

PRAJA'S URBAN GOVERNANCE REPORT Mumbai & Delhi







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Praja Foundation

www.praja.org Founded: 1998 | Head Office: Mumbai | Coverage: Mumbai, New Delhi | Full Time Staff: 39 | Budget (2017-18): Organization - INR 3.60 Crore



ORGANIZATION OVERVIEW

Praja is a non-partisan voluntary organisation enabling accountable governance. 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 mobilise action by the government and elected representatives.

THE PROBLEM

Indian cities have long suffered the neglect of policy makers, and with increasing urbanisation, there is an urgent need to transition from the colonial mind-set of ruling to governing

PRAJA's RESPONSE

This will mean that we will need to tip the status quo and strive for not just "smart cities" but "smartly governed" cities

HOW DID IT EVOLVE?

1999	2003	2005	2008-2012	2013-2015	2017
Praja, along with the Brihan Mumbai Municipal Corporation (BMC), created Mumbai's first Citizen Charter	Teamed up with BMC and built its citizen's grievance redressal mechanism, The Online Complaint and Management System (OCMS), and conducted complaint audits in the ensuing years	Published Mumbai Citizen's Handbook to demystify governance in Mumbai; About 2 lakh copies distributed	Initiated Praja Dialogue; launched CityScan, an online collation of extensive data on civic and security Issues in Mumbai; Published Councillor handbook; and annual report cards on MLAs and Councillors	Conducted workshops with elected representatives, educating them on policies and roles; started the Delhi Chapter to replicate the model developed in Mumbai	Embarked on building evidence to create a case and eventually build roadmaps for transforming urban governance in India





WHAT DOES IT DO?

Praja engages the three constituents of governance in an informed dialogue that ultimately enables improved quality of urban life for all:

- Elected Representatives (Councillors, MLAs, MPs);
- Government (including administration); and
- Citizens (including all citizens, citizen groups and media)

It conducts in-depth research on civic issues, health, crime, education, working of elected representatives and housing in Mumbai and Delhi. Upon analysing data collected from surveys and the government through Right to Information (RTI) applications, Praja reports its findings to the concerned constituents of governance with feedback and recommendations. The end products of its work are:

- Handbooks and report cards for MLAs and Councillors, rating their performance against parameters such as attendance, money spent, questions raised in committees, and pressing issues in their constituencies. It has published 8 MLA and 6 Councillor Report Cards on Mumbai and Delhi.
- Capacity building initiatives such as one-on-one meetings and workshops to guide elected representatives on their roles. It has conducted over 773 Councillor meetings, 50 MLA meetings and 28 workshops for elected representatives.
- White papers identifying civic-security issues. The monthly newsletter reaches out to over 13,000 readers including government officials, non-profits, and civil society.

KEY INTERVENTIONS

- 1. Building awareness and mobilising citizens
- 2. Training citizens for public engagement
- 3. Creating knowledge and evidence
- 4. Advocacy for policy design and implementation
- 5. Technology platforms and solutions

- 6. Facilitating independent and inclusive journalism
- 7. Capacity building of government officials
- 8. Capacity building of local partners
- 9. Facilitating platforms for multi-stakeholder engagement





Introduction

Praja has launched a study on urban governance systems in India. The study has two parts:

- First, a study on urban governance reforms and existing governance and institutional models in place across Indian cities. Mapping the implementation of 74th Amendment across Indian states/cities. We aim to do this in 5 states per quarter/20 states by the end of the year. This is being carried out in partnership with Nagarika. In each state we will be looking at 2 cities.
- Second, a series of interviews with elected representatives and the Executive- to understand the urban governance challenges from the perspectives of different stakeholders to complement the work that Nagarika are doing. In each state we will be looking at carrying out interview in 1 city each.

We have completed the interviews in Mumbai and Delhi. These interviews have provided richer insights into the motivations and relationships between the Executive and the elected wing, the challenges key stakeholders face, and where they stand on the question of urban governance reforms.

Praja organised its first roundtable to initiate conversation on transforming urban governance. The roundtable had the presence of various stakeholders; civil society organisations working in urban governance, former members of the city and state executive and elected members of the city corporations from Mumbai and Delhi from across party lines.

Objectives of the Roundtable

- 1. Discuss the emerging themes from the interviews and identify the key problems facing Indian cities.
- 2. To share our initial findings with urban governance experts, get critical inputs on the survey methodology, and the robustness of the results to help shape our plan going forward.

The Roundtable facilitated discussions in understanding the key problems facing Indian cities, and the possible solutions surrounding these issues. It was broadly agreed that there is a need to redefine the services delivered by municipal governments in India. The panel questioned whether the decentralization model as it stood today, was serving its purpose. It also evaluated the question of empowered mayors. The experts discussed the need to look at revenue optimization in municipal bodies, and identified the issues surrounding the role of the State Finance Commission.

The data and solutions in this report, capture the reflections of different respondents, and comments made by experts during the roundtable discussions, and they are not indicative of Praja Foundation's views.



Objective

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. Governance structures and service delivery;
- 2. Resources (staff, finance, and skills) available to the Municipal Corporation;
- 3. Municipal finance and citizen participation.

Interviews

As a part of the study, 63 interviews were carried out in Mumbai and Delhi between 7th November 2017 to 20th January 2018. The sample included Members of Legislative Assembly (MLAs), city councillors and members of the Executive. The participants were representative of gender and political parties at the state and city level.

The analysis in the next section is based on a sample of 63 participants.

- The interviews were qualitative and the figures indicate the number of people who highlighted a particular issue.
- The percentages shown in the analysis are not mutually exclusive. Participants could have given more than one of the answers.
- The solutions capture the reflections of different respondents, and are not indicative of Praja Foundation's views.

The City Profiles of Mumbai and Delhi have been added as Annexure 1 and 2 respectively. The Interview Questionnaire for MLAs, Councillors and Executive have been added as Annexure 3 and 4.



