



## About the Project

**Launch Date of the Project**

18<sup>th</sup> February, 2016

**Project Duration**

48 Months

**Project Location**

Nagpur

**Stakeholders**

Local Government Officials, State Government, Citizens, Urban Poor, Elected Representatives, Civil Society Organisation (CSOs)

**Beneficiaries**

Citizens and officials working in Local Authority and organisations

# Municipal Officials Sensitized with Town Planning Techniques

The team Equi-city along with the Nagpur Municipal Corporation organized a workshop on Town Planning for NMC Officials on 22<sup>th</sup> August 2017. The workshop is first of its kind for sensitizing the Municipal Officials about practices in Town Planning methods/ techniques, mainly focusing on the Town Planning Schemes, Development Plan and DCR. The workshop commenced with the introduction address which was followed by the theme address, by the Deputy Addl. Commissioner Shri. Jayant Dandegaonkar and the Chairman of Nagpur Improvement Trust (N.I.T.), Shri. Deepak Mhaisekar.

The workshop included two sessions on Town Planning, Rules and Regulations and the second session on Tools and Techniques of Town Planning Schemes and DCR for Nagpur city.

The first session focused majorly on Town Planning schemes, and how to implement them in the context of developing a large municipal corporation like Nagpur. The session started with an introduction of the Bombay Town Planning Act 1915 and MRTP Act 1966. The objectives of MRTP Act were also explained. The Town Planning schemes, latest amendments in Land Pooling Act, and MRTP Act based upon the Gujarat model were also discussed. The process of Land Acquisition and Compensation was explained through an interactive discussion with help of an example



on map and calculations. Then the session was followed by the Questions and Answer (Q&A), where doubt/ queries and questions were raised from the Trainee participants.

The second session was focused on Development Plans and TDR. The Session started with the discussions on Development Plans, the availability of Finance and objectives of Development plans. Zoning of Plans and methods of Zoning were also discussed in the lecture. Further the lecture was related to mapping of existing land use in the city, preparation of land use maps, Population Projections of the city etc. It was suggested to plan according to the local needs, and instead of intervening with the

settlement. These discussions were followed by Best Practices and their experience in Planning for City of Nashik and Pune for Land use and FSI. The contents of Development Plans and Process of implementation of the Development Plans were discussed. Examples were given for Barcelona and New York. Then the session was followed by the Questions and Answer (Q&A), where doubt/ queries and questions were raised from the Trainee participants.

Second part of this discussion was focused on Transferable Development Rights. It was suggested to make a Paradigm Shift in Urban Planning while considering the DCR and Development plan together.



# Urban Local Bodies with Changing Urban Scenarios

Urban local bodies play a pivotal role in the planning and development of urban areas. The municipalities in India are confronted with a number of challenges, such as issues of bringing efficiency in the conduct of business, ensuring effective participation by the weaker sections of the population in local governance, improving financial condition, ensuring transparency in the planning and implementation of projects. All these requirements are also coupled with serious development related challenges confronting the cities of the 21st century. At the one hand, cities have to gear up for the rising demands of urbanization and to stay abreast and prepared for Government vision for Smart cities, on the other hands cities need to continuously gear up for addressing issues of environmental degradation, air pollution, climate change and increasing frequency of climate induced events and disasters.

The issue with the present capacities of the cities call for addressing each of these challenges and equipping the cities to take these challenges head on. The matter is far beyond subject knowledge, it is about tuning urban governance, management systems and skill building at all levels to address new challenges. It is also about learning from past mistakes and bringing in new and improved systems.

## Urban Local Bodies Historical Perspective

Historically the urban local bodies are existed in India from time immemorial. In ancient India, 'village republics' were in existence to administer the large area, group of villages and towns. Excavations of Harappa and Mohenjodaro are proof for existence of well planned cities in India. Writings of Koutilya and Meghasthenes give the description of city of Pataliputra and its administration during Mouryan period. Cities continue to flourish under the Mughals rule also.

The modern municipal government in urban units is essentially a creation and legacy of British rule. It was imported in India by Britishers from their own land. However, it is said that the origin of local self-government had very deep roots in ancient India. On the basis of historical records, excavations and archaeological investigations, it is believed that some form

of local self-government did exist in the remote past. In the Vedas and in the writings of Manu, Kautilya and others, and also in the records of some travelers like Megasthenes, the origin of local selfgovernment can be traced back to the Buddhist period.

