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Establishing metropolitan governance and local governance simultaneously: Lesson from India's 74th Constitutional amendment act

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ABSTRACT

Metropolitan regions are an increasingly relevant scale for political decision making and determining urban utilities and services functions. Metropolitan institutions functions with autonomous local governments, parastatal organisations and public-private enterprises. Therefore, it is always difficult to network between the decentralised municipal governments and create a hierarchy of planning, development and inter-local collaboration for governmental services delivery. One may expect that output legitimacy or legitimacy by performance is the dominant source for legitimacy in metropolitan governance. This paper examines India's metropolitan governance, its functioning under the decentralisation, the varied implementation of the act by states, its relevant comparison with global cases, and the opportunity of efficient collaboration between decentralised local governments within a metropolitan governance mechanism. The 74th Constitutional amendment act (74th CAA) 1992 provides the necessary legislative backdrop for decentralisation and establishment of the local governments or urban local bodies in India. The amendment act also pave ways for institutionalisation of metropolitan governance by establishing metropolitan/regional development authorities. The purpose of this metropolitan institution is to establish a framework of democratic governance, provide infrastructure services and improve regional prosperity. However, this contribution of the amendment act is not highlighted much in literature. The paper narrates the functioning of the metropolitan institution for the integration among the decentralised local governments and the relevant issues from two empirical evidences. It divulges the mechanisms of establishing metropolitan governance and decentralisation in India. In the process, it showcases the contribution of 74th CAA towards the establishment of the metropolitan governance. It also outlines the potential and challenges present in this dual system.

1. Introduction

The meaning of governance is varied, but there are some common constituent components. In general, these include rule of law, democratisation, human rights, robust legal and judicial system, public administration reform, public financial management, decentralisation, enhancement of civil society, anticorruption, transparency, and accountability (Biswas & Maurya, 2018). Most metropolitan institutions operate with the independent municipal governments, indirectly connected with institutions such as regional assemblies or quasi-governmental organisation or public-private governing boards (Zimmermann, 2014). The resulting operational issues are complex and multivariate and require multiple agencies and institutions to manage and oversee the entire process. As such, no single discipline allows an integrated view of a useful understanding of this complex institutional function (Jans, 2007). Proper

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governance involves in articulating rules of behaviour with respect to the collective affairs of a political community and for allocating resources among community members (Healey, 1997). Thus, governance can be viewed as inter-organisational networks, in the institutional framework. It may be understood as the processes that regulate the flow of feedback to and within the social system (Koliba, Meek, & Zia, 2011). While metropolitan region is increasingly acknowledged as the economic power centre, municipal government is best suited for public service delivery. Oates' decentralisation theorem suggests that government goods and services should be provided at the lowest level of government at which there are no spill overs. In the metropolitan context, the lowest level at which the public services can be provided are the municipal government (Lowery, 2000). For the purpose of such discussion, this paper distinguishes decentralisation as referred in Bardhan (2002), in the sense of devolution of political and administrative decision making power from the state government to local government (Bardhan, 2002).

In India, clause (c) of Article 243P of the 74th Constitutional amendment act (74th CAA)¹ 1992 defines a metropolitan area as, an area having a population of one million or more, comprised of one or more districts and consisting of two or more municipalities or panchayats (local rural governance of India) or other contiguous areas, specified by the Governor² (of a state) by public notification to be a metropolitan area (Sivaramkrishnan & Maiti, 2009). Presently there are 53 metropolitan cities in India, which accounts for almost 42.6% of the total urban population. The number of metropolitan cities has increased sharply from 35 in 2001 to 53 in 2011. The increase in the number of metropolitan cities has created substantial economic opportunities while raising greater environmental threats and social degeneration. These risks affect negatively to access education and affordable health care, freedom of expression, the rule of law, respect for diversity, protection from violence, and preservation of the environment as essential dimensions of human development and wellbeing (Dias & Sudarshan, 2007). The metropolitan governance in India presents a distinctive planning model with two different hierarchical organisations coexisting simultaneously - metropolitan institutions and independent local governments. Independent local government administers all cities within a metropolitan region. Governance of metropolitan regions involves diverse institutional actors, both public (Municipal corporations, parastatal agencies, state and central governments, and the judiciary) and private institutions (corporate, the private company, organised civil society). Some of the responsibilities assigned to public actors tend to overlap among different organisations, which make it difficult for citizens to access urban service and address their grievance (Zerah, Dupont, & Lama-Rewal, 2011). Researchers dwell on the process of decentralisation and the contribution of the 74th CAA 1992, the challenges faced by the Constitutional reform that includes contestations around service delivery and housing for slum dwellers (Ahluwalia, 2017; Dupont, 2007; Gandhi & Pethe, 2017; Gnaneshwar, 1995; Shaw & Satish, 2007; Sivaramkrishnan & Maiti, 2009).

In addition to the landmark contribution of decentralising Indian administration, the 74th CAA contributed to shaping a framework of metropolitan governance structure in India. Researchers in contemporary literature often ignore this very important contribution of the 74th CAA. Much of this significance can be revealed through the understanding of the original intentions and strategic interventions towards the decentralisation methods, which ensure independent local government (and service delivery) and metropolitan institution to remove functional fragmentation and overlapping jurisdictions.

The overwhelming aim of this paper is to analyse how India simultaneously achieved decentralisation of local government and the institutionalisation of regional organisation. The questions underpinning this research are:

- i. How the functioning of India's metropolitan governance with the decentralised local government compared against the relevant global cases?
- ii. What are the administrative and institutional relationships visualised in the 74th CAA between the centralisation of the metropolitan institution and decentralised local government?
- iii. Are there any difference in the visualisation and application of establishing metropolitan governance in the states?

The paper contains seven sections including the 'Introduction' and the 'Discussion and Conclusion'. The next section presents a concise review of the literature with references from the relevant global cases. Section 3 presents the research methodologies adapted for the research. Section 4 articulates the metropolitan governance structure of India. It also divulges the contribution of the chronological evolution of institutional setting for urban societies and the historic Indian value systems towards the metropolitan governance. Section 5 narrates the mechanisms of establishing metropolitan governance and decentralisation in India. This section responds to the second research question of the study. Section 6 outlines the varied implementation of the 74th CAA and from two empirical evidences and thus responds to the third research question. The last section conclude the paper by a structured discussion and concluding remarks.

2. Literature review

2.1. Contemporary arguments on metropolitan governance & decentralisation

Metropolitan governance is defined as a set of institutions, rules, and actions that delimit policies and conditions for economy and life of a metropolitan region (Andersson, 2015), where as metropolitan governments can be diverse. They can be congruent with the province or department, or they can be an emanation of the municipalities, but, whatever the shape of the metropolitan government, representation has

¹ The act outlines establishment of a 'Metropolitan Planning Committee' (MPC) in every metropolitan region. The purposes of the 'Metropolitan Planning Committee' are to prepare draft development plan for the metropolitan area.

² The Governor is the Constitutional head of state in India. The President of India on the suggestion of the union council of ministers appoints the Governor.

to legitimise it (Freire & Stern, 2001). The spatial connotation of metropolitan governance typically contains at least one primate city, a few smaller towns or cities, and villages (Gandhi & Pethe, 2017). The growing cities with independent jurisdiction, connected economic structure and improved communication and transportation technology are creating the necessity of considering metropolitan governance. Anderson (2015) refers ten reasons to focus on metropolitan governance particularly in the developing economies. Rapid growth of central city and the secondary cities within the metropolitan region, change of local economic area and transit pattern, inequity and dysfunctional governance system, and fragmented provision of public services (e.g. public transport, drainage, sewage collection, waste disposal, emergency services, etc.) are the major reasons to put more emphasis on metropolitan governance (Andersson, 2015). Williamson (1981) establishes an ideal governance structure by cutting down transaction costs (Williamson, 1981).

