

URBAN LOCAL GOVERNMENT

**Bhuvanesh Gupta
Amit Verma**





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CONTENTS

Chapter 1. Structure, Roles, and Responsibilities of Urban Local Government	1
— <i>Amit Verma</i>	
Chapter 2. Urbanization and Evolution of Local Governance in India	10
— <i>Sourabh Batar</i>	
Chapter 3. Evolution of Municipal Governance in Uttar Pradesh: From Colonial Legacy to Constitutional Empowerment	20
— <i>Bhirgu Raj Maurya</i>	
Chapter 4. Transforming India's Urban Landscape: A Review Study	28
— <i>Yogesh Chandra Gupta</i>	
Chapter 5. Transforming Rajasthan's Urban Landscape: AMRUT Success Stories and Smart City Initiatives	37
— <i>Pradip Kumar Kashyap</i>	
Chapter 6. Urban Challenges and Initiatives in India.....	46
— <i>Dal Chandra</i>	
Chapter 7. An Overview of State-Urban Local Body Interaction in India.....	54
— <i>Amit Verma</i>	
Chapter 8. Revitalizing Urban Governance: Strengthening the State-Local Relationship for Sustainable Development	63
— <i>Sourabh Batar</i>	
Chapter 9. Decentralization and Policy Reform in India: Navigating Challenges for Inclusive Governance and Development	71
— <i>Bhirgu Raj Maurya</i>	
Chapter 10. Empowering Citizens and Strengthening Local Governance for Inclusive Development	80
— <i>Yogesh Chandra Gupta</i>	
Chapter 11. Panchayati Raj and Urban Local Governance in India.....	90
— <i>Pradip Kumar Kashyap</i>	
Chapter 12. Empowering Democracy: The Role of Local Government in India's Growth	97
— <i>Dal Chandra</i>	
Chapter 13. Impact of the 74th Constitutional Amendment and Historical Perspective on Urban Governance in India	106
— <i>Bhirgu Raj Maurya</i>	

CHAPTER 1

STRUCTURE, ROLES, AND RESPONSIBILITIES OF URBAN LOCAL GOVERNMENT

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ABSTRACT:

The United Nations Habitat is aware of the need for local assistance and capacity development to promote inclusive and sustainable urbanization. It is vital to look at how India's urban local government system has changed over time since it developed from British colonial-era institutions. The institution of local self-government must be a dynamic organization with enough autonomy to be able to address the needs and ambitions of the community if good urban administration is to be achieved. The relevant authorities at the highest levels have also acknowledged this. However, their development was stifled because of a refusal to share authority, both during British control and in the years after independence. The 74th CAA made an effort to make things right. The actual transfer of power has not occurred, despite the fact that it was enacted more than 25 years ago. The government, notably the Central Government, has created the circumstances for the State governments to undertake reforms to enhance the ULBs since urbanization is growing and cities are suffering expanding infrastructural and service gaps. Given that cities are the primary drivers of economic development, it is imperative that the essential actions be done as soon as possible.

KEYWORDS:

Constitution, Government, Responsibilities, Town, Urban Local Government.

INTRODUCTION

Urban local bodies received constitutional status during the post-independence period, giving them authority over certain tasks. However, a number of issues still exist notwithstanding the constitutional modifications. Urban local governments differ in their organisation and operation from state to state, and several municipalities still suffer with challenges including lack of financial autonomy, duplication of duties with other organisations, and ineffective public participation. It's necessary to comprehend what the term "urban local government" means and what its features are before we begin to analyse the function and duties of the urban local government. The local refers to certain locations that are identified by locality, suggesting a distinct territory and a people residing there. The term "government" describes its representational nature and the independence it has in making choices on the issues that are entrusted to it by the Constitution. Therefore, it may be said that urban local government refers to an institution of governance in a statutory town, defined by a certain territory and the inhabitants inside, debating, regulating, and putting decisions on the issue into action.

Urban Local Governments

To address regional differences in political beliefs, economic progress, social values, and citizen engagement, three tiers of governance are justified. Assam's context, for instance, differs from Gujarat's or Maharashtra's. The requirements of residents in Kerala may be different from those in Uttar Pradesh, and similarly, residents in Delhi may be more or less inclined to pay taxes or user fees than those in Amritsar [1], [2]. Even within the state, the ULBs in a larger town could have more revenue-generating sources than the smaller towns,

which puts them in a better position to provide or offer a wider range of services. As a result, the local governments address the needs and ambitions of the populace on issues that affect them on a daily basis. It also suggests that the quality of services varies from town to town both inside and outside of a state. These self-governing organisations must be active for effective urban government to exist, particularly in light of the growing urbanisation and economic importance of cities. The need for stronger urban administration will rise as Indian cities expand in size and population. According to predictions, the majority of people will live in cities by the early 2030s.

Its significance is also clear from UN Habitat's assessment, which stated that "India is at a critical stage where it can preserve and build on the reforms and economic gains, but it requires significant capacity and handholding support to strengthen institutional structures at the local level." In order to accelerate the process of a sustainable and inclusive urbanisation and to better position India on the regional and international stage, local governments and utilities must be given the tools they need to effectively apply governance principles at the local level. The British era of rule is when the present institutional structure originated. Therefore, it is crucial to understand how this system has changed.

India's History of Urban Local Government

In India, local issues have been addressed from the dawn of time in both urban and rural communities. The fundamental role of local governments has always been to enhance the quality of life of its residents by providing them with municipal facilities like water supply and sanitation, neighbourhood public works, gardening, etc. Speaking about metropolitan regions, Megasthenes said that there used to be six bodies, each with five members, that were responsible for key aspects of human activity, such as the registration of births and deaths, the care of foreigners, and other such things. In addition to their duties in magisterial, police, and fiscal concerns, Kotwals handled a variety of municipal duties throughout the Moghul Empire in mediaeval times.

The Municipal Government of British design gave rise to the Indian municipalities that are in existence today. The first such intervention took place in Madras. In order to address the issue of Madras' conservancy, Josiah Child, the governor of Madras, looked for such a building. James II, King of England, granted the East India Company the authority to create a Corporation and Mayor's Court at Madras by a charter in 1687. The Mayor, Aldermen, and Burgesses made up this civil government, which had the authority to collect taxes for the construction of a guildhall, a prison, a school, as well as other public service and adornment projects. The London pattern served as the system's main inspiration. Mayor's courts were subsequently created in the three presidential cities of Bombay, Madras, and Calcutta in 1726. The Charter Act of 1793, however, constituted the first mention of municipal administration in a statute. This Act gave the Indian Governor-General the authority to select Justices of the Peace for the Presidency towns. These Justices of the Peace had the authority to collect money from the communities' properties and homes by levying a fee for scavenging, keeping watch, and maintaining the streets. Lotteries have been used to generate funds for local development projects since 1793. The monies obtained in this way were utilized for projects of utility and development until the English people denounced this approach to raising money for local needs. In 1836, this agreement came to an end. It should be highlighted that lottery proceeds were used to fund the construction of Calcutta's renowned Town Hall[3], [4].

The system was altered by the Councils Act of 1861. As a result, via local law, Bombay, Calcutta, and Madras acquired the system of electing representatives from ratepayers in 1876,

1876, and 1878, respectively. The Government, however, exercised strict control over these Municipalities via their appointed Chairmen, and other restrictions were put in place to rob them of genuine public authority. They did, however, have some actual autonomy, according to Mallik's analysis. But until Bengal's 1842 promulgation of an Act allowing municipalities, if the towns so desired, backed by two-thirds of households and prepared to pay taxes for the such Municipalities, no effort had been made to build municipalities outside the Presidency Towns. The results of this experiment were unsuccessful. For the whole of British India, an Act was enacted in 1850 that allowed for indirect taxes. It was mostly used in Bombay and the North West Provinces, but not much in Bengal or Madras. This resulted in the establishment of several municipalities. From the perspective of local self-government, these Acts did not go very far, but they undoubtedly helped to improve the hygienic conditions of many rural communities, according to Mallik.

After that, Lord Mayo started the process of developing self-government, preparing the stage for the electoral system. But the emergence of local self-government really took form under Lord Ripon's leadership. Local self-government was a means of popular power and functions, he said. Additionally, certain communities had the option of electing Chairmen in lieu of Executive Officers. The duties of local public works, medical assistance, and education have been delegated to the municipalities. They received some funding from provincial revenues to help them with their duties. As a result, the Municipal Government was transformed into a body corporate with some members chosen by the Government and others elected by the ratepayers. Frequently, the Municipality's chairman was chosen by the body. Even municipal assets and finances were given to these entities.

DISCUSSION

The majority of elected members had terms of three years, and the province governments set the election regulations. Voters had to meet certain status requirements or own land. In general, the elections were conducted in accordance with wards, communities, or both. The Municipalities' duties subsequently grew in number and may be classified as either mandatory or optional. 722 Municipalities existed in 1881; this number increased to 739 in 1891; 742 in 1901; and 749 in 1921. It is important to note that just 15% of India's population lived in these metropolitan regions. The major goals of Lord Ripon's resolution were more consistency and increased participation of the populace in administrative tasks. However, Lord Curzon limited many municipal powers, particularly those of the Calcutta Corporation, which R.C. "Real popular government was at an end," said Dutt.

Although Lord Chelmsford agreed that "local bodies must be as representative as possible" and that their authority should be actual rather than symbolic, he maintained the franchise low enough to apply primarily to ratepayers. He consented to provide local councils more authority. However, the Municipalities' ability to manage money, especially money earned through their own efforts, was diminished. Many political figures entered various municipalities to get training for ultimate self-government in response to his view that "there can be no better school for training the political science than that of municipal administration." The Government of India Act, 1935 increased the roles of local authorities but decreased their financial resources. A committee was established by the United Province Government to examine how the municipal authorities operated; the group turned in its findings in 1939. It was discovered that the current administration of the local organizations had resulted in a great deal of public unhappiness owing to the nature of their imposed constitutions, which prevented them from operating at the requisite level of efficiency. They came to be associated with deceit, stupidity, and failure.

Due to the war, local self-government reform did not advance as quickly as it could have between 1939 and 1945. The possibility to implement the changes desired by national leaders under British rule was provided by the democratisation of these organisations via the elimination of nominations or the expansion of the vote[5], [6].

In The Post-Independence Era, Urban Local Government

The safeguarding of democracy in Parliament and State Legislatures was explicitly stated in the Indian Constitution. But the Constitution included no explicit reference to local self-government in metropolitan areas as a constitutional need. Even though Village Panchayats were included in the Directive Principles of State Policy, ULBs were not specifically mentioned outside of Entry-5 of the State List, which listed Local Self-Government as a state obligation. Municipalities throughout the nation therefore remained in the shape they had received from the British. Several states that were created as a consequence of reorganisations passed laws governing the creation of municipalities. Although technically they were largely similar, the range of activities varied greatly. First, we look at the structures as they exist right now.

India's Urban Local Government's Structure

As mentioned previously, the constitution of the municipality is governed by the laws of the relevant States and UTs. The Municipal Corporation Act and the Municipal Act are the two kinds of Acts that specify the ULB structure in each State. There are typically two wings: an executive wing and a deliberative wing. The Mayor or a Chairman, depending on the situation, is in charge of the deliberative wing, which is made up of the elected body. While the executive power is in the hands of Commissioners, they have the authority to extort, counsel, forewarn, and critique. The Commissioner, often an official of the State Government, is in charge of the executive branch. Depending on the significance of the town, they may be Senior Provincial Service officials or Indian Administrative Service officials in larger towns. They are among the most senior State public officers in places like Mumbai. The SDMC is charged with properly monitoring, enhancing, and improving municipal facilities for the over 56 lakh inhabitants who live in 104 wards. To perform its duties, it has more than 40 departments. A smaller municipality, such as Nagar Palika Parishad in Gonda, which serves a population of roughly 125 thousand, has fewer departments and fewer tasks and functions, which are as follows:

1. To guarantee the operation and upkeep of public utilities and services, such as the water supply and sewage system.
2. To provide licences and permits for stores and commercial buildings.
3. To control when marketplaces and stores open and close.
4. to oversee public health initiatives.
5. To keep a record of the real estate it owns.

It only has seven departments: Public Works, Public Health, Water Supply, Licence, Town Planning, Street Light, and Tax to carry out these duties. There will undoubtedly be variances given the size of the cities in the nation. In reality, there have been shown to be two distinct patterns. In such a setup, the Councillors elect the Mayor of the Municipal Corporation indirectly from among themselves for a one-year term that is renewable. The mayor often has no executive power. The Councillors make decisions via committees, often the Standing Committee, which serves as the Steering Committee and has executive, supervisory, financial, and human resource management authority. Members are chosen via election.

The Municipality's executive branch is led by the Municipal Commissioner, a state-appointed official. He or she has full executive authority. The Commissioner is in charge of carrying out the policies even if the Municipality is the legislative body that establishes them for local government. The State Government controls the Commissioner's term of office. The Commissioner only has the authority granted by statute and granted by the corporation or the standing committee.

In West Bengal, this type was first used in 1984. In this arrangement, there is a Mayor and an elected Council with distinct roles. In this paradigm, the Mayor, who serves as the Chief Executive Officer, has authority and oversight over the Municipal Commissioner, who acts as the Principal Executive Officer. A Ward Committee, made up of the Councillors chosen from each Ward, is formed by dividing the city into wards. The Ward Committees manage ward-level tasks like water supply, drainage, solid waste collection and removal, sanitization and health services, housing services, lighting, repairs to specific types of roads, upkeep of parks, and drains under the general supervision of the Mayor-in-Council [7], [8]. While the Corporations may engage directly with the State Government, the Municipal Administration often has a Directorate that handles their business. Ordinarily, the Municipal Commissioner is a more senior person than the Director of Local Bodies, placing him or her directly under the authority of the relevant State Department. Maheshwari noted that the state government's authority over local bodies degraded into spasmodic, intermittent bouts and was often unfavourable when assessing the relationship between ULBs and state governments.

The 1992 Constitution Act

In many States, local governments had grown weak and ineffective due to a number of factors, including the failure to hold regular elections, protracted supersession, and an inadequate devolution of powers and responsibilities, according to the government, which stated that this was the goal and justification for the introduction of the Seventy-third Amendment Bill, 1991, which was passed as the Constitution Act, 1992. Urban Local Bodies were unable to function as active democratic entities of self-government as a consequence. By reserving seats for women and other underrepresented groups, maintaining elected body city government, establishing ward committees, adding municipal functions to the constitution's Schedule XII, and establishing the State Finance Commission, the Act ushered in political, functional, and financial empowerment. Schedule XII and 243Y are two of them that are optional, although the others are stated as "shall". As a result, although some governments have implemented Schedule XII's functions as intended, many others have not.

Despite rising urbanisation and the ensuing rise in the complexity of urban issues, the 2nd Administrative Reforms Commission reported that no significant modifications in the structure and operation of ULBs had been seen up to the 74th CAA. Due to the topic "Local Government" being under the state List, the authority and duties of these organisations differed from state to state. States have the authority to specify the ULBs' function. These local entities now have constitutional standing according to the 74th Amendment to the Constitution. According to the Amendment, it would be up to the elected representatives of the people to make judgements on grassroots initiatives that directly impact people's lives. The Amendment complies with the subsidiarity principle, which has determined how topics are allocated among the Centre, States, and Local administrations. The reform package for the ULBs should be guided by this idea, the 2nd ARC advised. The permanence of the units of self-government with a special role in planning for development and social justice for the local region has been guaranteed by the constitutional status of the municipalities. Wards Committees, among other things, are governed by and comprised of the members of Article 243S.

- 1) Within the boundaries of a Municipality with a population of three lakhs or more, Wards Committees composed of one or more Wards must be established.
- 2) The Legislature of a State may, by law, enact provisions regarding.
 - a) the membership and geographic scope of a Wards Committee.
 - b) the process by which the committee's seats shall be filled.
- 3) A member of the Wards Committee must be a municipal official who represents a ward under its jurisdiction.
- 4) The member representing the ward in the municipality, or, if there are two or more wards, one of the members chosen by the members of the wards committee to represent those wards in the municipality, shall be the chairperson of the committee.
- 5) Nothing in this article will be construed as prohibiting the Legislature of a State from passing any legislation governing the composition of committees other than ward committees. The effectiveness of the Ward committees has been judged to be lacking. Area sabhas have recently been discussed by several political parties, although nothing has really done.

Municipal government was generally unstable across the nation as a result of the poor constitutional provisions for the Local Self-Government for metropolitan areas. The ULBs were often discovered to be suspended or superseded for indeterminate periods of time prior to the passage of the 74th CAA. They were in a poor financial situation even where they were operating. The National Commission on Urbanization, which the Central Government created in 1985, issued a report in 1988 and recommended boosting the financial status of Urban Local Bodies, along with the following measures: Create a system for transferring money from state budgets to local bodies, include additional funding in the five-year plans, and broaden the tax base[9], [10].

The Constitution's Article 243W outlines the duties, rights, and obligations of Municipalities, among other things. "Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow the following: a) Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government, and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to the preparation of plans for economic development and social development.

Specialised agencies of the State Government have steadily encroached on the duties and earnings that were entrusted to the Urban Local Bodies throughout the years. A number of states created Infrastructure Boards, which assumed some of these municipalities' duties. Numerous development agencies were set up, and they assumed charge of the matters relating to land. Municipalities' responsibility for things like water supply and sewage were transferred to state-level organisations.

The expansion of these specialist entities has undermined the legitimacy of municipal governments and hastened their decline, according to the 2nd ARC. These organisations often operate alone. As a result, ULBs continue to lack the organisational capacity and technical staff to address new difficulties and problems.

Smaller communities were most hit, and they were unable to function efficiently. The politicians at the state and federal levels also saw these organisations as a danger or as power

centres. It is similarly vital to keep in mind that owing to the society's mostly rural nature, metropolitan regions received less attention from legislators and policy-makers.

The Number of Agencies

At the local level, there are several agencies working in often overlapped sectors. Numerous parastatal and para-municipal organisations are among them. The State Housing and/or Slum Clearance Board, State-level water and sanitation agencies, State Urban Development Authority for poverty-related initiatives with the assistance of District Urban Development Authority, Public Works Department, and State infrastructure Finance Corporations operate as parastatals, whereas local-level planning institutions such as the Development Authority or Improvement Trust, Local-Level Water and Sanitation Agency, etc. operate as par.

Most of the time, ULBs do not get a whole transfer of the duties mentioned in schedule XII. These organisations sometimes perform identical tasks and overlap in their roles, for as when homes and infrastructure are developed by homes Boards, Development Authorities, and Slum Clearance Board. Therefore, the local public does not hold these organisations responsible. Therefore, it is necessary to develop appropriate mechanisms for greater local cooperation. As they represent the local people and popular support, the ULB should be seen as the mother institution at the local level for vertical and horizontal coordination. To evaluate local responsibility and the delegation of responsibilities to the ULBs in this respect, Schedule XII has to be revised at the national level.

Issues and challenges relating to urban local government

Today, the local government is expected to fulfil a number of roles, including: a) regulator, which involves the administration of various acts and regulations; b) provider, which entails providing urban services effectively and fairly by effectively and efficiently managing its accounts; and c) agent, which involves communicating to the populace the plans of higher-level government. This includes encouraging public engagement; d) a welfare agency that actively supports higher level governments in the equitable distribution and delivery; and e) a development agent that works to enhance infrastructure in order to improve people's quality of life.

Additionally, there is a deeper understanding and appreciation of the residents' needs and the need to further democracy. The structure of these Local Bodies has to be rationalised as well. In larger cities, there are fewer councillors per 100,000 residents. The election process, term limits, or authority of the mayors of ULBs were not specified in the 74th CAA. Currently, mayors are chosen directly in various states, including Uttarakhand, Chhattisgarh, Jharkhand, Haryana, Uttar Pradesh, and Tamil Nadu. They continue to be merely ceremonial leaders with little economic and political autonomy. Also, their length of service varies. They might have tenures that are as short as one year in several states.

According to Kumar, the directly elected mayor must portray himself as the city's representative of the people in order to get the support of bureaucrats. The Mayor has the necessary legitimacy thanks to the direct election to engage with the public, make demands, and get results that are in the best interests of the city. Another viewpoint is that a "Mayor-in-Council" system, in which the Mayor is still answerable to the council, may help the city attain an empowered executive. In 1998, the state of Madhya Pradesh implemented a system of direct mayor elections.

The Mayor was forced to create a MIC from the elected Councillors. This MIC was meant to assist and counsel. The meetings and discussions of the MIC were presided over by the

Mayor. The Municipal Corporation Act of Himachal Pradesh was revised by the state government in 2010 to include direct elections for the positions of mayor and deputy mayor.

Building Up Urban Local Bodies

The Chairperson/Mayor of the Urban Local Government generally has a ceremonial position, according to the 2nd ARC. The State Government-appointed Commissioner typically has full authority. It has been observed that elected officials often take on the role of the opposition, and congestion is common in cities with obstinate municipal commissioners. It was suggested that the Mayor or Chairman should have both the duties of chairing the Municipal Council and exercising executive power, with the Commissioner carrying out the duties assigned to them. Because the elected Mayor or Chairperson is responsible to the people, it even proposed giving the Local Bodies the authority to choose the Commissioner or Chief Officer. The question of tenure is crucial at this point. Instead of the existing practise of one year in several states, the term of Mayor or Chairperson should be generally set at five years nationwide in order to promote continuity and responsibility. Similar to this, the Chief Executive Officer or Commissioner's term should be set for a respectable amount of time. According to a Janagraha poll, the average age of the country's commissioners is 11 months. These issues need careful examination.

Urban Local Bodies' Function in Flagship Programmes

Important government of India programmes include the Jawaharlal Nehru National Urban Renewal Mission, the Smart Cities Mission, and the Atal Mission for Rejuvenation and Urban Transformation, which emphasised the central role of ULBs in planning for the vision of the cities with a focus on citizen participation. Sama Khan and colleagues disagree, believing that the suggestions show an overreliance on consultants, a lack of meaningful engagement, a shared set of actions that are approved as "smart solutions," and a move towards increasing State government control over the ULBs.

CONCLUSION

In conclusion, knowing the idea of urban local government and how it has developed historically is crucial to appreciating its relevance in modern society. Urban municipal governments, which are defined by a particular region and the people who live there, are crucial to meeting the various demands of urban populations.

The significance of efficient urban administration and governance is becoming more apparent as India experiences rapid urbanisation. Urban local governments are being reformed and strengthened via initiatives like the creation of ward committees, the reserve of seats for women and other underrepresented groups, and the inclusion of municipal duties in the constitutional framework.

The structure of local governments has to be rationalised, the functions of mayors need to be clarified, and problems with continuity and tenure need to be addressed, among other things. Urban local governments are also a key component of government initiatives for urban regeneration and change. However, true public involvement should be given priority in these programmes, and a top-down strategy should be avoided since it may result in an overreliance on consultants and a lack of meaningful participation. In conclusion, urban local governments are crucial institutions in India's urban environment, and addressing the many requirements and difficulties of urbanisation depends on their efficient operation. To guarantee that these authorities can fulfil the changing requirements of India's expanding urban population, more has to be done to empower and reform them.

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CHAPTER 2

URBANIZATION AND EVOLUTION OF LOCAL GOVERNANCE IN INDIA

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ABSTRACT:

A general overview of the connection between urbanisation and economic development, especially in the context of Asian countries. It highlights how these nations' quick economic development contributed to a sharp rise in the urban population. The quality of life for common urban dwellers often remains subpar, however, due to problems like slums, traffic congestion, and a lack of basic amenities like power and water, despite economic growth and growing salaries. The abstract emphasises the importance of urban governance and management, stressing that a country's capacity to manage its cities is essential to accomplishing its economic objectives. It explains how decentralisation of authority and economic liberalisation have been important tactics in many nations to promote economic progress. The discussion then turns to India's urban population boom, highlighting the years-long dramatic rise in the number of people living in cities. It talks on the difficulties brought on by this quick urbanisation, namely the deteriorating quality of life and the stressed urban infrastructure. The abstract also explores state-by-state trends of urbanisation in India, demonstrating variances in urbanisation levels across various areas. It draws attention to the complicated forces at work by pointing out that industrialisation does not necessarily coincide with increasing urbanisation. The abstract also discusses how local governance in India has changed through time, from historical predecessors to British colonial effects. It emphasises the significance of decentralisation and local autonomy while emphasising how local government systems have changed through time.

KEYWORDS:

Governance, Growth, Self-Government, Town, Urbanization.

INTRODUCTION

Economic growth is seen as both a cause and an effect of urbanisation. Numerous Asian nations have seen their economies rise quickly during the last 20 years. Their urban population has increased quickly as a result. The ordinary urban resident's quality of life, despite a large rise in national wealth and personal salaries, is not sufficient. Slums in poor condition, heavy traffic, and electricity and water shortages define urban areas. The management of rapidly expanding urban areas and the provision of essential services to his population are often left to the local governments, while the national governments pursue the objectives of economic development.

Urban management and governance have grown in significance since a nation's ability to administer its cities determines its ability to accomplish its economic objectives. This is partly because metropolitan areas significantly contribute to the national GDP. The two most prevalent aspects of development strategies in the majority of nations during the last ten years have been economic liberalisation and decentralisation of power. In order to achieve rapid economic development, integrate their domestic economies with the global economy, and boost economic efficiency via increased competition, nations have developed policies.

Decentralised policies for delegation, devolution, and democratisation have also been undertaken concurrently.

These new tendencies have a significant impact on urban management. The contribution of urban economies is underappreciated in the wider debate of macroeconomic issues. The national governments have sought programmes to restrain the rise of major cities, lower migration to cities, and produce a "balanced urban pattern" since macro policies often have an anti-urban bias. It has only recently become clear how cities' economy contributes to the growth of a country. In a global economy, it is evident that cities are competing more fiercely to attract foreign investments³. The volume of investments in a country is greatly influenced by a city's capacity to attract foreign capital. Although the national governments are active in formulating macro policies, it is up to the local government to provide the required services and infrastructure to draw in such investment[1], [2].

Urban Population Growth in India

India's urban population increased from 62 million in 1951 to 217 million in 1991 to 285 million in 2001, a four-fold increase. Around the turn of the century, it grew to a height of million. Over the last five decades, there has been an average yearly increase of 3.8 million in the urban population. The country's urban population is now nearly twice as large as the combined urban populations of France, Germany, and the United Kingdom. With the exception of China, India boasts the largest urban system in the world. The level of services in urban centres is under growing strain due to the rapid rate of urbanisation. As a result, urban areas' declining physical environment and quality of life have eclipsed urbanization's good effects.

From 17.3 percent in 1951 to 25.7 percent in 1991 and then to 27.8 percent in 2001, urbanisation has grown. Over a fifty-year period, the rate of simple average urbanisation growth has been roughly 2% each decade. In the previous 25 years, the rate of urbanisation increased by more than twice as much (7%) as it did in the first 25 years of same time period (3%). India's pace of urbanisation is close to those other South Asian nations, however it is far lower (66–85%) than that of wealthy nations. Africa (45%) and South-East Asia (30%) are the two largest regions. India, along with other Asian nations, is one of the least urbanised nations and has just recently begun the urban transformation process; 50 percent is often considered to be the threshold level.

Even though the urban population has grown significantly, the yearly rate of growth has decreased from 3.8 percent in 1981 to 3.1 percent in 1991, and then to two percent in 2001. Compared to 1971–1981 when it climbed by 3.4 percentage points, urbanisation increased by 2.4 percentage points between 1981 and 1991. The population's decadal growth rate significantly rose from 38.2 percent in 1961–1971 to 46.1 percent was the rate from 1971 to 1981, but it dropped to 36.2 percent from 1981 to 1991 and then to 31.20 percent from 1991 to 2001. This suggests that pace in India's rate of urbanisation slowed down in the 1980s. By examining the contributions of different factors contributing to population growth, such as natural increase, net migration from rural to urban and urban to urban areas, and changes in the status of areas as a result of re-classification and declassification, horizontal extension, or the change in territorial jurisdiction of towns, it is possible to explain the decline in the urbanisation rate.

State-by-State Urbanisation Patterns

There is a significant difference in the degrees of urbanisation in the various regions of the nation, according to an examination of state-by-state patterns of urbanisation. The least

urbanised state had an urbanisation level of just 11.1%, compared to the most urbanised state's 38.7%. Eight of the 15 biggest states in the nation had urbanisation levels that were even greater than the national average.

It would have been assumed that the more industrialised and developed nations would see the typical tendency of rapid urban expansion. On the other hand, two of the most industrialised states, West Bengal and Tamil Nadu, have seen urban development that is slower than the national average. Madhya Pradesh, Rajasthan, and Uttar Pradesh are among the states that have undergone urbanisation the fastest. The agricultural production is poor in all of the developed states (Gujarat, Maharashtra, Tamil Nadu, and West Bengal), and the hinterlands have nothing to do with industrialisation in these states. The general development of the rural regions has not been considerably impacted by industrial growth in these states. As a result, the acceleration of urbanisation that often follows industrialisation is moderated. Punjab and Haryana, whose economies have been more heavily influenced by agriculture, have a more even pattern of growth. In the years to come, they can be anticipated to see a quicker urbanisation together with an intensified industrialisation. In conclusion, the lack of matching increases in agricultural productivity suggests that the customary phenomena of accelerated urban expansion with industrialization has been subdued in India's leading industrial states[3], [4].

Uttar Pradesh's urbanisation

The nation's most populated state is Uttar Pradesh. There are 1660.53 lakh people living in the state, up 25.8% from the 1991 census, according to the 2001 census. The population of the state is 16.17% of the overall population of the nation. Although the state saw the second-highest growth 60.62 percent between 1971 and 1981, it only rose to sixth place with decadal growth 38.98 percent between 1981 and 1991, and growth of 25.0 percent between 1991 and 2001. A total of 345.13 lakh people live in urban areas in the state, making up 12.09 percent of all urban residents in the nation. Additionally, in terms of the total number of towns, Uttar Pradesh leads all other states. In 2001, it made up 704 towns, or 16.07 percent, of the total 4368 towns in the nation. Since Uttarakhand was created, there are now just 627 towns.

Changes in Local Government

Local government may imply many different things. The phrase has been defined in several ways by various public administration theorists and practitioners. Though it would seem that municipal governance might be simply defined, this is not. Reputable lawyers have acknowledged how difficult it is to provide a good definition. Sir Ivory Jennings, for instance, says. The reason for these definitional challenges is because local government is not a logical unit of the federal government. As soon as the lawyer begins to develop his logical categories, he discovers that local government is not one of them. As a consequence, such legal disparities are avoided by lawmakers when drafting laws. S.E. Both S. John Maud and S. Finer said, "Before starting to discuss local government, it is necessary to consider what is meant by local government; and this question is so difficult to answer clearly in a few words, that it seems best to introduce the subject by inventing a myth"⁷. William Robson observed that the local government institutions that are now in place in England were a fascinating balance between

DISCUSSION

Modern needs and historic forms. Smellie adds, however, that this is not the case: "Modern English local government was established to deal with the problems that arose in the middle of the 18th century when the use of machinery began to shape the modern world". "Local

government" is made from of the phrases "local" and "government." The word "Local" refers to certain regions of the nation that are identified by Locality, signifying a distinct region and its inhabitants. The needs and issues of the region as outlined above are of importance to the "Local" institutions. The second term, "government," relates to two things: first, its representational nature since it must be a part of the nation's constitutional framework, and second, the "autonomy" it enjoys. To a certain degree, the local authorities have the same physical attributes as the sovereign. Just as the sovereign is ultimately accountable to the national voters, each council is chosen (directly or indirectly) by the residents of a certain territory. Local governance thus becomes an essential component of democracy.

The regulation of issues primarily of local importance in specific localities by locally elected bodies that raise the necessary funds for their operations through the imposition of local taxes and are generally subordinate to the Central/State Government can thus be defined as local government. The country's Constitution and the laws that gave rise to the local authorities must be followed by them even if they are elected entities. The purpose of local government is to enable life; but it may also improve it. People became more and more used to wanting a variety of options in everything that impacted them as time went on. They wanted to handle their own business. The focus on local concerns, necessitating the creation of local government, varies from nation to country as a result of this decision. Thus, local government in England was first responsible for enforcing "poor laws," but in British India, law and order issues were critical, and the local government was forced to levy fees to cover the expense of "watch and wards." The national or state government might have performed these duties, but it was decided that because the demand was local, the community should foot the bill. Either the local government or the state organised the service on behalf of the local populace. The yearning for a better living has been at the heart of advances in service quality and the introduction of new services as local needs have grown along with rising understanding and consciousness. Therefore, the fundamental principle of local administration is that the people who live there decide what should happen locally, how it should happen, and by whom via democratically elected representatives. This procedure includes both people who elect them as well as those who are elected. Local states might be used to describe the local administrations. A nation's residents are divided into two types of states: the national state and the local state. They are arranged at a medium level in India, commonly referred to as a province or state. As a result, the local organisations possess three unique qualities.

- 1.They are permitted to exist for the national state's predetermined aims;
- 2.Each local state within the assigned territory resembles the national state in that both have representative institutions, executive apparatus, and the authority to issue orders that the local populace must follow; and
- 3.They serve as national state agents for a specific objective.

Regardless matter how similar they may be, the national state or the provincial state created the local state. It has always been done that way, both in India and England. Additionally, despite the independence granted, locally elected officials, or local authorities, must always act within the boundaries set by the government. The state legislature or the Parliament has already decided on or authorised the services to be rendered and the tasks to be carried out. Then, they are reviewed and approved by several government rules[5], [6].Through legislative acts and laws, the minimum and maximum of each service that must be supplied by the local government may be specified. Between the two extremes, there is a large window of discretion. And it is this discretionary power that serves as the foundation for local autonomy. The public is worried with the supply of services, and more so with their efficient

and effective provision convenience. His pleasure is crucial, and under a wider democratic organisation, local governing bodies become sovereigns to ensure it. The citizenry is fervently interested in exercising democratic control over these entities. Because bureaucracy is unreachable and unresponsive, and governments are secretive by nature. He anticipates that the elected officials will be accessible, attentive, and, if at all feasible, replaceable. As a result, the local government also serves as a conduit for popular opinion.

