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Over the last two decades Praja has been working towards enabling accountable governance. We conduct data driven research on civic issues, and inform citizens, media, and government administration and work with elected representatives to equip them to address inefficiencies in their work processes, bridging the information gaps, and mobilising them in taking corrective measures advocating for change.

During June 2020, Praja Foundation rolled out a three-month virtual research internship programme. The research internship engaged graduates and postgraduates to work on research projects and live projects in Praja. The internship provided interns an opportunity to work on topical issues in urban local governance and to contribute to publication of research papers and reports.

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# **Pradhan Mantri Awaas Yojana: How successful has it been for Metropolises?**

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The current housing policies in the country provides a narrow perspective and limits housing to affordability. Similarly, various schemes like PMAY-U do not talk about the adequate housing in terms of quality, location of house and livelihood of the people. We cannot talk about housing in cities without considering them together.



## Anmol Rana, Housing Research Intern, Praja Foundation

Anmol has a B. Tech, Electronic and Communication degree and is currently pursuing Masters in Urban Policy and Governance from Tata Institute of Social Sciences, Mumbai.



The peripheries of cities that have been exploited under the banner of expansion have started facing serious issues in terms of affordability. We are extending unaffordable housing to the peripheries making the distant dreams even more remote.



## Uma Kabe, Housing Research Intern, Praja Foundation

Uma was a BA. Political Science student from Ramnarain Ruia Autonomous College and is currently pursuing Masters(Hons). Political science from University of Mumbai.

## Pradhan Mantri Awaas Yojana: How successful has it been for Metropolises?

Pradhan Mantri Awaas Yojana-Urban (PMAY-U) envisioned to solve the housing shortage by providing “Housing for All” through construction of 1.12 crore houses by 2022.<sup>1</sup> The scheme rekindled “Sabka Sapna, Ghar ho Apna”<sup>2</sup>, redefined housing not to be limited to four walls and a roof but also focused on providing a standardised quality of life. On the completion of 5 years, the scheme has celebrated success in being close to achieving its target but the reality is far from it.



**Figure 1: Four Verticals under PMAY**

<b>In-situ" Slum Redevelopment (ISSR):</b>	<ul style="list-style-type: none"> <li>It uses land as a resource for providing houses to eligible slum dwellers with the help of private participation.</li> </ul>
<b>Credit Linked Subsidy Scheme (CLSS):</b>	<ul style="list-style-type: none"> <li>It provides home loans to eligible beneficiaries belonging to EWS/LIG/MIG/HIG income groups to buy and construct their own houses.</li> </ul>
<b>Affordable Housing in Partnership (AHP):</b>	<ul style="list-style-type: none"> <li>The mission provides financial assistance of Rs 1.5 lakh to EWS houses that are being built by different groups in partnership with states/UTs/Municipality</li> </ul>
<b>Beneficiary-led individual Construction/enhancements (BLC):</b>	<ul style="list-style-type: none"> <li>Provides central assistance of Rs 1.50 Lakh to individual eligible families belonging to EWS categories to either construct or enhance existing houses.</li> </ul>

Source: PMAY-U

The experience of cities shows greater complexities to access benefits under PMAY and challenges like urbanisation, lack of infrastructure, land scarcity, high cost of housing continue to haunt them. Hence, it becomes important to analyse the scheme from the point of view of metropolitan cities such as Mumbai and Delhi where the problem of inadequate and unaffordable housing is most severe.

Let us first look at the implementation status of the scheme in these cities, and then comment on crucial aspects that the scheme has missed out completely.

## Sanctioned Vs Grounded

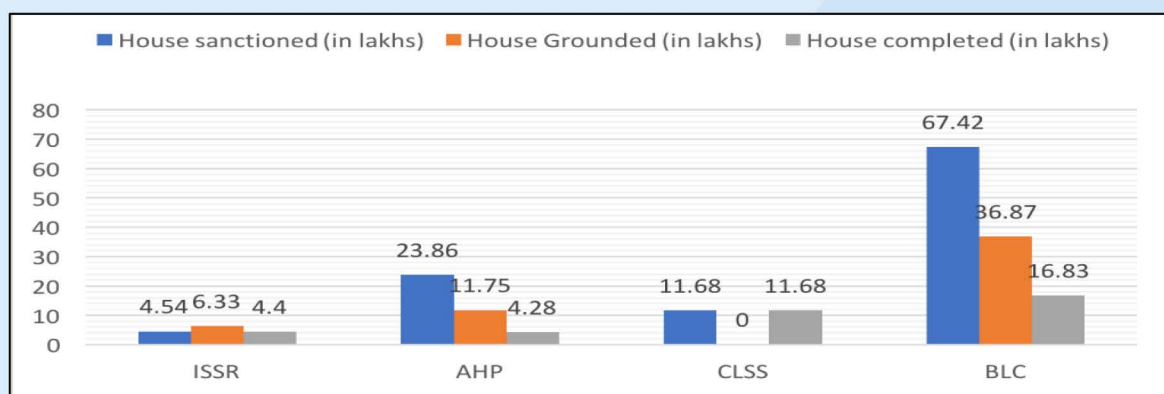
PMAY has missed the its targets to complete construction of housing by 2022, going by figures it will take approximately 16 years to reach the All-India set target. PMAY claims achievement in terms of houses sanctioned, but there lies a huge gap in the number of houses grounded. As of 2020, the houses sanctioned are 1.08 cr. but approx. 61% of the houses have been grounded and only 34% of the houses are completed. Under PMAY no year-wise targets were set causing a slow rate of development. It took an average of 29 months to complete construction under PMAY.

**Table 2: Details of Houses Sanctioned, Grounded, Completed along with Central Assistance since the inception of PMAY.**

State	Project Proposals Considered	Financial Progress(Rs in Crore)			Physical Progress(Nos)		
		Investment in Projects	Central Assistance		Houses Sanctioned	Houses Grounded	Houses Completed
			Sanctioned	Released			
India	22,857	66,44,000	1,72,000	74,856	10,800,000	66,54,000	37,19,000
Maharashtra	1,014	1,19,455	20,098	7,496	12,53,355	6,00,999	3,67,386
Delhi	-	4,052	477	477	21,214	61,794	45,194

Source: PMAY-U, as on 7th September, 2020

**Figure 2: Houses under different verticals of PMAY at the National Level.**



Source : PMAY-U, as on 7th September, 2020

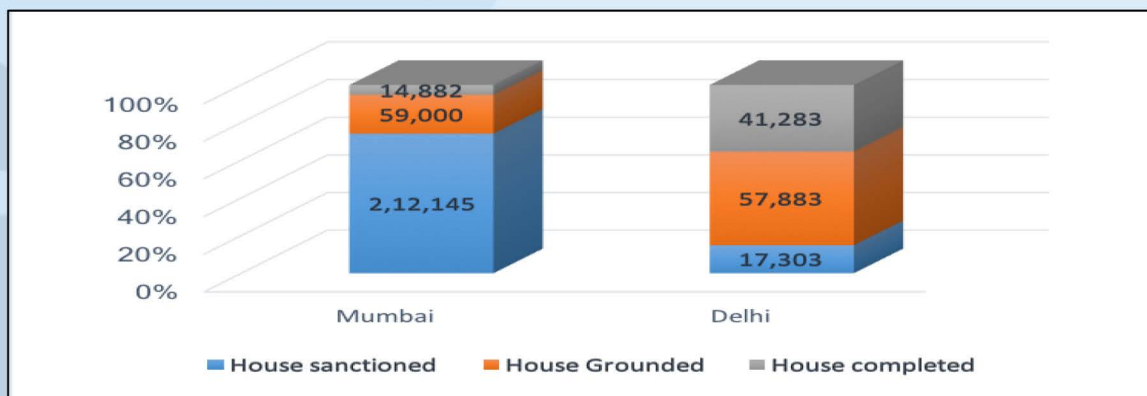
The progress under PMAY is scattered and uneven across different cities while it varies under different verticals. As per figure 2, most houses have been sanctioned under BLC, followed by AHP, ISSR and CLSS. Under the houses completed, BLC has completed maximum percent of the houses i.e. 45%, followed by CLSS which is 31% and ISSR and AHP which are 12%. Total assistance of 1.30 lakh crore has been sanctioned for PMAY<sup>3</sup>, only 39% of the central assistance has been released while only 25% of the central assistance has been utilised<sup>4</sup>. The central assistance acts as a mirage highlighting the huge amount sanctioned for the project. However, reality stands out with the lack of funds being utilised.



## PMAY implementation in Mumbai and Delhi

The maximum number of the housing stock constructed in cities cater to the needs of the Middle-Income Group (MIG)/Higher-Income Group (HIG), causing mismatched demand-supply levels for affordable housing. Thereby artificially creating an unmet demand, which pushes many to settle in slums. Also, the exorbitant prices of housing in the cities, questions as to how many city dwellers belonging to the Economically Weaker Sections (EWS)/ Lower-Income Group (LIG) section of the society will be able to buy houses within cities with or without subsidies under PMAY. The ANAROCK report<sup>5</sup> considers affordable housing to cost below ₹ 40 lakh. If we were to consider this cost on face value, the subsidy provided under PMAY would not be enough to buy housing in Mumbai.

Figure 3: A comparison of PMAY implementation in Mumbai and



*Note: Houses grounded in Delhi includes houses sanctioned earlier in Jawaharlal Nehru National Urban Renewal Mission (JN-NURM) taken up for grounding and completion after 2014 which were included under PMAY.*

Source : Lok Sabha/Rajya Sabha Questions.

In comparison to 2,12,145 houses in Mumbai barely 17,303 houses have been sanctioned in Delhi. The inflated figures of houses grounded in Delhi specify that approximately 40,000 houses are included from previous incomplete schemes<sup>6</sup>. Individual development under every vertical in Delhi shows an intricate sketch of the slow-moving implementation of PMAY. Maximum projects are taken under CLSS while the data portrays that no specific information has been provided under AHP and BLC. Under the ISSR vertical of PMAY, no project proposal has been taken in Delhi by the State Government. For Mumbai, of the total sanctioned houses in Mumbai, only 27% of houses are grounded and only 7% of houses are completed. Approximately 2 lakh houses are sanctioned under the ISSR vertical but barely 1,519 houses are completed<sup>7</sup>. The ISSR vertical under PMAY depicts a sluggish growth similar to Slum Rehabilitation Schemes (SRS).

## PMAY doesn't reach out to those in most need

Approximately 42% of the population live in slums in Mumbai while it is 13% in Delhi.<sup>8</sup> There lies a huge housing shortage within cities, of which the major brunt (over 90%) is faced by the EWS section.<sup>9</sup> But the PMAY's components are designed in a manner to exclude the very population that is in most need for adequate housing.

Under PMAY two of the four verticals are targeted towards ownership. The PMAY model through BLC and CLSS promotes ownership by asking land/property titles to obtain financial assistance which is not economically viable for those who don't hold land titles and reside in slums in cities. Since the majority of urban households do not own land; they are automatically excluded from availing the benefits under PMAY.

The ISSR vertical focuses on the rehabilitation aspect of housing while the AHP was aimed to circulate affordable housing units in the market. The dynamic demand for housing has resulted in the upcoming projects under AHP to be restricted in the periphery, making it unfeasible for residents of the city.

Integration of PMAY in Mumbai under Slum Rehabilitation Authority (SRA) and in Delhi under Delhi Urban Shelter Improvement Board (DUSIB) has not been helpful; rather the challenges have been carried over while hardly showing any signs of improvement. The vertical only considers notified slums for development and conveniently excludes the rest approx. 66% non-notified slums in the country.<sup>10</sup> Also, there have been no guidelines mentioned as to how to bring the private land under the ISSR vertical.