The complexities arising out of a multilevel system in India with functional fragmentations and overlapping jurisdictions have been detrimental to the effective discharge of policy functions that are best undertaken at the metropolitan level. Decentralisation allows urban utilities and service delivery from the municipal authority as the closest institution from the users. It's a traditional form of formal governance with polycentric arrangements across the world. However, its adaptation and application in India are analysed by researchers as it gradually institutionalised over the past three decades. The major observation of 74th CAA's implementation points towards its varied application in different states and cities (Das & Chattopadhyay, 2020). Nandi and Gamkhar (2013) argues about the inadequate revenue distribution from state governments to local governments to meet expenditures of devolved responsibilities. The state governments are unable to acquire private capital due to its bleak financial and credit outlook (Nandi & Gamkhar, 2013). Roy (2016) questions 74th CAA's insinuation as superficial, maintaining its presence only as an administrative categorisation and not in its true essence of an urban institutions. She refers the obscure urban-rural functioning as “planetary urbanisation”, unevenly woven between spaces and institutional informality (Roy, 2016). Shaw (2005) recognises the ambiguity of earmarking urban institutions in the peri-urban areas. She underpins such inconsistency due to the differential interpretation of the act and implementation by each states (Shaw, 2005). Ostrom (1990) in her Nobel prize winning works finds the presence of informal institutions among the commons to manage shared natural resources (Ostrom, 1990). Even though informal exchanges operate within the formal rules on urban institutions it is important to underscore the significance of the institutional framework of the polycentric system of governance (Ahluwalia, 2017; Gandhi & Pethe, 2017). It is often described as a missing link in the institutional framework for metropolitan planning and governance. Authors raise concerns about limited literature or discussions on this issue among the other lacunae in metropolitan governance (Gandhi & Pethe, 2017).

Metropolitan governance under a decentralised framework allows local government units to respond directly to priority needs of their respective constituents (Andersson, 2015). The paper underlines the administrative and institutional relationships between metropolitan institution and decentralised local governance, by referring to the contributions of the 74th CAA in India.

2.2. Metropolitan governance of the relevant global cases comparable to India

Planning at the metropolitan level involves articulating a vision for a region controlled by polycentric organisations at different hierarchy of administration, as well as functional coordination in order to achieve coherence among plans prepared at different levels and for different purposes, such as transport, land use, environment protection, etc (Salet, Thornley, & Kreukels, 2003). The metropolitan planning structure with decentralised local government in India poses a fitting resemblance with the unitary system of the UK, the federal planning structure of Germany and the functioning of the “Metropolitan Planning Organisation” (MPO) in the USA. One of the contributions of this paper is to record this comparative investigation. Distinct variation in approaches to metropolitan or regional governance is visible between the unitary English planning system and the federal system in Germany (Duhr, 2005). These approaches are constantly challenged to maintain inter-departmental cooperation in cities and inter-governmental cooperation between the local and regional government.

Metropolitan governance in the UK has gone through many changes and reforms over the past century. Much of the urban and municipal governance framework of India is either established or inspired from the British and Scottish governance framework (Government of India, 2007). In Scotland, Northern Ireland, Wales, and parts of England, there are single tier (unitary) local authorities. In England, the governance functions with the national Parliament, regional assembly and local authority in the districts. After 1997, the initial phase of New Labour's devolution agenda in England concentrated at the regional level (Shaw & Tewdwr-Jones, 2017). Initially, the regional governance comprised of a regional office and “Regional Development Authority” (RDA), which in turn is nominated by the local authorities. Regional governance indulges into regional spatial strategies, with RDA (covers large areas such as the West Midlands, the North West, and the North East of England) monitoring its implementation, its targets and effectiveness, together with the monthly financing of the agency and its regulations (Townsend, 2005). In the rural areas across the UK, a third tier of local government oversees community level services such as parks, community centres, and war memorials (Slack & Côté, 2014). England uniquely has a large number of two tier (county-district) systems. London is a prominent example of a two-tier metropolitan government arrangement. The administrative structure of the “Greater London Authority” (GLA) includes a citywide government with an electorally accountable Mayor, an assembly for London and the councils for local public services. Additionally, an independent organisation known as the “Local Development Agency” (LDA) focuses on services related to economic development, social exclusion, socio-economic regeneration, and reinforcing London's competitive strength in global markets. The “Local Development Agency” is accountable to the “Greater London Authority” for financial and statutory acts (Andersson, 2010). The “Greater London Authority”, however, is weak in certain aspects; e.g. its fiscal autonomy is limited that relied on the boroughs, special purpose bodies, and other entities to implement its strategies (Slack & Côté, 2014). Establishment of the RDAs is an attempt to put more focus on regional governance. However, the newly elected administration has removed a tier of regional organisations, notably the nine RDAs and government offices for the regions (Shaw & Robinson, 2012). The government also reinforces their belief in the new role of ‘strong and powerful’ directly elected executive Mayors at the local level to infuse accountability in sub-national governance. With the revision, power is exercised at the lowest administrative level – close to the people who are affected by decisions, rather than distant from them (Shaw & Tewdwr-Jones, 2017). In place of the RDAs, the government has created 39 sub-regional “Local Enterprise Partnerships” (LEPs) across

England. These new organisations are non-statutory, independent of the local government, lack the legal powers accustomed with the RDAs. These organisations are much 'leaner' in terms of staffing and budget allocation (Pugalis & Bentley, 2013).

The UK's governance system comprises of a political process that constantly re-layers governance, removes discretion from some governmental scales, adds to others, and changes the balance of relationships between the institutions to form a contested and malleable framework of territorial governance and management. In the absence of "one size fits all" models for sub-national government, more flexible approaches emerge, ensuring different modes of governance in different parts of England, and perhaps the continuing deliberation between decentralisation and territorial cohesion (Haughton, Allmendinger, Counse, & Vigar, 2010; Shaw & Tewdwr-Jones, 2017).

Germany is a federal state composed of the federal and the regional hierarchical administration where municipalities, cities and counties are a Constitutional part of the region (CCRE-CEMR, 2016). In comparison with the UK, Germany has a heterogeneous pattern of metropolitan governance, with no central government directives. Germany perceives metropolitan institutions as a derivative of the local self-government. This means that elected members of municipal councils represent their communities in regional assemblies or governing boards of metropolitan institutions (Zimmermann, 2014). In the mid-1990s the concept of the "European Metropolitan Regions" was introduced in Germany in the wake of a renewal of federal spatial planning. The concept was part of a reformulation of Germany's planning principles resulting from early 1990s debates on globalisation and European integration challenges for the economic performance of German cities and regions (Gualini & Fricke, 2019). Germany has eleven metropolitan regions of different typologies. The typology varies from loose purpose-oriented networks (Bremen/Oldenburg metropolitan region) and state-run regional planning (Berlin, Munich) overstate-run local mixtures (Hamburg, Nuremberg, Central German metropolitan region) to relatively strong institutionalised associations at the regional level (Frankfurt/Rhine-Main, Hannover-Braunschweig-Göttingen-Wolfsburg, Stuttgart) (Walter-Rogg & Sozialwiss, 2006) (Table 1).

Hannover-Braunschweig-Göttingen-Wolfsburg region is highly institutionalised with its regional council through a direct electoral process. It has strong regional governance comprising twenty municipalities and several oversee public policies, such as public transport, spatial planning, landscape planning, waste management, tourism and the management of public hospitals. Although this form of metropolitan governance has weakened the consultative process with the societal or business actors, they do possess a strong regional integration. On the contrary, the Stuttgart metropolitan region has an intermediate arrangement. It does not pose the same political functions as the directly elected council of the Hanover region. Berlin and Munich regions follow a city network approach for collaboration among the regional actors together but formal institutionalisation is not evident. In other city regions (Frankfurt/Rhine-Main, Hamburg and Bremen/Oldenburg), the states are actively involved in metropolitan planning that include local collaboration. While in Hanover a newly established form of consolidated metropolitan government evolved on a voluntary basis — that is, through more or less unanimous decisions by local politicians — the metropolitan governance arrangement in Frankfurt/Rhine-Main is fragmented (in terms of scope and scale). Rhine-Neckar represents a stable case of metropolitan governance that involves public actors and a broad spectrum of societal actors (mostly from the business sector) (Heinelt & Zimmermann, 2011). The introduction of federal principles for the governance of metropolitan regions in Germany has been equally influenced by new competitiveness imperatives, supported by a shift in spatial representations towards relational and networked understandings of space (Harrison & Growe, 2014).