Analysis

Methodology: Interviews with Elected Representatives and City Executive



Elected Representative	Calculation	Tier 1 city (E.g. Mumbai)	Tier 2 city (E.g. Bhopal)
No. of MLAs		36	7
No. of councillors		227 + 5 (nominated members)	85
MLA	10% of total MLAs in the city or a minimum of 2 whichever is greater.	4	2
Councillor	10% of the Councillors or a minimum of 3 Councillors per MLA approached, whichever is greater.	3	3
No. of MLA x Councillors		4 x 3	2 x 3
	Sample for councillors		
	16	8	

- Councillors and MLAs are selected at random. The sample is representative of the gender and party mix.
- Councillors in key positions are approached if they are not covered in the random sample Mayor/Deputy Mayor, Ward Committee Chair, Standing Committee Chair, Chairs of important statutory committees.
- All Municipal Commissioners are invited to participate + a sample of senior and junior municipal officials selected at random



1.1 Primary Roles of Elected Representatives and the Executive

- Councillors identified their primary role as solving citizen's problems and supervising service delivery.
- MLAs saw their main role as the supervision of services delivered by the state government, addressing citizen's complaints and policy making.
- The Executive saw their primary role in the context of their individual posts: the supervision (senior staff) and delivery (junior staff) of services within their functional areas.



Primary role of a councillor

GO



Primary role of a MLA

"Have to address the deficiencies of the system in the past years. For example, if the Delhi Water Board officers aren't working properly, or of Municipal Corporation of Delhi (MCD), or Public Works Department (PWD) then we have to interfere in that also. Whatever the peoples' troubles are we have to solve them in tandem with the corporation. This is an extra effort we have to put in due to the failure of the system." – MLA, Delhi



1.2 Service Delivery and Platforms for Accountability

- **31%** of MLA's and Councillors highlighted that not a single service has been delivered successfully by the municipal corporation. No one from the Executive highlighted this concern.
- Councillors held the executive accountable through personal interactions, Ward Committees and the House.
- Councillors in Mumbai cited using Ward Committees more frequently than councillors in Delhi.



How do councillors raise issues?

- Councillors resolved smaller issues through Ward Committee meetings and direct interaction with the Executive.
- Bigger issues are raised at General Body Meetings.
- Several councillors said they used more than one method.

"We only bring up the bigger issues in the house. All ward problems are solved through the Chairperson of the Ward Committee, since she has the power to act on issues. All the work is listed in the agenda and approved by the Chairperson. Small problems are solved by calling officials." – Councillor, Mumbai

"We wait for the prabhag samiti (ward committee)— it happens only once a month. We wait for it, because in that we can raise issues face to face and pressurize them to act and get our work done." – Councillor, Mumbai



1.3 Multiple Agencies

• 63% of all respondents said that the presence of multiple agencies created problems for efficient service delivery



Issues related to Multiple Agencies

Executive Councillors & MLA "These outside agencies should take the BMC under confidence before going ahead with their projects. These agencies do not coordinate properly. Our engineers reach on site before, let's say, a Maharashtra Housing and Area Development Authority (MHADA) engineer reaches the site ."– Executive, Mumbai.

"The MLA will blame the councillor for not allowing permission to dig, the latter will blame the former for not providing funds. Such tricks are constantly played because the system's loopholes allow for it." – Councillor, Delhi.



1.4 Relationship between Councillors and the Executive

- **75% of the Executive** said they had a positive relationship with councillors; **76% of the councillors** said they had a positive relationship with the Executive.
- A councillor's ability to get things done was based on their individual capacity and initiative

Positive co-ordination between Councillor and Executive



Councillors

- Councillors largely believed that if they had the will and the capacity they were able to get the work done. Some pointed out that maintaining a rapport and good relations was important.
- Some councillors however expressed strong distaste towards the Executive and believed that they manipulated the councillors.

Executive

- **69%** of the Executive said they had regular interactions with councillors.
- Some members of the Executive also associated the capacity of the councillor and their experience as a factor in getting the Executive to carry out work.

"The more active the councillor is and the more he engages with issues in his ward through frequent interactions, he can stake a better claim in increasing the budget, he will be more familiar with local issues and will consequently earn people's trust." – Councillor, Delhi

"The ones who are new don't even know where to send the papers to, they send it to the head offices and then the work takes longer to get done till the concerned authorities receive it." – Executive, Mumbai



1.5 Balance between the deliberative and executive wings

• Participants largely believed that the current system has the right balance of powers between the Executive and the elected wing



- Councillors argued for further powers to penalise members of the Municipal Corporation for the failure to carry out their duties. Some councillors made the case for an empowered mayor to be able to ensure better accountability.
 38% of the Executive believed that the balance
 - of powers between executive and elected wings were right. Although a large percentage of respondents did not answer the questions
 - However, **6%** of the respondents were of the opinion that greater powers should be given to the Executive.

"The administration and elected representatives both have work. Both have limitations as they have to go step-bystep. They also have to follow procedure. They are also understanding. Councillors must be understanding." – Councillor, Mumbai

"Power of corporator must be increased. Now, they (the executive) feel that the work for 50 years and these people (the councillors) have come for 5 years, what will they teach us. So ego gets hurt which leads to work getting delayed. If we suggest something, they should at least reply to it." – Councillor, Mumbai

"The Mayor needs to have more administrative power. They can only give suggestions and views on issues so far. They are very much dependent on the MCGM Commissioner and must have more decision making power to implement proposals and suggestions." – MLA Mumbai



1.6 Emerging Solutions from the Interviews

Democratising Municipal Governments



- 1. Single Authority to coordinate activities between centre, state and local agencies
 - *"I have a suggestion, that within Delhi the different bodies that are working should be brought under one roof. If this has a single window, then the publics work that takes 15 days will be possible to accomplish in 15 minutes."* Councillor, Delhi

2. Greater accountability

- "At the very least it is necessary to have the power to transfer or penalise any individual not working properly, so that people know that there is someone keeping a watch over them" – Councillor, Mumbai
- 3. Devolution of basic services to municipal corporations in Delhi
- "We should be given water and sewage work and jurisdiction at the very least, as all day-to-day issues come directly to us and these feature prominently on that list." - Councillor, Delhi





2.1 Availability of Resources

- Inadequate manpower was cited as a big challenge; this was more acute in Delhi compared to Mumbai
- The lack of capacity building for the Executive has also had a negative impact on the quality of services delivered



"All work gets done properly, only thing is that it takes time. Work gets delayed as process is long. The work that is to be done, all work gets done but it gets delayed. Manpower is less, hence the delay. If manpower increases, then the work will happen." – Councillor, Mumbai