The Ramayana and the Mahabharata also point to the existence of several forms of local self-government such as Paura (guild), Nigama, Puga and Gana, performing various administrative and legislative functions and raising levies from different sources. Local government continued during the succeeding period of Hindu rule in the form of town committees, which were known as (k)shthis and Mahajan Samitees. The representative character of these samitees was respected by the rulers. These Mahajans sometimes delegated their functions to their representatives or to Panehakulas (committees of five) who used to collect revenue on behalf of the state. In addition to Panchkulas, Talara, an officer of the state, supervised local administration and policing with the help of the elected representatives. In the Mauryan period followed by the Gupta era and subsequently in the medieval period, the system of local self-government continued to more or less the same. However, the system of local self-government was quite different in the Mughal period. The Mughals were fond of building new cities and Maintaining them. Those cities were, by and large, centers of trade and industry. Surat, Patna and Ahmadabad, for example, happened to be provincial capitals and offered a rich market. Whatever urban administration was there, it was autocratic in form.

## Roles and Responsibilities of urban local bodies

Introduction of the Twelfth Schedule in the constitution lists 18 functions of the urban local bodies of covering, planning, regulation and developmental aspects.

1. Urban planning, including town planning.
2. Regulation of land use and construction of buildings.
3. Planning for economic and social development.
4. Roads and bridges.
5. Water supply for domestic, industrial and commercial purposes.
6. Public health, sanitation conservancy and

solid waste management.

7. Fire services.
8. Urban forestry, protection of environment and promotion of ecological aspects.
9. Safeguarding the interests of weaker sections of society, including the disabled and mentally retarded.
10. Slum improvement and upgrading.
11. Urban poverty alleviation.
12. Provision of urban amenities and facilities such as parks, gardens, playgrounds.
13. Promotion of cultural, educational, and aesthetic aspects.
14. Burials and burial grounds, cremations, cremation grounds, and electric crematoriums.
15. Cattle pounds; prevention of cruelty to animals.
16. Vital statistics including registration of births and deaths.
17. Public amenities including street lighting, parking lots, bus stops, and public conveniences.
18. Regulation of slaughter houses and tanneries.

## Types of Urban Local Bodies

Urban local bodies in India are broadly classified as follows:

**Municipal Corporation:** Municipal Corporation is established by the Act of state government for the big cities of states and by the Act of Parliament for the big cities of Union Territories. A corporation has three authorities. First is the corporation council headed by the Mayor, who is assisted by the Deputy Mayor. The councilors and Mayor are directly elected by the people. Council is a deliberative and legislative organ of the corporation. Second organ of the corporation are the standing committees to deal with various activities like health, education, public works and are empowered to take decisions in their respective fields. The third authority of the Corporation is the Municipal Commissioner, who is a government officer and is responsible for the implementation of the decisions taken by the council and standing committees.

**Municipalities:** Municipalities are setup by the Acts of state legislature for the administration of small cities or towns. It also has three authorities. First the municipal council is the legislative branch of the municipality, and is headed by the

Chairman, who in turn is assisted by a Deputy Chairman. The standing committees facilitate the work of municipality in various fields such as health, taxation finance etc. The third authority of the municipality is the Chief Municipal Officer, who is appointed by the state government and is responsible for the general administration of the municipality. The municipality may be known by other names also such as Municipal Board, Municipal Council or Municipal Committee etc.

**Notified Area Committee:** This may be created either in a town which is fast developing or which may not fulfill the conditions for the creation of a municipality. It is known as Notified Area Committee because it is created through a notification of the state government published in the official gazette. It is not a statutory body and all its members and chairman are nominated by the government. It performs similar functions as performed by a municipality.

**Town Area Committee:** It is created by a separate Act of state government for the administration of small towns. It performs a limited number of functions like street lighting, drainage etc. As provided in the Act, it may be wholly elected or totally nominated or partly elected or partly nominated body.

**Cantonment Boards:** They are established to perform municipal functions for civilian population living in cantonment or military areas. Its noticeable feature is that it is created and works under the central Act of 1924 under the administrative control of Ministry of Defence. There are three types of Cantonment Boards depending upon the number of civilian population in the Cantonment Area. It consists of partly elected and partly nominated members.

The members are elected for a three year term. The military officer commanding the cantonment station is the ex-officio chairman of the Cantonment Board.

**Townships:** Townships are established by a public sector undertaking as its housing colony to provide civil amenities to its employees living in township. It has no elected members and its affairs are managed by a Town Administrator appointed by the public sector undertaking.

**Port Trusts:** Such urban bodies are established by an Act of the Parliament to manage and protect ports and to provide civic amenities to the port area. It is headed by an official appointed by the central government. It has both elected and nominated members.