## Quality of housing

Though the Indian Constitution under Article 21 recognises the right to livelihood and shelter, it is not a justifiable right.<sup>11</sup> But this doesn't take away the fact that housing is the most essential basic need and right of an individual that impacts one's health, education, access to services and overall well-being. Unfortunately, PMAY neither addresses the aspects of quality in housing, nor the importance of location and access to livelihoods. Many affordable housing projects in Mumbai and in the National Capital Region exist at the periphery, located almost 65-75 km away from the city centre.<sup>12</sup> It is not only the higher cost of commuting but also implementation delays, no timely completion of projects and no specific transit camp arrangements which limits the development of such projects.

## Rental housing

The challenge with housing is not just restricted to lack of affordable housing units but also has exhausted the city's capacity of creating new dwelling units because of limited resources. The ownership model of housing is not feasible in the long term. The National Urban and Habitat Policy of 2007 emphasises on increasing the urban housing stock through adoption of social rental housing. However, the rental housing has declined due to the nature of Rent Control Act. The presence of the first generation rent control has reduced the housing stock and halted the creation of new rental housings.<sup>13</sup>

PMAY considering the unprecedented challenge of COVID-19 launched the Affordable Rental Housing Complex (ARHC) for migrant and urban poor to provide planned affordable and dignified housing close to their workplace. While many individuals in metropolitan cities like Mumbai and Delhi prefer rental housing, the requirement is to regulate rental laws within cities. Instead of new construction of rental housing focus needs to be put on the already existing vacant houses. In Mumbai Metropolitan Region (9 lakh) 13% of total houses and in National Capital Territory of Delhi (4 lakh) 11% of total houses are vacant<sup>14</sup> which can be brought into the rental market.

## Polycentric governance

Maharashtra Housing and Area Development Authority (MHADA) and Delhi Development Authority (DDA) are the two major nodal agencies under PMAY.<sup>15</sup> The ISSR vertical in Mumbai is implemented not only through MHADA but also through SRA.<sup>16</sup> PMAY is Integrated with SRA which caused all the drawbacks in the slum rehabilitation to be implemented. The SRA model works in contrast to PMAY where the municipal bodies initiate open bidding for redevelopment rather than the developers/owners who brought development projects under SRS.

In Delhi, ISSR vertical is being implemented through the Delhi Slum Improvement Board (DSIB), while CLSS is implemented by DDA.<sup>16</sup> Due to the unique governance structure of the Delhi, the state government has access to housing in a limited way as land, land development and public housing come under the central government. This has resulted in a power struggle at a state-centre level which has resulted in hardly any implementation of PMAY in Delhi.

To summarise the city experience of PMAY describes the implementation failure both at bureaucratic and implementation level. Until PMAY is reformulated to meet the specific housing needs and challenges of metropolitan cities, the problem of housing in these urban centres would continue to persist.

<sup>1, 2</sup> Ministry of Housing and Urban Affairs.

<sup>3</sup> State/UT year wise Central Assistance Sanctioned, Released and Utilised under PMAY(U) As on 17/07/2/19

<sup>4</sup> Government of India, Rajya Sabha Questions, 2020

<sup>5</sup> ANAROCK & CII, 2019

<sup>6</sup> Figure 3: A comparison of PMAY implementation in Mumbai and Delhi.

<sup>7</sup> Government of India, Rajya Sabha Questions, 2020

<sup>8</sup> Census, 2011

<sup>9</sup> Ministry of Housing and Urban Poverty Alleviation, 2013

<sup>10</sup> Census, 2011

<sup>11</sup> Olga Tellis Vs. Bombay Municipal Corporation

<sup>12</sup> Deb, A. Viability of Public Private Partnership in Building Affordable Housing in India

<sup>13</sup> Vaidehi Tandel, S.P. (2016), *Decline of Rental Housing in India: The case of Mumbai*. Sage Publications

<sup>14</sup> Census 2011

<sup>15</sup> (MOHUA)

<sup>16</sup> (Maha Housing Corporation)



# How do we reform urban governance in India?

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This internship provided me with an opportunity to push myself and learn. It helped me explore uncharted areas in the urban sector: the research space where my interest lies.



## Naven Isarapu, Governance Research Intern, Praja Foundation

Naveen is a graduate with an MA in Public Policy and Governance from Tata Institute of Social Sciences. He also holds a bachelor's degree in Social Sciences and a post-graduate diploma in Journalism.

## How do we reform urban governance in India?

The contemporary society is predominantly urban. Around 54% of the population in the world live in urban areas, which is set to reach around 70% by 2050. While urban areas occupy less than 1% of the land, they house more than 70% of the economic activity, consume 60% of total energy on earth, produce 70% of waste and emit around 70% of greenhouse gas emissions. Of all the countries in the world, the highest rates of urbanisation have been recorded in the middle- and low-income nations (UN-Habitat, 2008). Therefore, governing urban processes has come to the forefront in the recent years.

### What does 'governance' in urban context mean?

The term 'governance' has been actively used by many international agencies like the UN and the IMF. The United Nations Development Programme (UNDP) defines governance as: 'the exercise of political, economic and administrative authority to manage a nation's affairs. It is the complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations and mediate their differences.' (UNDP, 1997b)

Therefore, governance involves actors and institutions which may be both state and non-state. They include private individuals & businesses, civil society organisations, community organisations, NGOs, political organisations, religious groups, trade unions and associations, local- state- and national-level governmental agencies. Porrio (1997) defines urban governance as a mechanism which "deals with the power relationship between different stakeholders in cities" (Porrio, 1997). She further investigates how relationships between the stakeholders shift during the process, and how does negotiation allow or restrain various perspectives during negotiations (Porrio, 1997).

### How does 'governance' function in India?

Post-independence, references to local government could not find its place in the Constitution. Only after the Ministry of Urban Development (MoUD) was set up in 1985 did the issues arising out of increasing urbanisation were acknowledged. The recommendations formed the basis for the 74th Amendment of the Constitution which was enacted in 1992. The idea behind the passage of this act was that it would enable state governments to devolve power to the local administrations which could facilitate democratic participation of citizens in development process (Nath, 2018).



However, in reality, there was laxity in framing and enforcing Municipal government acts. As the state governments were given leeway in passing their own acts, they were diluted, and municipal corporations were made financially dependent on state funds. Every state act varied from one another, and loopholes were used to ensure that the maximum power in the urban areas can be exerted by state governments. Even after the passage of the 74th amendment act, local government affairs were still listed in Schedule VII of the Constitution, making local governance a state subject. This, and the wording of the act, which was kept open and flexible, were taken advantage of, and all possible corners had been cut to ensure that the act is subverted in all ways possible (Nath, 2018).

For instance, under the act, each state had to constitute a State Election Commission with constitutional power to hold elections. Nevertheless, many local body elections in corporations in Bangalore, Chennai were either postponed to 'administrative unpreparedness' or some other reasons. Elections in Bangalore Municipal Corporation (BMP) had taken place in 2010 after four years, only after the state judiciary intervened. Article 243ZE of the 74th Amendment calls for constituting a Metropolitan Planning Committee which would oversee the concerns and functions of the corporation. Under it,  $\frac{2}{3}$ rd of the members must be elected members of the local bodies, while the rest can be nominated. However, the functioning of these committees has been abysmal. While such committees functioned well in Kolkata for a while, committees formed under the Metropolitan Planning Committee (MPC) Act, 1999, failed to even reconvene after their first few meetings (Nath, 2018).

In 2005, Jawahar Nehru National Urban Renewal Mission (JNNURM) was envisioned to aid urban development. In a review report by a high-level committee, however, it has been said that the plan was plagued with planning inefficiencies, lack of capacity of municipalities to handle projects, staff shortage, and finally a one-size-fits-all approach. It has also been put forward that community participation has been neglected in the entire process which has resulted in a 'lack of ownership over public goods' (Ravichander, 2019).

## Smart Cities: The way forward?

Presently, Smart Cities Mission is the urban renewal model followed virtually by all the cities of India. ICTs (Information and communication technologies) are instrumental in this initiative: the mission seeks to oil the machines of urban institutions and provide expertise and funds to develop the city infrastructure (Reddy, 2019). The mission has been advertised as a panacea, just like the JNNURM scheme, of all urban problems to generate greater public participation. However, the present project's push towards corporatisation of governance, and circumvention of local bodies to facilitate corporate governance of urban spaces is just another beginning of a new end in the chapter on transition of urban governance.

According to a report published by Praja, there are several factors which affect efficient governance and service delivery in urban areas. Leveraging the 18 functions of local governments under the 74th amendment as an entry point, the study reveals the multiplicity of institutions working in the urban areas. According to it, out of the 18 functions fulfilled by municipal governments, Mumbai city government comes at the top with only nine functions directly under it while the responsibilities of other functions being shared with the state government. Similarly, except Chhattisgarh and West Bengal, in all the other states the state government is directly involved in municipal taxation. Also, except in five cities all the city budgets are prepared by the non-legislative wing under the aegis of the state-appointed commissioner (Praja, 2020).

Additionally, the State Governor acts as non-partisan head of the State. The Governor can recommend Presidential rule if the states fail to comply with the 74th Amendment act. However, the politicisation of the post, and nomination of political party members to the post has ensured that no Governor has taken up this issue of non-compliance with the constitutional amendment: which is tantamount to disregarding the constitution (Nath, 2018).

## How can we 'revitalise' our urban institutions?

Urban governance in India is plagued with issues of executive overreach of the state and helplessness of the democratically elected local governments. The top-down approach of the present governance structure centralises power, which alienates the citizenry who are excluded from the processes of development. In conclusion, there are a few ways in which the present urban governance structures can be reformed.



**First, fiscal measures.** Urban Local Bodies (ULBs) should have control over their resources. The lack of implementational failures of urban schemes is due to the complete dependence on states for finance, whose decisions are dependent on the political discourse. While it is important to recognise the quanta of urban areas is higher than the rural areas, and funds should be redistributed to lower economic regions of the state, a line must be drawn where the former can be made possible while maintain sustainable fiscal health.

**Second, election of the mayor.** Presently, the election of mayor is indirect in nature. Therefore, there may be scope of non-accountability on part of the postholder. Direct elections for the post of mayor should be held, so that people vote for their candidate directly which would restore faith in the functioning of the ULBs.

**Third, devolution of power.** Overlapping constituencies of legislative bodies can increase entropy and cause friction between departments. Statutory bodies must be created where policymaking can be streamlined and results from citizen's deliberative bodies must be received and incorporated in the final schemes.

**Fourth, feedback mechanisms.** Unlike state or central governments, city bodies work closely with their constituents. Therefore, mechanisms must be designed to collect feedback from ongoing projects and services which could act as inputs to monitor progress.

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# Empowered Mayor- Reason and Reality

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I don't have a quote that will sum up my experience at Praja but one of the things that this internship imbibed in me was, 'Don't stop until you are satisfied with the work.' Interning at Praja Foundation was a one-of-a-kind experience. The project work undertaken was a great experience and exposed me to a great deal of novel concepts and areas of research.



## Sana Bhide, Governance Research Intern, Praja Foundation

Sana's academic background is in commerce with an undergraduate degree in commerce and economics. She is a recent graduate with Masters in Economics from Symbiosis School of Economics, Pune. Her Masters degree holds a specialisation in Urban Development.