"I think we need to prescribe standards for keeping, let's say, Safai Karamcharees. See, when the yardstick was fixed long back in the 60s for say a 1 km road, x number of karamcharees would be required. Now things have changed. The density of population has gone up so you need to change the yardstick for keeping the employees." – Executive, Delhi





2.2 Emerging Solutions from the Interviews

Efficient services



1. Sufficient manpower

"Allocated 1 employee per sq km but that was years ago, it has not been updated.
 It has to be reviewed regularly" - Executive, Delhi

2. Simplify processes

• "They have to make the tax collection process simple, issue of license simple and with minimum documents required and that is how they can involve people and people would love to contribute." - Councillor, Delhi

3. Long term vision and Policy Framework

• *"Policy needs to be strengthened, we are following an age old enforcement mechanism in citizens, which is not working."* – Executive, Delhi



3.1 Mumbai's budget underutilisation

- In Mumbai 50% of participants believed that the budget was adequate.
- 44% participants highlighted that while the budget was adequate, there was an under-utilization of funds.
- The underutilisation of the budget was often linked to project delays, and difficulty in procuring licenses and clearances.
- MLAs and councillors pointed to two underlying issues – corruption and the outsourcing of work to contractors that fail to deliver.

"Budget is sufficient but utilization doesn't happen." – Executive, Mumbai

"MCGM has good money, but have been spoiling it by putting it into wrong projects, it has been giving it to contractors who are doing a bad job. Every head in the MCGM is corrupt. Knowing this we should change the guidelines, change the contractors law to get better work done." – MLA, Mumbai

3.2 Delhi's Financial crisis

- 37% of elected representatives in Delhi stated that there were insufficient funds.
- Participants largely linked the shortage of funds to the trifurcation of Delhi Municipal Corporation. The trifurcation led to unequal distribution of property tax collection, and is largely the reason for poor revenue generation.

"The BMC and MCD are the top two most powerful ULBs in India. The BMC has more budget than the MCD and naturally work happens only if there is money. Here three corporations were made. The SDMC, where we are sitting now, is financially number one, the other two corporations have a dearth of funds." - Councillor, Delhi





3.3 Participation in the Budget Making Process

Participants from the executive and deliberative wings had different opinions on who had control over the budget

Councillor's Perception

Executive's Perception

- The councillors expressed that they had the opportunity to participate in the budget process although the budget was drafted by the Commissioner.
- However, the executive stated that the budget goes through the local assembly and the Standing Committee. The budget that is finalised is based on political will, and populist measures often supersedes what the administration has in mind.

"I get the opportunity to participate in making the budget but the decision is taken by the administration. Commissioner decides the priority of the budget." – Councillor, Mumbai

"As of now, no such process has happened that concerns budgeting issues. Even if these issues were raised on a platform, they are decided internally. No matter how much you yell and scream in the House, if they say "Pass", "Pass", the discussion is over." – Councillor, Delhi

"(Budget) It is all in the Municipal Commissioner's hand. He will try, he will bang our heads badly and at last he will decide. We need to change that." – Councillor, Mumbai



3.4 Control by State Governments over Municipal Governments

• MLA's believed that there should be some amount of state control over municipal governments, whereas councillors made a case for independence from any state control.

Councillor's Perception:

- The councillors across Mumbai and Delhi broadly agreed that the Corporation should have more control over its finances and the independence to decide how to spend their funds.
- A few councillors expressed concerns around the state government failing to provide funds to support the Corporation. This was felt more strongly in Delhi where councillors linked the state of financial distress due to the state's failure to transfer funds.

MLA's Perception

• State government should have financial control over the city government. They believed that it was essential for the state to monitor the way the corporation spent its money.

"Local body should be given the independence to work according to their way." Councillor, Mumbai

"State control on the corporation is necessary. For eg: If 25 Lakhs is spent on road construction and the state is involved in the audit, it will promote transparency and reduce chances of corruption." – MLA, Mumbai

"With regards to financial control, there needs to be harmony and a certain reporting pattern. If you are taking funds from somewhere it is your duty to provide accountability as to how and where you have used that money. It can't be that you take money, say on in the name of paying workers, that they are having problems, and instead of paying them you use the money elsewhere." – MLA, Delhi



3.5 Emerging Solutions from the Interviews

Municipal Finance



Boosting revenue generation

 "See, Municipal Corporation of Delhi has a lot of land which is lying in the northern area and they don't know about it. They should work at using those lands to generate more revenue, build commercial centres. They are collecting only 35% house tax, so there is scope of collecting it from 65% more." –Councillor, Delhi





Summary:

The Roundtable facilitated discussions in understanding the key problems facing Indian cities, and the possible solutions surrounding these issues. It was broadly agreed that there is a need to redefine the services delivered by municipal governments in India. The panel questioned whether the decentralisation model as it stood today, was serving its purpose. It also evaluated the question of empowered mayors. The experts discussed the need to look at revenue optimisation in municipal bodies, and identified the issues surrounding the role of the State Finance Commission. Presented below are a summary of the views of the various urban governance stakeholders that took part in the Urban Governance Roundtable.

1. Service Delivery:

The discussions called into question the role of the corporation as defined by the 74th Constitutional Amendment. It was highlighted that there was a need to relook at what a corporation should do. Whether the local body should deliver all services, if yes, how, if it is outsourced, how will the person who is delivering the services be held accountable to ensure that the citizen is satisfied, what checks and balances need to be put in place?

a) Specialised Agencies

It was seen that while the corporation is entrusted to provide obligatory services, there should be different highly specialised functional bodies for each service delivery. For example, services like water require technical expertise, and thus should be done by a specialised agency. This would be similar to bus transportation in Mumbai, that is looked after by a specialised agency like "BEST".

b) Multiple Agencies

In Praja's study it was found that 63% of stakeholders had identified the presence of multiple agencies as a hindrance to service delivery. This fact was supported with the view that co-ordination with multiple-specialised agencies will create problems due to interlinkages between services, for example roads and storm water drains.

c) Accountability of specialised agencies

The other issue was of accountability. When work is assigned to other agencies they do not work in co-operation with municipal corporations. They are not accountable to citizens; a solution provided was that Elected representatives should have a say in parastatal bodies.





d) Looking at International Models

Some of the other solutions provided were looking at International models, example; Philippines, South Africa, Brazil, where cities are identified as separate governing units. The combined authorities model in the United Kingdom is also an example, where there are agreements between city regions and federal government. There is a potential for having the British model as it is, so we could have combined authorities rather than single elected body. A strong solution put forth was the need to "agencify" (creating specialized agencies) and not necessarily privatize specific deliveries.

