PRAJA.ORG
MAKING DEMOCRACY WORK

NATIONAL CONSULTATION ON URBAN GOVERNANCE

KEY FINDINGS FROM 21 STATES

India Habitat Centre, New Delhi
22nd and 23rd January 2020

ACKNOWLEDGEMENT

Praja has obtained the data by conducting urban governance study in states across India. Thus it is very important to acknowledge everyone who participated in this study and provided guidance, especially Elected Representatives (Mayors, MLAs, Councillors), State/City administrative officials, Individuals, Academicians and Civil Society Organisations from all states across India.

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We would like to thank Nagrika team whom Praja commissioned the 1 stage of the study of mapping the implementation of 74th Constitutional Amendment in Cities across India.

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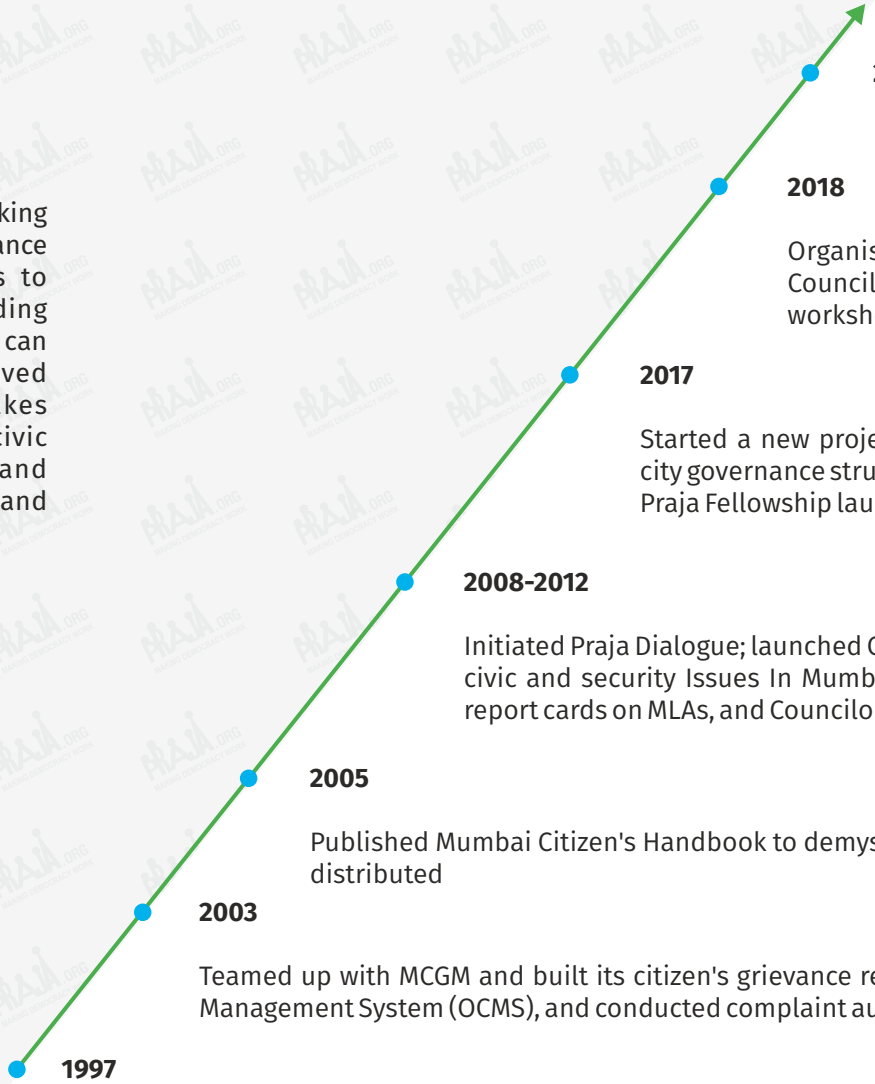
ABOUT PRAJA

PRAJA.ORG
MAKING DEMOCRACY WORK

Praja is a non-partisan organisation working towards enabling accountable governance since 1999. Praja empowers citizens to participate in governance by providing knowledge and perspective so that they can become politically active and involved beyond the ballot box. It undertakes extensive research and highlights civic issues to build the awareness of, and mobilize action by the government and elected representatives (Ers).



1997
Praja, along with the Municipal Corporation of Greater Mumbai (MCGM), created Mumbai's first Citizen Charter

2003
Teamed up with MCGM and built its citizen's grievance redressal mechanism, the Online Complaint and Management System (OCMS), and conducted complaint audits in the ensuing years

2005
Published Mumbai Citizen's Handbook to demystify governance in Mumbai; About 2 lakh copies distributed

2008-2012
Initiated Praja Dialogue; launched CityScan, an online collation of extensive data on civic and security Issues In Mumbai; Published Councilor handbook; and annual report cards on MLAs, and Councilors

2017
Started a new project 'Transforming Urban Governance' to reform city governance structures.
Praja Fellowship launched in Mumbai

2018
Organised Visiting Councillor Program for Mumbai Councillors to visit Kerala; Conducted first residential workshop for newly elected women councillors

2019
Praja Fellowship launched in Delhi

EXECUTIVE SUMMARY

The National Consultation on Urban Governance by Praja Foundation was held on 22nd and 23rd January in New Delhi. The consultation was attended by mayors, councillors, member of legislative assembly (MLAs), municipal corporation officials, civil society organisations, academicians and practitioners from 20 States and NCT. **The consultation was a platform to disseminate the key findings of the Urban Governance Reforms Study conducted by Praja Foundation in 21 states.** The study was focussed on understanding urban governance systems in India and aimed to build necessary reform agenda. **Participants were engaged through panel wise discussions focussing on four themes of Praja's framework on urban governance for empowerment of city government** – (i) Control and execution of functions and functionaries; (ii) Empowered and accountable elected representatives; (iii) Fiscal decentralisation and (iv) Active citizen participation and citizen grievance redressal mechanism. **The summary of discussions held over these themes, which highlighted the issues and brought out key suggestions pertaining to the current system of urban governance in the country by multiple stakeholders is shared below.**

Control and Execution of Functions and Functionaries

The theme centrally involved discussions on the lack of empowerment of City Governments in the country. Many expressed that **City Governments do not function with autonomy as they lack complete control over primary urban functions.** A common issue raised was the existence of multiple agencies operating in the city leading to coordination issues. Moreover, stakeholders stressed on the lack of accountability of these multiple agencies towards the City Governments. These agencies are constituted by the State Governments to execute specific functions in the city. *Praja's study showed that of all the 21 cities studied, it experienced involvement of multiple agencies in 7 functions out of the 18 functions (as specified in Twelfth Schedule of the 74th Constitutional Amendment Act) at the least.* Participants also put forth that **City Governments are lacking the capacity to implement urban schemes and/or handle large scale projects due to acute shortage of resources.** City Governments facing shortage of adequate revenue to fund projects and lacking necessary human resources to perform functions was also among the crucial highlights of Praja's Study.

Key suggestions

- Create constitutionally mandated local list of functions specific for City Governments in line with the central and state lists.
- Institutionalise capacity building programmes for the City Governments to improvise the legislative and administrative functioning.
- Find systemic changes necessary in existing coordination systems between the State Government and the City Government where control over functions and corresponding powers are transferred to the cities, while monitoring and holding cities accountable, rests with the state.
- City Governments need to hold complete control over all the 18 functions specified in the Twelfth Schedule, 74th CAA and other vital urban functions that need to be planned and executed at city level.
- City Government needs to be authorised to act as a nodal agency exercising regulatory control over multiple agencies executing projects in the city to eliminate the issue of coordination between multiple agencies in the city.

Empowered and accountable elected representatives

The limited powers with the legislative wings of the City Governments formed the main subject of discussion in the session. **Poor capacity and challenges faced by newly elected councillors, low remuneration and ward development funds allotted to councillors in general and the limited powers held by Mayors were the main issues highlighted** collectively by the participants. Stakeholders vouched for Mayor's post to hold powers such as suspension of officials and filing of Annual Confidential Report of the Commissioner.

Some participants also raised concerns that Commissioners and Collectors are subjected to implement the orders of the State Government to achieve its own interests, often with limited assistance to councillors for solving their concerned issues or work. On the other hand, it was discussed that councillors are more accessible to citizens than an MLA or MP. **Specialised agencies or Special Purpose Vehicles do not have any legislative platform to be answerable to the citizen and hence, City Governments are the only accessible entity to citizens to raise complaints.**

Key suggestions

- Councillors should leave their partisan interests to unite and demand their right for powers to effectively practice responsibilities for bringing positive changes to the constituencies they represent.
- Elected representatives should be trained mandatorily on the functioning of municipal governance with specific focus on budgeting, concerned roles and responsibilities, and bye-laws of council and committee proceedings.
- Create mechanisms to bring young leaders who are ambitious to alter the current municipal governance system, apart from the structural changes required to empower City Government as a whole.

Fiscal Decentralisation

Initial round of discussions on this theme revolved around issues associated with the State Finance Commissions (SFCs) in the country. The issue of **most SFCs not following any predictable rule-based formula to transfer funds to City Government and not adhering to the recommendations strictly** was highlighted. Another challenge mentioned was the fact that **SFC grants are mostly tied grants, having conditions specified that are not in lines with City Government's action plans, ultimately proving difficult for City Governments to access the said grants**.

The need for increasing tax collections and coverage by the City Government was also discussed. It was stressed that mechanisms need to be developed to bring new citizens of the city who may have migrated from other villages or cities under the tax collection coverage.

Also, discussions pointing to heavy dependency of the City Governments on the State Government for revision of tax rates and for final approval of budget took place. *Praja's study revealed that only 1 out of the 21 states have City Governments holding independent control over setting tax rates and that 10 States have City Governments dependent on the State Government for final approval of its budget.*

Key suggestions

- SFCs need to be formed by having relevant stakeholders and members who have a knack and are experienced on the subject matter.
- Bring out a constitutional mandate on taxes that can be levied by the City Governments to achieve self-sufficiency.
- Follow the example of Indore Municipal Corporation for tapping grants through CSR funding after having faced fiscal issues.
- State Governments need to allot grants to municipalities in the State's budget provisions, thereby, ensuring fixed grants to be transferred to City Governments.
- City Governments need to receive grants from the Central and State Governments in a predictable rule-based manner and must be authorised with powers to raise their own resources.

Active citizen participation and citizen grievance redressal mechanism

Most citizens having low interest in municipal elections, unaware of the duties and responsibilities of their ward councillor and bearing the issue of accountability due to the division of functions between City Governments

and State Governments were highlighted as main issues. Hence, firstly, citizens need to be aware of their councillors and the platforms that are available for raising their concerns or issues such as ward committees etc. **Participants put forth that platforms such as ward committees or RWAs are not only for the purpose of monitoring but also allow bringing in of new constructive suggestions which the councillors can adopt.** These platforms for citizen engagement need to be constituted in the cities as participants remarked that citizens have a right to participate rather than just vote in elections.

Another **main concern raised was that there is no price to pay if ward committees or citizen charters are not constituted.** Hence, there were suggestions that one way to ensure accountability is to upload the minutes of the ward committee meetings for public access. This opened the discussions on the need for data transparency for the public such as availability of information on ward wise budgets, activities, projects, complaints registered and closed, minutes of council and ward committee meetings etc. An interesting comment was made on galvanising citizen's participation on local issues through activities in the public realm such as community spaces, recreational spaces, cultural spaces etc.

Key suggestions

- Important and relevant public data present in an easy and accessible form can help citizens be aware and provide suggestions, solutions or feedback.
- Actively enforce the constitutional mandate of Public Service Guarantee Act to strengthen transparency on delivery of services.
- Examples quoted include:
  - Integrated and influential role of RWAs in Delhi.
  - Andhra Pradesh's scheme that compensated citizens with money in case of non-adherence of Service Level Agreements (SLAs) and an effective complaint tracking management system being used to strengthen accountability.
  - Initiatives such as transparency days by the Pune Municipal Corporation wherein citizens can directly meet officials and access relevant records etc. and holding of Corporator Awards in cities promotes healthy competition leading to improvement of performance among the corporators of the city.

Overall Conclusions

There was a common understanding that emerged from the thematic discussions that cities are the centres for economic change, hence **creating strong political leadership coupled with strengthening of the City Governments was proposed as the way forward to bring positive developmental changes in cities. Citizens, on the other hand, need to create a bottom – up pressure to push demands and accountability to the front.** Enabling City Governments to have complete control over functions and holding them accountable was also one of the important comments that came out. Stakeholders agreed on an overall note that structural reforms are required as far as 74th CAA is concerned.

Key suggestions

- Making it mandatory for to-be political leaders to have a stint in City Governance.
- Harnessing the potential of private sector for implementation of schemes and projects with overall control in the hands of the City Governments.
- Formulating comprehensive long-term vision city plans that are well-integrated and have mandatory provisions for political parties to strictly adhere to, irrespective of change in governments.

The overall message that came across was that new reforms need to focus on delegation of powers, devolution of functions, effective coordination mechanisms between the State Governments and City Governments to bring about boost in revenues and augmenting of resources enabling active decentralised city governance.

01

PRAJA'S URBAN GOVERNANCE STUDY AND METHODOLOGY

1.1 URBAN GOVERNANCE –CURRENT CONTEXT

The process of urbanisation is taking place rapidly in India. The Pace at which Indian cities are expanding poses significant challenges in urban governance. India's urban population has expanded from 26% of the total population in 1991 to 31% in 2011. It is estimated that by 2030, more than 40% of the Indian population will be living in cities. The primary question in this context is whether the existing urban governance structures in India would be capable enough to respond to the needs of rising urban population and enable our cities to tackle future problems. At present, the governance system lacks democratic accountability, is unresponsive to the needs of its citizens, and is certainly not well positioned to deal with future challenges. Thus, there is an urgent need to completely transform the way Indian cities are governed and managed, to make them more democratic, transparent, accountable and responsive to the needs of its citizens.

Praja Foundation initiated a project in order to understand the implementation of 74th constitutional amendment, challenges faced by city governments and then to advocate policy changes that will change the way Indian cities are governed. It is multiyear project in nature, with research being the bedrock to form a network and influence change.

By March'2020 we will be conducting an Urban Governance Reforms Study to capture status of urban reforms in all the states, identify levers and barriers and identify a set of recommendations.

Our study will create a 'urban governance index' and map urban governance status in all the states of the country.

As part of the study we will map and meet various stakeholders in all the states across the country and build a network which will be leveraged as a platform for, knowledge sharing, equipping stakeholders, mobilising stakeholders, and advocating for policy changes.

In a nutshell the project will enable urban governance to transform a 'smart city' into a 'smartly governed city' by influencing policy change at a structural and systemic level to democratise city governments and improve delivery of services.'

Why mapping the implementation of 74 CAA Is needed?

The 74th Constitutional Amendment Act (CAA) was passed in 1992 to give constitutional status to municipal corporations across India. 74th amendment seeks to devolve powers and functions to Urban Local Governments to enable them to act as effective democratic units of local self-government. It has been more than 25 years since 74th amendment came into force, however, devolution of powers and the capacities of city governments are not completely mapped. There is need to create knowledge repository to understand gap between what has been legislated (de jure) and what is happening on the ground (de facto).

1.2 METHODOLOGY (1/3)

Build the evidence and the case for urban governance reforms

Mapping the implementation of 74th CAA across 27 states and National Capital Territory of Delhi in India through our study on urban governance reforms and existing governance and institutional models in place across Indian cities.

Interviews with key stakeholders to understand the urban governance challenges from the perspectives of different stakeholders. These interviews would provide richer insights into the motivations and relationships between the executive and the elected wing, the challenges key stakeholders face. In each state we will be looking at carrying out interviews in 1 key city.

Build a network of organisations and individuals (thought leaders and key influencers) who will champion urban governance reforms

Consultations will be held at State and National Level to bring Domain experts, Content providers, Implementation organisations, Key leaders in the government and political parties and Influencers for taking forward the learnings and pushing for urban reforms

Policy changes that will transform the way Indian cities are governed

Urban Governance Index and leveraging network for Policy change
Our study will create a 'urban governance index' and map urban governance status in all the states of the country. It will capture levers and barriers and set of recommendations which will be updated periodically. Through periodic and targeted conclaves Praja will leverage the network to facilitate various stakeholders into thematic groups on common reform agenda/s. The network will be leveraged as a platform for advocating for policy changes.

1.2 METHODOLOGY (2/3)

Objective: Mapping of the implementation of 74th CAA and municipal functions

1. Identify the prevalent institutional structures in different municipalities
2. Identify the roles and responsibilities of various departments and officials (elected as well as administrative) within a municipality
3. Map the 18 functions and the role of city governments and parastatals in performing them
4. Identify key informants in the administrative and deliberative wings

The research for the state reports on 74th CAA was undertaken in three stages.

- First, a detailed study of existing literature and relevant municipal acts was undertaken to understand the context.
- Second, discussions and interviews were undertaken with multiple stakeholders across states. Nagrika team visited cities to understand the experience of decentralization in cities in India.
- Finally, the field insights were corroborated with secondary research to develop the report.

Objective: Interviews with Elected Representatives and City Executive

The interviews aim to gather evidence on understanding urban governance and development from the view of elected representatives, the city executive and citizens. It explores the relationships between these different groups and identifies the challenges facing Indian cities.

The interviews explore the following themes

1. City Government: Composition and Function;
2. Municipal Finance
3. Citizen participation and Grievance redressal mechanism.

The interviews conducted with councillors, executives of municipal corporations and MLAs which come under jurisdiction of municipal corporations.

- First, interviews with stakeholders were conducted.
- Second, Transcribing of interviews was done followed by Identification of main themes and sub themes
- Finally, Thematic analysis was done and findings from Nagrika reports were incorporated to create urban governance reports

The analysis in the report is based on a sample of participants.

- The interviews were qualitative and the figures indicate the number of people who highlighted a particular issue.
- The solutions capture the reflections of different respondents, and are not indicative of Praja Foundation's views.

1.2 METHODOLOGY (3/3)

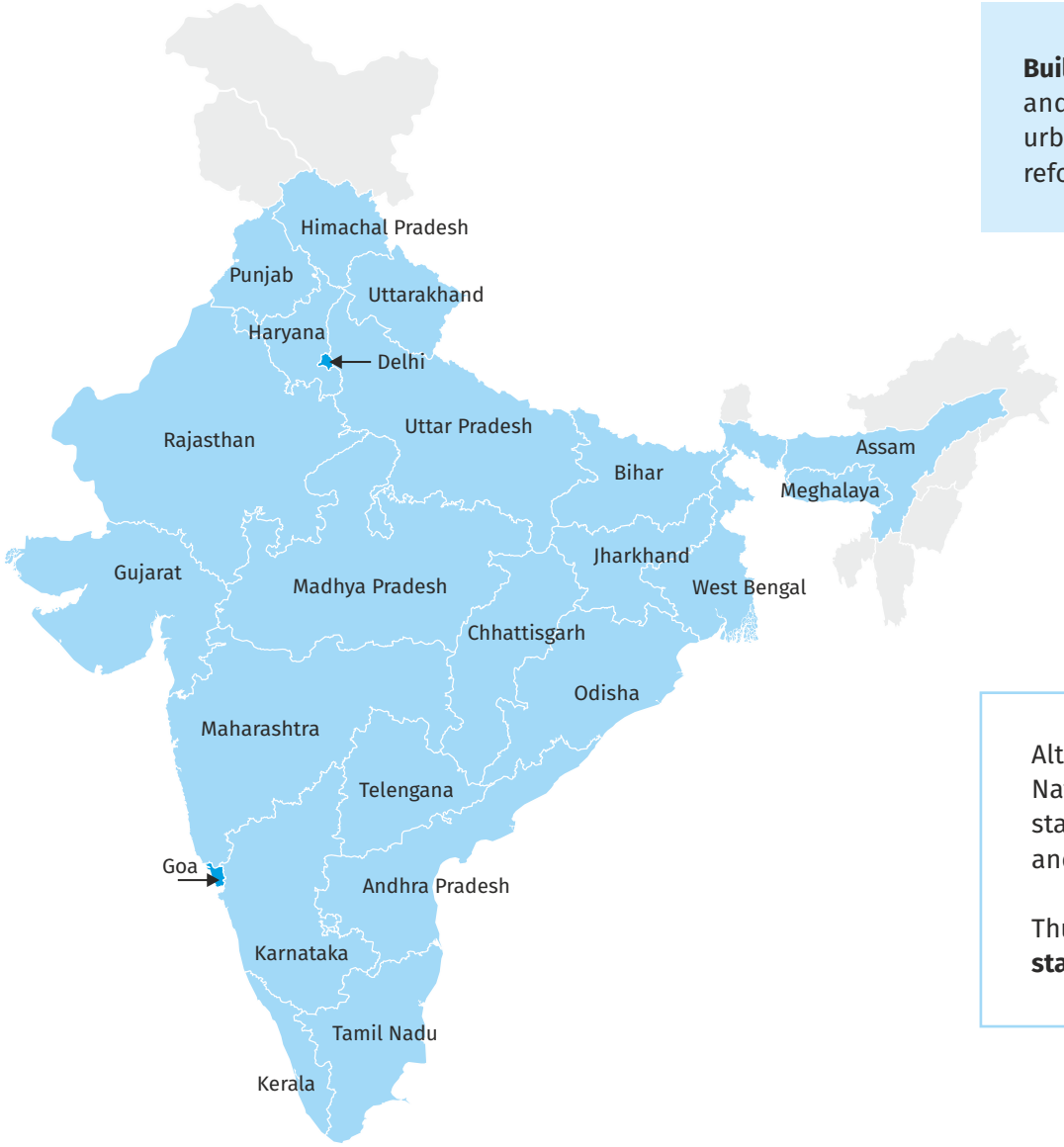
Sample calculation method

- A sample size of 10% of the total number of MLAs in the city or minimum 2 MLA's whichever is greater was considered for the study. Similarly, 10% of the Councillors or a minimum of 3 Councillors per MLA approached, whichever is greater. Table provides an illustrative example for Ahmedabad and Coimbatore.
- The stratified random sampling method was used to select Councillors and MLAs. The sample is representative of the gender and party mix.
- Councillors in key positions are approached if they are not covered in the sample – Mayor/ Deputy Mayor, Ward Committee Chair, Standing Committee Chair, Members of Mayor-in-Council, Chairs of important statutory committees.
- All Municipal Commissioners are invited to participate + a sample of senior and junior municipal officials selected at random

Elected Representative	Calculation	E.g. Ahmedabad	E.g. Coimbatore
No. of MLAs		16	2
No. of councillors		192	100
MLA	10% of total MLAs in the city or a minimum of 2 (whichever is greater)	2	2
Councillor	10% of the Councillors (or a minimum of 3 Councillors per MLA approached whichever is greater)	19	10
	3 Councillors per MLA approached (or 10% of Councillors whichever is greater)	2 x 3 = 6	2 x 3 = 6
Executives	1 Executive per 3 Councillors or Minimum 3	3	3
	Total sample	**24**	**15**

Table provides an illustrative example for Ahmedabad and Coimbatore.