India's parliamentary form of government, which is federal in structure and unitary in features, poses a distinct similarity with the USA's federal republic administration. In the USA, the establishment of the "Metropolitan Planning Organisation" (MPO) was a federal effort combining local elected officials and the State representatives, to primarily review transportation investment in the metropolitan area (Ewing & Bartholomew, 2018; Solof, 1998). Presently, almost three hundred and forty-one MPOs are functioning in the USA. State and Federal legislation provide a statutory basis for the existence of these MPOs (Goode et al., 2001). MPOs are responsible for conducting participatory transportation planning for the census-defined urbanised areas with more than 50,000 people. The MPO must prepare a metropolitan transportation plan that includes strategies and actions to guide transportation system development over a 20-year planning horizon. (Peckett & Lyons, 2012). After a series of interim steps, MPOs were organised with the principal elected officials of the local governments in their regions. Portland's metro is the only directly elected regional government

Table 1
Metropolitan regions in Germany and its governance structures.

Sl. No.	Metropolitan area	Governance form
1	Berlin Metropolitan Region	State-run regional planning & purpose-oriented networks
2	Bremen/Oldenburg Metropolitan Region	Purpose-oriented networks
3	Central German Metropolitan Region	State-run-local mixtures
4	Frankfurt/Rhine-Main Metropolitan Region	Strong institutionalised association
5	Hamburg Metropolitan Region	State-run-local mixtures
6	Hannover-Braunschweig-Göttingen-Wolfsburg Metropolitan Region	Strong institutionalised association
7	Munich Metropolitan Region	State-run regional planning
8	Nuremberg Metropolitan Region	State-run-local mixtures
9	Rhine-Neckar Metropolitan Region	Strong institutionalised association
10	Rhine-Ruhr Metropolitan Region	Strong institutionalised association
11	Stuttgart Metropolitan Region	Strong institutionalised association

Adapted from (Walter-Rogg & Sozialwiss, 2006).

in the USA. Initially MPOs were entrusted with institutional and financial autonomy to coordinate and oversee regional transportation. But in recent years MPOs have become advisory organisations. State funding for the MPOs have also been significantly reduced in recent years.

Reviewing three cases provide some important insights on the study. Firstly, the UK's erstwhile approach of establishing RDAs through nomination from a local authority signifies a decentralised local governance with an established regional governance. This very governance typology incorporating representation from local governments in regional planning is practiced through the "Metropolitan Planning Committees" (MPCs) in India. Two-thirds of the "Metropolitan Planning Committee" members are elected by and from the elected members of municipal corporations, municipalities, nagar panchayats and village panchayats in proportion to their population. However, the newly formed "Local Enterprise Partnerships" in lieu of the RDA brings service delivery closer to the people and decentralised the territorial governance further. It is opposite to the increasing European and East Asian call for regional strengthening. The newly formed territorial governance in the UK is flexible and non-statutory in nature. It allows both improvisation and legal conflict simultaneously.

Secondly, Germany's directly elected regional council or intermediate arrangement with a regional multi-purpose association is more independent than the metropolitan governance in India. Regional institutions in Germany enjoy more power and influence than India's metropolitan and regional development authority. Strong regionalism in Germany signals greater regional autonomy, but experience weaker local participation, thus balancing regional autonomy with greater participation is extremely difficult to achieve.

Thirdly, the "Metropolitan Planning Committee" demonstrates functional similarities with the MPOs, where the members are called in from each of the local governments. But unlike the MPOs, the institutional composition of the "Metropolitan Planning Committees" is specified in the law and varies with the size and type of the constituting local governments. The MPOs focus on regional connectivity and transportation, whereas the "Metropolitan Planning Committees" focus on metropolitan planning and coordination among local governments. However, the funds available to the MPO are much greater than the "Metropolitan Planning Committee", which does not have the Constitutional autonomy and administrative autonomy to implement development projects.

Studying three cases of metropolitan governance in democratic republics with federal characteristics reveal no appropriate strategy to balance regionalisation and local decentralisation. The 74th CAA strengthened these very aspects by balancing metropolitan governance and decentralisation. It would be interesting to discuss the process of establishing metropolitan governance in India. The next section will discuss both these aspects in greater detail.

3. Research methodology

Authors extensively studied Indian governance by reviewing decentralisation of local governance, the extent administrative and financial power devolution, and hidden informal arrangements within the institutional hierarchy among others. But the contribution of 74th CAA to establish a regional governance with decentralised local government is less explored. The research utilises "institutional mapping" to understand the relationship between governance and power structure, "historical institutional and governance analysis" to determine the reasons and circumstances affecting decision making actions, information flow, and regulatory actions. "Institutional mapping" is an efficient analytical and investigative tool for an indispensable strategic instrument. It enables an understanding of the potential roles of the stakeholders and institutions involved in the governance process and identify potential coalitions for assessing the relative risks. The "institutional mapping" process has two dimensions – "static" and "dynamic". A comprehensive "institutional mapping" procedure outlines not only actors, resources, interests and institutions but also the trajectories, laws of motion, natural histories, accidents and contingencies over specific case (Aligica, 2006). The "institutional mapping" showcases "standardised sequences of work" that constitute the institution itself. It is the analytical "procedure that results in an account of the day-to-day text-based work and local discourse practices that produce and shape the dynamic ongoing activities of an institution" (Turner, 2006) (p. 139). Researchers understand the "ability to gain a deeper understanding of the complexities of socially organised experiences by revealing the invisible (or text-based) processes of institutions" (Underwood, Smith, & Martin, 2019).

In this research, it is important to understand the collaboration and conflicts between institutional stakeholders for administering multiple decentralised municipal organisations within a metropolitan region, working towards an equal and unified municipal service delivery. In the process, one gets hold of the institutional actions in situations facilitated by rules, norms, and shared strategies (Crawford & Ostrom, 1995). The linkages are derived from the information and decision making flow of the three tiers of governance. Mapping helps to compare the intended decentralisation against the actual decentralisation took place in Indian metropolitan regions. The paper investigates the research questions by an empirical analysis of Chennai and Kolkata metropolitan areas. Two organisations namely, the Chennai Metropolitan Development Authority (CMDA) and the Kolkata Metropolitan Development Authority (KMDA) plan for growth and development of Chennai metropolitan area and Kolkata metropolitan area in the state of Tamil Nadu and West Bengal respectively. KMDA was established in 1970 under the presidential ordinance and later enacted under the KMDA Act of 1972. CMDA was constituted as an ad-hoc institution in 1972 and became a statutory authority in 1974 under the Tamil Nadu Town and Country Planning Act 1971. The reasons for selecting these two cities are - Firstly; Chennai and Kolkata are traditionally among the four big metropolitan regions in India. Historically, both cities have rich educational and cultural traditions. Secondly, varied degree of politico-administrative structure exists in two states. The Communist Party formed government in West Bengal for over three decades. The party lost the 2011 assembly election to a regional party, while Tamil Nadu was switching its government among socialist, communist and right wing alternatives. Thirdly, both the states have diverse socio-economic and development achievements. For example, Tamil Nadu is placed with medium "Human Development Index" (HDI) states whereas West Bengal listed with low HDI states. Fourthly, the technical difficulties to analyse large metropolitan cities likes Mumbai and Delhi due

Table 2

Chronological record of the inception of metropolitan development authority in India.