2. Organizational Structure:

Discussions revolved around whether the current system of decentralisation is working. Should we decentralise further – are the stakeholders in the study satisfied with the decentralised structure? The constitution talks about ward committees, but do they serve their purpose?

a) Ward Committees

The Praja report highlights that the involvement of ward committees in Delhi is lesser (38%) than that in Mumbai (79%). In Delhi, Residence Welfare Associations (RWAs) are to be looked at, which do not have statutory backing but their presence is strong. In Delhi "moholla sabha" is slowly being introduced, which will be a useful platform. There was need to think of what should be the 'optimum population' under the jurisdiction of a ward committee, and whether there is a case to decentralise further to bring the process of governance closer to citizens.

b) Area Sabha's

It was observed that while there is a municipal government, governance is not happening. It is seen that when there is deliberation on issues, no one is interested. Area sabhas came with the presumption that gram sabha is doing great. The reality is gram sabhas are not doing great. Citizens are not clear on whom to go for services in the city, even though there is mapping. Everything is at a personal level and the onus has to move beyond the system.





3. Democratising Local Governments

In the present system, Mayors in Delhi serve a term of only 1 year, in Mumbai they serve for 2.5 years. One year is hardly effective for an authority to exercise her/his role. On top of that there is 50% reservation for women, no male Councillor can represent the same constituency in the next term. This disallows experienced councillors from having a long term view of their constituency.

a) Empowering Mayors

There is a case that the Mayor should be equal to elected heads like Chief Minister and Prime Minister, and the commissioner should serve as an executive, like it is in the Central Government. There have been examples where states have gone for the Mayor-in-Council system but have returned to the old system. Example in Mumbai, in 1998 the Mayor in Council Act amendment was brought about, wherein a 12 member council was started. It grew to such a scale and became so powerful, the party that introduced it returned to the old system.

Across states, cities with strong Mayors and 5 years term have weak administration – their powers to recruit staff are weak. On the other hand, cities with ceremonial Mayors have weak participation but strong finances. Smaller cities are more devolved and have powers like directly elected mayor. Chhattisgarh, Jharkhand and Uttar Pradesh have strong laws and acts which they took from JNNURM but they do not have good finances. There is a strong need to evaluate all four types of factors concerning empowered mayors; directly elected, Mayor-in-council, Mayoral term increased, or more power within the current set-up.

4. Municipal Finance

Praja's study showed that 44% of the stakeholders interviewed in Mumbai highlighted budget underutilisation as a problem. Whereas in Delhi stakeholders identified that there was an absence of funds to run the civic bodies. There was a discussion around the need to optimise revenue generation in Municipal bodies of India.

a) Revenue optimisation

Janagraaha's study of 23 municipal budgets shows that there is around 50% variance in budgets estimates and actuals. Municipalities are not allowed to have deficit budgets because of which they make higher allocations. A large part of the municipal revenue is dependent on property tax. Today, there is not a single city in India where property tax collection is 100%. There shouldn't be reliance only on property tax. There is a need to think about revenue optimisation. Professional tax and parking charges are strong options for generating more municipal revenue.





b) Uniformity in allocation of taxes

There should be a decision of the minimum number of taxes that should be exclusively given to the municipal governments. Government properties like railways, are currently not covered under city taxation, they do not pay taxes. However, municipality has to pay state taxes. Presently there is no uniformity in allocation of taxes between State and Local Bodies.

c) Goods and Services Tax (GST)

The newly incorporated GST system, differentiates between Centre and State but not Centre, State and Local. Only in the case of Maharashtra to compensate for Octroi, the municipality has been given grant in aid for 5 years. Revenue to municipalities should not be through lump-sum grants, but should be given as a share of central taxes. Municipality lobbies should strongly advocate for this.

d) Participatory Budgeting

Participatory budgeting is important, there have been no steps in this direction whatsoever. Citizens are often best equipped to make budgetary decisions. Municipalities need to brainstorm ways to generate resources for local bodies.

e) State Finance Commission (SFC)

The constitution mandates that every 5 years, there should be a review of municipal financial powers through the State Finance Commission. However, State Finance Commissions have not been effective. They are a lip service to making local bodies strong. The question is; How can they be made more effective?

The constitution does not provide the implementation of the SFC as compulsion for the State Government to accept. It is simply an advisory body. For example, Maharashtra rejected the 3rd Finance Commission Report. According to Article 243 of the constitution, Finance Commission recommendations are to be placed in the State Assembly. This is a flaw in the drafting of the 74th Amendment. The new Commission should have ideally been mandated at the expiry of the 4th year.

If you look at examples across India; Tamil Nadu, Himachal Pradesh, Assam SFCs are functioning well. Madhya Pradesh and Uttar Pradesh SFCs have also functioned effectively. However, there is a need for a good SFC act, where qualification of members is prescribed, so that appropriate technical expertise can be added to these SFC's.





No	Name	Organisation
1	Akshay Paonaskar	Project coordinator, Praja Foundation
2	Aravindan Srinivasan	Manager, Capacity Building, Dasra
3	Ashraf Azmi	Councillor, Municipal Corporation of Greater Mumbai
4	B.K Taimni	Former Secretary, Government of India, IC Centre for Governance
5	Babita Khanna	Councillor, East Delhi Municipal Corporation
6	D.M.Sukthankar	Former Municipal Commissioner, Municipal Corporation of Greater Mumbai & Former Chief Secretary, Maharashtra
7	Dr Debolina Kundu	Associate Professor, National Institute of Urban Affairs (NIUA)
8	Dr. V N Alok	Associate Professor, Indian Institute of Public Administration
9	K.S. Mehra	Former Municipal Commissioner, Municipal Corporation of Delhi
10	Kuldeep Kumar	Councillor, East Delhi Municipal Corporation
11	M.C. Verma	Former Secretary, Government of India and Technical Advisor, UNDP, IC Centre for Governance
12	Manoj Rai	Director, Participatory Research In Asia (PRIA)
13	Milind Mhaske	Director, Praja Foundation





