

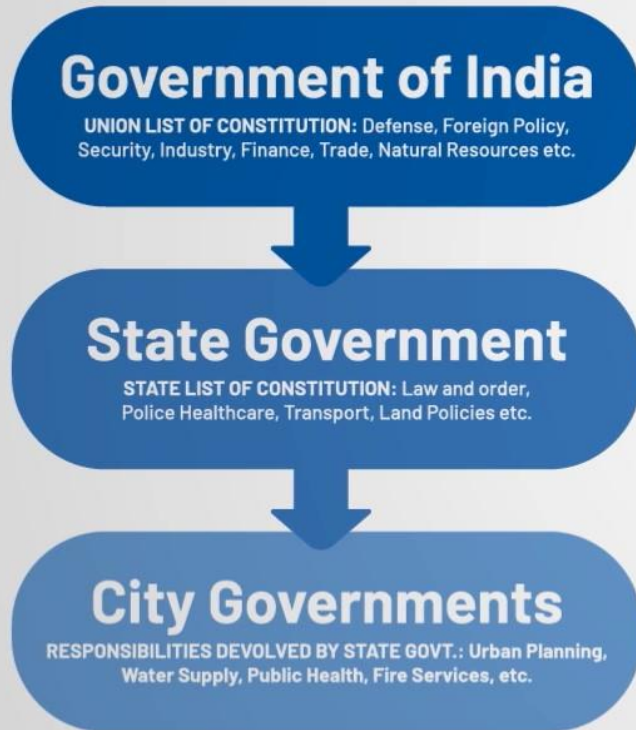
Consultation on Urban Governance Reforms for Maharashtra

29 June 2021



States need to act on devolving Funds, Functions and Functionaries to the City Government to achieve Empowered Local Self Governance and Grassroots Democracy




74TH AMENDMENT



Status of Devolution of 18 Functions

States	18 Functions																				
	1	2	3	4	5	6a	6b	7	8	9	10	11	12	13a	13b	14	15	16	17a	17b	18
Andhra Pradesh	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Arunachal Pradesh	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Assam	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Bihar	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Chhattisgarh	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Delhi	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Goa	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Gujarat	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Haryana	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Himachal Pradesh	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Jharkhand	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Karnataka	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Kerala	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Madhya Pradesh	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Maharashtra	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Manipur	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Meghalaya	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Mizoram	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Nagaland	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Odisha	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Punjab	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Rajasthan	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Sikkim	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Tamil Nadu	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Telangana	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Tripura	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Uttar Pradesh	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
Uttarakhand	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue
West Bengal	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue	Light Blue

No state has devolved all 18 functions mentioned in the 12th Schedule of the 74th Constitution Amendment act to the city governments.

-  Functions under city government
-  Functions under multiple agencies
-  Functions under State government

- 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
- 6a Public health, sanitation conservancy
- 6b Solid waste management
- 7 Fire services
- 8 Urban forestry, protection of the environment and promotion of ecological aspects
- 9 Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded
- 10 Slum improvement and upgradation
- 11 Urban poverty alleviation
- 12 Provision of urban amenities and facilities such as parks, gardens, playgrounds
- 13a Promotion of cultural and aesthetic aspects.
- 13b Promotion of Education
- 14 Burials and burial grounds; cremations, cremation grounds
- 15 Cattle pounds; prevention of cruelty to animals
- 16 Vital statistics including birth and death registration
- 17a Public amenities including street lighting, parking lots and public conveniences.
- 17 b Bus stops
- 18 Regulation of slaughter houses and tanneries



Urban Governance Study spanned over 3 years (2017-2020) in 40 cities across 28 states and National Capital Territory of Delhi

The study involved a total of 1568 interviews held with key stakeholders such as the city Elected Representatives (ERs), city administrators and city based CSOs.