Local governance is referred to politically as "democracy on the doorstep." It aids in the citizen's social and political education. It is instructive for both the voters, who must cast their ballots on matters that they can easily understand, and for the council members, who may get practise in exercising responsible leadership. It thus serves both political and pedagogical purposes. The self-governing society makes the democratic values of liberty, equality, and fraternity tangible. As for town planning, housing activities, commerce, or poverty alleviation, modern local government must also play a crucial role in the economic growth of the nation. It ought to be used as a helpful tool in this approach. Local government's economic contribution is becoming more widely acknowledged.

Now, it may be claimed that when local government was merely intended to administer and provide for a certain set of services, such services might very well be delivered by the national or state government via appointed officials or appointed boards. It goes without saying that the answer is yes. However, in that case, the local populace's power to shape the direction and management of such services would have been constrained. People want to benefit from specific local services and pay taxes at the same level for them. Additionally, the issues that individuals experience differ from area to region and from city to city, which is why local governance is necessary. In order to determine policies on local issues, collect taxes, execute the policies, and manage services, the government institutions need, in addition to having legal independence, have a certain level of political, financial, and administrative independence. It encourages involvement, communication, and public control. As a result, decentralization becomes essential and should be implemented.

Increase in Indian Municipal Government

Modern municipal administration in metropolitan areas is largely a product of British control. British nationals brought it into India from their own country. But it's believed that the origins of local self-government trace all the way back to ancient India. It is thought that some kind of local self-government did exist in the distant past on the basis of historical documents, excavations, and archaeological studies. Local self-government dates back to the Buddhist era, according to the Vedas, Manu, Kautilya, and other literature as well as certain travellers' journals as Megasthenes.

Both the Ramayana and the Mahabharata mention the presence of numerous local types of self-government, including the Pura (guild), Nigama, Puga, and Gana, which carry out various executive and legislative tasks and collect levies from diverse sources. During the subsequent era of Hindu rule, local administration persisted in the form of town committees known as "Goshthis" and "Mahajan Samitees." The monarchs valued these samitees for their exemplary character. These Mahajans sometimes assigned their duties to their delegates or to Panchakulas, five-person groups that used to raise money for the state. In addition to Panchakulas, 'Taluka', a state officer, oversaw neighbourhood administration and law enforcement with the aid of the elected officials. The system of local self-government remained mostly unchanged throughout the Mauryan, Gupta, and mediaeval periods [7], [8].

The local self-government structure, however, was quite different during the Mughal era. The Mughals enjoyed creating and managing new towns. Most of the cities served as hubs for

commerce and industry. For instance, the provincial capitals of Surat, Patna, and Ahmedabad supplied a thriving market. Whatever shape the urban government took, it was authoritarian. The main hub of municipal government was The City Kotwal, chosen by the emperor. He was in charge of maintaining the list of dwellings, roads, levies, and taking in municipal taxes, tolls, transportation fees, etc. He had command over the markets. He kept an eye on local pricing as well as weights and measurements. He carried out these essentially municipal duties in addition to his primary responsibility of upholding law and order. Thus, the present Municipal Commissioner and City Magistrate positions were amalgamated in the Muslim era's "kotwal".

Through the East India Company, which was initially a trading company, British control in India was eventually expanded. Due to the unsettling political climate in India in the eighteenth century and the competition between trade firms representing various European powers, the British were forced to negotiate with the local rulers to safeguard their commercial interests. The East India Company thus found itself unexpectedly saddled with the responsibility to reign over enormous swaths of country. The corporation began to care about the comforts and health of its employees at the same time. Sanitation, lighting, and roads—the fundamental requirements for a healthy and secure way of life—were all but nonexistent. The British believed it was appropriate to establish some kind of local government in places where the company's staff and other Europeans had resided.

A municipal government was originally constituted in Madras as a result of a charter granted by the Company on December 30, 1687/15. On September 29, 1688, the Municipal Corporation was established. Its members included a Mayor, 12 Aldermen, and 60 to 120 Burgesses. The firm said in its charter that it wished to support residents from all countries and religious groups living within the corporation's boundaries and that the Alderman should be elected from among the heads and leaders of each caste. Additionally, there were to be both European and Native American Burgesses. The Englishmen were confined aboard the Mayor ship. Additionally, the corporation was required to have a town clerk and a recorder, both of whom had to be Englishmen. The Mayor's Court was established by the Mayor and three Aldermen. They served in such capacity. The City Corporation of London, where a Mayor's court also operated, served as inspiration. At that time, giving judicial authority to municipal corporations was rather common in England.

The Madras Corporation was granted the authority to tax the local populace in order to earn money. With the money obtained, it was necessary to construct a town hall, a prison, and a school for European children, as well as to repair roads, implement lighting conservation, and provide comparable other services. Thus, the process of establishing municipal government in India got underway. It was a time when England's municipal government had not yet been designed correctly. The second, less important step was the creation of Mayor's Court in each of the presidential towns, i.e. Madras, Calcutta, and Bombay by a charter granted to the Company on September 24, 1726. The charter brought about consistency in strategy throughout the three municipalities. The charter also stipulated the nomination of a Mayor and nine Aldermen, as well as the formation of corporations in each presidential town. Madras' corporation and mayor's court were established by the charter of 1687, and all three of the presidency towns' corresponding institutions were established by the charter of 1726. However, the new charter limited their powers to primarily judicial ones.

After the British Parliament renewed the East India Company's charter in 1793, a fresh effort was undertaken to create municipal organisations in the presidency cities. It gave the Governor General in Council the authority to choose Justices of Peace for the Mayor's Courts from among East India Company employees and other British citizens. In addition to their

court responsibilities, the Justices had to oversee scavenging, police, street maintenance, etc. Additionally, they had the power to examine families for rate payment. To increase public resources, Bengali towns were subjected to town duties in 1801. This amounted to using local resources to stow away money for the imperial purse. In his 'Report on Town taxes' published in 1833, Charles Trevelyan criticised the town taxes, an indirect tax. Various rules were enacted between 1813 and 1816 to establish committees in big cities to collect property taxes for the establishment of a town choudidar. Act XVI of 1837 gave the committee permission to spend the House Tax savings towards municipal maintenance and cleaning[9], [10].

The Act of 1842 was the first official law establishing municipal organisations, however it was only applied to Bengal Presidency at first. According to the Act, every municipality might form a committee if two-thirds of the homeowners submitted a written request for it. The Town Committee was given permission to tax homeowners and provide sanitary services. Due to the Act's direct taxation provision could not get traction. Only one town in Bengal used the Act, but when tax was demanded, locals there also filed a trespass lawsuit against the tax collector and were awarded damages. So, the effort to enact a direct tax suffered the same outcome. In U.P. (formerly known as the North West Provinces), the Act was first implemented in Mussorie in 1842 and subsequently Nainital in 1845 at the request of European settlers. It somehow failed in both locations.

Bombay's Act XI of 1845 and Calcutta's Act No. both added the elective element in a limited sense. XVI of 1847. A board of conservancy with five members chosen by justices of the peace was created in Bombay. A Board of Seven Commissioners was established in Calcutta for municipal development. A formula chosen by the ratepayers and the government was to be used to elect four of them. The electoral concept, however, experienced a setback in 1856. Act No. For the three presidential towns, Chapters XIV and XXV provided a consistent administrative structure and outlined the duties of municipal administration. In each of the three towns, a body corporate with three appointed, paid commissioners was established. They had complete control over all municipal tasks.

Following the mutiny's defeat and the reoccupation of Oudh in 1858, the Local Agency Committee established for the purpose was given control over Nazul and Municipal affairs. The committee in Lucknow was led by the deputy commissioner, with the city magistrate serving as secretary. A new committee, however, was formed in 1862 with thirteen members, including four non-officials. Its president was the Judicial Commissioner, its vice president was the Lucknow Division Commissioner, and its secretary was the deputy commissioner. In order to assess the Army's health in India, the Government formed a Royal Army Sanitation Commission in 1863. The majority of the towns were filthy and unhygienic. The Commission advised that improvements in sanitary conditions be made right away. A few years after the report's release, and in response to Lord Lawrence's resolutions from 1864, Acts were enacted to expand municipal governance throughout several provinces. For instance, the Madras Town Improvement Act was passed in 1865, the Punjab Municipalities Act was passed in 1867, the N.W.P. Municipalities Act was passed in 1868, and Bengal had two Acts, Nos. III and No. in 1864. VI in 1868. If the province government so desired, the N.W.P. Act provided a provision for the election of the President.

The Lord Mayo's resolution then appeared in 1870 and said, "But beyond all this, there is a broader and wider purpose in mind. Success in the administration of money allocated to Education, Sanitation, Medical Charity, and Local Public Works depends on local involvement, oversight, and care. The implementation of this resolution, in accordance with its intent and integrity, will provide chances for the growth of local self-government, for the

building of municipal institutions, and for the association of native and Europeans in the management of affairs to a higher degree than before.

In this manner, the importance of "Self-Government" was emphasised. As a result, new laws or amendments to existing laws were established in a number of provinces to include the electoral concept in local organisations. Act VI of 1873 replaced the Act of 1850 in Bombay and provided for some elected and some nominated members, while the Madras Town Improvement Act of 1865 was altered in 1877. Bengal created provisions for elections in major cities in 1873. The North-West provinces, including Oudh, implemented the electoral system on the instructions of the provincial administration between 1872 and 1874. In 1873, a combined Act was also put into effect for the municipalities in the North West Provinces and in Oudh. Act IV of 1873 established the elected system in Punjab. Ward elections started in the Central Provinces in 1876. However, the elective aspect was not fully implemented in all of the provinces; it was just a half-hearted effort. The presidents and chairmen tended to still come from the ranks of the authorities.

As the new Viceroy who took over in 1880, Lord Ripon was a liberal who was unable to disregard the feelings of the Indian people. He believed that although possibilities for them to get training in political and popular education should be made available, it was not yet time to provide them a stake in the federal and provincial governments. He believed that this training could only be useful after local bodies had genuine authority and were elected. This resulted in less influence over local government institutions being exerted by the federal and provincial governments. The historic resolution, often known as the Magna Carta of Local Self Government, was published on May 18, 1882, by the government of Lord Ripon. Ripon's policy had two goals in mind. On the one hand, the resolution said that "local bodies should be provided with adequate resources that are local in nature and are suitable for local control." The resolution's second goal was true self-government. Additionally, he asked the local governments to recommend any legislative or non-legislative actions needed to promote greater local autonomy. Lord Ripon said that local self-government was "an instrument of political and popular education".

Ripon also aimed to significantly alter the makeup of local boards, whether they were urban or rural. He believed that they needed to have a sizable majority of nonofficial members and that the official members couldn't make up more than a third of the group. He applauded the idea of instilling a sense of accountability among the non-official members. With this goal in mind, he recommended that, if possible, a non-official be appointed chairman of the Board. He even went so far as to say that the District Magistrate shouldn't be allowed to vote at meetings when he serves as chairman. Lord Ripon is known as the "Father of Local Self Government in India" for having successfully flipped the script in favour of the electoral system.

The creation of laws enabling local governments to carry out the overall plan was the first result of the new resolution. In 1882, the government of Madras convened a commission to examine the local self-government system that was in place and recommend any necessary changes. The District Municipalities Act IV of 1884, which included many of the committee's suggestions, was approved. One crucial clause dealt with the ratepayers electing three-quarters of the municipal commissioners. In Bombay, the Act of 1884 mandated that both "city" and "town" councils must elect at least half of their commissioners. Additionally, it set a cap on the number of government employees who may be nominated for membership. It couldn't go beyond 25% of the total. In the same way, Bengal Act No. The third of 1884 additionally stipulated that the ratepayers would elect two-thirds of the municipal

commissioners. In the majority of towns, the commissioners were to elect both the Chairman and the Vice-Chairman. Additionally, just one-quarter of the official members remained.

A new statute (Act XV) was passed in the North-West Provinces and Oudh in 1883, allowing the election of the Chairman and Vice-Chairman by the municipal committee as well as three-fourths of the members by the ratepayers. The provincial government has the authority to choose the chairman in any municipality, however. Through Act XIII of 1884, Punjab granted municipal committees the authority to choose its own presidents and vice-presidents with the government's consent. The provincial government might decide when to implement elective components in a municipality. However, it did guarantee that once the elective principle had been implemented in a municipality, the decision could not be reversed until and until a majority of voters made a motion for it or until it was deemed to be against the public interest. No new laws were approved in Assam or the Central Provinces. They continued to adhere to the rules set down in the Act of 1873 and Bengal Act V of 1872, respectively.

CONCLUSION

In conclusion, many Asian countries that have seen significant economic development in recent decades can attest to the linked connection between economic expansion and urbanisation. As these nations have seen economic success, the urban population has dramatically increased.

The quality of life for common urban dwellers has often fallen short of expectations, highlighted by slums, traffic congestion, and shortages of essential amenities like electricity and water, despite increases in national wealth and individual salaries. In conclusion, the connection between urbanisation, economic development, and municipal government is complex and dynamic.

The function of local government in promoting economic growth and enhancing the standard of living for urban populations is still vital as countries struggle to manage increasingly expanding urban regions. The history of local government in India through time demonstrates the continual attempts to achieve a balance between national oversight and local autonomy in the interests of urbanisation and economic advancement.

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CHAPTER 3

EVOLUTION OF MUNICIPAL GOVERNANCE IN UTTAR PRADESH: FROM COLONIAL LEGACY TO CONSTITUTIONAL EMPOWERMENT

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ABSTRACT:

This historical overview chronicles the development of municipal administration in India from the late 19th century to the passage of the Constitution (74th Amendment) Act, 1992, with an emphasis on the North-West Provinces and Oudh (now Uttar Pradesh). It outlines significant governmental and administrative changes that influenced local autonomy and decentralisation. The research investigates how numerous committees and commissions, such as the Montague-Chelmsford Report and the Royal Commission on Decentralisation, influenced the development of municipal administration. It also looks at how local government institutions were affected by British colonial policy, the Morley-Minto Reforms, and the Government of India Act of 1919. The research highlights how crucial the Constitution (74th Amendment) Act, 1992 was in altering urban municipal government in India, especially in Uttar Pradesh. This amendment's institutional architecture is discussed, including the addition of reserved seats in municipal councils for women, members of Scheduled Castes (SCs), and members of Scheduled Tribes (STs). The research covers issues with financial autonomy and how organisations like ward committees, district planning committees, and metropolitan planning committees' work. It emphasises the necessity for states to match their municipal laws with the spirit of the 74th Amendment Act. In the end, this thorough historical analysis illuminates the intricate and dynamic municipal governance system in India, highlighting the significance of decentralisation and local self-government within the nation's democratic framework.

KEYWORDS:

Administration, Development, Government, Organisations, Self-Government.

INTRODUCTION

The earliest initiatives under Lord Elgin and later Viceroyalties demonstrated improvement in the functioning of local organisations, problems continued as a result of over centralization and scepticism over the preparedness of Indians for self-governance. By advocating considerable reforms, such as elected non-official chairs and tripartite systems for municipal administration, the Royal Commission on Decentralisation in 1907 represented a watershed. More major changes were implemented as a result of the Montague-Chelmsford Report and the Government of India Act of 1919, which raised local political involvement. The Constitution (74th Amendment) Act of 1992, which required elections, reservations, and a larger role for municipalities in economic growth and social justice, brought about the actual revolution, nevertheless. This amendment aims to introduce structural reforms in urban administration and closer municipal control to the people.

The process of change was further accelerated by the creation of several committees, commissions, and legislative organisations at the federal and state levels. These initiatives attempted to increase financial resources, alleviate caste and communal issues, and improve

the efficiency of local government. Like other Indian states, Uttar Pradesh experienced a number of legislative modifications to accommodate changing urbanisation and governance requirements. The state has seen ongoing efforts to deal with the problems of urbanisation, from early municipal statutes to the establishment of development agencies and planning organisations[1], [2].

The Indian administration published an evaluation of the operation of different laws adopted by the province administration in response to Ripon's resolution in 1896. The administration of Lord Elgin enacted two resolutions: one for local boards in August 1897 and one for municipal bodies in October 1896. Insofar as their finances, and particularly their expenditures, were concerned, they demonstrated an improvement in the operation of local organisations. The overall opinion was "that they accomplished much useful work and made significant progress in the work of administration". Lord Curzon, the Viceroy who replaced Lord Elgin in 1899, was a proponent of high standards of effectiveness. For the sake of self-governance, he was unwilling to compromise the effectiveness of local government. He thought that Indians lacked the skills required to be trusted with even a little amount of self-government. His vicerealty has a reputation for being too centralised.

A new statute was enacted in 1900 to create extensive provisions for the organisation and management of municipalities in the North-West Provinces and Oudh. However, it was seen as a step backward in that the local (provincial) government was granted the authority to prevent municipalities from putting the election proviso into force. The elective concept therefore suffered another setback. As Secretary of State for India from 1905 to 1910, Viscount Morley became concerned about this tendency of excessive centralization. On September 12, 1907, a Royal Commission on Decentralisation was established at his request to investigate the relationships between the Government of India and the various provincial governments and between provincial governments and local bodies at the time for administrative and financial reasons. The Commission was supposed to provide recommendations about whether these relationships might be streamlined and enhanced via decentralisation as well as if the executive authority could be closer to local circumstances.

The Commission proposed that the municipal chairman should typically be an elected non-official²⁰, among other things. A municipal council should typically have a significant elected majority, with nominations making up no more than a suitable share to provide adequate representation of minorities and official experience²¹. The Commission supported a tripartite structure with an elected chairman, a nominated executive responsible for administration, and a Standing Committee for bigger cities modelled after the Bombay model. The Commission believed that the structure of municipal administration for big cities, i.e., those having a population of 1.00.000 or more, should be substantially different in order to allow for full-time executive officials. The Royal Commission also made the following recommendations.

1. Municipalities need to be exempt from any fees they would now be required to pay for things like police, veterinary care, etc.
2. Additionally, they should not be required to pay for provincial services, as well as for statistics and other institutions kept in government buildings.
3. Municipalities should have the freedom to impose or modify taxes as they see fit, within the parameters set by local legislation.
4. Any increase in taxes should need the approval of an outside body if an Act does not specify a maximum rate.
5. A similar penalty should be necessary when a municipality wishes to specifically exclude any individual or group of individuals from paying municipal taxes.

6. Municipalities need to be allowed complete discretion over their spending plans. The sole requirement should be to maintain a minimum standing balance that the local government will specify. The freedom must provide the right to appropriate.
7. Municipalities shouldn't be subject to any directives calling for the allocation of a certain proportion of their income to certain services.
8. Municipal councils have to have the option of assigning any of their administrative duties to Committees, which may include individuals who are not council members.

The provincial governments received a copy of the Decentralisation Commission's proposals. In the general direction of these recommendations, some progress was achieved. Non-official chairs become more prevalent over time. According to the Commission's suggestion, the Government of India mandated the office of Sanitary Inspector in smaller towns and Health Officer in bigger cities. In 1915, municipal commissioners were appointed in Surat and Ahmedabad[3], [4]. After the Swadeshi and Swaraj movements, the Morley-Minto Reforms were introduced in 1909. For some of the seats in the provincial legislatures, local organisations were turned into electoral colleges. Political parties started becoming organised locally and began actively contesting local elections. However, local organisations lacked enough resources. The provincial administrations were likewise reliant on the federal government since it was in charge of resources and revenue. The growth of local government institutions could not proceed under such circumstances.

In the evolution of U.P. city administrations, the United Provinces Municipalities Act of 1916, which superseded the Act of 1900, represents a turning point. The Resolution of the Government of India, 1915, and the suggestions of the Royal Commission on Decentralisation were both adopted. The loss of the official chairman's direction and control is significant from a political standpoint. The Act allowed for the delegation of duties to Board committees and executives. Additionally, it established the Executive Officer position, which serves as the permanent staff's chief. But the Chairman served as the executive head, having the authority to choose and fire municipal employees as well as set their conditions of employment. He still serves as the political and administrative executive, with the exception of the authority to hire and fire Centralised Service Personnel.

The need of extending the vote at the local level was recognised in the joint report on Indian Constitutional Reforms (often referred to as the Montague-Chelmsford Report), which was presented in 1918. They believed that this would contribute to pique voter interest in elections and the operation of local government. They felt that the local level should bear the brunt of the increased responsibilities because it would provide Indian politicians a place to channel their efforts. On May 16, 1918, the Government of India passed a resolution in response to the Montague-Chelmsford Report. Approximately one-third of the chairmen of Indian municipalities at this point were elected non-officials, one-third were nominated officials, and one-third were elected non-officials.

DISCUSSION

Local self-government was transferred to ministers answerable to new provincial legislatures as a result of the Act of 1919 establishing responsible governments under a diarchical system in several provinces. The ministers and legislative councils showed fervent excitement for giving local authorities more authority, releasing them from government oversight, and making them answerable to a far larger population. This led to increased activity in the neighbourhood institutions. Elections for local offices were fiercely fought. Following the suggested changes, several provincial and municipal laws were repealed or amended in various provinces.

In U.P., a new Act of Municipalities was already in effect. In 1916. The Punjab Act of 1911 was revised in 1921 to provide local councils more authority and independence while also reducing the voting age. The selection of unofficial presidents and vice presidents was promoted throughout the towns. In 1922, the united municipal legislation for Orissa and Bihar was passed. In the two provinces before, the Bengal Municipal Act of 1884 was in effect. The spirit of the many improvements mentioned in the paragraphs above were integrated into the new Act. Assam and the Central Provinces likewise adopted the same strategy.

New laws were enacted during three Presidency terms to give the 1919 Resolution's principles force. In Madras, the District Municipalities Act of 1920 and the Municipal Act of 1919 granted the Councils the authority to choose their own chairman and create their own budgets. The amount of external control was minimised. All rate-payers, including women, were granted the ability to vote and run for office. However, in 1929, the elective strength was increased to three-quarters. Under the Act of 1922, franchise was expanded in Bombay City. Additionally, it increased the Municipal Corporation's authority and eliminated the sex requirement for councillor elections. The city municipalities having a population more than one lakh were rendered entirely elective by another Act approved in 1925. In some municipalities, the proportion of elected officials increased to 4/5 of the entire population. Women now have the ability to cast ballots and run for office. Additionally, a specific provision was provided for the representation of the underprivileged classes.

The British Crown established the Indian Statutory Commission, sometimes referred to as the Simon Commission, in 1927 to review how the Act of 1919's responsible government system was operating and recommend improvements. It examined the changes that have occurred in municipal administration since 1920. The Commission made a note. While some local organisations have carried out their duties in every province with undeniable success and others have been equally obvious failures, the majority rests in between these two extremes. The Commission supported the recruitment of qualified administrators who would be free to handle administrative matters, be granted punishment and correction powers, and work more as advisors and motivators to the provincial governments, as was the situation in Great Britain. Given how the aside from merit, other factors were taken into account while filling different jobs in the towns. The employees were under the chairman's excessive control. Both municipal politics and municipal management included caste and communal factors. The effectiveness of local bodies was hampered by all of these reasons[5], [6].

The Government of India Act of 1935 saw the introduction of further reforms. Provincial autonomy was only partially given. The line separating the reserved topics from the transferred subjects was removed. Different provinces were given popular administrations. Now that they had been granted authority, the Indians focused on reforming local self-government. To reorganise local government, several provincial governments created committees. In 1938, the Government of the United Provinces established a committee, chaired by Mr. A.G. Kher, to examine the composition and operation of the existing legal framework and institutional framework relating to local self-government and to make recommendations regarding appropriate organisational structures endowed with sufficient authority and resources. One of the committee's main recommendations was that all municipalities with a population of 11.2 lakh or more and an annual revenue of at least Rs. 15 lakhs be recognised as corporations. The state government was to specify their rights and obligations.

As a result of the British Government pushing India into war against her will, the popular governments resigned in 1939. The suggestions provided by these committees could not be

implemented until after independence, as a result. Every aspect of public life underwent a new form of activity after independence. In India's history of local administration, it began a new chapter. In 1950, when the current Constitution went into effect, a new era of local self-government began. Local self-government is included in the state list of powers under the Indian Constitution. Since India's independence, several states have introduced significant laws aimed at reforming local self-government. By instituting adult suffrage and eliminating community representation, local entities' constitutions were made more democratic. The U.P. government decided to establish municipal corporations in Kanpur, Agra, Varanasi, Allahabad, and Lucknow, together known as the KAVAL Towns, in July 1953²⁴. In 1959, the state of U.P. changed its Municipal Corporations Act as a consequence.

In 1948, the National Government established a commission known as the Local Finance Inquiry commission to investigate measures to increase the financial resources of local organisations. It was published in 1951. This issue perplexed the taxes inquiry commission, which was established in 1953. The Central governance has been the main driver of changes in the municipal sector even though it is not mandated by the Constitution to be responsible for local governance. The establishment of committees, commissions, and other organisations to explore local government issues has been the responsibility of the Central Government. The Rural Urban Relationship Committee, 1963–1966, the National Commission on Urbanisation, 1985–1988; and the Committee on the Training of Municipal Employees, 1963, were the other notable committees and commissions formed.

The Central Council of Local Self-governance, which the Central Government established, has also made substantial contributions to the effort to push through necessary changes in the different facets of local governance and administration. The Rural-Urban Relationship Committee was primarily microscopic in its approach and focused on both functional and financial factors. Another report on the service conditions of municipal workers (1965–68) was issued by another council committee. The National Commission for Urbanisation was then established by the Central Government in 1985, and it released its findings in 1988. This was the first committee to research all facets of urban administration and provide recommendations.

In addition to the efforts provided by the central government, committees were established in several states to enhance the local government and administration. Municipal laws have sometimes been appropriately modified with this goal in mind. Up until 1992, when the Constitution 74th Amendment Act was approved, significant structural changes had not been made outside of the bigger and more significant cities, where municipal corporations had been founded, and in the U.P., where Centralization of Municipal Services had been implemented. The Government of India made a significant effort to establish local self-government in cities and towns through the Constitution (74th Amendment) Act, 1992. Its foundation is the idea that "the people" have a right to all "power" in a democracy. It mandates that the elected municipal officials have a significant part in the development, provision, and delivery of public facilities and services. Accordingly, the Act mandates that elections for the same Municipality shall be conducted within a period of six months if the state government dissolves it. Additionally, the statutory State Election Commission, rather than governmental authority, is in charge of organising local elections. Planning for "economic development and social justice" and putting city/town development plans into action are activities that fall within the purview of municipalities. This is a considerably bigger function for them than is often thought of them as 'service suppliers'[7], [8].

In order to change the "structure" of urban service delivery, the 74th Amendment Act was passed. Municipal government is the place to start for the same. The Act envisions three

different kinds of municipalities: Nagar Panchayats for regions in transition from "rural" to "urban," Municipal Corporations for big cities, Municipal Councils for smaller cities and towns. As a result, the state governments reclassified various regions by publishing the standards for classifying municipal organisations.

The 74th Amendment establishes reservations for women, members of Scheduled Castes (SCs), and members of Scheduled Tribes (STs) in municipal councils to guarantee that municipalities are attentive to the issues facing weaker groups and women. The number of seats set aside for SCs and STs must correspond to the percentage of each group's population in the different cities and municipalities. A minimum of 33 1/3% of each seat is set aside for women. Reservation aims to provide individuals who have been ignored in the past a voice. The following strategies were used in the Constitution (74th Amendment) Act to adequately solve the aforementioned problems:

1. In order to bring municipal government closer to the people, the formation of Wards Committees for a group of wards is required for cities with a population of more than 3 lakh, while there is no restriction on the formation of such Committees in cities or towns with a lower population.
2. The 12th Schedule contains an example list of legal municipal duties to assist the state government in determining which duties to allocate to the Urban Local Bodies (ULBs).
3. It is required to form DPCs and MPCs (District and Metropolitan Planning Committees) in order to create district and metropolitan development plans. A District Planning Committee should include at least four out of every five members who are elected officials from the relevant Panchayats and Municipalities. A Metropolitan Planning Committee must also include at least two-thirds elected municipal councillors and panchayat chairpersons as members. The proportion of urban to rural residents in each jurisdiction should be represented by members from urban and rural local bodies on these committees.
4. State governments are mandated "by law" to identify the sources of local funding. Every five years, they are required to form a State Finance Commission that will provide recommendations to the Municipalities about the distribution of taxes, fees, charges, tolls, duties, shared revenues, and intergovernmental transfers. In order to fulfil the recommendations of the State Finance Commissions, it is required under the modified Article 280 of the Constitution that the Central Finance Commission suggest the devolution of Central resources to complement the State Consolidated Funds.

The Constitution (74th Amendment) Act specifies an institutional framework for the effective provision of urban services and envisions a "systemic change" in municipal administration across the nation. This framework consists of a number of statutory institutions, including:

1. Municipalities to function as "institutions of self-government" - prepare "plans for economic development and social justice", perform functions, and implement schemes as may be entrusted to them by the state governments, including those related to the Twelfth Schedule
2. Wards Committees and other Committees to carry out the responsibilities conferred upon them, including
3. All elections for rural and urban local bodies must be conducted by the State Election Commission, which must also supervise, direct, and manage such elections.

4. The State Finance Commission will assess the financial standing of rural and urban local governments and make recommendations to the Governor regarding (i) the "principles" that should guide the allocation of resources between the state and local governments, the choice of the revenue sources to be assigned to or appropriated by local governments, and the grants-in-aid from the State Consolidated Funds to such authorities; and (ii) the "measure" needed to improve their financial standing.
5. According to Article 243ZD(1), District Planning Committees (DPCs) "consolidate" the plans created by Panchayats and Municipalities for the whole district.
6. Draught development plans for the whole metropolitan region are to be prepared by Metropolitan Planning Committees (MPCs) [9], [10]

The first two parts are covered by the Constitution (74th Amendment) Act, but the state and local levels still have a lot of work to do. Conflicts of interest are inevitable in a multi-tiered federation when implementing institutional reforms as radical as those proposed in the 74th Amendment. Institutional changes are likely to go more quickly when they have the backing of the beneficiaries, enjoy the trust of all parties involved, and stir up strong public sentiment against special interests. Decentralization is impossible without the higher authorities giving up part of the authority they have long had, thus their backing is extremely essential.

The 74th Amendment Act seeks to construct the aforementioned important institutions in order to usher in a robust democracy at the grassroots level. The Constitution, however, defers to the judgement of the state governments on matters pertaining to their empowerment and operationalization. The majority of states have simply complied with the Amendment's wording and not its spirit. Only the electoral changes have been altered in the municipal laws of different states. While elections have been held in conformity with the Constitution's guidelines, not much has been done to expand the Municipalities' functional and financial purview. The state governments have received the report from the State Finance Commissions, but they are showing a lot of resistance to adopting its recommendations. On the contrary, after the submission of the State Finance Commission recommendations, several states further curbed the financial authority of municipalities. Although the states have included provisions for ward committees, district planning committees, and metropolitan planning committees in their laws, many of them have not yet made these bodies operational.

Local Urban Government in Uttar Pradesh

Urban municipal governance has a lengthy history in the state. The laws that regulate the operation of the urban local institutions were first passed in Uttar Pradesh (the former United Provinces).

Specifically for Lucknow, a municipal legislation was passed in 1856. This was followed by the North-West Provinces and Avadh Municipal legislation, 1873, which was replaced in 1883 in accordance with the Ripon Act of 1882. Accordingly, adequate improvements in municipal management were implemented in 1870 and 1882. The Zilla Parishads Act was established in 1906, while an Act from 1900 established the notified area committees.

The U.P. Town Area Act and U.P. Municipalities Act were passed in 1914 and 1916, respectively. The U.P. Town Improvement Act and Improvement Trusts were established in five major towns in 1919.

The Kanpur Urban Area Development Act was established in 1945, replacing the Improvement Board there with the Development Board. In 1958, the Buildings (Regulation) Act and the Uttar Pradesh Municipal Corporation Act were both passed into law. The

Development Authorities were established and the U.P. Planning and Development Act was passed in 1973. Several Jal Sansthan were established under the U.P. Water Supply and Sewer System Act of 1975. These Acts have since been modified to reflect the evolving situation.

CONCLUSION

In conclusion, there has been a considerable change in the history of municipal government in India, notably in the context of Uttar Pradesh. The progression of early municipal ordinances in the late 19th century to thorough changes in the 20th century and constitutional amendments in the 21st century demonstrates a persistent attempt to improve local autonomy and decentralisation. India's experience with municipal administration demonstrates its dedication to democracy, decentralisation, and strengthening local self-government organisations. India's success in this respect is evidenced in its transition from colonial-era municipal statutes to the constitutional recognition of local self-government as a crucial component of its democratic system, despite ongoing problems, particularly in the effective implementation of reforms.

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CHAPTER 4

TRANSFORMING INDIA'S URBAN LANDSCAPE: A REVIEW STUDY

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ABSTRACT:

India's population is rapidly urbanising; 35 percent of people live in cities at the moment. This percentage is anticipated to rise to almost 50% by 2050. Sustainable infrastructure and services are crucial for ensuring a greater quality of life for city dwellers, and they can only be offered via contemporary urban government. Governmental structures in Indian cities are changing, and important development initiatives have been launched. The Deen Dayal Antyodaya Yojana - National Urban Livelihood Mission, Heritage City Development and Augmentation Yojana, Pradhan Mantri Awas Yojana, and Smart Cities Mission are among the major government programmes discussed in this abstract. These programmes are all aimed at improving the city's infrastructure, administration, and income opportunities for the underprivileged urban population. The tremendous improvement in waste processing and door-to-door rubbish pickup are notable accomplishments. Launched in 2015, the Pradhan Mantri Awas Yojana (Urban) seeks to provide economically disadvantaged groups access to affordable homes. In partnership with Urban Local Bodies, the programme encourages public service delivery and provides credit-linked subsidies. The excellent execution of Rajasthan is shown by the thousands of authorised and completed dwellings. The Pradhan Mantri Awas Yojana (Urban) has achieved outstanding success since its inception, approving millions of homes and creating a significant amount of jobs.

KEYWORDS:

City, Development, Government, Pradhan Mantri Awas Yojana.