## Empowered Mayor- Reason and Reality

### Urbanisation and Local Governance

Urbanisation in India has picked up pace in the past few decades. Starting from a relatively small percentage of 10.84% in 1901, it increased to 28.52% in 2001 and soon reached 31.16% in 2011 (Bank, 2020). The rising urban population over the years shows that India is already en-route to achieve the final stage. Despite the pace at which urbanisation has been flourishing in India, the country has not engaged much with several urban issues (Institute, 2010). An increase in the urban population, has led to a simultaneous increase in the sizes of urban areas, further leading to the need for efficient local administration. Historically speaking, cities were assumed to be empowered and therefore, capable of taking care of themselves (Jha, 2020). However, that is not necessarily true. A report by the High Powered Expert Committee (HPEC) talked about the need for a governance system that provides constitution of local 'owners' (mayors) who are directly accountable to residents rather than being run by state governments (High Powered Expert Committee, 2011).

Until the early 1990s, urban local bodies lacked constitutional recognition and heavily depended on the state governments for their establishments. The states were not mandated to set up city governments while there existed the mandate to constitute panchayats. Given this, the municipal governments had negligent autonomy and were controlled by state in all terms- financial, administrative and functional. This resulted in weak and ineffective local governance on various accounts including the lackadaisical conduct of elections, inefficient works at local levels, prolonged suppressions etc. In order to provide urban local bodies a legal identity, an attempt was made in the 1989, in the 65th Constitutional Amendment Bill. However, this bill was not passed in Rajya Sabha and therefore, urban local bodies remain suppressed under the state governments (Nagrikal: 74th CAA- An explainer, 2020). Urban local bodies were most vulnerable in financial powers. With a lack of mechanisms such as State Finance Commission (SFCs), the municipal governments were wholly dependent on the state governments for financial aids. Thus, the local level democracy in urban areas suffered.



## The Constitution (Seventy-fourth Amendment) Act, 1992 and Mayoral System in Indian Cities

The Constitution of India 74th Amendment Act, 1992 marked as a milestone in governance as it was the first act passed with a primary aim of establishing a strong and efficient local governance system and promoting democratic self-governance (Ministry of Law and Justice, Legislative department, 1992). It created a framework for local governance in order to empower them and improve administration at local level. Despite several reforms constituted by the 74th CAA, it left some critical issues unsettled. One of these, includes the empowerment of mayors. This article takes a look at the available literature on the empowerment of mayors and its importance.

More than 25 years after the constitution of the 74th Amendment Act, 1992, the question of municipal leadership continues to remain unresolved. While the 74th CAA talks about empowering local governance, it also gives state governments the power to frame respective municipal acts as 'local governance' is a state subject (listed as Entry 5 in of the State List of the Constitution of India, Seventh Schedule). Majority of the powers and functions are still played by the state governments. The act fails to provide clarity on some of the fundamental aspects of urban local governance. The first one being, the question of city administration leadership- mayor or municipal commissioner.

India largely follows the Commissioner as Chief Executive (CACE) Model. In majority of the states, the municipal commissioner holds maximum executive power and acts as the chief executive officer of an urban local body. A municipal commissioner is typically appointed by the state governments. Most state statutes have placed municipal regulation, administration (transfers and postings) and financial powers in the hands of the commissioner (Jha, 2018). In short, with the municipal commissioner, a state appointed official holding all the executive powers of the corporation, the spirit of 74th CAA is defied since most controls indirectly lie in the hands of the states.

Taking a look at Municipal Acts charted by the states it is seen that each act talks about appointment of a chairperson, commonly known as the 'Mayor.' This mayor is considered to be 'first citizen' to preside over the municipal meetings. While mayors enjoy the designation of heading the municipal corporation, they have very limited powers. Most of the mayors primarily perform ceremonial functions leaving the question of municipal leadership unanswered, driven by the then existing political compulsions of the state governments (Jha, Strengthening Municipal Leadership in India, 2018). Mayors lack the executive powers that truly promote self-governance in the current urban governance system being followed. Neither do they have a say nor do they hold administrative and financial powers. In fact, mayors from 16 states are merely ceremonial heads of municipal corporations and lack administrative powers (Praja Foundation, 2020). Mayors of some of the largest cities such as Delhi and Mumbai are merely ceremonial heads of the corporation. They have no exclusive financial powers in terms of signing and approving bills. In terms of administrative powers too, the mayors just play the role of speaker in municipal house restricting their role to advisory and criticism. In fact, some of the MLAs have explicitly highlighted that the mayors should be given more administrative powers (Praja Foundation, 2020).

There is a need for proper mayoral system which would represent the people and not the state. Several reports have highlighted the importance of a "single-point" empowered leadership at city level for effective urban governance. Currently, the power distribution between the municipal commissioner and municipal corporation is such that neither are fully accountable for the city's decisions (Institute, 2010). Additionally, there is a wide variation in the tenures and manner of election of mayor across the country. While most of the states have direct elections and their tenures are "co-terminus" with the term of city government, many other municipal acts state otherwise. For instance, in case of Delhi the mayor changes every year giving the mayors barely any time to exercise substantial action or power. In case of Tamil Nadu, the manner of elections keeps varying between direct and indirect elections depending on the types of political party that wins. On the other hand, state governments appoint the mayors in the north-eastern states (Praja Foundation, 2020).

There is a need to establish a common tenure of mayor, co-terminus and consistent with the term of city government along with a common mode of election to establish stability. Since, the 74th CAA was made with the spirit to empower urban local governance, it is important to set executive powers (including the appointment of municipal commissioners) in the hands of elected representatives of the citizens, rather than state appointed officials (World Economic Forum and Price Waterhouse Coopers, 2016). The empowerment of mayors, therefore is of utmost importance. The



74th CAA, envisions ULBs as ‘vibrant units of self-government’. It is the mayor who is elected by the people and should be charged with the responsibility of carrying forward the people’s mandate.

In most of the developed economies of the world, the mayors hold tremendous powers- administrative, functional and financial. For instance, the reformed mayoral system in Johannesburg, South Africa empowers city mayors which appoints them as the ultimate decision-making body in city governance (Institute, 2010). Similarly, Tokyo’s mayors are known to be empowered in terms of financial and administrative independence. (Jha, 2018). This has helped in bringing about rapid and effective reforms at the local level improving the quality of service delivery and raising the standard of living in urban areas. Thus, empowering the local representatives and mayor of cities would lead to a stronger and effective urban governance.

## Empowered Mayors are crucial for Strengthened Urban Governance in the Country

The rising demographic and economic significance of cities has brought unprecedented challenges of urban governance in India. While the 74th CAA has at least provided a legal recognition to Urban Local Bodies, the mayors remain powerless. Cities can function appropriately only when they are governed by the locally elected representatives. Simply put, the local representatives know the plight of their residents and can address the problems aptly. Therefore, it is of importance to empower mayors in cities. Rather than letting cities be indirectly governed by state appointed officials, empowering the mayor would work best in cities interests. It is important to embrace the 74th CAA, not just in practice but also in spirit.

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# Status and Problems of State Finance Commission

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## Status and Problems of State Finance Commission

The State Finance Commission (SFC) is an institution created by the 73rd and 74th Constitutional Amendments Act (CAA). The 73rd and 74th CAA rationalised and systematised State/Sub state level fiscal relations in India. It was primarily introduced to rectify growing horizontal imbalances in essential public services delivery. Article 243I of the Constitution mandated the State Governor to constitute a Finance Commission every 5 years. However, that has not been the case for the majority of Indian states. A State Finance Commission has functions similar to that of the Central Finance Commission. It allocates resources of a state to its Panchayati Raj institutions and Urban Local Bodies at all three levels in terms of taxes, duties, and levies to be collected by the state and the local bodies.

The SFC has to play a crucial role in strengthening the financial resources of Local Bodies by addressing the problems of vertical and horizontal imbalances faced by them. It has to make a correct assessment of the needs of Local Bodies by estimating the Revenue Gap for the next five years. It also has to further suggest measures to fill up this gap through mobilisation of own resources by Local Bodies and the fiscal package recommended by the SFC. It has to make recommendations in the areas of Capacity Building, Administrative reforms, Local civic services, Accounting, Fiscal reforms, etc.

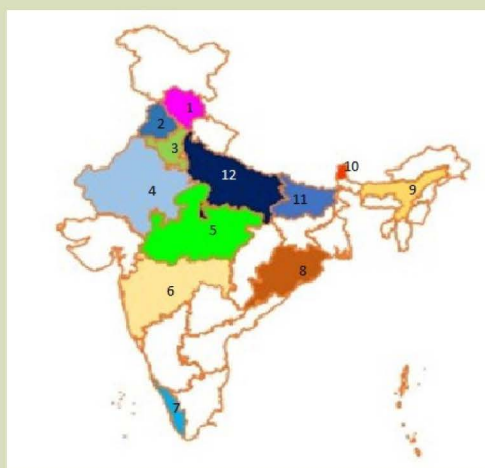
### SFC status

Constitution of an SFC was mandated in Article 243-I (1) and 243-Y (1) of the 73rd and 74th Constitutional Amendment Act, 1992, with the objective of strengthening local governments. After its implementation in 1992, all the states should have been onto the implementation of their 5th SFCs currently. However, the states have not been pro-active in the formation of the same. Only a handful of them have been doing it. Table 1.1 (next page) contains the years in which each state had constituted its SFC. The (✓) symbol highlights the current SFC stage in respective states. Figure 1.1 shows on a Map of India the states that are currently in the 5th SFC stage as in 2020.

**Table 1.1 : Displaying SFC implementation timeline across States**

STATE	SFC FORMATION (Y/N)	1st SFC	2nd SFC	3rd SFC	4th SFC	5th SFC
Andhra Pradesh	Y				✓	
Arunachal Pradesh	Y		✓			
Assam	Y	1996	2003	2008	2012	2016
Bihar	Y					2016
Chattisgarh	Y	2003	2011	2018		
Gujarat	Y			✓		
Haryana	Y	1997		2008	2014	2017
Himachal Pradesh	Y	1996	2000	2007	2014	
Jharkhand	Y		✓			
Karnataka	Y	1992	2002	2008	2018	
Kerala	Y	1996	2001	2005	2011	2016
Madhya Pradesh	Y	1996	2003	2008	2012	2017
Maharashtra	Y					
Manipur	Y	1996	2004	✓		
Meghalaya	N					
Mizoram	N					
Nagaland	N					
Odisha	Y	1999	2004	2009	2014	2019
Punjab	Y					
Rajasthan	Y	1995	2001	2008	2013	2018
Sikkim	Y	1998	2003	2010	2015	2017
Tamil Nadu	Y	1996	2001	2006	2011	
Telangana	Y	2018				
Tripura	Y	1995	2003	2009		
Uttarakhand	Y	1996	2002	2007		
Uttar Pradesh	Y					
West Bengal	Y	1996	2005	2009	2016	

**Fig 1.1 Highlighting the States with 5th SFC respectively**



*Name of States as Labelled on map:*

1. Himachal Pradesh	7. Kerala
2. Punjab	8. Odisha
3. Haryana	9. Assam
4. Rajasthan	10. Sikkim
5. Madhya Pradesh	11. Bihar
6. Maharashtra	12. Uttar Pradesh

## ISSUES IDENTIFIED

### Capacity building

The most pressing issues which cut across all the local self-governments range from discord in functional relations between the local bodies (ULBs & PRIs) and states, acute shortage of staff (technical and general) at all levels, frequent transfer of officers, lack of state level resource institutions which would be better equipped to handle local needs (with most capacity building efforts based routine ad-hoc trainings instead of demand for enrichment) and absence of dedicated municipal cadre. The major problems identified can be categorised as under (next page):



- These local bodies need to invest in systematic knowledge management. Rather than depending solely on capacity building activities that target individual capacity of employees, it is imperative that the sub national governments should pursue institutionalisation of the capacity that is created.**

Internal control and audit at the sub-national (which constitutes state and local governments) level are rare, particularly in developing countries. In many cases, reformers have placed more emphasis on improving capacity and building control mechanisms primarily at the central level only. Establishing internal control and audit practices at the local government level has received little or no attention, even in countries where decentralization programs devolve more responsibilities to local governments. So, has been the case of Indian sub-national governments. These local bodies are plagued with issues pertaining to inefficient control and audit practices, old fashioned rule books, lack of timely and reliable information; focus on compliance audits, and inadequate follow-up with audit findings. As per ASICS 2017, no city is required to mandatorily undertake external audit of annual accounts or internal audits. The way to go about to fix it would be by enacting FRBM legislation and mandate audit of annual accounts by CAs by 31 July each year to begin with.

