

Functioning of Wards Committees in Bangalore: A Case Study

**(As part of a Comparative Study of the Functioning of Wards Committees in four
States (Karnataka, West Bengal, Kerala & Maharashtra)
by the Institute of Social Sciences, New Delhi.)**

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EXECUTIVE SUMMARY

As per the 74th Constitutional Amendment or Nagarapalika Act, wards committees were supposed to be formed in all municipal corporations with more than three lakhs population to bring about greater decentralisation of functions, proximity of the elected representative and civic administration to citizens, and enhancement of people's participation in local governance. However, wards committees have not been formed in any of the municipal corporations other than that of Bangalore, even after 10 years of the legislation in Karnataka, which is a gross violation of Constitutional provisions. In Bangalore, wards committees were functional for a short period between April 1999 and November 2001. This is a study of the wards committees that existed in Bangalore during this limited period.

After the Bangalore municipal corporation elections of November 2001, fresh wards committees were formed only in July 2004, after a delay of more than two and a half years. An update of our study on the functioning of these wards committees from July 2004 to date, reveals that their functioning has not improved or has, in fact, become worse than before. This is a clear indication that decentralisation in large municipal corporations in Karnataka under the Nagarapalika Act is a gross failure when compared to the laudable progress made in this direction in rural areas, under the Panchayat Raj Act.

1.1 Size and composition of wards committees

As per the Wards Committee Rules, in the case of the Corporation of the City of Bangalore, there shall not be more than thirty wards committees (one per range constituted by combining 3-4 wards).

Each wards committee shall consist of:

- a. the councillors of the corporation representing the wards in the corporation coming within that wards committee area; and
- b. not more than five persons having knowledge and experience in municipal administration, nominated by the Government;
- c. not more than two members nominated by the Government from such non-government organisations (NGOs) and community-based organisations (CBOs) working within the area of the wards committee as the Government may specify in this behalf.

The individual as well as NGO/CBO members are to be nominated by the State Government. As per the above, the population covered by a wards committee will be in the range of 1.00 to 1.5 lakhs. It is significant that neither the population nor the area is taken as the basis for determining a wards committee area.

1.2 Functions of Municipalities

The foremost function under the "Powers, authority and responsibilities" of Nagarapalikas, spelt out under Article 243W (a)(i) of the 74th Constitutional Amendment, is "the preparation of plans for economic development and social justice". But Karnataka has forgotten, in both letter and spirit, this basic function envisaged for the urban local bodies. Further, urban economic development is being understood mostly as the building of flyovers, expressways, etc., completely divorced from issues of social justice. The additional requirement under 243W(a)(ii) is that these bodies 'may' also perform the indicative but 'discretionary' list of functions given in the XII Schedule, annexed to the Constitution. **It is significant that "Economic and social development" and "Safeguarding the interests of weaker sections of society," which are present in the Twelfth Schedule annexed to the 74th Constitutional Amendment, do not find a place either in the obligatory or discretionary functions added to the Karnataka Municipal Corporations Act through the conformity legislation of 1994.**

1.3 Functions of wards committees

Within this watered-down devolution of functions to municipalities, the Wards Committee Rules, says that a wards committee is responsible for:

1. Discharging the following functions subject to the general supervision and control of the Corporation:
 - a. Collection and removal of garbage;
 - b. Removal of accumulated water on streets, public places, etc., due to rain and other causes;
 - c. Health immunisation services;
 - d. Improvement of slums, including its clearance wherever necessary, in accordance with the established law;
 - e. Redressal of public grievances pertaining to the wards committee;
 - f. Maintenance of essential statistics;
 - g. Organising people's participation with regard to the functions allocated to the wards committee;
 - h. Numbering of streets and premises;
 - i. Such other functions as may be entrusted to it by the Corporation.
2. The wards committee shall supervise and monitor implementation of the decisions of the Corporation and the Standing Committees in respect of all matters relating to the range.
3. The wards committee shall also monitor and supervise:
 - a. the timely assessment and collection of property tax, fees, rents and other sums due to the Corporation;
 - b. the utilisation of budget grants and compliance of audit reports;
 - c. the maintenance and repair of roads;
 - d. the execution of public works;
 - e. the issue of licences under Chapter XVII of the Act and the relevant bye-laws;
 - f. the maintenance of sanitation and public health;
 - g. the prevention and control of dangerous diseases;
 - h. issue of birth and death certificates;
 - i. issue of permission letter for burial/cremation in the grounds belonging to the Corporation;
 - j. all urban poverty alleviation programmes of the State and Central Governments;
 - k. tree-planting in Corporation properties;
 - l. maintenance of parks, tanks and other Corporation properties.

♦ *The above functions, however, are not exclusive to wards committees but are concurrent with those of the corporation. Moreover, there are no functions added which were not already in the Act, Rules or Resolutions of the corporation.*

1.4 Financial powers of wards committees

The Rules give wards committees power to give administrative approval to works estimates not exceeding Rs. one lakh in respect of Bangalore Mahanagara Palike, subject to funds being made available for the said purpose.

2 CIVIC'S OBSERVATIONS & FINDINGS

2.1 Constitution of wards committees

- ◆ The wards committee is not a fully elected body like the grama panchayat. The seven members on the wards committees are nominated by the State government. This pits the elected councillors against the nominated members.
- ◆ The elected municipal councillors represent about 40,000 to 50,000 population each in their individual wards making proximity and accountability a far dream as compared to the grama panchayats where there is one elected representative for every 500 persons and one grama panchayat for every 5000-7000 persons.
- ◆ 3-4 wards are combined to constitute one wards committee and each wards committee represents a population of 1 – 1.5 lakh which actually increases the distance between the people and their representatives.
- ◆ The delimitation of wards and wards committee areas is most arbitrary with neither the area nor the population being fixed bases for the delimitation.
- ◆ The procedure of nomination is non-transparent and wholly undemocratic. Nomination allows the State government to extend its control over wards committees through the back door which is against the idea of local self-governance.

2.2 Problems in Functioning

- Internal squabbles were there between elected councilors belonging to different parties and between elected and nominated members.
- There was non-observance of rules regarding the regular holding of meetings and / or weak rules regarding procedures to be adopted for decentralising functions..
- Lack of facilities
- Weak role of AROs
- Lack of access to ward-level information
- Lack of finances and lack of control over ward expenditures
- No role in planning, implementation, monitoring or auditing of ward works
- Inability to bring in systemic changes
- Inability to break nexus of vested interests
- No institutionalised forum for interaction with people, such as the 'ward sabha' for citizens' interface with the wards committees, for dissemination of information, for grievance redressal, etc. or a systematic, institutionalised procedure through which the people could participate in the planning, implementation, monitoring and social auditing of works for the ward and for identifying beneficiaries of schemes. Bills and vouchers were not thrown open for public scrutiny.
- Since most wards committees hardly met a couple of times, their overall performance has to be considered as negative.
- Most wards committee members have identified unwillingness of elected councillors to share powers with nominated members, political interference and bureaucratic apathy as the major problems that hindered their effective functioning.
- However, the overall consensus is that the wards committees did not bring about as much decentralisation, accountability, transparency or people's participation as they could have, if they had been allowed to function as envisaged.