Name of Metropolitan City	Name of Development Authority	Year of Establishment	Related Act of Establishment
Kolkata (Calcutta) Metropolitan Area	Kolkata (Calcutta) Metropolitan Development Authority (KMDA)	1970	Kolkata (Calcutta) Metropolitan Development Authority Act 1972
Chennai (Madras) Metropolitan Area	Chennai Metropolitan Development Authority (KMDA)	1974	Tamil Nadu Town and Country Planning Act 1971
Mumbai Metropolitan Area	Mumbai Metropolitan Region Development Authority (MMRDA)	1975	Bombay Metropolitan Region Development Authority Act 1974
National Capital Region	National Capital Region Planning Board (NCRPB)	1985	National Capital Region Planning Board Act 1985
Bangalore Metropolitan Region	Bangalore Metropolitan Region Development Authority (BMRDA)	1985	Bangalore Metropolitan Region Development Authority Act 1985
Guwahati Urban Agglomeration	Guwahati Metropolitan Development Authority (GMDA)	1992	Guwahati Metropolitan Development Authority Act 1985
Hyderabad Metropolitan Region	Hyderabad Metropolitan Development Authority (HMDA)	2008	Hyderabad Metropolitan Development Authority Act 2008
Andhra Pradesh Capital Region	Andhra Pradesh Capital Region Development Authority (APCRDA)	2014	Andhra Pradesh Capital Region Development Authority Act, 2014

(CMDA, 2008; Government of India, 2007; KMDA, 2006).

to bureaucratic complications and data acquisition complications. It delves into relevant data from published government documents and reports (master plan, development plan, government reports on 74th CAA etc.) to collect data related to national and state legislation, metropolitan planning process and its historical evolution, spatial maps, and administrative hierarchy to present its argument. The next section explains a brief historical review of the metropolitan governance in India.

4. Metropolitan governance in India

As cities grow bigger into metropolitan regions, they experience physical, social, and administrative complexities, with overlapping of institutional jurisdiction in resource allocation (Healey, 1997). During the independence movement, Mahatma Gandhi wanted a revival of the traditional autonomous village entities, namely self-governing bodies known as panchayats (Biswas & Kidokoro, 2011). The British introduced the urban governance structure in the form of municipal corporation in big cities and municipality in smaller cities. Thus the historical legacy of urban societies in India has both anti-Indian and pro-Indian leanings (Gnaneshwar, 1995). A separate statutory authority by the name of “improvement trust” was created to plan cities. It became the first organisations to plan for Indian cities. municipal corporations and municipalities were relegated to urban service provision. After the independence, the “Delhi Development Authority” (DDA) was established in 1957 under the Delhi Development Authority Act 1957. During the same period, big cities like Mumbai, Kolkata, and Chennai were continuously experiencing rapid population growth and migration. Over time the municipal corporations and municipalities lost its’ efficacy (Biswas, Kidokoro, & Onishi, 2012, pp. 1–9). The panchayats were unable to deliver urban services to the expanding urban centres. municipal corporations already strained under their existing burden, shunned all responsibilities beyond their jurisdiction (Nallathiga, 2008). In the absence of regulation and control, urban growth became haphazard and erratic. The runaway urban expansion created agglomerations with multiple jurisdictions and raised multiple issues of management of public services and infrastructure (Dhanalakshmi & Baud, 2007). The city region is a logical extension of the metropolitan government. The methodology for delineating city regions is the same as for the area of dominance of a city (Ramachandran, 1989). As a response, the government established planning organisations overseeing larger geographical areas for comprehensive development and growth. In the process, the urban, metropolitan and regional development authorities were established in India.

The six biggest metropolitan cities (Kolkata, Mumbai, Delhi, Chennai, Hyderabad and Bangalore) constituted metropolitan development authority or regional development authority while the other metropolitan cities formed urban development authority (Table 2).

These institutions are responsible for planning, development, and policy recommendations, whereas the municipal corporations and municipalities provide utilities and civic services to citizens. Direct provision of services is channelled through the urban local body (ULB) rather than a third party (Leman, 2002). The state governments administer all functions of the metropolitan institutions. The Indian Administrative Service (IAS)³ officers administer metropolitan institutions and municipal corporations, under the patronage of the political representatives. Officers from the state’s civil service cadres administer municipalities. The 74th CAA recognised urban local bodies’ as an independent Constitutional organisation and the third tier governance of India’s administrative hierarchy. The Constitutional amendment recognised three types of urban local bodies - Municipal corporation or Nagar nigam, Municipality or Nagar palika, and City council or Nagar (city) panchayat. This cornerstone of urban reform decentralised the decision making process and service delivery from state governments and promoted participatory democracy (Dupont, 2007). The governance

³ IAS or the Indian administrative service is the Indian civil service structure that forms the executive branch of the union government of India. IAS officers are positioned in key strategic positions in the union government, state governments, and public-sector undertakings.

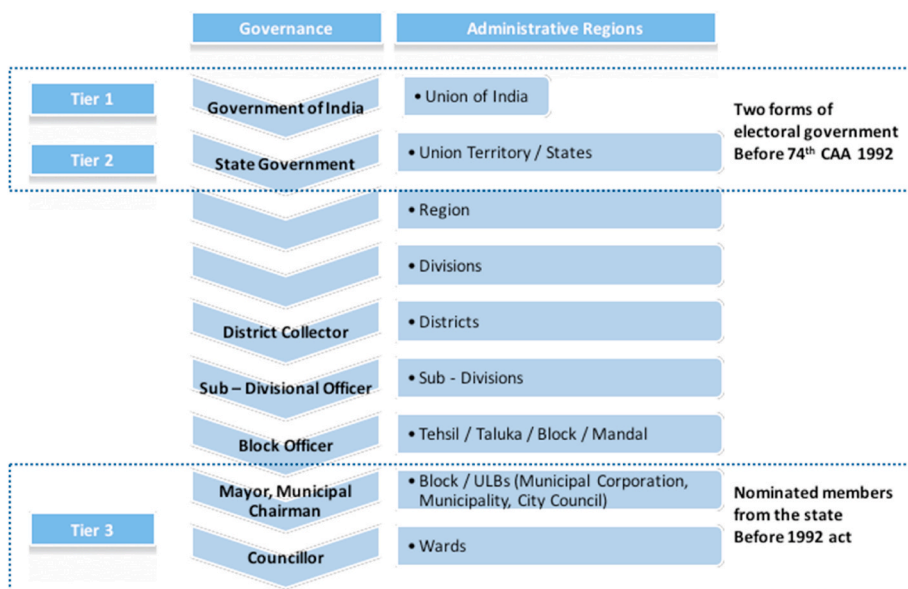


Fig. 1. India's urban governance hierarchy.

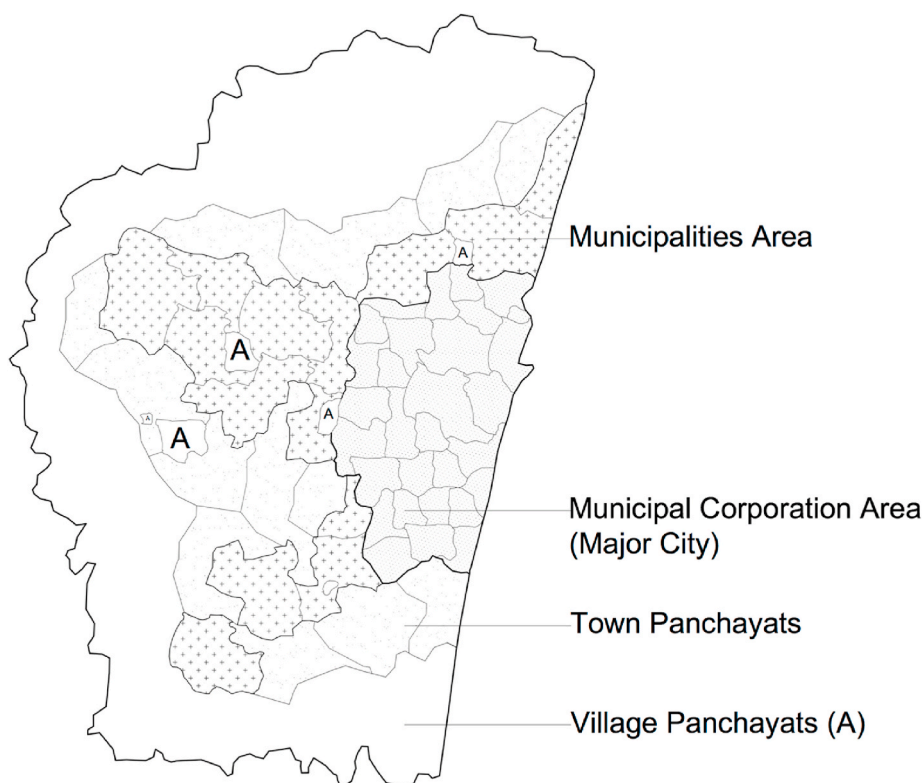


Fig. 2. Spatial distribution of administrative units within a metropolitan region.

hierarchy follows a territorially stratified chronological sequence ranging from the whole country, state and municipal wards (smallest unit of municipal governance). The hierarchy is shown in the figure below (Fig. 1).