**Special Purpose Agencies:** The state governments establish some special purpose agencies to perform some specific functions of municipalities. They function as separate bodies not under the control of municipalities. They may be created either by an act of State Legislature or by an order of the executive. Some of these agencies are Housing Board, Water Supply Undertaking, Electricity Supply Undertakings, and Urban Development Authorities etc.

### Sources of finance for ULBs

Sources of finance of urban local bodies are broadly classified as follows:

**Collection of Local Tax Revenue:** Urban local bodies levy some taxes in their area; such as octroi, property tax, profession tax, entertainment tax, advertisement tax, animal tax, market tax, water tax, pilgrim tax, toll on new bridges etc. The revenue from taxes constitutes the two-third of the total revenue of urban local bodies. Octroi has been abolished in Uttar Pradesh, which was a major source of income.

**Non-Tax Revenue:** It consists of fees, receipts, fines or income from remunerative activities of the urban local bodies. The fees is collected through various forms and processing fees. These bodies also collect some non-tax revenue through parks and exhibition grounds.

**Grants-in-Aid:** The state government gives grants-in-aid to the urban local body for special purpose. Under the 74th Amendment, a State Finance Commission is established to recommend the principles governing the grants in-aids to the urban local bodies by the state governments.

**Loans:** Under the respective Municipal Acts, the urban local bodies are entitled to raise loans from the state governments. The loans are to be paid back within prescribed time limit along with the interest. The proposals of loans are to be cleared by the Reserve Bank of India

### Challenges of Urban Services for ULBs

It is observed that increasing coverage of infrastructure is not matched by improvement in the service levels. Even though the rate of growth is lesser, the size of the urban population makes the situation complex. This is causing the deterioration of services over the years. This would affect the services further. Hence service delivery cannot be treated in isolation. Services should be focused to the urban centers as they are the major revenue generating spots.

A new approach to urban governance and service delivery is essential, which can address critical institutional roadblocks such as overlapping authorities, regulation, and limited mandate.

#### 1. Fragmentation and duplication

Service delivery is fragmented, with multiple entities involved in each service. These entities are also often accountable to different departments of the state government, which means that reform also has to involve state governments. Fragmentation of responsibility of service delivery and its duplication are common phenomena.

#### 2. Limited autonomy

ULBs have limited influence over the key service providers in their jurisdictions. Instead, key service providers are often accountable to the state government, as they are parastatal institutions. This compromises the scope for ULBs to pursue their own goals and policies in line with their city needs. Also, the state government has to prioritize between competing needs of different urban centers within its jurisdiction and it also has a wider basket of responsibilities. Thus, urban issues, especially for non-metro cities, do not get the required attention.



## Upcoming Events

- ◆ Training Workshop on Innovative Teaching Techniques  
7th September
- ◆ Training Workshops- on Disaster Response  
23rd September

### 3. Weak links with citizens

Due to fragmentation of service delivery responsibility, urban governance is not adequately responsive to citizens. Inclusion of state parastatal agencies in service delivery makes it even more remote from urban citizens. While the state government is also accountable to the citizens, it is far removed and, therefore, not in the same position to respond to local requirements. The performance criteria for service bodies are not geared towards overall service outcomes, but are more concerned with internal procedures within the government structures. This situation compromises accountability. There have however been cases of consultation with citizens.

### 4. Lack of capacity

This problem cuts across the cities and organizations and is manifested in different ways. Some departments are understaffed whereas others are staffed with people who do not have adequate skills. Performance incentives are geared towards input controls rather than service outputs so that it becomes difficult to match people having specific skills with their functional responsibility, which would enhance services.

### 5. Lack of incentives

Improving services, and changing the

management arrangements, requires that ULBs and service agencies view it to be in their interests to change the way they conduct business. A number of roadblocks weaken such incentives. The current fiscal approach does not require ULB service provider's performance to be evaluated against outcome standards. There is no provision by which a service provider may be threatened with revocation of license in case of non-performance and the reissuing of the same to another service provider. The overlapping and fragmentation mentioned above also weakens the incentives for performance because service agencies, councils and others are not held responsible for specific aspects of governance, management and service delivery.

### 6. Urban Reforms

Streamlining of the legislative and fiscal arrangements in India across the three tiers of government is a continuous process in India. There exists a sound policy framework (74th Constitutional Amendment Act, 1992, Right To Information Act, 2005 etc.), reform led nationally sponsored initiatives (Jawaharlal Nehru National Urban Renewal Mission, National Municipal Accounting Manual, Smart Cities etc.), instances of best practices at state/local level, and increasing demand from civil society for transparency and reforms.

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## PARTNERS



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FOR THE MANAGEMENT OF HUMAN SETTLEMENTS



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