The quality of democracy and its evaluation depends a great deal on the reliability, regularity and consistency of the information placed in the public domain. It is surprising why the finances of local governments do not occupy a place of importance in the public finance of the country. This underscores not only the significance of local governments in Indian federal polity but also the organic link underlying Indian public finance. Today, when we see more awareness amongst the citizens and the questions posed by them in order to understand the role of their representatives and local bodies in service delivery mechanism, it is imperative for the latter to create a more accountable and transparent environment by disclosing statistics pertaining to public finance.

**Municipal finances in India remain underdeveloped as municipal revenue continues to account for a small share of GDP and has remained stagnant at around 1% of GDP during the period from 2007-08 to 2017-18. The major problems of Municipal Finances are:**

- a) Municipalities are under-spending in core infrastructures like transport, water supply, drainage, etc. which has taken a toll on the country's potential for economic growth and prosperity.
- b) There is a fiscal mismatch between its revenue and total expenditure. This is because the revenue of ULB is not increasing in the same proportion as their increases in expenditure. Another reason for this is that ULBs are not allocated enough money to carry out all their functions. Therefore, there is a need to reconsider the devolution criteria.
- c) Municipalities are becoming more and more dependent on transfers from higher levels of Government.

- There is assured devolution from the centre to the states which are passed on to the ULBs.
- There is similar devolution from states to their urban local governments including the sharing of land-based and possibly motor vehicle taxes.
- Own revenue increases are possible, mainly through property tax reform.

It has been observed that the new wealth being generated by the substantive economic growth of urban areas is not being taxed efficiently and it is leading to inefficiencies in the public services. The mismanagement of urban funds by



State Government further emphasises the existing structural weakness of ULBs. Therefore, there is a need for effective and sustainable fiscal decentralisation to the ULBs.

## Taxation system

Property tax is recognised as a major source of revenue for Local Bodies. However, from the SFC reports, it was observed that Local Bodies in a few States are not given the powers to levy this tax; legislations for this purpose have either not been passed or remain under consideration of those State Governments. In some other States, the Panchayat are unable to levy this tax because the necessary regulations have not been framed. In most states where tax is being levied, the rates are not revised periodically. The list of taxable properties is not being updated and a large number of properties remain outside the tax net.

GST is an efficient and buoyant tax for urban local governments. But with the introduction of GST, no state government will be able to assign such taxes to their urban local governments in the future. Taxes are a major source of revenue for Urban Local Governments. The Government of India has adopted a general principle whereby states are compensated for the loss of revenues due to GST and/or taxes subsumed under GST. The same principle needs to be extended to local governments.

## Conclusion

First and foremost, comes the issue of availability and accessibility of SFC reports to the citizens of the country. The states have, in the first place, not been pro-active with constituting SFCs every 5 years. Non availability of office space, technical staff and basic office infrastructure like computers and other supporting logistics results in considerable time loss. Reports are also delayed because of the absence of reliable data relating to Local Governments. The ones that followed constituting SFCs every 5 years properly or to some extent did not consider making these reports available for public viewing. Further, there is an absence of Action Taken Reports on websites for the maximum number of states. This brings to light the fact there is a lack of transparency and accountability on behalf of the Indian sub-national governments.

A set of principles should be established on how State Government funds should flow to Municipalities, for what purposes and under what conditions. A basic principle that governs intergovernmental transfers is that transfers should be extended to Municipalities for meeting the revenue gap which arises on account of a mismatch between their expenditure responsibilities, revenue raising authority and which may arise on account of fiscal disabilities. Transfers can be effective when they are predictable, stable and transparent. It is also important that the fiscal package for Municipalities should be determined in such a way that it doesn't come in the way of Municipal Autonomy.

After having mentioned these common problems, it is important that the state governments give due significance to the work carried out by the SFC and take it seriously by all means. It would be an important move to involve the Ministry of Finance while collecting data every 5 years and the auditing of such data not just for the sake of an SFC report but also for the working of the state and local governments in order to create more vigilance, transparency and better accountable governments leading to good governance eventually in all the states.



# **Sikkim's Tryst with State Finance Commissions**

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The project undertaken at Praja was extraordinary and an enriching experience that has added value to my knowledge and career. Working with an understanding team was an added bonus!

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Rajshree's core academic background is in Commerce, with B.com Hons and M.Com. She switched to humanities when she went on to pursue MA in Public Policy and Governance from Azim Premji University, Bangalore, post college.

## Sikkim's Tryst with State Finance Commissions

Sikkim is a Himalayan State and has an area of 7096 Sq.km besieged with several problems due to its strategic location in the North-East corner of the country with three international boundaries around. The State of Sikkim which is strategically located on the chicken neck corridor has been a late entrant in the scientific planning process of the nation as it became part of the Indian Union only in 1975. With the 73rd Constitutional Amendments, the State Government of Sikkim enacted the Sikkim Panchayat Act which has been subsequently amended to incorporate progressive ideas. The increase in the level of political consciousness has ensured that the democratic rights percolate right up to the lowest level. The formation of ULBs in the state was as early as 2010, and quite a few villages have now been clubbed to form ULBs. Hence, the emphasis on the local body is still in its nascent phase in the state and it will take a few more years to assess the progress and development made so far.

### SFC status:

Table 1.1 showcases the years of implementation of different State Finance Commissions in the state of Sikkim over the years.

<i><b>SFC Stage</b></i>	<i><b>Year</b></i>
1st	1998
2nd	2003
3rd	2010
4th	2015
5th	2017

The table drawn (Left) tells us that Sikkim has been pro-active and a good performer than most large Indian states in terms of formation and executing the responsibilities of a State Finance Commission. Being a rural economy primarily and gradually progressing towards urbanising it, the state has emphasised on

varying aspects in its SFC reports over the years. However, we have focussed on the 4th State Finance Commission Report of Sikkim (2015) for the research purpose of this paper as it was accessible along with its Action Taken Report (ATR). Only 2 out of 5 SFC reports have ATRs that are available in the public domain.

On the basis of the 4th SFC of the state, the following table and pie-diagram help in understanding of the kind of recommendations that were projected and prioritised under different categories and the percentage of them that were



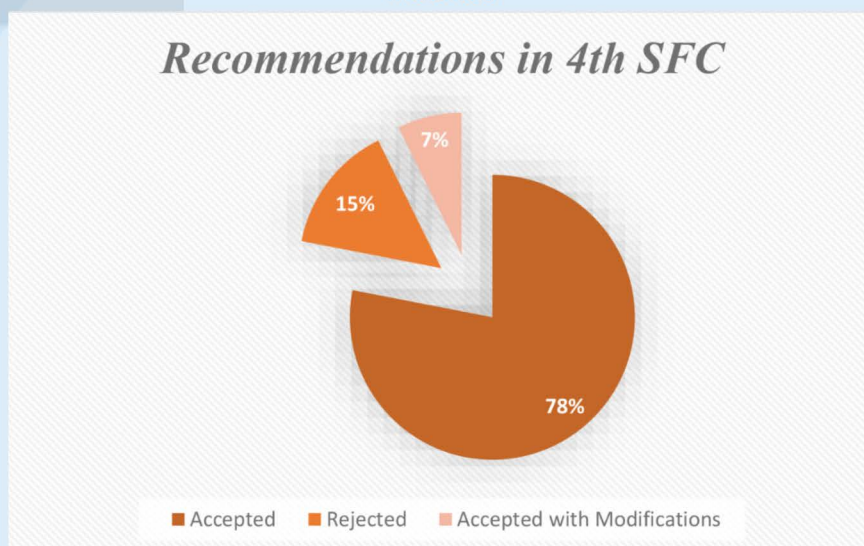
Accepted, Rejected or Modified respectively, based on the requirements of Sikkim's local bodies.

**Table 1.2 Showcasing the Number of Recommendations in Different Categories**

<i>Categories</i>	<i>No. Of Recommendations</i>
<i>E-Governance</i>	4
<i>Planning</i>	4
<i>Devolution</i>	1
<i>Administrative Matters</i>	12
<i>Financial Accountability</i>	3
<i>Capacity Building</i>	4
<i>Taxes</i>	5
<i>Local Body Grants/Funds</i>	5

Based on the above categorisation, the diagram shown below paints the picture of the acceptance rate of the over-all recommendations made in the report.

**Fig 1.1 Shows the % of Recommendations Accepted, Rejected and Modified**



Despite being such a vibrant State, its Panchayati Raj Institutions and Urban Local Bodies are highly dependent on Central and State Governments for financial support in order to perform their functions. The Commission has striven to make recommendations for appropriately increasing devolution of resources to the institutions of local self-government and empower Panchayati Raj Institutions and Urban Local Bodies, thereby making improvements in public expenditure, to obtain better outputs and outcomes for local economic development and social justice interventions by these institutions of local self-government.

## Issues identified

The issues have been identified from the 4th SFC Report of Sikkim and have been further deliberated upon to build dialogue.

**Tourist Tax:** As per the 4th SFC recommendations, a minimum of Rs. 5.00 per tourist can be collected by the ULBs, and GMC shall develop a mechanism for collection of tourist tax from the tourists. However, this recommendation was rejected without any further explanation.



The state is richly endowed with rare and exotic flora and fauna, which includes 5,000 species of flowering plants and over 424 varieties of medicinal plants<sup>1</sup>. For Sikkim, tourism is not only about boosting the economy of the state. It is also as important for building peace between communities and nations and a tool to promote and conserve their unique cultures, and also the environment. Even the 3rd SFC focussed on identifying more locations which could attract tourists and promotion of Eco-Tourism. However, that could not be done due to lack of funds. Therefore, what Sikkim needs is a strategy, similar to that of Bhutan<sup>2</sup>, in order to maintain the pristine environment from damage by tourist footfall and boost the economy at the same time. This could be in the form of sustainable development fee or even for a specific kind of tourism category (like eco-tourism, trekking tourism, wellness tourism, flora-tourism and adventure tourism). The authorities can envisage on constituting a State Tourism Regulatory Authority (STRA) comprising of representatives from different groups, travel agents' associations, tourism stakeholder associations, NGOs, NPOs, to address issues and grievances of the trade and industry.

**Capacity Building:** The recommendation in the SFC report suggests that Panchayat Account Assistants (PAAs) for GPs, and similar accounting personnel for ZPs and ULBs should be intensively trained in the preparation of budgets, maintenance of accounts, and database management and that the in-house capacities of the accounting personnel of the ULBs need to be enhanced on accrual accounting and other financial accountability processes.

This brings to light the fact that the staff is not completely competent to carry out the duties and also that the accounting systems being used to collect, ascertain and monitor the financial data are new to the environment of the state. Hence, there is a need to include governance reforms within urban local bodies to complement capacity building initiatives so that the knowledge can be sustained in the mid-to long-run. Thus, there is a need to put in place knowledge interventions that can create a lasting impact.

**Modernisation of local bodies:** The ULBs are fairly new to Sikkim and are doing their best to make the state more empowered. However, it is known that Sikkim is primarily a rural economy and is in dire need of infrastructural make-over. The premises of PRIs and ULBs need to be upgraded with modern technologies so that they are not left behind the other states in terms of growth. Measures such as this one will help in rebranding the significance of local bodies in the state and instil the feeling of faith in the government machinery amongst the locals.