Territorial distribution of the administrative hierarchy within a metropolitan region can be referred from the figure below (Fig. 2). A metropolitan region consists of at least one municipal corporation, and several municipalities and city panchayats. The metropolitan region also consists of several village panchayats, which are the smallest administrative unit of India's rural governance.

The municipal corporations and municipalities comprise of municipal wards. A ward councillor elected through municipal

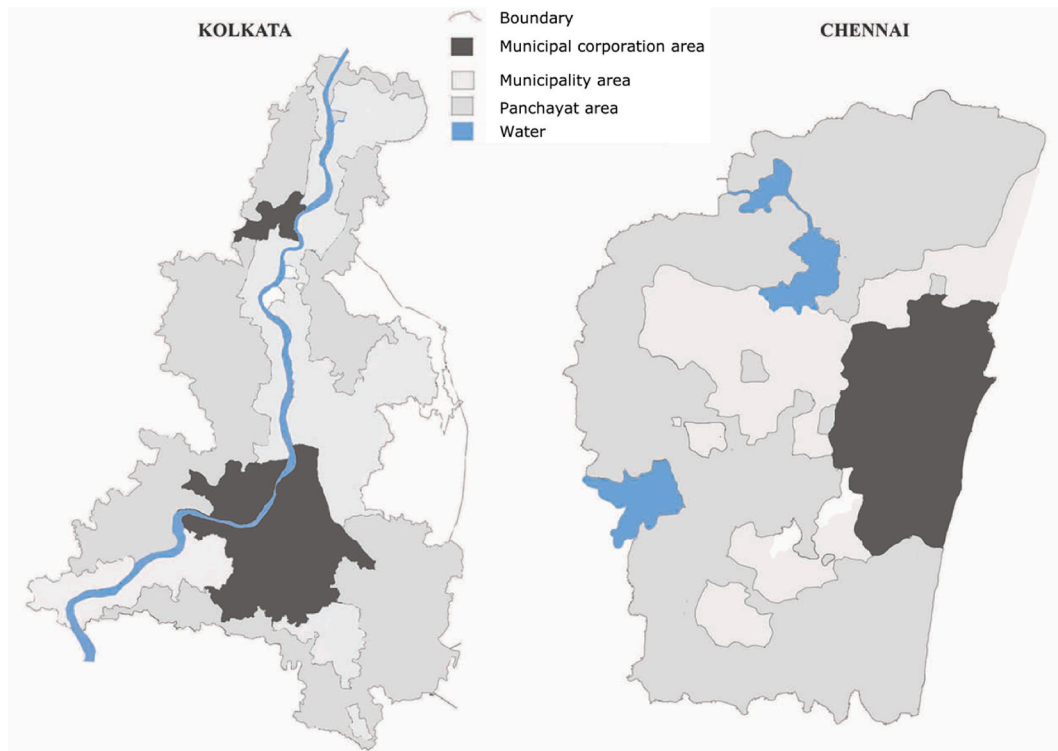


Fig. 3. Kolkata metropolitan area and Chennai metropolitan area and its constituting areas [Adapted from (CMDA, 2008; KMDA, 2006)].

election represents each ward. A political party that crosses the majority mark choose its' leader as the Mayor or municipal chairperson from among the elected ward councillors. The case studies discuss later provide the in-depth working modules of balancing decentralised local government within structured metropolitan or regional governance.

5. 74th CAA'S attempt to establish metropolitan governance & decentralisation in India

The 74th CAA introduced the “Metropolitan Planning Committee” to guide sustainable and equitable development of metropolitan regions (e.g. Kolkata metropolitan area and Chennai metropolitan area, and its constituting local governments) (Fig. 3).

Widespread ‘metropolitanisation’ and rapid urban growth in India further supports this institutionalisation, which is driven partly by the need of the growing cities themselves and partly by changes in macroeconomic policy and India's position in global markets (Shaw & Satish, 2007). The 74th CAA envisages an independent metropolitan governance through selected representatives from the local governments. Arrangement of such governance and institution is designed to ensure people's indirect participation in metropolitan development. This is a doctrine that incorporates an analysis of governmental powers, or functions, and prescribes certain governmental arrangements, needed to create or perpetuate certain desirable objectives (Gwyn, 1965). The figure above presents two examples of metropolitan regions – Kolkata metropolitan area and Chennai metropolitan area. The black-coloured areas are municipal corporations, the light grey coloured areas are municipalities and the dark grey coloured areas are nagar panchayats. Administratively, these three types of urban local bodies are independent forms of self-governance.

The 74th CAA legitimised to establish one “Metropolitan Planning Committee” in each metropolitan region and suggested the structure of the “Metropolitan Planning Committee”. In a “Metropolitan Planning Committee”, two-thirds of the committee members are to be chosen from the elected representatives within the region by the ratio of people living in the municipal corporation, municipality and nagar panchayat. The remaining committee members are to be chosen by the elected representatives. Some of the remaining 1/3rd committee members are independent technical experts and technical assistants (Fig. 4). The organisation structure of “Metropolitan Planning Committee” also includes the members of Parliament and the members of the (state) Legislative Assembly. The members of Parliament coordinate the local development agenda with the national policy and funding opportunities and provide relevant exposures without any veto or decision-making rights. The members of (state) Legislative Assembly oversee development strategies of a metropolitan region and nurture its' growth as an important entity of the concerned state. However, none of the Indian states was proactive in setting up “Metropolitan Planning Committees”. Kolkata established the first “Metropolitan Planning Committee” after a decade of the enactment the 74th CAA (Kumar, 2006).

At present, most metropolitan regions have instituted “Metropolitan Planning Committees”. However, these efforts remained more as a formality. Meetings of the “Metropolitan Planning Committee” rarely take place. These limited engagements are insufficient to discuss or solve the volume and nature of regional problems. The “Metropolitan Planning Committees” enacted under the

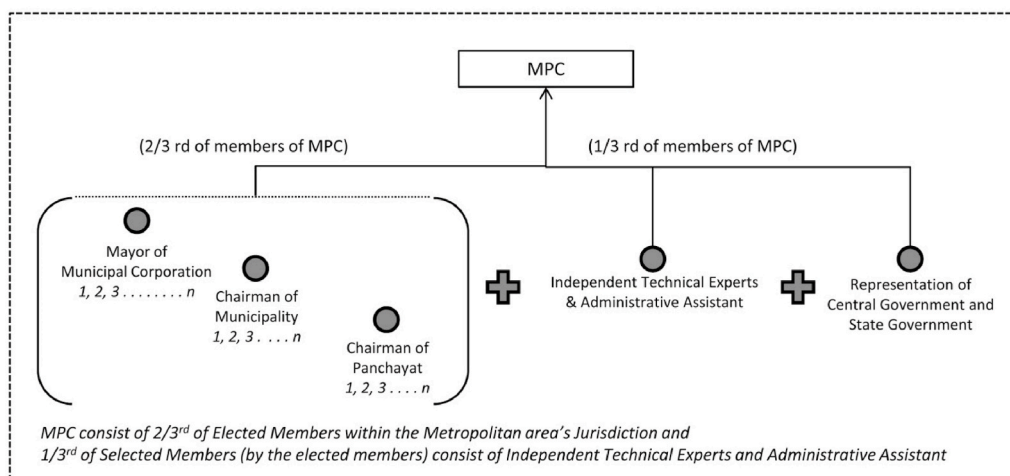


Fig. 4. Structure of an independent “Metropolitan Planning Committee” prescribed in the 74th CAA.

state government's legislative jurisdiction. Except NCR Delhi, all the metropolitan regions' jurisdiction lies within one state. The act aims to put this networking between the state government and the local governments in precise order. The state government earmark a metropolitan region based on the definition outlined in the 74th CAA. Demarcating a geographic area is challenging, but the more onerous task is to set up a functioning governance structure in the region. Inadvertently, the established metropolitan regions institutionalised metropolitan/regional development authority to channelize development of metropolitan region.