3 RECOMMENDATIONS OF CIVIC BANGALORE

- There should be one wards committee per ward.
- A ward should be broken up into further sub-wards and the Rules should be amended to allow for direct election of wards committee members from sub-divisions of the ward.
- The Rules should be amended to fix a population basis for the election of wards committee members and for the formation of wards committees, on the lines of elections to grama panchayats. That is, there should be one elected member for, say, every 5,000 population and one wards committee for, say, every 50,000 population.
- There should be at least one-third reservation for women members in the wards committees.
- All planning, prioritising, implementation, monitoring and auditing of ward works should be through the wards committee, through a bottom-up process involving citizens, and not merely through the Councillor / Chairperson and officials.
- The wards committee should “display all vital information pertaining to development projects, especially receipt of funds and how they are being spent ... on a prominent board for the information of the public.
- At least 40% of the ward funds should be given to the wards committee as untied fund as in the people’s planning process initiated in Kerala.
- The wards committee should be given the power to decide on the use of public land properties and resources in the ward, including parks and playgrounds, use of civic amenity sites, location of public amenities, etc. They should be consulted before any projects are approved in their area so that they become institutions of self-governance.
- The Rules should specify the manner and periodicity with which the wards committee should hold ‘ward sabhas’ on the lines of ‘grama sabhas’. Keeping in mind the dense population in urban areas, ‘ward sabhas’ may be prescribed for every 5,000 or 10,000 population. The periodicity of the meetings should not exceed three or four months
- The Rules should allow a bottom-up planning, implementation, monitoring and social auditing process through the holding of ‘ward sabhas’ by the wards committees. At least, four ‘ward sabhas’ should be held in a year for this.
- The selection of beneficiaries for government schemes should be done through ward sabhas as is being done in the grama sabhas.
- A network of neighbourhood groups / street-wise citizens’ committees, which federate into Community Development Societies and ward-level federations should be actively promoted.
- Sub-committees need to be set up with greater common people’s participation to deal with specific ward-level issues, such as solid waste management, road and drain works, school enrollment, health care, poverty alleviation schemes, etc.
- Links should be established between non-formal structures and processes of citizens’ participation, such as the BATF and wards committees to mutually strengthen the functioning of each and impart democratic legitimacy to these informal processes.

- Training programmes should be conducted compulsorily by the municipal corporations, with the help of NGOs, to all AROs, ward-level officials and wards committee members.

4 CONCLUSION

The weak and undemocratic structure, lack of access to information, lack of empowerment with funds, functions, functionaries and facilities made decentralisation to wards committees largely unfruitful in Bangalore Mahanagara Palike.

A part of the problem is that the municipalities themselves are yet to become institutions of genuine local self-governance, as envisioned by the 74th Constitutional Amendment, since the State Governments are unwilling to part with their powers. The Metropolitan Planning Committee is yet to be set up in Bangalore and in its absence, state level agencies such as the Bangalore Development Authority, BMRDA, and other utility agencies allow backdoor control of the State government over local governance. Siimilarly, what we are seeing is the unwillingness of the municipalities themselves to share even their existing powers with wards committees.

Another handicap is that municipalities continue to be seen more as service delivery organisations and not as development agencies. **Vital functions, involving the fulfillment of basic needs of citizens, such as the rights to food, work, primary education, basic health care and social security, and even poverty alleviation, which are best ensured at the local level, continue to be outside the purview of municipalities.**

All these functions, funds and functionaries of these line departments need to be brought under the municipalities and subsequently under the wards committees. For this, the important functions of “economic and social development” and “safeguarding the interests of the weaker sections” listed in the 12th Schedule need to be brought under the obligatory functions list of the KMC Act and these in turn devolved to the wards committees. Unless there is a change in all these respects, genuine grassroots democracy which will give “Power to the People” will remain a mirage in the urban local bodies of Karnataka.

FUNCTIONING OF WARDS COMMITTEES IN BANGALORE

A CASE STUDY

INTRODUCTION

This study is a part of the 'Comparative Study of the Functioning of Wards Committees in Four States' being conducted by the Institute of Social Sciences (ISS), New Delhi. CIVIC Bangalore is the partner chosen by ISS to study the functioning of wards committees in Karnataka.

Karnataka has six municipal corporations which have a population of more than three lakhs, namely: Bangalore, Hubli-Dharwad, Mysore, Mangalore, Gulbarga and Belgaum. The populations in each of these urban agglomerations/corporations is as follows:

Table 1

Sl.No.	Name of urban agglomeration/corporation	Population of corporation area	Population of agglomeration area
1.	Bangalore	42,92,223	56,86,844
2.	Hubli-Dharwad	7,86,018	-
3.	Mysore	7,42,261	7,85,800
4.	Mangalore	3,98,745	5,38,569
5.	Belgaum	3,99,600	5,06,235
6.	Gulbarga	4,27,929	4,35,631

Source: Census of India: 2001

As per the 74th Constitutional Amendment or Nagarapalika Act, wards committees were supposed to be formed in all these corporations to bring about greater decentralisation of functions, proximity of the elected representative and civic administration to citizens, and enhancement of people's participation in local governance. However, wards committees have not been formed in any of the municipal corporations other than that of Bangalore, even after 10 years of the legislation in Karnataka, which is a gross violation of Constitutional provisions. In Bangalore too, wards committees have been functional only for a short period between April 1999 and November 2001. Fresh wards committees are yet to become completely functional in Bangalore after the municipal election in November 2001. Hence, this is a study of the wards committees that existed in Bangalore during the limited period between April 1999 and November 2001.

1. PROFILE OF THE CITY

Bangalore is not only well-known as a ‘Pensioners’ Paradise’ and a ‘Garden City’, but also as the home of several major public sector undertakings, such as HAL, ITI, BEL, etc., research and academic institutions, such as Indian Institute of Science, and a few sunrise industries and technologies like IT and BT. Its salubrious climate, advantageous geographical location and huge, technically qualified human resources have made Bangalore the fastest growing metropolis in Asia and one of the fastest growing cities of the world. However, Bangalore’s infrastructure has not grown at the same rate as its population or its industries and hence the City’s municipal administration is showing signs of being unable to cope with the problems of a growing city.

A large pool of elderly people with experience, capacity, time and enthusiasm, several corporates who would like to see better infrastructure in the City to attract more investors, and an active and informed civil society eager to bring in new paradigms of development, have joined hands with the municipality to help it to ‘cope’. Bangalore is hence the hub of several active residents’ associations, commendable work by NGOs and thought-provoking experiments in public-private partnership and community mobilisation.

1.1 Status of Bangalore through the Ages*

12 th Century	A tiny village
1537	Kempegowda 1 built the town of Bangalore on the western part of the city (in and around the Krishnarajendra Market of today)
1809	Civil and military stations on the eastern side (in and around Ulsoor of today) were founded by the British
27 March 1862	Two municipal boards, one for the city and the other for the cantonment area were independently formed.
1881	Bangalore City Municipality and Bangalore Civil and Military Station were independently formed
8 December 1949	The two municipalities were merged under the Bangalore City Corporation
1971	The concept of urban agglomeration was introduced for the first time in the 1971 Census. Thus, Bangalore Urban Agglomeration was formed incorporating several constituent units such as the Bangalore Municipal Corporation and CITB, BEL Township, Deverajeevanahalli, HMT Township, Jalahalli (excluding HMT Township), Kadugondanahalli, HAL Township, HAL Sanitary Board (excluding township) and ITI Notified Area (Dooravaninagar).
1981	Baiyappanahalli Manavarti Kaval, Hebbal, HMT Watch Factory township, Kadenahalli (including Ramamurthynagar), Kengeri, Krishnarajapura, Lingarajapura and Yelahanka were added to Bangalore Urban Agglomeration

- 1991 Baiyappanahalli-Vimanapura, Banasavadi, Benniganahalli, Byataguttepalya, Byatarayanapura (B. Narayanapura, Dasarahalli, Geddalahalli, Kacharakannahalli, Kammagondannahalli, Kaval Bairasandra, Koramangala, Laggere, Mahadevapura, Nagavara, Peenya, Saneguruvanahalli and Vijanapura were added to Bangalore Urban Agglomeration.
- 2001 Harohalli, Pattanagere, Uttarahalli, Bommanahalli, Konanakunte, Gottikere, Kothnur and Hunasamarannahalli have been added to Bangalore Urban Agglomeration

*Source: Census 2001

1.2 Area, population, growth, etc.*

Until recently, the Bangalore Mahanagara Palike (BMP) was called the Bangalore City Corporation (BCC). It was constituted in the year 1949 under the Bangalore City Corporation Act of 1949, with 52 Divisions (Wards) by merging two independent municipalities, viz., Bangalore City and Bangalore Cantonment. Since then, the number of wards has been on the increase due to incorporation of surrounding areas on a continuous basis and also due to the ever increasing population of the city.

In the 1971 Census, Bangalore City was divided into 63 wards which remained the same in the 1981 Census. At present, BMP covers a population of 4,292,223 accounting for 75.48% of the total population of Bangalore Urban Agglomeration of which 2,240,956 are males and 2,051,267 are females. BMP's jurisdiction is spread over an area of 225 sq. km. divided into 100 wards.