INTRODUCTION

India is rapidly urbanising; now, 35 percent of the country's people live in cities, and by 2050, it's predicted that this number would have increased to around 50 percent. For a higher quality of life, they will need sustainable infrastructure and services, which can only be provided by contemporary urban government. It should be highlighted that cities are updating their governance frameworks, and the government has put major development initiatives into place. In this regard, the government has launched a number of initiatives, including the Deen Dayal Antyodaya Yojana-National Urban Livelihood Mission (DAY-NULM), Heritage City Development and Augmentation Yojana (HRIDAY), Pradhan Mantri Awas Yojana (PMAY), and Smart Cities Mission (SCM), which focuses on infrastructure and governance and focuses on creating income and jobs for the poor. According to statistics, 100% door-to-door garbage collection was accomplished in 96 percent of wards in 2018; 65 percent of waste was processed, up from 17.97% in 2016. The Pradhan Mantri Awas Yojana (Urban), the Atal Mission for Rejuvenation and Urban Transformation, and the Smart Cities Mission in States and Union Territories will be the three missions that will be discussed in this unit in light of the aforementioned.

Mission Pradhan Mantri Awas Yojana (Urban)

Launched on June 25, 2015, it is a government of India flagship initiative that is being carried out by the Ministry of Housing and Urban Affairs (MoHUA). With minimal municipal

infrastructure, it allows for the building of homes with carpeting up to 30 square metres. Without further financial support from the Centre, the States/UTs are free to choose the size of the home and other amenities at the state level in cooperation with the Ministry.

It is clear from the above graph that affordable housing through credit linked subsidies and in situ slum redevelopment projects include a subsidy in the rate of interest at 6.5 percent for Economically Weaker Section and 4 and 3 percent for Middle Income Group I and Middle-Income Group II categories, respectively. Affordable housing includes the private sector, with 35% of the units going to the most disadvantaged groups, as well as beneficiary-led individual home development. Basic civic infrastructure, such as water, sanitation, roads, power, etc., must be provided for the Affordable Housing and Slum Redevelopment projects in collaboration. The ULBs must make sure that each home built using beneficiary-led construction and credit-linked interest subsidies includes provisions for fundamental public services. The mission's primary area of interest is India's urban regions, which include statutory towns, planning areas, and notified Urban Development Authorities (UDAs)[1], [2].

Implementation of the Pradhan Mantri Awas Yojana (Urban)

With the Pradhan Mantri Awas Yojana - Urban (PMAY- U) / PMAY(U) Mission, the MoHUA set out to provide eligible families a pucca home in an urban region. It tackles the issue of the housing scarcity affecting the Low-Income Group (LIG) and Middle-Income Group (MIG), as well as the Economically Weaker Section (EWS). It also covers those who live in slums. Due to the fact that it is demand-driven, the states and UTs' assessments of demand are used to determine how many homes are needed. The State Level Nodal Agencies (SLNAs), Urban Local Bodies (ULBs), Central Nodal Agencies (CNAs), and Primary Lending Institutes (PLIs) serve as crucial pillars in the implementation and execution of the PMAY(U). When a home has all of the utilities, including a kitchen, bathroom, and power, it is said to be finished. In this regard, a home donated via our Mission guarantees recipients a decent lifestyle as well as a feeling of security and ownership. Additionally, it encourages women's empowerment by allowing female members or joint members to purchase homes. Additionally, those with impairments, ST/ SC/OBC/Minorities, and Transgender people are given precedence. At this point, the next section will assess the state of this Scheme's implementation in a State.

The Affordable Housing in Partnership (AHP) vertical and the Beneficiary Led Individual Construction (BLC) vertical have a combined total of 68,518 houses under the Affordable Housing in Partnership (AHP) vertical and 87,857 houses under the Beneficiary Led Individual Construction (BLC) vertical, against the target of 6.14 lakh houses, until December 2017.

The housing programme under PMAY(U) provides affordable housing to the homeless economically weaker section of society with (annual income up to Rs. 3.00 lakh) In addition, the relevant Development Authority, Urban Improvement Trust, and Urban Local Bodies have approved 74,645 homes on private developer land in accordance with the provisions of the Chief Minister Jan Awas Yojana 2015 under the Credit Linked Subsidy Scheme (CLSS) vertical of PMAY-Urban. As a result, 2,31,020 homes in the State of Rajasthan have received approval under the PMAY-Urban programme. Currently, 8,040 homes have been constructed and 57,864 are still being built.

Results obtained via the PMAY(U)

Since the Mission's launch in 2015, it is important to note that it has shown remarkable success. The number of families covered by this Mission attests to the mission's goal of

developing an environment that is effective for the expansion of the affordable housing sector via urban planning, regulatory, fiscal, and financial reforms. The Centre, States, and Cities are making serious efforts to meet the objective during the six years covered under the PMAY-U. In this respect, 113 lakh dwellings have been approved under four verticals against an estimated need of 112 lakhs; of these, more than 83 lakhs have seen the start of construction, and more than 50 lakh have been finished and delivered with plumbing, electricity, and other amenities. The biggest housing project in the world. Even yet, over 380 lakh MT of cement and over 86 lakh MT of steel have already been used, and around 2.5 crore direct and indirect employment have been produced. It is important to note that the Global Housing Technology Challenge identified six different construction technologies, which were used to build the foundations of Light Future real estate development will use these widely adopted resource-efficient, climate resilient, and quick building methods[3], [4].

More than 2,700 homes have already been leased out at reasonable prices under a submission of Affordable Rental Housing Complexes introduced during the Covid-19 outbreak, and more than 6,000 are in the Request for Proposal stage. Additionally, more than 80,000 similar homes are being built by public and private organisations. The Model Tenancy Act, however, completely alters the real estate game. Now, a sizable supply of houses that have been locked up will also be made available for rent. Additionally, the more than Rs. 3 lakh crore unregulated rental industry would foster development and job creation. It should be highlighted that the ecosystem has been enhanced by the Real Estate (Regulation and Development) Act (RERA) and a number of fiscal, financial, regulatory, and programmatic changes.

DISCUSSION

Millions of eligible urban families' lives have been altered as a result of the actions taken to achieve the goal of Housing for All and the process is currently ongoing.

Credit Link Subsidy Programme

Through the Central Nodal Agencies and Primary Lending Institutions, PMAY-U's Credit Linked Subsidy Scheme offers qualifying recipients of a housing loan in urban India an interest subsidy. In this context, as of December 31, 2017, 13,19,816 beneficiaries have accessed benefits under the CLSS, totaling a subsidy of Rs. 30,868.11 Crore (MoHUA, Annual Report 2017-18). The CLSS for MIG under the "Aatma Nirbhar Bharat Abhiyan" was introduced in January 2017 for a year, and the Scheme periodically received extensions. In November 2018, the web-based real-time monitoring system known as the CLSS Awas Portal (CLAP) was introduced, increasing system transparency.

The PMAY(U) sub-scheme called the Initiative of Affordable Rental Housing Complexes

Urban migration of impoverished people backwards was the major difficulty urban India faced during the COVID-19 epidemic. In this sense, the movement happened as a result of the short-term closure of some industries and other sectors. To save money on housing, these urban migrants resided in slums, unofficial colonies, unrecognised communities, and peri-urban regions. It has been discovered that they need quality, reasonably priced rental homes close to their workplaces. As a result, the MoHUA launched Affordable Rental Housing Complexes (ARHCs), a sub-scheme under the PMAY(U), to meet this demand and foster economic activity with the Hon. Prime Minister's vision of "Aatma Nirbhar Bharat" post-COVID-19.

The PMAY(U): Monitoring and Implementation

Numerous processes are in place to provide transparency in demand analysis, beneficiary selection, money transfers, monitoring, etc. for the mission's successful execution and monitoring. This is admirable since field level verification is carried out by a Third-Party Quality and Monitoring Agency and Social Audit. States even have specialized State/City-level technical units for carrying out and overseeing the task.

A reliable management information system (MIS)

It is a thorough and powerful MIS that enables all stakeholders to easily control the flow of data about financial and physical development. Additionally, it has been connected with the UMANG platform, the PMAY (U) mobile app, the PMO dashboard, the NITI Aayog dashboard, the CLAP portal, the DBT Bharat portal, the Bhuvan HFA mobile app, the Bharat HFA mobile, and many other platforms[5], [6].

Transfer of Direct Benefits

The States/ULBs use the Direct Benefit Transfer (DBT) mode to transfer the Central and State share to the BLC vertical beneficiaries, with the instalments being geo-tagged and credited directly into the beneficiary's bank account upon completion of the construction stage. In the Scheme, 5 percent of the budget is set out for administrative and other expenses (A&OE), information education and communication, and capacity building. Activities for the efficient execution of the Mission are being carried out with funding from the Capacity Building head. The elements of these actions are as follows:

1. Plan of Action for Housing for Everyone
2. Creation of city-level and state-level technical cells
3. Social auditing
4. Workshops and Trainings
5. Independent Quality Control
6. Using geotags
7. Communication & Information Education
8. Administrative and other costs.

Three of the components included in the capacity building budget are split 75:25 between the Central Government and the relevant State/UT, and 90:10 for North Eastern and Special Category States.

Sub-Mission Technology

The MoHUA has established a Technology Sub-Mission (TSM) under the Mission as Sustainable Technological Solutions for Faster and Cost Effective, Affordable and Environmentally Friendly Building Materials and Technologies for an integrated approach, particularly for comprehensive technical and financial evaluation of emerging and proven building materials and technologies, their standardisation, developing specifications and code of practises, evolving necessary tendering process, creating approp

Supporting the States/UTs with Regional Hubs

IITs Kharagpur, Kanpur, Madras, Roorkee, Hyderabad, and NIT Silchar have been chosen as the institutions to assist State/UT Governments in identifying specific solutions in light of local conditions; to adapt international best practises; to prepare training manuals; to train engineers and architects; to test new construction materials; and to take on research projects in the area of new construction technologies in Urban India.

Certification of Emerging Building Materials and Technologies

Building Materials and Technology Promotion Council (BMTPC), an independent organisation under the MoHUA, has the mandate to identify, assess, and promote emerging construction systems that are safe, sustainable, and environmentally friendly; to ensure faster delivery of quality homes; and to do so.

The BMTPC has been given permission by the Central Government to use the Performance Appraisal Certification Scheme to certify such innovative systems.

Impact on society and economy

Investment in the housing industry has a direct and indirect influence on the economy, which has a big impact on job creation. The National Institute of Public Finance and Policy undertook research from June 2015 to January 2018 to address this issue. It has been noted that as of December 31, 2016, the PMAY(U) has produced 587 crore person days of employment in total, of which 163 crore person days were of a direct character and 424 crore person days were of an indirect form. This research calculated the number of jobs produced using 280 working days in a year, based on NSSO figures. As a consequence, 213 lakh employment are generated overall, including 59 lakh direct jobs and 154 lakh indirect ones. Various Vulnerable Groups are covered. An estimated 6.3 lakh elderly citizens, 5.15 lakh construction workers, 3.6 lakh domestic workers, 3.3 lakh craftsmen, 0.74 lakh people with disabilities (Divyang), 700 transgender people, and other socioeconomic groups were all covered by the 1.10 crore residences that the PMAY(U) was authorized to build. 500 people with leprosy. Since the ownership of the home is in the name of the female head of the family or in the joint name of the male head of the household, we have previously indicated that the Mission is created with women empowerment in mind [7], [8].

Effect on Industries

It is clear that, as a result of the scheme's investment, around 908 lakh metric tonnes of cement would be needed for the approved homes, of which 408 lakh metric tonnes have already been used in finished homes. Additionally, 182 lakh metric tonnes of steel are needed for the approved homes, of which 82 lakh metric tonnes have already been used in the built homes. Its effects may also be seen in the areas of livelihood, transportation, horticulture, and landscape development.

Function of ANGIKAAR: A Change Management Initiative

An initiative called ANGIKAAR, which promotes change management, was started in 2018 in order to solve problems that come up as a result of a person's life changing after relocating to a pucca home. Through community mobilisation and IEC activities in the impacted regions, the campaign's main goal is to get the beneficiaries to adopt best practises such water and energy conservation, waste management, sanitation and hygiene, and efficient waste management. Notably, ANGIKAAR uses the 3Cs-Strategy, which stands for convergence, community engagement, and communication. Four parts make up its implementation: determining the need, encouraging door-to-door awareness, engaging in city and ward-level initiatives, and outreach for financial literacy. Ayushman Bharat, Eat Right India, Ujjwala, Jal Shakti Abhiyan, Fit India Movement, Poshan Abhiyan, Solar Mission, and Financial Awareness Messages (FAME) are a few of the welfare-focused programmes that the Mission has included into its programme.

It is noteworthy that 18,500 ANGIKAAR resource people carried out the requirement assessment and disseminated the best practises communications. However, about 5-6

ward/city-level IEC activities/campaigns were conducted in each city, which includes swachhata pledge, ban on single use plastic, sand art, essay competition, ANGIKAAR pledge on change management, street plays, folk songs, wall paintings, health camps, tree plantations and cleanliness drives and campaigns like swachh pathshaala, swachh makaan, swachh colony, distribution of LED and solar lights, building rain water harvesting structures etc. According to the statistics, 5 lakh EWS/LIG beneficiaries under the CLSS vertical were covered for financial literacy via PLIs out of the approximately 20 lakh beneficiaries who were contacted for need assessments and door-to-door awareness campaigns. The Jan Andolan Campaign has also educated and informed the recipients on COVID-19 safety precautions. Therefore, it can be said that the Campaign is in a good position to adapt and address the new social and public health difficulties as well as general life transition issues that the beneficiaries may encounter in urban India.

Awards for the Pradhan Mantri Awas Yojana (Urban)

The PMAY(U) Awards for "Implementation and Innovation" were established under the Mission in 2018 to celebrate the exceptional performance of States/UTs, ULBs, and beneficiaries; to reward "Achievers" and motivate others to compete and achieve "Housing for All". To sum up, the "Pradhan Mantri Awas Yojana - Housing for All (Urban)" Mission, which has been taken up for the years 2015, will offer central support to implementing organisations via States and UTs in order to provide homes to all eligible families. With the exception of the credit related subsidy component, which will be implemented as a central sector scheme, it is being implemented as a centrally sponsored scheme (CSS). All statutory towns as of the Census of 2011 and those notified afterwards would be eligible for coverage under this Mission. In this regard, the States/UTs shall have the discretion to include in the Mission the Planning area that is in the vicinity of the relevant municipal area and has been informed with regards to the statutory town. In this section, we've documented the different reform-focused initiatives Mission has taken on. There is an urgent need for a comprehensive plan to meet the expanding demand for urban housing in India since urbanisation has become a significant and irreversible development. In this way, the PMAY(U) helps to bring about a paradigm change in housing policy and encourages the cooperative federalist ethos. However, implementing the ARHCs for the welfare of low-income migrants is also a key area of attention for the Mission to ensure that they may affordably find a quality home to live close to their place of employment. It is thus obvious that it mirrors the ongoing Sabka Saath, Sabka Vikas, Sabka Vishwas, and Sabka Prayas development paradigm[7], [9].

Rejuvenation And Urban Transformation Atal Mission

The Mission was launched on June 25, 2015, across 500 Indian towns. The Atal Mission for Rejuvenation and Urban Transformation (AMRUT) focuses on infrastructure development since it directly contributes to the delivery of improved services to urban Indians. The Swachh Bharat Mission is related to it. The term "Mission Cities" refers to all Urban Local Bodies (ULBs) with a population of one lakh or more, as well as other capital cities of States and Union Territories, HRIDAY cities, recognised cities on the major rivers' stems, from hill states, islands, and tourism hotspots. Therefore, this Scheme covers almost 60% of India's urban population.

In order to finish the grounded projects, a Centrally Sponsored Scheme with a total Central Outlay of Rs. 50,000 crores over 5 years from the financial years 2015–2016. AMRUT 2.0 now seeks to make 4,700 towns and cities water secure and aatmanirbhar. It encourages PPP and increases coverage from 500 to 4700 cities and towns. The AMRUT has a reform

programme that emphasises the improvement of Urban Local Bodies and the security of the city's water supply.

Implementation of AMRUT

The AMRUT was established to guarantee that every home has access to a water source with a reliable supply of water and a sewer connection, to improve the amenity value of cities by creating greenery and well-maintained open spaces, such as parks, and to lower pollution levels by switching to public transport or by building facilities for non-motorized transport, such as walking and cycling. It concentrates on the following topics in this regard:

1. Sufficient water supply,
2. Appropriate septage management and sewerage facilities,
3. Appropriate storm water drainage systems to prevent floods,
4. Necessary parking spaces, pedestrian amenities, non-motorized transportation options, and
5. Increasing the amenity value of cities by developing and improving parks, green areas, and leisure facilities.

The following are the main parts of AMRUT.

Water supply

It comprises treatment facilities and the revitalization of water bodies, particularly for the provision of drinking water and the recharging of ground water.

It also allows for the rehabilitation of outdated water supply systems.

Some key elements in controlling water supply include initiatives to explore the potential for septage management, decrease in the use of non-revenue water, and recycling or reuse of wastewater.

Sewerage and Septage Management

Under Sewerage and Septage management, the Mission offers decentralized, networked underground sewerage systems in urban areas, as well as the expansion of current sewerage systems and sewage treatment plants, recycling and reuse of wastewater, cost-effective cleaning, transportation and treatment of feces-laden sludge, and mechanical and biological cleaning of sewers and septic tanks.

Storm Water Drainage

It is possible to build and upgrade storm water drains in order to lessen and eliminate floods.

Urban Transportation

This category comprises facilities for non-motorized transportation, sidewalks, foot over-bridges, and multi-level parking in cities.

Green Space and Parks

This refers to the creation of green space and parks that specifically include elements that are kid-friendly.

Capabilities Building

It offers ways to increase an individual's and an institution's capabilities.

Reforms Management and Support

This Scheme provides support structures, activities, and funding support for reform implementation. It aims to improve urban governance, particularly in the areas of service delivery, resource mobilisation, promoting transparency in municipal functioning, and making municipal functionaries more accountable [10], [11]. It is important to note that the AMRUT prioritises the universal coverage of the water supply and sewage networks. In the 500 chosen cities, the sewage network coverage will be increased to 62 percent from the Mission's initial water supply coverage of 64 percent and sewerage network coverage of 31 percent, which seeks to reach 100% of homes.

The State Annual Action Plans (SAAPs) of all the States and Union Territories for the duration of the Mission total Rs. 77,640 crore, including Rs. 36,990 crore in Central Assistance. In accordance with this Scheme, Rs. 24,306 crore has been made available for project funding, of which Rs. 5,889 crore would be made available to meet the objectives.

CONCLUSION

The country's environment is changing as a result of India's rapid urbanisation, a substantial population upheaval. The significance of sustainable infrastructure and services for urban areas cannot be understated, with 35 percent of the population presently residing there and that number expected to rise to nearly 50 percent by 2050. The Indian government has initiated a number of significant measures to address these issues, with the goals of enhancing urban administration and offering residents access to cheap housing. The Pradhan Mantri Awas Yojana (Urban), one of the flagship programmes, has achieved tremendous progress in addressing the housing requirements of economically disadvantaged groups, low-income groups, and slum residents.

The programme has empowered women and marginalised groups in addition to providing cheap homes via initiatives including credit-linked subsidies and in-situ slum remediation.

The PMAY(U) has produced amazing achievements, with millions of houses authorised and built that have boosted the economy and created jobs. The program's emphasis on environmentally friendly building practises and affordable rental housing developments has increased its positive effects on both the economy and society.

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CHAPTER 5

TRANSFORMING RAJASTHAN'S URBAN LANDSCAPE: AMRUT SUCCESS STORIES AND SMART CITY INITIATIVES

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ABSTRACT:

An important project to enhance urban services and infrastructure throughout India is the Atal Mission for Rejuvenation and Urban Transformation (AMRUT). AMRUT has been put into practise in 29 cities across the state of Rajasthan, including important metropolitan hubs like Jaipur, Jodhpur, and Udaipur. The main tenets of AMRUT's implementation in Rajasthan and its noteworthy accomplishments are highlighted in this abstract. India's standing in the World Bank's Doing Business Report was raised thanks to the installation of an online building permit system. AMRUT also planned to save energy by switching out conventional streetlights with LED illumination. The creation of GIS-based master plans for various communities was advanced by the programme. Numerous projects with significant expenditures were completed under AMRUT's financial development, which helped the state's urban infrastructure and services. In conclusion, AMRUT has significantly impacted Rajasthan, enhancing services, sanitation, urban infrastructure, and water supply. Additionally, it has promoted reforms, capacity building, and financial development, all of which have aided in the sustainable growth of metropolitan regions. The program's accomplishments show how crucial cooperation between politicians, bureaucrats, and citizens is to attaining urban development objectives. The Smart Cities Mission (SCM) in India, which supports smart and sustainable urban development nationwide and complements AMRUT's initiatives, is also briefly mentioned in the abstract. In order to improve urban services and living circumstances, the SCM focuses on inclusive and sustainable development. The summary highlights the function of local and state governments in carrying out these major initiatives and stresses the significance of good governance for India's urban growth.

KEYWORDS:

AMRUT, Financial Development, Smart City, Urban Services.

INTRODUCTION

The Atal Mission for Rejuvenation and Urban Transformation (AMRUT) has been implemented in Rajasthan, and this has been a key step in improving the urban infrastructure and quality of life in the state's cities. Rajasthan cities have been chosen as part of AMRUT to concentrate on crucial components including water supply, sewage and septage management, drainage, urban transportation and green spaces. The significant rise in water taps and sewage connections in Rajasthan has been one of AMRUT's outstanding achievements. The programme has made great strides towards reaching universal coverage in these vital services, adding 105 million water and 78 lakh sewer connections. The improvement of workers' capacities in urban development is another remarkable accomplishment. It is essential for efficient and successful project execution that more than 55,000 political and executive authorities have received training in a variety of modules.

Additionally, AMRUT unveiled a reform roadmap with 11 changes and 54 milestones intended to enhance governance and service delivery. For putting these changes into practise and fostering improved governance practices, some states and metropolitan local authorities received incentives. Cities have been able to obtain money for infrastructure development

because to the program's emphasis on credit ratings and promotion of municipal bonds. Rajasthan now has 163 cities with Investment Grade Ratings (IGR), which raises their investment appeal.

Energy savings and improved urban planning have been made possible by the push to replace conventional streetlights with energy-efficient LEDs and the establishment of GIS-based city master plans. With hundreds of projects finished and major investments made, financial development has also been vital in improving urban infrastructure and living circumstances. Additionally, AMRUT's town planning and local area planning initiatives have gained traction and are currently being used in 25 cities, which has improved urban planning and development. The program's accomplishments include ensuring that every household has access to water, increasing sewerage coverage, developing green areas, treating wastewater, and installing energy-efficient lighting, among other things.

These upgrades have improved the quality of life for locals while simultaneously promoting economic development and environmental sustainability [1], [2].

AMRUT: Rajasthan-based implementation

In Rajasthan, under AMRUT, 29 cities have been selected, that is, Alwar, Beawar, Sikar, Nagaur, Bhiwadi, Pali, Sawai Madhopur, Tonk, Hanumangarh, Bundi, Sujargarh, Dholpur, Gangapur City, Chittorgarh, Bhilwara, Sri Ganganagar, Churu, Jhunjhunu, Baran, Kishangarh, Hindaun City, Jaipur, Jodhpur, Ajmer, Kota, Bikaner, Udaipur, Bharatpur and Jhalawar. The fields of water supply, sewage and septage, drainage, urban transportation, and green spaces have been recognised in this respect. It is important to note that Rs. 1,395.07 crore was received and has been distributed (up to second instalment) to the relevant ULB/Parastatal entities. In the third installment, the Central Government disbursed a total of Rs. 586.54 crore under the programme, of which the Rajasthan Government gave Rs. 268.75 crore to RUDSICO, which was then transferred to the corresponding executive agencies. In order to match the Government of India's contribution, which was granted for the third instalment, the State Government has provided Rs. 134.37 crore.

Successes under AMRUT

Water taps and sewage connections

It should be noted that 105 water and 78 lakh sewer connections have been added, compared to the aim of delivering 139 lakh water tap connections to attain universal coverage and 145 lakh sewer connections to strengthen considerable sewerage network coverage.

Building capacity

Employees in this area have received training. It is important to note that more than 55 000 political and executive officials have received training in various modules.

Reform Implementation

In addition to building the infrastructure for basic amenities mentioned above, it has a reform agenda that consists of 11 reforms and 54 milestones that must be accomplished by the States and UTs. These milestones include providing online services to citizens, creating a single window for all approvals, establishing municipal cadre, achieving at least 90% billing and collection of taxes and user fees, building a park for kids, and establishing a maintenance system. The following successes and development have been made in the execution of the reform.

Reform incentive under AMRUT

Around 26 States and UTs received an incentive of Rs.1,865.36 crore for implementing reform. In addition, incentives totaling Rs. 207.34 crore have been given to nine ULBs Ahmedabad, Amaravati, Bhopal, Hyderabad, Indore, Pune, Surat, Vishakhapatnam, and Lucknow to encourage the issuing of municipal bonds as a means of obtaining money [3], [4].

Credit rating under AMRUT

As part of this programme, credit rating projects have been granted for 485 cities and have been completed in 469. In this situation, 163 cities have obtained Investment Grade Ratings (IGR), and the other cities must work to improve their creditworthiness. It should be mentioned that 36 cities in 12 States have credit ratings of A- or above, and thus are more likely to issue municipal bonds.

DISCUSSION

The AMRUT Online Building Permit System has been put into place in 2,205 cities, including 444 AMRUT Mission cities. A&N Islands, Andhra Pradesh, Dadra & Nagar Haveli, Delhi, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Punjab, Telangana, and Tripura are among the ULBs where the Online Building Permission System (OBPS) has been fully implemented. 21 States and UTs have also merged OBPS into a single online platform. It should be noted that India moved up to position 27 from position 181 in the World Bank's Doing Business Report (DBR), which was reflected in DBR 2018's analysis of building permits. Streetlight replacement with LED lighting under AMRUT: In this respect, MoUs with Energy Efficiency Services Limited (EESL) or other companies have been inked in 457 cities (34 States/UTs). Aiming to replace 102 lakh streetlights, energy-efficient LEDs have already replaced 88 lakh traditional lighting in metropolitan areas. Physical progress under the sub-scheme for creating a GIS-based master plan is as follows. Draught geodatabases for 393 towns and final geodatabases for 104 towns have been created for Base Map construction. Draught master plans have been created in 71 towns and final master plans in 43 towns in order to create the GIS-based master plan.

Financial Development

According to the statistics, as of September 21, 2017, 3778 projects had been finished with an investment of 21209 crores, while 2012 projects had an investment of Rs 60896 crores.

AMRUT's Local Area Planning and Town Planning Scheme

Through capacity development, this sub-scheme has gained traction and is now being implemented in 25 Indian cities. Data show that up to June 27, 2018, the AMRUT concentrated on supplying water to every family, improving sewage coverage from 30 to more than 60 percent, and creating at least one green space in each of 500 cities with a population of 100K people or more. Additionally, 1,240 MLD wastewater treatment STPs have been created, along with more than 105 lakh new water and 78 lakh new sewer connections. As a result, 907 MLD of freshwater is being reused or recycled; 4,800 MLD of STPs are being built; more than 1,800 parks totaling over 3,700 acres have already been finished and are in operation; and 800 additional parks are now being created. Additionally, 88 lakh street lights have been upgraded to LEDs, saving 193 crore units and preventing 15.4 lakh tons of carbon emissions in the process. It should be emphasised that 10 cities have generated \$3,840 crore via municipal bonds, and many more are in the process of converting to Aatma Nirbhar Cities.

It is important to note that India has moved up 159 spots, or 186 places, in the previous six years in the World Bank's Ease of Doing Business in Construction Permits rankings. 2,465 communities, including every city in 16 States and UTs, have adopted the online building permission system to make it easier for the general public and stakeholders. To guarantee effectiveness and efficient execution, more than 55K political and executive officials have received training in various modules. More than 1,400 flooding spots in metropolitan areas have been avoided and around 800 non-motorized projects have been started thanks to the storm water drainage systems installed under AMRUT. According to estimates, more over Rs. 52,000 crore worth of projects that were initially slated for building but never started have been finished. Overall, Team India has worked diligently to achieve the objectives of AMRUT[5], [6].

As a result, it may be said that the AMRUT ensures that every family has access to a tap with a guaranteed supply of water and a sewer connection, increases the amenity value of cities, and lowers pollution levels. All of these Scheme results are essential for people, particularly women. Water supply, sewage and septage management, storm water drainage, urban transportation, the creation of green spaces and parks, capacity building, and reform implementation are some of the crucial elements of the Scheme. Political leaders, bureaucrats, and residents must work together in this endeavour for the Scheme to be properly implemented and for urban India to experience sustainable development.

On June 25, 2015, the Smart City Mission (SCM) was introduced. Following the introduction of the Smart communities Mission standards, 100 communities have been chosen via the Challenge process during the last five years. The main goal of this mission is to support communities that provide basic infrastructure, fair living conditions for their residents, a healthy environment, and the use of "Smart" solutions. The primary emphasis is still on inclusive and sustainable development. In this sense, the objective is to operate in small spaces and develop a repeatable model that would serve as a beacon for other aspirant towns in India. It should be emphasised that the SCM's goal is to promote economic growth and raise people's standards of living by facilitating local area development and using technology, which produces Smart results. Area-based development will, in this situation, refit and rehabilitate existing areas including slums into better planned ones, resulting in the growth and enhancement of the whole City. In addition, greenfield developments will be built all surrounding cities to support the metropolitan regions' fast population growth. However, the usage of smart solutions will allow cities to more effectively employ data, information, and technology to enhance services and infrastructure in metropolitan areas. It is important to note that a thorough public engagement exercise established the groundwork for SCM's preparation of the Smart City Proposals for participation in national level challenges.

Mission: Smart City Strategy

The Pan-City Initiative, in which Smart Solutions are deployed across bigger portions of the city in Urban India, is one of the Pan-City Initiative's Pan-City Initiative's strategic components of area-based development. The paid-up capital needs of the Special Purpose Vehicle (SPV) are determined by the State Government and the ULBs in accordance with the project's size, the need for commercial financing, and the appropriate financing modalities. The Central Government has planned to provide financial assistance to the SCM in the amount of Rs. 48,000 crores over five years, or on average Rs. 100 crore per city every year. The SCM is run as a Centrally Sponsored Scheme. The responsible State/ULB should provide an equivalent amount on a matching basis. The remaining funds are anticipated to be raised from sources that we covered in unit 8 of this course, if the Government of India funding and matching contribution by the States/ULB cover a portion of the project cost. next

the choice of the cities, the implementation phase begins; this process is covered in more detail in the next section.

Implementation of the Smart City Mission

The Mission and programmes run by the SCM have a significant focus on quality. The date of the Smart City's selection determines how quickly initiatives are being implemented. It should be noted that it typically takes 18 months following selection to begin putting initiatives into action in the city.

A Status of Implementation

A SPV that participates in the design, execution, monitoring, and assessment of development projects carries out the SCM implementation. It is established as a limited company at the municipal level in a smart city in accordance with the Companies' Act of 2013, and is jointly promoted by the State/UT and the ULB with a 50:50 equity participation. Regarding this, the Project Management Consultants (PMCs) assist the Smart City SPVs to plan and create projects for implementation in a variety of sectors, including water supply, smart roadways, heritage and place-making, smart IT and communication, an app-based citizen service delivery system, etc. Each smart city has a special purpose vehicle (SPV), which is led by a full-time chief executive officer (CEO) and includes representatives from the central, state, and local governments as members of its board. The States/ULBs must guarantee that a committed and significant revenue the SPV is given access to a stream so that it may become self-sustaining and develop its own credit worthiness to raise further resources from the market, and the government's contribution to the smart city is utilized to build infrastructure that has positive effects for the general public. The progress of implementation in a state is shown in the next subsection using data from Rajasthan.

Rajasthan's Smart Cities Mission

Four towns in Rajasthan Jaipur, Udaipur, Kota, and Ajmer were chosen to be built as "Smart Cities" and are now under development. The State Government is working to promote communities that provide basic infrastructure, offer their residents a respectable standard of living, maintain a clean and sustainable environment, and use "Smart" solutions for urban development as part of this mission. According to the financing method, the Central Government would award each city Rs. 100 crore over the course of five years, and the relevant State/ULB will be required to contribute an equivalent sum. It should be mentioned that this Mission has incurred expenses of Rs. 1,237 crore against total receipts of Rs. 1,744 crore. It should be noted that the construction of high-level bridges, multi-level flyovers, Wi-Fi, open-air gyms, fire rescue jeeps and bikes, solar master plans, solar city cells, street lighting, public transport systems, parking space allocation, water ATM installation and smart roads, smart classrooms, smart toilets and smart streets are all included in the smart city project [7], [8].

Smart Cities Mission: Successes

It is important to note that there are more than 6,000 small and large projects that will be finished over the course of many stages at a cost of more than Rs. 2 lakh crore. Project management consultants (PMCs) have been hired and SPVs, Smart City Advisory Forums (SCAFs), and other entities have been formed in the cities covered by the Mission. Since the program's inception, 5,151 projects totaling more than Rs. 2 lakh crores have been carried out, with varied levels of completion in each of the 100 cities. The data shows that there has been tremendous development in the initiatives including Integrated Command and Control

Centres, Smart Roads, Smart Water, Solar Rooftops, and Vibrant Public Spaces in Urban India. The SCM, on the other hand, is a long-term project, and its effects won't be seen.

New Projects

Several projects have been started under the Mission to guarantee integrated development across all facets of urban development and propel the SCM to the next level. Some of the crucial ones in this respect are.

