



URBAN GOVERNANCE DIALOGUE

Transforming Urban Governance

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Exploring Urban Governance Initiatives of “West Bengal”

Case Studies from Praja’s Urban Governance Study (Part 4)

The history of urban governance in the state of [West Bengal](#) can be traced back to the British regime during the 18th century. The concept of 'Urban Local Bodies' (ULBs), which includes Municipal Corporations, Municipalities, and Notified Area Authorities, was introduced during this period. The establishment of Mayor's Courts in Madras, Bombay, and Calcutta through the Royal Charter of 1720 marked an important step in this direction.

Among these, [Kolkata Municipal Corporation \(KMC\)](#), previously known as Calcutta Municipal Corporation, stands as one of the oldest municipal bodies in the country. It was officially formed in 1726 under a Royal Charter. As the British Government expanded its influence and made Calcutta the capital of British India in 1773, the municipal services underwent significant development and growth. The [Government of India Act \(1935\)](#) further played a crucial role in shaping the urban governance landscape of Bengal, as it established the province as an autonomous entity in 1937.

West Bengal has been home to world-famous figures like Mother Teresa, who is regarded as a symbol of selfless devotion. In a bid to continue their work towards welfare, the Government of West Bengal has initiated several schemes and programmes aimed at empowering women in the cities.

In West Bengal, [Praja](#) visited Kolkata Municipal Corporation and [Asansol Municipal Corporation](#) to study deliberation and functioning of city government. During the study, we particularly discovered two interesting case studies; one related to the urban governance structure and second women empowerment scheme in the state.



Dual Mandate

The [74th Constitution Amendment Act, 1992](#), recognises the Indian Government structure in three tiers: union, state and local. It devolves powers and functions to Urban Local Bodies (ULBs) to enable them to act as local self-governments and function as the third tier of government. Local Governments are the closest to understanding the problems and needs of their citizens and are therefore best equipped to make policies, decisions, and implement projects. Elected councillors in India serve as a vital link between citizens and the government, acting as the closest point of contact for the people they represent.

While the role of elected representatives is very crucial in the development of the city, many countries observe the practise of ‘**dual mandate**’, a situation in which an individual simultaneously holds positions or mandates at both the national or subnational level (such as being a member of a parliament) and at the local level (such as serving as a council member). The political and legal approaches towards this practise differ widely across the national and international scope in various European countries.

In countries with bicameral legislatures, such as India, where both the upper house (Rajya Sabha) and lower house (Lok Sabha) coexist, an elected representative **cannot** simultaneously hold the position of two houses of the Union Government or between Union and any of the State Governments. **Article 101(1), (2) and (3) of the [Constitution of India](#) read with Sections 68, 69, and 70 of [The Representation of the People Act, 1951](#)** states that neither a person shall be a member of both Houses of Parliament, nor both of Parliament and of a House of the Legislature of a State at the same time. S/he has to vacate one office before acquiring the other one. A very recent example of such an event took place in 2011 when Ms Mamata Banerjee vacated her seat as the second term Minister of Railways of the Government of India after winning the West Bengal State Assembly elections and took forth to become the Chief Minister of West Bengal.

However, such a mandate does not extend between city and state or union governments. There are no legal restrictions preventing an elected representative from serving in both the capacities of a council member and a member of state legislative or parliament. The permissibility of holding multiple positions can be seen in the states of Maharashtra and West Bengal, where a sitting Councillor can hold the post of a Member of Legislative Assembly (MLA) or a Member of Parliament (MP) at the same time.

Section 13 of the [Kolkata Municipal Corporation Act, 1980](#) was amended in 2003 allowing the mayor to withdraw remuneration for only one role if the individual simultaneously holds a position in the state assembly. Later, this was also added as **Section 28 of the [West Bengal Municipal Corporation Act, 2006](#)**. Currently, **Kolkata Municipal Corporation has six MLAs and one MP who hold positions as Councillors**. Some of them also hold important portfolios in the Mayor-in-Council of the Corporation and/or are ministers in the state government, which makes their work even more challenging. Moreover, the Mayor of Kolkata Municipal Corporation also holds the office of Urban Development Minister of West Bengal. Similarly, **Asansol Municipal Corporation also has an MLA who is serving as the Mayor of the city**. This shows that dual mandate is heavily practised in West Bengal and the necessary steps need to be taken to prevent this practise.

Mumbai also had similar events in the recent past where several councillors were elected as MPs in the 2019 Lok Sabha elections. Although the Brihanmumbai Municipal Corporation elections are currently on hold since its last term ended in 2022, the MPs continued their duties as councillors of the economic capital of India until then.

The practise of dual mandate causes inefficiencies in the duties of the elected offices and thereby influences the outcome of good city governance, as the functions for both posts vary. The responsibilities of State Government officials and City Government officials are dissimilar and require dedicated time from the elected representatives. Therefore, it is for the betterment of the city that there should only be 'one person for one post.' This will ensure the efficiency of the roles and proficient service delivery.

On the contrary, [Jharkhand Municipal Act, 2011](#) is the only state municipal act to forbid the practise of dual mandate between city and State/Union. **Section 18 (3) of the act** reads as, "If a person, who is chosen as a member of a Municipality, is or becomes a member of Lok Sabha, Rajya Sabha, Legislative Assembly, or is or becomes a member of Panchayat or Mukhia or Sarpanch then within fifteen days from the date of commencement of the term of office of a member of the Lok Sabha, Rajya Sabha, Legislative Assembly or a member of a Panchayat or Mukhia or Sarpanch, his seat in the Municipality shall become vacant unless he has previously resigned his seat in the Lok Sabha, Rajya Sabha, Legislative Assembly or Panchayat, as the case may be."