The decadal growth rate of population for the decade 1991-2001 for Bangalore City is as high as 61.36 %. This high growth rate can be attributed not only to the extension of the municipal limits of Bangalore City, but also to the ever increasing population.

Apart from Bangalore Mahanagara Palike and its outgrowths which contribute 4,303,011 persons (75.67%), the significant contribution of population to Bangalore Urban Agglomeration is from the seven City Municipal Councils which is 1,260,284 or 22.16 % of the total population of Bangalore Urban Agglomeration. The population of Bangalore Urban Agglomeration has increased from 1,653,779 in 1971 to 5,686,844 in 2001, an increase of 243.87 % over that in 1971. The population of Bangalore urban agglomeration has gone up from 1,59,046 in 1901 to 5,686,844 in 2001 – an astronomical growth of 3,475.6 % over a period of 100 years.

The seven City Municipal Councils and one Town Municipal Council in Bangalore Urban Agglomeration along with their populations are:

Table 2

Sl. No.	Name	Population
1	Dasarahalli (CMC)	2,63,636
2	Pattanagere (CMC)	95,769
3	Yelahanka (CMC)	93,263
4	Byatarayanapura (CMC)	1,80,931
5	Kengeri (TMC)	42,386
6	Bommanahalli (CMC)	2,01,220

7	Mahadevapura (CMC)	1,35,597
8	Krishnarajapura (CMC)	1,87,453
	Total	12,960,24**

**Source of these figures not same as Census 2001

A map of Bangalore Urban agglomeration area along with the CMCs and TMC is annexed at **Annexure 1**.

1.3 Local body and its jurisdiction*

In 1976, with the enactment of the Karnataka Municipal Corporations Act, BCC's duties and functions received a clear mandate. In 1995, BMP's jurisdiction was widened from the previous 87 wards to 100.

BMP has an elected council comprising 100 councilors, one elected from each of the 100 wards. Elections are held every five years and the term of the Council and Councillors is also five years. However, the Mayor, Deputy Mayor and Standing Committees are elected for a term of one year only by the Council. The last municipal election was held in November 2001. 33% of the seats in the Council are reserved for women. Seats are also reserved for persons belonging to Backward Classes, Scheduled Castes & Tribes. In addition to the 100 elected councilors, there are five councilors nominated by the State Government who are supposed to be experts on town planning. Furthermore, all the Members of Parliament (MPs) and State Legislature (MLAs) whose constituencies lie partly or wholly in the jurisdiction of BMP are de facto members of the Council of BMP.

1.4 Division of wards*

Bangalore City Corporation has 100 wards within its municipal jurisdiction. A map of the wards and their names are affixed in **Annexure 2**.

1.5 Distribution of population in wards*

The distribution of population in the 100 wards of Bangalore is given in **Annexure 3** (Only hard copy). Padmanabhanagar (Ward No. 55) has the highest male population of 58,842 and the female population of 53,342. Similarly, the lowest male population of 8,186 and the lowest female population of 7,410 is in Moodalapalya (Ward No. 38).

1.6 Other Institutional arrangements in regard to municipal matters*

Functions of the Council: The Council carries out its responsibilities through the Mayor, Deputy Mayor and eight Standing Committees. All major decisions of the BMP are taken by the Council, which meets once a month. The budget proposals and projects are discussed by the concerned Standing Committees. Their requests, if any, are considered by the Standing Committee on Taxation and Finance. Final shape of the budget is given by the Standing Committee on Taxation and Finance and put up to the Council for debate and approval. Each Standing Committee comprises seven Councillors. One of them is elected as the chairperson. The Standing Committees are:

- ◆ Taxation and Finance
- ◆ Public Health
- ◆ Accounts
- ◆ Town Planning
- ◆ Works

- ◆ Appeals
- ◆ Horticulture and Marketing
- ◆ Education and Social Justice

A Commissioner, appointed by the State Government, is the Chief Executive Officer of the BMP. Assisting him are several departments and officials at various levels totalling about 13,000.

For administrative purposes, the BMP jurisdiction is divided into three zones: East, West and South. Each zone is headed by a Deputy Commissioner. West Zone has 34 wards from 1 to 30 in addition to ward numbers 46, 47, 48 and 100. South Zone has 33 wards from 31 to 45 and 49 to 66. East Zone has 33 wards from 67 to 99.

The various departments of BMP are: Engineering, Revenue, Health, Horticulture, Law, Public Relations, Administration, Education, Estates, Town Planning, Advertisements, Finance and Accounts.

The organisational structure is as follows:

- ◆ Commissioner
- ◆ Special Commissioner
- ◆ Additional Commissioner – Finance
- ◆ Deputy Commissioner – Administration
- ◆ Deputy Commissioner – Development
- ◆ Deputy Commissioner – Health
- ◆ Deputy Commissioner – Revenue
- ◆ Deputy Commissioner – Markets
- ◆ Deputy Commissioner – Social Welfare
- ◆ Zonal Deputy Commissioners – (East, West and South Zones)
- ◆ Engineer-in-Chief
- ◆ Public Relations Officer

Each Zonal Deputy Commissioner is assisted by the following officials:

Chief Engineer, Executive Engineers, Assistant Executive Engineers;
Revenue Officer, Asst. Revenue Officers;
Health Officer, Deputy Health Officers and Medical Officers of Health.

*Source:

1. Census 2001
1. A Guide to Active Citizenship in Bangalore, Swabhimana, September 2003

2. WARDS COMMITTEES IN KARNATAKA – LEGAL PROVISIONS

2.1 Acts, Rules under which wards committees formed – chronology of events

The 74th Constitutional Amendment (CA) or Nagarapalika Act was enacted in 1992. It required all state governments to pass conformity legislation before 1 June 1994. Immediately after the 74th CA was passed, the Government of Karnataka asked the Times Research Foundation to give recommendations on suitable amendments to the Karnataka Municipal Corporations Act to bring it in conformity with the Constitutional Amendment.

This came to the knowledge of CIVIC, a group of concerned citizens. CIVIC suggested consultation with a wider section of people before giving effect to the legislation as well as the recommendations of the Times Research Foundation. The Government of Karnataka agreed and funded a meeting for the same. In this historic and pioneering meeting on 18 December 1993, citizens of Bangalore, from all walks of life, met and discussed each of the clauses of the 74th CA. Comprehensive recommendations were made by them to give effect to the spirit of the 74th CA. A 'Public Hearing on the Nagarapalika Act' was later organised by CIVIC in March 1994, shortly before the deadline set by the Centre for passing the conformity legislation, where the public endorsed most of the recommendations suggested by CIVIC.

The Karnataka Government was unable to meet the deadline of 1 June 1994 set by the 74th Constitutional Amendment for bringing in conformity legislation. Hence it promulgated an ordinance in May 1994. Though the recommendations of CIVIC were available with the government before they issued the ordinance, citizens were disappointed that most of them had not been given effect to by the Government.

Even after the ordinance was issued, CIVIC brought the recommendations to the notice of the government and requested it to reconsider the ordinance at least at the time of conversion of the ordinance into an Act. However, this too was ignored by the government. The Ordinance incorporating the necessary amendments to the Karnataka Municipal Corporations Act of 1976 (Karnataka Act 14 of 1977) was placed before the Legislative Assembly before the expiry of six months and was passed by the Assembly without any debate in September 1994.

This conformity legislation called Karnataka Municipal Corporations (Amendment) Act, 1994, which mandated the setting up of wards committees and received the assent of the Governor on 3rd October 1994, was published in the Karnataka Gazette Extraordinary on 5th October 1994. The provisions regarding the formation of 'Wards committee' are contained in Section 13A of the amended Act. It gives powers to the State government to nominate seven members (five citizens and one representative each from non-governmental or community-based organisations working in the area) to the wards committees.

CIVIC now hoped to get some of its recommendations included at least at the time of framing of the Rules under the Act. The new government which came to power in November 1994 appointed a retired officer to suggest amendments to the KMC Act and frame Rules with regard to wards committees. CIVIC kept up its lobbying with the officer, in addition to holding consultations with citizens and organising awareness meetings on the Nagarapalika Act. In May 1995, when the term of the Bangalore municipal corporation ended, an administrator was appointed and elections postponed under the guise of fresh de-limitation of wards, etc. CIVIC's informal approaches to the government to frame the Rules for the formation of wards committees bore no results during this period.