Νο	Name	Organisation
14	Monami Chakraborty	Associate, Capacity Building, Dasra
15	Nitai Mehta	Founder Trustee, Praja Foundation
16	Pankti Dalal	Project Officer, Praja Foundation
17	Partha Mukhopadhyay	Senior Fellow, Centre for Policy Research (CPR)
18	Prashant Pisolkar	Former Municipal Chief Auditor, Municipal Corporation of Greater Mumbai
19	Priyanka Sharma	Senior Programme Manager, Praja Foundation
20	S.N. Patankar	Former Municipal Chief Engineer, Municipal Corporation of Greater Mumbai & Member, Mumbai Vikas Samiti
21	Sanjay Ubale	Chief Executive Officer and Managing Director of Tata Realty and Infrastructure Limited, Former Secretary to the Chief Minister of Maharashtra & Secretary, Special Projects, Government of Maharashtra
22	Srikanth Viswanathan	Chief Executive Officer, Janaagraha
23	Tanveer Pedode	Smart Cities Council, India
24	Tarun Sharma	Co-founder Nagrika
25	Vivek Anandan Nair	Associate Manager – Advocacy & Reforms, Janaagraha
26	Wajid Qureshi	Councillor, Municipal Corporation of Greater Mumbai





Sessions

The aim is to investigate the challenges that elected representatives and the city executive face in governing our cities.

Organisational Structure and		1.1 Primary Roles of Elected Representatives and the Executive
Session	Service Delivery in Urban Local Bodies (Part I)	1.2 Service Delivery and Platforms for Accountability
Ň		1.3 Multiple Agencies
on II	Organisational Structure and	1.4 Relationship between Councillors and the Executive
Organisational Structure and Service Delivery in Urban Local Bodies (Part II)		1.5 Balance between deliberative and executive wings
		2.1 Availability of Resources
=		3.1 Mumbai's Budget Underutilisation
Session III	Municipal Finance systems and resources in Urban Local Bodies	3.2 Delhi's Financial Crisis
Sess		3.3 Participation in the Budget Making Process
		3.4 Control by State Governments over Municipal Governments

Outcomes

A deeper understanding of the specific problems facing Indian cities, and an initial discussion on possible solutions.





	Schedule
Time	Session
9:00am-9:30am	Registration and Tea
9:30am-9:35am	Welcome address by Nitai Mehta (Founder Trustee, Praja Foundation)
9:35am-9:40am	Welcome by the Chair
9:40am-9:50am	Introduction of roundtable participants
9:50am-11:15am	Session 1: Organizational structure and service delivery (Part I)
11:15am-11:30am	Tea and Networking
11:30am to 1:00pm	Session 2: Organizational structure and service delivery (Part II)
1:00pm to 2:00pm	Lunch and Networking
2:00pm to 3:15pm	Session 3: Municipal Finance systems and resources in Urban Local Bodies
3:15pm to 3:30pm	Tea and Networking
3:30pm to 3:45pm	Summary of the discussions
3:45pm to 4:00pm	Way forward by Praja and vote of thanks





Administrative Structure

The Mumbai Municipal Corporation Act, 1888 governs the Municipal Corporation of Greater Mumbai. The Corporation consists of 227 councillors elected for a five-year term. It also includes 5 nominated members¹ (selected by the elected councillors).



Table 1: Demographic Profile of Mumbai²

Demographic Profile Indicator	City (Municipal Corporation)	State (Urban)	India (Urban)
Total Population	1,24,42,373	5,08,18,259	37,71,06,125
Area (sq. km)*	603		
Density of population (person per sq. km)*	20,634		
Slum Population (%)	41.84	2.02	17.36

1: Nominated members can be a medical practitioner in a municipal hospital, recognised NGOs or Community Based Organisations, an individual/organisation with experience in the field of municipal laws or labour laws with regards to municipal workers, Councillor (for not less than 5 years), Municipal Commissioner (with not less than 2 years' experience), Chief Officer of a Council or Deputy Assistant Municipal Commissioner (not less than 5 years' experience). 2: National Institute of Urban Affairs, Greater Mumbai City Profile



Role of Mayor and Commissioner

The tenure of the Mayor and the Deputy Mayor is two and a half years³ and is indirectly elected i.e. elected by elected councillors. The office of the Mayor has a ceremonial role as the First Citizen of Mumbai, and a functional role of chairing the Corporation meetings and financial powers to sanction expenditure up to Rs. 7.50 crore a year.

Mumbai made an attempt in 1998 to restructure its governance by amending The Mumbai Municipal Corporation Act & introduce the Mayor-in-Council system. But after a period of hardly one year the Government of Maharashtra reverted back to old system. The Govt. of Maharashtra and ruling party and opposition parties were strongly against the idea of placing the entire executive power in the hands of only 12 members of the Corporation that would form the MIC.

The Municipal Commissioner of Mumbai is the Chief Executive authority and maintains complete administrative control by delegating of powers to lower ranges of the Municipal administration (e.g. City Engineer, Education Officers, Chief Accountant). The Commissioner serves as a link between the Corporation and the State Government. The Municipal Commissioner has a term of 3 years.

Standing committee

The Standing Committee was earlier known as the Town Council, set up by the Bombay Act III of 1872 to exercise financial control over the Commissioner. It consists of 26 councillors plus one councillor (Education Committee chairman as ex-officio member). The Corporation appoint 26 people among themselves to become members of the Standing Committee. This happens at the first meeting in April, following the general election.

The Committee's main functions include: sanction of contracts, scrutiny of income and expenditure estimates prepared by the Municipal Commissioner, scrutiny of the establishment schedule, framing of service regulations, sanction investment funds, and prescribing the form of keeping accounts. The Standing Committee is in effect a steering committee, and a bridge between the Corporation and the Commissioner.

3: Provided that, the term of the Mayor and the Deputy Mayor in office on the date of coming into force of the Maharashtra Municipal Corporations (Amendment) Act, 2000 shall be extended to, and be co-terminus with, the term of the office of the elected Councillors





Ward Committees

There are 17 ward committees in MCGM. They address the common grievances of citizens with regards to local and municipal services such as water supply, drainage, sanitation etc. The ward committees make recommendations on proposals regarding expenditure estimates for wards under different heads of account. Grant administrative approval and financial sanction to the plans for municipal works to be carried out within the territorial area of the Ward Committee costing up to 5 lakh rupees, provided there is a specific provision in the budget sanctioned by the Corporation. There is a provision for nominated members to be present in ward committee meetings although they remain absent in many wards. Nominated members neither have any financial powers nor do they have voting rights.