Ostrom (1990) notices that institutions determine the eligibility of decision making in respective areas, delineating actions that are allowed or restricted, the procedures to be followed, what information must or must not be provided (Ostrom, 1990). The actions, rules, decision-making powers and information flow in a governance structure are understood through an “institutional mapping” process. A metropolitan region is under a direct or delegated jurisdiction of the Chief Minister's Office or the Ministry of Urban Development (MoUD) of a state government (Fig. 5). The organisational hierarchy and norms of selecting an administrative head follow a state government's legislative framework. The authority consists of several technical, financial and administrative

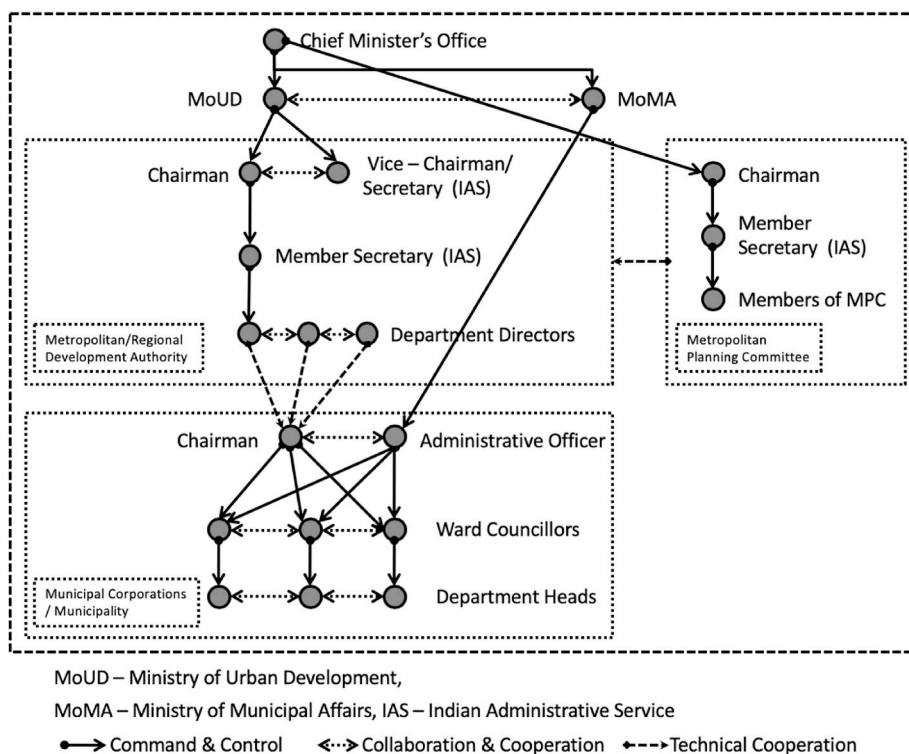


Fig. 5. Institutional mapping of the Metropolitan Planning Committee, metropolitan/regional governance and local governance.

departments. The “Metropolitan Planning Committee” use metropolitan/regional development authority as a technical arm for preparing planning vision for the metropolitan region. The local governments carry out their responsibilities as outlined in the 12th schedule of the 74th CAA. They are dependent on the metropolitan development authority for knowledge and necessary technical support.

A Mayor/Chairperson governs the local governments with support from an administrative officer. The ministry of municipal affairs (MoMA) appoints an administrative officer at each local government. The Mayor/Chairperson is selected from among the winning ward members of the winning political party. We may note a bottom-up process of participatory decision-making in decentralisation, which is likely to create a more even and sustainable development (Rocondo, 2008). A report published by the Ministry of Law & Justice (1991) suggests that the polity often prevails over the genuine needs of the city. The political power struggle between the local government and the state government weakens the local governance resulting in irregular elections, prolonged supersession and inadequate devolution of powers and functions. Thus, local authorities are unable to perform effectively as a vibrant democratic unit of self-governance (Ministry of Law & Justice, 1991). A detailed discussion of Chennai and Kolkata, two state capitals of Tamil Nadu and West Bengal will provide a clearer perspective of the problems involved.

5.1. Study area - Chennai metropolitan area & Kolkata metropolitan area

The Chennai metropolitan area is the biggest metropolitan region of Tamil Nadu comprising of Chennai city, sixteen municipalities, twenty nagar panchayats and two hundred fourteen village panchayats (in ten panchayat unions). The Chennai Metropolitan Development Authority (CMDA) undertakes all metropolitan planning initiatives and coordinates development projects of the metropolitan area and the local governments within the metropolitan area. The Town and Country Planning Act 1971 empowers CMDA to supervise the local governments development initiatives. Each local government within the jurisdiction of the Chennai metropolitan area (including the Chennai municipal corporation) is headed by an elected representative, Mayor in municipal corporation and Chairperson in the municipality. The organisational hierarchy is similar to the institutional hierarchy referred in Fig. 5. The major functions and responsibilities of CMDA are:

- i. to prepare a vision plan/regional plan/master plan or detailed development plan as the case may be for the Chennai metropolitan area;
- ii. to prepare an existing land use plan and such other maps as may be necessary for the purpose of preparing any development plan;
- iii. to prepare new town development plan for the area concerned, and to secure layout and development of the new town in accordance with the new town development plan; and
- iv. to oversee execution of any development plan for any local governments.

The Kolkata metropolitan area is the biggest metropolitan region of West Bengal. It comprises of three municipal corporations, thirty-eight municipalities, seventy-two nagar panchayats and five hundred twenty-seven village panchayats. The Kolkata Metropolitan Development Authority's (KMDA's) role in the metropolitan area is multi-disciplinary. It prepares city planning strategies, new area development plan and townships, master plan for physical infrastructure like water supply, drainage, sewerage and solid waste management. In 2001, Kolkata metropolitan area formed the first ever “Metropolitan Planning Committee” in India under the West Bengal Metropolitan Planning Committee Act 1994. The act provides opportunity to form “Kolkata Metropolitan Planning Committee” to visualise growth and development of the Kolkata metropolitan area. KMDA functions as the technical secretariat to “Kolkata Metropolitan Planning Committee”, comprising of sixty members. Two-thirds of this committee members are selected from the elected members of municipal corporations, municipalities, nagar panchayats and village panchayats of the Kolkata metropolitan area. The remaining one-third members are nominated representatives specialised in subjects related to urban planning. KMDA's main interventions in the “Metropolitan Planning Committee” are as follows;

- i. to carry out survey of the Kolkata metropolitan area and prepare reports on the basis of surveys;
- ii. to prepare a perspective plan, master plan or detailed development plan or new town development plan for the Kolkata metropolitan area;
- iii. to prepare an existing land use map and such other maps as may be necessary for the purpose of preparing any development plan;
- iv. to prepare statutory plans, namely township planning, urban renewal schemes, commercial cum-residential projects, and depositary works of different Government departments;
- v. to prepare comprehensive mobility plans for the entire metropolitan area;
- vi. to identify vacant land for development in advance and acquire them for future development;
- vii. to develop comprehensive infrastructure for the Metropolitan area; and
- viii. to guide the individual local governments to develop their own city development plan and augment capacity development.

In contrast to CMDA, KMDA has limited administrative power over its' local governments. It only facilitate the local governments with technical and management knowledge and enable capacity building initiatives.