A new council was elected only in October 1996. After much pressure from CIVIC, the Urban Development department issued draft Rules in February 1997. CIVIC and other organisations filed objections and suggestions in March 1997 but the government took no action on the matter. In the meanwhile, informal approaches were made by CIVIC with members of the municipal corporation to press for the formation of wards committees in the true spirit of the 74th CA. It was evident that the members were not keen on this as it would mean a whittling down of their own powers.

On 7 December 1997, the Government again issued another set of draft rules incorporating some suggestions. But nothing was mentioned about the procedure for nominating wards committee members. The Government held that it was its privilege to make nominations and there need be no Rules in this regard. On 12 March 1998, the Government finally issued the Rules on wards committees under Section 13 A of the KMC Act, called the Karnataka Municipal Corporations (Wards Committee) Rules 1997, which were published on 16 March 1998, No. UDD 15 UMS 97 (**Annexure 4**). The Rules mentioned that the wards committees should come into existence within three months, the first time, and within one month of the formation of the Municipal Council in subsequent times.

It is reported that the government sent a copy of this notification to each of the municipal corporations in Karnataka for necessary action. When the matter was discussed in the Bangalore Mahanagara Palike (BMP) Council, the opposition of most members to the formation of the wards committees became evident. They resented the fact that nominated members would have equal voting rights with the elected councillors. Hence the BMP took no action on formation of either the Ranges or the wards committees, as required, within the stipulated period.

According to newspapers, some members of the BMP Council, who were against the formation of wards committees, went on a writ petition to the Court to quash the orders. But this was eventually withdrawn.

Finally, the Government, under the inherent powers vested under the KMC Act, took upon itself the task of issuing a notification forming 28 ranges or wards committee areas in the BMP in August 1998. In another notification issued on 16 January 1999 (after a delay of six months), the State Government nominated 196 members to 28 wards committees within Bangalore Mahanagara Palike jurisdiction. However, this notification did not set up any wards committees in the other five Corporations of Karnataka.

The BMP Council adopted a resolution directing the BMP Commissioner to implement the notification on 19 March 1999. Elections of Chairpersons of each of the 28 wards committees were then held on 13 April 1999.

It was admitted by an ex-MP and senior leader of the Janata Dal (then ruling the state), that he recommended the 196 names from a list of nominations supplied to him by the State Government, how the government compiled the names being unknown. The State Government did not clarify, either through the notification or through the press, what criteria had been adopted for making the nominations.

But it was very clear that the nominees were mostly (with a few exceptions) political party workers of the then ruling Janata Dal party as subsequent events showed. All nominees were being treated as Janata Dal party workers and being invited to party meetings. CIVIC also found that five of the nominated members had criminal backgrounds, as vetted by the police department. Several NGOs were also patently unsuitable as they belonged to wrestling associations, Karnataka Rajyotsava Silver Jubilee Celebration Committee, Ganapathi Seva Mandalis, etc. CIVIC filed a public interest litigation questioning the

unsuitable nominations. The Court after admitting the petition, took more than 2-3 years to dispose of it. However, no judgement was issued since governments had changed by then and the matter was referred back to the government.

The above detailed delineation is provided to show the inherent unwillingness of the political system to implement the 74th CA in its true spirit and provide greater powers to local self-governing bodies.

Chronology of Events with regard to formation of wards committees in Bangalore Mahanagara Palike

Table 3

Event	Effective Date	Remarks
Ordinance issued to meet deadline of 1 June 1994 set by Centre to bring in conformity legislation to 74 th Constitutional Amendment	May 1994	Mere tinkering of the Act to bring in conformity with the letter of the law - no substantial changes made to conform with the spirit of the law.
Conformity legislation Karnataka Municipal Corporations (Amendment) Act 1994 passed by both Houses and issued in gazette	5 October 1994	Legislation passed on last day of session without any debate
Karnataka Municipal Corporations (Wards Committee) Rules 1997 issued	16 March 1998 (Date of gazette notification)	3 ½ years to frame Rules after passing of conformity legislation
Notification setting up 28 wards committees in Bangalore City Corporation (BMP)	16 January 1999	4 ½ years after conformity legislation. Delay of six months over deadline of 16 June 1998 set in Rules. No wards committees in other corporations. Nominated members belong to ruling Janata Dal party at State-level
Resolution of BMP on implementing notification	19 March 1999	Almost 5 years after conformity legislation
Election of Chairpersons to 28 wards committees in BMP	13 April 1999	Wards committees conducted 2-3 meetings up to June 1999
Elections to State Assembly	October 1999	Wards committee meetings suspended in July 1999 on the plea of Assembly elections in October 1999 –Congress voted to power in State Assembly.
Wards committees in doldrums	October 1999 to November 2001	The Janata Dal dominated wards committees were in doldrums up to end of their term in November 2001 once Congress was voted to power in State Assembly elections.
Elections to BMP	November 2001	New wards committees not set up within one month of formation of Council as required under Rules.
Notification setting up new	July 2003	Delay of more than 1 ½ years in setting

wards committees in BMP		up committees. Committees now filled with Congress party workers.
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2.1.1 Size and composition of wards committees

As per Section 3 of the Wards Committee Rules, the “territorial area of the Corporation shall be divided into such number of ranges (sic) consisting of one or more wards and for each such range a wards committee shall be constituted by the concerned corporation. Provided that in the case of the Corporation of the City of Bangalore, there shall not be more than thirty wards committees and in the case of other city Corporations, there shall not be more than five wards committees.

However, the Urban Development Department, Government of Karnataka, on 23.9.2003 has issued a gazette notification amending the Karnataka (Wards Committees) Rules 1997 in all Corporations other than Bangalore. This pertains to the number of wards committees which can be set up in each of these corporations, which has been increased from the present five to twenty.

As per Section 13A of the KMC Act, each wards committee shall consist of:

- a. the councillors of the corporation representing the wards in the corporation; and
- b. not more than five persons having knowledge and experience in municipal administration, nominated by the Government;
- c. not more than two members nominated by the Government from such non-government organisations (NGOs) and community-based organisations (CBOs) working within the area of the wards committee, as the Government may specify in this behalf.

Officials of the corporation are not ex-officio members of the wards committees and hence there is no rigid requirement in the Rules that they should attend all wards committee meetings. The wards committee may require any officer of the Corporation to attend any meeting of the wards committee at which any matter dealt with by such officer in the course of his duties is being discussed. When any officer is thus required to attend any such meetings, he may be called upon to make a statement of facts or furnish such information in his possession relating to any matter dealt with by him, or produce any document or report as the Committee may require.

2.1.2 Selection criteria of members

◆ As already mentioned, the five nominated persons “should have knowledge and experience in municipal administration”. Further, a person shall not be qualified for being nominated and for being a member of the wards committee, if under the provision of the Act or any other law for the time being in force, he is not qualified for being elected as and for being a councillor.

◆ The only criterion for the selection of the two NGOs/CBOs was that they should be “working in the area”.

2.1.3 Mode of election/selection

As explained above, the individual as well as NGO/CBO members are to be nominated by the State Government.

2.1.4 Population covered by wards committee: citizen – committee population ratio

It has been stipulated in the Rules that there shall not be more than 30 wards committees in the Bangalore City Corporation which has a population of 49 lakhs. This effectively means that the population covered by a wards committee will be in the range of 1.00 to 1.5 lakhs. It is significant that neither the population nor the area is taken as the basis for determining a wards committee area.

As per the new Amendment to the Wards Committee Rules with regard to the other five municipal corporations in Karnataka, which increases the number of wards committees from five to twenty, the ratio of wards committee:population will be 1: 39,300 in the case of Hubli-Dharwad which has the highest population next to Bangalore, and 1 : 21,078 in the case of Gulbarga, which has the least population.