1.3 STATUS OF URBAN GOVERNANCE STUDY



Build the evidence and the case for urban governance reforms

→ As a part of the study, total **1,314 interviews were carried out from November 2017 till December 2019** with key stakeholders including elected representatives, government officials, civil society experts from **22 states and 1 National Capital Territory**

Consultation and Network building

→ Praja conducted state level consultations for **20 states and 1 National Capital Territory of Delhi** in India **by December 2019.**

Although urban governance study is completed in 22 states and National Capital Territory of Delhi, consultations are completed for 20 states and National Capital Territory of Delhi, which excludes Assam and Meghalaya.

Thus, analysis in this report is based on **21 geographies including 20 states and National Capital Territory of Delhi.**

02

FRAMEWORK OF URBAN GOVERNANCE STUDY

2.1 Principle of Subsidiarity
2.2 Praja's Framework for Empowerment of City Government :

- Control and Execution of Functions and Functionaries
- Empowered and Accountable Elected Representatives
- Fiscal Decentralisation
- Active Citizen Participation and Citizen Grievance Redressal Mechanism

2.1 THE PRINCIPLE OF SUBSIDIARITY

The main idea behind the principle is that a larger or greater body should not carry out activities which can be efficiently done at local level by smaller body.

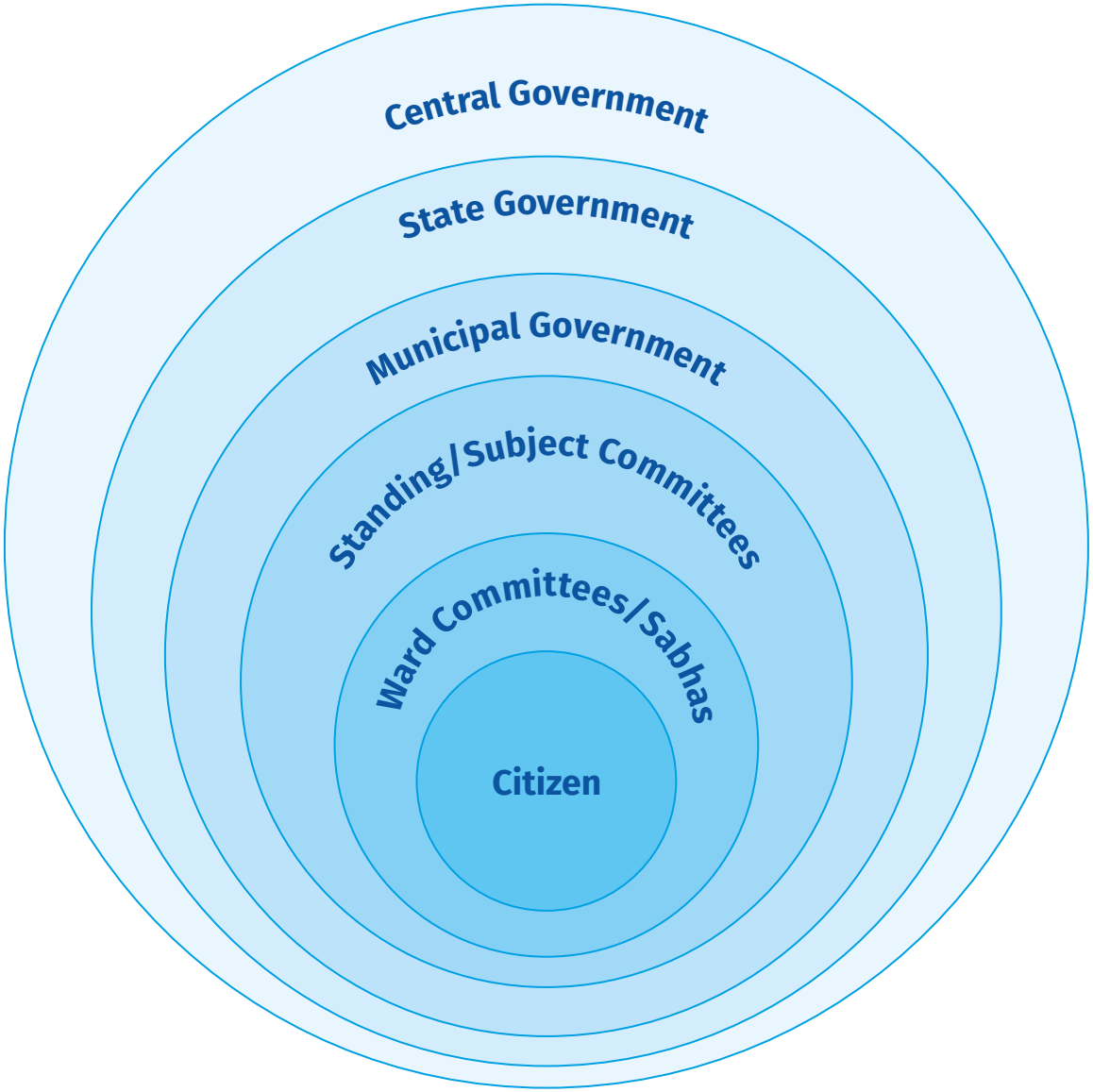
The principle of subsidiarity emphasises that central authority should have a subsidiary function, performing only those tasks which can not be performed at immediate or local level.

Further, it means that the policies should always be made at lowest possible level and state should legislate when uniform regulation is necessary

Its relevance

City governments should exercise functions which can be carried out efficiently as a democratic unit of local governance.

This means that the 18 functions listed in 74th constitutional amendment which are of local importance should be carried out by city governments and central/state governments should not get involved in them.



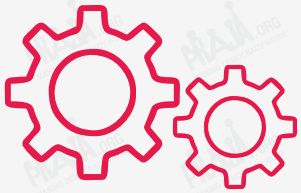
2.2 PRAJA'S FRAMEWORK FOR EMPOWERMENT OF CITY GOVERNMENT

The framework of urban governance is directive in nature and throws light on the broad areas of reforms which are essential in order to make city governments function as democratic units of local self-governance.

The Praja foundation believes that empowerment of city governments across the country can be achieved through strengthening the following themes:

1. **Control and Execution of Functions and Functionaries:** The city government should have complete control over list of 18 functions plus functions of local importance and their execution through direct control over agencies working in the jurisdiction of the city.
2. **Empowered and Accountable Elected Representatives:** The mayor and councillors being elected representatives of people need to be empowered. They should be given ownership and held accountable for the development of the city.
3. **Fiscal Decentralisation:** Along with devolution of functions, control over finances is essential to carry out functions efficiently. Thus, control over sources of revenue needs to be completely shifted to city governments.
4. **Active Citizen Participation and Citizen Grievance Redressal Mechanism:** Citizen participation in governance process plays vital role to ensure accountability, transparency and make governments responsive to the needs of people. In addition, robust grievance redressal mechanism is a must to resolve issues of people and improve delivery of services.

03



CONTROL AND EXECUTION OF FUNCTIONS AND FUNCTIONARIES

- Typology of 18 Functions
- Status of devolution of 18 functions
- Functions controlled by city government
- Presence of multiple agencies
- Representation of City Government in Smart City Mission
- Status of human resources in city government
- Recruitment of Human Resources in city governments

The Directive Principles mentioned in the upcoming themes are points for deliberation and consideration as basic principles for building Urban Agenda at the National Consultation on 22nd and 23rd January 2020

3.1 TYPOLOGY OF 18 FUNCTIONS (As per 74th CAA)

Fn no	Functions	Activities	
1.	Urban planning including town planning.	• Master Planning/Development Plans/Zonal Plans • Enforcing master planning regulations • Enforcing building codes	
2.	Regulation of land-use and construction of buildings.	• Regulating land use • Approving building plans/high rises • Demolishing illegal buildings	
3.	Planning for economic and social development	• Promotion of economic activities • Ensuring social justice and social welfare	
4.	Roads and bridges.	• Construction and maintenance of roads • Construction and maintenance of bridges and flyovers • Parking and street lights	
5.	Water supply for domestic, industrial and commercial purposes	• Storage of water and Providing connections • Collection of charges • Operation & Maintenance (O&M)	
6 a.	Public health, sanitation conservancy	• Maintaining hospitals, dispensaries, medical colleges • Immunisation • Prevention of vector borne diseases • Quality of water, food	
6 b.	Solid waste management	• Garbage collection, segregation and disposal of garbage	
7.	Fire services	• Establishing and maintaining fire brigades • Maintenance of water reservoirs • Providing Fire NOC/approval certificate	

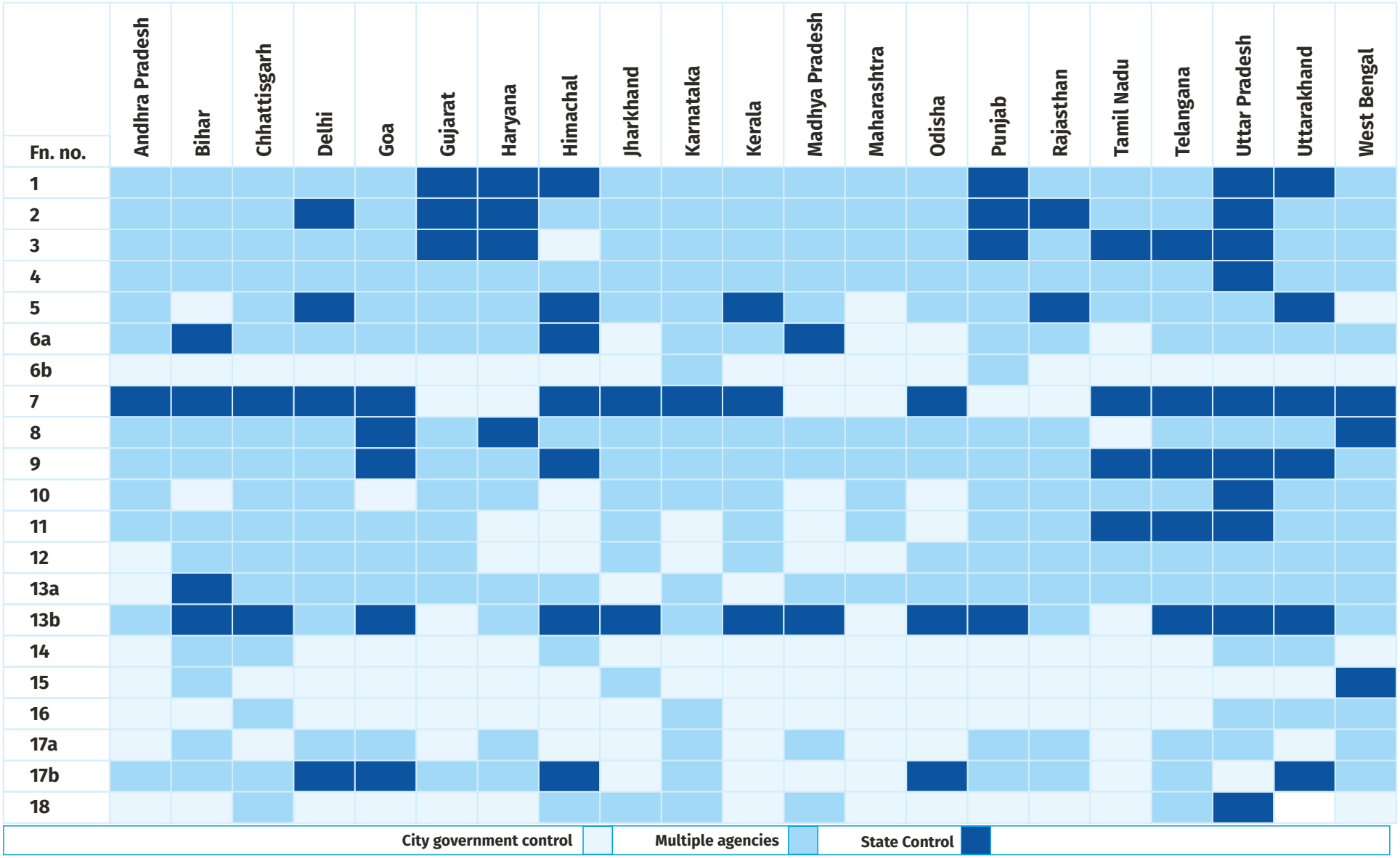
3.1 TYPOLOGY OF 18 FUNCTIONS (As per 74th CAA)

Fn no	Functions	Activities	
8.	Urban forestry, protection of the environment and promotion of ecological aspects.	• Afforestation • Greenification • Awareness drives • Maintenance of natural resources	
9.	Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded	• Identifying beneficiaries • Social Pensions (old age, widow, specially abled) • Providing tools/benefits such as tricycles • Housing programs and Scholarships	
10.	Slum improvement and upgradation	• Identifying beneficiaries • Affordable Housing • Upgradation	
11.	Urban poverty alleviation	• Identifying beneficiaries • Livelihood and employment • Street vendors	
12.	Provision of urban amenities and facilities such as parks, gardens, playgrounds	• Creation of parks and gardens • Operation and Maintenance	
13 a.	Promotion of cultural and aesthetic aspects.	• Fairs and festivals • Cultural buildings/institutions • Heritage • Public space beautification	
13 b.	Promotion of Education	• Schools and education	
14.	Burials and burial grounds; cremations, cremation grounds	• Crematoriums and burial grounds (different religions) • Construction and O&M	

3.1 TYPOLOGY OF 18 FUNCTIONS (As per 74th CAA)

Fn no	Functions	Activities	
15.	Cattle pounds; prevention of cruelty to animals	• Catching and keeping strays • Sterilisation and anti-rabies • Ensuring animal safety	
16.	Vital statistics including birth and death registration	• Coordinating with hospitals/crematoriums etc. for obtaining information • Maintaining and updating database	
17 a.	Public amenities including street lighting, parking lots and public conveniences.	• Installation and maintenance of street lights • Creation and maintenance of parking lots • Creation and maintenance of public toilets	
17 b.	Bus stops	• Deciding and operating bus routes	
18.	Regulation of slaughter houses and tanneries	• Ensuring quality of animals and meat • Disposal of waste	

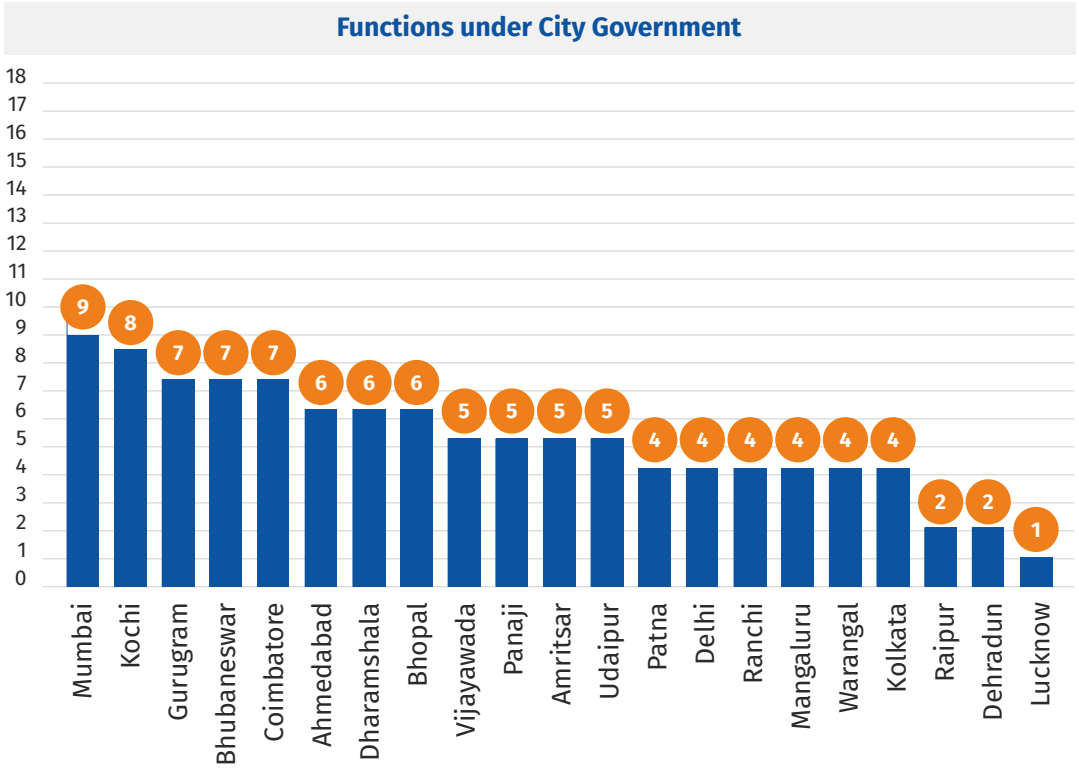
3.2 STATUS OF DEVOLUTION OF 18 FUNCTIONS



3.3 FUNCTIONS CONTROLLED BY CITY GOVERNMENTS

The Directive Principle: Transfer of 18 functions as per 74th CAA to city governments

- The 74th constitutional amendment act (CAA), 1992 gave constitutional status to urban local governments in India. As per 74th CAA, 18 functions listed under article 243-W should be devolved to the city governments across states in India.
- The city government is known as third tier of government in Indian governance system. As a democratic unit of self-governance, city government should have complete authority to carry out all 18 functions plus functions of local importance which are related to day-to-day life of citizens. Thus, the local functions which are currently under control of state government/parastatal bodies should be transferred to city government.



Highlights

- Not a single city government among 21 cities has control over all 18 functions listed under 74th constitutional amendment act.
- Mumbai is leading in terms of control over functions as 9 functions are independently controlled by Municipal Corporation of Greater Mumbai followed by Kochi Municipal Corporation which has control over 8 functions.
- Out of 21 cities, 8 cities have independent control over more than 5 functions, whereas there are 13 cities who have independent control over 5 or less than 5 functions.