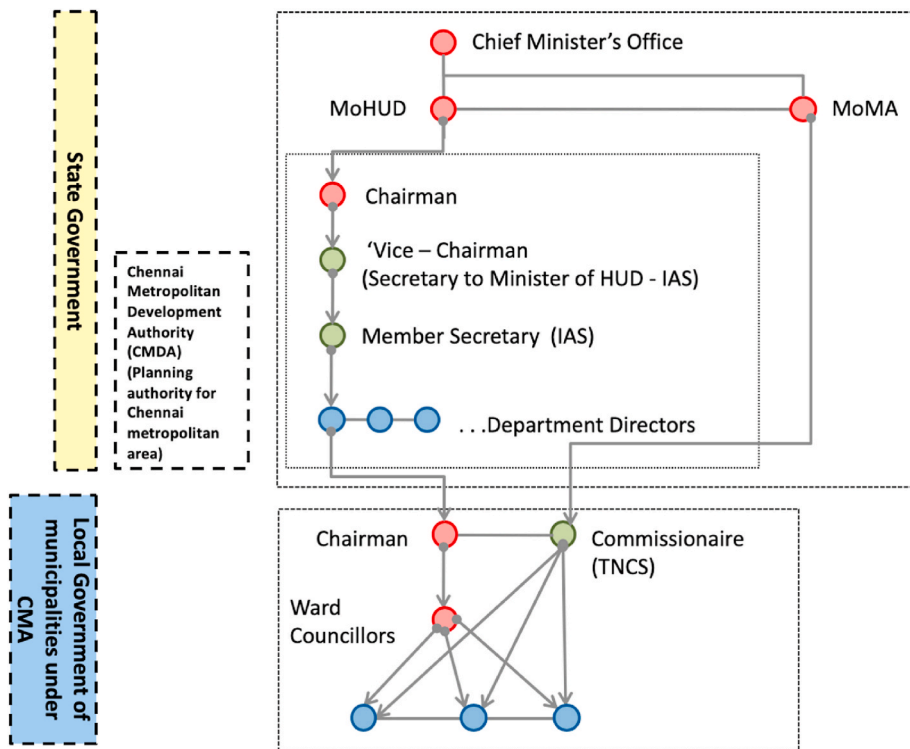


Fig. 6. Institutional mapping of the development authority and the local governments in the Chennai metropolitan area.

6. Empirical evidences from Chennai and Kolkata metropolitan area to identify any variation in implementation & visualisation I the 74th CAA

Distribution (delegation and separation) of planning and administrative power is very critical in identifying governance dynamics between a metropolitan region and the local governments. These organisational practices and their influences on actual decision making on land use planning, urban development, and other practices will further enhance the functioning of metropolitan governance. Lukes (2005) argues that the exercise of power can be measured by studying the frequency of who wins or loses in respect to such issues, namely, who prevails in the decision making situations (Lukes, 2005). Kumar (2006) mentions that centralisation of decision-making processes has clearly developed in the Indian urban governance system in spite of the 74th CAA (Kumar, 2006). The 74th CAA recommends to establish a “Metropolitan Planning Committee” to promote metropolitan development coordinated with the local government's development aspirations. The act also details out the representation structure from the local governments. The objective of such law is to ensure democratic local government and an independent metropolitan governing board, synchronised with the local government's administration. The planning committee is dynamic and changes every five years with the administrative shift of the local government in the election.

However, the delegation and power dynamics between the local governments and metropolitan institution is skewed. Different implementation methods of the 74th CAA by the states diluted its ethos and its effect to establishing a balance between the metropolitan governance and decentralised local governments. Studying “institutional mapping” in the two case studies provide some insight into this context. In Tamil Nadu, planning power is delegated from the Chief Ministers Office (CMO) to two different ministries – Ministry of Housing & Urban Development (MoHUD) and Ministry of Municipal Affairs (MoMA) (Fig. 6).

The Chief Minister's office (CMO) administers metropolitan development authority through administrative and political control through its subordinate ministries. In contrast with the act's recommendation to establish a planning committee, the Chennai Metropolitan Development Authority prepares master plan, detailed development plan or new town development plan of all the constituting local governments. It also prepares existing land use plans and such other plans as may be necessary for the purpose of developing transportation, housing, infrastructure and environment. The metropolitan development authority also implement the major development projects. However, the local governments are Constitutionally empowered to implement development projects within its' jurisdiction.

Three ministries (as against two in Tamil Nadu) administer planning and development in West Bengal. These are the Ministry of Urban Development & Town Planning (MoUD&TP), the Ministry of Housing (MoH), and the Ministry of Municipal Affairs (MoMA) (Fig. 7). The “Kolkata Metropolitan Planning Committee” (KMPC) is the planning institution, while KMDA is the technical arm of the “Metropolitan Planning Committee” to carry out the technical and administrative works of the Kolkata metropolitan area. The state government has administrative and political control over the metropolitan development area and “Metropolitan Planning

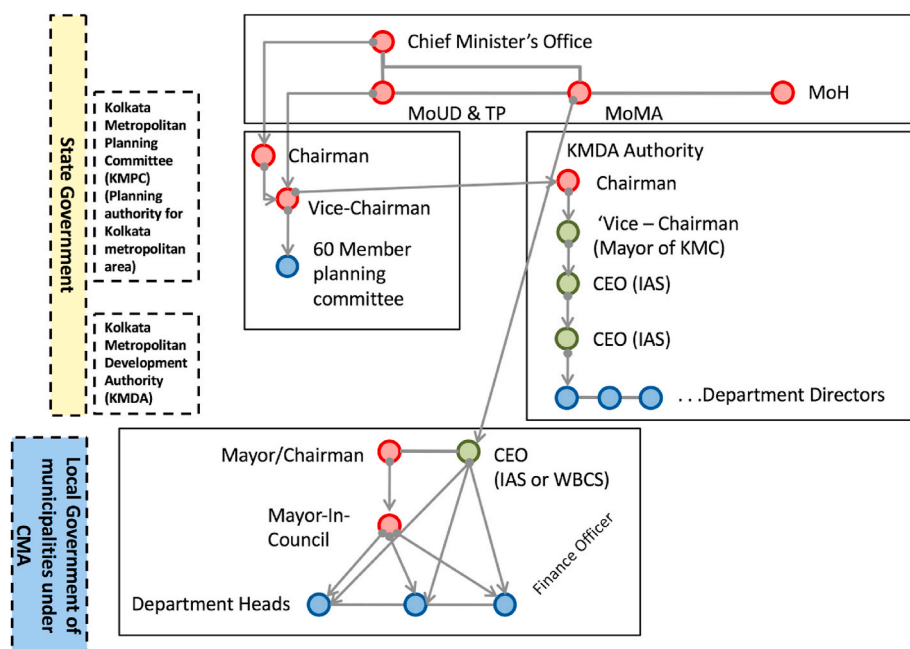


Fig. 7. Institutional mapping of the development authority and the local governments in the Kolkata metropolitan area.

Committee”.

The “Kolkata Metropolitan Planning Committee”, comprising of sixty members. Two-thirds of “Kolkata Metropolitan Planning Committee” members are selected from the elected members of the local governments within the Kolkata metropolitan area. The remaining one-third members are selected from the pool of experts. This committee is supposed to function for five years and oversee the metropolitan development agenda.

In both the metropolitan areas local development and metropolitan development are administered by the metropolitan development authority. But the major difference between Chennai and Kolkata is the existence of the “Metropolitan Planning Committee”. The absence of planning committee in Chennai grossly undermines the act's recommendation and reduce representation by the local governments in coordinated metropolitan development. Historically, local governments are not able to plan city development due to its capacity constraints and insufficient empowerment (Ahluwalia, 2017; Aijaz, 2007, pp. 1–90). As a result, the local governments are only functioning as an independent third tier government mainly for maintaining urban services, whereas the metropolitan development authority is carrying out all planning and development initiatives. Institutionalisation of the “Metropolitan Planning Committee” is aimed at creating a system of the local government's representation in metropolitan development. However, the inappropriate implementation of the act transmits the “Metropolitan Planning Committee's” role more ceremonial, than effective. The knowledge and resource limitation of the local governments hinder its ability to execute all the responsibilities identified in the 12th schedule of the 74th CAA (The World Bank, 2007). Thus a proactive role by the metropolitan development authority is extremely important to continue development on ground. Further, the paper compares the extent of power delegation to the local government as suggested in the 12th Schedule of the 74th CAA between Chennai and Kolkata metropolitan area (Table 3).