2.2 Functions

2.2.1 Functions of the municipal corporation

The KMC Act (1976) has entrusted BMP with two kinds of duties: obligatory and discretionary. There are 31 obligatory functions. A few of them are listed below:

- ◆ The collection, removal, treatment and disposal of sewage, offensive matter and rubbish;
- ◆ The construction and maintenance and cleaning of drains and drainage works and of public privies, water closets, urinals and similar conveniences;
- ◆ The lighting of public streets, municipal markets and places of resort vested in the corporation;
- ◆ The maintenance of ...open spaces and other property vesting in the Corporation and keeping a true and correct account of all Corporation property;
- ◆ The regulation and abatement of offensive and dangerous trades or practices;
- ◆ Maintaining or aiding schools for pre-primary education;
- ◆ The reclamation of unhealthy localities ...and the abatement of all nuisances;
- ◆ The planning and maintenance of trees on roadsides and elsewhere;
- ◆ The construction, maintenance, alteration and improvement of public streets, bridges, sub-ways, culverts, cause-ways and the like.
- ◆ The management and maintenance of all municipal water worksfor a sufficient supply of water for public and private purposes;
- ◆ Supplying, constructing and maintaining receptacles, fittings, pipes...for receiving and conducting sewage into drains....
- ◆ Vital statistics including registration of births and deaths.

There are 23 discretionary functions. A few of them are listed below:

- ◆ The organisation, maintenance and management of maternity and family welfare centres;
- ◆ The organisation, maintenance and management of schools;
- ◆ The organisation, maintenance and management of swimming pools, public wash houses, etc., designed for the improvement of public health;
- ◆ Encouraging and development of planning and maintenance of trees and plants on private land;
- ◆ The building or purchase and maintenance of suitable dwelling for the poor and working classes;

- ◆ Construction and maintenance of infirmaries or hospitals for animals.
- ◆ Slum improvements and upgradation;
- ◆ Urban forestry, protection of the environment and promotion of ecological aspects;
- ◆ Urban poverty alleviation;
- ◆ Promotion of cultural, education and aesthetic aspects.

It is significant that “Economic and social development” and “Safeguarding the interests of weaker sections of society, including the handicapped and the mentally retarded”, which are present in the Twelfth Schedule annexed to the 74th Constitutional Amendment, do not find a place either in the obligatory or discretionary functions added to the Karnataka Municipal Corporations Act through the conformity legislation of 1994.

2.2.2. Functions of wards committees

Under the Karnataka Municipal Corporations (Wards Committee) Rules of 1997, a wards committee is responsible for:

1. Discharging the following functions subject to the general supervision and control of the Corporation:
 - a) Collection and removal of garbage;
 - b) Removal of accumulated water on streets, public places, etc., due to rain and other causes;
 - c) Health immunisation services;
 - d) Improvement of slums, including its clearance wherever necessary, in accordance with the established law;
 - e) Redressal of public grievances pertaining to the wards committee;
 - f) Maintenance of essential statistics;
 - g) Organising people’s participation with regard to the functions allocated to the wards committee;
 - h) Numbering of streets and premises;
 - i) Such other functions as may be entrusted to it by the Corporation.
2. The wards committee shall supervise and monitor implementation of the decisions of the Corporation and the Standing Committees in respect of all matters relating to the range.
3. The wards committee shall also monitor and supervise:
 - a) the timely assessment and collection of property tax, fees, rents and other sums due to the Corporation;
 - b) the utilisation of budget grants and compliance of audit reports;
 - c) the maintenance and repair of roads;
 - d) the execution of public works;
 - e) the issue of licences under Chapter XVII of the Act and the relevant bye-laws;
 - f) the maintenance of sanitation and public health;
 - g) the prevention and control of dangerous diseases;
 - h) issue of birth and death certificates;
 - i) issue of permission letter for burial/cremation in the grounds belonging to the Corporation;
 - j) all urban poverty alleviation programmes of the State and Central Governments;
 - k) tree-planting in Corporation properties;
 - l) maintenance of parks, tanks and other Corporation properties.

4. The Corporation may issue such direction to the wards committees in discharge of its functions and wards committees shall carry out such directions.

◆ *The above functions, however, are not exclusive to wards committees but are concurrent with those of the corporation.*

2.2.3 Schemes initiative by wards committees

There is no provision for the wards committee to initiate schemes of its own.

2.2.4 Various roles of wards committees

◆ The total number of above 22 functions can be broadly categorized as follows:

Table 4

Development works	6
Regulatory	1
Licensing	1
Financial	1
Monitoring	4
Supervisory	9

◆ Development functions

The development functions assigned to wards committees with independent charge are the following: improvement of slums, including its clearance wherever necessary, in accordance with the established law and organising people's participation with regard to the functions allocated to the wards committee. Though 'all urban poverty alleviation programmes of the State and Central Governments', 'utilisation of budget grants', 'execution of public works' and 'tree-planting in Corporation properties' are also development activities, only their monitoring and supervision has been assigned to wards committees but not their independent planning and execution.

◆ Role in payment of taxes

The wards committee has been assigned the following role in the payment of taxes by the people: 'the timely assessment and collection of property tax, fees, rents and other sums due to the Corporation';

◆ Limitation on powers

Though the functions listed for discharge by the wards committees are extensive, the following two provisos limit the powers of the individual wards committee members:

- Only the Chairman, and not the other wards committee members, has the explicit power to call for information:

"The Chairman shall be entitled to call for any information in so far as it relates to any matter within the ward/range. He shall be entitled to call for and consider all periodical statements relating to the receipts and disbursements."

- A wards committee member has the power to bring the following lapses to the notice of the Chairman, but he has no explicit powers to supervise officials or take

action on his own. He may suggest improvements but there is no binding on the Chairman or wards committee to act on his suggestion:

“Any member may draw the attention of the Chairman to any requirements of any locality or to any lapse in execution of the work or to any waste of Corporation funds or Corporation property and may suggest any improvement which he considers desirable.”

2.2.5 Coordination between wards committees and municipal corporation

- ◆ The Rules state that the Commissioner shall make available to the ARO of the wards committee, the following information, namely:
 - Decisions of the Standing Committees
 - Decisions or Resolutions of the Corporation
 - Ward-wise budgetary allocation made, if any, by the Corporation or any of the Standing Committees
 - Copy of the ward maps
 - Details of the Corporation properties ward-wise

- ◆ The Rules further state that, subject to the control of the Commissioner, the Assistant Revenue Officer shall:
 - Have custody of all papers and documents connected with the proceedings of the meeting of the wards committee;
 - Be entitled to attend every meeting of the wards committee and take part in the proceedings, but shall not be entitled to vote;
 - Furnish his opinion or any clarification in respect of any resolution or any question that arises in the meeting;
 - Carry into effect all resolutions of the wards committee;
 - Provided that, where there are difficulties in giving effect to the resolution, he shall report the same to the Commissioner;
 - Be responsible for the protection of the property belonging to the Corporation;
 - Take necessary action to prevent any injury attempted to be committed to any Corporation property, moveable or immovable or the removal of or injury to any Corporation landmark;
 - Take prompt measures to remove any irregularities pointed out by the auditor.

2.3 Finances

2.3.1. Financial powers of wards committees

The Rules do not give any funds to wards committees to carry out the above list of 22 functions. The Rules, however, give wards committees power to give administrative approval to works estimates not exceeding Rs. one lakh in respect of Bangalore Mahanagara Palike and not exceeding Rs. 50,000 in respect of other Corporations in a year, subject to funds being made available for the said purpose.

2.3.2. Resource mobilization

The wards committee has no powers to charge or collect fees or taxes of its own.

2.4 Meetings

2.4.1 Details of wards committee meeting

The Rules stipulate that the wards committee shall meet for transaction of its business at least once in every month. The Chairman may fix the date, place and time of the meeting. The ARO or a designated official shall issue the notice of meeting. No meeting shall be held unless at least seven clear days before the day of the meeting notice, specifying the date, place and time of such meeting and the business to be transacted there at, has been given to the members. The ARO or designated officer shall give notice of the meeting to all officers connected with the affairs of the wards committee.

2.4.2 Agenda and minutes of the meeting

◆ The Rules state that the Assistant Revenue Officer (ARO) or an officer designated by the Corporation shall, as soon as the date and time of the meeting is determined by the Chairman, prepare in consultation with the Chairman, an agenda for the meeting.

◆ Minutes of the proceedings of the wards committee shall be entered in Kannada in a book to be called the Minute Book, specifying the names of the members who attended the meeting; the business transacted; the decision of the Wards committee in respect of each item of business; the date of the meeting and the time of commencement and closing of the meeting. It shall be signed by the Chairman after each meeting. The minutes shall be written by the ARO or an officer designated by the Corporation and shall be placed before the next meeting for confirmation.