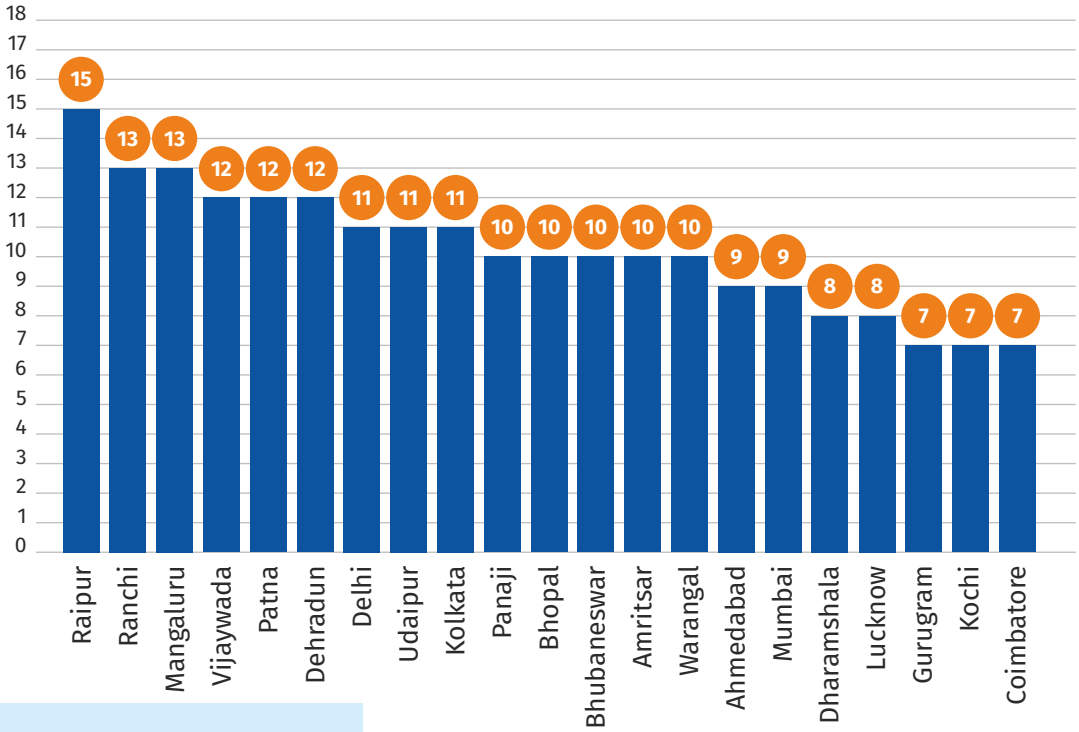
3.4 PRESENCE OF MULTIPLE AGENCIES

The Directive Principle : City governments should have control over execution of all functions in the city

- The present of multiple agencies creates coordination related problems, leads to duplication of work and poor service delivery. Thus, it is essential to have one agency who has control over delivery of all functions. Being urban local government, municipal corporations should have complete control over execution of all functions in the city area.

- All the agencies/parastatal bodies working in the jurisdiction of a city, should report to municipal corporation and work under its direction. Therefore, the permission for implementation of projects related to 18 functions should be taken from the city government by state government/ parastatal bodies.

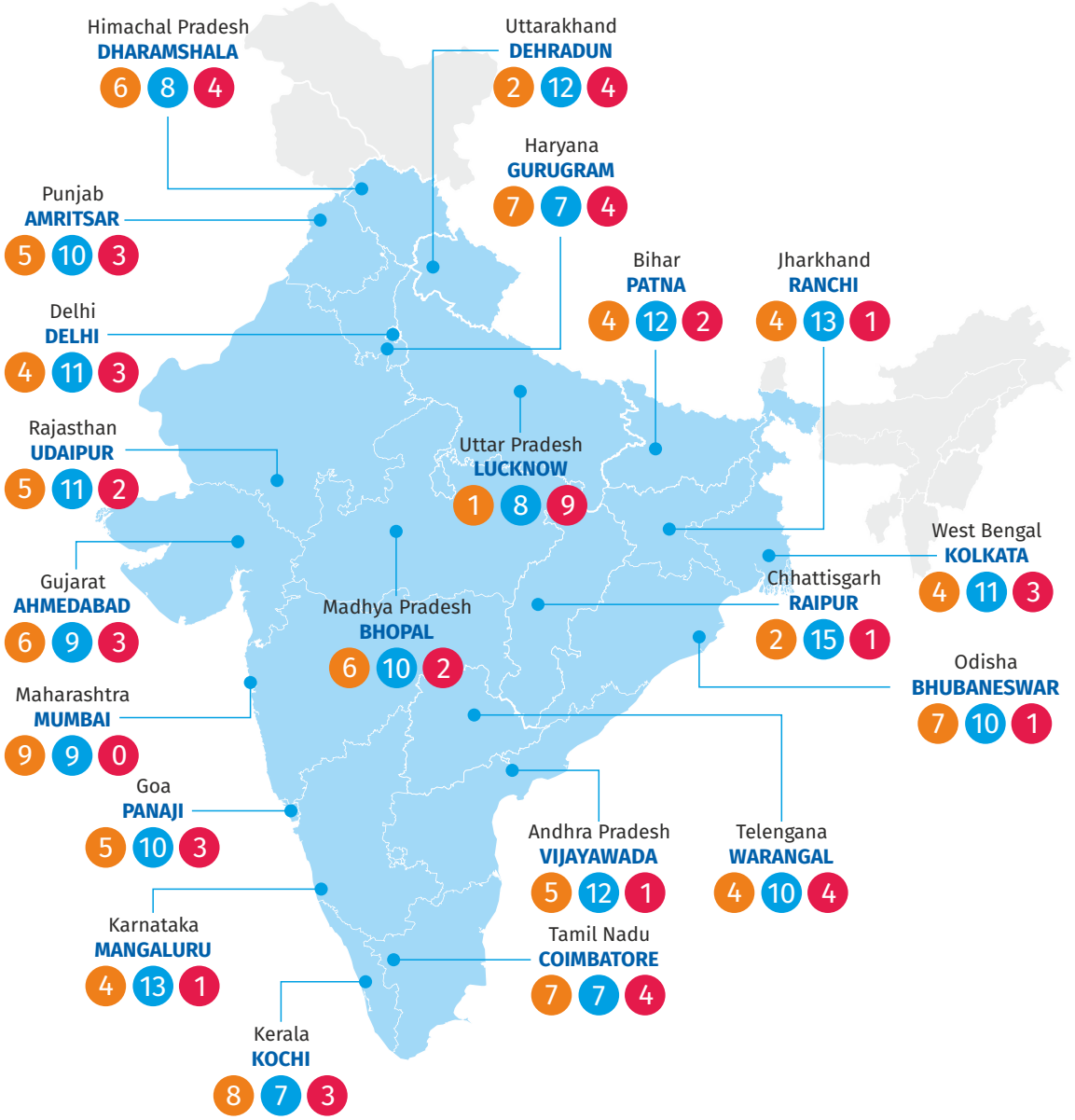
Functions under Multiple agencies



Highlights

- Out of 21 cities, 9 cities experience involvement of multiple agencies in more than 10 functions out of 18 functions and currently, there is no nodal agency to coordinate among agencies leading to issues in delivery of services.
- In Raipur, out of 18 functions, 15 functions have involvement of multiple agencies leading to issues in coordination and resulting in poor service delivery.
- Ranchi and Mangaluru have involvement of multiple agencies in 13 functions.
- 12 functions are carried out by multiple agencies in Vijayawada, Patna and Dehradun.
- Udaipur, Delhi and Kolkata have involvement of multiple agencies in 11 functions.

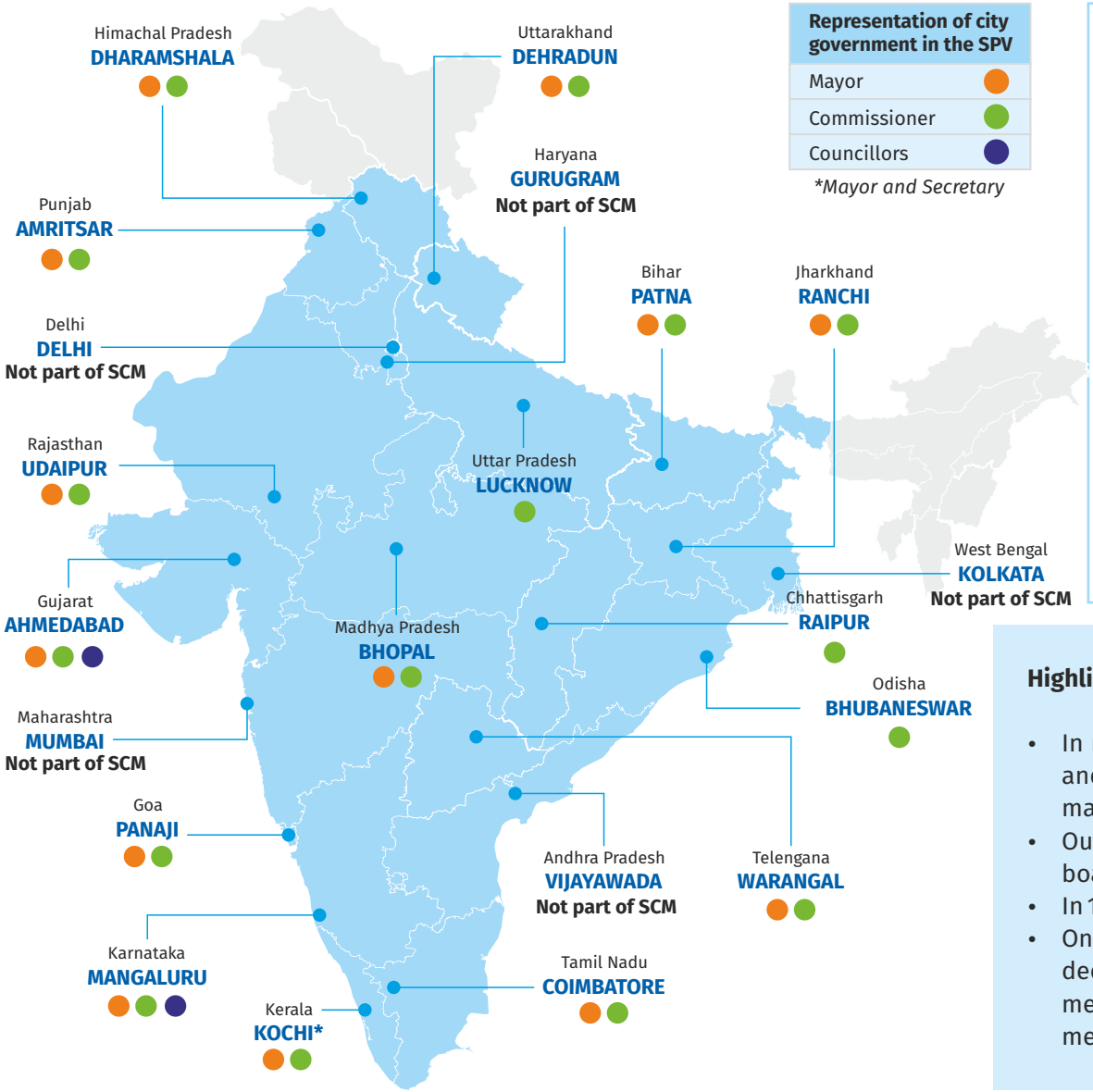
3.5 FACTOID- DISTRIBUTION OF 18 FUNCTIONS IN TERMS OF CONTROL



Status of Devolution of 18 functions

- Functions under City government
- Functions under Multiple agencies
- Functions under State government

3.6 REPRESENTATION OF CITY GOVERNMENT IN SMART CITY MISSION (SCM)



Representation of city government in the SPV	
Mayor	●
Commissioner	●
Councillors	●

**Mayor and Secretary*

The Directive Principle : City governments should have control over execution of all functions in the city

- The Special Purpose Vehicle (SPV) has been created for implementation of smart city mission in all cities that are a part of the mission. SCM focuses on projects related to urban renewal, infrastructure development and they are implemented in the jurisdiction of municipal corporation. However, SPVs are acting as independent body and are not accountable to municipal corporations.
- Since city government has equal shareholding along with the State government in SPVs, there should be equal representation of city government in SPV's board of directors. Moreover, SPVs should report to municipal corporations for implementation of any project.

Highlights

- In many cities, SPVs are headed by state government officials and city governments do not have much role in the decision making process of SCM projects.
- Out of 21 cities, only Udaipur Mayor is vice-chairperson of SPV's board of directors.
- In 19 cities, Councillors are not part of SPV's board of directors.
- Only in Mangaluru and Ahmedabad, councillors are involved in decision making of SPV board. In Mangaluru, 4 councillors are members of SPV board whereas in Ahmedabad, 1 councillor is a member of SPV board apart from Mayor.

3.6 FACTOID- REPRESENTATION OF CITY GOVERNMENT IN SMART CITY MISSION (SCM)

State	City	Ratio of state -city representation in SPV	Representation of city government in the SPV- Mayor/ Councillors/ Commissioner	
			Members	Councillors
Andhra Pradesh	Vijayawada	Not part of SCM		
Bihar	Patna	10:2	Mayor and Commissioner	No
Chhattisgarh	Raipur	10:1	Only Commissioner	No
Delhi	Delhi	Not part of SCM		
Goa	Panaji	9:2	Mayor and Commissioner	No
Gujarat	Ahmedabad	9:3	Mayor, Commissioner, Standing committee Chairperson	Yes
Haryana	Gurugram	Not part of SCM		
Himachal Pradesh	Dharamshala	12:3	Mayor, Deputy Mayor and Commissioner	No
Jharkhand	Ranchi	8:3	Mayor, Commissioner and Additional Commissioner	No
Karnataka	Mangaluru	10:6	Mayor, Commissioner and 4 Councillors	Yes
Kerala	Kochi	9:2	Mayor and Secretary	No
Madhya Pradesh	Bhopal	11:2	Mayor and Commissioner	No
Maharashtra	Mumbai	Not part of SCM		
Odisha	Bhubaneswar	14:1	Commissioner	No
Punjab	Amritsar	12:2	Mayor and Commissioner	No
Rajasthan	Udaipur	10:2	Mayor as vice-Chaiperson and Commissioner	No
Tamil Nadu	Coimbatore	13:2	Mayor and Commissioner	No
Telangana	Warangal	14:2	Mayor and Commissioner	No
Uttar Pradesh	Lucknow	8:1	Commissioner	No
Uttarakhand	Dehradun	14:2	Mayor and Commissioner	No
West Bengal	Kolkata	Not part of SCM		

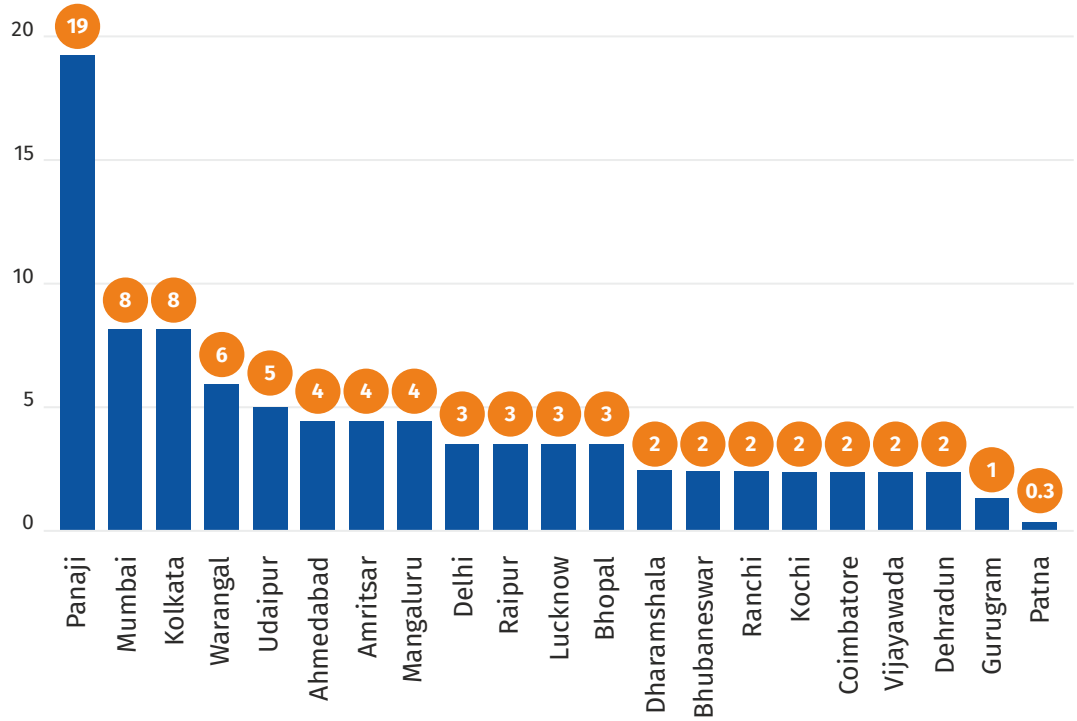
3.7 STATUS OF HUMAN RESOURCES IN CITY GOVERNMENTS (1/2)

The Directive Principle: There is need to build the capacity of city governments in terms of adequate and skilled human resources

- At present, parastatal bodies have skills set and capacity to carry out functions such as urban planning, housing, construction of roads & bridges and water supply etc. and municipal corporations lack such skillsets. Thus, there is a need to build capacity of urban local governments through regular training. The state government departments/parastatal bodies should work as specialised agencies under the direction and control of municipal governments. In addition, municipal government should have authority to decide whether to carry out delivery of a function through parastatal body or outsource it to any other organisation having required expertise.

- Moreover, the municipal corporations should have adequate human resources to carry out service delivery and have control over recruitment of human resources.

No of employees per 1000 population



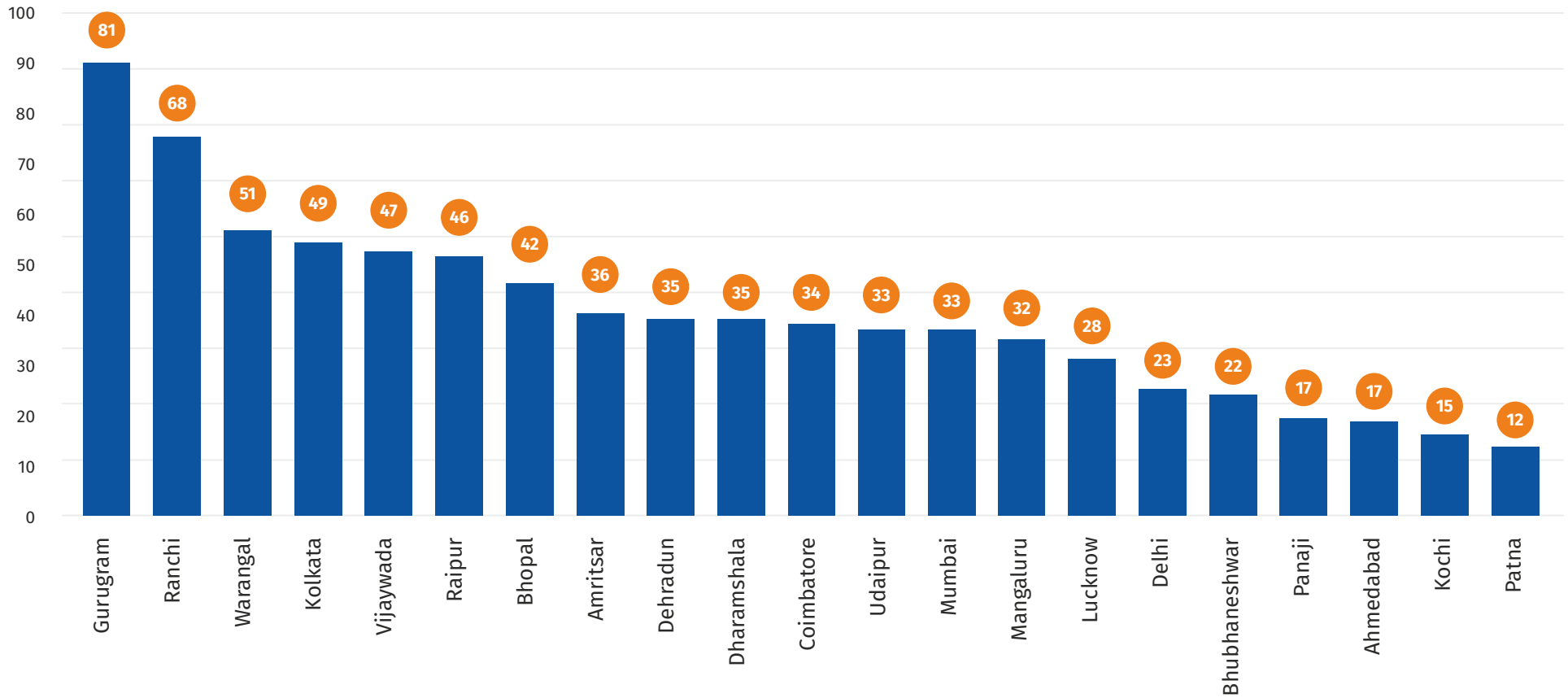
Note: Permanent and Contractual employees data is used for the analysis. However, contractual data is not available for Coimbatore, Dehradun, Gurugram and Patna.