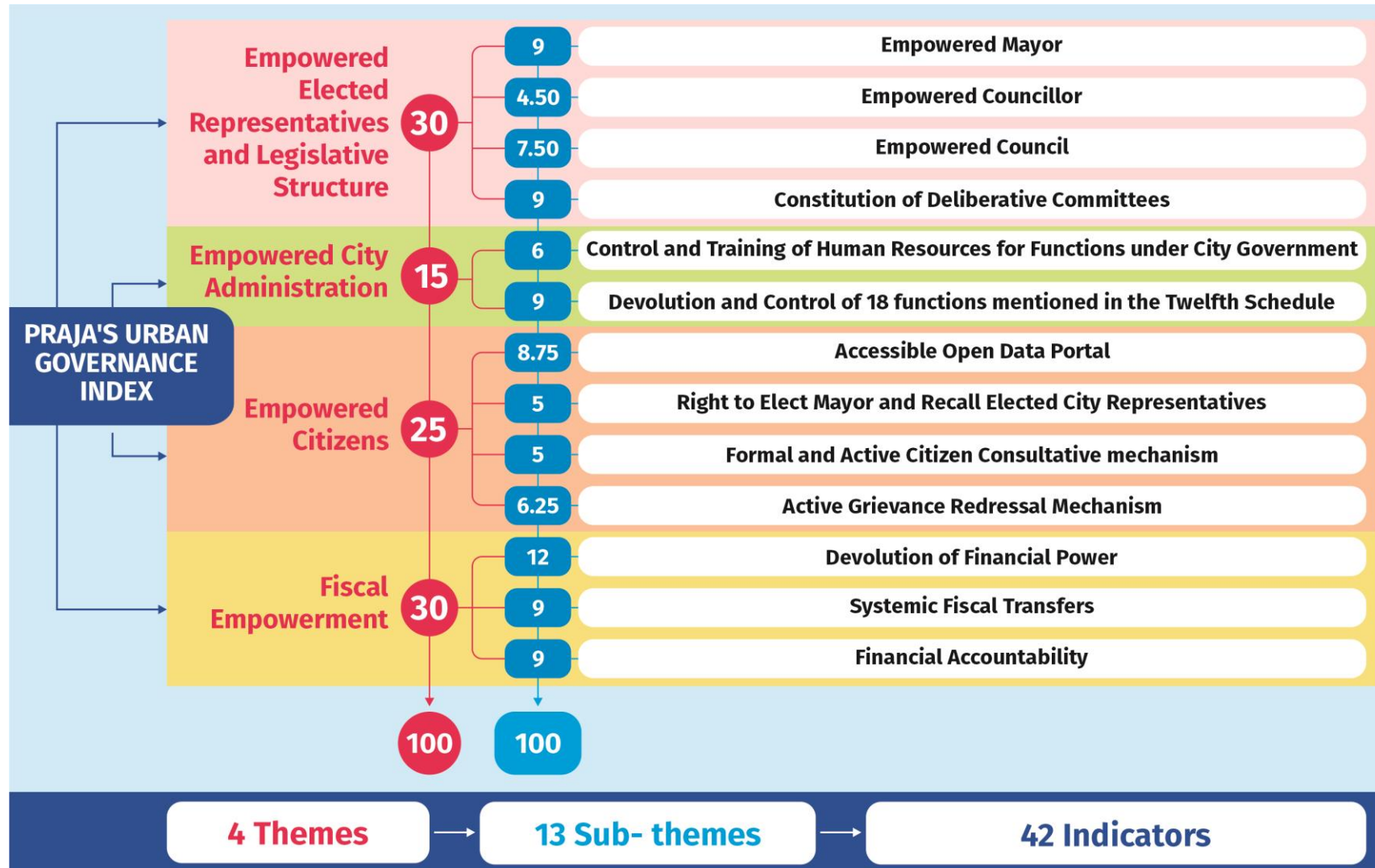
20 State level consultations, one regional consultation and a national level consultation