◆ Minutes shall be open at the office of the ARO at all reasonable times, to the inspection of any member without payment and to the inspection of any other person on payment of a fee of ten rupees.

3 STUDY COVERAGE AND METHODOLOGY

- ◆ As no wards committees were set up (at the time of the study) in any of the other municipal corporations of Karnataka state other than in Bangalore City since the 74th Constitutional Amendment in 1992, only the wards committees that were functioning between April 1999 to November 2001 in Bangalore Mahanagara Palike could be studied. From the time fresh municipal elections were held all over Karnataka in 2000/2001, no fresh wards committees have been set up in any city corporation other than in Bangalore. A gazette notification setting up fresh committees has been issued in the case of Bangalore Mahanagara Palike in July 2003. But these committees are yet to start functioning effectively.
- ◆ Since the wards committees were in existence more than two years ago, minutes of the meetings were not available with the AROs of several wards committees. We had to restrict our study to those committees where the minutes were available or where the ex-wards committee members were able to fill out the questionnaires. It was ensured that more than 60%, i.e., 19 of the 28 wards committees were covered in this manner and that a good mix of inner and outer wards committees were studied. **Since the nine wards excluded represent similar characteristics as those in the 19 wards committees studied, it was thought unnecessary to study all 28 wards committees.**
- ◆ Minutes of the meetings and other documentation of the wards committees were studied to obtain the issues raised during every meeting, decisions taken, follow-up action proposed, memoranda submitted, actions taken, etc. The focus group discussions were used to get qualitative data on the effectiveness of wards committees.
- ◆ Questionnaires were sent to all 197 erstwhile nominated wards committee members and 100 ward councillors by post and they were invited to a meeting on 20 September 2003. Though about 280 questionnaires were sent out, only 10 were received back. Some of the constraints were that since these persons were no longer wards committee members, they were not interested in them any more. Many of them found the questionnaires too difficult to answer, given their educational level. Since the Janata Dal had split since the time of the wards committees and the members no longer belonged to the same party, they were not keen to come together again to discuss the wards committees.
- ◆ Focus group discussions with individual wards committees were hence again called and a total of 24 questionnaires filled up.
- ◆ Elected councillors, who were also members of the wards committees, were not keen to answer the questionnaires as they were basically opposed to the idea of wards committees. But some of them shared their views during informal discussions.
- ◆ Since officials (ARO) were unwilling to fill up questionnaires, informal discussions were held with them and their views elicited.
- ◆ A residents' association, Shanthinagar Residents' Development Association (SHRED) which had interactions with the wards committee was interviewed on its experiences.
- ◆ The activities of parallel informal bodies/agencies that have functioned or are functioning in Bangalore City, such as CIVIC, Bangalore Agenda Task Force (BATF) and Janaagraha were also studied to compare their effectiveness with that of wards committees.

- ◆ The following is the list of wards committees studied:

Table 5

No.	Name of Wards Committee (Inner wards committee)	Ward Nos.	Names of the Wards coming under Wards committee	Zone
1	Malleshwaram	5	Kodandarama Nagar	West zone
		6	Dattatreya Temple	West zone
		7	Malleshwaram	West zone
2	Chickpet	28	Chickpet	West Zone
		29	Cottonpet	West Zone
		30	S.K.R. Market	West Zone
3	Binnipet	31	Binnipet	South zone
		32	Kempapura agrahara	South zone
		33	Vijayanagar	South zone
		34	RPC layout	South zone
4	Chamarajpet	46	Chamarajapet	West zone
		47	Dharmarayaswami Temple	West zone
		48	Sudhamanagar	West zone
5	Basavanagudi	49	Kempegowda Nagar	South zone
		50	Visweshwarapuram	South zone
		51	Basavanagudi	South zone
6	Hombegowdanagar	61	Mavalli	South zone
		62	Hombegowdanagar	South zone
		63	Lakkasandra	South zone
7	Shanthinagar	70	Shanthinagar	East Zone
		71	Austin Town	East Zone
		76	Richmond Town	East Zone
8	Shivajinagar	77	Sampangiramanagar	East Zone
		78	Vasanthanagar	East zone
		79	Shivajinagar	East Zone
9.	Jayamahal	91	Pulikeshi Nagar	East zone
		92	Jayamahal	East zone
		93	Devara Jeevanahalli	East zone
		97	JC Nagar	East zone

No.	Name of Wards Committee (Inner wards committee) (Outer wards committees)	Ward Nos.	Names of the Wards coming under Wards committee	Zone
10	Mahalakshmpura	9	Subramanya Nagar	West zone
		10	Mahalakshmpura	West zone
		11	Peenya Industrial Layout	West zone
		12	Nandini Layout	West zone
11	Gayathrinagar	8	Gayathrinagar	West zone
		13	Geleyara Balaga Layout	West zone
		14	Nagapura	West zone
		23	Prakash Nagar	West zone
12	Rajajinagar	15	Rajajinagar	West zone
		16	Kamala Nagar	West zone
		19	Basaveshwaranagar	West zone
		20	Shiva Nagar	West zone
13	Govindarajanagar	35	Marenahalli	South zone
		36	Govindarajanagar	South zone
		37	Amarajyothi Nagar	South zone
		38	Moodalapalya	South zone
14	Chandra Layout	39	Chandra Layout	South zone
		40	Attiguppe	South zone
		41	Gali Anjaneya Temple	South zone
15	Jayanagar	57	JP Nagar	South zone
		58	Jayanagar	South zone
		59	Yediyur	South zone
		60	Pattabhirama Nagar	South zone
16	Koramangala	67	Koramangala	East Zone
		68	Ejipura	East Zone
		69	Neelasandra	East Zone
17	Jeevanbimanagar	72	Domlur	East Zone
		73	Airport	East Zone
		74	Jeevanbimanagar	East Zone
		75	Jogupalya	East Zone
18	Sarvagna Nagar	85	Sarvagnanagar	East Zone
		86	Maruthi Sevanagar	East Zone
		87	Lingarajapura	East Zone
		89	Kacharakannahalli	East Zone
19	Hebbal	96	Hebbal	East zone
		98	Ganga Nagar	East zone
		99	Aramane Nagar	East zone

4 FUNCTIONING OF WARDS COMMITTEES IN BANGALORE – SURVEY RESULTS

4.1 Size & composition of wards committees in Bangalore City

◆ The notification on setting up the wards committees in Bangalore called for one committee in each of the 28 existing Ranges of the BMP which meant that the wards committees would have 3 to 4 elected councillors, 5 nominated members and 2 NGOs/CBOs, making a total of 10 or 11 members in each wards committee.

Table 6

Total no. of wards / elected councillors in BMP	Total no. of wards committees	No. of elected councillors/wards in each wards committee	Number of nominated members in each wards committee	No. of nominated NGOs / CBOs	Total number of nominated members	Total no. of members in each wards committee	Total no. of nominated members in 28 wards committees
100 (Inclusive of 34 women)	28	3-4	5	2	7	10 – 11	196 (Inclusive of 13 women)

◆ The number of elected women councillors in BMP was 34 and the number of nominated women wards committee members was 13, making a total of 47 women on the wards committees out of a total of 296 members (100 councillors + 196 nominated members). This works out to approx. 16 %.

◆ Since 3 to 4 wards were combined to form one wards committee area, these were in effect zonal and not wards committees.

◆ There is one local residents' association (CBO) and one local non-governmental organisation (NGO) in each of the wards committees, i.e., totally 28 each.

◆ If there was one wards committee per ward, the elected councillor would automatically be the chairperson. But since the wards committee jurisdiction was more than one ward, one among the 3 or 4 elected councillors was to be elected as the chairperson of the wards committee by all the members.

4.1.1 Age, educational and professional background of members

◆ The age of most members was found to be between 35- 45 years.

◆ The educational background of the members, as revealed by this study, is that most of them are SSLC pass or PUC.

Table 7

No. of professionals:	5.3%
No. of graduates	30.8%
No. with PUC	22.2%
No. with SSLC	31.2%
No. functionally literate	10.5%
No. Illiterate	--

- ◆ Professionally, most of them have a business background.

