



# Policy Brief

PAC/SL/PB6/11/2021

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## Framework of Institutions by Legal and Institutional Framework

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### The Context

The final rankings of Ease of Living Index (EoLI) 2020 and the Municipal Performance Index (MPI) 2020 was announced in the 1st week of March 2020. The rankings under EoLI 2020 were announced for cities with a population of more than a million and cities with less than a million people where 111 cities participated in the assessment exercise. The cities were categorised into million+populated cities and less than million populated cities including cities which were categorised under the Smart Cities Programme.

The MPI was based on the EoLI framework to include assessing and analysing the performance of municipalities in India, based on their defined functionalities. Broadly these functions included activities like basic public services to complex areas like urban planning. The main aspects were:

- Understanding local administration to include transparency and trust
- Covering 20 diverse sectors-health, education, water and sanitation, infrastructure revenue, transparency and accountability, digital literacy and human resources to name a few.

### The Question

In this background one should be aware that Bengaluru was listed as the best in the EoLI, while the MPI showed that Bengaluru was performing below its potential, which is a cause for concern to the citizens of Bengaluru.

The key factors concerning the performance could be:

- Basic strength of the city
- Relationship with other institution- State Government, civil society organisations, etc., inter-institution operational conditions and factors
- Effectiveness of human resources.

It is evident that to address this, several stakeholders need to take ownership and ensure that “working together” and “working individually”, become equally important. Until and unless citizens take ownership independently, collective action and decisions may not be possible.

Hence, broadly the questions from a collective aspect would be:

- What could be the role of the Bengaluru Bruhat Mahanagara Nagara Palike’s (BBMP)? Or can BBMP reclaim the pre-eminence of Bengaluru?
- Can the new Act resolve the planning of organisational and institutional deficiencies in BBMP?
- Can the severe financial handicap be overcome by the new Act?
- What other measures are required?



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## The Problem

Keeping the background mentioned above critical areas that need to be addressed in order to promote effective municipal governance with transparency and accountability as its hallmarks are as follows:

**Framework of institutions:** this broadly includes constitutions, laws, byelaws, rules, regulations, power sharing and reporting relations between formal and informal institutions or organisations

**Building organisations:** includes mission, vision and shared goals (strategy), roles and responsibilities, authorities, coordination and convergence mechanisms (structure), planning, decision-making, budgeting, information management, accountability and quality control systems (systems), allocation of leadership attention to key priorities (skills), recruitment, promotion, performance development and appraisal, career planning (staffing).

**Developing Human Resource:** includes quality personnel, upgrading knowledge and skills, designing incentives and disincentives, facilitating orientation and attitude changes, motivation.

One of the key issues of concern is the shortage of monetary resources. This becomes even more humongous since the responsibilities of the BBMP supersedes this. In fact, it is the financial autonomy, political autonomy and administrative autonomy that are the crucial factors for efficient service delivery.

The basic problem with the city and the BBMP is that the elected representatives who are supposed to listen to the city and give a voice to the people in the council meetings or in the decisions to be taken are unavailable. Often civic representatives want certain things to be done in a particular way.

Another issue that stands out is the role of the BBMP-there is no clear picture. Typically, in the current situation, responsibilities are delegated upwards to the Commissioner who serves as the focal point with the responsibilities being diffused at various levels.

Lack of capacity to implement and monitor challenges and tasks has set back the efficiency of the BBMP. The reason could be pinned down to an adversarial governance environment. As a result, citizens are dissatisfied with the performance which leads to low morale of the staff in the organisation.

In addition, a fragmented city governance has hindered the various functionalities especially with reference to public utilities like water and sanitation, public transport, infrastructural development to name a few. The absence of public participation and failing participation stakeholders in developing the new BBMP Act are some of the key problems.

In short, collectively, very little has been done to fix the large governance deficit in the city over the last two years.



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## The Solution

In order to ensure that Bengaluru achieves its pre-eminence, the next steps should be viable and actionable hence, it is important to address the following, especially from an administrative perspective:

- Revitalise the organisation, to bring in stability to the leadership at an administrative level, financial autonomy, internal capacity building, project management skills, technology and ward-level planning.
- Reduce conflicts between elected representatives and the administration which should be in the form of allocating appropriate roles to political executives and administration
- Ensure that accountability becomes an important aspect to include auditing of money spent which was intended for a particular instance.

Most important a strong institutional framework should be established to include delegation of power function and work force in a systematic manner rather than in an ad hoc manner. Sustainability and coherence can be achieved only through administrative autonomy and continuity in leadership. There should be no day to day interference from the government and political executive.

Capacity building within the BBMP should be considered to ensure better performance and increased utility of work force. Finally, poverty alleviation will automatically address issues related to education, health, welfare of the people.

Establish a system of accountability to measure the roles and responsibilities of MLAs and Counsellors. Being available to citizens should be a prime activity of the elected representatives.

Bengaluru must seek for a political solution and not for administrative fixes. Political accountability is a crucial element for an effective governance model. However, political leadership and political imagination is not the only solution, rather administrative capacities in terms of service delivery, governance, transparency and citizen participation should also be looked into.

## The Conclusion

Civic organisations must come together as a united front, only then can the voice of the be heard. It is the people's pressure that works in a democracy. This will create a synergy between the government agencies and the people.

All actions by the Municipal authorities should be transparent, and open to judgement and scrutiny. People who are involved in decision making process should be held accountable and all actions should be subject to independent , unbiased, professional scrutiny. The outcome of this should be made available to all.

The new Act of Bruhat Bengaluru Mahanagara Palike Act, 2020 seeks to achieve the following:

- Stipulate an independent act for BBMP
- Strive to improve on decentralisation
- Encourage public participation.

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Three key points to ponder are:

1. While the new act has answered a long felt need for a separate enactment for the city of Bengaluru, considering its need, there are, however, some open issues that need to be resolved.
2. Unlike what was envisaged in the 74th Amendment, the BBMP does not get complete autonomy it deserves, as it is bound by government directives.
3. Financial autonomy, is absolutely integral and this is not evident in the new act

Only if these are resolved can one see to ensure efficiency of in the amendment.

## The Authors



**Shri. K. Jairaj, IAS (Retd)**, is from the 1976 batch of Indian Administrative Services Karnataka Cadre. During his distinguished career of 36 years with the Indian Administrative Service, he has held several prestigious and key appointments. During his tenure, he had the distinction of heading the Bangalore City Corporation as its Commissioner twice. He also served as Commissioner of Transport, Commercial Taxes, MD KPTCL, MD BIAL, MD KSRTC, PS to Chief Minister of Karnataka, MD KSIDC, Principal Secretary RD & PR and Additional Chief Secretary, Government of Karnataka before retiring in May 2012.



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