## Conclusion

Although Sikkim has been very motivated in constituting SFCs timely and has tried to provide solutions to empower its local bodies, it is still behind many Indian states in terms of growth and better lifestyles for its citizens. That can happen when the state is well connected to other parts of the country and leads to creation of better infrastructure.

The state's dependency on tourism and the revenues associated with it has taken a setback due to the on-going COVID-19 Pandemic. This situation has helped the country realise that State or the local governments were ill-prepared to deal with such contingencies, especially for state like Sikkim that thrives on tourism primarily.

Thus, the State Finance Commission along with the Central Finance Commission can now plan together to create survival plans and identify more sources to generate revenue for remote states like Sikkim in the upcoming SFC reports.

<sup>1</sup> <https://www.ibef.org/states/sikkim.aspx>

<sup>2</sup> <https://economictimes.indiatimes.com/news/politics-and-nation/bhutans-upcoming-tourism-policy-likely-to-cause-strong-impact-on-tourism-trade-in-eastern-india/articleshow/72149307.cms>



# Kerala's 5th State Finance Commission: An Analysis of its Recommendations

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The learnings that I have been imparted in this internship is really one of a kind and nothing will be able to replace these experiences.

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## Kerala's 5th State Finance Commission: An Analysis of its Recommendations

Kerala is a state on the southwestern Malabar Coast of India. It was formed on 1 November 1956. Kerala is divided into 14 districts with Thiruvananthapuram as its capital.

Kerala has two categories of Local Governments i.e. Rural and Urban. Rural has a 3 tier Panchayat system consisting of Gram, Block and District and Urban consisting of Municipalities and Municipal Corporations. Village Panchayat is more powerful as compared to Block Panchayat (intermediate) and District Panchayat.

Kerala published its 5th State Finance Commission (SFC) report in 2016. Compared to the first three State Finance Commissions, the terms of reference of the 4th and 5th Commissions contain more issues which require elaborate exercise and collection of data. The Commission is asked to examine and recommend on four aspects of the finances of Local Governments:

- Review the finances and make recommendations on the sharing of net proceeds of taxes, duties, tolls and fees of State Governments to Local Governments.
- Recommend measures to strengthen the financial position of Local Governments.
- Recommend measures needed for proper institutionalization of decentralization initiatives in the state.
- Revisit the recommendations of the previous four SFCs and make suggestions on those recommendations which had been accepted by the Government but which have not been operationalised.

## Kerala SFC

Table 1 contains the years at which the SFC Reports of Kerala were published.

STATE FINANCE COMMISSION (SFC)	YEAR THE REPORT WAS PUBLISHED
1 <sup>st</sup> SFC	1996
2 <sup>nd</sup> SFC	2001
3 <sup>rd</sup> SFC	2005
4 <sup>th</sup> SFC	2011
5 <sup>th</sup> SFC	2016

## Summary of previous SFCs

The First SFC was set up immediately along with the enactment of the Kerala Panchayat Raj Act, 1994 but before the enactment of the Kerala Municipality Act, 1994. It made recommendations to lay the foundations for the present system of transfer of resources to LGs. Some of the major ideas put forward by the First SFC are: Devolution of a fixed percentage of certain taxes and a share of State revenue to Local Governments and introduction of the principle of formula-based transfer of fund and ration-

-nalisation of tax structure of LGs. The Second SFC was constituted at the infant stage of decentralization. It made revolutionary recommendations for the devolution of funds. It suggested transferring funds from the Consolidated Fund of the State to the Local Governments in three channels, viz General-Purpose Grant, Maintenance Grant & Plan Grant in Aid.

The Third SFC suggested a fixed amount be devolved as GPF, Maintenance Fund, and Fund for Expansion and Development in the first year of the award period and a flat 10% increase in subsequent years. It emphasized consolidation and stabilisation.

Unlike the previous three Commissions, the 4th SFC was entrusted with the task of suggesting measures needed for the proper institutionalization of the decentralization initiatives in the State and revisiting the recommendations of the first three SFCs which had been accepted by the Government but have not been operationalised. The 4th Commission therefore made important suggestions like providing a Gap Fund to Gram Panchayats which had a shortage of funds, providing incentives to citizens who pay taxes in advance and levying a cess on transfer of property which was assessed under Property Tax.

Table 2 contains the number of recommendations made, accepted and implemented.

SFC	NUMBER OF RECOMMENDATIONS ACCEPTED	NUMBER OF RECOMMENDATIONS IMPLEMENTED	TOTAL NUMBER OF RECOMMENDATIONS
1 <sup>st</sup> SFC	63	25	69
2 <sup>nd</sup> SFC	43	13	49
3 <sup>rd</sup> SFC	30	10	32
4 <sup>th</sup> SFC	140	25	151
5 <sup>th</sup> SFC	48	-	103

Table 3 focuses on the different categories of recommendations which were put forth by the SFC and what was the final decision.

RECOMMENDATIONS	ACCEPTED	REJECTED	ACCEPTED & MODIFIED	ACCEPTED & REJECTED	TOTAL
Devolution of Funds	3	15	6	2	26
UFC Grants	3	-	3	-	6
Mobilization of Own Resources	22	5	-	1	28
Finances of Rural Local Government	3	-	-	-	3
Finances of Municipalities	-	5	-	-	5
Fiscal Issues	8	2	2	-	12
Plan Formulation & Execution	4	6	3	-	13
Changes in Laws & Procedures	5	4	-	1	10
<b>TOTAL</b>	<b>48</b>	<b>37</b>	<b>14</b>	<b>4</b>	<b>103</b>



## Kerala's 5th State Finance Commission report

Two major problems have been identified which are mentioned in the 5th SFC report.

### 1) NEED FOR TAX REFORMS

Property and profession tax are the two major taxes collected by Local Governments and they account for 95% of tax receipts of Gram Panchayat and 85% of the Municipalities.

Failure to affect a periodical revision of entertainment, advertisement, other taxes, building permit fees, rent on buildings, and licenses, fines, and penalties, etc. have contributed to poor collection of revenues.

The buildings of the Central Government do not come under the ambit of property tax. This leads to loss of its revenue to Local Governments.

The entertainment tax was a major source of revenue from Local Governments. Several factors like Government decisions, development of cable and dish televisions, internet and other new-generation entertainment media, etc. have caused a decline in this source of tax.

State Government did not make any attempts to tap at a potential source of revenue.

### 2) DELAY IN PROJECT FORMULATION

One of the most important issues of Kerala is the bunching up of expenditure towards the last quarter or the last month of the financial year. During the first quarter of the financial year 2014-15, of the 15 GPs, only two spent more than 10% of their total expenditure. In 3 GPs, more than 73% of the expenditure was incurred during the last quarter. Due to the initial delays in project formulation, getting approvals, technical sanctions, and entrusting the work for execution, the actual execution was done in the last quarter of the financial year. Due to elaborate and unnecessary procedures in the pre-project formulation stage, the DPs spent a lot of time and energy for completing these procedures and neglect the important role of project formulation and execution. Hasty implementation of projects during the fag end of the financial year is the common practice. Due to delayed execution, the LGs were able to complete only a portion of the projects implemented in a financial year.

The reason for the increase in the number of projects is the practice of dividing the total plan amount ward-wise. Priority is not given for the overall development requirement of the municipality. The political interests of the councilors also prevent them from going for major projects.

Figure 2 : Phases of Project Formulation



Some of the other issues mentioned in the 5th SFC report are:

#### Issues in Local Governance

- Heavy reliance of funds from State Government.
- Gap between revenue and expenditure.
- Shifting of financial responsibilities to LGs without providing additional grants.
- Low priority for Own Resource Mobilization.
- Low priority & poor execution of Civic functions.
- Low rate of Honorarium.

#### Fiscal Issues

- Insufficient funds to meet increasing developmental requirements.
- Performance Audit System and Statutory Audit in ULB should be strengthened.
- Financial statements should be relevant, comprehensive, reliable, comparable and useful.
- Data Banks should be built and published online.

#### Pension Crisis

- Municipalities have to pay pension benefits to retiring staff of their own Municipalities as well as other Municipalities.
- Director of Urban Affairs are not giving pension funds to Municipalities in time due to inadequate budgetary provisions.
- Due to this, Municipalities are forced to divert their own fund & General Purpose Fund for paying pensions.

## Conclusion

Firstly, From Table 3, we can see that recommendations based on the Devolution of Funds are rejected the most. The major reason for the rejections is that the Government believes that the existing arrangement is based on decade long experience therefore there is no need to change them now unless there's a major problem. The other reason is that it is difficult to get data at the appropriate time therefore it becomes impossible to make predictions based on that data.

Secondly, the Commission recommends that the plan guidelines should emphasize the preparation of financially, technically, and economically feasible projects, speedy formulation of projects taking into consideration local development requirements, changing the procedures to get speedy approvals and technical sanctions, effective machinery / mechanism for execution, efficient and time-bound executions and achievement of physical and financial targets.

But this recommendation has been accepted with the modification that the plan guidelines should emphasize the preparation of financially, technically, and economically feasible projects. In the case of the remaining areas, the present system will continue.

The problem is that the remaining areas are equally important. Formation of a project and taking approvals take a lot of time and these delays the execution of the project. This leads to poorly implemented projects as most of the money is spent in the last quarter of the financial year.

Thirdly, the gap between the expenditure and revenue is increasing; therefore, Kerala needs to effectively tap on all the potential sources of revenue, especially property tax.



# Equity in Accessibility: The Case of Public Transport in Mumbai

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Research is creating new knowledge and helping society do better, Praja was my first step towards it.



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## Equity in Accessibility: The Case of Public Transport in Mumbai

India's Constitution strives towards equality which manifests itself through various rights - equal accessibility being one of them. Limited accessibility in transport systems due to physical disabilities and absence of adequate accessibility norms therefore renders the notion of equality incomplete.

At the global level Article 9 of United Nations' The Convention on the Rights of Persons with Disabilities, 2007 states that people with disability have the right to access physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. At the national level the National Urban Transport Policy, 2006 recognises that people occupy centre-stage in our cities and all plans would be for their common benefit and well-being to ensure safe, affordable, quick, comfortable, reliable and sustainable transport. Section 41 of Right of Persons with Disabilities Act, 2016 mentions about taking suitable measures for persons with disabilities in public transports, toilets, ticket counters, including retrofitting old modes of transport and roads to make it comfortable for people with disabilities.

All this shows that we have the required policies in place to provide access of transport to the specially abled. But there is a lack of will and nonchalance to translate this into reality.

In India the number of persons with disabilities are projected to reach 70 million by 2025<sup>1</sup>, a large number of people will be denied easy access if our public transport systems are not revalued. According to the survey conducted by the National Statistical Office (NSO), Ministry of Statistics and Programme Implementation, conducted a survey of persons with disability during July to December 2018, 2.2% of India's population is suffering from disability. According to this survey it was found that 65% of the people from urban areas who are specially abled faced difficulties in using the public transport facility. Accessibility to this 2.2% population is also the need of the hour because transportation is the catalyst of economic development. Along with making transport faster, easier and hassle free, it is important to make it inclusive as well.