Highlights

- City governments lack capacity to carry out functions as they do not have adequate qualified and skilled staff.
- Municipal corporations from Mumbai and Kolkata have 8 employees per 1000 population to carry out delivery of service.
- The Gurugram and Patna municipal corporation have around 1 employee to deliver services in the city area.
- Panaji municipal corporation has 19 employees per 1000 population to deliver services in the city

3.7 STATUS OF HUMAN RESOURCES IN CITY GOVERNMENTS (2/2)

Percentage of Vacant Sanctioned Positions



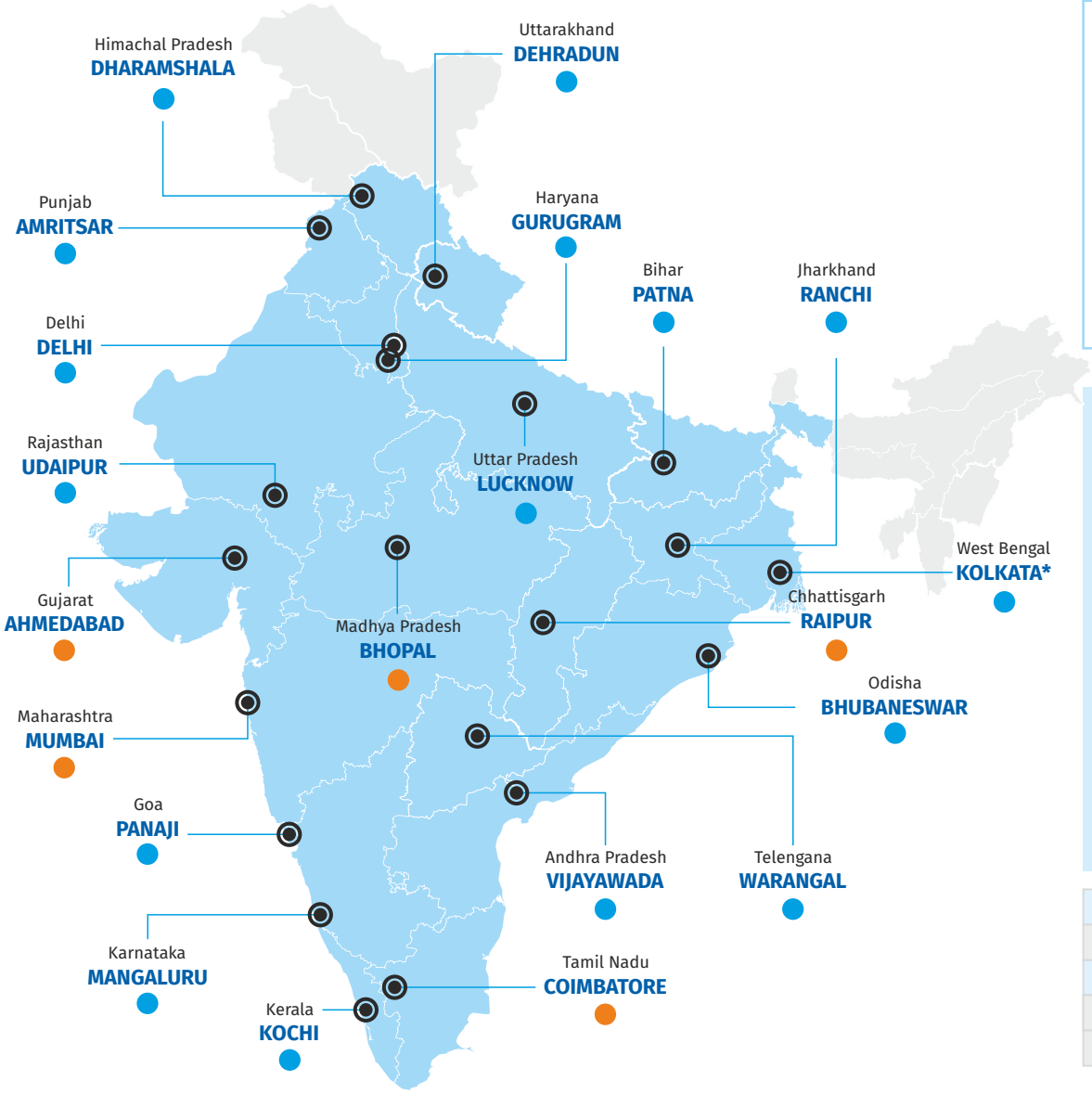
Highlights

- Not a single municipal corporation among 21 cities has all sanctioned positions filled.
- Municipal Corporation of Gurugram has highest vacant positions followed by Ranchi, Warangal and Kolkata.
- The Municipal corporations in India lack adequate human resources to deliver services to the citizens.

3.7 FACTOID- STATUS OF HUMAN RESOURCES IN CITY GOVERNMENTS

State	City	Human Resources				No of employees per 1000 population
		Sanctioned	Vacant	Vacant %	Contractual	
Andhra Pradesh	Vijayawada	3,254	1,540	47%	387	2
Bihar	Patna	658	82	12%	Not available	0.3
Chhattisgarh	Raipur	984	457	46%	2691	3
Delhi	Delhi	49,737	11,376	23%	3078	3
Goa	Panaji	412	72	17%	430	19
Gujarat	Ahmedabad	29,663	4,982	17%	27	4
Haryana	Gurugram	2,454	1,993	81%	Not available	1
Himachal Pradesh	Dharamshala	202	71	35%	0	2
Jharkhand	Ranchi	1,330	904	68%	2124	2
Karnataka	Mangaluru	1,725	547	32%	633	4
Kerala	Kochi	715	104	15%	799	2
Madhya Pradesh	Bhopal	5,686	2,370	42%	1298	3
Maharashtra	Mumbai	1,45,742	48,481	33%	3577	8
Odisha	Bhubaneswar	1,303	284	22%	1001	2
Punjab	Amritsar	6,135	2221	36%	800	4
Rajasthan	Udaipur	3,681	1,229	33%	0	5
Tamil Nadu	Coimbatore	4966	1,707	34%	Not available	2
Telangana	Warangal	1,509	772	51%	2983	6
Uttar Pradesh	Lucknow	2,620	737	28%	6271	3
Uttarakhand	Dehradun	1,501	528	35%	Not available	2
West Bengal	Kolkata	45,000	22,000	49%	12,000	8

3.8 RECRUITMENT OF HUMAN RESOURCES IN CITY GOVERNMENTS



The Directive Principle: City governments should have the authority to conduct recruitment process

- At present, the city governments lack authority to recruit human resources and they are dependent upon state government for approval. Thus it leads to lot of vacancies. Being urban local government, cities should have the authority to recruit human resources whenever required to deliver services efficiently.

Highlights

- Not a single municipal corporations has control over recruitment process. Although Mumbai, Ahmedabad, Raipur, Bhopal and Coimbatore corporations can conduct recruitment process, state government is the final sanction authority.
- In Kolkata, there is a dedicated Municipal Service Commission to conduct recruitment process for municipal corporation.
- However, municipal service commission is not under control of municipal corporation and it reports to state government.

Final Recruitment sanction authority	
State Government	◉
Recruitment process conducted by	
City Government	●
State Government	●

Municipal Service Commission

04

EMPOWERED AND ACCOUNTABLE ELECTED REPRESENTATIVES

- Empowerment of Mayor
- Empowerment of councillors
- Accountable elected representatives
- District Planning Committee

The Directive Principles mentioned in the upcoming themes are points for deliberation and consideration as basic principles for building Urban Agenda at the National Consultation on 22nd and 23rd January 2020

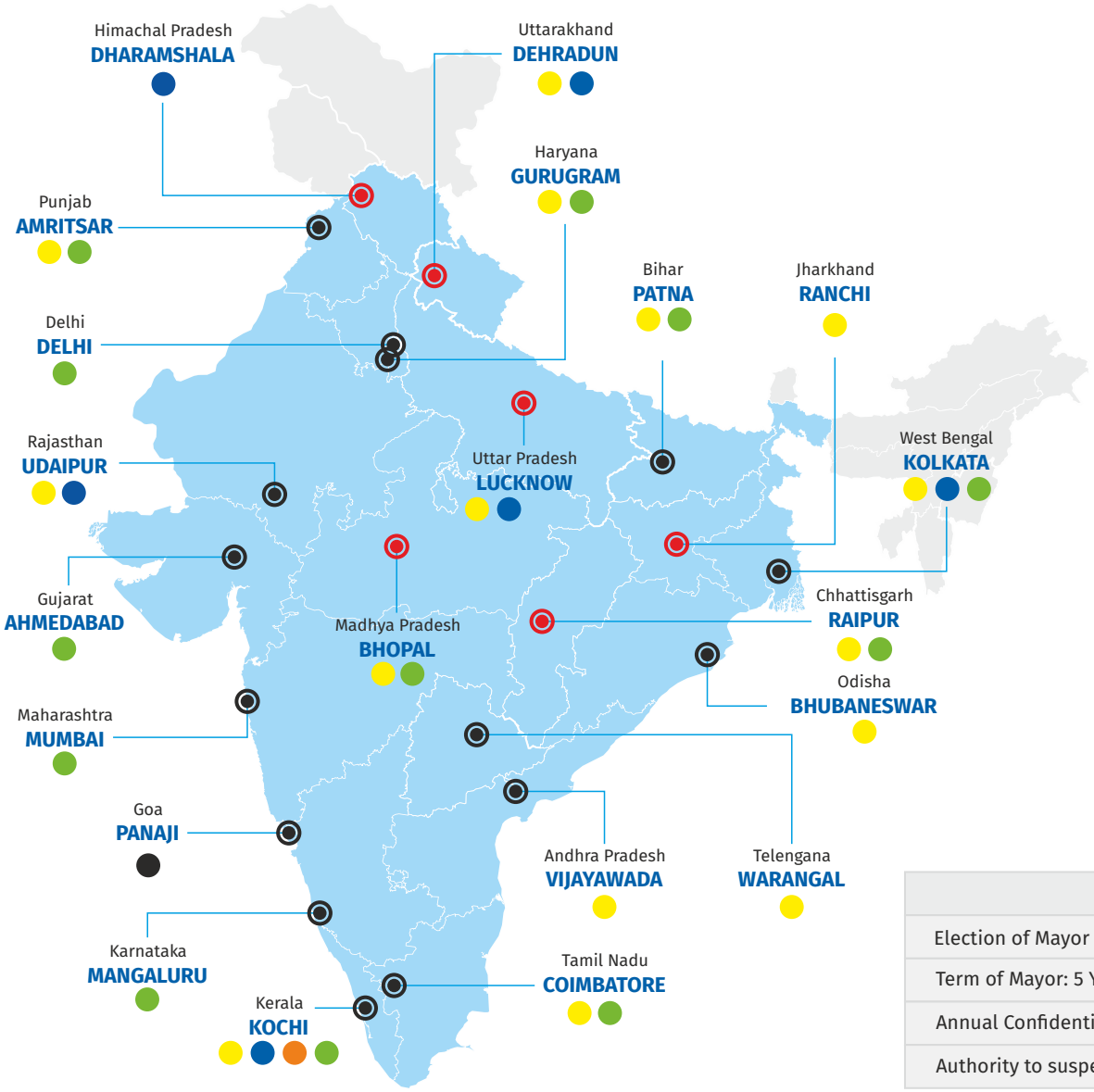
4.1 EMPOWERMENT OF MAYOR (1/2)

Directive Principle: There is need to empower the position of the Mayor

- Municipal Corporations across states are headed by municipal commissioners who act as chief executive officers. The municipal commissioner isappointed by the state government. At present, the urban governance model in India gives executive powers in the hands of municipal commissioners and elected representatives are left with advisory role. The Mayor being elected representative and first citizen, people expect Mayor to solve existing issues in the city. However, Mayors only have a ceremonial role in the functioning of municipal corporation and lack administrative powers.

- Thus, there is need to empower the position of Mayor. The Mayor should have authority to prepare annual confidential report (ACR) of municipal commissioner which will make the position of municipal commissioner accountable to the Mayor. Moreover, the position of Mayor should havea tenure which is co-terminus with term of office of municipal corporation. This will provide stability to the position of Mayor to take decisions for long term. In addition, Mayor should be empowered to hold administrative officials accountable and suspend them if required. Further, the Mayor should appoint the Municipal Commissioner and the State government can play an advisory role in the selection process.

4.1 EMPOWERMENT OF MAYOR (2/2)

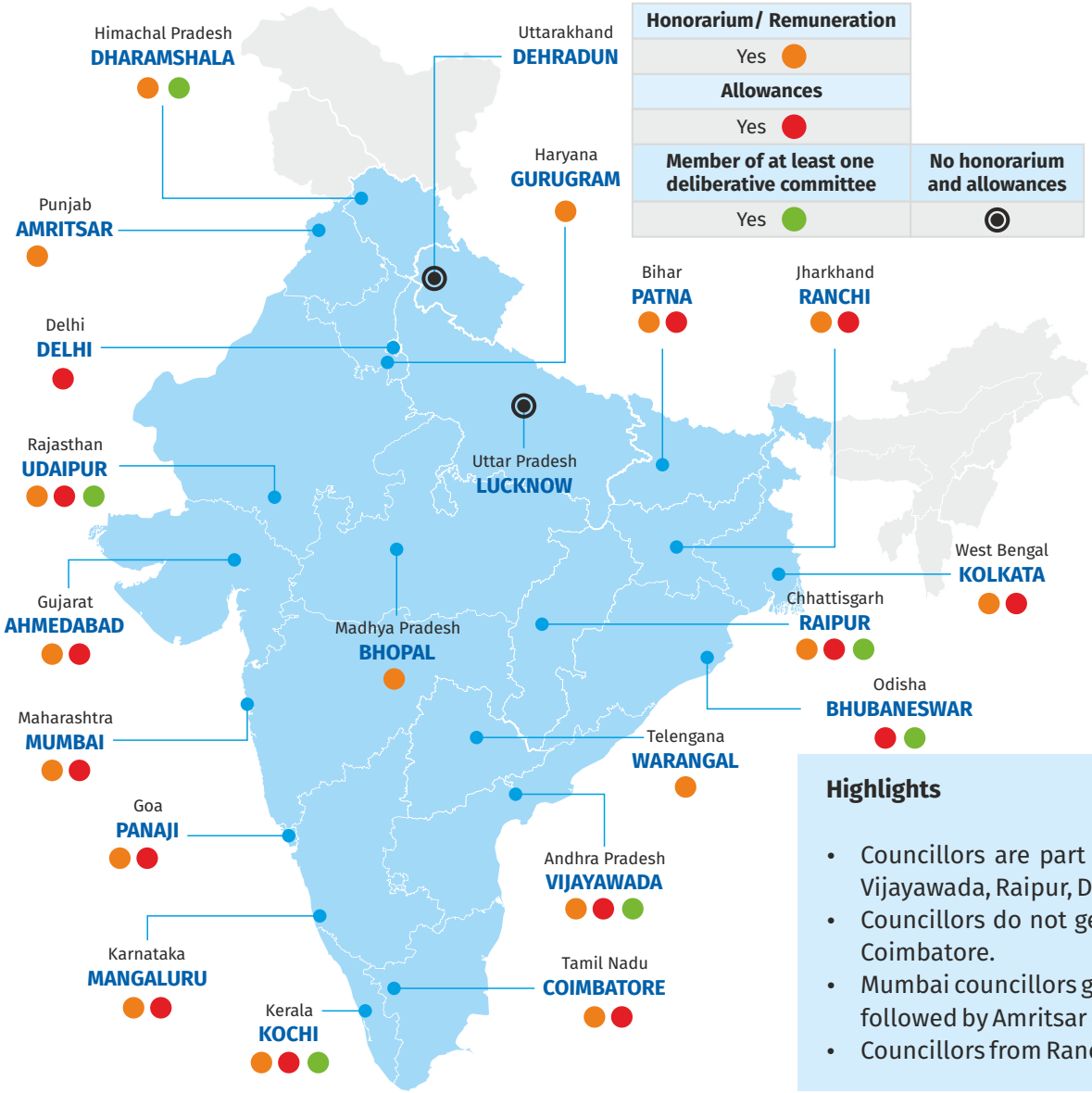


Highlights

- Mayors from Municipal Corporations of Kerala are most empowered amongst all Mayors from 21 states. Mayors from Kerala have tenure of 5 years, authority to prepare ACR of commissioner, suspend officials from corporation and possess administrative control over the functioning of municipal corporations.
- Mayors from Rajasthan, West Bengal are also empowered to some extent and have control over administration of municipal corporations.
- Mayors from 16 states are ceremonial head of municipal corporations and lack administrative powers.
- 6 cities have directly elected Mayors by citizens, whereas in 15 cities Mayors are indirectly elected by councillors.
- Mayors from only 6 cities namely Kochi, Udaipur, Dehradun, Lucknow, Kolkata, Dharamshala have authority to prepare ACR of municipal commissioner.
- Mayors from 6 states do not have stable tenure of 5 years.

Mayoral System and key deliberative bodies			
Election of Mayor	Indirect / Direct		
Term of Mayor: 5 Years		State government does not have authority to appoint, remove or suspend Mayor	
Annual Confidential Report authority			
Authority to suspend officials		No Empowerement	

4.2 EMPOWERMENT OF COUNCILLORS



Honorarium/ Remuneration	
Yes	
Allowances	
Yes	
Member of at least one deliberative committee	**No honorarium and allowances**
Yes	

Directive Principle: Councillors should be part of key deliberative committees

- Councillors being elected representatives of people, mainly have an advisory role in the governance processes. There is need to ensure that councillors are involved in the decision making process of the municipal corporation.
- All Councillors should be part of at least one key deliberative body like standing committees, subject committees etc. so that they can participate in decision making process, initiate proposals for development of wards and discuss issues faced by people from their respective wards.
- Councillors should be entitled to honorarium, sitting allowances and should get office and staff.

Highlights

- Councillors are part of at least one deliberative committee only in 6 cities of Vijayawada, Raipur, Dharamshala, Kochi, Bhubaneswar and Udaipur out of 21
- Councillors do not get honorarium in Delhi, Bhubaneswar, Lucknow, Dehradun, Coimbatore.
- Mumbai councillors get honorarium Rs. 25,000 which is highest among all 21 cities followed by Amritsar councillors with an honorarium of Rs. 17,000.
- Councillors from Ranchi get allowance for office, staff in addition to honorarium.

4.3 FACTOID- SUBJECT COMMITTEES

State	City	Key Deliberative bodies	Status	Subject Committees		#
				Provision	Status	
Andhra Pradesh	Vijayawada	Standing Committee	Active	11 Special Committees	Active	Yes
Bihar	Patna	Standing Committee	Active	To be decided by council	Not constituted	No
Chhattisgarh	Raipur	Mayor-in-Council	Active	14 Advisory committees	Not constituted	Yes
Delhi	Delhi	4 Statutory Committee	Active	12 Special Committees	Active	No
Goa	Panaji	Standing Committee	Active	3 Special consultative committees	Non-functional	No
Gujarat	Ahmedabad	Standing Committee	Active	11 Special Committees	Active	No
Haryana	Gurugram	Finance Committee	Active	To be decided by council	-	No
Himachal Pradesh	Dharamshala	3 standing committees	Active	No	-	Yes
Jharkhand	Ranchi	Finance Committee	Active	No	-	No
Karnataka	Mangaluru	4 Standing committees	Active	-	-	No
Kerala	Kochi	8 Standing Committees	Active	-	-	Yes
Madhya Pradesh	Bhopal	Mayor-in-Council	Active	No	-	No
Maharashtra	Mumbai	3 Statutory Committees	Active	6 Subject committees	Active	No
Odisha	Bhubaneswar	10 Standing Committees	Active	-	-	Yes
Punjab	Amritsar	Finance and Contract committee	Active	To be decided by council	-	No
Rajasthan	Udaipur	Executive Committee	Active	21 subject committees	Yes- irregular meetings	Yes
Tamil Nadu	Coimbatore	6 Standing Committees	-	-	-	No
Telangana	Warangal	No	-	No	-	No
Uttar Pradesh	Lucknow	Executive Committee	Active	4 Special committees	Non-functional	No
Uttarakhand	Dehradun	Executive Committee	Active	4 Special committees	Non-functional	No
West Bengal	Kolkata	Mayor-in-Council	Active	No	-	No

 # : All councillors are part of at least one deliberative committee- Standing/Special / Advisory committee

4.4 FACTOID-HONORARIUM/ REMUNERATION FOR COUNCILLORS

State	City	Honorarium/ Remuneration (in Rupees)	Sitting allowance (per meeting)/ Other allowances (in Rupees)
Andhra Pradesh	Vijayawada	4000	100
Bihar	Patna	2,500	1000-Office Rent
Chhattisgarh	Raipur	7,500	350
Delhi	Delhi	No	300
Goa	Panaji	10,800	No
Gujarat	Ahmedabad	14500	500
Haryana	Gurugram	15000	No
Himachal Pradesh	Dharamshala	5,500	No
Jharkhand	Ranchi	7,000	5000- Office Rent, 4000- Stationary and Maintenance of office, 6000-Staff for councillor
Karnataka	Mangaluru	6,000	200- Council Meeting and 200- Vehicle allowance
Kerala	Kochi	10,000	50
Madhya Pradesh	Bhopal	6000	No
Maharashtra	Mumbai	25,000	200
Odisha	Bhubaneswar	No	500 per council meeting and 200 per standing committee meeting
Punjab	Amritsar	17000	No
Rajasthan	Udaipur	3750	200
Tamil Nadu	Coimbatore	No	800
Telangana	Warangal	6000	No
Uttar Pradesh	Lucknow	No	No
Uttarakhand	Dehradun	No	No
West Bengal	Kolkata	10,000	200

4.5 ACCOUNTABLE ELECTED REPRESENTATIVES (1/3)

Directive Principle: Mayor and Councillors should be accountable to people and held responsible for the development of the city

- As we know, state governments are headed by chief ministers who have the ownership and adequate authority to run the state. So if something goes wrong with the state, CM is held accountable. Similarly, the Mayor being the head of city government, should have complete ownership to run the city and Mayor should be held accountable for development of the city. Similarly, councillors should be held responsible for the development of the wards.