1. Indian Fellowship Programme for Smart Cities
2. Municipal Performance Index and the Ease of Living Index
3. Cities that are climate smart
4. India Urban Data Exchange Portals, Data Smart Cities Strategy, Assessment Framework, and Open Data
5. Urban Data Exchange in India
6. Stack National Urban Innovation
7. Urban Observatory in India
8. Frameworks for capacity building on the National Urban Learning Platform
 - a) Challenge for Nurturing Neighborhoods
 - b) Challenge India Cycles for Change
 - c) Preliminary Draught of ICT Standards for Smart Cities
 - d) Internship programme for urban learning
 - e) Response to COVID-19 in Smart Cities

Rapid Response and Smart City Mission in COVID-19 Management

It should be noted that the SCM has backed quick action in COVID-19 management. The Integrated Command and Control Centres (ICCC) were established as part of this mission in a number of smart cities, including Bengaluru, Pune, Agra, and Vadodara. They were converted into war rooms during the epidemic for real-time surveillance and technologically efficient pandemic control. It is important to note that in order to combat COVID-19, the SCM compiled best practises from several Smart Cities. These procedures include collecting data, quick communication, active management of COVID-infected populations and places, as well as taking preventative measures to stop the pandemic from spreading. They were copied in other cities in Urban India and shared with all CEOs of Smart Cities and Municipal Commissioners. In order to provide food and shelter during disasters or other emergencies, the SCM has compiled information on food distribution, shelter houses, and kitchens throughout the Smart Cities, along with their locations and contact information. It should be highlighted that Google maps also provides access to this important information, which has been sent to all municipal stakeholders. The goal of the SCM is to provide models that may be used to create comparable cities in metropolitan India, both within and outside of the Smart City.

In India, cities may find solutions to their problems that will help them develop while better utilising resources, lowering pollution levels, and decreasing poverty. The earnest and collaborative efforts of elected officials, managers, and residents will help to build the desired future of metropolitan regions. As a result, increasing citizen involvement in policy formation and execution is essential for accountability, sustainability, improved service delivery, and public confidence in government. All people have access to possibilities in this kind of enabling environment, which also makes it simple to get basic necessities like electricity, shelter, and transportation. Additionally, it will open the door for inclusive, secure, resilient, and sustainable human settlements in cities. For sustainable development, it is necessary to enhance the lives of urban and rural residents while improving the connections between the

two. This may be done by building on the already-existing economic, social, and environmental relationships between urban and rural regions. In addition, it is stated in the Sustainable Development Goal (SDG) 11 on Sustainable Cities and Communities that cities play a crucial role in development by providing chances for people to succeed economically and socially. The Sustainable Development Goals (SDGs) are being implemented by the Indian government, which is fully dedicated to achieving them in the spirit of the SDGs' catchphrase, "Leaving No One Behind" Sabka Saath, Sabka Vikas, Sabka Vishwas, and Sabka Prayas. Urbanization is therefore inextricably linked to and bound up with the process of development in the Urban Local Governance[9], [10].

Participation of Local and State Governments in Flagship Central Schemes

The Ministry of Housing and Urban Affairs has introduced a number of programmes to enhance urban services in the ULBs, as we have previously covered. Given that the ULGs are under to State Government control in this situation, the Central Government is unable to directly order them to carry out its plans locally. As a result, the State Government is requested by the Central Government to execute its programmes via the ULGs. As a result, the State Government has a key role in how the ULGs administer Central Government Schemes. The ULBs are in charge of putting AMRUT into practise. The Municipal Commissioner sees to it that the SLIP is prepared on time in this respect. In accordance with the authorised SAAP, the ULBs create DPRs and bid papers for projects. The UBLs make ensuring that DPRs and bid papers have municipal level clearances before sending them to the SLTC/SHPC for approval. According to the financial norms and regulations, they choose implementation firms, and once the job has begun, they guarantee its prompt completion. The PDMCs provide assistance to the ULBs for carrying out these tasks for this reason. The Local Bodies also provide a roadmap for putting changes into practise and increasing capacity. Additionally, they are in charge of encouraging cooperation and coordination among all parties involved in order to complete projects on schedule and within budget. A greater degree of coordination and collaboration between the State Government and Local Bodies is necessary for the Scheme/Programme's effective execution. In this respect, the ULGs at the local level are close to the people in dealing with the problems and in providing amenities, etc., which helps in successful Scheme implementation. Municipalities establish the Special Purpose Vehicle to supervise project execution. The function of local government has already been covered in previous sections. As a result, we will concentrate on the State and Local Government's involvement in SCM-based scheme monitoring in this section.

State-level monitoring

It has been suggested that the whole Mission Programme be steered by a State Level High Powered Steering Committee (HPSC), which would be presided over by the Chief Secretary. Representatives from the State Government departments make up the HPSC. In the HPSC, the relevant ULB's Mayor and Municipal Commissioner are represented.

A State Mission Director is also expected to be an individual appointed by the State Government with at least the rank of Secretary to the State Government.

As the Member Secretary of the State HPSC, the State Mission Director performs the following duties:

- a) Giving direction to the State-level forum for the exchange of ideas on the development of smart cities and the Mission;
- b) Supervise the first round of the intra-State competition; c) review the Sustainable Cities Programmes (SCPs) and submit them to the MoUD.

Monitoring: Municipal Level

For the 100 Smart Cities initiative, it has been suggested that a Smart City Advisory Forum (SCAF) be formed at the local level. The District Collector, MP, MLA, Mayor, CEO of SPV, local youths, and technical experts are among the stakeholders who will get advice and be given opportunities for cooperation. It is important to note that the CEO of the SPV serves as the SCAF's convener. The research clearly shows that excellent governance, effective coordination, and cooperative mechanisms between the Centre, State, and Local Governments are necessary for successful and efficient service delivery. In this respect, the State Government should devolve rights and responsibilities together with enough funding to Local Bodies as soon as possible to improve urban local governance for the efficient execution of the Scheme and sustainable development.

We have seen how the globe is becoming more urbanised. The statistics shows that urban regions are home to 35% of the population. Due to India's ongoing urbanisation, efforts for sustainable development are dependent on the effective management of urban expansion, particularly in a few key cities where the rate of urbanisation is anticipated to be the quickest. Many state governments are now having trouble providing for the fundamental demands of their expanding metropolitan population. Here, issues with the economy, healthcare, education, housing, transportation, energy system, and infrastructure present significant difficulties that can only be solved by contemporary urban government. The Sustainable Development Goal (SDG) 11 on Sustainable Cities and Communities affirms that cities' sustainable growth is essential to human progress since they provide chances for both economic and social advancement. The Sustainable Development Goals (SDGs) are being implemented by the Indian government, which is fully dedicated to achieving them in the spirit of the SDGs' tagline, "Leaving No One Behind" by ensuring "Sabka Saath, Sabka Vikas, Sabka Vishwas". To achieve balanced growth and sustainable development in the urban areas of States and Union Territories, we have discussed the necessity, importance, and accomplishments of the Pradhan Mantri Awas Yojana (Urban), Atal Mission for Rejuvenation and Urban Transformation, and Smart Cities Mission in this unit. Comprehensive development is predicted to raise living standards, open up new job possibilities, and increase household incomes, resulting in inclusive cities in India. We hope that this Unit has provided you with sufficient knowledge and information on flagship projects and programmes that support sustainable development. We shall describe and evaluate the function of urban government in the provision of services in the next unit.

CONCLUSION

The objective of building smart, sustainable cities in India has been advanced by the Smart Cities Mission, which was launched concurrently with AMRUT. The goal is to integrate technology and innovation into urban planning and service delivery to promote equitable and sustainable development. In order to successfully execute these flagship programmes, state and local governments' participation has been essential. The successful implementation of these measures has depended on effective coordination and collaboration amongst all stakeholders, including the federal, state, and municipal governments. In general, AMRUT and the Smart Cities Mission have been instrumental in enhancing urban services, governance, and infrastructure in Rajasthan and across India.

These programmes are crucial for ensuring sustainable urban growth and raising the standard of living for city dwellers.

In order to maintain and expand upon these accomplishments in the future, ongoing cooperation between government agencies, officials, and citizens is essential.

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CHAPTER 6

URBAN CHALLENGES AND INITIATIVES IN INDIA

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ABSTRACT:

Urbanization, according to experts, is inevitable. The historical evidence also indicates that sooner or later, the bulk of people will reside in metropolitan regions. Basic minimal service standards are necessary for a decent living. The ULBs are required to deliver them; however, the capacity and resource availability are the main problems. In fact, as the populace becomes more prosperous, it would aspirationally want the municipal government to provide even more services. Under different schemes, various initiatives are being done to empower them. The accountability system, however, which may bring both elected officials and representatives to account for non-performance, will determine how well the performance is done. In this sense, if the populace can exert pressure on the whole machinery, political will also be put to the test in due course. Water quality and availability continue to be major problems, with many communities finding it difficult to reach the suggested criteria. The Jal Jeevan Mission and other initiatives strive to give every family with clean piped water, however obstacles still exist, as noted by the Bureau of Indian Standards. Another significant issue is managing municipal solid trash, since a growth in urban population will result in more garbage being produced. There is still considerable work to be done to attain sustainable waste management practises, even if some cities have achieved improvements in trash collection and processing.

KEYWORDS:

Education, Government, Management, Urbanization, Water.

INTRODUCTION

In India, urban regions make up around 63 percent of the GDP. By 2030, they are predicted to contribute around three-fourths of the GDP. As a result, people move from rural to urban regions, acting as a pull force. Civic infrastructure and services are under strain as a result. However, it is the duty of the local government to guarantee that the populace has access to fundamental services. The Basic Services for Urban Poor (BSUP) initiative listed seven fundamental services to be provided as part of the plan, including the ones addressed in this Unit: water, sanitation, education, and health. You may recall that cities provide their inhabitants many more services. The Constitution's Twelfth Schedule also includes a list of these services. On July 28, 2010, the United Nations General Assembly acknowledged the human right to water and sanitation in Resolution 64/292. Urban Local Bodies (ULBs) are charged with a heavy burden of supplying them effectively.

The Government of India has combined previous administrations' measures to further enhance service access.

The missions on urban development that the Indian government undertook in 2014 have addressed a broad range of reforms and advancements, including the essential expansion of the JNNURM and BSUP's purview. These include the National Urban Livelihood Mission (NULM), the Swachh Bharat Mission, the Smart Cities Mission (100 smart cities), PMAY(U), which will build 20 million homes to clear the backlog, AMRUT, which will

concentrate on infrastructure and governance, the National Urban Livelihood Mission (100 smart cities), and HRIDAY.

Assurance Of Water in Urban Area

For survival and the quality of human existence, adequate access to water of the necessary quality is a need. India makes up more than 18% of the world's population, yet just 4% of the world's renewable water resources are found there. The 2012 National Water Policy placed a strong focus on ULBs managing water resource projects and services via community involvement as well as partnerships with the corporate sector. Additionally, it proposed consequences for violations of the regulatory controls on prices charged and service standards with complete responsibility to locally elected representatives who are chosen democratically. Rivers, ponds, lakes, tanks, rainfall, glacier melt, groundwater, hand pumps, bore wells, sea water, and atmospheric water are India's principal sources of water, while secondary sources include dam reservoirs, canals, bottled water, tanker supplies, and tap water from both treated and untreated sources. The installation of a pipeline network and the maintenance of ageing ones, which have often reached the end of their useful lives in many cities, are significant obstacles to guaranteeing an adequate level of water delivery[1], [2].

Water Quantity and Quality

Guidelines are created by WHO as international standards for water quality and human health. According to the Eleventh Five-Year Plan document, the country's rural regions were among the 2.17 lakh quality-affected habitations. Water availability standards (at the home level) are 135 lpcd. Only a few Indian cities, however, get as much or more. According to CPHEEO recommendations, the baseline in cities without a sewage network is 90 lpcd. By 2024, the Centre wants to have clean piped water available to every family as part of its flagship Programme Jal Jeevan Mission. However, the Bureau of Indian Standards (BIS) concluded that all of the tested samples from 13 cities, including Delhi, Kolkata, Chennai, Bengaluru, Jaipur, and Lucknow, did not match the BIS standards for piped drinking water. This testing was done in November 2018 and included 15 cities.

According to the 12th Plan document, "vast portions of contemporary cities remain linked to the sewage system because they dwell in unlicensed or illegal regions or slums, where the state services do not reach. In this circumstance, it is crucial that we spend in sewage systems, but it is also equally and even more crucial that we invest in developing accessible and expandable sewage networks, which calls for a new perspective on the sewage and its treatment technologies now in use. ODF++ protocol focuses on safe management of faecal sludge from toilets and ensures that no untreated sludge is discharged into open drains, water bodies, or in the open. ODF+ protocol focuses on Operation & Maintenance of Community/Public Toilets by ensuring functionality and proper maintenance of CT/PTs for their continued use. In this sense, 130 cities and 308 cities have received ODF++ certification. The ULBs must have them validated in accordance with the rules.

Institutional Arrangements for Sewerage Management and Water Supply

The Urban Local Bodies (ULBs) have historically been in charge of providing water to residences, businesses, and industries in urban areas. However, state departments or parastatal organizations have been given the responsibility of developing infrastructure, such as building water treatment facilities and installing a citywide network of pipes. For instance, the Public Health Engineering Department (PHED) was established in Uttar Pradesh in 1927 to provide infrastructure for the delivery of drinking water and sewage. The PHD/PHED still conducts this duty in many states, including Odisha, although distinct specialized

organisations have been established in many other states. For instance, the Uttar Pradesh Jal Nigam, established under the Uttar Pradesh Water Supply and Sewerage Act, 1975 (Act No. 43, 1975), is now responsible for the development of infrastructure and the provision of water and sewage connections to anybody who needs them[3], [4].

Through City Development Plans (CDPs), which were to incorporate sustainable habitat criteria as a fundamental component of implementation strategy, the Jawaharlal Nehru National Urban Renewal Mission may be regarded to have initiated a comprehensive and holistic approach to urban planning. In order to plan the cities for the future, the CDPs of the chosen cities, which were created by the ULBs and parastatal agencies for particular sectors, assessed the infrastructure gaps, including those in water supply and sanitation. Additionally, in the remaining cities, the ULBs prepared the CDPs for funding under various programmes.

DISCUSSION

The government's main initiatives, Smart Cities Mission and AMRUT, which we explored in Unit 10, have given ULBs the primary responsibility for water supply and sanitation in urban areas. The Missions have been expanded to include reforms. AMRUT, for instance, has encouraged changes. The state/UTs get 10% of the yearly budget each year to help implement changes. The ULBs may utilise this incentive to help pay for projects. The State Mission Director will compile the ULBs' Service Level Improvement Plans (SLIP) and a roadmap for changes, which will be a component of the State Annual Action Plans (SAAP). In order to make the O&M self-sufficient and cost-effective, the ULBs will finance it via a suitable cost recovery mechanism. The ULBs are in charge of carrying out projects. Upon a resolution approved by the ULB, the State government may suggest in the SAAP that the projects be carried out by specialist parastatal agencies of the State or Central Governments if they lack the competence to do so. The ULB and the State government will be in charge of maintaining and caring for the newly generated assets.

Local Entities

ULBs typically have a single department of health and public health, which is responsible for:

1. Sanitation, which includes solid waste management and seepage
2. Drain and public street cleaning
3. Precautions taken to prevent the spread of infectious illnesses
4. Granting licences in accordance with relevant Food Adulteration Acts
5. Strictly regulating the locations designated for the disposal of deceased remains.

This is not a complete or required list. Some of the issues may be addressed by other specialist bodies in larger cities. For instance, the South Delhi Municipal Corporation's Public Health Department is responsible for the establishment and management of cremation sites, the prevention and control of vector-borne illnesses, water-borne diseases, and other diseases important to public health. Solid waste disposal and public restrooms are handled by a distinct Department of Environmental disposal Services. All other services, with the exception of solid waste disposal, are provided by the ULBs via their own workforce. The ULBs, in collaboration with the State governments, now have responsibility for environmental degradation in the cities. Preventing the spread of infectious and contagious illnesses. A disease monitoring system is set up that includes local hospitals for illnesses like Malaria, dengue, Chikungunya, yellow fever, Japanese encephalitis, etc. Eco-friendly bio-larvicide is sprayed as a kind of anti-larval action. Regular submission of vital facts enables efficient monitoring. The majority of ULBs also conduct IEC initiatives through media and

hoardings[5], [6]. Commercial Enterprises must adhere to standards against food adulteration. The ULBs give policy directives for the health trade and, if necessary, licences. The food quality is frequently checked by ULB health officials visiting the locations. The ULBs are in charge of locating and maintaining these sites for them. Because there is a shortage of disposal space and trash creation is growing, MSWM has reached alarming proportions. Its effects on the environment and public health are well known.

Management Of Municipal Solid Waste in India

Every ULB is subject to the Municipal Solid Waste (Management and Handling) Rules, 2016. They are responsible for making sure that solid trash is collected, stored, transported, processed, and disposed of. Every home, event organiser, street seller, RWA and market organisations, gated communities, hotels and restaurants, etc. have been recognised as garbage producers under the guidelines. Scientific management of MSWM is required by the rules. According to the Handbook of Urban Statistics 2018, as of right now, 72,503 wards out of 84,229 wards, or 86 percent of wards, practise 100% door-to-door collection, 51,114 wards out of 84,229 wards, or 60.7 percent of wards, practise 100% source segregation, and 51.26 percent of waste produced is processed, up from around 18% in 2014.

Municipalities acting independently

towns have traditionally used their own personnel and equipment to collect and dispose of garbage, particularly in smaller towns. When they are short on automobiles, some cities may rent these trucks. However, because to capacity difficulties, the collecting percentage is quite low. Industrial complexes or townships operating independently. The majority of the garbage is treated or recycled in some of the big industrial townships and complexes, and just a little amount is dumped at municipal landfills.

Partnership between municipalities and civil society. With increased knowledge, residents, particularly in larger towns, have stepped up to manage their garbage, creating what is known as a "zero waste community." Within the region, they have set up segregation sites and composting facilities. The municipality provides a location for the RWAs to conduct these events. The RWA involves the workforce in the user-pay model project. A city's overall cleanliness and garbage-free status are improved by a system based on 12 solid waste management parameters, including source segregation, door-to-door collection, compliance by bulk waste generators, daily sweeping, scientific waste processing, scientific land filling, plastic waste management, construction and demolition waste management, and citizen grievance redressal system. There is a global trend towards "zero waste" cities, where no garbage is dumped in landfills. There are certain nations, like Sweden, that produce absolutely no trash and must import garbage from elsewhere to maintain their manufacturing facilities.

Schooling In Cities

According to their individual state legislation, the majority of towns are required by law to provide the primary education role. The formation, upkeep, and support of elementary schools are particularly included in municipal acts, subject to any grants that may be decided upon from time to time by the State government. The phrase "the furtherance of education, including cultural and physical education by measures other than the establishment and maintenance of, and aid to, schools for primary education" is used in this citation. Some ULBs are in charge of successful institutions. It should be noted that education is not included as a topic in the 12th Schedule. For instance, the Municipal Corporation of South Delhi is required under Section 42 of the DMC Act, 1957 (as amended by the DMC

(Amendment) Act, 1993) to offer free and mandatory primary education to all children in the age range of 5 to 11 who reside in its jurisdiction[7], [8].

Municipalities have the choice to perform secondary education. However, a significant portion of these institutions are also managed by ULBs. Permanent instructors are assigned to municipal schools on the advice of the designated Selection Boards by the State. These Boards choose candidates based on the specifications that the municipalities provide them. According to the 8th NCERT Survey, there were 26,682 schools in urban slum regions throughout the nation, 2,422 (9.08%) of which were managed by ULBs. While the local authorities visit the schools, administrative issues are up to them. The Senior Inspector of Schools, Deputy Educational Officer, or District Educational Officers of the Government's Education Department deal with technical issues such as the curriculum, student performance, exams, etc.

According to Shailendra Kumar Sharma of the NGO Pratham, councillors tend to focus more on populist policies and only set physical goals because of the perception that only children from low-income backgrounds would attend municipal schools. "Thus, the reports of Municipal Corporation will mention about money spent on Mid-Day meals, construction of new rooms in schools, appointment of teachers, etc. as if they are both necessary and sufficient. In reality, due to a halving in enrolment over the last ten years, the Brihan Mumbai Municipal Corporation (BMC) has shuttered 35 municipal schools in the previous three to four years. There is widespread dissatisfaction with municipal education, according to Praja Foundation's white paper on the State of Municipal Education in Mumbai - December 2017. 41 percent of parents said that attending a municipal school did not provide their children the chance to improve their academic and career opportunities in the future, and 46% of parents were dissatisfied with the quality of instruction. Test results supported this as well: in 2017, 92 percent of pupils at private schools and 69 percent of those attending BMC schools passed the Maharashtra State Secondary School Certificate (SSC) test. The Praja white paper estimates that the BMC spends around Rs 50,000 per student each year.

In response to a petition filed by the NGO Social Jurist, which had sought implementation of an NCERT-panel recommendation to bring all public-funded schools under the Delhi government for improvement of the educational system, the Directorate of Education (DoE), Delhi stated in an affidavit that it is ready to take over the schools run by the Municipal Corporations of Delhi, Delhi Cantonment Board, and the New Delhi Municipal Council (NDMC), if legal provisions permit and adequate funds are provided. Communication is necessary for effective service delivery. Citizens are the ones who get the services, thus the ULB, the service provider, must establish efficient communication links with them in order to learn about their expectations and level of satisfaction. It is believed that a city's infrastructure does not make it smart; rather, it is the participation of its citizens. They have a feeling of ownership as a result, and trust between the inhabitants and the ULBs is increased. The municipal administration of Nejapa, El Salvador, cooperated with local NGOs to encourage public participation, increasing inhabitants' access to latrines and potable water. The democratic process is strengthened in western nations by the public's active involvement in local government activities. It makes it possible to hold local government more jointly, transparently, and responsibly.

Four methods of involvement were put forward by Popay (2010): information, consultation, co-production, and community control. The ULBs have often concentrated on educating the public or have turned to gathering input using tools like report cards. Governments are increasingly placing more of a focus on active, meaningful, and transparent public involvement. It was introduced by the Delhi administration. People, RWAs, and civic society

were all engaged in the decision-making process. The Chief Minister would invite them to monthly meetings where they would voice their grievances about things like a lack of water, damaged pipes, unresolved billing issues, etc. The RWAs received financial support as well for completing small tasks. The United Nations and several other organisations recognised the project with awards. Under JNNURM, interactions with stakeholders, including residents, were considered a crucial element of the process for creating City Development Plans. It included reforms like the Community Participation Law and the Public Disclosure Law that aimed to create adequate accountability ties between the ULBs and the general public. The establishment of "Area Sabhas" was one of the significant changes that did not succeed but may have improved democracy [9], [10]. The procedure has been continued under the Smart Cities Mission and AMRUT. ICT integration, particularly using mobile-based applications, is a component of the effort to increase public engagement. An essential component of the first stage of the Smart Cities Mission is citizen consultation. As they developed their city's Smart City Proposal, the ULBs were asked by the Ministry to include the local community. The local administrations' online initiatives were reinforced by gatherings, conversations, and other public engagements in their particular cities.

After notifying the public of the expected expenses of each project in the zones/ULB, the scheduling of projects in the Service Level Improvement Plan (SLIP) for AMRUT must be done in conjunction with the general public. Through citizen consultation meetings including a variety of persons and groups of people, including RWAs, tax payers' organisations, elderly citizens, chambers of commerce and industry, and slum dwellers associations groups, city planning and SLIP development must be people-driven. Details of best practises and suitable smart solutions have been recommended to be shared with the public during these consultations in order to empower them to make educated choices and develop creative solutions.

Despite these complex regulations, Janaagraha, a non-profit organisation, discovered that they have not yet proven to be successful. It published a study of India's city systems and made the case that these systems are what ultimately determines the quality of living in urban areas. In 2017, the poll was carried out in 23 cities across 20 states. It emphasised the complete lack of forums for regular community engagement and the lack of transparency in city finances and operations. Urban service delivery is a highly difficult endeavour; there may be several agencies with overlapping tasks, inadequate ULB status, capacity concerns in smaller ULBs, etc. These difficulties must be overcome. Following are some of these:

- i) The paper for the 12th Five-year Plan made clear that the current method of forecasting water demand and supply in urban areas is primitive and results in bad accounting and much worse planning. In terms of evaluation, the situation is somewhat better in larger cities, but policy action is still required to gather the necessary information on water consumption in smaller metropolitan areas.
- ii) The 12th Plan Five-year also stated that when cities plan out the existing and future water scenarios, the cost of transporting water is often not estimated or even comprehended. According to data, most cities use between 30 and 50 percent of their water supply for electricity-powered water pumps.
- iii) The Public Disclosure Law (PDL) and Community engagement Law (CPL) both seek to increase public engagement by making information available to them. The adoption and implementation of these laws, provisions, and practises, however, have been appalling. They often don't provide much insight on how the Ward Committees or Area Sabhas really operate.

iv) User fees for different services have been proposed as a reform that may assist ULBs in recovering at least their O&M expenses. However, the elected officials have been hesitant to do it out of concern about losing votes.

v) Despite the fact that RWAs have become more active and lively in many cities, fostering resident contact. They are often not partners in the traditional meaning of the word. They have also come under fire for being primarily focused on middle-class homes, serving their own neighbourhood, and neglecting to adequately address global development challenges.

vi) The Mazdoor Kisan Shakti Sangathan contends that without access to information and transparency, all members of society, particularly the poor, cannot really participate in society. This organisation was crucial in starting the push for the Right to Information Act. The lack of venues for systematic public involvement, as highlighted by the Janaagraha Survey, is likely to have an impact on service delivery.

vii) There are several organisations offering educational services in metropolitan areas. The Central Government, State Government, ULB, private aided schools, or private unaided schools may be in charge of managing the school. The schools are also run by certain NGOs. It alters the emphasis, which affects the consequences. The pupils sometimes travel from areas beyond the municipality. Due to the poor teacher to student ratio, particularly in municipal schools, there is duplication of effort and unnecessary spending. Given that it is not its primary area of expertise, the municipality may be able to save money by delegating this task to the best qualified organisation.

viii) Indian Urban Local Bodies (ULBs) are now unable to address the problems brought on by the country's growing urbanisation. One of the reasons JNNURM needed to prolong the Mission's term by an additional two years was to focus on capacity development. Its effects on the nation's urban planning show that they haven't been able to provide even the most basic services in their respective locations. Urgent action must be taken to remedy this, and the ULBs' capabilities must be improved. It should be noted that all projects now include capacity development as a core component.

CONCLUSION

In conclusion, India's growing urbanisation brings chances and difficulties for the nation's growth. Urban regions are becoming as the nation's economic hubs and provide considerable GDP contributions.

Local governments must take proactive measures as a result of the impact this movement from rural to urban areas puts on municipal infrastructure and services. The necessity of ensuring that urban people have access to basic services is highlighted by the Basic Services for Urban Poor (BSUP) project and the United Nations' recognition of the human right to water and sanitation.

Although there have been improvements in the delivery of services including water, sanitation, education, and health, there are still significant obstacles to be addressed. In conclusion, urbanization is unavoidable and offers chances for economic progress, but it also raises urgent problems with governance, service provision, and infrastructure expansion.

The capacity of local authorities, residents, and other stakeholders to work together, innovate, and adapt to the changing urban scene will be crucial to the success of urbanisation in India. To guarantee a higher standard of living for India's urban population in the years to come, it is crucial to address these issues.

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CHAPTER 7

AN OVERVIEW OF STATE-URBAN LOCAL BODY INTERACTION IN INDIA

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ABSTRACT:

India's complex system of legislative, administrative, and financial interactions between the State and Urban Local Bodies (ULBs) is a key aspect of the country's government. India has witnessed a fast urbanisation process during the last ten years, and it is anticipated that this trend would continue in the next years. According to the Census of India 2011, this shift entails a significant increase in urban population and economic activity, which stimulates the growth of towns and metropolitan areas. There are many different variables that contribute to this urbanisation phenomena, including rural-urban migration that is driven by push and pull influences. Pull influences include better access to healthcare, increased quality of life, and more job chances in bigger cities, whereas push factors include a lack of employment options in rural and smaller urban regions. The constitutional provisions that support local government must be taken into consideration in order to fully understand the dynamics of state-ULB interaction. The Union List, State List, and Concurrent List are the three categories into which the Indian Constitution's Seventh Schedule divides legislative jurisdiction between the Central government and individual states. Urban development, land management, housing, and the provision of public infrastructure are all deemed to be State responsibilities under Article 246 of the Seventh Schedule. State governments are responsible for passing legislation, upholding these rules, and establishing policies that direct ULBs. The obligations and functional authority assigned to ULBs are also explored in this study, including fundamental municipal duties, environmental management responsibilities, planning activities, and other duties. It highlights the urgent need for ULBs to effectively mobilize resources in order to address urban infrastructure demands. ULBs have difficulties due to a lack of independent revenue streams and declining own revenues. Internal revenue via taxes and grants, borrowing from outside sources, and privatization initiatives are all examples of resource mobilization strategies.

KEYWORDS:

Amendment, Government, Legislative, Metropolitan, Urbanization.

INTRODUCTION

Legislative, administrative, and financial domains are where the State and Urban Local Bodies interact. The obstacles that the state and urban local bodies must overcome will be covered in the next subsection. Over the last ten years, India's urbanisation has accelerated, and it will probably do so in the years to come. According to the Census of India, 2011, the actual definition of urbanisation is the fast rise of urban population and economic activity, which leads to the establishment of towns. metropolitan expansion is influenced by a number of factors, including movement between metropolitan areas and between rural and urban areas. Push and pull factors like a lack of work opportunities in rural or small urban areas and better access to healthcare, higher standards of life, and employment opportunities in larger cities are some examples of push and pull factors that contribute to migration.

Constitutional clauses that strengthen local government. It is vital to note that the Seventh Schedule of the Indian Constitution establishes the division of domain regions, under which the Centre or state has exclusive legislative authority, in order to comprehend the interaction between state and urban local governments. The legislative section divides the allocation of authority between the federal government and each state into three lists: the Union List, State List, and Concurrent List. According to Article 246-Seventh Schedule of the Indian Constitution, urban development, land, housing, and the provision of public infrastructure, among other things, are considered State matters. The State Government is given the authority to create laws that assist urban growth, enforce them, and set the policies that must be followed by local governments.

To help the states enact municipal legislation, maintain accounts, and provide services, the Government of India (GoI) developed the Model Municipal Law (MML) in 2003, the National Municipal Accounting Manual (NMAM) in 2004, the Solid Waste Management Rules (SWMR) in 2016, and other documents as part of the Reform Agenda. The MML's main goal was to fully execute the 74th Constitutional Amendment Act's (CAA) provisions for the empowerment of Urban Local Bodies (ULBs) and to provide the legal foundation for carrying out the Ministry's Urban Sector Reform Agenda. This project was anticipated to improve ULBs' abilities to use public funding for urban sector development, as well as to foster an atmosphere where ULBs can fulfil their roles more successfully and guarantee greater service delivery. Similar to NMAM, SWMR tends to make budgeting, asset management, and waste management easier. Later, the Indian Ministry of Housing and Urban Affairs passed the Rental Law, but the State governments must modify it before it can be put into effect. The institutional structures for local governance, which control the interaction between the state and urban local government, will now be the topic of this unit's next section[1], [2].

Institutional Set-Ups

Effective municipal government is necessary to administer the urban system properly. Decentralisation has improved local government by granting autonomy and accountability to institutions at the rural and urban municipal level. To satisfy the demands of the accelerating rate of urbanisation, especially in the bigger cities, urban decentralisation is required by transferring authorities and duties to municipal entities (the city governments). These cities developed as the centre of economic and industrial activity as well as popular FDI (Foreign Direct Investment) destinations.

One of the major issues that many cities across the globe are dealing with is a shortage of money, which makes them one of the most susceptible participants in the government, with more duties and a smaller participation in the distribution of public resources.

By categorising municipal organisations as Nagar Panchayats for minor urban areas, Municipal Corporations for big urban regions, and Municipal Councils for larger urban areas, the 74th Constitutional Amendment Act, 1992 gave consistency to the structure of municipal authorities. This Unit will discuss the distribution of administrative powers between the states and the urban local bodies in carrying out their duties successfully in order to emphasise the link between State and Urban Local Government.

The functional jurisdiction, possibilities for resource mobilisation, and constitutional and extra-constitutional mechanisms for assuring collaboration between the State and Local Government in urban government will also be elaborated. The many means through which the Centre exerts control over the States, and the State over the Local Government, will also be highlighted in this unit.

Good Governance: The Interface Between State and Urban Local Government

The importance of the state-local government interaction for successful governance in this portion of the unit. The Constitution (Seventy-third Amendment) Act of 1992 and the Constitution (Seventy-fourth Amendment) Act of 1992 marked the beginning of true decentralisation in government. Through the delegation of powers, duties, and authority to the rural and urban local bodies, respectively, they gave them constitutional character. Urban Local Governments are the third layer of the existing government structure and are closest to directly addressing the concerns of the populace.

Without constitutional authority, it was discovered, the effectiveness of the Local Self-Government's delivery system could not be successful. Major changes to the local governance of the nation were brought about by the Amendment. It provides provisions for the transfer of authority and responsibility to urban local governments for the creation of plans for social justice and economic development, as well as for their execution with regard to the issues enumerated in the Constitution's twelfth schedule. By identifying sources for finance devolution, the financial autonomy has been established. Currently, there are two funding streams available to Local Bodies: grants for Local Bodies, as proposed by the Central Finance Commission, and money given by the State Governments in accordance with recommendations by the State Finance Commission [3], [4].

The ULBs cannot be replaced or suspended, and if a Local Body is dissolved by the State Government, a new election for that body must be conducted within six months. Additionally, the statutory State Election Commission, rather than governmental authority, is in charge of overseeing the conduct of elections. It facilitated the continuation of the elected body and the growth of bottom-up leadership. Part IX-A, which comes after Part IX of the Constitution, was added as a result of decentralisation with regard to urban areas. It addresses issues related to urban local authorities, including definition, the structure of municipalities and ward committees, reservation, disqualification, powers and duties, and the authority to levy taxes. According to Article 243-Y, the Finance Commission established under Article 243-I is required to examine the financial situation of the Municipalities and make recommendations regarding, among other things, how resources should be allocated between the States and the Municipalities, how taxes, duties, and other levies should be determined, and grants-in-aid to the municipalities.

DISCUSSION

The Indian Constitution's Seventh Schedule is crucial in establishing the areas in which ULBs may function. It delegates to the State government responsibility for concerns pertaining to urban development, land, housing, and public infrastructure. This gives State governments the authority to enact legislation, carry out rules, and provide guidelines for local governments' operations in metropolitan areas. The Government of India has implemented a number of measures, including the Model Municipal Law (MML), National Municipal Accounting Manual (NMAM), and Solid Waste Management Rules (SWMR), among others, to aid in the efficient operation of ULBs. These programmes are designed to strengthen ULBs' financial management, increase service delivery to urban people, and empower ULBs.