Kanyashree Prakalpa and Rupashree Prakalpa Scheme

The Government of India has taken significant steps to promote women empowerment through various schemes and policies, such as **Beti Bachao Beti Padhao**, **Pradhan Mantri Matru Vandana Yojana**, etc., to reduce their challenges prevailing in society. These initiatives aim to elevate the status of well-being of women and address pressing issues such as maternal mortality, female infanticide, and female foeticide.

Child marriage continues to persist in **West Bengal**, despite the Prohibition of Child Marriage Act, 2006 (PCMA), which sets the legal marriage age at 18 for girls and 21 for boys. West Bengal ranks fifth highest in the prevalence of child marriage, with almost half of girls being child brides. This gendered practise primarily affects girls and is a form of sexual abuse, negatively affecting their health, empowerment, and exposing them to exploitation like child labour and trafficking. The link between child marriage and school dropouts is evident, as girls' attendance decreases significantly in the transition to secondary school. Poverty plays a role in perpetuating child marriage and the feminization of poverty. Despite efforts by the Department of Women Development and Social Welfare and Child Development (DWD) to campaign against child marriage and enforce legal provisions, the deeply ingrained tradition and patriarchal justifications require broader social change to empower girls and eliminate the practise. In order to disincentivize such practises of child marriages in the state. The Government of West Bengal launched two schemes, the [Kanyashree Prakalpa](#) and the [Rupashree Prakalpa](#) for the welfare of the girls in the state.



Kanyashree Prakalpa is an initiative taken by government of West Bengal to improve the lives and status of girls by providing cash incentives to economically backward families. This aims to ensure that girls continue their

education and delay their marriages until they reach the age of eighteen, and to prevent families from arranging marriages for their daughters before the age of eighteen due to economic problems. Cash transfer is provided under two major conditions: – (i) An annual scholarship is granted to girls between the ages of thirteen and eighteen, who are studying in standard VIII or above, for every year they remain in education, provided they are unmarried at the time (ii) A one-time grant is given after a girl turns eighteen for her academic or occupational purposes, provided she is unmarried. This scheme also caters to an underlying objective of disincentivizing marriage until at least the legal age of marriage for girls, thereby reducing the risks of early pregnancies, associated risks of maternal and child mortality, and other debilitating health conditions, including malnutrition.

The Kanyashree Scheme, launched in 2013, garnered international praise, leading to Chief Minister Mamata Banerjee receiving the [United Nations Public Service Award](#) in London. Post this appreciation; the state government announced the **Rupashree Prakalpa Scheme in 2018**. The Rupashree Scheme aims at mitigating the difficulties that poor families face in getting the expenditure of daughters' marriage.

RUPASHREE PRAKALPA SCHEME



Rupashree Prakalpa is an initiative of the West Bengal government that provides a one-time financial grant of ₹25,000 for economically stressed families during their daughters' marriages. The objective of this scheme is to alleviate the financial burden faced by poor families who often borrow money at high interest rates. Apart from reducing the debt of economically weaker sections, this scheme has also managed to keep girls in school until the age of 18 years. This scheme has tremendously **reduced child marriages** and has reduced the loans taken from moneylenders at a higher interest rate for a daughter's marriage.

While this scheme has provided much-needed financial assistance to economically disadvantaged families, it majorly fulfils the larger agenda of empowering women. It helps promote the idea that women are not financial burdens on their families, but rather individuals capable of making significant contributions to society.

Rupashree Prakalpa has played a role in addressing certain social challenges like early marriages, as families may feel less compelled to marry their daughters off at a young age due to financial concerns. Additionally, the scheme may help curb practises like dowry, as families are better equipped to handle marriage expenses without resorting to demanding dowry. The scheme's focus on supporting the marriage of girls may have a positive impact on the gender ratio, as it encourages families to celebrate the birth of daughters and invest in their futures. The

introduction of the Rupashree Prakalpa Scheme has also raised awareness about women's issues and the importance of promoting gender equality within society.

"Even though the scheme is designed to support a girl's family for her marriage expenses, it has a positive impact on other aspects of a girl's life. The girl is kept in school until at least 18 years of age, and in some cases, it has led to many girls continuing their college education to complete graduation and beyond. This has enabled many women to seek jobs and become financially independent as well."

- Councillor, Asansol Municipal Corporation

References:

- [Rupashree Prakalpa Scheme Guidelines, রূপশ্রী বিবাহ সহায়তা প্রকল্পের নির্দেশিকা \(govtschemes.in\)](http://govtschemes.in)
- [West Bengal Rupashree Prakalpa Scheme 2022 - Application Form, Eligibility, Status Track \(corpseed.com\)](http://corpseed.com)
- [Role-of-government-on-women-empowerment-in-India.pdf \(researchgate.net\)](http://researchgate.net)
- [KanyashreePrakalpaMilestonetowardsWomenEmpowermentASWOTAnalysis.pdf](http://myscheme.gov.in)
- [Kanyashree Prakalpa \(myscheme.gov.in\)](http://myscheme.gov.in)

Also read:

[Case Studies from Praja's Urban Governance Study \(Part 1\)](#)

[Case Studies from Praja's Urban Governance Study \(Part 2\)](#)

[Case Studies from Praja's Urban Governance Study \(Part 3\)](#)

We would like to know your views and feedbacks based on the above information shared. Feel free to reach us at info@praja.org

Kind Regards,



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