The Urban Governance Index ranked 29 cities across 28 States and NCT of Delhi

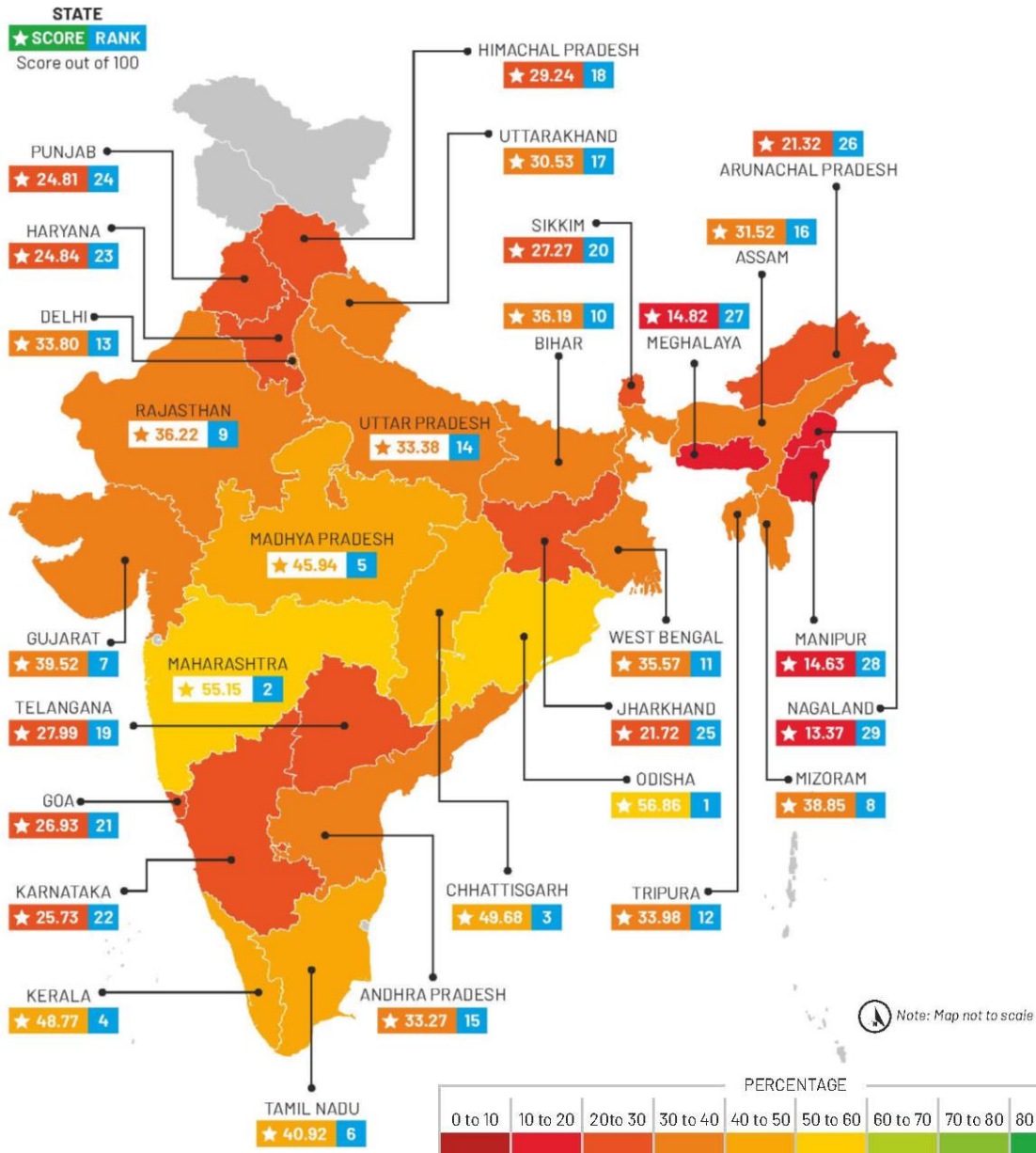
Need for an Urban Governance Index:
<https://tinyurl.com/yxrt38o9> (ENGLISH)
<https://tinyurl.com/y2gw6t4b> (HINDI)

Framework of the Urban Governance Index:
<https://tinyurl.com/y447bzvp> (ENGLISH)
<https://tinyurl.com/y47g7a9f> (HINDI)

Urban governance Index looks at the structural empowerment of the city governments by the State government.