The comparison shows inadequate delegation of power among the local governments in Chennai and Kolkata metropolitan area. Goldman (2011) notices that the institutional apparatus of the present system of elected ward representative (or city councillors) does not adequately fulfil citizen's demand or help the citizens to make informed and effective decisions that truly represent citizen's priorities (Goldman, 2011). The comparative analysis suggests that CMDA exercises more centralised control over the local governments for spatial planning than KMDA. CMDA has direct control over the local governments for spatial planning whereas the KMDA acts more as a facilitator to the local governments. This centralised control of CMDA over a local government might be the reason for the comparatively better development outcome in Chennai.

Decentralisation delegates power to a local government and encourages local planning and participation. If a local government does not have the capacity to accomplish its responsibilities, then development of cities can be jeopardised. Decentralisation needs are to be considered with the ability of a local government to create policies for the benefit of its people. Sellers and Hoffmann-Martinot (2009) note that metropolitan governance requires both vertical as well as horizontal relationship between the government organisations, as a reason for the shortcoming in capabilities (Sellers & Hoffmann-Martinot, 2009). The 74th CAA visualised strong local governments that may deliver urban services and a regionally effective “Metropolitan Planning Committee”, which would steer metropolitan or regional development and connects development agendas between the local governments. But the capacity constraints at the local governments restricts such noble outcome.

The objective of the “Metropolitan Planning Committee” and local decentralisation are not functioning appropriately due to many reasons. Firstly, the manner of setting up of the “Metropolitan Planning Committee” is in itself a gross defiance of the

Table 3

Existing power share arrangements between the local government, state government and metropolitan authority of Chennai and Kolkata listed in the 12th Schedule of 74th CAA.

Sl. No.	Power delegation to the local government as mentioned in the 12th Schedule of 74th CAA	Tamil Nadu			West Bengal		
		State	CMA**	Local government	State	KMA**	Local government
1	Urban planning including town planning	x	✓	x	x	✓	✓
2	Regulation of land use and construction of building;	x	x	✓	x	x	✓
3	Planning for economic and social development	✓	✓	x	✓	✓	x
4	Roads and Bridges	✓	✓	x	✓	✓	x
5	Water supply for domestic, industrial and commercial purpose	✓	x	x	✓	x	x
6	Public health, sanitation conservancy and solid waste management	x	x	✓	x	x	✓
7	Fire Service	✓	x	x	✓	x	x
8	Urban forestry, protection of the environment and promotion of ecological aspect	✓	✓	x	✓	✓	x
9	Safeguarding the interests of weaker section of the society including the handicapped and mentally retarded	✓	x	x	✓	x	x
10	Slum improvement and up-gradation	✓	✓	✓	✓	✓	✓
11	Urban poverty alleviation	✓	✓	✓	✓	x	✓
12	Provision of urban amenities and facilities such as parks, playgrounds, and gardens	x	✓	x	x	✓	✓
13	Promotion of cultural, educational and aesthetic aspect	✓	✓	x	✓	✓	x
14	Burials and burial grounds, cremation, cremation grounds, and electric crematoriums	x	x	✓	x	x	✓
15	Cattle pounds, prevention of cruelty to animals	✓	x	x	✓	x	x
16	Vital statistics including registration of births and dates	x	x	✓	x	x	✓
17	Public amenities including street light, parking lots, bus stops and public convenience	x	✓	✓	x	x	✓
18	Regulation of slaughterhouse and tanneries	x	✓	x	✓	✓	✓

* ✓ = activity performed partially or fully; x = activity not performed.

** CMA = Chennai metropolitan area; KMA = Kolkata metropolitan area.

recommendations of the 74th CAA. At present, the Chairperson of a “Metropolitan Planning Committee” is appointed as a nominated member rather than an elected member among the committee members. The Chairperson is vested with full authority to accept or reject a proposal forwarded by a “Metropolitan Planning Committee”. Many state governments create a system to use the metropolitan development authority as a de facto technical secretariat of the “Metropolitan Planning Committee”. This approach by the state allow its’ control over the metropolitan development. Secondly, inadequate delegation of power to the “Metropolitan Planning Committees” has significantly curtailed its purpose. The Committees are established without the requisite authority to function as a statutory institution. This institutional dilemma results in the continuation of metropolitan development authority as the planning organisation to plan for the metropolitan region instead of the “Metropolitan Planning Committee”. Thirdly, the persisting difference of the delegation of power between the state government and the local governments is weakening the local governance. The limitations in power delegation are affecting transparency and accountability of the local governments. Greater transparency, accountability, participation and inclusion ensure good governance for adaptation (Tanner, Mitchell, Polack, & Guenther, 2009, pp. 1–47). Cities and regions with good governance record can thus become more efficient, while cities that are suffering from bad governance tend to become worse (Leautier, 2006). The new governance also diverts the attention from hierarchic agencies to organisational networks by shifting the focus on public problem solving from agencies and programs to generic tools (Salamon, 2002). The local governments extreme capacity constraints to plan for its own city makes it difficult for the devolution of power to plan for the local governments. Devolution as the cornerstone of democracy – a revered idea that is ardently desired by virtually everyone, is overlooked in this approach (Arnstein, 1969).

7. Discussion & conclusion

The 74th CAA is considered as a cornerstone of India's decentralised administrative power to the local governments. The paper analyses India's approach to achieve the decentralisation and investigates the salient reasons for the overall failure to achieve decentralised local government and institutionalisation of the metropolitan organisation. While many argue that “effective” policy arises out of a congruence between a nation's governance traditions and policy style, a dissident view suggests that some distance is desirable if policy, no matter what style predominates, is to speak the truth to the powers that would be and challenge the policy makers (Howlett & Lindquist, 2004). During the past 40 years, India has made strong attempts to set up institutions at different tiers of governance to guide and control development. The organisations are well oriented towards town planning activities in most states (Routray, 1993). The most interesting aspect of India's law making process is the federal structure, where the state governments enjoy freedom from a relatively strong central government. The states reserve the right to modify any act as suited to their own requirement. However, devolution of administrative power to the local governments are restricted. The local governments attain legislative reckoning from the state government's law. The paper argues about the insufficient administrative, fiscal, and political decentralisation through empirical evidences. The basic objective of third tier governance is to create an institutional and legal

framework that would enable the ‘deserving cities’ to access resources, from both public and private agencies, based on a set of indicators. Consequently, devolution has often been linked to resource mobilisation by the local governments, but this again is dependent on the economic base of the local governments concerned and the delegation of functions and powers by the state governments (Kundu, 2011). It is seen that the major deficiencies associated with the present municipal administration in the urban local bodies are inadequate power, authority and finance to deal with matters of local interests (Rajasekarapandian, 2007).

The paper compares India's metropolitan governance and decentralisation process with Germany, the UK, and the USA's metropolitan institutions. We find resemblance of the UK's erstwhile approach of establishing RDAs through nomination from a local authority with the institutionalisation process of the “Metropolitan Planning Committee” of India. One may also note the functional similarities of “Metropolitan Planning Committee” with the MPOs from the USA. However, the MPOs focus is on regional connectivity and transportation, whereas the “Metropolitan Planning Committees” focus are on metropolitan and development planning, and coordination and capacity building of the local governments. The study finds that the methods and recommendations of the 74th CAA to derive metropolitan governance with decentralisation is unique and progressive. In section 5, the paper demonstrates the administrative and institutional relationships between the metropolitan institution and decentralised local government through “institutional mapping” as envisaged in the 74th CAA. The section helps to understand the manner of decentralisation aimed to achieve through the legislative process.

In the last section, the paper reviews the 74th CAA's implementation in Chennai and Kolkata metropolitan area to understand any ambiguity between the act's visualisation and actual implementation. The paper not only finds inappropriate decentralisation but also finds no real insight on the 74th CAA's recommendation of achieving metropolitan planning and development by a democratic participation of the decentralised local governments. One may argue that balancing regionalisation and local decentralisation is a difficult task to visualise and implement. In a future study, it might be important to discuss the insufficient empowerment of the local governments, not only due to the reluctance of the state governments, but also to the inaccurate administrative and financial delegation of power under the 74th CAA.

Declaration of competing interest

I am herewith declaring that I do not have any conflict of interest.

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