Budget

The annual budget of the BMC has been divided into four subbudgets (A, B, E and G) for convenience and appropriate planning. As per Section 125, 126C and 126E of the Mumbai Municipal Corporation Act, 1888, the Municipal commissioner has to prepare and lay before the Standing Committee the Annual Budget Estimates of expenditure and income Budget 'A'-Main (Fund Code 11,12, 60,70), Budget 'B'- Improvement (Fund code 21,22,23), Budget 'E'- Education (Fund code 30) and Budget 'G' (Fund Code 40) on or before the 5th February every year for consideration. While as per Section 126A of MMC Act 1888 Budget 'C'- B. E. S. & T (Brihanmumbai Electricity Supply & Transport). Undertaking is prepared by General Manager and submitted to B. E. S.&T. Committee on or before 10th October.

The books of accounts are maintained as per double entry accounting system.

Table 2: Performance of Urban Local Body⁴

Credit Rating of ULBs	
Property Tax #	Coverage (%): NA Collection Efficiency (%): NA Amount (Rs.): NA

Reform Appraisal Report, JNNURM, Ministry of Urban Development, Government of India.

4: National Institute of Urban Affairs, Greater Mumbai City Profile



Annexure 1: Mumbai – City Profile



Table 3: Status of Reforms⁶

Note: Octroi is one of the important sources of revenue for MCGM. In the FY 2016-17, MCGM has collected ₹7244⁵ crore under Octroi. With the implementation of GST, octroi has been subsumed under GST, therefore Mumbai will henceforth not collect Octroi.

Note:* Modules of egovernance implemented in ULB Source: * http:/www.mcgm.gov .in

E-governance& Computerization in ULB Reform	Status (implemented, in progress and any comment)
Property Tax*	Implemented
Accounting*	Implemented
Water Supply & Other Utilities*	Implemented
Birth & Death Registration and Health programmes*	Implemented
Citizens' Grievance Monitoring*	Implemented
Personnel Management System*	Implemented
Building Plan Approval*	Implemented
e-Procurement*	Implemented
Can Citizens pay their bills and Taxes at citizen facilitation centre (CFC)?#	Only on CFC
Does ULB has facility to Accept Online Payments#	Yes
What is the E-mail Software being used in the ULB#	NIC
Are ULB offices connected with each other through local area network (LAN)/ wide area network (WAN) #	Yes
Do you have access to State Data Centre (SDC)? #	No
Does the ULB have their own website#	Yes
Implementation of 74th CAA#	All 18 functions are transferred to ULB

5 MCGM Municipal Commissioner's budget speech of 2018-19. 6 National Institute of Urban Affairs, Greater Mumbai City Profile





The National Capital Territory of Delhi has three types of local government bodies

- 1. New Delhi Municipal Council
- 2. Cantonment Board
- 3. Municipal Corporations South, North and East

Out of the three, we only cover the Delhi Municipal Corporation because the other two local bodies have jurisdiction over a very small area and population of Delhi. In addition, the other two bodies have unique governance structures that are not applicable to other parts of the country: The NDMC has only appointed or nominated members and no elected representatives, and the Cantonment Board deals with military and not civilian areas and is directly under the control of the Ministry of Defence.



Image 1: Depicting the local government bodies of National Capital Territory of Delhi⁷

The Municipal Corporation of Delhi is one of the largest municipal corporations in the world and came into existence on 7th April, 1958, under The Delhi Municipal Corporation Act, 1957. This is a central government legislation, and all amendments to the Act can be done only by the Centre. The Delhi Municipal Corporation was trifurcated into the North, South and East Delhi Municipal Corporations by a notification issued at the end of 2011, with separate functioning of the three corporations starting from the first half of 2012.

Annexure 2: Delhi - City Profile





Table 1: Demographic Profile⁸

Indicator	City (Municipal Corporation)	State (Urban)	India (Urban)
Total Population	11,034,555	16,787,941	390,085,500
Area (sq. km)	1,397.3		
Density of population (people per sq. km)	11,297		
Slum population (%)	14.66	N/A	N/A

Administrative Structure

There are three different corporations (South Delhi Municipal Corporation, North Delhi Municipal Corporation and East Delhi Municipal Corporation) following the trifurcation of the Delhi Municipal Corporation. They consist of 104, 104 and 64 members respectively. There are 12 Ward Committees, (4,6,2 respectively). There is one Ward Committee in each of the 12 zones of the three Municipal Corporations of Delhi. The duration of the Corporation is 5 years from the date of its first meeting.

The role of Mayor and Commissioner

The corporation elects amongst itself a Mayor who serves a one-year term. The role of the mayor is largely ceremonial without any provision to delegate or discharge executive duties.

The Municipal Commissioner of each of the three Municipal Corporations in Delhi holds executive powers and is appointed by the Central Government. He has a five-year term that can be renewed from time to time for a term not exceeding one year at a time.





Standing Committee

The Standing Committee consists of 6 members elected by the councillors (from among themselves) and 1 member elected by members of each wards committee from among themselves. The Commissioner obtains approval from the Standing Committee with regards of executive contracts which involve an expenditure exceeding rupees twenty-five lakhs. The Municipal Chief Auditor conducts a monthly examination and audit of the municipal accounts and submits a report to the Standing Committee. Financial and policy matters are routed through Standing Committee which makes its recommendation to the Corporation.

Ward Committee

There are a total of 12 ward committees. Subject to the budget passed by the Corporation, the Ward Committees have the power to sanction municipal works within their zone costing up to rupees one crore. This does not include works taken up and executed for Delhi as a whole or those covering more than one zone. Ward Committees generally carry out projects in their zones/wards, while the Delhi government carries out projects that span multiple zone.

Budget

The Corporation estimates income and expenditure to be received and incurred by municipal government of Delhi by 31st March. The Corporation determines the rates at which various municipal taxes, rates and cesses are levied in the following year by 15th February. These budget estimates are then presented to and approved by the Standing Committee. On recommendations of the Standing Committee, the Corporation can make the following amendments to the budget estimates:

- Increase the amount of budget grant under any head;
- Make an additional budget grant for the purpose of meeting any special or unforeseen requirement arising during the year; or
- Reduce the amount of the budget-grant under any head

The Standing Committee may reduce the amount, and sanction the transfer of any amount within a budget grant during the year. Any reduction exceeding a sum of Rs.500 is immediately reported to the Corporation as well as the Commissioner; the Commissioner further gives effect to any order that may be passed by the Corporation in this relation.