Figure 1: Month-Wise Number of TB Notifications in Mumbai in 2019

Rural			Urban			Total		
Male	Female	Total	Male	Female	Total	Male	Female	Total
3.0%	2.1%	2.5%	1.9%	1.7%	1.8%	2.5%	2.0%	2.2%

Source: 2018 Survey report, National Statistics Office, Ministry of Statistics and Programme Implementation



## Accessibility in Mumbai's Public Transport

Mumbai Metropolitan region is home to 35.775<sup>2</sup> million people, who use various modes of travel such as suburban local trains, bus services, metro, some para-transit services like autos, kaali peeli taxis, etc. In Suburban locals 'Divyangjans' or specially abled are provided a special compartment in the train, so that they can easily travel amidst a super dense crowd of 14-16 passengers per square meter in the local. But that is if they can get into the local in the first place. In 2016, following a Public Interest Litigation before the Bombay High Court by Indian Centre of Human Rights and Law, railways agreed to conduct an audit where teams constituting of architects and lawyers went to 100 railway stations in the city and it was found that current railway stations are only 30% accessible for people with disabilities<sup>3</sup>. While lack of elevators/foot-over bridges with slope, public announcement system of compartment locations, lack of additional steps/platforms to close the gap between train doors and the railway platform hinder access to railway stations, even if one manages to get into the train, the compartment meant for specially abled is crowded with general passengers. According to the official records of Central Lines Railway Department, 1,465 cases had been prosecuted for travelling in the coaches reserved for specially abled and an amount of Rs. 3 lakhs has been collected as fine from April 2017- January 2018<sup>4</sup>.

For bus services as well, the lack of facilities like tactile tiles or braille system make it difficult for the visually impaired to reach a bus stop, also for physically challenged people it becomes difficult to get into the bus, as mostly, the bus does not halt at a fixed spot, and the person has to move back and forth. The drivers and conductors are sometimes impatient until the wheelchair user or crutch user gets in. The reserved seat for divyangjans is provided in buses but these are not comfortable because of minimum leg space.

In the whole of MMR (Greater Mumbai, Kalyan Dombivali, Navi Mumbai, Thane and Vasai Virar) 71.44% of the road length are covered with footpaths. Divyangjans are dependent on footpaths to reach the bus or local stations as these are supposed to provide a safe and dedicated corridor, but as stated by the study of Bloomberg Philanthropies Initiative for Global Road Safety (BIGRS)<sup>5</sup> in collaboration with Mumbai traffic police, "majority of victims die while using roads because of lack of proper footpath". This is because of the encroachments and repair works on footpaths, open drains, uneven leveling, unwanted projections, use of bollards and barriers, etc. It has also been found that two-wheeler riders use footpaths during peak hours to avoid heavy traffic. In fact there is no special provision for such offense in the Motor Vehicle Act.

Instead of tackling these issues however, the focus has mainly been on giving out doles to the specially abled. Thane Municipal Transport for example, declared to offer free travel for specially abled in September 2016 and BEST declared to offer free rides to students, specially abled and 50% concession for the old age group for 2020-21. But when accessibility to transport is not created in the first place, there is no question of availing free rides! Moreover, not every person who is visually impaired or physically disabled is poor. Instead of making transport free, there is a need to make it more accessible for this section of the society.

First, public transport being a fundamental service, should generate service revenue and not transport revenue. Second, the official staff plays a major role when it comes to ensuring safety of Divyangjans. Sensitisation sessions for the ground staff, such that the staff is trained to help them on individual basis to get in and drop off at appropriate locations should be conducted. The ground staff should be available at the ticketing counter, entrance, near the ramps, foot over bridges, escalators, lifts such that they are available at the critical points of stations. The transport carriers should be designed such that the steps to get into it are connected to the ground/platform and the stations/bus stops should be made comfortable by reserving seats to cater to the specially abled. Footpaths should be designed such that reaching bus stops or local stations is user friendly consisting of tactile tiles and braille system on the handrails for example, which helps to give easy access to the visually impaired to make their own way. Public toilets on transport stations also need to be made user friendly for the specially abled. Availability of escalators or elevators or slopes at the railway stations to cross platforms for the special abled should be made mandatory.



All this can be possible only when there is a strong co-ordination between transport operators and those maintaining pedestrian and other related infrastructure. It is important for urban and transportation planners to engage with people with disability at various levels of planning stages to ensure that unintended barriers are not created. The concept of “Universal Design” can play a key role in bringing environmental and accessibility goals together. Being part of a developing country it is important that we consider every single entity as a crucial factor that affects the development of the nation and therefore draft and implement policies and build an atmosphere which takes every individual into consideration.

- <sup>1</sup> <http://urbanmobilityindia.in/Upload/Conference/b21a2538-b60b-43e4-91d8-0aea0bee2e20.pdf>
- <sup>2</sup> <http://amplifi.mohua.gov.in/SearchController/tabluSearch>
- <sup>3</sup> <https://indianexpress.com/article/cities/mumbai/reality-check-at-railway-stations-for-accessibility-to-physically-challenged-4365070/>
- <sup>4</sup> <https://www.youthkiawaaz.com/2018/03/stagnant-wheels/>
- <sup>5</sup> <https://www.thehindu.com/news/cities/mumbai/51-of-road-accident-victims-in-city-are-pedestrians-says-study/article26738983.ece>



# **Controlling the Pandemic, But at What Cost? How COVID-19 mitigation measures have led to a neglect of one of Mumbai's top killers: Tuberculosis**

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It is imperative to focus not only on the eradication of diseases, but also on the promotion of overall “good” health and its interrelated components and determinants. The health of a city is only as good as the health of its people.



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## Controlling the Pandemic, But at What Cost?

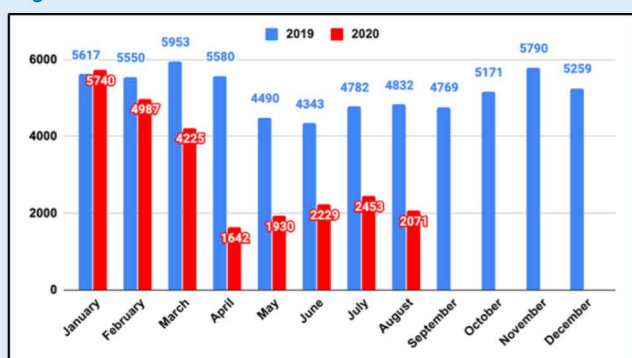
How COVID-19 mitigation measures have led to a neglect of one of Mumbai's top killers: Tuberculosis

The COVID-19 pandemic currently devastating the globe has till date amassed 51,22,846 cases and 83,257 deaths in India<sup>1</sup>. While 80,000+ deaths is an enormous loss, it is no more than the official reported deaths caused by Tuberculosis in 2019. Despite TB being a preventable disease, this is a yearly phenomenon.

Cities have seen the highest concentration of COVID-19 cases. A district and state-wise analysis conducted in July showed that a mere 10 cities accounted for 52.7% of all active cases in the country.<sup>2</sup> Mumbai, until recently, was the worst hit city in the entire country. This is owing to the fact that its sprawling slum population, cramped dwellings, and high population density made it virtually impossible for many to “social distance” and presented itself as the optimal breeding ground for this highly infectious disease to spread. As of 17th September 2020, Mumbai's COVID-19 toll stands at 1,75,974 cases and 8,280 deaths, with a fatality rate of approximately 4%. In addition to this, Mumbai also suffers the burden of a highly concentrated TB epidemic, with an incidence rate of approximately 418 per 1,00,000 of population, and an appalling high fatality rate of 11%.<sup>3</sup>

The advent of COVID-19, the many successive lockdowns, and the rapid changes in healthcare systems had a staggering impact on the provision of healthcare. Chaos ensued, healthcare facilities were overburdened, and the already scarce number of healthcare personnel were redistributed and diverted to COVID-19 control services. Non COVID-19 essential health services bore the brunt of these rapid changes, and were subsequently neglected. A culmination of these factors led to a dramatic drop in both access to essential TB treatment and number of TB notifications.

Figure 1: Month-Wise Number of TB Notifications in Mumbai in 2019



In Mumbai, January 2020 exhibited one of the highest notification rates (5,740) of any month from the previous years. However, April 2020 saw the number of notifications drop to 1,642, lower than any of the previously recorded months. This was a shocking 71% lower than recorded in January 2020, and 63.5% less than what was recorded in April the previous year.

TB Notifications are a particularly important tool in controlling the spread of the disease. Their purpose is to enable routine surveillance to pinpoint sources of outbreaks, to as-



-certain focus areas with higher TB burdens, and to provide access to timely and adequate treatment. Treatment in the case of TB is doubly important as the improper or untimely administration of treatment leads to a more virulent form of TB known as Drug-Resistant (DR) TB, which is resistant to a number of first and second line TB drugs. The various drug resistant strains do not respond to the standard six months of TB treatment but instead require aggressive interventions that involve a higher treatment time, cost, and come with a larger range of side effects. DR-TB can also be transmitted from person to person. Moreover, according to the India TB Report 2019<sup>4</sup> treatments for drug resistant TB have a mere 47% success rate, in comparison with Drug sensitive TB, which has a 79% success rate.

This has important implications not just for Mumbai, but for India as a whole. While the number of notifications of new cases in India rose by 60%, from 1.2 million to 2.7 million from 2013 to 2019, as is visible in the table below, COVID-19 greatly affected this progress. Overall, India saw a reduction of 36% in the number of TB notifications. In some states however, the decrease in notifications has been as sharp as 47%. This means that a much smaller number of possible TB carriers were visiting hospitals, being diagnosed, and receiving the necessary treatment. This as mentioned has the dual unfavorable outcome of an increase in TB mortality, and simultaneous increase in the number of potential DR-TB carriers.

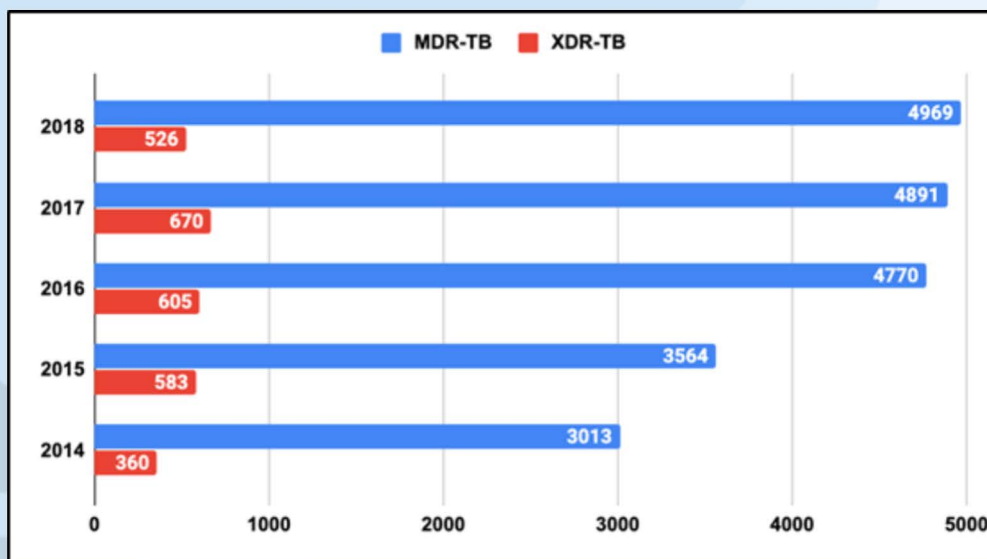
**Table 1: Year on Year Progress in TB Notifications for Major States/UTs from 2017 to 2020**

State	Progress in the number of TB notifications from 2017 to 2018	Progress in the number of TB notifications from 2018 to 2019	Progress in number of TB notifications from 2019 to 2020
Andhra Pradesh	17%	8%	-46%
Assam	8%	16%	-39%
Bihar	6%	15%	-38%
Chandigarh	19%	30%	-44%
Delhi	35%	34%	-31%
Gujarat	11%	3%	-34%
Jharkhand	15%	16%	-35%
Kerala	7%	4%	-27%
Madhya Pradesh	16%	21%	-37%
Maharashtra	23%	13%	-42%
Meghalaya	23%	17%	-32%
Nagaland	36%	10%	-44%
Rajasthan	44%	12%	-31%
Tamil Nadu	7%	9%	-47%
Uttar Pradesh	38%	19%	-39%
Uttarakhand	23%	22%	-32%
West Bengal	12%	7%	-39%
<b>Overall</b>	<b>21%</b>	<b>14%</b>	<b>-36%</b>

*Note: The States presented are based on the high percentage fall in notifications compared to previous years.*



Figure 2: MDR-TB and XDR-TB cases in Mumbai from 2014 to 2018



According to data available on the MCGM Public Health Portal, the number of DR-TB (MDR-TB and XDR-TB) cases in Mumbai also appears to be at an all-time high, as of 2018<sup>5</sup>.