- Municipal Houses/council, standing/subject committee meetings should be conducted on regular basis as per bye-laws. It is essential that appropriate bye-laws or corporation procedure rules should be in place for effective functioning of municipal corporations, on the lines of parliamentary/legislative procedure rules.

- Mayor and Councillors should attend the meetings regularly and if councillors remain absent for 3 consecutive council meetings or committee meetings, then council should suspend councillor's membership of council and committee.

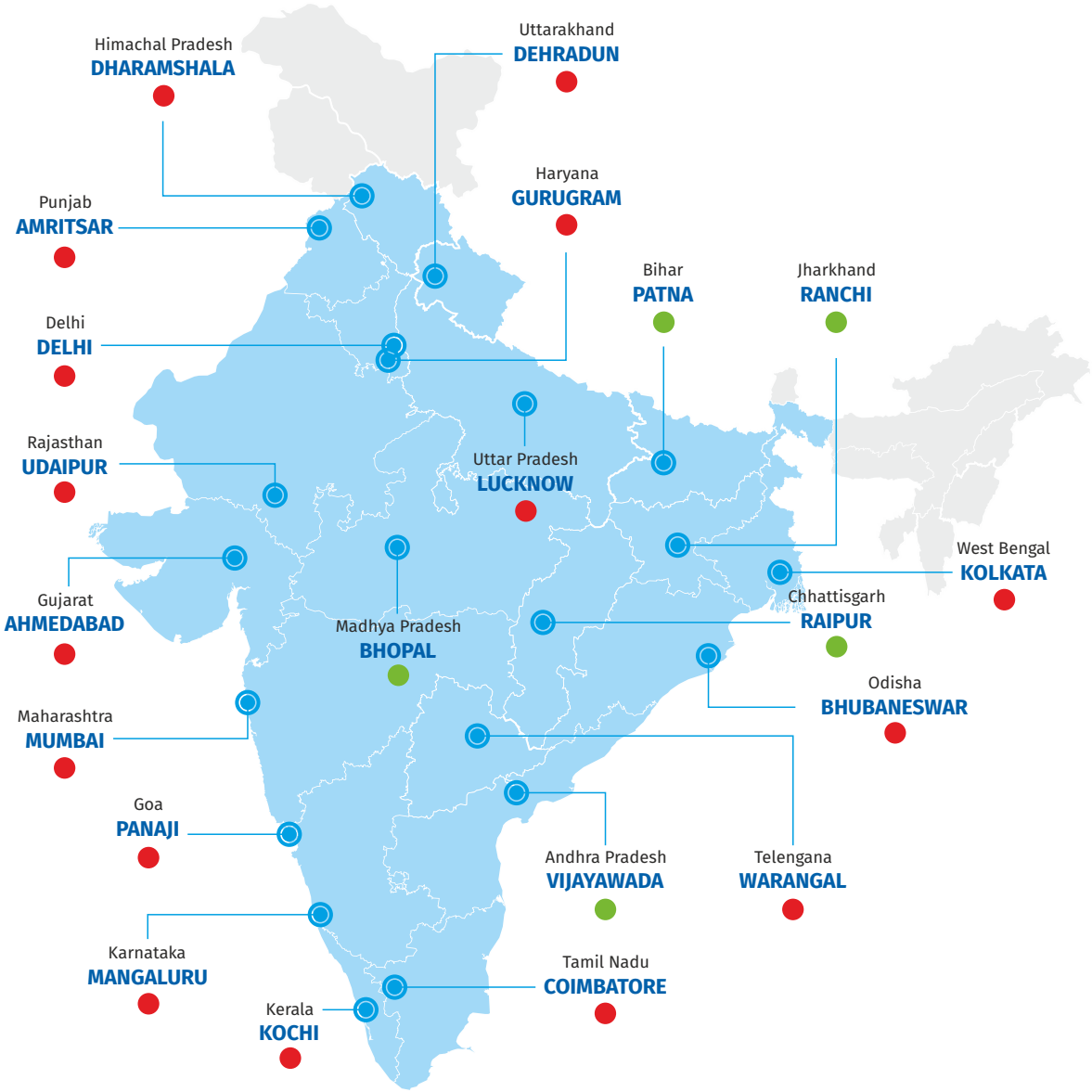
- People should have right to recall Mayor and councillors, if their performance is not up to the mark.

04

Highlights

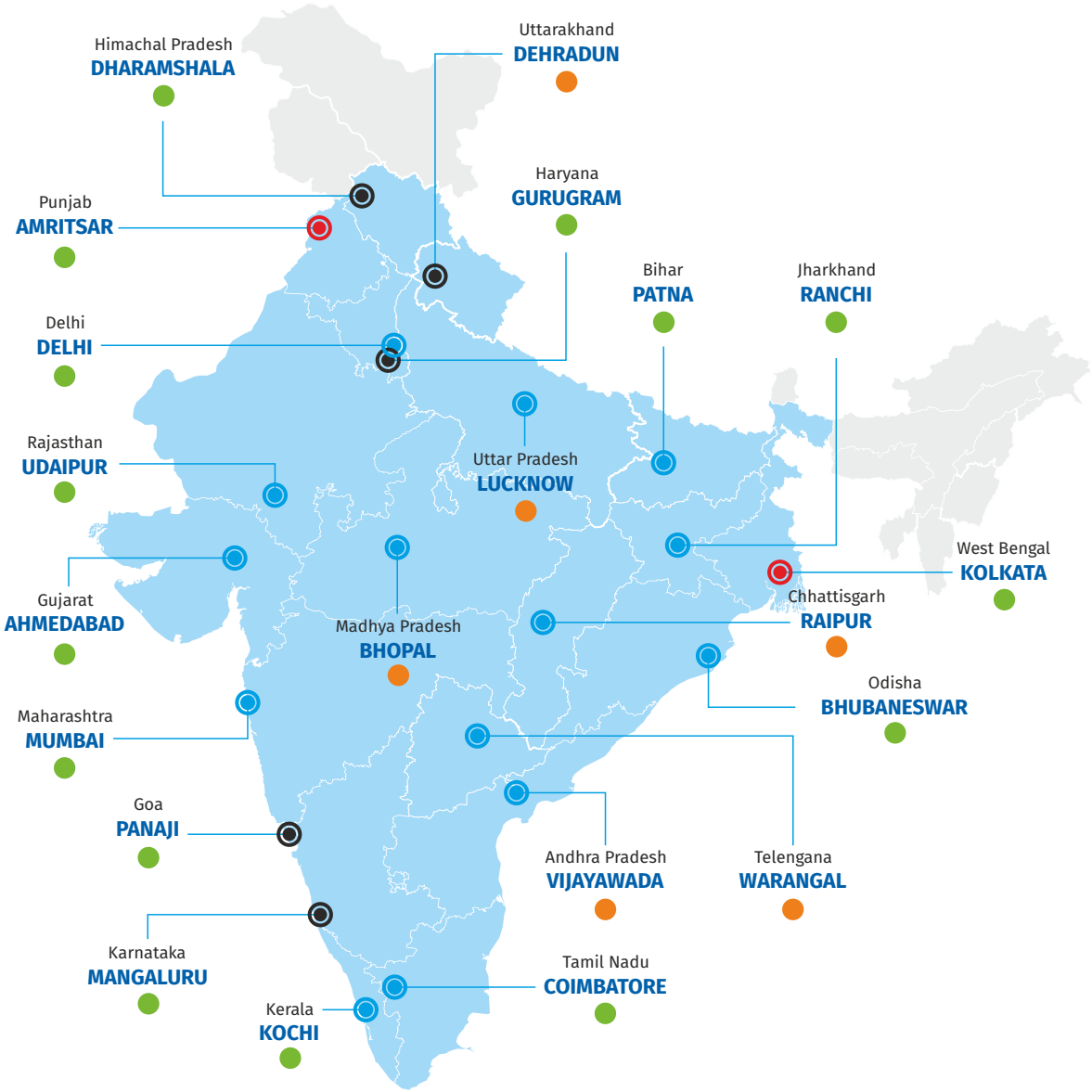
- Patna, Ranchi, Coimbatore and Warangal have bye-laws only for limited subjects.
- 5 cities namely Panaji, Gurugram, Dharamshala, Mangaluru and Dehradun do not have corporation procedure rules in place.
- In all 21 cities, Mayor can be removed from position depending upon the mode of election. If Mayor is elected by councillors, then councillors can pass a motion of no confidence in municipal house.
- In Bhopal, people have right to recall Mayor after 2 years of election since Mayor is directly elected by people.
- 5 Cities among 21 cities have provision to recall councillors if their performance is not satisfactory.

4.5 ACCOUNTABLE ELECTED REPRESENTATIVES (2/3)



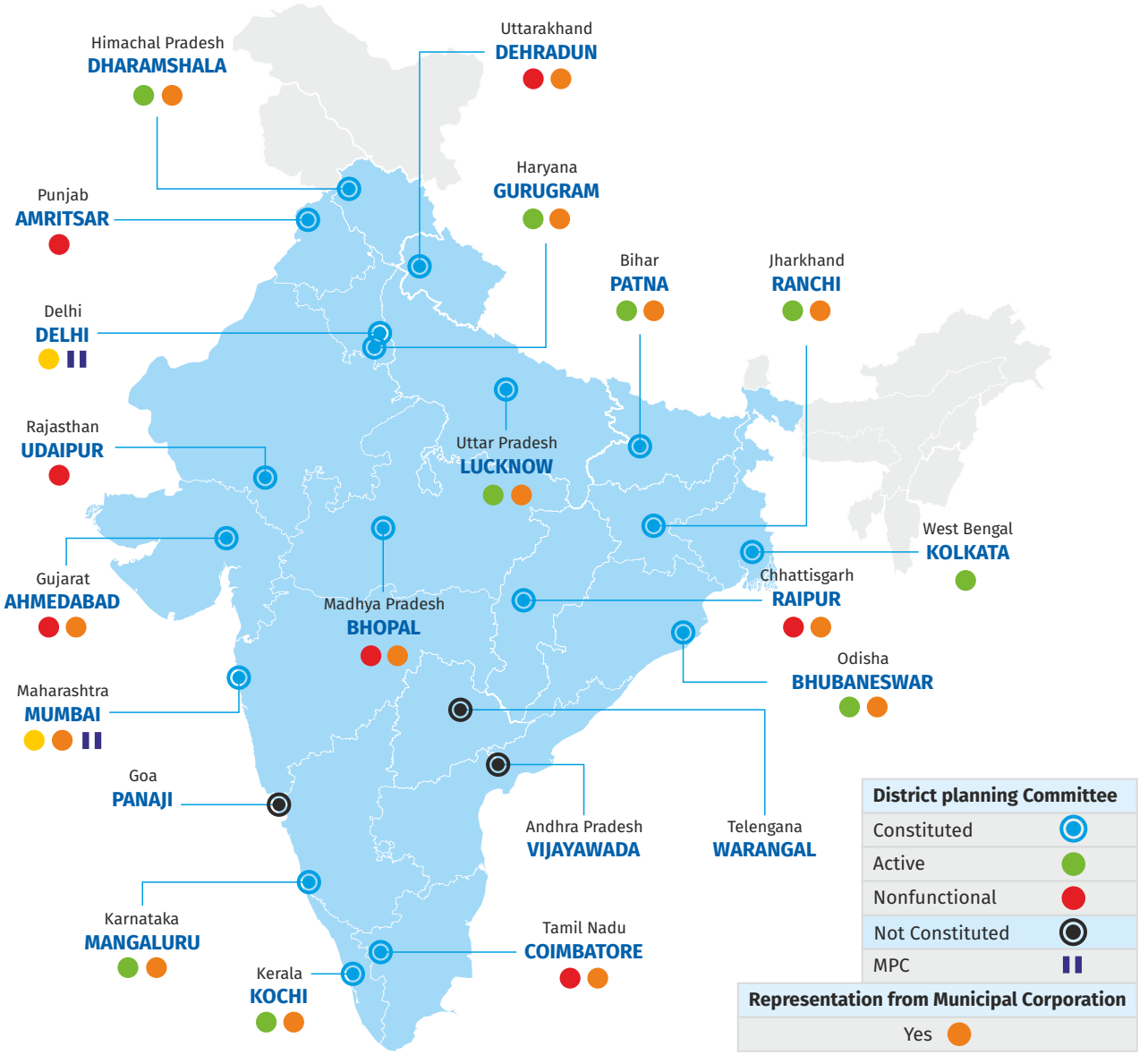
Provision to remove Mayor	
People have Right to recall councillors	
Yes	No

4.5 ACCOUNTABLE ELECTED REPRESENTATIVES (3/3)



Bye-laws	
Yes	
No	
Not available	
Frequency of Council Meetings	
At least once in a month	
At least once in two months	

4.6 DISTRICT PLANNING COMMITTEE



Directive Principle: DPC and MPC are essential forums for unified planning

- The District Planning Committee (DPC) and Metropolitan Planning Committee (MPC) are essential platforms for unified planning of the District and Metropolitan areas respectively. The Plans made at city level are to be consolidated at DPC and MPC.
- DPC and MPC meetings should be held regularly and there should be proportionate representation from city government in DPC and MPC

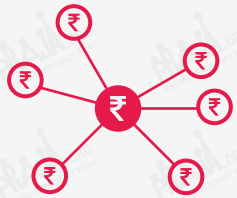
Highlights

- District planning committees (DPC) are constituted in 17 cities out 21, however they are active in only 9 cities.
- There is no representation of municipal corporation in DPC in 7 cities out of 21.
- Metropolitan Planning Committee are constituted and active in Mumbai and Delhi.

4.6 FACTOID- DISTRICT PLANNING COMMITTEES

State	City	District planning Committee	
		Status	Representation from Municipal Corporation
Andhra Pradesh	Vijayawada	Not Constituted	No
Bihar	Patna	Active	Councillors
Chhattisgarh	Raipur	Constituted-nonfunctional	Mayor nominates 2 members
Delhi	Delhi	No DPC, Active- National Capital Region planning	No
Goa	Panaji	Not Constituted	No
Gujarat	Ahmedabad	Constituted-nonfunctional	Commissioner
Haryana	Gurugram	Active	Mayor, Deputy Mayor, Commissioner
Himachal Pradesh	Dharamshala	Active	Mayor
Jharkhand	Ranchi	Active	Commissioner and elelcted coucillors
Karnataka	Mangaluru	Constituted-Irregular meetings	Mayor and councillors
Kerala	Kochi	Active	2 councillors
Madhya Pradesh	Bhopal	Constituted-nonfunctional	9 councillors, Mayor
Maharashtra	Mumbai	Active- DPC and Metropolitan planning committee	Mayor and Commissioner
Odisha	Bhubaneswar	Active	Commissioner
Punjab	Amritsar	Constituted-nonfunctional	No
Rajasthan	Udaipur	Constituted-nonfunctional	No
Tamil Nadu	Coimbatore	Constituted-nonfunctional	Mayor and councillors
Telangana	Warangal	Not Constituted	No
Uttar Pradesh	Lucknow	Active	Mayor and councillors
Uttarakhand	Dehradun	Constituted-nonfunctional	Mayor and councillors
West Bengal	Kolkata	Active	No

05

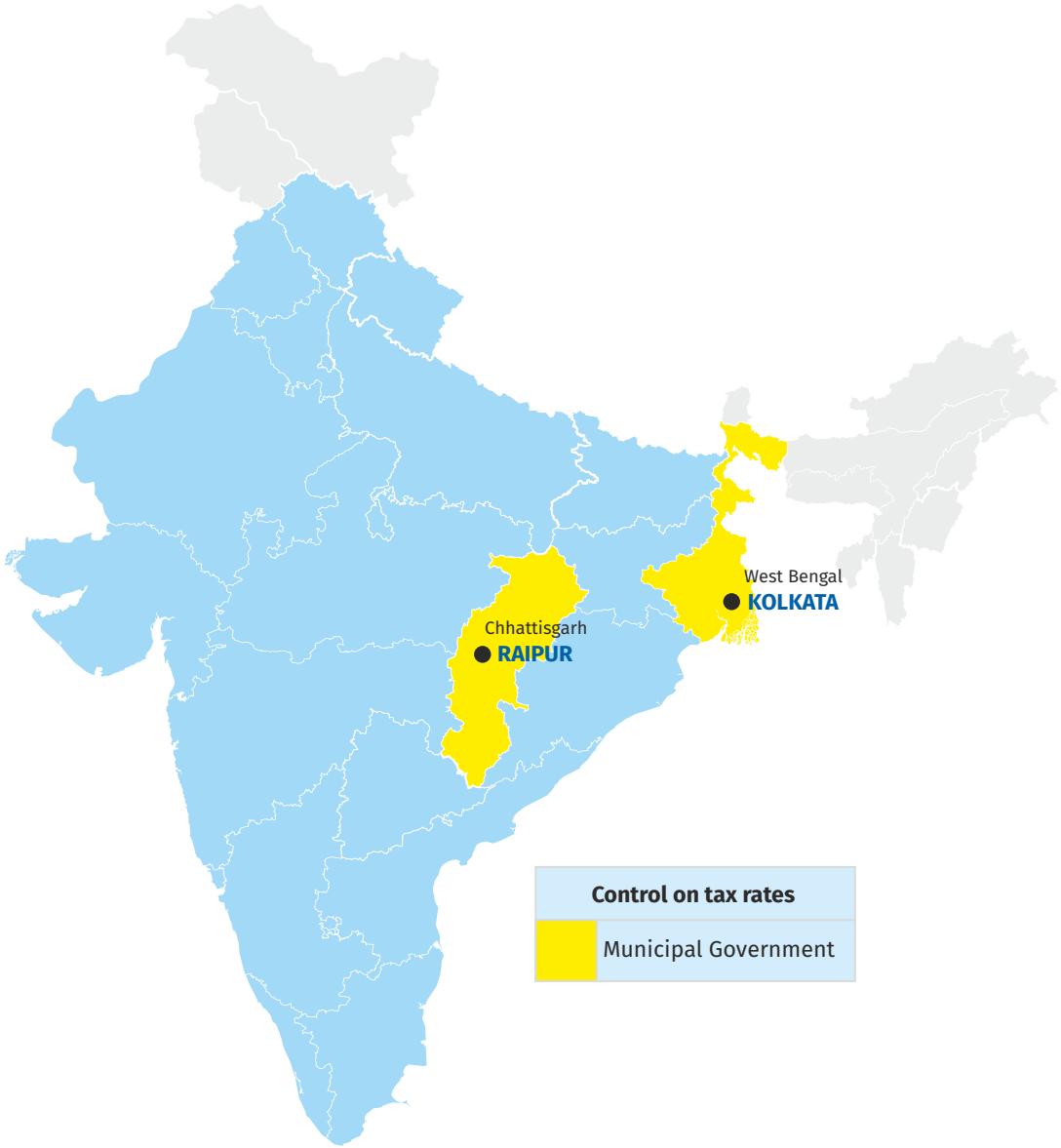


FISCAL DECENTRALISATION

- Municipal Taxation
- Status of State Finance Commission
- Own Revenue to Total Revenue
- Property tax as a major source of revenue
- Budget making process of city government
- Budget approval of city government
- Financial Sanction Powers of the city government

The Directive Principles mentioned in the upcoming themes are points for deliberation and consideration as basic principles for building Urban Agenda at the National Consultation on 22nd and 23rd January 2020

5.1 MUNICIPAL TAXATION



Directive Principle – City government should have authority to introduce new tax and revise tax rates.

- Under the twelfth schedule and article 269 of the Constitution of India, list of taxes to be levied by the Union and State governments are outlined.
- There should be a separate list of taxes to be levied by the city government incorporated in the list and added to the schedule of the constitution.
- The city governments should have complete authority to control the taxes and ensure effective collection, and to change the tax rates. The city government should have authority to introduce new sources of revenue under the list of taxes, fees, charges as mentioned in the Constitution.

Highlights

- No city across all 21 States under study have the authority to introduce new taxes.
- Only City governments in Chhattisgarh and West Bengal have the authority to revise tax rates.