The Commissioner may sanction the transfer of any amount up to five thousand rupees within a minor head as long as it does not involve a recurring liability. Any transfer exceeding sum of Rs.500 shall be reported by the Commissioner to the Standing Committee; the Commissioner further gives effect to any order that may be passed by the corporation in this relation.

Municipal councillors get a total 50 lakh for NDMC, 30 lakh for SDMC and 25 lakh for EDMC in the year April 2015 to March 2016. They can spend this fund on development work in their constituencies. It is necessary that the funds are utilised in a planned, phased manner to achieve optimal results.



9: Delhi Councillor Handbook Vol 1, Praja Foundation, 2017



Organisational Setup and Service Delivery

(Questions applicable for MLA as well)

- 1. How would you define your role as *Councillor* (changes depending on the respondent)?
- a) How many years have you been associated with the corporation?
- b) How many years have you been associated with your political party?
- c) What would you say are your key responsibilities?
- d) What do the citizens see your responsibility as Councillor/MLA/Administrator?
- e) Are you a part of any statutory committee? What would you see your role as a member of the said committee?
- f) What are the challenges you face as being a member of the ruling/opposition party? If in opposition, Is the corporation forum a hurdle or the approach of the bureaucracy?
- 2. Pick one service that you believe the municipal corporation has successfully delivered, and one where it has faced significant challenges.
- a) Why was the delivery of the *xx* service a success? What mechanism is working to make the service a success? (Probe whether it's the funding priority or the manpower efficiency)
- b) What challenges do you think the corporation faced and how did they overcome this to make it a success?
- 3. How did you deal with poor service delivery? How do you to monitor the delivery of schemes, raise issues, and hold the administration to account?
- a) Did you raise questions in the house? Did you ask for a report? Ward Committee?
- b) What mechanism (software/manpower) do you use to monitor schemes and raise issues?
 - (i) Prompt: for example, do you make use of the Municipal Secretary department?
 - (ii) Do you raise questions in the house?
- c) How do you monitor performance, what benchmarks in terms of reports etc. do you use?
- d) Do you receive reports (audits, data etc), from the administration? What is the frequency of these reports? How do you use these reports to raise questions?



External agencies

- 4. What other agencies/departments were involved in the delivery of these services? Is the process of delivering this service complicated because of the involvement of agencies?
- a) Do you see yourself as having a role in improving the communication between the agencies?
- b) Do you/they hold regular meetings to ensure that its being done?
- c) Who organises it, at what level are they organised? Is there an escalation process of passing the work, if you face challenges?
- 5. When state projects are sanctioned in your constituency do you have a say in the decision making process?
- a) Once the project is sanctioned, how do you monitor whether the benchmarks are being met?
- b) When projects are delayed or cost overruns happen, are you able to hold responsible authorities accountable?

Resources:

(Following Questions are not applicable for MLA's)

- 6. Do you have adequate resources in terms of manpower, IT tools, finance etc. to monitor the delivery of schemes, raise and understand issues, and hold the administration to account? (very limited resources/ limited resources/ adequate resources)
- a) Do you hire your own staff to support you in carrying out your responsibilities? How do you fund it? (Do you fund out of your own pocket (10,000 honorarium) or does the party fund it?
- b) Are you able to handle the density of the constituents and area under your jurisdiction? (Yes/No)
- 7. Do you believe that the administration has adequate resources in terms of manpower and tools to carry out delivery of services?
- a) If yes, what is the optimal manpower strength that is aiding the process, and what tools are empowering the service delivery?
- b) What would be the ideal strength of manpower?
- c) What tools are missing?
- d) Do you believe the municipal staff who work in your jurisdiction have the adequate skills to carry out their functions? (Very Poor/Poor/Average/Good/Very Good/Excellent)



Municipal Finance:

(Questions applicable for MLA as well)

- 8. What do use your councillor/MLA/MP fund for?
- a) How did you go about deciding where to use this fund?
- b) How did you decide whether it should be funded from your fund or the administration core/sanctioned budget?
- 9. Are you able to participate in the budgeting process of the Corporation?
- a) Do you have mechanisms available for making suggestions on the allocation of funds?
- b) Who decides the priorities of the corporation for budgeting?
- 10. As you are aware that the corporation raises money through taxes and service charges, how much control does the corporation have over deciding the tax and service rates?
- 11. What impact is GST likely to have on municipal finances?
- 12. For MLAs: What are your views on providing municipal governments with more control over the way they spend their funds?

Citizen Participation

(Following Questions are not applicable for MLA's)

- 13. How regularly do you meet citizens in your constituency?
- a) How many hours do you engage with them?
- b) How do citizens approach you- email/phone calls/letters/ in-person?
- c) What is the one service or issue that citizens are most likely to approach you for?
- d) Do you think that as an MLA/Councillor you are responsible for this issue?
- e) Are you able to direct citizens to the concerned authority, or do you deal with the administration in your own capacity?

Annexure 3: Interview Questionnaire for MLA's/Councillors



- f) Is there is grievance/complaint rederessal mechanism where citizens can complaint directly to the administration/corporation?
- g) Do you think citizens are aware about this?
- 14. What is the mechanism in place to encourage the citizens of your constituency to participate in giving their grievances for a project (example: metro/flyover)?
- a) Can you give an example where projects have been adapted in response to citizen grievances?

Evaluation of Municipal Government:

(Following Questions are not applicable for MLA's)

- 15. What is the biggest challenge you face in office?
- 16. What would you change in the current system to make it work better?
- a) The balance of responsibilities between the administrative wing and the elected wing?

17. Are you aware about the 74th amendment?

- a) Can you name one function under the 74th amendment that has been devolved to your satisfaction?
- b) Can you name one function in particular that has not been devolved to your satisfaction?



