislatures (in States) or the Parliament of India (in union territories).

Municipalities have a council, standing committees, and a chief executive officer.

Notified Area Committee:

Notified Area Committees are created for two types of areas:

Fast-developing towns due to industrialization and towns that do not yet meet all the conditions for a municipality but are considered significant by the State government.

They are entirely nominated bodies, with all members, including the chairman, nominated by the State government.

Town Area Committee:

Town Area Committees are established for the administration of small towns.

They are governed by a separate State legislative act and may be wholly elected or wholly nominated, or a combination of both.

Cantonment Board:

Cantonment Boards are established for municipal administration in civilian areas within cantonments.

They are under the jurisdiction of the Ministry of Defence.

They are created and administered by the Central government under the provisions of the Cantonments Act of 2006.

Cantonment Boards have both elected and nominated members.

Township:

Townships are established by large public enterprises to provide civic amenities to their staff and workers residing near the enterprise.

Town administrators manage the administration, and there is no elected member in this form of urban government.

Port Trust:

Port Trusts are set up in port areas, such as Mumbai, Kolkata, and Chennai, to manage and protect the ports while also providing civic amenities.

Port Trusts are created by an Act of Parliament and consist of both elected and nominated members.

Special Purpose Agency:

Special Purpose Agencies are established to carry out designated activities or specific functions that may belong to municipal corporations or municipalities.

They are function-based and not area-based.

Examples: Include town improvement trusts, urban development authorities like HUDA, DDA, etc. water supply and sewerage boards, housing boards, pollution control boards, electricity supply boards, and city transport boards.

These agencies operate autonomously and are responsible for their specific functions independently of other local urban governments.

Example: Agra Smart City Special Purpose Vehicle is implementing the smart city project independently of Agra Municipal Corporation.

III. REVIEW OF LITERATURE

Debolina Kundu(2014) her research analyses contemporary urban development policies, highlighting the extent of equity in the distribution of essential services, notably with the effectiveness of the Jawaharlal Nehru National Urban Renewal Mission (JnNURM) program. The program was created as a reform-focused investment plan to provide financially sustainable urban development through efficient management, improved infrastructure, and enhanced service delivery. The report analyses infrastructural investment and the geographical extent of this endeavor, emphasises the lessons learnt, and aims to delineate a policy framework for inclusive urban development across the nation.

Mohanty, P. K. (2016) his book categorises Indian municipalities as among of the weakest worldwide for resource accessibility, revenue generation capability, and fiscal independence. This text advocates for reforms in municipal taxation, user charging, inter-governmental transfers, and development financing, highlighting the deficiencies in transparency, consistency, adequacy, and predictability that adversely affect city finances.

Ahluwalia, I. J.(2019) in his paper underscores the necessity of addressing the urban infrastructure deficit and contends that institutional reforms are essential for engaging the private sector in sharing the financial burden, hence enhancing service delivery. This analysis examines the experience of a pioneering national mission for urban renewal and the creation of new national missions, emphasising the necessity of enhancing reforms and local planning and management capacities. The Government of India must offer strategic leadership, financial support, and capacity-building assistance for urban planning and management; however, state governments will be the primary actors in fostering an environment that enables city governments to fulfil their constitutionally assigned responsibilities.

Aqa Raza, Parag Gupta and Pradeep Shukla (2020) their article seeks to identify the concerns and challenges associated with conducting local elections in relation to the Constitution (Seventy-third Amendment) Act, 1992. A concise examination of the history of local self-government in pre- and post-Independence India is conducted, followed by an analysis of the current Panchayat

governance system in India in accordance with the constitutional framework and legislative provisions. The operational facets of conducting a municipal election are highlighted, along with the obstacles that hinder the process. Case law on the matter further underscores that delaying local body elections on unjustifiable grounds constitutes a violation of the Constitution and may be subject to judicial review.

Vaishali Gijre and Sanjay Gupta(2020) their paper aims to critically examine the mobility problems arising from urbanisation patterns in India. This document offers a comprehensive analysis of exemplary urban transport governance models worldwide and highlights essential insights for cities in the developing world, including India, for potential implementation.

Iman Banerjee (2021) his article lays the groundwork for future research initiatives that can contribute to the existing knowledge gaps in urban self-governance in India, enabling Urban Local Bodies (ULBs) to enhance their functions as democratic institutions for local populations and their interests by bridging the divide between local communities and higher levels of democratic governance.

Bhoomesh Bairi (2022) in their paper stated that democratisation and decentralisation are interdependent processes. The dissemination of force from a singular centre facilitates individual engagement and can also hold the government accountable for exercising political authority. In India, as majority rule institutions have evolved, the trend towards centralisation of power is increasingly being scrutinised, while efforts for decentralisation and citizen participation in local governance are being promoted. The scarcity of resources, lack of organisation, excessive governmental regulation, and similar factors are some of the intriguing difficulties that led to inefficient and inadequate management. The newly observed local government (hence referred to as “local government”) remains in a provisional phase, anticipated to evolve further with creative support and democratic reform.