Taking into consideration Mumbai's heavy TB burden, rising DR-TB cases, and falling TB Notifications, a frightening scenario emerges. While preventive lockdown measures may have succeeded in lessening Mumbai's COVID-19 burden to some extent, they took the wind out

of the sails of its TB programme; which until then appeared to have been making progress. Though lockdown restrictions have now lessened, TB notifications have not increased proportionally. The possible implications of a reduction in TB Control and treatment in a city like Mumbai present a long standing and catastrophic inevitability if not tackled in a timely manner. A DR-TB epidemic caused by lack of TB treatment would prove to be a catastrophic, financially infeasible, and socially disastrous predicament.

The United Nations Sustainable Development Goals (SDGs) have set out a global target to eliminate TB by 2030. India has pledged to achieve this by 2025. In order to reach elimination status, we would have to reduce our TB incidence to less than 1 case per 100,000 people. As of 2020, our national TB incidence is estimated at 200 per 100,000 people<sup>6</sup>. Considering this, attaining elimination status by 2025 is truly a herculean task. Now, with the added deterioration in the painstakingly attained progress that had been made, the path ahead is even more arduous. Mumbai, with its concentrated number of TB cases has a paramount role to play in the battle towards a 'TB Free India'.

While maintaining COVID-19 control efforts and preventing more deaths are of the utmost importance, they cannot be shouldered at the cost of other essential health services. As of July 31<sup>st</sup> 2020, 64,349 deaths had taken place in Mumbai<sup>7</sup>. In 2019, that number stood at 80,000+ for the entire year. This excess of deaths is not explained by COVID-19, which only makes up for 10% of the total. This clearly indicates that 90% of the deaths and the provision of other essential medical services, including Tuberculosis are being neglected.

In a precarious and volatile situation like this, a dual strategy for simultaneous COVID-19 and TB essential services is imperative in order to limit the spread of these highly infectious diseases. This requires a concerted effort to mitigate the looming threat of a sharp spike in DR-TB cases and TB deaths to ensure that the controlling of a pandemic doesn't lead to a subsequent epidemic. Additionally, in line with the National Health Policy 2017's vision of "prevention first", it is also supremely important that essential health services for other diseases continue uninterrupted. It is necessary to focus on averting not just COVID-19 deaths, but also preventable non-COVID-19 deaths.

<sup>1</sup> As on 17th September, 2020

<sup>2</sup> <https://www.hindustantimes.com/india-news/10-cities-account-for-half-of-india-s-active-infections/story-jA9UvWLUfC2hzBoZkytaaP.html>

<sup>3</sup> Calculated based on Nikshay Portal resident notifications for Mumbai in 2018 compared to TB deaths registered for the same year by MCGM.

<sup>4</sup> <https://tbcindia.gov.in/WriteReadData/India%20TB%20Report%202019.pdf>

<sup>5</sup> [https://portal.mcgm.gov.in/irj/go/km/docs/documents/MCGM%20De-](https://portal.mcgm.gov.in/irj/go/km/docs/documents/MCGM%20Department%20List/Public%20Health%20Department/Docs/Tuberculosis%20Department/Updated%20RNTCP%20Website%20Data.pdf)

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<sup>6</sup> <https://tbcindia.gov.in/showfile.php?lid=3538>

<sup>7</sup> <https://indianexpress.com/article/cities/mumbai/covid-outbreak-64349-deaths-in-mumbai-this-year-6587188/>



# **The Role of Children in Urban Development Policies and Projects in India: Meaningful Participation or Tokenism?**

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The research internship program of Praja Foundation not only opened an entirely new avenue for me to explore but also provided me with the opportunity to work with a highly cooperative and commendable team.



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Tarusha completed her Bachelor's Degree (Honours) from Miranda House, Delhi University in Geography and further undertook Masters in Urban Studies from Ambedkar University, Delhi.

# The Role of Children in Urban Development Policies and Projects in India: Meaningful Participation or Tokenism?

*In pursuit of creating people-centric cities, are the current urban development schemes serving the right to participation of children to render child-friendly spaces?*

## From recipients of welfare to right-bearing citizens

Traditionally children were considered to be objects of protection and recipients of welfare (Stern, 2006). It was not until the 20th century that children began to be considered as autonomous individuals. The journey of children becoming right-bearing holders started with Eglantyne Jebb (founder of Save the Children) who drafted the first document in history stating that children had rights (adopted by the League of Nations, Geneva in 1924) (Kerber-Ganse, 2015) and it was finally in the year 1989 where a universal standard for the children's rights was first established through the United Nations Convention of the Rights of the Child (UNCRC).

The decade of 1990-2000 is considered to be significant as the research on children and their built environment peaked during this time (Chatterjee, 2018 & Bartlett, 2002, p 8). This finally gave rise to UNICEF's Child-Friendly Cities Initiative in 1996, whose foundation lies within the UNCRC principles (UNICEF). UNCRC broadly covers two larger aspects, the right to protection and right to participation of children (Stern, 2006). Since children form a large demographic section in India, i.e. 32% (0-18 years of age) their participation aspect becomes extremely crucial to ensure safe surroundings for them to thrive in (NIUA, 2019). An insightful attempt to engage with the level of right to participation of children in India can be through reviewing policies and projects under current flagship national urban development schemes to examine if in pursuit of establishing child-friendly cities, are the missions specifically adhering to the meaningful participation of children. It can also be interesting to note how cities worldwide are effectively practicing the right to participation of their children.

## Reviewing urban development schemes from a child-friendly perspective

The current urban missions of India envisage cities to become liveable and people-centric along with being engines of growth (NIUA, 2019). Specific union government schemes like Smart City Mission, Swachh Bharat Mission & AMRUT with their interventions are emphasising on their child-friendliness in India.



## Urban Development Missions- Policies Addressing Children

SCM has taken significant steps in order to create child-friendly cities, an initiative flag borne by Bhubaneswar in India. It intends to reinstate children as crucial stakeholders in areas ranging from basic services to safety, mobility and liveability (NIUA, 2019). The Swachh Bharat Mission emphasises on the role of children being the ambassadors of cleanliness through campaigns like 'Bal Swachhta' and 'Swachh Vidyalaya' and giving guidelines on Child-Friendly Toilets in an advisory report on Public and Community Toilets under Ministry of Housing & Urban Affairs (MoHUA, 2018). AMRUT guidelines mention the provision of open spaces and parks for children specifically as one of its thrust areas (MoUD, 2015).

## Urban Development Missions- Projects addressing children's needs

The municipal governments and development authorities of various cities have been instrumental in planning and implementation of several child-friendly projects through collaboration and consultation with organizations like Institute for Transformation & Development Policy (ITDP), World Resource Institute, Bernard Van Leer Foundation and Urban 95.

Considering examples of three cities which have been making interventions to create inclusive and sustainable cities for all have been Pune with its 8-80 principal street design at DP Road, Aundh under SCM, Women & Child-Friendly Pink Toilets in South Delhi under Swachh Bharat Mission and residential parks in Bhubaneswar under AMRUT.

## The arising issues

While it is commendable on the part of the missions to come up with such initiatives, there exist several issues. Whether it is the PMC's decision to convert an originally one-way planned street into a two-way street that compromises the safety of the pedestrians (Bari, 2017), the Women friendly Pink Toilet in Delhi that may cater to younger and adolescent female kids, not considering young male children to residential parks under AMRUT in Bhubaneswar facing issues regarding operation and management (The Indian Express, 2019), the problems prevalent lack in several ways to provide the right to mobility, right to safe and hygienic sanitation and right to play for children. Moreover, all of these interventions take place in planned areas of the cities, leaving the children from informal spaces deprived.

Adding to the several issues, an overarching shortcoming of these interventions is the negligence of the right to participation of children. None of the three interventions engaged children in the planning phase. While participation in case of DP Road redesign is only restricted till collecting feedback from a mock-up trial of the pilot project (PMC), no participatory activity, especially to involve children was done for the toilet and parks.

## Initiatives on effective participation

The various challenges faced by children in the rapidly urbanising cities has caught the attention of numerous local leaders from around the world (UNICEF, 2001). An excellent example of how local government's political will can promote participative, democratic, transparent, supportive and inclusive governance comes from Cotacachi, Ecuador in South America. Under the leadership of the Mayor Auki Tituana Males, a separate intersectoral council was set up in 2000 for children & adolescents with children becoming delegates to have a voice in the local governance. Their participation was legalised through 'Great Plan of Childhood & Youth' where they are given equal voice within the city development plans and dedicated annual municipal budget (Cabannes, 2006).

Susanna Hausmann-Meula, Chief Program Officer at Foundation Botnar states that it is important to understand what a child wants in his/her space through mind-craft. Children have to be involved by thinking of ways out of the box. An interesting example of innovatively involving children into urban planning and design was presented by the World Resource Institute's Safe Street Project in 2020 in collaboration with the Bombay Municipal Corporation which aimed at creating safe pedestrian space around a school in Mumbai through a participatory approach. Students from the school were divided into three different age groups and based on their cognitive abilities were given activities to convey how they wanted the streets to be (Figure 1). Based on the findings the final layout of the plan was prepared.





Figure 1



Figure 2



Figure 3

Figure 1: 6-9 Age Group: Children superimposing tracing sheets over the photographs of streets, showing what they wanted to see.

Figure 2: 10-12 Age Group: Mind maps were made to show what children observed vs what they imagined their streets to be.

Figure 3: 13-16 Age Group: Children listing barrier, causes & solutions to make the pedestrian environment safe.

Source: WRI Ross Center For Sustainable City, 2020

Figure 1: Innovative Methods of Incorporating Children to Design Streets Around their Schools

## Prioritising and institutionalisation of participation of children

While prior to the urban development missions the policies for children remained restricted till health, nutrition and education, it sure is a welcoming step for these missions to aim at creating children-friendly space in cities on the parameters of inclusivity and sustainability (NIUA, 2019, p.8). However, presently, the participatory practices to bring these parameters on the ground in India seem to be either neglected or highly tokenistic in nature for children. The political will of the local government and innovative methods of engagement of children from different age groups has proved to bring about successful results in creating inclusive and safe spaces as shown through the best practices discussed above. Adopting and prioritising the participation of children as an approach by developing mechanisms that institutionalise their inclusion as a part of routine practice (Bartlett, 2002) can lead to meaningful participation because interventions implemented for children with their involvement would result in rendering the best possible child-friendly spaces.



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# Building A Case For Child-Friendly Toilets in India

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# Building A Case For Child-Friendly Toilets in India

*Child-friendly toilets as an innovative solution to increased access to toilets for children.*

Toilets save lives! However, India is home to the second-largest number of people without access to toilets as per a WaterAid report of 2017 (Salve, 2017). Along with women, elderly and differently-abled people, children remain as one of the worst-hit sections of the society with regard to inaccessible toilets. Broadly, the hurdle for children is threefold- with inadequate toilet facilities, they are being exposed to health issues like diarrhoea leading to 60,700 children under five years of age dying each year in India (Salve, 2017). 1 in 3 schools worldwide do not have toilets (WaterAid, 2018), leading children, especially adolescent girls to drop out, impacting their education adversely and safety being an issue for children and young girls who remain at risk for defecating in the open due to inaccessible toilets.