Municipal authorities have a consistent organisational structure because to the institutional framework for local government, which consists of Nagar Panchayats, Municipal Corporations, and Municipal Councils. Although these structural protections exist, it is nonetheless difficult for ULBs to maintain their financial independence. ULBs depend on a variety of income sources, such as taxes, grants, borrowing from outside sources, and privatization initiatives. To execute their obligations and provide critical services to urban

populations, ULBs must have a stable financial foundation. ULBs have gained political influence thanks to the Constitution's Seventy-third and Seventy-fourth Amendment Acts, which gave them constitutional standing and guaranteed regular elections. Additionally, these changes require that seats be reserved for women and other marginalised groups, fostering diversity and representation in local government.

The establishment of Ward Committees has encouraged bottom-up involvement in the planning and decision-making process, which is a crucial component of urban government. Citizens may express their issues and participate in local development goals via ward committees. The Twelfth Schedule of the Constitution's decentralised planning provisions provide ULBs the authority to handle the intricate issues raised by urbanisation. Plans for development include a range of topics, including housing, infrastructure, environmental protection, and land management. To facilitate integrated planning and resource allocation at regional levels, District Planning Committees and Metropolitan Planning Committees have been established. However, there are still obstacles to successfully executing these laws and empowering ULBs. ULBs must increase their functional and financial independence if they are to be better able to satisfy the expanding requirements of urban regions. To enable smooth policy implementation and service delivery in urban India, increased cooperation between state and municipal administrations is also crucial [1], [5].

Municipalities' Powers, Authorities, and Responsibilities

In order to improve local democracy, the Constitutional Amendment Act provides a framework for decentralising authority, control, and funding mechanisms. In order to accomplish the goal of decentralisation of authorities and duties, Urban Local Bodies were established by enabling legislation in continuation of the 74th CAA by the State Government. Due to their proximity to directly serving the needs of the populace, the Local Bodies were given the rank of third tier in the government system.

The 74th Amendment to the Constitution made sure that certain steps were taken to provide the ULBs political, functional, and budgetary empowerment. This Act set the path for decentralisation, with a focus on functional, financial, and political decentralisation as well as the creation of ULBs as a dynamic democratic unit of self-government. This amendment is sometimes referred to as "Power to the People" since it ensures that the people are represented in the house via regular elections without their indefinite supersession. When the State Government and Urban Local Government engage with one another in administrative tasks, resource mobilisation, and execution of State or Central Government policies, plans, or reforms, the interaction between State and Local Government is evident. The State Government departments, state line agencies, and state-owned PSUs oversee, assist, and advise the administrative duties of the Urban Local Government.

The State Government supports the ULGs with both financial and people (technical) resources for resource mobilisation. The State Government is able to enforce and pass the required laws and develop policies that help Urban Local Government throughout policy execution. As a result, the Central Government requests that the State Government execute its national-level policies and programmes in addition to a set of financial incentives in the form of central schemes and missions.

The entities responsible for putting national level programmes on the ground are the ULBs. Thus, the requirements set out to acquire subsidies and grants under national level programmes drive the reform agenda for enhancing good governance at the State and Local Body levels. The functional authority, financial resources, and political reforms given to the ULBs will be further discussed in the following sections.

Responsibilities and functional powers

The ULBs were given a list of 18 duties to carry out as an example so they could operate as efficient institutions of self-government. The ULBs carry out these duties either on their own or with the assistance of expert organisations. In addition to adopting the 74th Constitutional Amendment Act's (74th CAA) requirements, the states have given the ULBs particular duties related to the creation of plans for social justice and economic development, as well as the execution of schemes and other initiatives. The different tasks that a municipality, at any level, may be required to do may be divided into the following groups:

1. Core or essential municipal responsibilities,
2. Functions of environmental management
3. Planning activities,
4. Additional duties, etc.

The ULBs were given an example list of duties to carry out by the 74th Constitutional Amendment. While the Twelfth Schedule kept the main duty of delivering urban basic services to its inhabitants, additional significant functions were also included through this list. These duties include things like environmental management, ecological aspect protection, urban planning, and planning for the economic and social development of the region by combining rural and urban areas. Other crucial duties include protecting the interests of people with disabilities, the mentally retarded, and other weaker groups, as well as improving and upgrading slum conditions. These duties, which the State had previously performed, were given to the ULBs since they are more familiar with local concerns and are better equipped to address them. The 74th CAA's provisions have been implemented slowly by the States, who have also assigned specific duties to the ULGs in relation to the creation of plans for social justice and economic development, the implementation of schemes, etc. Some states have not yet given the ULGs responsibility for issues like water, sewage, poverty, the environment, etc.

Financial Capacity and Independence

The ULBs would need to distribute a significant number of financial resources to develop the urban infrastructure and activities that are allocated to them both required and optional in order for them to be successful. However, the ULBs suffer from a severe lack of financial and income resources. It was believed that the ULBs need the ability to raise money as well as an increase in the logical flow of cash from the Central and State Governments. The method for transferring money from the central government to the local urban government, nevertheless, must be designed in a way that doesn't jeopardize the financial independence of local institutions, which would lead to more centralization.

Lack of own income, whose proportion is steadily shrinking, is the main factor contributing to the inefficient manner that metropolitan institutions operate. Therefore, resource mobilisation is crucial for ULBs to fulfil their responsibility to deliver municipal services and fulfil the needs of the community. The three primary sources of resource mobilization for ULBs are internal income generated via taxes, access, or grants, external borrowings, and privatisation efforts. Tax revenues, non-tax revenues, allocated revenues, other receipts, bonds, etc. are all included in the own revenue. Loans from the federal and state governments are examples of external funding, while privatization entails hiring private parties for certain tasks under the Public-Private Partnership (PPP) model. The State Finance Commission established according to article 243 I will also assess the financial standing of the Municipalities and offer recommendations to the Governor regarding. The rules that should govern:

1. The allocation of the State's net profits, which may be shared between the State and the Municipalities under this Part, as well as the distribution of the Municipalities' respective portions of these proceeds among them at all levels;
2. The calculation of taxes, charges, tolls, and other levies that may be allocated to or appropriated by municipalities;
3. The grants from the State's Consolidated Fund made to municipalities.

The steps required to strengthen the Municipalities' financial situation. Any other subject that the Governor refers to the Finance Commission in the interest of the Municipalities' good financial management. The decentralization primarily relates to election changes; nothing is known about the transfer of functional or budgetary authority to local governments. As a result, there is a gap in the delivery of duties across urban local authorities, which is caused by a lack of financial autonomy. According to the Constitution, the State may choose how to divide its resources and authority [6], [7]. In this respect, a state's legislature is authorized by law to:

1. Grant a Municipality the right to impose, collect, and allocate the aforementioned taxes, charges, tolls, and fees in conformity with the aforementioned process and restrictions;
2. Assign to a Municipality the State Government's levy and collection of such taxes, charges, tolls, and fees for such purposes and under such constraints;
3. Make provisions for distributing such grants-in-aid to the Municipalities from the State's Consolidated Fund; and
4. Make provisions for the establishment of such funds to which any funds received by or on behalf of Municipalities will be credited, as well as for the withdrawal of such funds.

After the creation of State Finance Commissions and the inclusion of clause 280 (3) into the Constitution to change the terms of purpose of the National Finance Commission (NFC), there has been a significant improvement in the transfer of money. In addition to allocating Rs. 24,000 crore for health services, the XVth Finance Commission proposed Rs. 1,21,000 crore for ULBs as opposed to Rs. 87,000 crore by the XIVth NFC. These two Finance Commissions have enhanced budgetary planning and priority-setting.

Better infrastructural facilities for the general public and foreign investors in particular have to be provided by city governments and municipal organisations. Providing globally competitive infrastructural amenities to attract FDI into India has grown to be a significant problem for municipal bodies, especially in bigger cities. Water and sanitation have received particular attention from the XVth NFC in 44 Urban Agglomerations, including 67 ULBs with a million or more residents and 1048 additional ULBs. The NFC has also presented a reform plan that includes benchmarking for services and audited financial statements.

Political Change and Women's Empowerment

The continuation of the elected body has been made possible by the constitution's recognition of urban local bodies as the third tier of government (by inserting section IX A into article 243 of the Indian constitution). The 74th CAA brought the election procedure to the ULBs as well, similar to the Central and State legislatures, in order to guarantee democracy and make them autonomous and self-governing organizations. The government's entity in charge of holding municipal elections is the State Election Commission. Direct elections are used to choose the members of the House for a term of 5 years. The separate State Legislature is in charge of deciding how to elect municipal chairpersons.

Earlier, the ULBs' ability to act as a public body was hampered by being replaced for many months. However, after the 74th CAA, if the municipality is dissolved before the time of five years has passed, fresh House elections must be held within six months of the municipality's dissolution date in order to form a new municipality. Every municipality shall continue for five years from the date set for its first meeting and for no longer than that, unless sooner dissolved under any law currently in effect, according to the provision of Article 243U, provided that a municipality shall be given a reasonable opportunity to be heard prior to its dissolution. As a result, these rules will prevent the dissolution of municipalities at random and help to strengthen the bond between the State Government and Local Bodies.

The 74th CAA guarantees that women and members of underrepresented groups in society are represented. According to the legislation, each category cannot have less than one-third of the available seats. The Act provides for greater representation of women and other marginalized groups in society. According to Article 243T's requirements, direct elections must be used to fill at least one-third of the seats in each municipality reserved for Scheduled Castes and Scheduled Tribes, ideally in proportion to the size of those groups' populations. Additionally, it states that women must hold at least one-third of all municipal seats, and that these seats may be distributed by rotation among various municipal districts. However, the positions of chairpersons in the municipalities should be reserved for members of the Scheduled Castes and Tribes, as well as women, in accordance with any legal provisions made by the State Legislature.

Citizen Participation

Democracy is only possible when people actively participate. Most of the Union-initiated initiatives, projects, and services are carried out in the States by Local Bodies. Numerous state-led initiatives also have larger ramifications for the Union and local governments. Before, there was no venue where people could express their opinions on these issues. The Inter-Governmental Council (IGC) undoubtedly considered a number of matters of national significance, but without a formal feedback process, the IGC was unable to recognise the teething concerns. Bottom-up engagement was thus deemed necessary to increase programme acceptance and assure the effectiveness of recommended remedies. The creation of the Ward Committees brought back the bottom-up planning method. According to Article 243S, provisions for the formation and makeup of ward committees were guaranteed:

1. Within the boundaries of a Municipality with a population of three lakhs or more, Wards Committees comprised of one or more Wards must be established.
2. The Legislature of a State may, by law, enact provisions regarding - the makeup and the geographic scope of a Wards Committee; - the procedure for filling the seats on a Wards Committee.
3. A member of the Wards Committee must be a municipal official who represents a ward under its jurisdiction.
4. The member representing the ward in the municipality, or if there are two or more wards, one of the members chosen by the Wards Committee members to represent those wards in the municipality, will be the Chairperson of the Committee.
5. Nothing in this article should be interpreted as restricting the ability of a State's legislature to establish other committees in addition to ward committees.

Discretionary Planning

The need of decentralising the process of economic and social planning has already been covered. Cities are often unable to meet the aspirations of inhabitants to improve the quality of life because of fast urbanisation, which leaves them unable to handle the population's

constant and huge growth. By designating the ULBs with this particular duty in the Twelfth Schedule, the necessity for decentralised urban planning for cities to arrange, manage, and facilitate services with the aid of action and development plans for resolving the increasing concerns of the cities was acknowledged and addressed. The Panchayati Raj and other Local Bodies must be given the freedom to pool their requirements and participate in the planning process if the goals of decentralised planning are to be met. Therefore, in order to attain a desired quality of life, urban planning was complemented by economic and social planning to give it a comprehensive form[8], [9]. The purpose of giving local governments the responsibility of urban planning may have been to allow them to create a vision for city development and control systems to direct city growth. To help the city expand in a systematic manner, development plans with both short- and long-term goals would be included to the physical growth plan. The development plans will include topics such as managing land, housing, community services, open spaces, transport and communication networks, as well as safeguarding and enhancing the city's natural environment. According to standards and the predicted population, the services and facilities must be developed to accommodate cities' expanding needs. Goal-setting, data gathering and analysis, forecasting, design, strategic thinking, public participation, and execution would all be necessary throughout this process. To address the planning difficulties at the district and metropolitan town levels, two articles were particularly written. To consolidate the plans created by the Panchayats and Municipalities in the district and to create a draught development plan for the district as a whole, the Article 243ZD on District Planning Committee provides for the establishment of a District Planning Committee (at the district level in every State).

The Legislature of a State may, by law, set provisions for the makeup of the District Planning Committees and the method by which the seats in such Committees shall be filled, it was further said. The topic of urban planning for metropolitan regions is also covered in Article 243ZE. A Metropolitan Planning Committee may be established in every Metropolitan area in accordance with Article 243ZE of the Constitution to create a draught development plan for the Metropolitan region as a whole. The article also describes how these committees will be constituted, who will serve on them, and how seats will be filled. Additionally, it has been stated that each Metropolitan Planning Committee shall properly take into account matters of common interest between Municipalities and Panchayats when preparing the draught development plan, including coordinated spatial planning of the area, sharing of water and other physical and natural resources, integrated infrastructure development, and environmental conservation. It should be consistent with the overall goals and priorities established by the governments of India and the State, as well as the size and type of investments that these governments' organisations are likely to make in the Metropolitan area, as well as any other resources, both financial and non-financial.

The problem of physical and socioeconomic planning would encourage planned development, especially in light of the rising urbanisation, which is influencing the expansion of urban areas, making these items crucial. The development of 243 ZD and E, however, has been far from perfect. The MPCs are only established in a few locations, such as Kolkata, Mumbai, Pune, Nagpur, Hyderabad, and Bengaluru, but they lack the necessary functions, powers, and jurisdiction as outlined in the Act. Therefore, for efficient planning and sustainable growth, administrators and political leaders at the state and municipal levels must work together.

CONCLUSION

In India, the connection between the State and Urban Local Bodies (ULBs) encompasses the legal, administrative, and financial spheres, all of which are essential for the efficient

government of urban regions. India's urbanisation has increased over the last ten years due to a variety of push and pull forces, which has resulted in the fast expansion of urban populations and economic activity. Understanding the constitutional provisions that outline the separation of powers and duties among the federal government, state governments, and ULBs is crucial to understanding this interplay. In conclusion, this thorough research sheds light on the complex relationship in India between the State and Urban Local Bodies. While legislative frameworks and constitutional changes provide the groundwork for local administration, efficient resource mobilisation, financial independence, and public involvement are essential for ULBs to carry out their key functions in urban development. This research emphasises the importance of ongoing reform initiatives to strengthen the working relationship between the State and ULBs, providing excellent governance and better urban living circumstances for India's expanding urban population. In conclusion, it should be noted that the interaction between the State and Urban Local Bodies is a dynamic and ever-evolving process that is essential for the urban regions of India to grow sustainably. The improvement of urban living conditions and economic development ultimately depend on ongoing efforts to solve issues, strengthen financial autonomy, and encourage citizen engagement.

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CHAPTER 8

REVITALIZING URBAN GOVERNANCE: STRENGTHENING THE STATE-LOCAL RELATIONSHIP FOR SUSTAINABLE DEVELOPMENT

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ABSTRACT:

For urban local governance to operate well, there must be a positive interaction between the state and local governments. Resources, including human, technical, and financial ones, are limited in this relationship, which leads to bad management and inadequate governance. Urban regions, which are crucial to the economic growth of the country, are seeing a decrease in their physical environment and quality of life as a result of insufficient infrastructural services. Urban areas only make up 31% of the nation's surface area, but they generate 60% of the GDP, and over the next decades, their population is projected to grow. Both directly and indirectly, several facets of urban government are involved in the relationship between the State Government and ULBs. ULBs sometimes get assistance from state ministries, departments, and line agencies while performing their tasks. However, while guaranteeing efficient service delivery, this relationship should try to increase the autonomy of Local Bodies. Managing human resources in ULBs is difficult since hired and elected officials often disagree with one another. To attract and keep talent, ULB personnel processes need to be reformed to put more of an emphasis on hiring, training, and career development. The standard of the municipal workforce may be raised with the support of competitive pay scales and greater career opportunities. Urban governance may be improved by establishing a municipal cadre and a helpful institutional structure. Urban development has advanced significantly in metro regions that have embraced a municipal cadre. The performance of ULBs may be elevated by creating a climate of cooperation and shared leadership.

KEYWORDS:

Development, Governance, Government, Local Governance, Metropolitan.

INTRODUCTION

Urban Local Governments (ULGs) have chances to do better in order to deal with these difficulties. Citizens must be included in the development planning process. E-governance systems must be implemented. Financial sources must be found. Technical and financial assistance must be improved via capacity building, and the local government system must be strengthened. The financial stability of ULBs is essential because the development of new settlements is hampered by the absence of essential urban infrastructure and services. Service delivery is delayed and local government empowerment is hampered by the State Government's engagement in ULG operations. A Voluntary Technical Corps might be established in every city to provide technical assistance and encourage community participation in development. In order to guarantee effective service delivery, there is an urgent need for greater coordination and cooperation between the State Government and Local Bodies. The 74th Constitutional Amendment Act (CAA) places a strong emphasis on contacts between the State and ULGs that are friendly and cooperative. Local empowerment and service delivery are hampered by heavy State Government participation, however.

Municipalities create Special Purpose Vehicles (SPVs) to oversee project implementation, but they must maintain sufficient oversight. For effective service delivery, multiple government levels must work together, coordinate, and practise good governance. To enhance governance and cooperation, State Governments should transfer rights, duties, and money to ULBs. In India's federal structure, the Constitution gives each level of government a distinct function. Collaboration between the federal and state governments is necessary for efficient performance of duties. The Finance Commission award is used to transmit funds to state governments, while central plans are funded by centrally sponsored schemes (CSS) and central assistance to state plans. Systems for transferring funds between governments have developed to meet the demands of States and ULBs. The CSS classification of plans places a varied emphasis on national priorities. For effective resource allocation and service delivery, the State Government and ULBs must work together more closely [1], [2].

It is imperative that the State Government and Urban Local Bodies (ULBs) work more closely together and coordinate their efforts. ULBs are crucial for resolving local concerns and delivering services because they are closest to the people, yet they often lack the financial and administrative autonomy required to do so. The State Government's participation in ULB activities may sometimes impede empowerment and cause service delivery delays. For ULBs, financial stability is a top priority. The need to reinforce ULBs financially is urgently needed given the lack of adequate urban services and infrastructure and the rising demand for housing and development. Innovative financing strategies, such as debt financing and public-private partnerships, might help close the financial gap.

It's important to pay attention to human resource management in ULBs. Systems for managing personnel should be simplified, and efforts should be made to find and keep talented employees in municipal services. Building a more skilled and driven team may benefit from improving pay scales, career chances, and training opportunities. Additionally, as witnessed in places like Tamil Nadu, Karnataka, and Maharashtra, the function of a specialised municipal cadre has shown potential in driving urban development. A supporting institutional framework is essential for the successful management and capacity development of a cadre, but constructing one alone is insufficient. Property tax reform and effective local tax collection are crucial in the area of urban local government budgets. To guarantee sustainable infrastructure development, ULBs should be pushed to investigate cutting-edge income streams and financial management techniques. Due to often inadequate local taxes, urban local government finances significantly depend on funding from the federal and state governments. The main source of revenue is from property taxes; however, both the tax base and tax collection efficiency should be improved. Innovative finance techniques, such as debt financing and public-private partnerships, may support municipal resources.

The relationship between the State and Local Governments must be functional and efficient for the Urban Local Governance to function. Poor management and weak governance are caused by a lack of resources, including human, technical, and financial ones. The obvious decline in the physical environment and quality of life in urban areas brought on by the absence of necessary infrastructure services often overshadows the beneficial impact of urban local governance. Although the nation's economic development and productivity are driven by urban regions, just 31% of the country's land area is urban, however these areas account for 60% of the country's overall GDP. Over the next 20 to 30 years, about half of Indians will reside in urban areas. The Urban Local Government has a lot of chances to get beyond its obstacles and improve the level of services it offers to its constituents [3], [4]. The introduction of various methods to invite people to participate in the creation of development plans, the use of the e-governance system, the identification of potential/appropriate financial

sources, the improvement of technical and financial support through capacity building, and the strengthening of the local governance system are a few examples.

DISCUSSION

The urban local bodies really need to be strengthened financially. One of the biggest obstacles to the growth of human settlements is the absence of suitable basic urban services and infrastructure. Governments are finding it more and more difficult to keep up with the rising demand for housing, urban development, urban services, and infrastructure as urbanization picks up speed. Sadly, cities with few exceptions have not been given the opportunity to reflect on and develop their innate financial and technological capabilities. The governments must concentrate on establishing a Voluntary Technical Corps in each city in order to access technical resources. Urban professionals are numerous nowadays and many of them wish to offer their expertise to the development of their communities. In several cities, such as Bengaluru, Mumbai, and Thiruvananthapuram, citizen initiatives for urban rejuvenation have already been implemented. To properly exploit the ULBs' ethos of decentralization, this process must be intensified.

To offer and enhance urban services in the ULBs, the Ministry of Housing and Urban Affairs developed a number of programmes. However, since the ULGs are subordinate to the State Government, the Central government is unable to directly order them to carry out its plans locally. As a result, the State Government is requested by the Central Government to execute its programmes in the ULGs. As a result, the State Government has a major impact on how the ULGs administer Central Government Schemes. Greater coordination and collaboration between the State Government and Local Bodies are urgently needed.

Due to the 74th CAA and the fact that ULGs are independent governance institutions like the State Government and are closest to the people in addressing issues and providing facilities, among other reasons, the interface between the State and ULGs should always be cooperative and supportive with one another. Additionally, ULGs are the lowest level of governance institutions in India's current governance structure. The high level of State Government participation in ULG operations has a detrimental impact on the LG empowerment process and causes service delivery to the public to be delayed.

Municipalities establish Special Purpose Vehicles (SPV) to manage project execution. However, the SPV should exercise proper control while putting plans into action in a setting with complicated interactions. Good governance, efficient coordination, and cooperative mechanisms between the Centre and State, as well as between the State and Local Governments, are necessary for successful and efficient service delivery. In this respect, the State Government should devolve rights and responsibilities along with enough funding to Local Bodies as soon as possible to improve urban local governance and create a productive interaction between the State and urban local bodies.

The different levels of government in India's federal system are given specific roles and duties under the constitution. Major industries like health, education, employment, etc., which often need significant public spending, are within the purview of the States. Since the availability of sufficient funding, an acceptable policy framework, and efficient delivery mechanisms are necessary for the successful execution of the development plan, the Central Government must collaborate with the states to carry out their responsibilities in an efficient way. The Constitution requires that money be transferred to the State Government via the statutory transfer of tax revenues collected by the Centre through the Finance Commission award in order to account for the greater resource needs of the states that are tied to their resource generating capabilities. Additionally, via Centrally Sponsored Schemes (CSS) and

Central Assistance to the State Plans, the states have access to central plan funding[5], [6]. These Central Schemes were started in important national sectors where the Centre could only act as a catalyst to inject more vitality. In sectors that are of national importance, such as health, education, agriculture, skill development, employment, urban development, rural infrastructure, etc., the central government has launched a number of programmes. Several of these areas lie within the purview of states, and are often carried out in collaboration with local government entities.

Intergovernmental Fund Transfer Schemes

Prior to the Fourth Five-Year Plan, states received Central Assistance in the form of funds that were distributed according to schemes, which led to systemic rigidity and inefficiencies as well as an unequal distribution of Central Assistance. The amount of this support was based on the needs and financial situation of the Centre and the States. A different categorization of schemes known as the CSS wasn't developed until the Fourth Plan. These programmes dealt with the Central government's top priorities and had a national flavour. For the retention of current programmes, it was suggested that those of national significance, such as anti-poverty initiatives, rural water supply, family welfare, and initiatives designed to foster human resource development and sustain improvements in standard of living, like education, could be kept as the CSS. Schemes other than those with a high level of national significance might, nevertheless, be taken into consideration for transfer to the State Plans.

The goal of the interaction between the State Government and ULBs is to promote optimal resource utilisation while fostering a cooperative atmosphere and increasing service delivery efficiency. There are two ways that the State Government and ULBs interact: directly and indirectly. With respect to the creation of Development Authorities/Boards, the creation and approval of development plans, the provision and maintenance of urban services and infrastructure, the production of bylaws and regulations, etc., the State Government dealt directly with ULBs. The State Ministries, Departments, and Line Agencies have sometimes assisted the ULBs in carrying out their assigned duties. In an indirect interface, the State Government worked with ULBs to deploy its technical and commissioner staff, evaluate ULB performance, gauge the effectiveness of service delivery by the state's line agencies, and monitor the implementation of Central and State Schemes, among other things.

The function of state level agencies and line departments is common in the current administrative structure, especially for small and medium sized local entities. Local governments in metropolitan areas and rural areas have little or no influence on state officials. They must operate under the constraints of a strong administrative system that is devoted to the State Government. In other words, since these agencies exist in many states, Local Bodies do not have the administrative autonomy that was intended under the 73rd and 74th CAA. A friendly and cooperative connection between them is thus required to enhance the Local Bodies since the primary goal of the control and monitoring by the State Government should be to guarantee effectiveness in the execution of functions by the units of Local Self-Government.

Human Resources

While the majority of the 74th CAA's directives are being implemented to varying degrees throughout the states, elected and hired ULB officials do not work together effectively. Executives believe that elected officials meddle in administration in a political manner, which causes them to often change local body executives. The coexistence of many personnel systems inside a single municipal authority, each of which is answerable to various control points both within and outside the organisation, poses a serious difficulty for municipal

administration. Professionals who specialise in a particular project are employed on a temporary basis at the lower level, while officials are hired on a permanent basis at the upper level. The integrated unified personnel system is threatened as a consequence of distinct systems of employees of various gradations working at various levels in the same organization [7], [8].

The difficulty is in placing the appropriate individual in the right situation and inspiring them via the delivery of sufficient training, which has not gotten enough attention over the years. The wage range, which is not equal to that of the state services, and the limited prospects for advancement are some of the problems that make it difficult to feel proud to work with ULBs. Many of the previous flaws in personnel management have been reduced as a result of the provincialization of municipal services. However, the recruiting process falls short of bringing in the top personnel. In addition, a number of positions linger unfilled for years, and transfers happen at the government's and senior officials' discretion. Municipal organisations have struggled to find skilled and competent staff in the areas of transfers, corruption, favouritism, and nepotism. The State Government has the authority to impose disciplinary measures in the majority of Local Bodies, and the Local Body has very little influence over its employees.

In actuality, the quality of the personnel system, not its form, is the fundamental problem. Municipal services have been seen as "inferior" services for far too long, which has prevented them from drawing "superior" talent. To ensure that competent and motivated individuals join and remain in the municipal services, it is necessary to increase pay scales, allowances, leave conditions, terminal benefits, career possibilities, and the capacity for self-improvement. Gujarat is one of the States in this respect where systematic attempts were made, with financial help from the World Bank, to investigate the staffing structure of the municipal authorities and to determine their training needs for urban development. Early in the 1990s, the Ahmadabad Municipal Corporation hired IIM graduates, opening the door for creative reforms that resulted in the formation of SPVs and the issue of Municipal Bonds.

Metropolitan Cadre

States like Tamil Nadu, Karnataka, and Maharashtra that followed a unified system of having an exclusive municipal cadre for many years have achieved a considerable gain in urban development, according to research by the Capacity Building for Urban Development Project (CBUDP). In these states, relative to others that have not yet adopted them, many urban reforms are considerably ahead of others. These states have adopted several Central and State initiatives, such as 24-hour water supply, TOD-based townships, bituminous roads made of plastic waste, and sophisticated e- and m-governance (mobile) systems. States without a specialised municipal cadre should adopt the aforementioned strategies to improve urban government.

However, establishing a municipal cadre by itself is unable to solve the issues with staffing and the efficient performance of municipal duties. In this context, a supportive institutional framework is required for managing the cadre and developing the ULBs' institutional capacity for the efficient, inclusive, and responsive performance of their assigned duties. However, a suitable institutional structure should be in charge of cadre management.

In order to aid in large-scale recruiting to choose municipal cadre workers on a project basis for a certain length of time, a separate "Organisation for Municipal Personnel Selection" (OMPS) might be formed. Once the mass recruitments have been completed, this Unit may be disbanded or combined with CDMA. For the administration of all HR, Administration, Performance Management, Incentives, and Training Coordination throughout the ULBs, a

Municipal Human Resource Management (MHRM) Unit might be established on an outsource model or PPP model. However, by conducting employee satisfaction surveys and offering solutions to address employees' difficulties, HR professionals may try to create a performance and inspiring atmosphere in the ULBs. A ULB-level grievance procedure may reduce the amount of court lawsuits filed by irate workers and union involvement.

System for Human Resource Management

The Human Resource Management System (HRMS) database must be created and kept up to date with all employee data, and features like employee log-in for self-tracking service concerns would be a force multiplier. It is crucial to completely overhaul the HR system if you want to reap the long-term rewards of creating a cadre. The MHRM may also set up a system for administering Proficiency Level Certification (PLC) exams to workers, which are necessary qualifications for advancement. The primary goal of this HR unit being to attract and retain talent, it is crucial that HR strategies be developed differently, something like to Ahmadabad, which got the proper approval from the State for the existing establishment management method. In order for prospective recruits to feel excited about joining the urban cadre, a different image has to be cultivated in their minds. A robust contract management system, one that is in line with corporate and industry standards, is crucial to attracting, retaining, and extracting talent since a significant percentage of employees are needed in an outsourced, contract, or consultant mode. In the ULBs, there is a critical need to develop a culture of teamwork in which CEOs and elected members alike must recognize their mutual dependence and limits and treat them with respect. Long-term development of such an environment may benefit from initiatives like shared leadership courses, joint visioning and goal-setting procedures, behavioural interventions, and management training for elected officials [9], [10].

Urban local government finances

Although the ULBs have been given the authority to raise local taxes, they are unable to make judgements since they lack the necessary financial authority. They thus rely more heavily on the funds given out by the federal and state governments. Prior knowledge of the anticipated quantity of personal funds for a certain time is crucial for making decisions. Tax-levying authority varies from state to state. For instance, the Urban Local Government in Kerala has the authority to impose an amusement tax. However, the Local Government in Andhra Pradesh gets a predetermined percentage of the proceeds from the entertainment tax. Urban Local Bodies in several states also get money from the tax on advertisements.

Property taxes are the main source of income for urban municipal governments, but they also need reform to increase the efficiency of tax collection and broaden the tax base. Only approximately 60–70% of properties in metropolitan areas are really evaluated, according to the Administrative Reforms Commission's 2007 report. The majority of states have embraced the self-assessment tax collection technique, which was originally used in Patna and Bengaluru and improved tax collection. The Indian government introduced a toolkit on property taxes, which calls for doubling the collections by 2024 and offers suggestions for improvement in terms of assessment, rates, and collection methods. The size of the ULB affects how the State Government and ULBs interact. As a result of their own income not being enough to cover capital and administrative expenditures, all ULBs are generally under severe financial strain. The State Government must thus review resources for grants-in-aid, special packages, PPP, loans from bilateral organisations, State Government policies, or Central Government packages, among other things.

Some ULBs also experiment with cutting-edge urban local financing techniques. When conventional resources are unable to meet the demands of the moment, these solutions provide an alternate option to supplement municipal resources. Using land as a resource, public-private partnerships, debt financing, new taxes, and pooled finance are a few examples.

Their inability to fairly charge for the services rendered is one of the major causes of the current scenario. Because of this, most ULBs are unable to earn enough income on their own to supply and maintain municipal infrastructure at the present levels of efficiency. Despite this, some ULBs, including Ahmadabad, Bengaluru, Indore, Hyderabad, Pune, and others, have been using unconventional methods to mobilise resources and create infrastructure programmes to increase use of novel and market-based mechanisms to access private, commercial funds for financing public services. While others have struggled to implement admirable money management techniques. The Government of India has introduced action plan plans at various points to aid in the mobilisation and management of resources for urban services and infrastructure needs in this environment, recognising the tremendous finance requirements and necessity for putting in place contemporary management practices.

CONCLUSION

In conclusion, the functioning of urban local governance in India is significantly influenced by the connection between the state and local governments. This complex connection has several facets, such as personnel, administrative, and financial management. Given the rising urbanisation and the crucial role that urban areas play in the nation's economic growth, the difficulties and possibilities in this setting are enormous. In conclusion, good urban local governance depends on the State and Local Governments having a functioning and productive partnership. Achieving improved urban governance and raising the standard of living in urban settings requires addressing resource restrictions, expanding financial autonomy, improving human resource management, and promoting cooperation. The State's and ULBs' relationship must develop into a collaborative and supportive partnership as we move towards more effective and responsive urban local government. Working collaboratively is crucial for maximising resource use, promoting good governance, and improving service delivery effectiveness. India's metropolitan regions may realise their potential as engines of economic development and better quality of life for their citizens by solving these diverse issues and seizing opportunities.

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CHAPTER 9

DECENTRALIZATION AND POLICY REFORM IN INDIA: NAVIGATING CHALLENGES FOR INCLUSIVE GOVERNANCE AND DEVELOPMENT

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ABSTRACT:

Since colonial rule, the top-heavy administrative structure of the Indian government has drawn harsh criticism. This has made it difficult for local governments to implement programmes successfully. Duplication and misunderstanding are the results of over-reliance on ad hoc committees and the expansion of organisations. The execution of policy has been hampered by centralization, which often falls short of meeting the demands of the general population. This issue has been made worse by poor policy development and inadequate consideration of associated considerations. Unexpected effects have occurred in a number of areas as a result of the lack of study on related industry. Decentralisation is being considered as an alternate strategy to solve these problems. Decentralisation makes it possible for interrelated concerns to be expressed locally, leading to more sensible and pertinent policies that directly address public needs. It attempts to streamline implementation procedures, making it possible to spot and address local resource constraints and other roadblocks. Local data collection and record-keeping become essential for making well-informed decisions. At the point of interaction between the government and the public, administrative and planning obstacles must be swiftly removed to encourage openness and responsiveness. The organisation of local government in India is also covered in this article, including Municipal Corporations, Municipal Councils, and Nagar Panchayats for urban regions and Gramme Sabha, Panchayat Samiti, and Zilla Parishad for rural areas. The responsibilities and duties of these entities are described, emphasising the need of structural modifications.