5.2 STATUS OF STATE FINANCE COMMISSION

State	SFC constitution order	SFC report	SFC Action Taken Report
Andhra Pradesh	Not Available	Not available	Not Available
Bihar	5th	4th	Not Available
Chhattisgarh	3rd	2nd	Not Available
Delhi	5th	5th	5th
Goa	3rd	2nd	Not Available
Gujarat	3rd	3rd	2nd
Haryana	3rd	4th	Not Available
Himachal Pradesh	5th	4th	4th
Jharkhand	2nd	Not available	Not Available
Karnataka	4th	3rd	Not Available
Kerala	5th	5th	5th
Madhya Pradesh	5th	3rd	3rd
Maharashtra	5th	4th	3rd
Odisha	4th	4th	4th
Punjab	5th	4th	Not Available
Rajasthan	5th	5th	4th
Tamil Nadu	4th	4th	4th
Telangana	Not Available	Not available	Not Available
Uttar Pradesh	5th	4th	4th
Uttarakhand	4th	3rd	3rd
West Bengal	4th	3rd	3rd

Source - Janaagraha ASICS 2017 report, Ministry of Panchayati Raj website

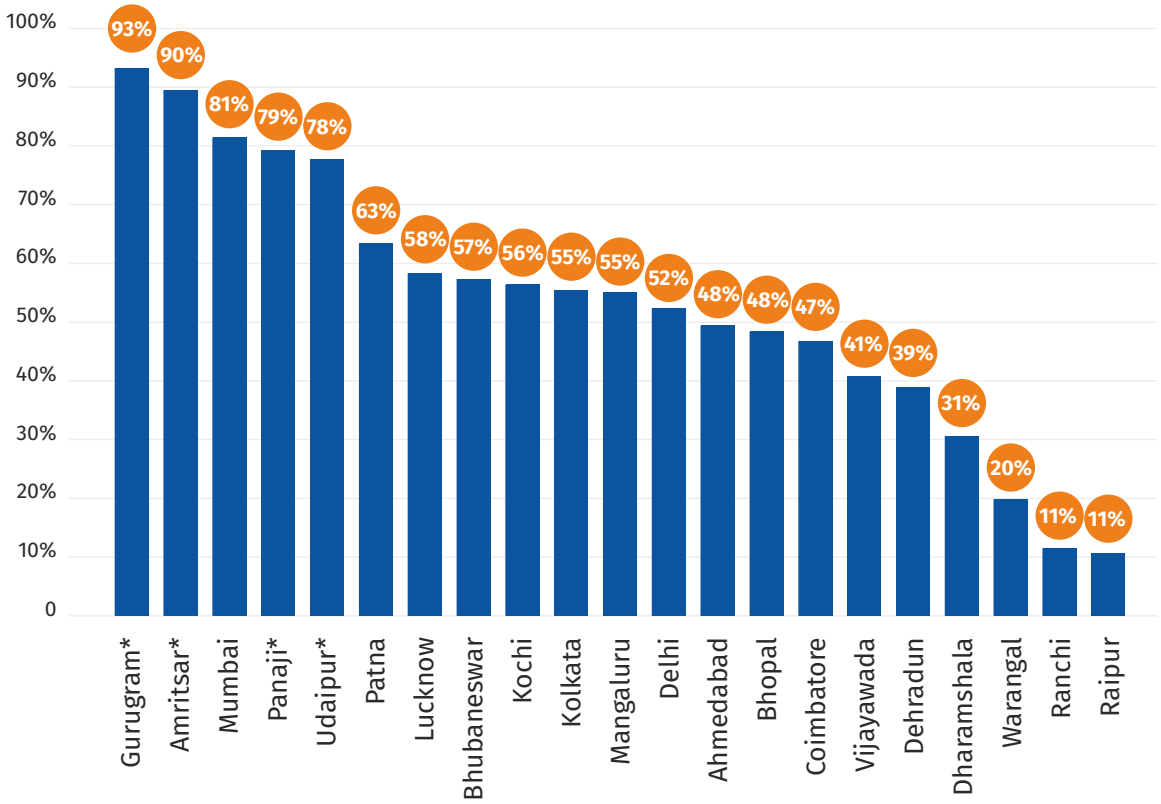
Directive Principle – State Finance Commission recommendations should be implemented

- Since most of the taxes are collected by the Central or State government, it is important to consider the distribution of finance from the Centre and State to the panchayats and city governments. The city government also should be given adequate financial assistance to be able to deliver the 18 functions effectively.
- The State Finance Commission (SFC) after every 5 years have to review the financial position of the city governments and make recommendations to the governor under article 243 Y of the 74th Constitution Amendment Act, 1992.
- The SFC is constituted and it releases a report of the finances of panchayats and city governments and submits it to the governor. The State government have to release an action taken report on the SFC recommendations.

Highlights

- Delhi and Kerala State Finance Commission have latest constitution order report and action taken report of the 5th SFC.
- States like Himachal Pradesh, Maharashtra, Rajasthan, Bihar, Madhya Pradesh, Punjab and Uttar Pradesh have constituted the 5th SFC but the report is not published.
- The data for SFC of States like Andhra Pradesh and Telangana is not available.

5.3 OWN REVENUE TO TOTAL REVENUE



**Budget of the city does not include state grants and project grants*

Directive Principle – The city governments should increase efficiency in collection of local taxes to strengthen finances.

- To understand the financial strength of city governments to be able to raise finances on its own, it is important to understand the percentage of own sources of revenue to the total income of the city governments.
- The collection coverage and efficiency of the taxes levied by the city government needs to be increased for the city government to be financially strengthened.

Highlights

- The budget documents of city governments across the States are not uniform. Budget documents of the cities such as Panaji, Udaipur, Gurugram, Amritsar do not include the State grants for projects in the budget document.
- Gurugram, Amritsar, Mumbai has the highest percentage of own sources of revenue.
- In 11 cities out of 21, own sources of revenue constitute less than 50% of total revenue.

5.4 PROPERTY TAX AS A MAJOR SOURCE OF REVENUE INCOME

State	City	Property tax/ House Tax
Andhra Pradesh	Vijayawada	Property tax
Bihar	Patna	Holding Tax
Chhattisgarh	Raipur	Property tax
Delhi	Delhi	Property tax
Goa	Panaji	House Tax
Gujarat	Ahmedabad	Property tax
Haryana	Gurugram	Property tax
Himachal Pradesh	Dharamshala	Property tax
Jharkhand	Ranchi	Holding Tax
Karnataka	Mangaluru	Property tax
Kerala	Kochi	Property tax
Madhya Pradesh	Bhopal	Property tax
Maharashtra	Mumbai	Property tax
Odisha	Bhubaneswar	Holding Tax
Punjab	Amritsar	Property tax
Rajasthan	Udaipur	Property tax
Tamil Nadu	Coimbatore	Property tax
Telangana	Warangal	Property tax
Uttar Pradesh	Lucknow	House Tax
Uttarakhand	Dehradun	Not available
West Bengal	Kolkata	Property tax

Directive Principle – Property tax should be efficiently collected.

- Property tax or Holding tax forms a major source of revenue for the city government. Thus, it is essential to optimise on the collection efficiency and coverage of the property tax collection.
- Holding tax is calculated according to the land area of the buildings and property tax is calculated on the built-up or construction area of the property. Municipal Council levies Holding tax, when the Council is converted to Corporation, the tax to be levied should also be changed to property tax, increasing the potential revenue income.

Highlights

- Cities such as Patna, Ranchi, Bhubaneswar, Panaji and Lucknow have not yet shifted from holding tax to property tax.

5.5 FACTOID- OWN SOURCES OF REVENUE

State	City	1	2	3	4	5	6	7	8	9	10	11	12	13	Others
Andhra Pradesh	Vijayawada	●		●	●			●	●						service charges from railway
Bihar	Patna		●					●	●					●	interest earned
Chhattisgarh	Raipur	●				●	●				●	●			
Delhi	Delhi	●				●	●	●				●			
Goa	Panaji		●			●			●	●			●	●	
Gujarat	Ahmedabad	●						●			●				conservancy tax, vehicle tax
Haryana	Gurugram	●				●								●	electricity tax
Himachal Pradesh	Dharamshala	●								●	●		●		
Jharkhand	Ranchi		●							●	●		●		latrine tax, development charges
Karnataka	Mangaluru	●				●					●				
Kerala	Kochi	●				●		●		●					fees and user charges
Madhya Pradesh	Bhopal	●				●				●	●		●		
Maharashtra	Mumbai	●								●	●				receipts from DP department
Odisha	Bhubaneswar		●			●	●			●					fees and user charges
Punjab	Amritsar	●								●	●		●		
Rajasthan	Udaipur	●									●			●	urban development tax
Tamil Nadu	Coimbatore	●					●	●		●					fees and user charges
Telangana	Warangal	●		●				●		●				●	town planning section fee
Uttar Pradesh	Lucknow		●			●	●			●					vehicle tax
Uttarakhand	Dehradun	Not available													
West Bengal	Kolkata	●				●					●		●	●	charges on parks, roads and squares

1 Property tax
2 Holding/House tax
3 Vacant land tax
4 Transfer of properties
5 Advertisement tax
6 Entertainment tax
7 Profession tax
8 Parking lots
9 Rent on buildings
10 Water & sanitation tax/cess
11 Education cess
12 Licences fees
13 Stamp duty and building permission

5.6 BUDGET MAKING PROCESS OF CITY GOVERNMENT

State	City	Budget prepared by
Andhra Pradesh	Vijayawada	Commissioner
Bihar	Patna	Commissioner
Chhattisgarh	Raipur	Commissioner
Delhi	Delhi	Commissioner
Goa	Panaji	Committee
Gujarat	Ahmedabad	Commissioner
Haryana	Gurugram	Commissioner
Himachal Pradesh	Dharamshala	Committee
Jharkhand	Ranchi	Committee
Karnataka	Mangaluru	Commissioner
Kerala	Kochi	Committee
Madhya Pradesh	Bhopal	Commissioner
Maharashtra	Mumbai	Commissioner
Odisha	Bhubaneswar	Committee
Punjab	Amritsar	Commissioner
Rajasthan	Udaipur	Commissioner
Tamil Nadu	Coimbatore	Commissioner
Telangana	Warangal	Commissioner
Uttar Pradesh	Lucknow	Commissioner
Uttarakhand	Dehradun	Commissioner
West Bengal	Kolkata	Corporation Secretary

Directive Principle – The budget should be prepared by the legislative wing of city government.

- The budget making process should be participatory and inclusive. The ward committee and zonal committee should be able to make recommendations for the budget based on project priority. The standing/subject committee should be responsible for consolidation, deliberation and recommendation. The standing committee/ Mayor-in-council should be responsible for deliberation, prioritisation and recommendation.
- Council being the final authority, it should be responsible for deliberation, recommendation and final approval of the budget and there should be no need for approval from State government.

Highlights

- The budget is prepared by the legislative wing only in Panaji, Kochi, Bhubaneswar, Dharamshala and Ranchi.

5.7 BUDGET APPROVAL OF CITY GOVERNMENT

State	City	Budget Approved by
Andhra Pradesh	Vijayawada	City Government
Bihar	Patna	State government
Chhattisgarh	Raipur	State government
Delhi	Delhi	City Government
Goa	Panaji	City Government
Gujarat	Ahmedabad	City government
Haryana	Gurugram	State government
Himachal Pradesh	Dharamshala	State government
Jharkhand	Ranchi	State government
Karnataka	Mangaluru	City Government
Kerala	Kochi	City Government
Madhya Pradesh	Bhopal	City Government
Maharashtra	Mumbai	City Government
Odisha	Bhubaneswar	City Government
Punjab	Amritsar	City Government
Rajasthan	Udaipur	State government
Tamil Nadu	Coimbatore	State government
Telangana	Warangal	State government
Uttar Pradesh	Lucknow	State government
Uttarakhand	Dehradun	City Government
West Bengal	Kolkata	City Government

Directive Principle – Council should have authority to give final approval of the budget.

- Being the third tier of governance, the city government should be given financial autonomy to take decisions on municipal budget. State government should not be the final authority for approval of the budget.

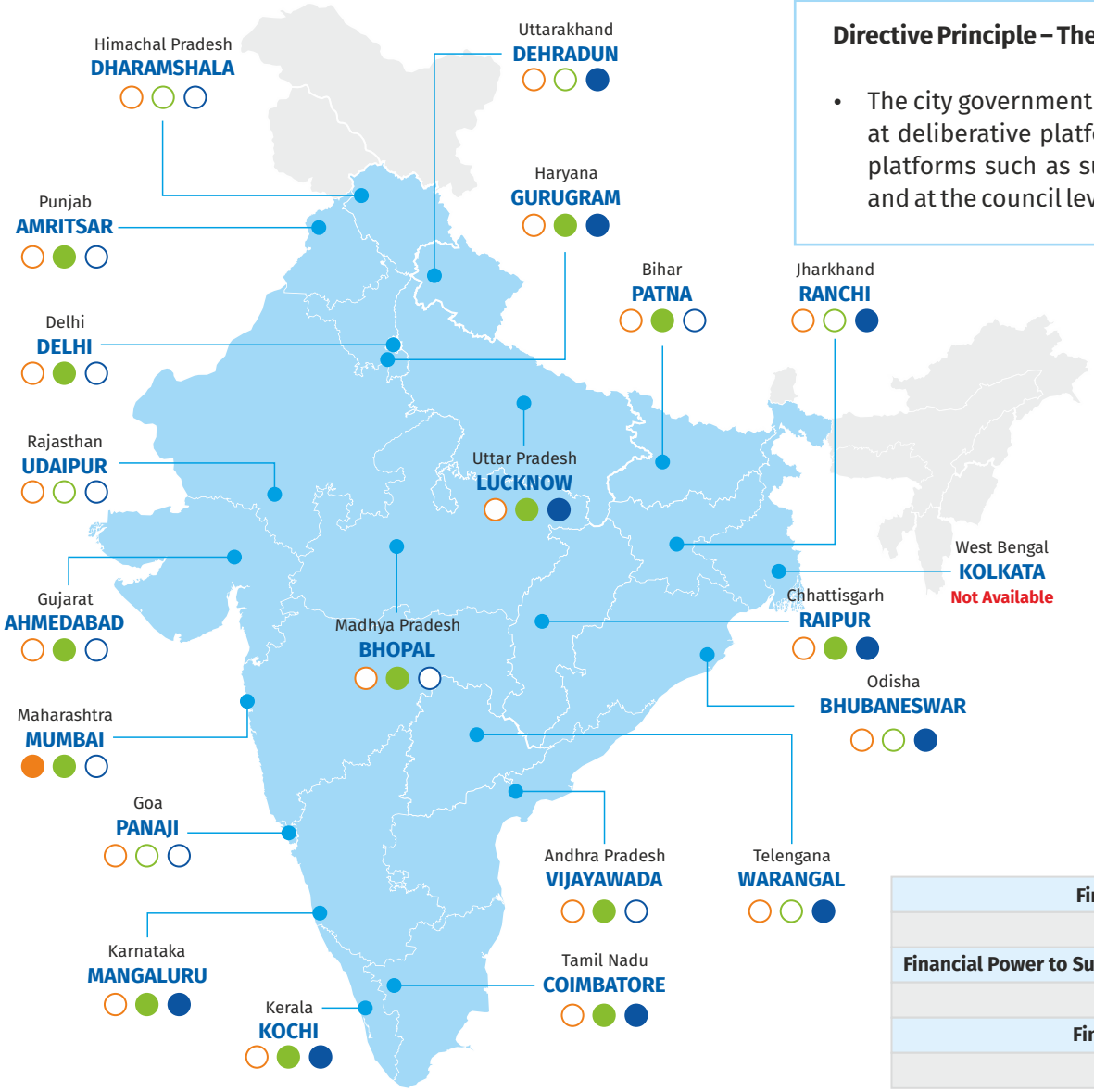
Highlights

- Out of the 21 States under study, city government in 12 States have the authority to approve the budget.
- In 9 States, the final budget of city government is approved by the State government

5.8 FACTOID- BUDGET MAKING PROCESS FROM PREPARATION TO APPROVAL

State	City	Budget approval process	Budget per capita (Rs.) (FY 2018-19)
Andhra Pradesh	Vijayawada	Commissioner → Standing Committee → Council	14,180
Bihar	Patna	Commissioner → Standing Committee → Council → State Government	24,129
Chhattisgarh	Raipur	Commissioner → MIC → Council → State Government	25,430
Delhi	Delhi	Commissioner → Standing Committee → Council	17,128
Goa	Panaji	Standing Committee → Council	17,467
Gujarat	Ahmedabad	Commissioner → Standing committee → Council	12,387
Haryana	Gurugram	Commissioner → Council → State Government	21,480
Himachal Pradesh	Dharamshala	Finance Standing Committee → Council → State Government	14,503
Jharkhand	Ranchi	Standing committee → Council → State Government	15,325
Karnataka	Mangaluru	Finance Committee → Council	10,755
Kerala	Kochi	Finance committee → Council	16,112
Madhya Pradesh	Bhopal	Commissioner → MIC → Mayor → Council	11,083
Maharashtra	Mumbai	Commissioner → Standing Committee → Council	21,982
Odisha	Bhubaneswar	Tax Finance Accounts Standing Committee → Council	5,117
Punjab	Amritsar	Commissioner → Municipal Council	3,532
Rajasthan	Udaipur	Committee → Council → State Government	5,422
Tamil Nadu	Coimbatore	Commissioner → Standing Committee → Council → State Government	11,206
Telangana	Warangal	Commissioner → Council → State Government	17,466
Uttar Pradesh	Lucknow	Commissioner → Karyakarni Samiti → Council → State Government	7,771
Uttarakhand	Dehradun	Commissioner → Karyakarni Samiti → Council → State Government	5,699
West Bengal	Kolkata	Secretary of Corporation → Commissioner → Mayor → Concerned MMIC → Council	11,565

5.9 FINANCIAL SANCTIONING POWER OF THE CITY GOVERNMENT



Directive Principle – There should be decentralisation of financial sanction power

- The city government should have financial sanctioning power at stages such as at deliberative platforms (area sabha and ward committee), decision making platforms such as subject committee/Standing committee/Mayor-in-Council and at the council level in descending order of amount.

Highlights

- Financial powers ward committees are only given in Mumbai.
- Financial powers to Subject Committee/Standing committee/Mayor-in-council is given to cities in all States except Goa, Rajasthan, Himachal Pradesh, Jharkhand, Odisha, Telangana and Uttarakhand.
- State government approval is required for sanction of projects in States like Jharkhand, Odisha, Telangana, Uttarakhand, Tamil Nadu, Chhattisgarh, Haryana, Karnataka, Kerala and Uttar Pradesh

Financial Power to the ward committee
Yes
Financial Power to Subject Committee/Standing committee/Mayor-in-council
Yes
Financial approval of State Government
Yes

5.9 FACTOID- FINANCIAL SANCTIONING POWER OF THE CITY GOVERNMENT

State	City	1	2	3	4	5	6	7	8	9	10	11
Andhra Pradesh	Vijayawada	-	-	-	-	-	up to 20 lakh	up to 50 lakh	50 lakh and above	-	-	30 lakh
Bihar	Patna	-	-	-	up to 60 lakh	-	60 lakh to 2 crores	NA	above 2 crores unlimited	-	-	2 crore
Chhattisgarh	Raipur	-	-	-	up to 50 Lakhs	-	-	50 lakh to 1.5 cr	1.5-5 crore	-	above 5 crore	4 Lakh
Delhi	Delhi	-	1 crore	-	up to 5 crores	-	-	-	above 5 crore	-	-	50 lakh#
Goa	Panaji	-	-	-	50,000	-	5 lakhs	-	-	-	-	No
Gujarat	Ahmedabad	-	-	up to 10 lakh	10-30 lakh	-	30-50 lakh	above 50 lakh	above 50 lakh	-	-	1 crore per ward
Haryana	Gurugram	-	-	NA	up to 2 crore	-	up to 2.5 crore	NA	up to 2.5 crore	-	above 2.5 crore	No
Himachal Pradesh	Dharamshala	-	-	NA	up to 10 lakh	-	-	-	Above 10 lakh	-	-	2 lakh
Jharkhand	Ranchi	No	No	-	Up to 5 crores	-	-	No	Up to 5 crores	-	Above 5 crores	
Karnataka	Mangaluru	No	No	-	50 lakhs	-	Up to 1 crore	No	up to 2 crores	2-5 crores*	above 5 crores	50 lakh
Kerala	Kochi	No	No	No	No	no limit	1 lakh	-	5 crores	-	-	60 lakh

** by Collector*

 # edmc - no fund

1 Ward Committee
2 Zonal Committee
3 Deputy Commissioner
4 Commissioner
5 Mayor
6 Standing Committee/Subject Committee
7 Steering Committee/Mayor-in-Council
8 Council
9 Commissionerate/ collector
10 State government
11 Councillor Fund

... table continue

5.9 FACTOID- FINANCIAL SANCTIONING POWER OF THE CITY GOVERNMENT

State	City	1	2	3	4	5	6	7	8	9	10	11
Madhya Pradesh	Bhopal	No	No	No	2 cr	5 cr	No	5cr	above 5 cr	-	-	30 lakh
Maharashtra	Mumbai	5 lakh	-	10-15 lakh	50-75 lakh	7.5 cr/year	-	-	above 50 lakh	-	-	60 lakh
Odisha	Bhubaneswar	0	0	-	1 crore	-	-	-	4 crore	-	above 4 crore	90 lakh
Punjab	Amritsar	No	No	No	20,000	25,000	No Limit	-	No limit	-	-	No
Rajasthan	Udaipur	No	No	No	2 crores	5 crores	No	-	-	-	-	No
Tamil Nadu	Coimbatore	-	up to 5 lakh	-	5-10 lakh	10-20 Lakh	20-50 lakh	-	50 lakh - 1 cr	1-5 cr	above 5 cr	No
Telangana	Warangal	No	No	No	10 Lakhs	No	No	No	50 lakhs- 2 crores	-	Above 2 crores	50 lakhs*
Uttar Pradesh	Lucknow	0	0	-	up to 10 lakh	15 lakh	-	-	up to 20 lakh	-	above 20 lakh	96 lakh