4.2 Functions

Let alone initiate development works, most of the wards committees were not allowed to perform even the monitoring and supervisory roles over functions allotted to them. Wards committees were rarely allowed to go beyond the monitoring of day-to-day cleaning of garbage and streets, debris removal and drain cleaning, maintenance of streetlights, etc.

4.3 Finances

4.3.1 Allocation of funds

- ◆ Though the Rules state that works costing up to Rs. one lakh could be approved by the BMP wards committee in a year, none of the wards committees ever exercised this power as there had been no executive orders from the Commissioner sanctioning this amount to the wards committees. No untied funds have been granted to the wards committees for carrying out even emergency works.

- ◆ 84% of respondents said that the funds allotted were not enough. All of them said that the wards committee's had not tried to mobilise funds on their own. 90% said that BMP had not consulted them before formulating the budget or in prioritising works for their area. 30% felt that Rs. 10 lakh would be sufficient for carrying out their work while 23% felt that it depended on the kinds of work contemplated. One respondent felt that money was already available in the form of grant for ward works ranging from Rs 30-40 lakh every year. Currently, only the councillor was deciding on its use along with officials. All they wanted was to be consulted by the councillor on the use of this grant.

How much funds are considered enough:

Response	No. of respondents
5 lakhs	1
10 lakhs	4
15 lakhs	1
25-30 lakhs	1
Any amount is insufficient	1
Depends on the kind of work	3
We were given no opportunity to decide	2
Councillor should consult us on use of ward works grant	1

◆ 95% said that BMP had not consulted the wards committee regarding the utilisation of public lands in their areas. 30% felt that they should have been consulted, while 20% felt that they did not know or could not say since wards committee had not done much work.

4.3.2. Income and expenditure pattern of wards committees

During the tenure of the erstwhile wards committees in Bangalore, “no funds were drawn, no money spent, no bills prepared and no accounts given”.

4.3.3 Municipal budget / ward budget

◆ Since there has never been any release of funds to wards committees and no separate income and expenditure statements of wards committees, it is not possible to say whether or not these were part of the municipal budget and whether these were depicted separately.

◆ The wards committees had no role in the preparation of the budget for the ward, in deciding or prioritizing the works, in lobbying for funds for their projects with the Corporation council or in utilising the money sanctioned for ward works.

4.4 Meetings of wards committees

4.4.1 Frequency of meetings

◆ The Rules specify that a meeting of the wards committees should be held every month and that the Chairman should indicate the date and time of the meeting to the ARO. But in reality, ARO's complained that several Chairpersons would never indicate the date and time of the meeting to the ARO so that there would be an impasse over the holding of the meeting. There are instances of AROs of Gayathrinagar and Rajajinagar Range having written several times to the Chairpersons asking them to indicate the date and time of the meeting.

◆ However, several elected councillors stated that AROs, who were in charge of issuing notices for holding the wards committee meetings, would continually give excuses as to why meetings could not be held during a particular month. They would cite the reasons of tax collection deadlines, election work, census work, etc. AROs were not issuing notices of meetings every month.

◆ The first meeting called was for electing the chairpersons of the wards committee. Including that meeting, the following were the number of meetings held in various wards during a period of 30 months when the committees were in existence:

Table 6

Sl. No.	Name of Wards committee	No. of meetings held
1	Basavanagudi	3
2	Binnipet	8
3	Chamarajpet	3
4	Chandra Layout	5
5	Govindarajanagar	9
6	Hebbal	4
7	Hombegowdanagar	7

7	Jayamahala	6
8	Jayanagar	2
9	Mahalakshmpura	3
10	Malleswaram	3
11	Rajajinagar	8

◆ Many wards committee members stated that meetings used to be held generally once in two months, and in several wards, they stopped completely once the Assembly elections were announced.

4.4.2 Agenda, attendance, participation, etc.

◆ 63% respondents said that agenda and minutes used to be prepared and circulated before meetings as per Rules. However, some notices issued by the AROs did not carry any agenda items.

◆ Meetings usually took place in the ward office, the office of the ARO or the office of the Executive Engineer between 10.30 or 11.00 AM and 1.00 PM.

◆ 45% respondents said that attendance at wards committee meetings used to be full while another 40% said that it was more than 50%. In two wards committee ranges, attendance used to be 20-25 persons, including the general public. 77% said that elected councillors used to attend the meetings. Meetings were either not conducted or postponed in the absence of the chairperson. Attendance of elected councillors who belonged to a political party different from that of the chairperson was poor in some cases.

◆ 59% of the respondents felt that the participation of members was either good or very good while another 27 % felt that it was satisfactory. All members said that demands regarding needs of public were raised during the meetings.

◆ Officials of the BMP health department [Medical Officers of Health (MoH), Senior Health Inspectors], engineering department [Assistant Executive Engineers (AEE) and Assistant Engineers (AE)], Revenue Inspectors (RI), Horticulture Superintendents, etc. were invited to attend all meetings. Instances of experts or other elected representatives being invited have not come to light. Attendance of all officials was not regular. Several letters were written about the absence of officials at meetings. In one case, the wards committee meeting was postponed due to absence of sufficient number of officials.

◆ 50% of the respondents said that decisions were taken by consensus while another 45% said that it was by majority vote.

4.4.3. Minutes

◆ A perusal of the minutes shows that a uniform format was not being used for recording minutes. Most minutes did not indicate the decision taken on each item of business; exceptions were Sarvagnanagar, Chandra Layout, Govindarajanagar and Chamarajpet Ranges, which had kept meticulous minutes.

◆ Some wards committee members complained that AROs had a tendency not to record those items which showed officials in a poor light.

◆ Several wards committee members complained that AROs were not sending them the copies of the minutes and they had to put pressure to get them. When this was the situation

of wards committee members, the question of the public being able to view them was a far cry. However, very few citizens were aware that they could view the minutes.

4.4.4. Coordination with municipality

- ◆ Though minutes of the wards committee meetings were sent and several representations made by the wards committee members to the BMP Commissioner and Mayor, hardly any action was taken by them to set right matters.
- ◆ Though the Rules required AROs to be in possession of several documents, such as ward map, copies of resolutions of the Council, ward works, etc., these were in reality not in the possession of the AROs. Nor did they make any effort to procure these when wards committee members demanded them.

4.4.5 Issues discussed during meetings

◆ According to the respondents, the most common issues discussed at the meetings, in order of frequency were:

- Water supply
- Street lights
- Road formation & repair
- Health
- Garbage clearance
- Public works
- Drains
- Road cleaning
- Delay in kathas
- Underground drainage
- Unauthorised constructions
- ◆ Some other issues raised were the following:
 - Need for library
 - Lack of medicines in hospitals
 - Closing of wine shop
 - Selling of meat in the open
- ◆ The following issues were also discussed often
 - Non-holding of meetings
 - Absence of officials
 - Lack of information on ward works, revenue, etc
 - Absence of follow-up on decisions and resolutions
 - Lack of cooperation from officials
 - Lack of place to sit at meetings

4.4.6 Follow up action

◆ 99% said that unless they put pressure nothing used to get done. A majority felt that the response was either poor or not satisfactory. One respondent said that there was no systematic procedure for follow-up. 60% of the respondents felt that they themselves had to exert the pressure

- ◆ A majority of wards committee members stated that officials gave clarifications, suggestions, and assurances at the meeting but rarely followed it up with action.
- ◆ 54% wards committee nominated members complained that chairpersons and elected councillors took no initiative to address issues raised at wards committee meetings. They were uncooperative and rarely supported the wards committee members. 45% felt that they cooperated or put pressure on officials to attend to the issues raised by the nominated members.
- ◆ Most minutes recorded only the issue raised by the members but rarely the follow-up action that was decided on. Cases where directives issued to a particular official, or a decision to go on a particular day on a joint site inspection were recorded, are few. Even when directives were given, no time-frames were specified for getting the work done.
- ◆ When minutes of the meetings were read, no action taken reports on each item were reported. Or the complaint by a member that no action had been taken on an issue raised by him at an earlier meeting was merely recorded with no action suggested against the recalcitrant official.
- ◆ AROs, though required to do so under the Rules, did not take action to ensure that the resolutions of the wards committee were put into effect. They cited lack of secretarial support to take follow-up action. They also stated their inability to give directions to health, engineering and other department officials, as they did not have jurisdiction over them and also because they were of the same level as them in the official hierarchy.
- ◆ Copies of the wards committee meeting minutes were sent to the BMP Commissioner / Council Secretary. But a majority of respondents said that there was no response. Only in one instance, the Commissioner had responded merely promising action.