KEYWORDS:

Decentralization, Governance, Government, Panchayat, Policy Reform.

INTRODUCTION

Indian government has come under fire for being very top-heavy. It is a characteristic of colonial governance that has endured throughout time. In order to execute policies at the local level after independence, the government mostly depended on ad hoc committees, as stated in the committee on democratic decentralization, government of Maharashtra, 1961. Over time, this resulted in the growth of several agencies, which caused issues with duplication and misunderstanding at the local level. The inefficient execution of policies has been attributed to excessive centralization. A growing number of people believe that ineffective policy implementation results from poor policy formulation, which does not adequately consider related concerns and does not account for them in policy. This prevents policy from being "relevant" or "rational" in the sense of directly addressing the needs and concerns of the public. Since connected industries were not researched and outlined throughout the incomplete endeavour, there are unforeseen repercussions in such sectors.

As a result, we come across "system constraints," which prevent the factoring of such requirements. Decentralisation is being investigated as a potential alternative because it enables localised expression of linked issues and produces appropriate policies that are directly tied to demands. It is a system shift in that sense. Additionally, it is anticipated to simplify the implementation process so that resource limitations and other implementation obstacles may be better identified and addressed at the point of origin rather than by a remote planning body that could be lacking in appropriate factual foundation. In order to make accurate predictions about the aims, progress, and targets, it is also necessary to organise data gathering and record keeping for the delivery of pertinent "facts" locally. Since the implementation exercise is centred at the field level, it is critical to address the issues with administrative and planning bottlenecks as soon as they arise, i.e., at the point of contact between the government and residents. The goal is to make government more transparent and focused on the needs of its citizens. The resources, finances, authorities, and functions of local bodies will all be discussed in this section as they relate to structural changes. We will also go through the infrastructure that is available for planning and the methods for involvement[1], [2].

Structure of local bodies

For municipal and local authorities, a three-tier system has been proposed in response to the 73rd and 74th constitutional amendments. Gramme Sabha (at the village level), Panchayat Samiti (at the block level), and Zilla Parishad (at the district level) would be the rural local bodies in increasing order. The goal of the Gramme Sabha is to provide a social foundation for grassroots democracy. The Gramme Panchayat serves as the gramme sabha's executive body. The gramme sabha was once a body corporate with perpetual succession, a common seal, the ability to sue or be sued in its corporate name, the ability to acquire, keep, or transfer property, and the ability to engage into contracts. Following modification, the Gramme Panchayat, which formerly served as the gramme sabha's committee, has taken over this role. Gramme Sabha still has a big voice on development issues, nevertheless. Its sessions are presided over by the gramme panchayat chairman, and it is actively involved in the compilation of audit and accounting, yearly plans, annual administration reports, and other documents. Several of the crucial tasks carried out by the gramme sabha in several states include promoting peace and harmony, organising volunteer work and donations for community welfare activities, and identifying recipients for the same. The bottom rank is the Panchayat Samiti. The majority of developing efforts converge here. The Zilla Parishad at the block level makes up the third layer. Membership information for these organisations will be covered in a separate unit throughout the course.

A standardised three-tier framework has also been offered to urban local authorities. These, however, are not arranged in a hierarchy like the rural bodies since they collectively perform state-level functions. Municipal Corporations, Municipal Councils, and Nagar Panchayats are these organisations. This would clear up a lot of uncertainty in the local urban area. Urban local governance prior to the 1992 Act consisted of Municipal Corporations, Municipal Councils, Town Area Committees, and Notified Area Committees, with little consistency within states. There were significant variations in the definition and makeup of municipalities in this context, as well as across states. By categorising municipal entities as Municipal Corporations for big urban regions, Municipal Corporations for small urban areas, or Municipal

Nagar Panchayats, or councils for smaller urban areas, are examples of suburban governing organisations. However, the actual arrangements are leading to unexpected conflicts. According to H. Ramchandran, several villages that will soon become municipal areas do not

want to give up their rural identity since doing so will prevent them from taking advantage of various government supported rural development programmes. 45 of the 67 Town Panchayats in Tamil Nadu have applied for rural status to qualify for benefits from government supported programmes worth between Rs. 500,000 and Rs. 10,000,000.

There is another problem that deserves equal attention. A truly federated system at the municipal level, in which decisions are made by a cabinet and reported to a properly elected legislature, is at dispute. At the moment, the state-appointed commissioner has actual authority, with the mayor serving just as a symbolic leader. According to state law, the Commissioner is appointed for a certain amount of time. The Commissioner's tenure may be increased or decreased. The Commissioner's authority is restricted by legislation and granted by either the Corporation or the Standing Committee. The mayor-in-Council style of municipal administration, which was established in Kolkata, West Bengal, in 1984 as an alternative to the prevalent Commissioner model, may be characterised as a cabinet government that replicates the formula used at the state and federal levels. With 141 wards in Kolkata, this system has a mayor and a ten-member cabinet with separate portfolios selected among the elected council members (rather than a multi-member ward system, which would have more wards)[3], [4]. It is essentially a cross between an integrated federated framework and a mayor-council CAO system. In this paradigm, the mayor, who serves as the Chief Executive Officer, has authority and oversight over the Municipal Commissioner, who acts as the Principal Executive Officer.

DISCUSSION

The Municipal Corporation divides wards into boroughs, and each borough has a committee made up of council members chosen from the corresponding wards. One of the council members is chosen to serve as the borough's chairman. The borough committees oversee sub-local duties like water supply, drainage, solid waste collection and removal, sanitization and health services, housing services, lighting, repairs to specific categories of roads, upkeep of parks, and drains under the general supervision of the Mayor-in-Council. According to academics, the ideal future condition of things would be for local governments to have the same autonomy to choose the makeup of their political executive as their counterparts in Brazil, South Africa, and Nigeria. Municipal personnel should ideally be completely under the authority of local governments, have their numbers significantly reduced via private involvement, contract employment, etc., and be held responsible for the outcomes.

Local Institutions' Powers and Functions

Following the advice of the Rural-Urban Relationship Committee, the newly enacted Seventy-Fourth Constitutional Amendment Act (CAA) of 1992 aims to provide urban local governments additional power and jurisdiction. It is the first significant effort to establish a democratic local government as planning entities by strengthening and stabilizing them via constitutional measures. Introduction of the Twelfth Schedule which lists the functions of the urban local bodies, covering planning, regulation and developmental aspects. Establishment of District and Metropolitan Planning responsible for the election of representatives for the preparation of development plans at district and metropolitan levels.

1. Proposed establishment of ward committees in areas having a population of over three hundred thousand.
2. Specification by law of the powers and responsibilities entrusted to municipalities and ward committees.
3. Holding of periodical and timely elections; if a municipality is dissolved for any reason, it should be reconstituted within 6 months.

4. Specifying by law the sources of municipal finance and their periodic review by a statutorily constituted State Finance Commission and by making it obligatory on the part of the Central Finance Commission to recommend measures needed to augment state resources to assist the municipal governments.
5. Restrictions on the power of state governments to do away with democratically elected municipal governments.
6. Reservation of one-third of seats for women and weaker sections in municipal bodies for minorities there are no reservations.

In accordance with the 73rd Amendment Act, rural local self-government is granted certain rights and responsibilities. The 11th schedule contains 29 topics (see Annexure) for which rural local councils have been given authority. However, if the majority of the relevant authorities continue to reside in the bureaucracy and state or central legislatures, the same may be reduced to a mere intellectual exercise. To achieve true decentralization at the local level, a move to bottom-up policy is necessary. Prior to the 73rd Amendment, 1993, the duties entrusted to local governments related to general welfare issues like public cleanliness, sanitation, etc.; these issues might be expanded to include development issues like agriculture, animal husbandry, social forestry, etc. According to evaluation studies, local governments have a tendency to carry out "agency" tasks rather than "statutory" ones [5], [6].

Developmental planning is now in the spotlight. Therefore, there has been a paradigm change in the way that local bodies are thought of since such entities are now being created as actual institutions of "self-government." The act requires state governments to devolve authority and responsibility for creating plans for economic development and social justice and putting those plans into action, including those related to the issues listed in the Eleventh Schedule, as may be entrusted to them. However, it is up to the state governments to determine which duties are transferred and whose authority is granted. The general idea appears to be to leave what can be handled at a lower level to it. A quick review of actions in several states reveals the following trend in the escalation of authority:

Uttar Pradesh, Bihar, Rajasthan, Punjab, Haryana, Assam, and Karnataka are Category A States which, in addition to some other general ones like the creation of plans and budgets, maintaining unity and harmony, providing assistance in the event of natural disasters, etc., have allocated the topics stated in the 11th schedule without giving any priority to any particular actions. Orissa, Gujarat, Tamil Nadu, and West Bengal are states in category B that have separated duties into necessary and compulsory duties. Functions that are performed based on the availability of finances fall under the first type. States in Category C who drew their own list in accordance with the guidelines of the 11th schedule. Himachal Pradesh, Madhya Pradesh, Maharashtra, and Andhra Pradesh are examples of such states. However, the exercise has to be given more rationale than it now has, which may be accomplished by creating expert panels rather of directing the issue simply to the relevant department.

Since each state government is allowed to choose their preferred method of decentralization, development efforts are now left to their convenience and priorities. However, giving state governments control over these issues leaves room for slack actions in this area, which would have to be acknowledged as a limitation of a federal polity. According to Ramchandran, a significant amount of ambiguity still exists about the roles and responsibilities of these entities at various levels, even after the changes. The number of court disputes that have arisen between district and lower-level elected bodies on the one hand, and those of the state government and its executives on the other, demonstrate and express the ambivalence. For instance, Zilla Parishad members in Haryana have vowed to quit collectively in protest at the government's ineffective enforcement of the Zilla Parishad Act. Similar protests over the

Panchayat bodies' lack of authority have taken place in Orissa and Maharashtra by the presidents of the Zilla Parishad. In Andhra Pradesh, Mandal Parishad heads object to restrictions on their authority since nodal officials were appointed by the state government without consulting the elected organisations under the janmabhoomi programme. As a result, contradictions still exist and sometimes show themselves in the actual execution of the structural transformation that the amendment acts are bringing about.

Planning Infrastructure

The Metropolitan Planning Committees (MPCs) and District Planning Committees (DPCs) will coordinate rural and urban planning while integrating spatial and economic development. This would take care of the need for integrated spatial/regional planning while taking into account all relevant/related factors, such as infrastructure, investment planning for environmental protection, and those factors' spatial and other consequences. Under the State Zilla Panchayat/Regional and Town Planning Acts, the DPCs / MPCs must be established. Planning, sometimes known as multi-level planning, would be top down and bottom up in that it would develop as an integrated framework at progressively higher geographical levels. Using this system, municipalities and panchayats would create plans for their regions, which would then be combined into draught district development plans at the district level. The MPCs would create the metropolitan development plan. The establishment of a state-level plan would follow the creation of all district and metropolitan development plans[1], [7].

Board of District Planning

Involvement of the District Planning Committee would include:

1. Draught development plans, including a spatial plan for the district, are being prepared while taking into account issues that municipalities and panchayats have in common.
2. Offering guidance and support to local organisations in the creation and successful execution of development strategies.
3. Coordination and oversight of the District Development plans' execution.
4. Allocating funds to local organisations for the design and execution of initiatives at the local level that are included in the District Development plans.

The planning committee for the metropolitan area. The following duties must be delegated to MPC:

1. Creation of a preliminary development plan for the urban regions.
2. Coordinating the locations of plans created by panchayats and municipalities in the metro region, and suggesting any necessary changes to local area plans.
3. Advising and helping local organisations create growth strategies.
4. Monitoring the region's authorised development plan's successful execution. conceiving and carrying out projects that include the supply of infrastructure, such as main thoroughfares, trunk services, energy, and telecommunications.

As stated in the Economic Survey (2004–2005), a new structure for public finance is needed, wherein urban expenditures are driven via urban local governments, to enable local governments to make economic service delivery choices. Urban local governments must be given more authority over their budgets and service administration in order to better oversee the supply of public goods within their borders. For such, the present division of power between local governments and state governments must stop. Access to financial markets via bond programmes and targeted use of subsidies and tariff protection that benefits primarily

the poor are two strategies for boosting urban finances. Better local administration accountability procedures would need to be developed for it. Every growth plan has to be rationalised so that local bodies can regulate it. Urban local bodies should be supported by additional parastatal development organisations in a manner that does not usurp their authority or duties. Urban infrastructure development would be better protected via public-private partnerships.

Problem Areas

There is general agreement that urban growth has to be addressed more than rural development. Urban congestion is a particularly severe issue. At this point, urbanisation has slowed down decadally. Runaway migration has likely considerably decreased due to the effectiveness of rural development schemes or the lack of land for squatting in urban areas (tenth plan, 2002–2004). The greatest time to make plans for urban growth is now. In urban regions, the population grew at a decadal rate of 47% from 1971 to 1981 and then decreased from 1991 to 2001. Decade-level rate of growth rates for rural and urban regions were 17.9 for rural and 31.2% for urban, indicating a disproportionately greater growth rate in urban areas. However, India has one of the lowest rates of urbanisation worldwide. According to United Nations estimates from 2000, between 75 and 80 percent of the world's population (or 47% of all people) reside in metropolitan areas. In Asia, it is 36.7%. With urbanisation rates of 31.2% and 40.9%, respectively, China and Indonesia, which had lower levels of urbanisation in 1950, have now surpassed India in Asia. Planning should be done as soon as possible, before development outpaces it. It is crucial to keep in mind that cities are engines of progress. Urban development requires more attention than rural development. Huge new prospects for service expansion and job openings for young people in rural areas will be generated in the new environment of globalisation, privatisation, and liberalisation. Massive investment must be made in education, especially in the IT, retail, and financial services sectors where possibilities will grow. Dr. Amartya Sen described the plan in terms of welfare economics. Therefore, the goal should be to generate "entitlements" through making investments in health and education for a decent life[8], [9].

The focus in planning should be on personnel planning. The appropriate direction of educational institutions might be used to provide career-oriented education. Administrative change would be urgently required in this situation, since professionals would need to be given greater authority because rural development is arguably a scientific topic rather than one for laypeople. This has important ramifications for organisational structure since changes may need to be made to things like unity of command, span of control, job descriptions, and other things. It would be necessary to develop creative O&M solutions to adapt formal and informal organisations to the needs of the altered ecological situation. The civic society's involvement is expected to increase. The supply of public goods is expected to see an increase in private sector involvement going forward. It would be necessary to develop strategies for government and civil society to work together. Again, now is the ideal moment to prepare for urban growth. Urban development would need to be taken into account even more in planning and finance than rural development, since the latter would already benefit from spin-off effects. It is anticipated that urban growth would boost rural prosperity via positive externalities or spinoff effects. There are other intangible advantages to living close to an urban centre, such as better water supply services for rural regions, marketplaces for high-value commodities, and more.

According to Debapriya Dutta (2004), the mandate for new emergent institutions also enjoins/requires integrated spatial development planning for which data collection and collation relating to local resources is a crucial requirement, as well as the suitable tools for

processing the data to generate pertinent information for local level planning. The Natural Resources Data Management System (NRDMS) initiative was established by the Indian government to meet this requirement by creating and making available geoinformation and communication technologies (geo- ICTE) and tools to prospective users. It began as a research and development initiative. Since then, it has created a variety of tools and methods, many of which have been shown to local government organisations as well. However, (1) there is a lack of technological capability to use these tools at the local level, (2) there is a poor linkage between geo-ICT tools and organisational work flows at the local level, (3) there is a lack of readily available, standardised, and current spatial data at all levels, and (3) there is a lack of data sharing for integrated inter-sector planning. Therefore, establishing the necessary organisational and technical capabilities locally is crucial.

In India, the National Informatics Organisation has played a crucial role in the adoption of information technology. The NIC has launched many projects to apply District-level information technology. The DISNIC (district information system of the NIC) and CRISP (computerised rural information systems project) are two examples of such programmes. Information technology has been successfully used in the State of Gujarat, particularly in the Integrated Rural Development Programme (IRDP), according to studies. In contrast to Karnataka, information technology has been employed for analytical objectives rather than normal operational operations. Since efforts have been made for local application development at the initiative of local staff who have been willing to learn and work, as well as find creative ways of developing relevant databases for local planning, there has been a greater use of information technology in Gujarat. At the DRDA level, efforts have been made to set up training and contractual employment for daily pay data entry workers. Links with nearby engineering universities have been formed for assistance and training to further the endeavour. Significant progress has been made, particularly in relation to the IRDP. To determine the extent of poverty, local statistics were generated (collected and compiled) on each household's assets, land holdings, etc., with appropriate weights given to each characteristic stated. This information, which was overlaid on the IRDP's execution and progress, indicated the precise state of the region's resource and infrastructural needs.

Given that Karnataka has a greater infrastructure for planning, the disparity in performance between the two states is remarkable. The Zilla Parishad is a more powerful planning organisation in Karnataka, which puts it in a better position to manage developments and effect the needed reforms. On the other hand, in Gujarat, the effort is split between the district panchayat, which is comparable to the zilla parishad but lacks the same authority, and the DRDA, a government supported organisation with minimal autonomy. The two states' strategies vary, which is where the distinction resides. While Gujarat has attempted more deregulation, where small changes have resulted from locally relevant applications of planning, through local initiative, where people are active participants rather than passive recipients of state-sponsored technology, Karnataka has relied on legislation, thus devolving power to local decision centres (agencies). The conclusion is that, contrary to a unilateral structure in which they get instructions from a central authority, information technology thrives when there is a feeling of ownership among people (Journal of Global Information Technology Management)[10], [11].

An impending event, such as sporadic or ad hoc participation in some programs, but rather should be conceptualized more broadly as a component of citizenship, which views participation as an ongoing socio-historical process that permeates all social, political, and sociological processes. As a result, it's important to connect citizenship with a radical development goal. Empirically, there is mounting evidence that, rather than being well-

planned institutional innovations or interventions, participatory approaches to development and governance have a tendency to be located within apolitical traditions or projects that adopt a particularly radical approach to development in cases where they have successfully challenged exclusion, redistributed resources, and promoted social justice. Therefore, in accordance with the theoretical framework known as "critical modernism" by Giles and Mohan, where initiatives originate increasingly from, there is a need for radical system reform.

CONCLUSION

In conclusion, the top-heavy structure and centralised style of governance used by the Indian government have long been criticised and criticised. Ad hoc committees and centralised decision-making are extensively relied upon in the system that has been sustained by the historical heritage of colonial governance practises. Due to the growth of various agencies brought about by this strategy, there is redundancy, confusion, and inefficiency at the local level. Excessive centralization has often been blamed for ineffective policy implementation because policies created at higher levels frequently fall short of appropriately addressing local needs and concerns. Decentralisation is being advocated more and more as a different kind of government. Decentralisation makes it possible for concerns to be expressed locally and makes it easier to create policies that are directly in line with local needs. By tackling resource constraints and other roadblocks locally rather than depending on distant planning authorities with lack local expertise, it seeks to streamline the implementation process. Decentralisation has been supported by structural reforms at the local level, such as the three-tier system for rural and urban local authorities. These organisations, which range from the Gramme Sabha to Municipal Corporations, are expected to be crucial in answering citizen demands, managing resources, and promoting openness.

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CHAPTER 10

EMPOWERING CITIZENS AND STRENGTHENING LOCAL GOVERNANCE FOR INCLUSIVE DEVELOPMENT

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ABSTRACT:

The crucial role that citizen participation and inclusive development play in promoting inclusive development and bolstering democracy. It highlights the need for governments to reorient their priorities from purely technical research to the policy-level empowerment of individuals. It illustrates how such programmes may empower people and increase political engagement by using examples from participatory poverty evaluations and rural appraisals. The idea of "political space," which includes institutional channels, political discourses, and social practises through which people may affect policy-making and development processes, is highlighted in the abstract. In order for people to influence government and advance the common good, participation should be seen as a basic component of citizenship, the argument goes. The abstract analyses the transformational potential of regional development efforts in states like West Bengal and Kerala while focusing on the significance of democratic decentralisation in the Indian context. It examines techniques that give people influence at the local level, such ward committees and the Gramme Sabha. The abstract also discusses the need for change in financial management and resource distribution, both in urban and rural settings. It emphasises the value of public participation in budgeting procedures and the contribution of civil society to the promotion of accountability and transparency. The abstract also examines the difficulties that local governments face when it comes to taxes, grants-in-aid, and loans, highlighting the necessity for a well-balanced strategy that doesn't burden disadvantaged people. As a conclusion, the abstract emphasises how crucial it is to give individuals greater power, decentralise responsibility, and guarantee local governments' financial independence as the first steps in creating a more inclusive and citizen-centric democracy. It demands a rethinking of government in which people actively take part in forming their communities and countries.

KEYWORDS:

Citizenship, Community, Commission, Development.

INTRODUCTION

Government should thus make a concerted effort to support the institutional frameworks that give rise to the potential. Instead of only being involved in specific technical research, people's engagement has to go from project level to policy level, which might result in political empowerment of people. As an example, participatory poverty assessments, which were developed by the World Bank in response to criticism of aid linked to conditionality and being unrelated to actual needs, and participatory rural appraisals (PRAs), which are currently used in disaster mitigation and vulnerability studies, can be given. The interconnections between a number of institutional norms and agency-led practises may be used to conceptualise the connections between citizenship and participatory development to some degree.

Such a wide-ranging conception elevates participation from the impending involvement in certain initiatives to a historical and ongoing process wherein people expand their rights as capable members of society and imbue government with a citizen-centric character. Therefore, the recommended course of action in this case would be to take steps to help residents express their rights as accountable citizens, which would include improving education, political communication, the right to information, and other factors. 'Political space' is another important idea. 'Political space' according to Webster and Engberg Peterson (2003) has three analytical dimensions.

The institutional avenues that the poor may use to influence, control, or fight policy design and execution. The political discourses that specifically address problems of poverty and poverty alleviation. The social and political practises of the underprivileged, which may serve as a foundation for influencing agenda-setting, policy development, and programme implementation. Therefore, understanding participation as a consequence to citizenship sees people as internal/integral to the government process rather than as external. A counterbalance to the strong state's overreach and the rife individualism in/of capitalism, in the market, is the emergence of civil society. Since self-help groups and individual initiative are encouraged in welfare states, researchers researching "communitarism" recommend revamping public services. The fall of the Soviet Union served as a warning that the state had failed. Capitalism is rife as a result of the end of the cold war, which is a worrying omen. Business Process Outsourcing (BPO) in the "global village") is one of the activities of the new capitalist world order that is already causing controversy. Therefore, to reverse the trend, individuals must assert themselves once again in line with the basic principles of the social compact, which form the basis of democracy. The writings of T.H. Marshall influenced conceptions of citizenship up to the 1970s, when it was believed that citizenship was more about having rights guaranteed by the state than having obligations. As a result, government had to actively provide equal opportunity to people and take on greater tasks. However, state bureaucracies severely restricted citizenship by assuming the majority of discretion in the formulation and execution of policies and preventing citizen discussion. It is necessary to reframe citizenship in terms of responsibilities, which calls on individuals to assert their national sovereignty once again and recognise that governments exist to wield "delegated power" and advance the common good[1], [2]

In India, "transformative" local development may be seen in West Bengal and Kerela. The communist regimes in these nations deserve credit for their aggressively reforming programme, which opted for a paradigm change over sporadic attempts at popular engagement that are often ineffective. The foundation of democratic decentralisation is participatory government. Elections held on a regular basis, council hearings, and probably most crucially, participatory budgeting, all serve to institutionalise participation at the local level. By allowing participation in development processes at the ward, municipal, district, and metropolitan regional levels, the Constitution Amendment Act aims to empower individuals. After the CAA was included into the current Municipal Acts, the factual support for this hope became reality. Ward committees at the state level and Gramme Sabhas in the countryside serve as the mechanisms for urban government. Ward committees are intended to improve communication between the public and the government.

The Gramme Sabha aims to include peers from the village in a localised type of direct democracy. The Nyaya Panchayats and Lok Adalats are two additional institutions for public engagement in governance that are being suggested to complement existing legal institutions for quick justice and public education on governance-related topics. It is anticipated that over time, people's understanding of their rights and obligations would increase. The state's

authority and activities have increased as a result of the development plan used up to this point. There hasn't been much of an effort made to encourage civil society engagement. For instance, the Irrigation Acts place the administration and control of waterways in the hands of the state, and project planning and execution are essentially internal state operations. The situation has to alter in the sake of "good governance." The process of relocation, resettlement, and rehabilitation often causes major dissatisfactions that, in some situations, escalate into confrontations in the absence of institutional mechanisms for consultation and grievance-redress. This is in contrast to the historical position in India, where people have traditionally/historically been largely responsible for managing water resources, such as harvesting structures and local irrigation projects. However, the state eventually came to control the monopoly of these services. He highlights the issues with the structure by quoting water is given free of cost (up to 40 litres per capita per day), and customers do not pay to the capital cost associated with higher level services. Additionally, communities do not get ownership of installations for rural water supplies, and they have no influence over what, when, where, or how installations are given. Finally, there are few offices where customers may report malfunctioning installations and inadequately designed procedures for consumers to provide feedback to water organisations[3], [4].

DISCUSSION

Community engagement significantly lowers project costs, according to historical data on the supply of urban basic infrastructure. With UNICEF's aid, the central government created the Urban Basic Service Programme. The programmes were limited to a few slums in a few cities. Since the World Bank did not impose any institutional requirements, local alternatives were explored. As the plan took shape, it became clear that community engagement not only leads to efficient project execution but also to better planning and a significant decrease in operating expenses. The community was then often engaged in the project's conception as well as its execution and labour monitoring. any of these despite endeavours, community involvement remained a state-sponsored activity up until the late 1970s. In the 1980s, community involvement as a component of development strategy became more popular as a result of governmental agencies' widespread failure to provide basic services of the required calibre. It was found that beneficiary engagement in development projects significantly reduced costs since they assisted in resource mobilisation via self-help and even provided work at a low cost or perhaps none at all.

The neighbourhood and slum networking initiatives, which were started with significant financial backing from the state or central government, have been lauded as a great triumph in the 1990s as the most creative form of community engagement in infrastructure projects (Kundu 2002). To resolve the ambiguity around modality, however, there must be an effort to institutionalise community involvement and give legal provisions in this respect. Some of the tried-and-true examples include Resident Welfare Associations (RWAs) or Neighbourhood User Groups (NUGs) in urban areas, Water Users Association in irrigation projects, Watershed Association in watershed management, JFM committees in forest areas, VEC in primary education, and SHG in microcredit. Such organisations would need to be integrated into the panchayat system, most likely via committees. Another inconsistency that has to be rectified in the framework of the Panchayat Raj is the idea of development funding granted to Members of Parliament and Members of the Legislative Assembly.

People are now actively protesting the emergence of right-wing groups. Environmentally hazardous enterprises have faced opposition from the public. There are many examples of individuals acting with such informed activism. In order to build the planned Tata Steel facility in Gopalpur, the state of Orissa has been ordered by the high court not to remove

people of a hamlet. The instructions followed petitions submitted by the local Panchayat president and the People's Union for Civil Liberties' Orissa Unit. In Himachal Pradesh, a Gramme Panchayat has made the choice to petition the High Court in opposition to the state government's proposal to privatise the golf course in its region. Looking at the aforementioned cases, the right to knowledge seems to be the best solution for reducing corruption by requiring locals to take responsibility.

According to studies, even municipal governments in very wealthy regions like Maharashtra, Gujarat, Andhra Pradesh, and West Bengal seem to have underutilised their taxing authority. Perhaps two of the accessible things, such as the profession tax, the special tax on property and buildings, and the tax on public amusement, have been taxed. Additionally, user fees have been unfairly assessed and even worse, inappropriately collected. This, together with the state governments' inadequate financial situation, partly explains the resource shortage faced by local organisations. There needs to be a sensible relationship between the size of the panchayat and its viability as an economic unit by citing the conclusions of the Ashok Mehta Committee. This is seldom the case right now[5], [6].

Rural local bodies' finances

According to Article 243-H of the Constitution, the state legislature must:

1. Provide a Panchayat the authority to impose, collect, and allocate the aforementioned taxes, charges, tolls, and fees in conformity with the aforementioned process and restrictions;
2. Allot to a Panchayat the taxes, duties, tolls, and fees that the State government levies and collects for those things while adhering to certain restrictions and requirements;
3. Provide provisions for distributing such funds from the State's Consolidated Fund to the Panchayats; and
4. Make provisions for the establishment of such funds for the crediting of any funds received by or on behalf of the Panchayats and for the withdrawal of funds from such funds as may be permitted by law.

It is obvious that local government entities lack the ability to raise resources on their own. Local financial needs are the responsibility of the State governments, who are mandated to handle them. In this sense, more pro-active actions are required. Local organisations must generate their own funding. In this regard, the state government's oversight function, which includes requiring the payment of certain taxes and user fees, is essential. Assistance might be linked to reform and resource mobilisation efforts.

Governmental Finances

The local (including municipal) administrations do not partake in the earnings of the central government, in contrast to the Indian States. However, under federal constitutions like those of Brazil, Nigeria, and South Africa, the arrangement is rather typical. Local governments in Brazil and Nigeria get a set percentage of federal funds, but in South Africa, the Financial and Fiscal Commission distributes these funds based on the sub-national governments' ability to generate income and efforts to do so. This is referred to as a "equitable division of revenue raised nationally among the National, Provincial, and local spheres of government" in the South African Constitution.

As a result of the Indian Practice's restriction on states sharing central revenues, local administrations must rely on cash-strapped state governments for funding. Additionally, the line between specific tax sharing and tax compensation has become hazier, particularly in the

former Octroi States, thanks to the "global tax sharing" system, which involves money being sent from States to municipalities on the suggestion of the State Finance Commission. Both the motor vehicle tax and the octroi compensation depend on this. Due to municipal duty for road maintenance, maintenance of street furniture, and supply of street lighting, automotive taxes are considered a legitimate municipal source. It is important to consider octroi compensation in the broader context of the lack of a municipal business tax. Municipalities should be given a set percentage allotment in the aftermath of the VAT. "In the future, specific sharing of automotive taxes and the VAT may replace global state revenue sharing with the municipalities," claims Abhijit Datta (2005). Municipal entities (corporations and councils) are required to carry out a wide range of tasks, both required and optional, for which sufficient financial resources must be made available. If local entities are given the necessary autonomy in earning income and making spending choices, via measures like tying grants to fiscal responsibility, the state will be able to exert stronger control over municipal finances.

As a result, there isn't a distinct list of taxes that only apply to municipal entities. Many commissions have been established throughout the years to investigate the topic of municipal finance, including the Local Finance Inquiry Committee (1951) and the Taxation Inquiry Commission (1953–1954). Municipal finance, however, was left to the state governments' discretion to define by law, subjects pertaining to the levy of taxes. User fees have not been correctly assessed. Few charges have been haphazardly collected.

Inheritance tax

In states without an octroi system, property taxes often make up the majority of the state's total income for local governments. Properties are subject to property tax. The yearly rateable value, which is inadequately implemented and frozen in fiscal terms, serves as its foundation for taxes. To make the tax buoyant, alternative methods of calculation based on area-wide assessment or capital value assessment should be tried. By resolution adopted at a special meeting and approved by the state government, a local body may impose, suspend, decrease, or abolish the tax or partially or completely exempt any person or class of people from any such tax on any property or description of property. Property tax reform is required (Tenth Plan, 2002–2007). According to Abhijit Datta (2005), states' policies on urban development, such as interventions in urban land use (conversion tax), ownership dispersal (land ceiling), rent control, penal taxation (stamp duty, land value increment tax), etc., are primarily to blame for problems with property tax. These interventions have caused the creation of black money in the real estate market. Other fundamental reforms include the introduction of e-governance for property tax collections, with the goal of at least 85% collection efficiency within five years, and the introduction of similar practises in the case of financial accounting systems, work management, water tax billing and collection systems, the trade licencing system, and the taxation of alcohol and tobacco[7], [8].

Octroi

It is a tax imposed on the entrance of commodities intended for local use or sale. It makes up between 60 and 80 percent of the total income received by the metropolitan local governments where it is levied. This tax serves as the main source of income in the states of Rajasthan, Gujarat, and Maharashtra, for instance. But numerous front states, including Andhra Pradesh, Assam, Bihar, Karnataka, Kerala, Madhya Pradesh, Nagaland, Sikkim, Tamil Nadu, Tripura, Himachal Pradesh, Manipur, and Meghalaya have prohibited the practise in response to harsh criticism. The state of Gujarat has decided to implement an

entrance tax in place of the octroi. Octroi was criticised for impeding interstate commerce and for being heavily corrupted during introduction.

Non-Tax Income

Every Municipal Act has clauses governing the issuance of licences. Every local authority has the jurisdiction to impose and collect fees for both regulatory (for the issuance of licences) and service-related purposes. Tax is a mandatory levy, but a fee is a payment imposed in exchange for a benefit permitted under the quid pro quo principle. This is a key distinction between the two. The cost levied is known as a user charge or a user fee when the service is widely utilised and becomes the kind and form of a public utility. A user fee is often levied for public services, parking, access fees to playgrounds and swimming pools, among other things.

According to the Tenth Plan, without consulting the local organisations that would be impacted by these choices, the state government makes unilateral decisions about the parastatal agencies responsible for providing water and electricity, as well as the tax rates listed above. In this regard, the devolution of decision-making power is ineffectual. It is important to properly address this issue. User fees are also insufficient. User fees need to be revised, and they must be strictly adhered to, for local authorities to be in a better financial situation. In addition, expenditures should be better managed, especially those associated with establishment, and better use of municipal resources should be secured for a stronger financial position.