1 Ward Committee
2 Zonal Committee
3 Deputy Commissioner
4 Commissioner
5 Mayor
6 Standing Committee/Subject Committee
7 Steering Committee/Mayor-in-Council
8 Council
9 Commissionerate/ collector
10 State government
11 Councillor Fund

** bcouncil can decide as per availability of budget*

05

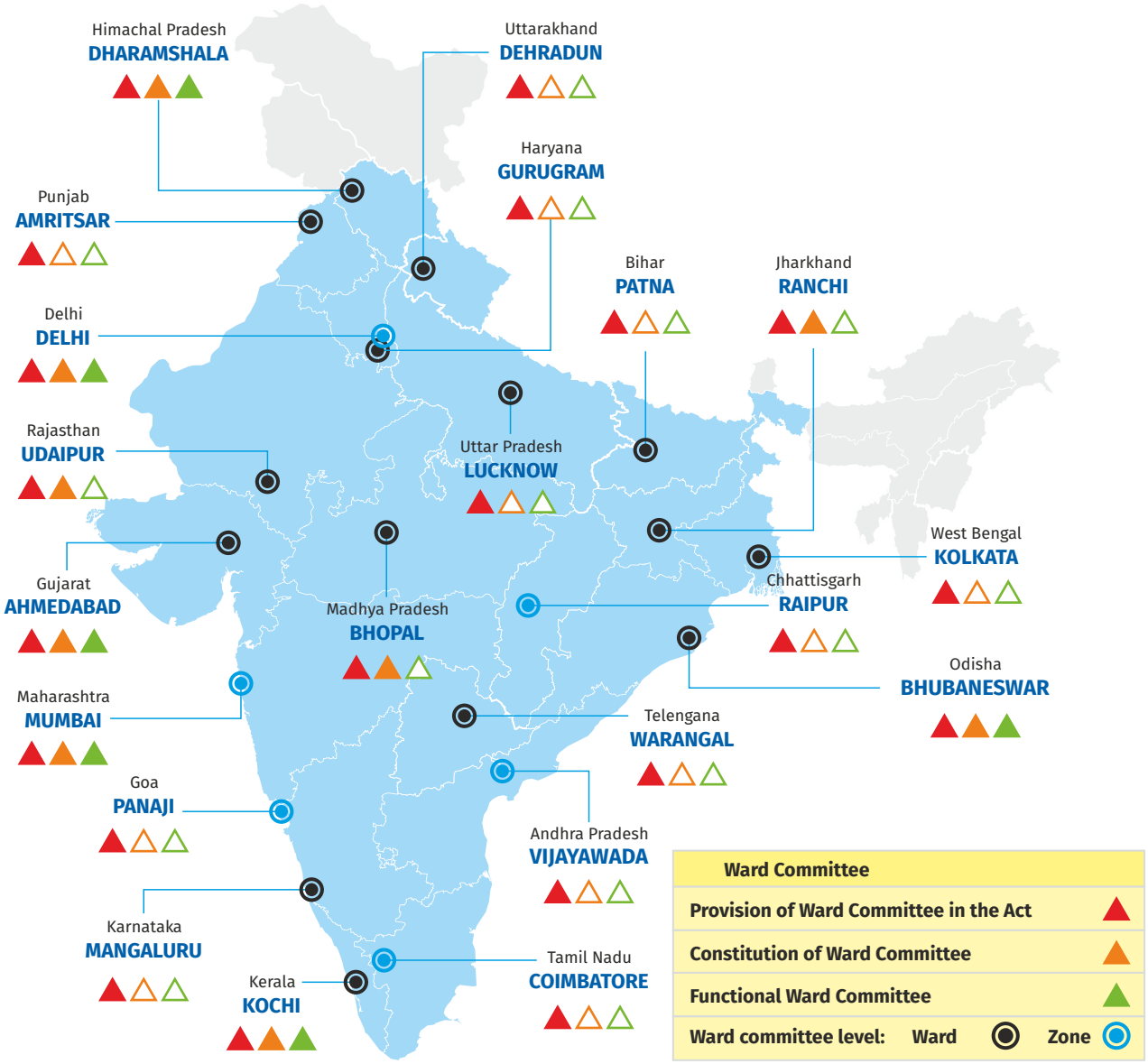
06

ACTIVE CITIZEN PARTICIPATION AND CITIZEN GRIEVANCE REDRESSAL MECHANISM

- Status of Ward Committee
- Status of Area Sabha
- Active Citizen Participation
- Citizen Charter
- Grievance Redressal Mechanism

The Directive Principles mentioned in the upcoming themes are points for deliberation and consideration as basic principles for building Urban Agenda at the National Consultation on 22nd and 23rd January 2020

6.1 STATUS OF WARD COMMITTEE



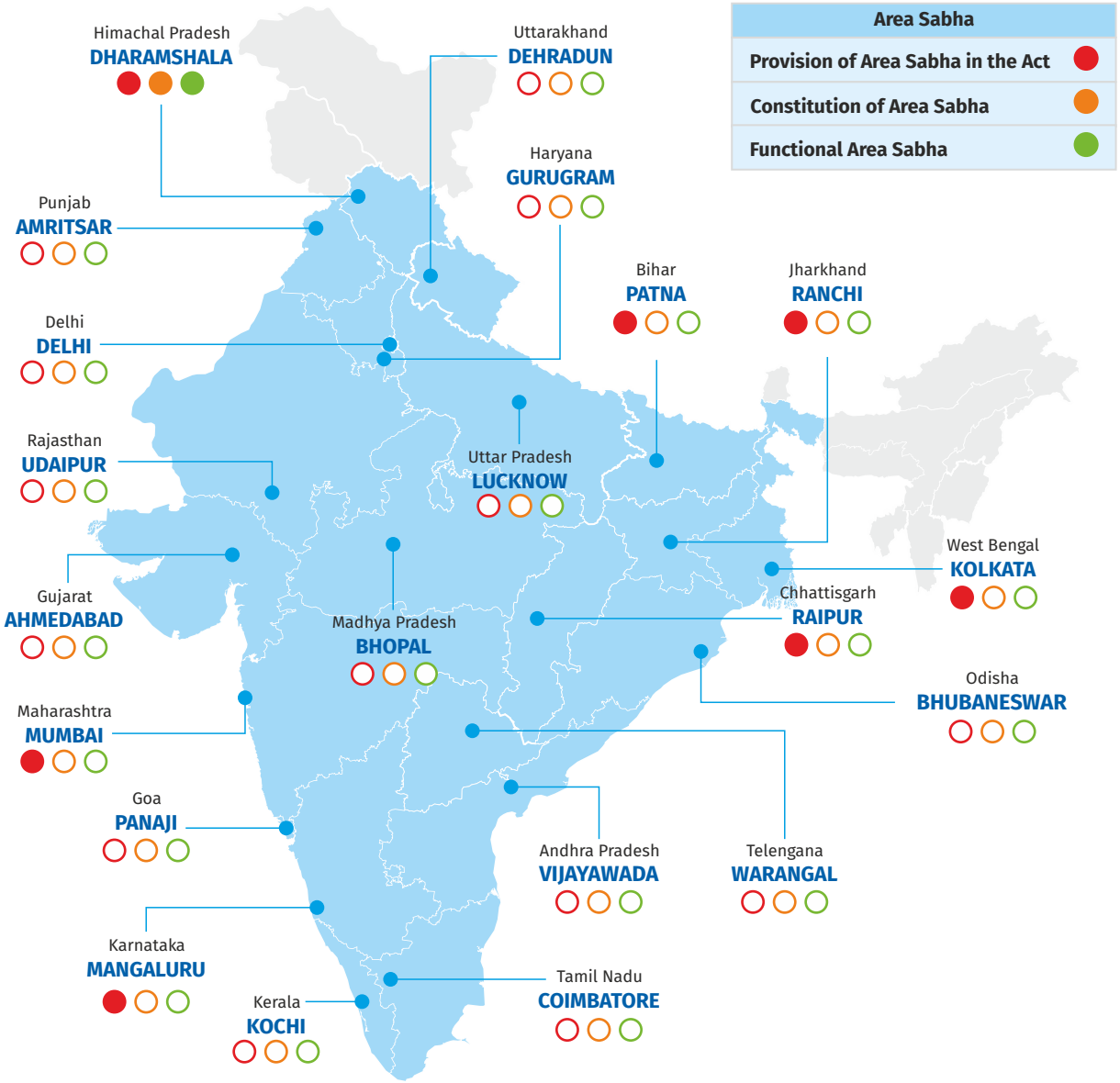
Directive Principle – Ward Committee should serve as a deliberative platform at ward constituency level.

- The ward committee should facilitate discussion.
- Suggestions from the area sabhas are consolidated and discussed for holistic ward development.

Highlights

- There is provision of ward committees in the Municipal Corporation Act of all the States.
- However, the ward committees are constituted only in Dharamshala, Delhi, Udaipur, Ahmedabad, Mangaluru, Mumbai, Kochi and Bhubaneswar
- Of the ward committees constituted, they are active only in Dharamshala, Delhi, Ahmedabad, Mumbai, Kochi and Bhubaneswar.
- These ward committees are at zonal level in cities like Delhi, Mumbai, Panaji, Coimbatore, Vijayawada and Raipur. In all other cities, the ward committees are at ward constituency level.

6.2 STATUS OF AREA SABHA



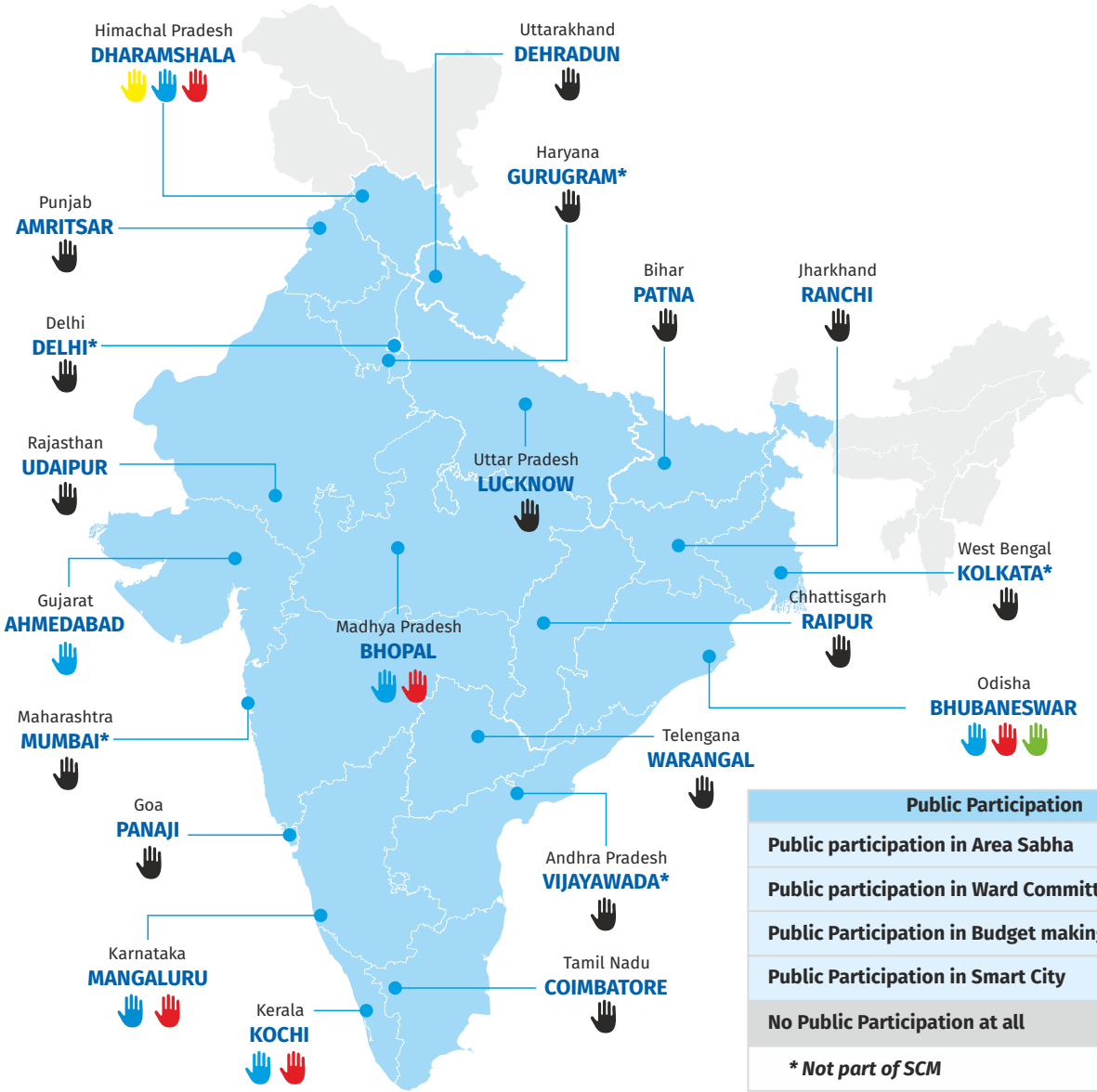
Directive Principle – City governments should facilitate deliberation through citizen participation at area sabha level.

- Model Nagar Raj bill and JNNURM stressed on the formation of area sabhas. The composition of area sabha should be inclusive of the gender and marginalised section of the society. The area sabha should facilitate citizen participation in planning and budget making process.
- There should be provision for area sabha, it should be constituted and functional as well.

Highlights

- There is provision for area sabha in the Municipal Corporation Act of Himachal Pradesh, Maharashtra, Karnataka, Chhattisgarh, Kolkata, Jharkhand and Bihar.
- However, out of these, the area sabha is constituted and functional only in Dharamshala.

6.3 ACTIVE CITIZEN PARTICIPATION



Public Participation	
Public participation in Area Sabha	
Public participation in Ward Committees	
Public Participation in Budget making	
Public Participation in Smart City	
No Public Participation at all	
** Not part of SCM*	

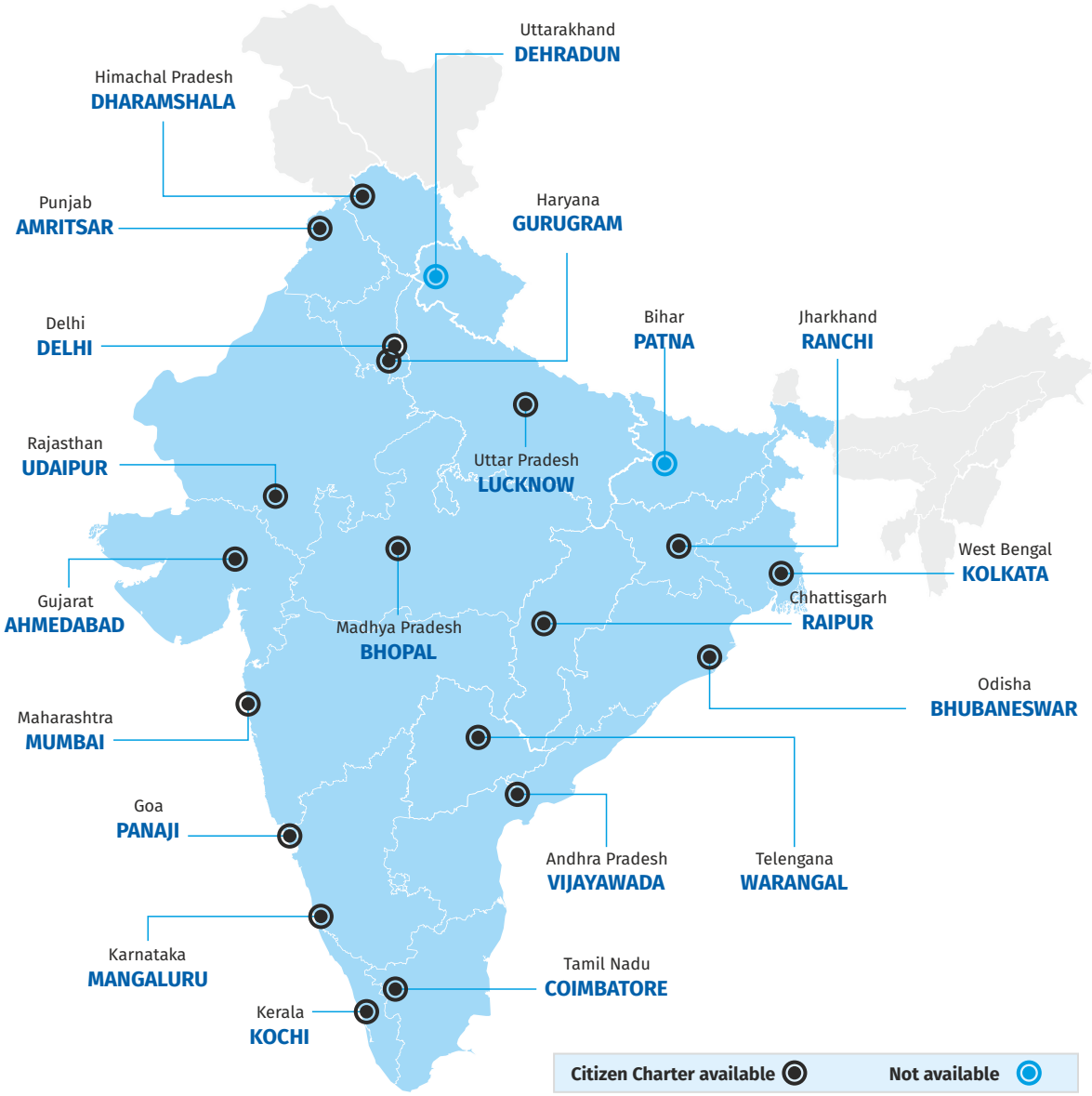
Directive Principle – There should be active citizen participation to ensure transparency and accountability in governance process

- Active citizen participation is essential for the city governments to ensure participatory and good governance principles.
- Citizen participation should take place at area sabha and ward committee level, for budget making, master plan and also in mission such as smart city mission.

Highlights

- Citizen participation is active at area sabha level only in Dharamshala out of 21 cities
- Citizen participation through attending the ward committees is active in Mangaluru, Dharamshala, Ahmedabad, Bhopal and Bhubaneswar out of 21 cities.
- Dharamshala, Mangaluru, Kochi, Bhopal and Bhubaneswar have citizen participation in budget making process out of 21 cities.
- In Smart city mission, public participation takes place only in Bhubaneswar
- Out of the 21 cities studied, public participation does not take place at all in 15 cities.

6.4 CITIZEN CHARTER



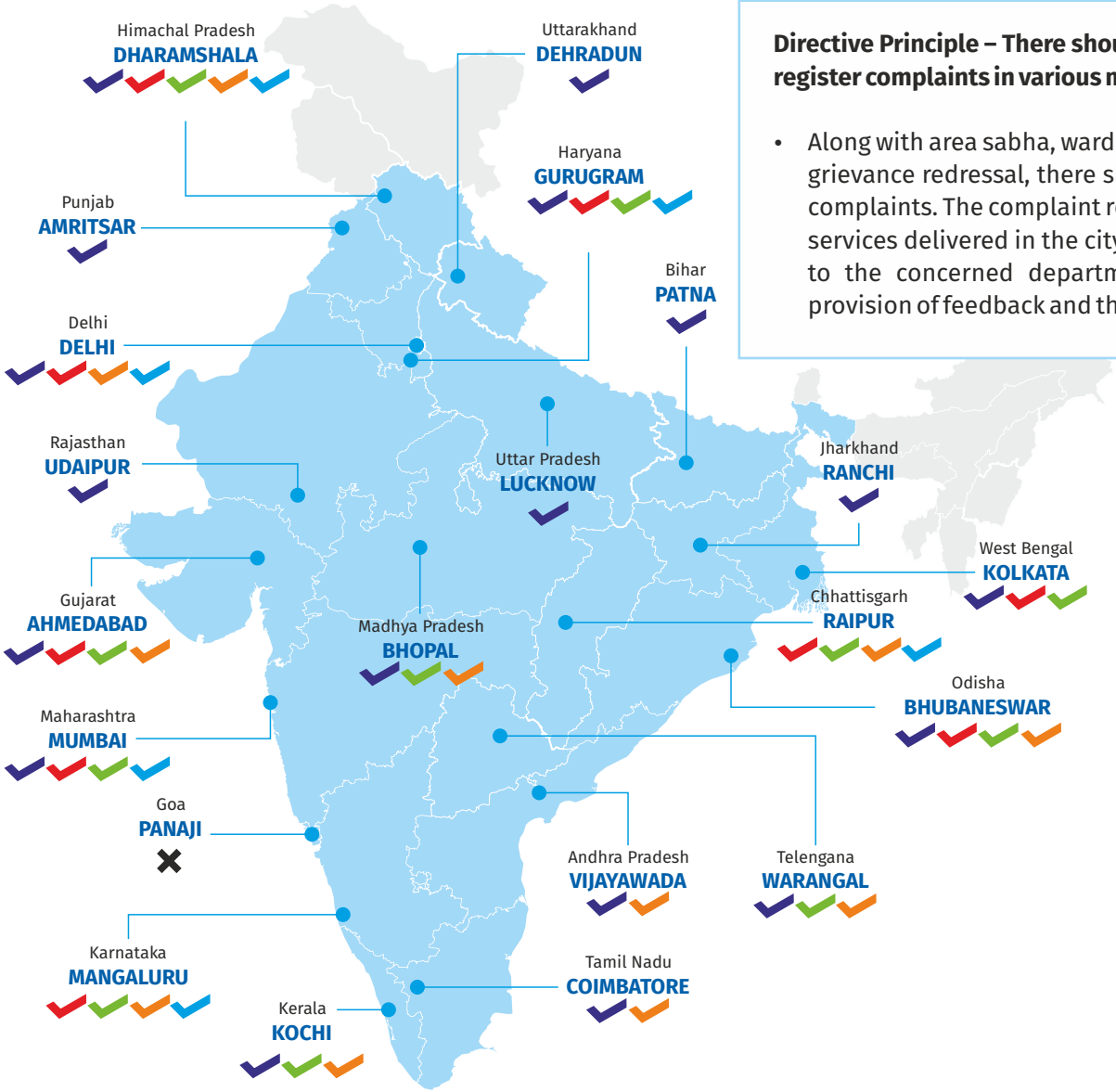
Directive Principle – Citizen charter is essential for city governments to ensure effective service delivery and be responsive to needs of citizens

- The city government is a service delivery institution. Thus, it is important for the city government to have a citizen charter to make administration accountable, ensure transparency and to ensure accessibility of the city government to the citizens.