Urban Governance Index – Rank & Score

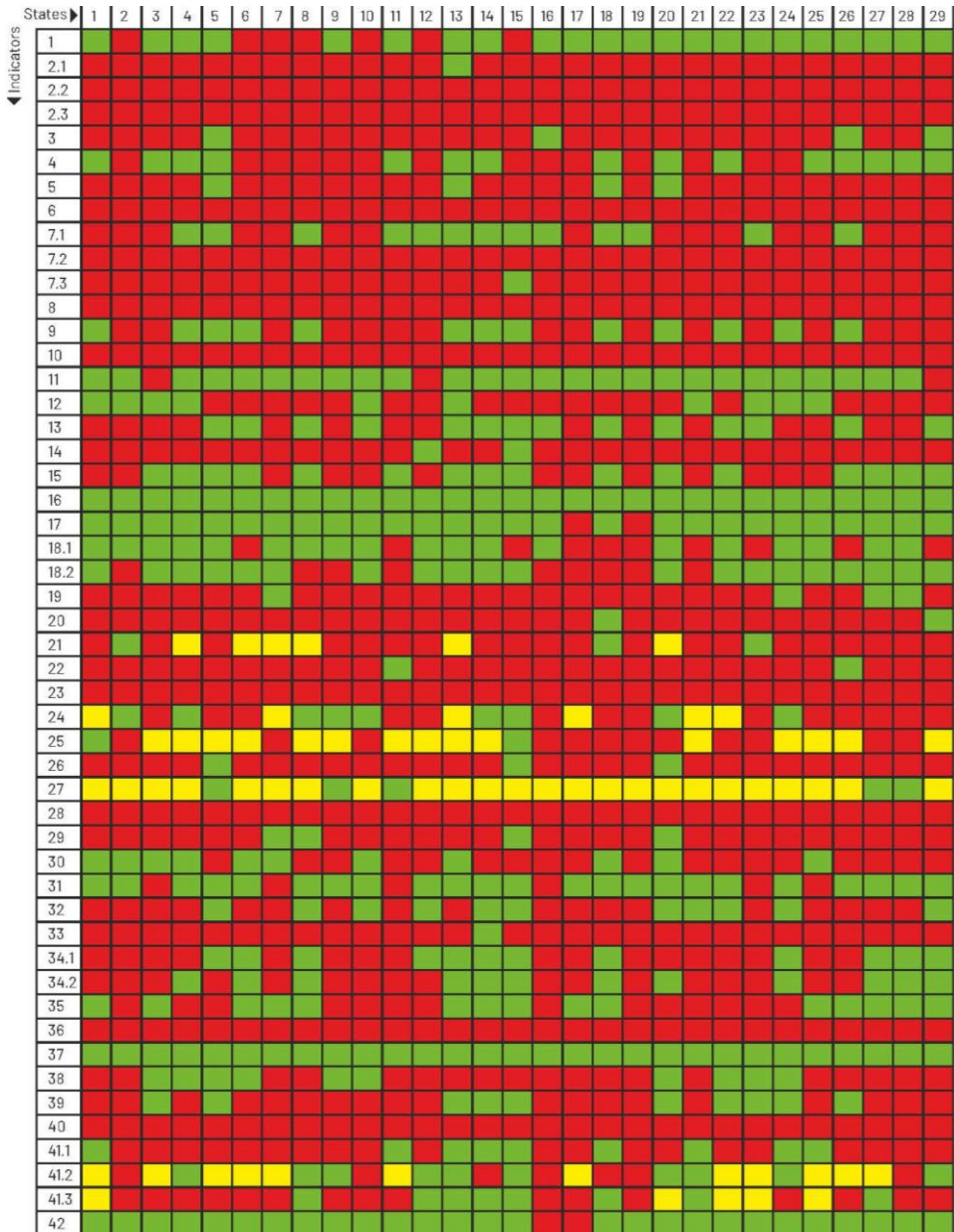


Top 5 States

Out of 100

ODISHA	★ 56.86	1
MAHARASHTRA	★ 55.15	2
CHHATTISGARH	★ 49.68	3
KERALA	★ 48.77	4
MADHYA PRADESH	★ 45.94	5

UGI : Status of Implementation of Urban Reforms



Achieved full indicator score

Achieved partial indicator score

Achieved lowest score

Most of the states have achieved the lowest scores across indicators.

STATE LIST: 1. Andhra Pradesh (Vijayawada), 2. Arunachal Pradesh (Itanagar), 3. Assam (Guwahati), 4. Bihar (Patna), 5. Chhattisgarh (Raipur), 6. Delhi (South Delhi Municipal Corporation), 7. Goa (Panaji), 8. Gujarat (Ahmedabad), 9. Haryana (Gurugram), 10. Himachal Pradesh (Dharamshala), 11. Jharkhand (Ranchi), 12. Karnataka (Mangaluru), 13. Kerala (Kochi), 14. Madhya Pradesh (Bhopal), 15. Maharashtra (Mumbai), 16. Manipur (Imphal), 17. Meghalaya (Shillong), 18. Mizoram (Aizawl), 19. Nagaland (Kohima), 20. Odisha (Bhubaneswar), 21. Punjab (Amritsar), 22. Rajasthan (Udaipur), 23. Sikkim (Gangtok), 24. Tamil Nadu (Coimbatore), 25. Telangana (Warangal), 26. Tripura (Agartala), 27. Uttar Pradesh (Lucknow), 28. Uttarakhand (Dehradun), 29. West Bengal (Kolkata)