Grants-in-Aid

Grants-in-aid are a significant component of municipal funding. A general-purpose grant (GPG) and a specified purpose grant (SPG) are the two different categories of grants. The GPGs are designed to increase local bodies' income so they can carry out their regular duties. The SPGs are used for particular needs, such as the inflation-related rise in salary costs, grants for education, public health, road repair, etc. Ad hoc and arbitrary grants are given out. Through programmes like the Integrated Small and Medium Town Development (ISDMT), Accelerated Water Supply Programme (AUWSP), and the Mega City initiative, central plan help is provided. Assistive schemes for the plan include the NCR plan and the Tax-Free Bonds scheme, both of which were implemented during the ninth five-year plan period. Organisations like the Asian Development Bank, ADB, World Bank, and bilateral organisations provide help from outside. Infrastructure development, especially housing, should take into account creative collaborations with the private sector.

Loans and Borrowings

When municipal entities are unable to cover their expenses with their current earnings, they may borrow money from the state government and other organisations. The Local Authorities Loans Act of 1914 governs a local government's ability to borrow. According to this law, municipal corporations may borrow money for both development projects and the repayment of debt obligations. The following uses for borrowing by local bodies are allowed:

1. Building municipal infrastructure;
2. Offering assistance and establishing or maintaining relief efforts during times of poverty or hunger;
3. Stopping the spread of any epidemic illness that might be deadly;
4. Purchasing land;
5. The repayment of unpaid debts.

Even if municipal borrowing is not a common source of funding, it is necessary to start in certain areas, such as water supply, where debt financing may be used to complement resources from grants and other sources of funding as well as internal resources.

Municipal organisations are having trouble providing the necessary level of services due to the rapid urbanisation. The functional obligations of municipalities have been expanded into development planning as a result of the Constitutional Amendment Act (1992) and the inclusion of eighteen functions to the Twelfth Schedule, which broadens the scope of local functions far beyond the provision of civic amenities. The creation of plans for local development and the execution of development projects are anticipated to include a significant contribution from local bodies. It is necessary to properly appraise the municipal body's resources in light of this. As a result, article 243-I of the 74th Constitutional Amendment Act suggests the creation of a State Finance Commission. Within a year after the Constitutional Amendment Act's start date, the State Governor appoints a State Finance Commission. It has a five-year term. The State Finance Commission will provide recommendations in the following areas:

1. Allocation of the net profits of the state's levyable taxes, charges, tolls, and fees between the state government and municipalities;
2. Distribution of a portion of these profits to all levels of municipalities within a state;
3. Determining the taxes, duties, tolls, and other charges that the towns will impose or appropriate;
4. Municipalities get assistance grants from the state's consolidated fund;
5. The steps required to strengthen towns' financial situation.

The Governor has the option to send any case to the Finance Commission in accordance with the new Amendment. Within the confines of the authority granted to it by state legislation, this Commission establishes its own process. Another crucial element is that every suggestion made by the Finance Commission must be presented by the governor to the state legislature together with explanations of the measures taken. Thus, the Constitutional Amendment Act's proposal to establish a Finance Commission would assist urban local government entities in providing the higher level of services needed in light of the country's growing urbanisation. The twelfth schedule gives them extra obligations, which makes it crucial to regularly review the local organisations' financial resources. Regular evaluation of the financial resources would aid in the efficient transfer of resources from the state to local government and provide the local bodies a solid foundation. Balancing rural and urban issues would be a difficult task for the state finance commissioners, and there could be a natural bias to favour rural concerns. Finding the ideal balance between one's own and others' ideas would be the other factor. State resources and transfers (Tenth Plan). Additionally, it would be important to be a member of the State Finance Commission. The level of skill of the individuals put inside would determine its effectiveness. A quick review of acts in different states indicates [2], [9].

Although increasing user fees is strongly advocated, the opposite viewpoint is as persuasive. Increased usage fees would put even greater pressure on the city's fewer wealthy residents, who would be expected to pay more. Nevertheless, as the same is a crucial prerequisite for making local bodies functional entities of self-government, strategies would need to be developed to identify those who lose out as a result of the policy design and fairly compensate them for increased net social welfare. Additionally, more people would need to participate in the budget process to learn what the needs are and if they are being addressed under the current administration. For instance, local governments, which sit at the interface between citizens and the government, would first have to deal with poverty. The needs of vulnerable populations, such as migrant workers, AIDS patients, street beggars, the homeless,

child labourers, etc., would need to be addressed locally. diverse local governments have diverse demographic profiles, occupational patterns, the nature of poverty, unemployment, etc., according to Minar Pimple of YUVA and Sita Shekhar of the Public Affairs Centre, Bangalore. Therefore, prescribing the same medication may not be wise. Between the municipalities, significant variations in income and spending growth and composition were observed. Mumbai's income had climbed by 7%, compared to Bangalore's 1% growth, while Chennai's 36% investment in education eclipsed Pune's 8% budget. Operating costs ranged from 6 to 14 percent of the budget, and in Mumbai, they were more than three times higher than in Chennai. Salaries made up just 5% of the education sector in Ahmedabad and a staggering 97% of it in Bangalore when it came to the makeup of allocations within sectors. Here, advocacy from civil society might be relevant via research or policy analysis. Therefore, in-depth academic examination of each local government unit would be necessary in order to allocate resources in the budget in a sensible manner. The request is for an open budgeting process with the necessary participation from experts in civil society.

The current CAA in India is in line with the global trend towards diversity and inclusivity of the political process and is a step towards bringing about reforms in the existing framework of urban local governments. By making urban local bodies effective and a democratic form of governance in the genuine sense, it is anticipated to be a sign of change. Urban local government entities must undergo extensive changes that address political, social, administrative, financial, and technology issues. In order for municipal organisations to operate as efficient democratic institutions of local self-government, the act gives them a constitutionally defined structure and mission. It is important to note that the existence of the municipal bodies as institutions of democracy does not depend just on their constitutional status. A true transfer of duties from the states to local governments must be supported by the necessary devolution of power and authority with regard to decision-making, particularly in the area of financial resources. The Tenth Plan states that local bodies should play the following roles:

1. Be responsible and receptive to the community,
2. To create cities with service standards on par with the finest in their respective categories.
3. To continuously develop their skills so they are prepared to carry out their roles in resource-raising, service delivery, and poverty reduction.

Through initiatives like the Mega City Project for five chosen cities, the Integrated Development of Small and Medium Towns (IDSMT), and the Accelerated Urban Water Supply Programme (AUWSP), significant progress has already been made. Due to the proximity of municipal authorities to public funds, there is a need for openness in municipal issues under the Right to Information Act. By more closely incorporating organisations like Residents Association in urban planning, public engagement might be ensured. Accountability procedures, which are purportedly terribly weak in public administration, notably in India, and relatively effective in private firms, are the main area where the private sector outperforms the government. It is necessary to address that area of procedural change. In terms of tax collections, the Urban Local Bodies have been guilty of spillage and waste. They haven't been ready to impose taxes and user fees due to populist concerns [10], [11].

The gradual shift from centralised planning to development planning from below would be a fundamental prerequisite, and it would only be achieved via the reallocation of authorities and responsibilities to local organisations and the development of resource capacity within those entities. Therefore, substantial adjustments are required to infuse local government with efficiency. Although the most recent changes are a start in the right direction, fundamental

changes to create a fully federated system are still required. The current setup still evokes colonial residue. In accordance with the spirit of basic obligations stated in the constitution, citizen engagement must be assured. It would be necessary to institutionalise the same. Effective authority and function devolution must occur, particularly with relation to funds. Urban local governments should no longer be seen as tools used by state governments to carry out comparatively trivial duties, but rather as planning entities.

CONCLUSION

In order to promote genuine participatory development and strengthen the role of residents in influencing their communities, it is clear that a thorough overhaul of government structures and policies is urgently needed. For real political empowerment to occur, there must be a transition from project-level participation to policy-level involvement. Implementing participatory poverty evaluations and participatory rural appraisals, which may be used as models for inclusive policies, is an important example of participatory development. By allowing communities to participate in the planning and implementation of development efforts, these methods make it possible for programmes to be more precisely matched to unmet needs. Furthermore, it is important to consider citizenship and participation as integral parts of government. The role of the citizen in the political process should not be one of exclusion. This viewpoint may promote a more inclusive and fair society by balancing the effects of a powerful state with the individualism inherent in capitalism. In conclusion, attaining participatory development and real citizen empowerment need a comprehensive strategy that includes political, financial, and institutional changes. Governments must provide their inhabitants the tools they need to actively participate in reshaping their neighbourhoods so that everyone lives in a more just and inclusive society.

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CHAPTER 11

PANCHAYATI RAJ AND URBAN LOCAL GOVERNANCE IN INDIA

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ABSTRACT:

An essential instrument for decentralization in India is the Panchayati Raj system, which promotes real democracy that is responsive and representative. Panchayati Raj institutions are created as local self-governance bodies with the mission of empowering marginalised groups, establishing basic infrastructural services, and starting rural development at the grass-roots level, where India's soul dwells. The UP-Panchayat Raj Act of 1947, which created a three-tiered structure of Panchayats based on the recommendations of the Balwant Rai Mehta Committee, is the foundation of this paper's historical analysis of the Panchayati Raj system in Uttar Pradesh. The system has been further streamlined to adhere to constitutional requirements by subsequent modifications, such as the Constitution (73rd Amendment) Act of 1992. The research demonstrates how effectively Panchayats in Uttar Pradesh were given financial and administrative authority by highlighting the legislative sections and committees in charge of the transfer of authority. The Panchayati Raj system places a strong emphasis on financial devolution, with financing coming from both state grants and federally funded initiatives. The suggestions of the 14th Finance Commission have been crucial in improving financial resources, which has resulted in a significant increase in Gramme Panchayat accounts.

KEYWORDS:

Commission, Decentralization, Development, Panchayati Raj.

INTRODUCTION

The Panchayati Raj system in India is seen as the key decentralisation tool that enables democracy to become genuinely responsive and representative. The Panchayati Raj institutions are thought of as local self-government designed to provide basic infrastructural services, empower vulnerable elements of the community, and start the development process in rural India at the grass-roots level, where the spirit of India dwells. The UP-Panchayat Raj Act, 1947, which was passed by Uttar Pradesh soon after independence, introduced Panchayati Raj. By passing the U.P., a three-tiered structure of Panchayats was formed in accordance with the recommendations of the Balwant Rai Mehta Committee. Act of 1961 establishing kshetra panchayats and zilla parishads (now known as UP Kshetra panchayats and Zilla Panchayats Adhiniyam, 1961). The Government of Uttar Pradesh implemented the Constitution (73rd Amendment) Act, 1992, to bring about compliance with the Constitution's provisions. Through the Uttar Pradesh Panchayat Laws (Amendment) Act of 1994, the two aforementioned Acts were modified.

Effective Function Devolution

Sections 32 and 33 of U.P. and Section 15 of the U.P. Panchayat Raj Act of 1947. In accordance with Article 243-G of the Indian Constitution, the Kshetra Panchayats Act and the Zilla Panchayats Act of 1961, respectively, allow for the devolution of powers. The UP Government appointed the Administrative Reforms and Decentralisation Commission (the Bajaj Ayog). In 1994, numerous proposals were made about the devolution of duties to panchayats. A High-Powered Committee, the Bholanath Tiwari Committee, examined the

Bajaj Ayog report and proposed the devolution of 32 topics to Panchayats, of which 16 duties have been transferred. All village level employees' attendance may be verified by Gramme Panchayats. All village level employees' appointments and transfers, however, remained in the hands of their parent departments. To permanently move village level employees from eight departments to panchayats, preparations were initiated in 1999[1], [2].

Effective Financial Devolution

Panchayat employees' administrative expenses are covered by standard departmental spending. Individual line departments may provide funds to the Panchayats in accordance with the plans assigned to them. Gramme Panchayat accounts are receiving funds for the Rural Development Department's programme to reduce poverty, the Social Welfare Department's scholarship programme, the Basic Education Department's midday meal programme, the Panchayati Raj Department's scheme to build pavement and drainage, rural markets, and Panchayat Bhawans. Panchayats also get funds from a number of centrally sponsored programmes, including the Total Sanitation Campaign, NREGA, Samporna Gramin Rozgar Yojana, and Mid-day Meal.

Up to 1995–1996, State Grants and Centrally Sponsored Schemes (CSS) were the primary funding sources for PRIs. The financial resources of gramme panchayats have increased from 1996–1997 thanks to the recommendations of the Tenth Finance Commission (TFC) and the State Finance Commission (SFC) since 1997–1998. The 14th Finance Commission's (FFC) advice is taken into consideration when allocating funding to village panchayats. The goal is to award more than Rs. two lakh crores (200292.20 crore) in 2015–20 to improve panchayats, based on the FFC's proposal. The sum is thrice the amount recommended by the 13th Finance Commission. Grant distribution to panchayats follows a set process. According to calculations done by FFC, the entire grant amount equals an annual aid of '488 per capita. Gramme panchayats will use this money to cover both technical and administrative demands as well as fundamental needs[3], [4].

Gramme Panchayats are permitted to use 10% of the funding for maintenance, accounting, and administrative costs, according to the State Finance Commission (SFC). According to the 14th Finance Commission, each gramme panchayat's share is to be divided among the entities using 2011 population with a weight of 90% and area with a weight of 10%. The allocated grant will be released by the federal government to the state governments, who will deposit the funds within 15 days on each panchayat's account. States who postpone payment will be charged the interest rate of the bank. 26 States' village panchayats won't be dependent on state governments for funding any more. In this manner, the Central Government demonstrated its intention to walk the walk and go forward on this route, while the 14th Finance Commission illustrated the path for panchayats. The nature of the relationships between the three levels of PRIs' functional areas should be spelt out in legislation, regulations, and executive orders. In this regard, the government should publish precise operating directions.

DISCUSSION

Common property resources (CPRs) management in rural regions need attention, and actions should be made to increase awareness and even collect fair fees to sustain Gramme Panchayats. The financial independence of Zilla Panchayats should be increased by increasing their resources, using property taxes and other methods. For PRIs to be successful, modernised accounting and auditing procedures, training programmes, and the creation of information systems must be used to increase accountability and transparency. Regular evaluations and examinations of PRI performance might also point up opportunities for

development. Despite the political decentralisation that was shown in the Panchayat elections in Uttar Pradesh, the level of administrative and financial decentralisation is still relatively low. The State Finance Commissions' recommendations are not always implemented, and Panchayats still do not have the power to produce their own money. Gramme Sabhas must be given more authority, and governance generally has to be improved. The 74th Constitutional Amendment Act has given municipal governments legal standing in the context of urban local government. Urban Local Bodies (ULBs) might yet get more funds, responsibility, and power. The state of Uttar Pradesh has to address the partial devolution that presently restrains ULBs and concentrate on completing the devolution of duties stipulated in the Twelfth Schedule of the Constitution.

In order to address the situation, the government should create a thorough database for ULBs' financial standing, adopt the suggestions of the Second Finance Commission, and make sure that ULBs conform to standardised budget and accounting standards. Effective training programmes, together with strengthened audit and accountability processes, may further improve ULB performance. For true responsiveness, representation, and grassroots development to occur, it is essential that power and resources be transferred to local self-government organisations, both in rural and urban environments. The Panchayati Raj system and urban local administration in India must continue to make strides towards improving decentralisation and overcoming obstacles [1], [5].

Ideas to Increase Financial Resources

Rural regions have poor management of common property resources (CPRs). The creation of CPRs need to be a crucial component of Gramme Panchayat and District Plans. It may be possible to launch widespread efforts to raise public awareness of the value of CPRs. Users of CPRs may be subject to reasonable fees from Gramme Panchayats (GPs). The Zilla Panchayats' (ZPs') own resources are very limited and shallow. Even their current tax potential has not been used to its full extent. It is necessary to broaden and deepen their tax and non-tax bases.

Property taxes, which are collected in rural regions of several States, need to be implemented in U.P. subject to some exclusions, GPs must pay a compulsory tax on all residential, commercial, and public assets. In this respect, necessary legal arrangements are provided. This tax may generate significant sums even at relatively low rates. GPs should have the authority to assess a graduated fee on the selling of water via private tubes. Owner of wells or a pump set for irrigation. 2% monthly interest will be charged as a penalty for late payments. This has to be stated in the actual statute. GP must implement an efficient system of positive and negative incentives for their efforts to generate their own money. The complete share of devolution should not go to those who do not impose mandatory taxes or non-taxes.

Kshettra Panchayats (KPs) have both tax and non-tax powers, although their functional area of responsibility is not yet well defined. KPs primarily serve as agencies for implementing government initiatives. At this time, they are not currently generating any money on their own. Only 47 districts now implement the C&P tax. Until a comprehensive profession tax is introduced to replace this tax. It ought to be made necessary for all State districts. The government should create model regulations to preserve consistency in their implementation. It is necessary to set objective standards for C&P tax collection and to include additional professions and institutions, including a segment of the salaried class, in its purview. Detail should be provided about the identification of the assessments, the assessment process, and the recovery equipment. Government should set rates and a range of prices for various licence fees, and these rates should be updated annually. Such costs should

be made available for new activities. Each district should have a Rural Infrastructure Development Fund established at the ZP level for the construction and upkeep of rural infrastructure. The fund needs to be non-lapsable and managed entirely by ZPs. Its financing would come from a variety of sources, including an increased stamp duty portion, a trade tax levy on petroleum goods, a development fee levied by Mandi Samitis, etc. The State's current accounting and auditing processes for PRIs are inadequate and characterised by gaps in coverage and delays. The systems need to be rationalised and extensively evaluated[6], [7].

It is advisable to separate the audit of cooperative societies from the audit of PRIs in the State and establish a separate, independent organisation for each. ZPs should switch to a modified accrual method of accounting, and this setup should be housed under the Finance Department and operate under the general oversight and direction of C&AG. It is important to make specific preparations for the training of elected officials, employees working with PRIs, and staff members of audit agencies. A particular emphasis should be placed on account management and account audit. The general training curricula should also include capsules on financial management. The development of databases for PRIs has to be given top importance. For appropriate planning, information on other PRI programming and activities must also be regularly gathered and preserved, in addition to financial data. A networked information system must be implemented in order to increase the accountability, transparency, and efficiency of PRIs. This would need knowledge, experience, tools, and connection. For this, it is necessary to offer equipment like computers, photocopiers, fax machines, and so on. The District Panchayati Raj Officer and Panchayati Raj Directorate levels should boost their monitoring systems for Panchayats. At several levels, loops for corrective action must be developed. There is a need to regularly assess how well PRIs are working. It would be preferable to set aside some money for the sponsorship of such assessment studies outside of government organisations.

The main problems in Uttar Pradesh with PRIs

The administrative and budgetary decentralisation have remained relatively restricted, despite the political decentralisation being plainly visible in the yearly Panchayat elections with strong voter participation. The State Government has refused to relinquish power over local financial and administrative problems.

1. Panchayats have not been given enough authority to generate money. The outcome is
2. They are only partially functionally autonomous.
3. State Finance Commissions' (sfcs') recommendations are often not
4. Taken into account.

The State Election Commissions don't have enough authority. The delineation of constituencies, the rotation of reserved seats in Panchayats, the completion of the electoral rolls, and other issues pertaining to Panchayat elections should have been included in its authority. Gramme Sabhas have not been given the authority and support they need to achieve more public engagement and openness in panchayat operations, as called for under the Panchayat Act.

Municipalities

The features of local government, which primarily relate to the decentralisation of the decision-making process and the authority of local taxes, differ from nation to country. Urban Local Government in India refers to the people's control over an urban region via their elected officials. Their authority is restricted to a certain metropolitan region that the State government has designated for this use. On June 1st, 1993, the 74th Constitutional

Amendment Act went into effect. This Act gave India's urban municipal governments legal status. The Ministry of Urban Development, which was established as a distinct ministry in 1985, the Ministry of Home Affairs (in the case of Union Territories), and the Ministry of Defence (in the case of Cantonment Boards) are responsible for overseeing urban local administration at the federal level.

Urban Local Body Evolution in India

During India's prehistoric era, the Indus Valley Civilization was a highly developed and organised urban society. During the Mughal period, the 'Kotwal' was given charge of overseeing a city. In the last years of Mughal reign, the urban government had disintegrated. The revitalization of India's urban government was never a goal for the British. However, thanks to a charter issued in 1687, a municipal corporation was finally established for the first time in Madras in the year 1688.

The three primary areas of governance, planning, and finance are the emphasis of tier 3, which aims to implement quick and even more transformative changes. The focus is on three areas: (1) deepening decentralisation and bolstering urban local bodies through increased devolution of funds, functions, and functionaries; (2) mobilising own source revenue for self-reliance; and (3) flexibility in urban planning, particularly aligning master plans to shifting socioeconomic conditions in cities. These entail changes that may be advocated for to improve downstream accountability systems, such as giving local ward committees control over project operation and upkeep. States and towns compete with one another, and incentives are distributed according to the level of competition[8], [9].

Council of Local Governments, Central

By decree of the Indian President, the Central Council of Local Government was established in 1954 in accordance with Article 263 of the Constitution. It was once referred to as the Central Council of Local Self-Government. 'Government' took the place of 'self-government' in the 1980s. It dealt with both urban and rural municipal governance up to 1958. It has solely dealt with issues relating to urban municipal governance since 1958. It is an advisory body, the Council. The Minister for Urban Development in the Indian Government and the Ministers for Local Self Government in the States make up this group. The Chairman of the Council is the Union Minister.

Functions

1. Making legislation-related suggestions.
2. The policy's consideration and recommendation are important.
3. Looking at the prospect of cooperation between the States and the Centre.
4. Creating a coordinated action plan.
5. Advising central financial support.
6. Examining the work carried out by local organisations with support from the federal government.

Governance of Urban Areas in Uttar Pradesh

Prior to the 74th Constitutional Amendment Act, the government adopted the system of democratic administration at the local level through Urban Local Bodies (ULBs) via the Uttar Pradesh Municipal Corporation Act of 1959 and the Uttar Pradesh Nagar Palika Act of 1916.

The Uttar Pradesh Local Self Government Laws (modification) Act, 1994 was approved by the state assembly after the modification to the Constitution and went into effect in May

1994. The United Provinces Town Area Act, 1914 has been replaced, and the United Provinces Municipalities Act, 1916, and the Uttar Pradesh Municipal Corporation Act, 1959, have been renamed as the UP/Uttar Pradesh Nagarpalika Act, 1916, and UP Nagar Nigam Act, 1959, respectively.

Making the ULBs self-sufficient and giving the residents of the territories under their control improved municipal amenities were the goals. Additionally, the Seventy-Fourth Constitutional Amendment (1992) cleared the door for the devolution of greater responsibilities, funding, and powers to the ULBs. As a result, a three-layer system consisting of Nagar Nigams (NNs), Nagar Palika Parishads (NPPs), and Nagar Panchayats (NPs) was implemented to devolve more varied tasks. The Uttar Pradesh Urban Local Self Government Laws (Amendment) Act, 1994 was passed by the Uttar Pradesh assembly to include the provisions of the Seventy-Fourth Constitutional Amendment. A Mahapaur is in charge of the Nagar Nigam, while an Adhyaksha is in charge of the Nagar Palika Parishad and the Nagar Panchayat. Through committees made up of elected members, the elected representatives exercise their authority and carry out their tasks. The administrative leaders are Nagar Ayukt in the case of Nagar Nigam and Executive Officers in the case of Nagar Palika Parishads and Nagar Panchayats[10].

Assignment of Functions

Following the Constitution (Seventy-Fourth) Amendment Act of 1992, the State Legislature passed legislation transferring 13 of the 18 (included in the Twelfth Schedule of the Constitution) responsibilities to the ULBs, leaving five functions to be transferred. In addition, one duty car parking that was not covered by the Constitution's Twelfth Schedule was also devolved. However, as of March 2008, only six of the 14 duties that were so delegated had activity, officials, and funding moved to the ULBs. Therefore, the operations of the ULBs were constrained by the partial devolution of the activities, powers, and money. The government should take decisive action to create a database on the financial status of ULBs so that their needs may be evaluated on a need-to-know basis at the federal level. The Government has to follow the Second Finance Commission's recommendations for the transfer of money to the ULBs. The government should see to it that the ULBs use the standard budget and account formats set forth by the Comptroller and Auditor General of India. The ULBs shall be held liable for the Director of Local Fund Audit's main audit and responsible for responding to Audit Inspection Reports created under the technical direction and oversight of the Comptroller and Auditor General of India.

CONCLUSION

In conclusion, decentralization has advanced significantly under the Panchayati Raj system, although there is still potential for improvement. This article offers a thorough review of the system's historical growth, financial considerations, and suggestions for future improvement, eventually assisting India's local government structure in becoming more responsive and efficient. In conclusion, India's Panchayati Raj system is an important step towards decentralization since it strengthens local self-government and promotes grassroots development. This system, which was originally designed with a three-tiered structure and then amended in line with the recommendations of the Balwant Rai Mehta Committee, has improved with time in terms of function and financial devolution. In accordance with the Uttar Pradesh Panchayat Acts and the Constitution, function devolution has made it possible for Panchayats to assume a variety of tasks, improving their capacity to respond to local needs. A dedication to strengthening these local organisations is shown by the assignment of new responsibilities and the continuous initiatives to transfer village-level workers to

Panchayats. Additionally, there have been considerable advancements in financial devolution, with grants from a variety of sources, including the 14th Finance Commission's recommendations, providing Panchayats with sizable cash. Grants are distributed according to population and area to ensure that Panchayats have the resources they need to handle both technical and administrative demands. But there are still issues that need to be resolved.

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CHAPTER 12

EMPOWERING DEMOCRACY: THE ROLE OF LOCAL GOVERNMENT IN INDIA'S GROWTH

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ABSTRACT:

Local governments are still responsible for carrying out the welfare and development policies of the federal and state governments. By granting local governments additional authority, we are preparing for true decentralisation of power. Democracy ultimately implies that the people should share power; residents of rural and urban areas must have the ability to choose the policies and programmes they want to implement. Democracy, as you have already learned, entails the decentralisation of authority and the continual empowerment of the people. The rules governing local councils constitute a significant step in the democratisation of governance. But how those legislative rules are really put into practice is what really determines if a democracy is functioning well. The presence of an elected national and state governments is insufficient for a democracy. It is also essential that there be an elected government to handle local matters, even at the municipal level. The organisation of local government in our nation in this chapter. You will also learn about the significance of local governments and how to offer them autonomy. Once you've read this chapter, you will be aware of: the significance of regional and municipal governments; the 73rd and 74th Amendments' clauses; and the roles and duties of the local governmental entities.

KEYWORDS:

Democracy, Decentralisation, Governance, Government, Management.

INTRODUCTION

Urban management and governance have grown in significance as a result of the fact that a country's capacity to manage its cities is essential to accomplishing its economic goals. Urban regions make up a sizeable portion of the country's GDP, and policies of economic liberalisation and decentralisation have played a vital role in many nations' development plans. While national governments concentrate on wider economic development objectives, local governments are often entrusted with handling the difficulties of quickly expanding metropolitan areas and delivering critical services. For instance, the urban population has grown significantly in India, despite the fact that the pace of urbanisation has fluctuated over time. This pattern has been impacted by elements such as natural population expansion, rural-to-urban migration, and changes in territorial jurisdiction. Additionally, there are significant differences in the level of urbanisation amongst the various states in the nation.

Local governance is essential for controlling urbanisation and promoting economic development. It acts as a channel for the general public's viewpoint, enabling individuals to take part in the decision-making process and guaranteeing accountability in the delivery of services. The complicated character of local administration is reflected in the historical development of local government in India, which was affected by British colonial policy. The initiatives in India to bring about local self-governance were influenced by a number of laws and policies. Elective representation in municipal councils signalled a major movement in favour of regional autonomy. The basis for contemporary local self-government in India was

built by Lord Ripon's landmark resolution of 1882, which placed an emphasis on providing enough funding for local governments and actual self-government. Due to the rules that were passed as a result of this resolution, non-official citizens might now be elected to serve on municipal committees, thus reducing the power of elected officials[1], [2].

The transformational path of Geeta Rathore, a citizen of Madhya Pradesh's Sehore district, who began as a housewife and evolved into a visionary leader in local administration, is highlighted in this abstract. Due to Geeta's outstanding performance, the village honoured her by electing her again as Sarpanch in 2000, this time from a non-reserved seat. She had previously been elected in 1995 from a reserved seat. Due to her leadership, her town saw considerable changes, including the building of roads, schools, the rehabilitation of water tanks, and programmes to fight domestic violence, boost environmental awareness, encourage afforestation, and manage water resources. Another example of a person who overcame adversity is a Sarpanch in the Tamil Nadu hamlet of Vengaiwasal, who won a judicial struggle to defend the community's land rights from outside meddling. Both incidents represent a larger change in local administration in India, especially after local government organisations were granted constitutional standing in 1993.

As the level of government closest to the people, local government is vital in addressing everyday demands and issues. The ability of local governments to protect local interests is shown by Geeta Rathore's proactive management of her Gramme Panchayat and the tenacity of the Gramme Panchayat in Vengaiwasal village. Active participation and accountability are essential components of democracy, and effective local governments provide both. The battle of Vengaiwasal village is an example of the dedication to responsibility, while Geeta Rathore's narrative is an illustration of committed participation. Ordinary people may take part in choices that influence their lives and advance local development thanks to local governments.

India's local government has developed continuously, from sabhas to Panchayats and Nagarpalikas. Mahatma Gandhi emphasised the need to develop local Panchayats and decentralise authority. With reservations for women and underrepresented groups, the 73rd and 74th Constitutional Amendments of 1993 cleared the way for elected representatives at the rural and urban levels. Due to these changes, local government in India now has a unified framework that provides a forum for people involvement. Even if obstacles and disputes still exist, the involvement of women and marginalised groups in municipal authorities has changed the social fabric. Local governments still struggle to transmit authority effectively, which hinders their capacity to carry out development plans. Local governments need to be given additional power in order to accomplish real decentralisation of power. Local democracy means shared authority and gives locals the ability to choose the policies and programmes that best suit their neighbourhoods. Local government is an essential part of a functioning democracy since it ultimately relies on how laws are put into practise.

Geeta Rathore is a resident of the Madhya Pradesh district of Sehore and the Jamonia Talab Gramme Panchayat. She was elected Sarpanch in 1995 from a reserved seat, but the village people honoured her in 2000 by choosing her again, this time from a non-reserved seat, in recognition of her excellent performance. Geeta, who started out as a housewife, has developed into a political visionary who has used the power of her Panchayat to build roads, a school, renovate water tanks, stop domestic violence against women, raise environmental awareness and promote afforestation and water management in her community.

There is yet another tale of another successful lady. She served as the Sarpanch, or president, of the Vengaiwasal village Gramme Panchayat in Tamil Nadu. 71 government workers

received two hectares of property from the Tamil Nadu government in 1997. This parcel of property was located close by to this Gramme Panchayat. The District Collector of Kancheepuram instructed the President of the Gramme Panchayat to adopt a resolution supporting the allocation of the aforementioned land for the predetermined purpose upon receiving instructions from higher authorities. The Collector issued an order to purchase the property when the President and the Gramme Panchayat declined to do so. The Madras High Court received a writ petition from the Gramme Panchayat protesting the Collector's behaviour. The High Court's single-judge panel affirmed the Collector's directive and determined that the Panchayat's approval was not required. The Panchayat appealed the single judge's ruling to the Division bench. The Division Bench overturned the single judge's decision in its order. The justices determined that the government order was a serious breach of the Panchayats' constitutional standing as well as an intrusion of their authority[3], [4].

DISCUSSION

These two incidences are not isolated occurrences. They are a symbol of a wider transition happening across India, particularly after local government organisations were granted constitutional standing in 1993. Village and district level governance is known as local government. The local level of government is the level of government closest to the populace. Local government is concerned with issues that affect the daily struggles and needs of common people. According to local governance, local expertise and passion are necessary components of democratic decision-making. Additionally, they are required for effective and empathetic administration. The proximity of local administration to the populace is a benefit. People find it easy to contact the local administration to promptly and cheaply resolve their concerns. Due to Geeta Rathore's proactive position as the Gramme Panchayat's Sarpanch, we can see how she was able to significantly alter Jamonia Talab in her tale. Due to the tireless efforts of its Gramme Panchayat President and members, Vengaivasal village is still able to hold onto its land and the authority to determine what to do with it. Thus, local governments can effectively safeguard citizens' local interests.

Democracy depends on active involvement. It also has to do with responsibility. Both active involvement and intentional accountability are ensured by strong and dynamic local administrations. The narrative of Geeta Rathore is one of dedicated engagement. The tireless efforts made by the Vengaivasal village Gramme Panchayat to protect its ownership rights to its own property are an illustration of a purpose to promote accountability. Common people may participate in decisions affecting their lives, their needs, and most importantly, their growth, at the local government level. In a democracy, it is essential to leave jobs that can be completed locally in the hands of the local people and their representatives. The local government is more known to the general public than the state or federal governments. Additionally, since it directly affects and has an influence on how they live their daily lives, they are more concerned with what the local government does or has failed to accomplish. Thus, supporting local government is similar to supporting democratic institutions.

India's Growth of Local Government

In India, 'sabhas' (village assemblies) are said to have existed as the oldest type of self-governing village communities. Over time, these village bodies evolved into Panchayats (an assembly of five people), and these Panchayats handled village-level matters. At various periods throughout time, their roles and responsibilities continued shifting. Local governments with elected representatives have existed in contemporary times since 1882. These organizations were established by Lord Rippon, who was at the time India's Viceroy. The local boards were the name of them. The Indian National Congress, however, asked the

government to take the required actions to increase the effectiveness of all local governments owing to the poor development in this area. In some provinces, village panchayats were created as a result of the Government of India Act 1919. After the Government of India Act of 1935, this pattern persisted[5], [6].