Highlights

- Out of the cities studied, all cities have a citizen charter except Patna and Dehradun.

6.5 CITIZEN GRIEVANCE REDRESSAL MECHANISM



Directive Principle – There should be a formal technology enabled platform for citizens to register complaints in various modes.

- Along with area sabha, ward councillor, committees and council, as platforms for citizen grievance redressal, there should be a formal technology enabled platform to register complaints. The complaint redressal mechanism should be centralised for all the public services delivered in the city (through any agency city/state/central) and then directed to the concerned department. The complaint redressal mechanism should have provision of feedback and the closing of complaint should be done by the citizens.

Highlights

- All the States have a citizen complaint and grievance redressal mechanism.
- Cities like Raipur and Mangaluru do not have a citizen grievance mechanism at the city government level but the State redressal mechanism can be used.
- Dharamshala has a grievance redressal mechanism at city government level, integrating different modes, use of technology, feedback mechanism and action taken report is generated.

Citizen Grievance Redressal	
Existing Grievance mechanism of city government	✓
Integration of different modes	✓
Use of techonology	✓
Feedback mechanism	✓
Action Taken Report	✓
Complaint closed by citizens	✓
Grievance mechanism not exist	✗

6.5 FACTOID- CITIZEN GRIEVANCE REDRESSAL MECHANISM

State	City	Existing Grievance mechanism of city government	●	●	●	●	●	●
Andhra Pradesh	Vijayawada	Yes - online after registration, by hand and on call	no	no	yes	no	city government	yes
Bihar	Patna	Toll free number exists	no	no	no	no	city government	NA
Chhattisgarh	Raipur	online after registration, by hand and on call	yes	yes	yes	yes	city government	yes
Delhi	Delhi	Yes - online, by hand, app and on call	no	yes	yes*	yes	city government	Yes
Goa	Panaji	grievance redressal officer is appointed	no	no	no	no	city government	yes
Gujarat	Ahmedabad	Toll free number exists, online, sms, email	yes	yes	yes	no	city government	yes
Haryana	Gurugram	yes - online, call and by hand	yes	yes	no	yes	city government	yes
Himachal Pradesh	Dharamshala	app, call	yes	yes	yes	yes	city government	yes
Jharkhand	Ranchi	Helpline Number, email	no	no	no	no	city government	yes
Karnataka	Mangaluru	No	yes	yes	yes	yes	State government	yes
Kerala	Kochi	yes - online, by hand	no	yes	yes	no	city government	yes
Madhya Pradesh	Bhopal	yes - online, by hand, toll free	no	yes	yes	#	##	yes
Maharashtra	Mumbai	yes	yes	yes	no	yes	city government	yes
Odisha	Bhubaneswar	yes - online, call, hand	yes	yes	yes	no	city government	yes
Punjab	Amritsar	Toll free number exists	no	no	no	no	city government	yes
Rajasthan	Udaipur	City government - Online	no	no	suggestions	no	city government	yes
Tamil Nadu	Coimbatore	Commissioner grievance day	no	Yes	Yes	no	city government	yes
Telangana	Warangal	Toll free number exists, app, online	no	yes	yes	no	city government	yes
Uttar Pradesh	Lucknow	lok mangal divas, call, online	no	no	no	no	city government	yes
Uttarakhand	Dehradun	call, online	no	no	no	no	city government	no
West Bengal	Kolkata	Online, by hand	yes	yes	no	no	city government	yes

● Integration of different modes
● Use of technology
● Feedback mechanism
● Action Taken Report
● Complaint closed by
● Citizen Charter

State government portal complains generate action taken report
State government portal complaints are closed by the citizens
*only on app and call

07

ANNEXURES

- State Profiles
- City Profiles

7.1 ANNEXURE 1 - STATE PROFILES (As per census 2011)

Sr No	State	Acts in the States	Urban Population	Rural population	Total population	% of Urban population
1	Andhra Pradesh	Greater Hyderabad Municipal Corporation Act, 1955 Vishakhapatnam Municipal Corporation Act, 1979 Andhra Pradesh Municipal Corporation Act, 1994	2,82,19,075	5,63,61,702	8,45,80,777	33.4
2	Bihar	Bihar Municipal Corporations Act, 2007	1,17,58,016	9,23,41,436	10,40,99,452	11.3
3	Chhattisgarh	Chhattisgarh Municipal Corporation Act, 1956	59,37,237	1,96,07,961	2,55,45,198	23.2
4	Delhi	The Delhi Municipal Corporation Act, 1957	1,63,68,899	4,19,042	1,67,87,941	97.5
5	Goa	City of Panaji Corporation Act 2002	9,06,814	5,51,731	14,58,545	62.2
6	Gujarat	Gujarat Provincial Municipal Corporations Act, 1949	2,57,45,083	3,46,94,609	6,04,39,692	42.6
7	Haryana	Haryana Municipal Corporation Act 1994	88,42,103	1,65,09,359	2,53,51,462	34.9
8	Himachal Pradesh	Himachal Pradesh Municipal Corporation Act, 1994	60,77,900	68,64,602	1,29,42,502	47.0
9	Jharkhand	Jharkhand Municipal Act 2011	79,33,061	2,50,55,073	3,29,88,134	24.0
10	Karnataka	Karnataka Municipal Corporation Act 1976 Karnataka Municipalities Act, 1964	2,36,25,962	3,74,69,335	6,10,95,297	38.7
11	Kerala	Kerala Municipality Act 1994	1,59,34,926	1,74,71,135	3,34,06,061	47.7
12	Madhya Pradesh	MP Municipal Corporation Act 1956 MP Municipalities Act 1961	2,00,69,405	5,25,57,404	7,26,26,809	27.6
13	Maharashtra	Mumbai Municipal Corporation Act, 1888 Maharashtra Municipal Corporation Act, 1949	5,08,18,259	6,15,56,074	11,23,74,333	45.2
14	Odisha	Odisha Municipal Act, 2003	70,03,656	3,49,70,562	4,19,74,218	16.7
15	Punjab	The Punjab Municipal Corporations Act, 1976 The Punjab State Municipalities Act, 1976	1,03,99,146	1,73,44,192	2,77,43,338	37.5
16	Rajasthan	the Rajasthan Municipalities Act 2009	1,70,48,085	5,15,00,352	6,85,48,437	24.9

7.1 ANNEXURE 1 - STATE PROFILES (As per census 2011)

Sr No	State	Acts in the States	Urban Population	Rural population	Total population	% of Urban population
17	Tamil Nadu	Chennai City Municipal Corporation Act, 1919 Coimbatore City Municipal Act, 1981	3,49,17,440	3,72,29,590	7,21,47,030	48.4
18	Telangana	Greater Hyderabad Municipal Corporation (GHMC) Act, 1955 Telangana Municipal Corporation (TMC) Act, 1994	13,60,90,000	21,39,50,000	35,00,40,000	38.9
19	Uttar Pradesh	U.P. Municipal Corporation (UPMC) Act , 1959.	4,44,95,063	15,53,17,278	19,98,12,341	22.3
20	Uttarakhand	Uttar Pradesh Municipal Corporations (UPMC) Act, 1959	30,49,338	70,36,954	1,00,86,292	30.2
21	West Bengal	Kolkata Municipal Corporation Act 1980	2,90,93,002	6,21,83,113	9,12,76,115	31.9

7.2 ANNEXURE 2 - CITY PROFILES (As per census 2011)

Sr No	State	City	Status - Corporation/ Council	Area (Sq.km)	Population	Density (persons per sq.km)	No of wards
1	Andhra Pradesh	Vijayawada	Corporation	61.88	10,39,518	16,799	59
2	Bihar	Patna	Corporation	109	16,84,222	15,452	75
3	Chhattisgarh	Raipur	Corporation	226	10,10,433	4,471	70
4	Delhi	Delhi	Corporation	1497	1,10,34,555	7,371	272
5	Goa	Panaji	Corporation	8.12	40,017	4,928	30
6	Gujarat	Ahmedabad	Corporation	466	55,77,940	11,970	48
7	Haryana	Gurugram	Corporation	87	3,57,334	4,107	20
8	Himachal Pradesh	Dharamshala	Corporation	27.6	53,543	1,940	17
9	Jharkhand	Ranchi	Corporation	652	10,73,427	1,646	53
10	Karnataka	Mangaluru	Corporation	87	4,76,000	5,471	60
11	Kerala	Kochi	Corporation	94	6,02,046	6,405	74
12	Madhya Pradesh	Bhopal	Corporation	648	17,98,218	2,775	85
13	Maharashtra	Mumbai	Corporation	458	1,24,00,000	27,074	227
14	Odisha	Bhubaneswar	Corporation	186	8,40,834	4,521	67
15	Punjab	Amritsar	Corporation	170	11,32,761	6,663	85
16	Rajasthan	Udaipur	Corporation	64	4,51,100	7,048	55
17	Tamil Nadu	Coimbatore	Corporation	105.6	16,01,438	15,165	100
18	Telangana	Warangal	Corporation	471	6,27,449	1,332	58
19	Uttar Pradesh	Lucknow	Corporation	349	28,17,105	8,072	110
20	Uttarakhand	Dehradun	Corporation	64.6	5,69,578	8,817	100
21	West Bengal	Kolkata	Corporation	205	44,96,694	21,935	144

PARTICIPANTS

S.No.	Name	Organisation
1	A. K. Gupta	Additional Director, RCUES, Lucknow
2	Aditya Batra	eGovernments Foundation
3	Ajay Singhal	Councillor, Dehradun Municipal Corporation
4	Alok Shiromany	Consultant, Expert, Urban Finance
5	Amar Deep Singh	Senior Programme Officer, CUTS International, Jaipur
6	Amit	Sarokar Media Group
7	Amita Bhide	Dean, School of Habitat Studies, TISS, Mumbai
8	Amita Singh	Councillor, Dehradun Municipal Corporation
9	Ananta Suneja	Intern, Praja Foundation
10	Anantharaman	Chief Human Resource and Compliance Officer, Unichem Laboratories
11	Angelica	Friedrich Naumann Foundation
12	Anil Singhal	Former Garage Committee Chairperson, Udaipur, Municipal Corporation
13	Anindya Roy	General Manager, Tata Sons Pvt. Ltd., Mumbai
14	Anjali Sharma	Intern, Praja Foundation
15	Ankur Sarin	Professor, IIM, Ahmedabad
16	Anoop Nautiyal	Founder Chairperson, Gati Foundation, Dehradun
17	Arshpreet Kaur	Intern, Praja Foundation
18	Arun Mehra Pappal	Former Councillor, Amritsar Municipal Corporation
19	Arun Pandya	Municipal Secretary, Ahmedabad Municipal Corporation
20	Ashish Sinha	Councillor, Patna Municipal Corporation
21	Ashwini Kumar Sundaray	Former Councillor, Bhubaneswar Municipal Corporation
22	Atul Goel	President, United Residents Joint Action of Delhi
23	Aviral Dubey	Project Officer, Praja Foundation
24	B.K. Taimni	Former Secretary, GOI (ICCFG)
25	Baskar Srinivasan	Trustee, IC Centre for Governance, Coimbatore
26	Bhupender Singh Kathait	Councillor, Dehradun Municipal Corporation
27	Bibhu Prasad Sahu	Secretary, Senior Researcher, YSD, Bhubaneswar
28	C.P Singh	Former Urban Development Minister, Govt. of Jharkhand

S.No.	Name	Organisation
29	Chakshu Roy	Head, Legislative and Civic Engagement Initiative, PRS Legislative Research, Delhi
30	Chandra	NIUA
31	D. Dhanuraj	Chairman, Centre for Public Policy Research, Kochi
32	Debolina Kundu	Professor, National Institute of Urban Affairs, Delhi
33	Dhananjay Mehta	Former Councillor, Patna Municipal Corporation
34	Dhiraj Ajay Suri	Regional Manager, Asia, Cities Alliance, Bangkok
35	Satpal Singh	Urban Sociologist CRO
36	Frank Hoffmann	Interim Head, FNF South Asia, Delhi
37	G. Chandra Shekhar Gowda	COO, Sulochana Thapar Foundation, Pune
38	Gagandeep Kaur	Intern, Praja Foundation
39	Gautham Ravichander	Head, Policy Initiatives, eGovernments Foundation
40	Gupta	China India Foundation
41	Guruprasad Kamble	Project Officer, Praja Foundation
42	H.M. Mishra	Senior Consultant, AIGGPA, Bhopal
43	Harshil Suresh	Project Officer, Praja Foundation
44	J. Mandakini	Fellow, Praja Foundation
45	Jagadananda	Founder, CYSD, Bhubaneswar
46	Jagdeep Chhokar	Founder, Association for Democratic Reforms, Delhi
47	Jagmohan Singh	Founder, Lok Kalyan Samiti, Amritsar
48	Jarnail Singh Dhot	Councillor, Amritsar Municipal Corporation
49	J. P. Singh	ICCfG
50	Jayaprakash Narayan	General Secretary, Foundation for Democratic Reforms, Hyderabad
51	Jayeshbhai Trivedi	Deputy Chairperson, Health and SWM Committee, Ahmedabad Municipal Corporation
52	K.R. Subramanian	China India Foundation
53	Karamjit Singh	Mayor, Amritsar Municipal Corporation
54	Karishma Khattar	eGovernments Foundation
55	Kishore Anant Sastry	Councillor, Panaji Municipal Corporation

S.No.	Name	Organisation
56	K Sinha	Desh Ki Awaz
57	Laveesh Bhandari	Founder, Indicus Foundation, Delhi
58	Leeladhar P. Chandrakar	Former Councillor, Raipur Municipal Corporation
59	M.C. Verma	Former Technical Advisor, UNDP (ICCFG)
60	Mahesh Kapoor	Former Advisor, Planning Commission, Delhi (ICCFG)
61	Manas Gubbi	Fellow, Praja Foundation
62	Manish Shukla	Video Content Producer
63	Manoj Pandey	Urban Governance Expert, Centre for Urban Development and Research, Patna
64	Manvita Baradi	Director, Urban Management Centre, Ahmedabad
65	Meera K	Co-Founder, Citizen Matters, Bengaluru
66	Meghna Bandelwar	Project Officer, Praja Foundation
67	Meghna Malhotra	Urban Management Centre, Ahmedabad
68	Mercy Samuel	Associate Professor, CEPT, Ahmedabad
69	Milind Mhaske	Director, Praja Foundation
70	Mithika	CEPT University
71	Mohammed Abu Bakkar	Councillor, Warangal Municipal Corporation
72	Naimur Rahman	Advisor, LOGIN Asia
73	Nazeer Hussain	Former Chairperson, Cultural and Educational Committee, Vijayawada Municipal Corporation
74	Nitai Mehta	Managing Trustee, Praja Foundation
75	Nivedita Rao	Deputy Manager, Tata Sons Pvt. Ltd., Mumbai
76	Nupur Hasija	Senior Programme Manager. FNF South Asia, Delhi
77	Nupur Singh	Intern, Praja Foundation
78	Pallavi Kakaji	Manager, Praja Foundation
79	Pallab Deb	Research Associate, Nagrika
80	Partha Mukhopadhyay	Senior Fellow, Centre for Policy Research, Delhi
81	Pooja Verma	Project Officer, Praja Foundation
82	P.P. Balan	Ministry of Panchayati Raj, Delhi
83	Prabhakar Kumar Prajapati	Project Officer, Koshish Charitable Trust, Patna
84	Prabhat Kumar	President, IC Centre for Governance
85	Pramay Prakash Mainkar	Councillor, Panaji Municipal Corporation
86	Prateek Khattri	IWE-Delhi
87	Priyanka Sharma	Head - Capacity Building, Praja Foundation

S.No.	Name	Organisation
88	Priyanshi Verma	Intern, Praja Foundation
89	Rachita Vora	Co-founder, India Development Review, Mumbai
90	Radha Karmarkar	Research Associate, Nagrika
91	Rajan Mehra	Advisor, Praja Foundation
92	Rajesh	Data Collection Officer, Praja Foundation
93	Rakesh Mishra	NIUA
94	Ram Kishor Prasad Singh	General Secretary, Gram Evam Nagar Vikas Parishad, Patna
95	Rohan Chandel	Councillor, Dehradun Municipal Corporation
96	Rohin Tharakan	U Chicago Trust
97	Roshan Kumar Didla	Director, Seeds Organization, Vijayawada
98	Rupesh	Office Assistant, Praja Foundation
99	S.K. Nizamuddin	Former Finance Committee Chairperson, Bhubaneswar Municipal Corporation
100	Saeeda Khan	Councillor, Municipal Corporation, Greater Mumbai
101	Sakshi	Intern, Praja Foundation
102	Samradh Singh Chauhan	Project Scientist, IIT-Delhi
103	Sandeep Khare	Secretary, Vigyaan Foundation, Lucknow
104	Sanjay Ubale	Director, Partnerships, India, BMGF, Delhi
105	Sanjeev Vijayvergia	Deputy Mayor, Ranchi Municipal Corporation
106	Santosh	Media
107	Satarupa Bhattacharya	National Editor, Citizen Matters, Bengaluru
108	Satnam Singh Panag	Councillor, Raipur Municipal Corporation
109	Satpal Singh	NIUA
110	Shanti Narain	Former Member, Traffic Railway Board (ICCFG)
111	Shreekumar Menon	Councillor, Raipur Municipal Corporation
112	Shriya Setvi	U Chicago Trust
113	Shubham Singh	Data Collection Officer, Praja Foundation
114	Shuchi Singh	Intern, Praja Foundation
115	Shuchita Thapar	Programme Manager, FNF South Asia, Delhi
116	Simran Kaur	Intern, Praja Foundation
117	Srikanth Viswanathan	CEO, Janaagraha, Bengaluru
118	Sumangali Gada	Founder Trustee, Praja Foundation

S.No.	Name	Organisation
119	Sunny George	Director, Kerala Institute of Local Administration, Thrissur
120	Surbhi Gupta	Intern, Praja Foundation
121	Swati Kaushal	Video Content Producer
122	Syed Yawar Hussain	Councillor, Lucknow Municipal Corporation
123	Tanya Rohatgi	China India Foundation
124	Tara Krishnaswamy	Co-founder, Citizens for Bengaluru and Shakti
125	Tarini Sudhakar	Centre for Civil Society
126	Tariq Mustafa	Associate Investments, Omidyar Network, Bengaluru
127	Tarun Sharma	Co-founder, Nagrika, Dehradun
128	Tikender Singh Panwar	Former Deputy Mayor, Shimla Municipal Corporation
129	V. Ravichandar	Chairman, Feedback Consulting, Bengaluru
130	V.N. Alok	Associate Professor, Indian Institute of Public Administration, Delhi
131	Vidya Dinker	Coordinator, Citizens Forum for Mangaluru Development, Mangaluru
132	Viraj Tyagi	Chief Executive Officer, eGovernments Foundation, Bengaluru
133	Vivek Asrani	Trustee, Praja Foundation
134	Yazad Jal	Director, Centre for Civil Society, Delhi
135	Yogesh Mishra	Head-Research & Data, Praja Foundation
136	Yogesh Sagar	MLA, Former UD Minister, Govt. of Maharashtra

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PRAJA.ORG
MAKING DEMOCRACY WORK

PRAJA FOUNDATION

Mumbai (HO)
Victoria Building, 1st Floor, Agiary Lane,
Off Mint Road, Fort, Mumbai - 400001
Tel. : +91-022-2261 8042

Delhi
Room No. 215, 2nd Floor, Competent House,
F- Block, Connaught Place, Middle Circle,
New Delhi - 110001
Tel. : +91-011-23321559

www.praja.org
info@praja.org
praja.org
PrajaFoundation
prajafoundation