India took a remarkable step towards solving the issue of inadequate toilet facilities for its citizen through the Swachh Bharat Mission launched in October 2014 (MoHUA, 2018). It lays special emphasis on the provision of toilets into child-related institutions like schools through Swachh Vidyalaya Campaign and views the role of children as instrumental in bringing behavioural change among people through the Bal Swachhta Campaign. While the mission has tried to improve toilets facilities, it has largely failed to achieve the desired results (Chauhan, 2017). Even if well-equipped toilet complex is being constructed, a part of the problem is that children remain unable to make use of the toilets provided due to their age and stage of physical development, which calls for the need for child-friendly toilets.

## Pink public toilets- A step towards taking children's need into consideration

The Swachh Bharat Mission recognizes the need for child-friendly toilets to a certain extent and has even issued an advisory on community and public toilets under the Ministry of Housing & Urban Affairs (MoHUA) in 2018. It advises for menstrual hygiene management and availability of urinals as per children's height in the public and community toilets.

In terms of concrete steps taken on the ground, the Pink Toilet of Delhi stands as a remarkable example. The National Commission for Protection of Rights of Child (NCPCR) with South Delhi Municipal Corporation and Ministry of Women & Child Development implemented the gender-sensitive model of public toilets in the year 2018 in the Vikaspuri, and subsequently in Saket and Lajpat Nagar as well. The toilets encompassed several child-friendly aspects (MoHUA, 2018, 63). The model is significant because states of Uttar Pradesh, Telangana and Karnataka have also shown interest in implementing similar models in their cities (Belur, 2018). Noida has already created a few Pink Public Toilets (Ahuja, 2019).

## Child-friendly features of the pink toilets

Features catering to the children in these pink toilets include separate toilet facility for women, adolescent girls; separate low height toilets and basins for children; bright and vibrant with proper lighting; Sanitary napkin Vending Machines (napkins available for the marginal cost of Rs1, 5 or 10.); differently-abled-friendly with the availability of ramps and private area for child care inside toilet campus (MoHUA, 2018, 63).



## The arising issues

Three kinds of issues arise. Needs and interests of pubescent girls often go unheard (Ramalho & Chant, 2020), especially for those living in slums and not having access to toilets at home. They are discouraged from using community toilets due to safety reasons. Initiatives like Pink Toilets have a good potential to address their needs effectively if implemented not just as a public toilet model, but also as a community toilet model in slum areas. Secondly, while designing such an initiative the children and women were not involved in the process that denies their right to participation. Often the insight of users may highlight several aspects that otherwise go unaddressed by those who design such spaces. Thirdly, the model completely neglects the needs of male children.

## Child-friendly toilets as an innovative solution for building successful community toilets

Child-friendly toilets are not an alien-concept for India. The country has already seen successful intervention on community toilets with special provisions for child-friendly facilities about two decades ago. As part of a larger program on Community Managed Resettlement Programmes, community toilet complexes were constructed in Mumbai and Pune by Society for Promotion of Area Resources Centre (SPARC), the National Slum Dweller Federation (NSDF) and Mahila Milan in collaboration with the municipal governments between 1995-2006 (Burra et al., 2003). The following are the aspects they focused on:

**Identification of problems faced by children:** Mahila Milan during their field surveys in slums came across three problems that led the children to defecate in the open: a) when competing with adults, children lose out and find it easier to squat in the open; b) many young children are frightened of using conventional latrines, which are dark and often smelly; & c) the fear of mothers that their children might fall into toilet holes made them encourage children to sit in the open (SPARC, 2014, 26).

**Design Considerations:** The alliance created separate seats for children along with men and women to solve the problem of open defecation. Toilets with doors that swing both sides, smaller squats for children, pour-flush latrines, etc (SPARC, 2014, 19).

**Citizen Participation:** Only one mason and a few helpers were hired. All other labour and construction supervision was contributed by women, men and children from the local communities. No middlemen were involved in the construction (SPARC, 2014, 23).

**Focus On Community Toilets And Not Public Toilets:** A community toilet is an asset that belongs to and is controlled by a community – not by the city, not by the government and certainly not by a passing stranger( in context of public toilets). Within the murky politics of land and tenure in Indian cities, the construction of a community toilet proved to be a powerful manoeuvre, especially because it was built by the community itself (Burra et al., 2003, 30).

## Every toilet should be a child-friendly toilet!

The Swachh Bharat Mission declared 98.88% cities as ODF, but the reality remains otherwise, as criterias of demarcating a municipality ODF remains questionable (Dewoolkar, 2018). Children quite often defecate in open due to the number of challenges they face and lose out on their health, education and safety. While Pink Toilet Model seems to be promising, it needs to be implemented to cater to a larger number of vulnerable children living without access to toilets in informal spaces of the cities. Creating child-friendly toilets on the lines of how SPARC, Mahila Milan and NSDF did two decades ago can be an interesting step towards improving toilet accessibility. The key role is to be played by the municipal governments through their political will in taking such initiatives, which would serve children their right to improved sanitation & hygiene.

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# **Need for a Successful Heritage Conservation Policy at the Municipal level**

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Doing a work from home internship was a different experience with ups and downs while exploring relevant material, but discussions and interaction with internship coordinator gave that boost and new ways to take up the research enthusiastically.

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## Need for a Successful Heritage Conservation Policy at the Municipal level

The current urbanisation trends in cities across the world, besides providing job opportunities, growth and development have put tremendous pressure on infrastructure, built environment and natural resources in the cities. By the year 2050, 69% of the population would be concentrated in urban areas (UN, 2017). The burgeoning population and increased densification have led to destruction of historic urban areas in cities. India, being more than a 5000 year old civilization has a vast heritage, present both in tangible and intangible form. India's current urbanisation rates hovers around 34% (UN World Urbanization Prospects 2018), an increase of about 2% from the 2011 Census. This has put tremendous risk on many heritage towns in India, which are of architectural, aesthetic, cultural, natural and historic significance. It, thus becomes crucial for countries like India to balance the notion of development along with heritage conservation. The 74th amendment was a landmark development in terms of decentralization of power to municipalities in India. One of the functions listed for municipalities in 12th Schedule is the promotion of cultural, educational and aesthetic aspects. This is important in the context that local communities and municipalities have played an important role in conservation and continuation of heritage, even before such formal institutions or legislation existed and thus there is a need to focus on these decentralized institutions to preserve heritage in the cities.

### Focus on communities and municipalities in international conventions and charters

International organisations such as UNESCO, ICOMOS works in the domain of heritage conservation have emphasised upon role of local communities and municipalities in heritage conservation. Athens Charter, 1931, Washington Charter (Conservation of Historic Towns and Urban Areas), World Heritage Convention, 1972 have specifically focused on participation and involvement of communities, residents and city governments when it comes to preservation and planning for historic urban areas. UNESCO's declaration concerning the International Destruction of Cultural Heritage (2003) emphasises upon how the destruction of heritage may have adverse consequences for members of a particular community and their traditions, customs, and values. It is thus important to focus on heritage conservation as it represents the lived form of particular community, society or an entire country. Besides India is signatory to a number of international conventions and charters, certain issues surrounding heritage conservation in cities are yet to be resolved.



## Exploring the governance issues in heritage conservation

Lack of synergy between conservation programme, urban planning, and community development (Badhreenath, 2010), and no integration of heritage conservation with zonal planning, like coastal management plan have led to the destruction and degradation of heritage in cities (Callegari and Vallega, 2002; Goodhead and Aygen, 2007). Absence of proper solid waste disposal mechanism, proper sitting arrangements, availability of drinking water, clean and eco-friendly toilets, trained professional guides, interpretation centers have severely impacted the tourism potential of heritage sites (Gantait, Mohanty & Swamy, 2018). The poor capacity of Urban Local Bodies in terms of human resource and financial constraint has led to poor implementation of Heritage Plans as has been studied with respect to HRIDAY city's plan in Mathura. There is often a disconnect between heritage conservation policy and economic opportunities, due to which certain projects face resistance amongst the local population. Multiplicity of agencies and lack of clear demarcation of roles and responsibilities have led to delay in execution of projects which further had an impact on financial cost. Institutions such as INTACH besides playing an important role in policy formulation and awareness programmes, have limited scope in implementation because of consultative and advisory role they play (Sathya Prakash Varanashi. Interview. Conducted by Vipul, 28 August 2020). The following issues can be resolved by taking into account multiple intervention through policy, administrative, legal and institutional mechanism by referring to various best practices adopted in Indian cities at municipality level.

## Legislations – Not as barriers but as catalyst for continuation of heritage

Building bye laws or town planning regulations are often perceived as hinderances towards taking conservation efforts in heritage conservation areas. In state of Gujarat and Rajasthan, state or Municipalities enacted acts such as Rajasthan Municipalities Act, 2009, Introduction to heritage regulations in Walled City of Ahmedabad. The acts incorporated provisions such as flexible land use/building use for heritage buildings, required permission from municipality before demolishing or taking renovation works in heritage building, constituted technical heritage community and heritage cell within the municipalities. These progressive legislations and regulations helped to preserve and continue the heritage character of the city.

## Balancing the notion between conservation and development

Conservation and development needs to be seen together. The approach should be conservation with development. Every type of heritage (both tangible and non tangible) in the city is of different value and sometimes the less valued heritage might take a backseat when confronted with development which is critical for larger sections of society. The fine balance between both can be searched only after identifying what is important for the local community and also for the larger city scale (Dr. Bhawna Bali. Interview. Conducted by Vipul, 18th September 2020). Integration of Heritage Plan with Master Plan of Jaipur is a vital example for taking into account the overall development vision of the city as well as preserving the core heritage character of city. Projects such as Shahjahanabad Redevelopment Plan, Golden Temple Pedestrianization can be further explored for addressing accessibility issues and road widening along with conservation.

## Bottom up approach towards conservation policy

Any heritage conservation policy needs to emphasise upon socio, cultural, fiscal and political spheres within its contextual surroundings. As pointed out by Sathya Prakash Varanashi (Ex. Head, INTACH Bengaluru Chapter), the approach should be to have a comprehensive conservation policy with focus on Project, Policy, People, Fiscal and Politics. The case study of Norway Municipal Authority can be looked as a great example as the municipal authority prepared local heritage plans through extensive consultation within the community. Benny Kuriakose (Architect, Muziris Heritage Project) in his telephonic interview mentioned that heritage is seen as Local assets, local strengths and that helped to gain confidence amongst local community.

## Breaking down silos and working in collaboration

The issue of multiplicity of agencies and overlapping of work can be best managed through institutional mapping, identifying specific roles and responsibilities, identifying overlaps and setting up a body (Eg. heritage cell at Municipal-



-ity level) to further take the lead and coordinate with various department. (Dr. Bhawna Bali. Interview. Conducted by Vipul, 18th September 2020). Ahmedabad Municipal Corporation Heritage Cell has taken successful efforts in coordinating with Electricity department, NGOs, literary organisations, Temple trusts for effectively coordinating infrastructural works within the walled city.

## Community involvement and awareness generation

Creating Pride by involving local community in heritage conservation is essential so that more and more people associate with heritage. Reviving traditional governance system such as Paanch, conducting heritage walks, organizing heritage festivals within Ahmedabad Walled City or publishing monthly newsletter, organising cycling trails in case of Muziris Heritage Project have led to Collective conservation and gain credibility, reliability and acceptability among the community people. Children, youths, adults and old age people through inter generational interactions have been able to sustain and pass on heritage from one generation to another. As said, “Heritage is only relevant, when it is relevant for the local people”. Thus, involving community in the process can ensure long term sustainability of heritage conservation as they are most closely associated with it and is a part of their everyday life.

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