Mahatma Gandhi fervently advocated for the decentralisation of economic and political power throughout the Indian independence struggle. To effectively decentralise, he thought, local panchayats needed to be strengthened. Local participation is a must for any development programmes to be effective. As a result, panchayats were seen as tools for decentralisation and participatory democracy. The massive power concentration held by the Governor General, who is seated in Delhi, alarmed our country's progress. Therefore, for our leaders, independence meant a guarantee that the decision-making, executive, and administrative authorities would be decentralised. Local governance was given to the States to handle during the framing of the Constitution. It was also highlighted as one of the policy directions to all national governments in the Directive Principles. This constitutional clause, which was a component of the Directive Principles of State Policy, was non-justiciable and essentially advisory in nature. It is believed that the Constitution did not give local government, especially panchayats, enough weight. Do you understand what transpired? Here, a few arguments may be made. First, the turbulence caused by the Partition gave the Constitution a strong unitary leaning. Extreme localism was seen by Nehru himself as a danger to national integration and unity. Second, a strong voice in the Constituent Assembly, headed by Dr. B.R. Ambedkar, believed that the rural society's caste- and faction-ridden character would undermine the noble goal of local governance at the rural level.

Nobody, however, disputed the significance of citizen involvement in planning for growth. Village Panchayats were intended to be the cornerstone of Indian democracy, but many members of the Constituent Assembly were worried about factionalism and other problems that existed in the villages.

Municipalities in Independent India

Following the 73rd and 74th Constitution Amendment Acts, local governments received a boost. However, certain initiatives towards the development of local government entities had already been made before then. The Community Development Programme, which attempted to encourage people's engagement in local development via a variety of activities, came first in the queue in 1952. In light of this, a three-tier Panchayati Raj local government structure was suggested for the countryside. Around 1960, a few States (including Gujarat and Maharashtra) embraced the elected local body system. But in many States, the local authorities lacked sufficient authority and responsibility to manage neighbourhood development. For financial support, they were very reliant on the State and federal governments. Many States did not consider the creation of municipal governments that were elected essential. Local governments were often transferred to government officials once local organisations were disbanded. Most local bodies in several States were chosen via indirect elections. Elections for local governments were sometimes postponed in numerous States.

A comprehensive examination of how local government organisations operate was started after 1987. The P.K. Thungon Committee suggested constitutional recognition of local governmental entities in 1989.

It was suggested that the constitution be amended to provide for regular elections to local government entities and the delegation of suitable duties and resources to them.

The 73rd And 74th Amendments

Two constitutional changes were proposed by the national government in 1989. These changes attempted to improve local governments and provide some consistency in how they were set up and operated throughout the nation. Brazilian States, Federal Districts, and Municipal Councils were established under the country's Constitution. Each of them has been given separate authority and jurisdiction. States are not allowed to meddle in the business of local councils, just as the Republic is not allowed to meddle in the affairs of the States (unless for reasons specified by the constitution). This clause safeguards the local government's authority.

The 73rd and 74th constitutional amendments were approved by the Parliament later in 1992. The 74th Amendment established the laws pertaining to urban local governments (Nagarpalikas), whereas the 73rd Amendment dealt with rural local governments (also known as Panchayati Raj Institutions or PRIs). In 1993, the 73rd and 74th Amendments went into effect. As we just noted, municipal governance is a "State subject." On this issue, states are allowed to enact their own laws. But once the Constitution was changed, the States had to update their local government laws to make them compliant with the new Constitution. They were given a year to make the required adjustments to the legislation of their respective States in light of these revisions[7], [8].

73rd Amendments

The modifications made to Panchayati Raj institutions by the 73rd Amendment.

Three-Tier Organisation

A standard, three-tier Panchayati Raj framework is currently present in all States. The 'Gramme Panchayat' is located at the bottom. A hamlet or collection of villages is covered by a Gramme Panchayat. The Mandal (sometimes referred to as a Block or Taluka) is the intermediate level. They are known as Taluka Panchayats or Mandal Panchayats. Smaller States do not necessarily need to form the intermediate level body. The Zilla Panchayat, which oversees the District's whole rural region, sits at the top of the pyramid. The amendment also included a clause requiring the formation of the Gramme Sabha. All of the adults who are registered to vote in the Panchayat region would make up the Gramme Sabha. State law determines its purpose and functions.

Elections

People directly elect the three levels of Panchayati Raj institutions. Each Panchayat body has a five-year term. New elections must be conducted within six months following the Panchayat's dissolution if the State government does so before the end of its five-year tenure. This crucial clause guarantees the existence of locally elected bodies. In several States before the 73rd amendment, district bodies were elected indirectly, and there was no mechanism for holding elections almost once if a district was dissolved.

Reservations

All panchayat entities reserve one-third of their slots for women. In accordance to their numbers, reservations are also offered for Scheduled Castes and Scheduled Tribes at all three levels. The states have the option to include reservations for OBCs as well, if they deem it essential.

It is important to remember that these reservations apply to all three levels of Panchayat Chairpersons, or "Adhyakshas," in addition to regular members of the Panchayat.

Additionally, one-third of the seats are allocated for women, and not only in the general category of seats but also in the seats designated for backward castes, scheduled castes, and scheduled tribes. This indicates that a seat may be reserved for a woman candidate and a member of a scheduled caste or scheduled tribe at the same time. As a result, a Sarpanch must be a Dalit or an Adivasi woman.

Moving of Subjects

The Eleventh Schedule of the Constitution identifies and lists 29 topics that were previously on the State list of subjects. Transfer of these topics to Panchayati Raj institutions is required. The majority of these topics have to do with municipal functions for development and welfare. The State law determines how these duties are actually transferred. The number of these twenty-nine topics that will be passed to the local bodies is determined by each State.

In various States of India, the Adivasi community lives in locations where the 73rd amendment's provisions are not applicable. A separate law that expanded the use of the Panchayat system in these regions was approved in 1996. Many Adivasi groups still follow old traditions when it comes to looking after shared resources like tiny water reservoirs and forests. As a result, the new legislation safeguards these communities' ability to manage their resources in a manner that they find appropriate. The elected village panchayats in these regions are granted extra authority for this reason, and they must get the Gramme Sabha's approval in many instances. This law is based on the principle that while introducing contemporary elected entities, local traditions of self-government should be preserved. This merely embodies the variety and decentralisation principles.

State election officials

It is necessary for the State government to designate a State Election Commissioner who would be in charge of holding elections for Panchayati Raj institutions. Previously, the State administration, which was governed by the State government, was in charge of carrying out this responsibility. Like the Indian Election Commissioner, the State Election Commissioner's office is now independent. The State Election Commissioner, on the other hand, is an independent official who is not connected to or in charge of the Election Commission of India.

Commission of State Finance

A State Finance Commission must be appointed by the State government once every five years as well. The financial standing of the local governments in the State will be examined by this Commission. The division of tax income between the State and local governments and between rural and urban local governments will also be reviewed. With the help of this innovation, funding for rural local governments will be distributed fairly and impartially.

74th Amendments

The 74th amendment, often known as Nagarpalikas or urban local bodies, was discussed before. An urban area is what? It is fairly simple to recognise a large city like Mumbai or Kolkata, but it is more difficult to do so for certain really tiny urban places that are in between a village and a town. According to the Census of India, an urban area must meet the following criteria: (i) have a minimum population of 5,000; (ii) have at least 75% of the working male population employed in non-agricultural activities; and (iii) have a population density of at least 400 people per square kilometre. km. About 31% of Indians reside in urban areas, according to the 2011 censuses.

The 74th Amendment is similar to the 73rd Amendment in many aspects, with the exception that it only applies to metropolitan areas. All of the 73rd Amendment's provisions regarding direct elections, reservations, subject transfers, state election commissions, and state finance commissions have been included in the 74th Amendment as well, and as a result, they now apply to nagarpalikas. The transfer of a number of duties from the State government to the urban local authorities was also required under the Constitution. The Twelfth Schedule of the Constitution contains a list of these duties.

Effective Date of the 73rd And 74th Amendments

In order to put the 73rd and 74th amendments' provisions into effect, all States have now enacted legislation. Most States have had at least two rounds of local body elections in the 10 years after these changes took effect (1994–2004). In reality, three elections have already been conducted in a few states, including Rajasthan, Madhya Pradesh, and others. Currently, there are more than 100 city corporations, 1400 town municipalities, and more than 2000 nagar panchayats in urban India, compared to about 500 zilla panchayats, 6,000 block or intermediate panchayats, and 2,50,000 gramme panchayats in rural India. Every five years, more than 32 lakh people are chosen to serve in these organisations. At least 10 lakh of them are women. Less than 5000 elected members serve in the State Assemblies and Parliament as a whole. The number of elected representatives has dramatically expanded thanks to municipal bodies.

The Panchayati Raj and Nagarpalika institution structures throughout the nation are now consistent thanks to the 73rd and 74th amendments. By itself, the existence of these local institutions is a great accomplishment and would provide an environment and platform for citizen engagement in politics. The inclusion of a sizable number of women in local bodies has been made possible by the Panchayat and Nagarpalika reservation policy. Due to the fact that this reservation also applies to the seats of Sarpanch and Adhyaksha, several female elected officials have taken up residence in these positions. There are more than 80,000 female Sarpanchas in Gramme Panchayats, at least 200 female Adhyakshas in Zilla Panchayats, and another 2000 who serve as block or taluka panchayat presidents[9], [10].

Additionally, there are over 30 female mayors in corporations, over 500 female adhyakshas in town municipalities, and approximately 650 female leaders in nagar panchayats. By establishing control over resources, women have increased their authority and self-assurance. Numerous women now have a better grasp of how politics works as a result of their participation in these organisations. They often have added fresh insight and increased sensitivity to talks at local bodies. Many times, women were either unable to make their presence felt or served as proxy for the male family members who supported their election. But these occurrences are dwindling.

While the constitutional amendment requires reservations for Scheduled Castes and Tribes, the majority of States have additionally included language reserving seats for Backward Castes. About 6.6 lakh of the elected members of the urban and local authorities are from the 8.2% and 16.2% Scheduled Castes, respectively, of the Indian population. The social profile of local organisations has changed dramatically as a result. As a result, these bodies now better reflect the social context in which they function. Tensions might result from this at times. The major social groups that previously ruled the town do not want to relinquish authority. This causes the power struggle to become more intense. However, conflict and strife aren't necessarily terrible. Conflict and friction in society are inevitable whenever there is an effort to make democracy more meaningful and provide authority to people who did not previously enjoy it.

Up to 29 issues were given to local governments by the constitutional modifications. These topics are all connected to roles that support local requirements for growth and wellbeing. Local governments in India only have a limited amount of authority to carry out the tasks that have been delegated to them, as shown by the experience with how local government has operated during the last ten years. Many States have not given local bodies the majority of the topics. As a result, the local government cannot genuinely carry out its functions effectively. Therefore, the whole practise of voting so many representatives become rather symbolic. The creation of local groups has drawn criticism from some since it hasn't altered how decisions are made at the federal and state levels. Local residents have little control over the distribution of resources or social schemes.

One of Latin America's best examples of democratic decentralisation is Bolivia, which is widely referenced. By allowing for the public election of mayors, splitting the nation into municipalities, and creating a system of automatic budgetary transfers to the new municipalities, the public Participation Law decentralised authority to the local level in 1994. There are 314 municipal governments in Bolivia. Bolivian mayors (*presidente municipal*) and a municipal council (*cabildo*) are in charge of these administrations. Every five years, local elections are held nationally.

The construction and upkeep of neighbourhood educational and medical facilities has been delegated to local governments in Bolivia. In Bolivia, municipalities get a per-capita share of the 20% of the total tax revenues. Although these towns may impose taxes on automobiles, urban real estate, and large agricultural holdings, fiscal transfers make up the majority of their operating budgets. Local governments have few resources of their own. The ability of local authorities to function successfully has been severely hampered by their reliance on financial assistance from the State and federal governments. Rural local governments fund 0.24 percent of all receipts, yet they represent 4 percent of all government spending. They thus make significantly less money than they spend. As a result, they become reliant on those who provide them funds.

CONCLUSION

In conclusion, many Asian countries that have seen significant economic development in recent decades can attest to the linked connection between economic expansion and urbanisation. As these nations have seen economic success, the urban population has dramatically increased. The quality of life for common urban dwellers has often fallen short of expectations, highlighted by slums, traffic congestion, and shortages of essential amenities like electricity and water, despite increases in national wealth and individual salaries. In conclusion, the connection between urbanisation, economic development, and municipal government is complex and dynamic.

The function of local government in promoting economic growth and enhancing the standard of living for urban populations is still vital as countries struggle to manage increasingly expanding urban regions. The history of local government in India through time demonstrates the continual attempts to achieve a balance between national oversight and local autonomy in the interests of urbanisation and economic advancement.

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CHAPTER 13

IMPACT OF THE 74TH CONSTITUTIONAL AMENDMENT AND HISTORICAL PERSPECTIVE ON URBAN GOVERNANCE IN INDIA

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ABSTRACT:

Policymakers, planners, administrators, sociologists, and academics have all taken a keen interest in India's urbanisation in recent years. The difficulties presented by the fast and uncontrolled growth of urban areas, which has resulted in problems like overpopulation, unhygienic housing, environmental deterioration, noise and air pollution, and insufficient urban services, have sparked this interest. Although there are more people living in cities, the standard of living has often fallen. This summary gives a brief history of urban local government in India and emphasises the 74th Constitutional Amendment's revolutionary effects. Ancient literature and historical documents include evidence of local governance institutions, which may be used to date the origins of local self-government in India. However, it was during British colonial control that India's contemporary system of urban government was created, which lay the groundwork for municipal organisations in metropolitan areas. The 1992 passage of the 74th Constitutional Amendment marked a turning point in Indian urban government. To guarantee grassroots democratic decentralisation in urban areas, it required the creation of elected urban local organisations, such as Municipal Corporations, Municipalities, Notified Area Committees, and Town Area Committees. This amendment sought to give local governments more control and accountability over urban planning, infrastructure construction, and service provision. The creation of District Planning Committees and Metropolitan Planning Committees, which guaranteed the involvement of elected officials from urban and rural areas in the planning and development of districts and metropolitan areas, was one of the main provisions of the 74th Amendment. In order to further social justice and inclusion, it also required the reservation of seats for women, Scheduled Castes, and Scheduled Tribes in urban local governments. Additionally, the 74th Amendment emphasised public involvement in decision-making processes while acknowledging the significance of citizen engagement in urban administration. The goal of this constitutional amendment was to improve the responsiveness and accountability of the urban governing system.

KEYWORDS:

Constitutional Amendment, Government, Social, Urban Areas.

INTRODUCTION

In recent years, policymakers, planners, administrators, sociologists, and academics have been interested in urban management in India. Despite the fact that the nation has seen a failure in the expansion of the urban population, the concentration of people in greater metropolitan regions has led to an urban anarchy. Urban services are under a lot of strain due to the unplanned, unchecked, and haphazard expansion of urban areas, which is also causing a rise in unsanitary housing, environmental degradation, noise pollution, and air and water pollution. After every ten years, the cities become smaller and less livable. Either the institutional process was unable to handle the problem, or it weakened and lost effectiveness.

Although less responsible and courteous, the populace is more loud and demanding. Sustainable solutions are necessary given the unstoppable rise of urbanisation.

Urban management has had ups and downs throughout the first fifty years of independence. A significant piece of legislation was passed at this time, the historic 74th Amendment to the Constitution of the nation. Urban municipal governance is at a tipping point as a result of this unprecedented effort. The nation at the moment it achieved about 10% of Independence's inhabitants lived in urban areas. The Indian Constitution so clearly reflects the majority of rural areas. The ageing urban infrastructure was strained by the degree of urbanization's sluggish but steady rise. This prompted decision-makers to repeatedly form a variety of commissions and committees to improve the financial standing of urban local authorities. The 1980s saw a lot of significant conversations on various urban challenges. Giving urban administration a position in the Constitution was the product of a drawn-out but willing discussion. the country's Constitution's momentous 74th Amendment. The historical development of urban local government, its organisational structure, and the significance attached to the 74th constitutional amendment will all be covered in this section.

Urban Local Government's Historic Development

The idea of local self-government is predicated on the idea that there are certain fundamental human needs that have an immediate impact on both the life of the person and the community. Such demands may be better met by a government that both the general public and the neighbourhood can easily and directly interact with. These specific municipal responsibilities, such as waste disposal, street cleaning, drainage, water supply, fire protection, and health services, are delegated to democratically elected local councils. Because it is the nearest, most accessible, and most accommodating to urbanities, urban municipal government is thus of utmost significance to urbanities. Municipal institutions mobilise community support and public participation for the execution of different social welfare projects in addition to providing the essential municipal utilities for the safety and comfort of the populace. Urban local governments are anticipated to play a larger role in the political and administrative structure of the nation after independence and the establishment of the Indian Constitution, which enshrined the principles of liberal democracy and the welfare state. And it has been realised that urban governments must be fundamentally acknowledged as an instrument of advancing grassroots democratic decentralised governance and delivering not only welfare services for the urban locals but also for accomplishing the mission of urban government and planning. Municipal corporations, municipalities, notified area committees, town area committees, cantonment boards, and townships are all examples of urban governance[1], [2].

The terms corporation, municipality, notified area, and town area are only territorial ideas, it should be underlined. The council is the entity that holds corporate standing and functions in that capacity. In contrast to the system of current local self-government, there was no idea of local self-government similar to that in ancient India. Despite it is believed that the origins of local governance reach all the way back to ancient India. On the basis of historical documents, archaeological findings, and excavations, it is thought that local government did exist at some point in the distant past. The history of local self-government may be found in the Vedas, the works of Manu, Kautilya, and others, as well as in the journals of certain travellers like Megasthenese. During the subsequent era of Hindu dominance, local self-government was maintained by town committees called Gosthis and Mahajan Samitees.

The military organisation, criminal control, and punishment were the principal concerns of the local government in ancient times. Local authorities do not pass laws; they administer

laws passed by some higher authority. Therefore, from time immemorial, ideas of local self-government in India existed to a far greater extent than anywhere else.

Although local self-government has existed in India for a long time, it was only given the current form and manner of operation under British rule. Neither the system of village self-government that predominated in earlier times nor the method of town government, which was then in place, could have foreseen the kind of periodically elected representative government accountable to the electorate that had developed in the west and was planned in India by the British.

Structure Of Organisations

But it cannot be said that urban/municipal government has been a great success in India, which is all the more surprising when one considers that notable nationalist leaders like Dadabhai Naoroji, Ferozshah Mehta, Balgangadhar Tilak, Gopal Krishna Gokhle, C.R. Das, Subhash Chandra Bose, and Jawaharlal Nehru were among those who advocated for the establishment of urban/municipal government. The matters pertaining to housing and urban development have been assigned to the State Governments by the Constitution of India after independence in the federal structure of the Indian polity, and many of these functions have been further delegated to urban local bodies by the Constitutions (74th Amendment) Act. The constitutional and legal authority of the Government of India is limited only to Delhi and other Union Territories and to the subject which State Legislatures have jurisdiction over[3], [4].

The Ministry of Urban Development is the supreme authority of the Government of India at the national level, responsible for formulating policies, sponsoring and supporting programmes, coordinating the efforts of numerous central ministries, state governments, and other nodal authorities, as well as for overseeing the implementation of all national housing and urban development policies. The structure and authority of municipalities (apart from the Municipal Corporation of Delhi), local governments (aside from the New Delhi Municipal Committee), and other local self-government organisations (aside from Panchayati Raj Institutions). Water supply, sewage, drainage, and sanitation in relation to urban areas and connections from allotted water resources (subject to overall national perspective of water planning and coordination assigned to the Ministry of Water Resources).

DISCUSSION

The operation of municipal institutions is also heavily influenced by modes of community living and philosophical formulations in addition to the interaction between the political and socio-economic systems. Municipal Corporation, Municipalities, Notified Area Committees, Town Area Committees, and cantonment Boards are some examples of the various types of municipal bodies that make up urban areas and are formed in reference to the character, size, and importance of different towns and cities.

Local Self-Government implies the management of local affairs such as water supply, drainage, primary education maintenance of roads etc. The goal to be aimed at is the betterment or welfare of every citizen. Local Self-Government is a system under which the people of locality possess a certain responsibility of public local affairs, and in the raising of money to meet their expenses. The emergence of Urban Government as a distinct Government unit is the result of the interplay of several factors-historical, ideological, and administrative. Historically, Local -self Government had preceded national government. Administratively, it is important that the civic services which any community would need for planned programmed and integrated in terms of region or area inhabited by them. It provides

an extensive range of services to the people and performs functions of great variety and magnitude. Local -self -government ensures two-way communication between the State Government and itself. Desires and aspirations of the state government, and plans programmes of the State and central governments flow in the reverse direction.

Inadequacies in the services provided by municipalities led the public to question their capacity to effectively carry out their civic responsibilities, and the long history of urban municipal governance in India was characterised by some structural flaws that hindered its performance. Municipal bodies were given only limited powers and autonomy, and their power was severely constrained. The 1992 74th Constitutional Amendment Act marked a significant change from the previous local government organisation. Make it necessary to establish a District Planning Committee and a Metropolitan Committee. Thus, the 74th Constitutional Amendment ensures that urban local governments are not at the whim of state governments. The Rajiv Gandhi government became interested in reforming urban/municipal governance from 1989; when the P.V. Narasimha Rao government took office, it drafted the Constitution (Seventy Third Amendment) Bill, 1991 regarding Municipalities.

The Governor selects the areas for the various types of urban bodies taking into consideration factors such as population of the area, density of population, revenue generated by the local body, percentage of employed people, and other factors. Municipal Councils and Municipal Corporations are respectively formed in smaller urban areas and larger urban areas. The State Legislature is empowered to specify the process of election of the chairpersons of municipalities, which may be either by direct election or from among the elected members of the municipality concerned. As for the Wards Committee, each municipality is divided into Wards. The member of the Lok Sabha (MP) and MLAs of State representing constituencies which comprise wholly or partially the municipal area concerned will be voting members in the municipality. The Act has provided for the reduction in distance between the electorate and the elected and provision for the increased participation of the people in the urban local bodies; however, average Ward size may be fairly large, ranging from a population of 30,000 to even two lakhs; this has led to a situation where the common citizen does not have ready access to his elected representative.

Two or more Wards can be combined to constitute a Wards Committee. The grouping has been left flexible to take into account the differing local conditions that may exist from city to city within a State. The composition, the territorial jurisdiction and the manner in which the seats to Wards Committee shall be filled, has been left to the State Legislature to specify by law. A member of Municipality representing a Ward within the territorial area of the Wards Committee shall be a member of that Wards Committee. In other words, such a member of a Municipality will act as an ex-officio member of the wards Committee. If a Wards Committee exists for one Ward only, the Councilor representing that Ward in the Municipality shall be chairperson of the Wards Committee. Where the Wards Committee consists of two or more Wards, one of the Councilors representing such Wards in the Municipality shall be elected by the members of the Wards Committees as the chairperson of the Wards Committee. The law enacted by the State may also provide for the constitution of Committee apart from the Wards Committee (like the Standing Committees, Zonal Committees). The chairperson of such committees will have representation and voting rights in the municipality concerned[5], [6].

Regarding the reservation of seats the Act provides reservation for Scheduled Castes and Scheduled Tribes and women to ensure their representation/ participation at all levels of the municipal bodies. The proportion of seats to be reserved for SCs and STs in the municipal area to the total population of that area. The reserved seats will be filled by direct elections

only. Not less than one-third of the total number of seats reserved for SCs and STs shall be reserved for women belonging to SCs and STs. The provision is mandatory. One-third of the total number of seats shall be reserved for women (This shall be inclusive of seats to be reserved for women belonging to SCs and STs). These reserved seats will be filled by direct elections only. This is also mandatory provision. The seats so reserved for women and for SCs/STs may be allotted by rotation in different constituencies in a municipality. This provision is optional. The State government decides on the manner of allotment of the reserved seats. In order to comply with the spirit of the Constitutional Amendment, the State Legislatures must make provisions by law for the reservation of the office of chairperson for SCs/STs and women in municipalities. The extent to which reservations are to be made and the manners of such reservations will be determined by the state representatives of SCs/STs and women.

Municipality Constitution

The State government makes a provision in law relating to the super session or suspension of municipality. The State Legislatures have no power to amend any law. The term of municipality is five years from the date fixed for its first meeting. The election to constitute municipality must be finished before the expiration of its term of five years. Resulting in suppression or dissolution of new municipality before the expiry of its five years. To this provision, the State government cannot take decision to suspend or supercedes the municipality arbitrarily. As regards the dissolution of municipality before the expiry of its term of five years, the State Government may decide to dissolve the municipality. The State Government before deciding such dissolution is required to give a reasonable opportunity to municipality to explain. If the municipality gets dissolved before the term of five years; the election to constitute a new municipality within a period of six months from the date of dissolution has to be completed. This means that the municipality can remain dissolved for a maximum period of six months. The Municipality which is constituted after dissolution will continue only for the remainder of the period for which the dissolved municipality would have continued, had it not been so dissolved. These provisions restrict the State Government to dissolve a municipality arbitrarily. Disqualifications for becoming a member of the Municipality are prescribed on the lines of disqualification prescribed for being an MLA. The age to contest election to the Municipality is 21 years whereas for MLA it is 25 years.

Electoral State Commission

The 74th Constitutional Amendment Act provides for the establishment of a State Election Commission in each State and Union Territory, which oversees the conduct of all elections for Panchayats and Municipalities. The State Election Commissioner, who is appointed by the State Governor, chairs the Commission, and the Governor sets the rules governing the conditions of service and term of office of the Commissioner. The Municipalities have the authority to operate as efficient institutions of self-government according to the 74th Constitutional Amendment Act of 1992. The State Legislatures define by law the duties and powers that will be delegated to the Municipalities for the creation of plans for social justice and economic growth, as well as for the execution of any schemes that may be delegated to them. The Wards Committee and other Committees may be granted the necessary powers and authority by the State Legislature to carry out the assigned duties.

The Twelfth Schedule of the Constitution lists the duties that may be delegated to municipalities. When choosing the tasks to be performed by the municipalities, the State Legislature is able to choose from the stated duties or add to this list. Urban planning, including town planning, regulation of land use and building construction, planning for

economic and social development, roads and bridges, water supply for domestic, industrial and commercial purposes, public health, sanitation, solid waste management, fire services, urban forestry, environmental protection, promotion of ecological aspects, and protection of the interests of underrepresented groups are among the enumerated duties of the twelfth schedule. Village Panchayats and Municipalities in India: Constitutional Provisions (Constitutional Provisions, 1993)

Finances and Taxes

The State Legislature makes legal decisions about the imposition of taxes regarding the taxes and budgets of Municipalities. Such a legislation may prescribe taxes and charges that may be assessed, imposed, and collected by municipalities in accordance with state law's procedural requirements. Grants of assistance from the State government; the establishment of funds for the creation and withdrawal of funds by the municipalities; taxes, charges, and fees that the State government may levy and collect, with a portion being distributed to the municipalities[7], [8].

Commission of State Finance

The State Finance Commission's stance preserves the financial independence of urban local government entities. the state's governor, in order to the State Finance Commission is responsible for examining the financial standing of the municipalities within a year following the Constitution (74th Amendment) Act of 1992's start date and then every five years after that. Both municipalities and panchayats are under the purview of this finance commission. The State Finance Commission's recommendations address the following topics: distribution of net proceeds from taxes, duties, fees, and other assessments levyable by the State; distribution of such proceeds among municipalities at all levels of a state; selection of taxes, duties, fees, and other assessments to be assigned or appropriated by municipalities; grants-in-aid to municipalities from the State's Consolidated Fund; and steps to be taken to improve the financial standing of municipalities.

In the interest of prudent financial administration of the Municipalities, the Governor may also send any item to the Finance Commission for their consideration. On the basis of recommendations from the State Finance Commission, the Central Finance Commission is also required to suggest the actions necessary to increase a state's resources in order to complement those of the State's municipalities.

The finances of local entities, the State government, and the Central government will be properly connected as a result.

DPC, or distinct planning committee

The Act gives the State government the authority to form a district-level planning committee to combine the plans created by the Panchayats and Municipalities. The group also creates a district-wide development strategy. The State government is required by law to create a District Planning Committee in each district. In order to maintain the DPC's democratic nature, it is stipulated that at least four-fifths of the committee members must be chosen from the district-level Panchayats (Zilla Parishad) and municipalities in the district, proportionate to the ratio between the district's rural and urban populations. The District Planning Committee shall consider issues of common concern to Panchayats and municipalities, including spatial planning, water sharing, other physical and natural environment conservation, and the scope and type of resources, whether financial or otherwise, when preparing the Draught Development Plan.

Committee for Metropolitan Planning

A proper development plan for the surrounding towns and villages must be created in conjunction with the plan for the main city in order to develop metropolitan areas that include not only the main city corporation but also a number of local bodies, both urban and rural, surrounding the main city corporation. According to the Act, a Metropolitan Planning Committee must be established in every metro region with a population of at least 10 lakh people in order to devise a development plan for the whole metro area. This clause must be followed. In terms of membership, at least two-thirds of these committees' members must be chosen by the elected officials of the municipalities and Panchayat chairpersons in the metropolitan area in proportion to the population of the municipalities and Panchayats there.

Decentralised governance is provided for urban residents of the state's designated urban regions by the 74th Constitutional Amendment Act, allowing for the most active political involvement of the whole urban population. The Scheduled areas included in clause (1) of the Sixth Schedule and the tribal regions mentioned in clause (2) of Article 244 (Fifth Schedule) of the Constitution (74th Amendment) Act, 1992, are not subject to Article 243 ZC's provisions on municipalities (Bakshi, 2000).

Elections for municipalities must be held within six months after a municipality's dissolution, according to the 74th Constitutional Amendment. State administrations are now required under the provision to conduct elections on a regular basis. In the case of village councils, this is optional. The devolution of financial resources, administrative duties, political authority, development tasks, and planning and decision-making procedures have all been withheld from village councils. As a result, the councils are neither politically or financially decentralised. The social and economic development of urban poor people is beyond the purview of village councils. In a nutshell, a strong inclination towards centralization in the State has prevented village councils from encouraging local initiative, people's engagement in development activities, and bringing about social and economic reforms in urban areas. Such a centralization process is just incompatible with the decentralisation of planning and decision-making process theory.

The Village Councils Act allows women to run for office in village council elections, although it does not guarantee them a seat. As can be seen from the aforementioned considerations, municipalities and village councils have different organisational structures. The reality is that the municipalities created in accordance with the requirements of the Constitution (73rd Amendment) Act, 1992 about the municipalities, whose ethos is the devolution of political, administrative, and financial authorities, have no parallel to the councils. The Act establishes State Finance Commissions to provide the additional funding necessary to guarantee that "urban India" thrives and propels the nation towards development and prosperity. Urban and local governments have undergone evident, revolutionary, and unheard-of changes as a result of the Act; the accurate application of the Act's numerous sections will guarantee that Indian urban governments are strengthened to serve the people in their particular locations.

Considering the provisions of the Constitution (74th Amendment) Act of 1992 pertaining to local governments based on democratic decentralised governance that are representative of local government in general. The federal and democratic nature of the Constitution and polity can only be preserved if the three tiers of the constitution the Centre, the State, and the local self-governing institutions function regularly and effectively. If not, the Constitution will significantly skew both in terms of what it says and how it is put into practise. In order for truly decentralised governance to flourish, municipalities must have the "will to become a

viable democratic institution and people-centered governance." As a result, the idea of a new model of urban government has come to be seen as an extension of democratic decentralisation and pro-people policies into urban regions, providing accessible for all societal groups, especially the underprivileged and women. These are priceless qualities that every urban government should value[9], [10].

In the first part of the previous century, India underwent a quiet but unquestionably major political transformation, practically concurrently with elegant economic changes. The extension of the same rationale may be seen in the relative significance of local governments compared to the federal government. The significance of permanent existence, guaranteed by the passing of the 73rd and 74th Constitution Amendment Acts, 1992 in the Parliament, may not have been fully understood at that time completely realised by over 30 lakh representatives of the people, including 73 000 in urban areas, of whom over 10 lakhs are women, via approximately 2 lakh rural panchayat bodies and around 3700 urban municipal authorities.

Despite the fact that many unit states performed admirably in many areas, the Constitutional Directives (Article 40) to the State (of India, which includes the Union and the unit States) to take steps to organise village Panchayats and give them the powers and authority necessary to enable them to function as units of self-government were more often violated than observed. Urban local bodies were more fortunate in that they already existed and were mentioned in the state list of the 7th Schedule under item number 5, which states: Local government, that is to say, the constitution and powers of municipal corporations' improvement trusts, district boards, mining settlements, authorities and other local authorities for the purpose of local - self-government or village administration.

Even Nevertheless, Article 40 encourages all governmental levels to contribute by setting up village Panchayats and giving them the authority, they need to act as autonomous units of government. Therefore, it was required of the State Legislatures and State Governments to establish local organisations and provide them legal authority so they could function as the units of self-government. The rural local bodies were typically at the district level or at the most sub-district level, despite panchayat being desired by the Royal Commission on Decentralisation (1907-08) and provincial legislation pouring in for Constitution of village Panch. Municipal Acts and Municipal bodies were already in existence from the time before independence much in the same way as they are today with little more autonomy and few more core functions as well as relatively more funds in the 1950s and 1960s. A few years before independence, after the Indian Leadership's restoration of power in 1946, the majority of the provinces revised their village panchayat Acts in an effort to provide greater authorities and responsibilities. To make the execution of these programmes more successful, the Balwant Rai Mehta Team (1959), which was established as a subset of a broader Committee on Community Development and National Extension Service, proposed a democratic framework for public engagement.

CONCLUSION

In conclusion, India has had a complicated and multidimensional development in urban management and municipal administration. The nation has struggled with the issues of quick urbanisation, uncontrolled urban growth, and the burden on urban services throughout the years. As a result, there are now problems including unhygienic housing, environmental damage, noise and air pollution, and water contamination. Sustainable urban solutions are now more important than ever. Urban local government made tremendous strides with the 1992 implementation of the 74th amendment to the Indian Constitution. It acknowledged the

value of urban governance and aimed to give urban local governments greater authority so they could influence the political and governmental systems of the country more significantly. With this change, there has been a movement towards giving municipalities and other urban local authorities a larger degree of authority and responsibility. In conclusion, the 74th Constitutional Amendment Act of 1992 created the framework for India's urban administration to become more effective and responsible. Despite certain successes, considerable effort has to be done in order to fully use urban local administration in tackling the many problems associated with India's urbanisation. The country must continue to focus on achieving sustainable, people-centered urban development as it navigates its urban destiny.

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