Organisational Setup and Service Delivery:

- 1. How would you define your role as *Municipal Commissioner*?
- a) When did you join the government service?
- b) What positions have you served in at a local, state and central level?
- c) How long have you worked in the present municipal corporation?
- 2. Pick one service that you believe you have successfully delivered and one where you have faced challenges.
- a) Why was the delivery of the *xx* service a success? What mechanism is working to make the service a success? (Probe whether it's the funding priority or the manpower efficiency)
- b) What challenges do you think the corporation faced and how did they overcome this to make it a success?
- 3. What other agencies/departments were involved in the delivery of these services? Is the process of delivering this service complicated because of the involvement of agencies?
- a) Do you see yourself as having a role in improving the communication between the agencies?
- b) Do you/they hold regular meetings to ensure that its being done?
- c) Who organises it, at what level are they organised? Is there an escalation process of passing the work, if you face challenges?
- 4. When state projects are sanctioned in your area/ that affect your department do you have a say in the decision making process?
- a) Once the project is sanctioned, how do you monitor whether the benchmarks are being met?
- b) When projects are delayed or cost overruns happen, are you able to hold responsible authorities accountable?
- 5. How often do you share updates on the delivery of services with municipal councillors?
- a) Do councillors approach you for additional data or reports?



Resources:

- 6. Do you have/ adequate staff (manpower) with appropriate skills and enough funds sanctioned to deliver services for citizens e.g. garbage collection, waste management, footpaths, good roads?
- a) If yes, what is the optimal manpower strength that is aiding the process, and what tools are empowering the service delivery?
- b) What would be the ideal strength of manpower?
- c) What tools are missing?
- d) Do you have control over selecting the staff in your department?
- 7. Do the staff have the right skills to carry out their functions? (Very Poor/Poor/Average/Good/Very Good/Excellent)
- a) Are you able to invest in training your staff and helping upgrade their skills?
- b) What recommendations would you make to improve the capacity (in terms of staff with the right skills and knowledge) of your department/function

Municipal Finance:

- 8. Does the municipality have adequate finances sanctioned for projects to deliver efficient services? (Yes/No)
- 9. Are you able to participate in the budgeting process of the Corporation?
- a) Do you have mechanisms available for making suggestions on the allocation of funds?
- b) Once funding has been allocated for a particular subject head e.g. education, do you have control over making recommendations in how to spend this budget to deliver the government's objectives? (We will adapt the question depending on the function the administrative official is responsible for.)
- i) For example, learning outcomes can be improved by investing in new teachers, training existing teachers, investing in books etc. How do you make recommendations with regards to the way funding should be spent?





- 10. As you are aware that the corporation raises money through taxes and service charges, how much control does the corporation have over deciding the tax and service rates?
- 11. What impact is GST likely to have on municipal finances?

Citizen Participation:

- 12. Is there is grievance/complaint redressal mechanism where citizens can complaint directly to the administration/corporation?
- a) Do you think citizens are aware about this?
- b) Are councillors able to communicate the citizen grievances to you, to improve delivery of service?

Evaluation:

- 13. What is the biggest challenge you face in office?
- 14. What would you change in the current system to make it work better?
- a) The balance of responsibilities between the administrative wing and the elected wing?

15. Are you aware about the 74th amendment?

- a) Can you name one function under the 74th amendment that has been devolved to your satisfaction?
- b) Can you name one function in particular that has not been devolved to your satisfaction?





Theme 1.1: Primary Roles of Elected Representatives and the Executive

Role of the councillor/MLA	Deliberating policies %	Supervision of Service delivery %	Addressing citizen complaints/ issues%	Raising questions in the house %	Overseeing the local body (only for MLAs) %				
Total Councillors (Delhi and Mumbai)	17%	71%	74%	11%					
Total MLAs (Delhi and Mumbai)	70%	70%	70%	30%	40%				
Mumbai									
Councillors	14%	50%	79%	7%					
MLAs	60%	60%	60%	20%	60%				
Delhi									
Councillors	19%	86%	71%	14%					
MLAs	67%	67%	67%	33%	17%				

Theme 1.2: Service Delivery and Platforms for Accountability

Service delivery				How do monitor the delivery of schemes, raise issues and hold the administration to account?					
1	51%	2	64%	3	54%	4	66%	5	66%
Councillors									
Mumbai	64%	Mumbai	86%	Mumbai	79%	Mumbai	57%	Mumbai	71%
Delhi	elhi 67% Delhi 38%		Delhi	38%	Delhi	71%	Delhi	62%	
Mumbai 60%			1: Able to name a service that was delivered successfully						
			2: Able to name a service that was poorly delivered 3: Raise the issue at Ward Committee meetings Councillors 4: Raise questions in the relevant House Councillors						
Delhi 100%									
				5: Follow-up with the administration in person Councillors					

Annexure 5: Interview data split city-wise



Is the process of delivering services complicated because of the involvement of external agencies?	63%
Mumbai	63%
Delhi	64%
ER	69%
Mumbai	58%
Delhi	74%
Admin	47%
Mumbai	80%
Delhi	42%
Inadequate Manpower	
Mumbai	28%
Delhi	56%

Theme 1.3: Multiple Agencies

Theme 1.4 Relationship between Councillors and Executive

Rapport with Administration						
Councillors						
Good	76%					
Mumbai	43%					
Delhi	62%					
Bad	24%					
Mumbai	29%					

Annexure 5: Interview data split city-wise



Theme 3: Municipal Finance

Do you believe that the administration has adequate resources in terms of manpower and tools to carry out delivery of services?

	Mumbai	Delhi				
Adequete	50%	30%				
Inadequete	6%	37%				
Inadequete Delhi						
EDMC		33%				
SDMC		33%				
NDMC		56%				

Councillors (Total of Delhi and Mumbai)

administration to account

More power to Councillors

System is balanced

Elected representatives don't have any powers

Elected representatives are unable to hold the

37%

29%

43%

d		Issues with budget								
a					Mumbai Del		hi			
		ι	Underutilization			44%	7%	,)		
		Poor revenue generation			0%	22%	6			
	Used inefficiently, unnecessary projects/bad contractors			6%	7%					
	ssue	s w	ith budget							
			Mumbai Delhi		ni	MLAs (Total of Delhi and Mumbai)	Mumbai	Delhi		
	319	%	36%	29%		0%	0%	0%		
	119	%	14%	10%		30%	20%	33%		
	269	%	36%	19%	6	10%	20%	0%		

30%

0%

50%