For indicator numbering refer to chapter 4 Indicator Directive Principles of UGI document (https://www.praja.org/praja_docs/praja_downloads/UGI2020.pdf)

Urban Governance Reform Recommendations for Maharashtra



- There should be provision in the state municipal act for **regular and mandatory training for councillors**.
- City Government should have detailed '**Corporation Procedure and Conduct of Business Rules**'.
- The term of the Mayor's office should be **co-terminus** with term of City Government. This means the Mayor's term needs to be changed from 2.5 years to 5 years. *(MMCA, 1888, Section 37 and MMCA, 1949, section 19)*
- The Mayor should hold **executive authority** over the Commissioner. This essentially means the (i) Mayor should hold independent authority to write ACR and conduct appraisals of the Commissioner and, (ii) hold authority to appoint and terminate the Commissioner subject to ratification in the council.
- An apex committee system such as **Mayor-In-Council** needs to be constituted. The Mayor should be the chairperson of the committee. *(MMCA, 1888, Section 44 and MMCA, 1949, section 20)*

- A robust and detailed corporation procedure rules (CPR) will consist of well laid-out details and procedures of conducting in council and committee meetings, which will ensure **structured discussions and deliberations** adhering to prescribed set of rules.
- Without a CPR, there will be **no structured procedures** followed in meetings, which will **impact decision making**.
- The Corporations in Maharashtra except Municipal Corporation of Greater Mumbai (MCGM) **do not have detailed CPR**.

- City administration should hold **authority to sanction posts** for recruitment of required human resource.
(MMCA, 1888, Section 74 (3g) and MMCA, 1949, section 39A, 40, 45-45B, 51)
- An **autonomous body** need to be set up for **recruitment of municipal officials** for the city administration.
- Provisions of **regular and mandatory trainings** for the city administration also need to be framed.
- State Government needs to **devolve all 18 functions** mentioned in the [Twelfth Schedule of the 74th Constitutional Amendment Act](#) under the control of the city government.

- There should be an **open data portal** of the city government where data related to the service delivery of city government is published.
- **Area level elected representatives** should be members of the wards committee. *(MMCA, 1888, section 50TT(2) and MMCA, 1949, section 29A (2))*
- **Direct election of Mayors** is recommended for direct influence of citizen and for the purpose of larger mandate. *(MMCA, 1888, Section 37 and MMCA, 1949, section 19)*
- Citizens should be given final **right to recall** their councillor. *(MMCA, 1888, Section 18IA; MMCA, 1949, section 13)*

- The city governments should **publish the budgets and accounts** of the **last three years** on the website.
- The city government should have independent authority to **introduce new taxes/charges** as per State Municipal Act. (*MMCA, 1888, section 196 and MMCA, 1949, section 150*)
- The City Government budget should include the **budget statements of all parastatal agencies** operating in the city.
- City Government should receive a **direct percentage share of GST**.

1. Which are the reforms that can be targeted for implementation to empower urban governance in Maharashtra?
2. How to proceed forward for ensuring implementation of the targeted reforms?

- Corporation procedure rules lay out the details and procedures of conduct to ensure structured discussion and deliberation in council and committee meetings. Therefore, a **standardised robust and detailed municipal corporation procedure and conduct of business rules** to be drafted and approved for all municipal corporations in Maharashtra.
- It is observed that the newly elected councillors need 2-3 years to understand the procedure of working of the corporation, municipal corporation act and the budget processes and departments due to absence of a robust training system. Therefore, provision for **Regular and Mandatory trainings for councillors** in the state municipal acts of Maharashtra should be made and strictly implemented.
- Citizen participation in governance process is the key to effective governance. Citizen participation in planning, consultation and feedback should be included through **area sabha** or similar platforms like a robust **e-governance system** in with provision for **Open Data Portal, Transactions, Public Grievance Redressal Mechanism and Citizen Participation Forum**.
- Mayor being the head of city government, should have *de jure* and *de facto* executive powers which should be implemented through **Mayor-in-Council system** and **direct election of Mayor** in Maharashtra.
- Cities are complex systems and specialised skills are required to run and manage them. There is need for forming a **special municipal cadre** having required skills. Their capacity should also be built with **regular and structured trainings**. This will ensure effective functioning in metropolitan cities as well as smaller city governments.
- The city governments need to be empowered financially through **direct transfer of GST** and with **authority to raise own finance** through increasing the collection of property tax and introduction of new taxes.

Thank you



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