IV. MULTIPLE CONCERNS PERTAINING TO URBAN LOCAL BODIES IN INDIA:

Financial condition: The first and most critical issue confronting urban local governments is the severe lack of financial resources. Municipalities fail to collect sufficient tax revenue. The Economic Survey of 2018 indicated that municipalities fail to fully exploit the possibilities of property tax.

Stringent State Regulation: The state government imposes rigorous oversight over urban entities. This manifests as more of a curse than a benefit, as the control mechanism fails to offer guidance and support, instead imposing restrictions that hinder the operation of these entities.

Irregular Elections: Elections for urban bodies have been repeatedly postponed for indeterminate durations. In several states, elections for urban local councils have not occurred for years, undermining the objective of decentralised governance.

Inadequate governance: The primary cause of the deteriorating state of India's cities is the ineffectiveness of municipal administration. There is an absence of planning and governance at the municipal level.

Insufficient managerial capacity: Indian municipalities lack the capability to plan or execute economic activities. The recruitment system does not attract the most qualified candidates. Numerous positions remain unfilled for years, and transfers are executed at the discretion of top officials and the government.

Corruption: Within these organisations, corruption, favouritism, and nepotism are pervasive. In the majority of instances, the state government is authorised to implement disciplinary measures, while the urban body possesses minimal authority over its personnel.

Urban planning: Urban planning is conducted mostly at the state government level, with municipalities playing a little or nonexistent role. The municipality bears no direct accountability for the outcomes of planning, provided that the plan is executed. Inadequate planning, insufficient accountability, and ineffective governance have resulted in disasters.

Inadequate coordination: Insufficient collaboration among the central government, state authorities, and various local departments results in ineffective execution of urban policies. Failure to coordinate results in administrative inefficiencies and thus inadequate urban governance.

IV. INITIATIVES TO ENHANCE URBAN LOCAL BODIES IN INDIA:

Enhanced autonomy: Urban local bodies should be granted increased autonomy. India must adopt a decentralised strategy that empowers urban local authorities. Municipalities ought to possess greater autonomy in their operations to ensure the provision of quality services.

Governance reforms: Governance reforms are essential as a catalyst for transformation. The Government may contemplate the implementation of a standardised classification of urban entities nationwide to facilitate a methodical planning process and the allocation of funding. All regions with a population above one million should be classified as metropolitan areas.

Timely elections and recruitment: To fortify Urban Local Bodies (ULBs), a baseline staffing level must be established in metropolitan regions. Elections to Urban Local Bodies should not typically be postponed beyond six months.

Promoting Public-Private Partnerships: Effective PPP initiatives must be established at both state and municipal levels to finance urban development. The state's role should be to establish a conducive climate to enhance and broaden private sector investments in infrastructure.

Planning: The government must collaborate at multiple levels for the implementation of various programs. The urban local bodies must prioritise development programs. Any proposed mega project must be designed with consideration of the perspectives of all stakeholders.

Holistic approach: A holistic strategy necessitates the integration of diverse urban development and associated initiatives across local, state, and national levels to cultivate sustainable cities or metropolitan regions. Urban institutions must be reinforced, and the responsibilities of various organisations should be clearly defined.

Urban local government entities are established for the upkeep and strategic development of urban regions. The aim is to guarantee the availability of adequate infrastructure and services for the populace. In numerous regions of India, the quality of living in metropolitan areas is deplorable, and the inhabitants endure a challenging existence. To address this issue, the Indian government must implement a number of changes to enhance local governance.

V. CONCLUSION

The Constitution permits Municipalities to operate as self-governing entities in the formulation of economic development plans and the execution of eighteen functions specified in the twelfth schedule of the Constitution. The legislative power of the state government over the independent duties of urban local governments has not been diminished in these two areas. The municipal government continues to operate under the stringent oversight and regulation of the state government. The cities, towns, and metropolitan areas will undergo the challenges of the technological and information revolution. The twenty-first century is seen as the century of Asia, with Japan, China, and India collaborating in an enterprise of unparalleled significance. An increasingly enlightened and prosperous populace will exhibit a diminished reproductive rate, and once the rural demographic reaches a threshold of semi-urbanization, the rural-urban boundary may become indistinct. The management framework of local governance will no longer differentiate between rural and urban contexts. The diarchy at the state level for self-governance may assume diverse forms and encounter setbacks; however, once the initial phase accelerates, the transitional diarchy will give way to parliamentary institutions, which will be favourably received at the district level and below. This may create a scenario in which the urban centre of local government requires a managerial governance structure. The rapid pace of change in India renders the past an unreliable predictor of the future.

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