4.5 Interaction with other organizations, elected representatives, etc.

- ◆ 50% of the respondents named the Bangalore Water Supply and Sewerage Board (BWSSB) and the Bangalore Electricity Supply Company (BESCOM) as the two agencies whose work is important in determining the quality of services of the ward. Bangalore Police (Traffic), BDA and Bangalore Metropolitan Transport Service (BMTc) were named next in the order of frequency. Interestingly, CIVIC Bangalore and Janaagraha were named by two respondents as the two agencies whose work influenced the quality of services most.
- ◆ The most frequent response was that officials of BWSSB, BESCOM and Police used to be approached by wards committee members themselves to convey their grievances and request action. The second most frequent response was that officials of BWSSB and BESCOM used to be invited to the wards committee meetings. The most frequent response was that the response of these agencies was cordial and reasonably good. One respondent each stated that these agencies listened only to the elected councillors or that they were under the control of the state government.
- ◆ The wards committee is itself a zonal committee since 3 to 4 wards have been combined to form one wards committee area.
- ◆ Since, under Section 13A, Clause 2c of the KMC Act, one NGO and one CBO are nominated by the State government to each wards committee, the representatives of these organisations are members of the wards committee as well as these organisations. Usually, these persons are members or founders of several other welfare organisations

simultaneously and are also members of the Janata Dal party. The associations listed by them with which they had interactions, in order of frequency, are:

- Janata Dal Party
- Social and educational institutions
- Cooperative institutions
- Temple Development Samithis
- Diabetes Club, SPCA
- Rate-Payers' Associations
- Youth Groups
- Volleyball Association

85% of the respondents said that wards committee members were members of other organisations as well. 50% of the respondents said that wards committee members used to be invited to the functions of these organisations. 45% said that they were invited to their meetings. 50% said that they used to discuss solutions to specific problems of their wards at their association meetings. Problems of wards and wards committee meetings used to be discussed at meetings of the Janata Dal party as well.

◆ 68% respondents said that wards committee's had no interaction with other elected representatives, such as MLAs and MPs. But individual wards committee members, who were also members of the Janata Dal party, reported instances when they got work done by approaching Janata Dal MLAs, whose followers they were, often by-passing the elected councillor of the same party. Wards committee problems were also discussed with the City Janata Dal office bearers and MLAs during their party meetings.

◆ The City Janata Dal party MLAs and bosses had promised to get every nominated wards committee member Rs. 1,000 as salary and every committee Rs. one lakh to spend. But these did not materialise and led to disillusionment among nominated members.

◆ 72% of the respondents stated that wards committee resolutions and minutes of meetings used to be conveyed to the BMP Commissioner.

4.6 Wards committee – people interaction

◆ 52% felt that their relations with citizens was cordial and good. Several wards committee members estimated that about 25% of citizens knew about wards committees. Only those who read newspapers would have some knowledge about them, said one wards committee member. Residents' associations in touch with organisations such as CIVIC were aware of them.

◆ 58% of the respondents felt that the public is aware of wards committee meetings. Information about wards committee meetings was conveyed individually by wards committee members to the organisations and persons who knew them in their wards. However, there were no public announcements of meeting dates.

◆ People conveyed their grievances personally to the individual nominated wards committee members, who were familiar figures in their areas due to the political party work done by them. Wards committee members would often ask persons with grievances to personally come and submit their grievances to the wards committee on its meeting days since that would have a better effect.

- ◆ 52% of the respondents said that though the Rules permitted it, the public was not allowed to attend the wards committee meetings. SHRED (Shanthinagar Residents' Development Association) stated that it was allowed to attend the meeting only after it cited the Wards committee Rules to the attender guarding the closed door. The public were allowed to observe wards committee meetings and present their grievances in only a few wards.
- ◆ 42% respondents felt that people saw wards committees as being dominated by certain interests while 35% felt that they were broadly representative. Two respondents felt that people saw them as being dominated by political interests and one respondent saw them as being dominated by MLAs and councillors.
- ◆ Organisations such as CIVIC pointed out through a public interest petition the non-representational character of these committees by citing instances of persons with criminal backgrounds and bogus or unsuitable organisations being nominated to these committees. CIVIC also pointed out the domination of these committees by political interests (Janata Dal). But the general public were generally not aware of these debilities of the committees (**Annexure 5**).
- ◆ Most wards committee nominated members claimed that the people who interacted with them were not merely Janata Dal supporters but the general public. They claimed to represent the interests of all, especially the poor. However, many of them admitted that they had no contacts with the affluent people living in the posh areas of their wards.
- ◆ The most frequent response of wards committee members was that the public used to make enquiries about the resolution of their grievances, with the individual wards committee members to whom they had conveyed their problems. The public generally did not approach officials on their own to ask about why their grievances had not been resolved. Very rarely, they complained to the government or the Commissioner.
- ◆ 63% of the respondents said that, though the Rules permitted it, people were not permitted to access minutes of the wards committee meetings. But the fact was that most citizens were unaware of this provision and, even if they knew, no one took the initiative to access them. Since there was no wards committee budget or accounts, the question of their scrutiny by the public did not arise.
- ◆ SHRED (Shanthinagar Residents' Development Association), which was invited to and also attended several wards committee meetings, stated that resolutions passed by the wards committee on a few representations made by SHRED were not acted upon by officials despite being minuted as there was no proper follow-up by the wards committee. SHRED had directly approached the officials and followed up the matter.
- ◆ SHRED felt that the potential of the wards committees had not been fully allowed to develop due to discontinuation of meetings for flimsy reasons. SHRED and several wards committee members stated that the public was not satisfied with the functioning of the wards committees.
- ◆ 55% of the respondents felt that people were not satisfied with the functioning of the wards committee
- ◆ No instance where a petition was filed against a wards committee has come to light.

4.7 Wards committee effectiveness

◆ 50% of the respondents felt that their interventions had not been acted upon. Out of ten issues raised, only two or three were attended to. Another 14% felt that their interventions had been acted upon to a limited extent. One respondent stated that while the health department had been responsive, the engineering department was not.

◆ Repairs of street lights and garbage cleaning were the most frequently cited areas of effective intervention. But some other instances of effective interventions by wards committees are:

- The Chamarajpet wards committee managed to increase revenues of BMP by visiting non-assessed properties and getting them assessed and hence increase collection of taxes.
- The Basavanagudi wards committee was able to undertake some reclamation of BMP property and also initiate two mini-water supply schemes.
 - Children of a corporation high school were found to be urinating outside the school as the water connection to the school had been disconnected due to a pending water bill of Rs. 35,000. The wards committee raised funds to pay the bill and restore the water connection.
 - Renovation of a corporation dispensary was taken up for Rs. 5 lakh. Drugs were made to reach patients .
 - A building under 18% grants for SC/ST welfare, which was stalled for seven years, was completed by the wards committee
 - Work on a construction that was coming up next to a temple, which would have damaged it, was halted by the wards committee by showing the existence of a court stay order.
- The Koramangala wards committee was able to get a transformer worth 12 lakh rupees installed which brought electricity to several homes.
- The Malleshwaram wards committee was able to get a company which was polluting the surroundings closed down by the Karnataka State Pollution Control Board.
- The Rajajinagar wards committee surveyed all four wards and made a list of works to be done. It also procured relevant papers to prove that land encroached by a math actually belonged to the corporation. Land leased to an educational institution inappropriately was reclaimed and retained as a public playground.
- The Shivajinagar wards committee got a borewell installed.
- The Sarvajnanagar wards committee was able to get books and milk distributed to school children and also supply benches and desks.

The above instances indicated the potential of wards committees to become genuine institutions of local self-governance.

◆ Often, wards committee members played the roles of Good Samaritans by getting individual problems of citizens solved through the wards committee members' familiarity with officials and procedures. For instance, Mr. Lokesh of Sarvajnanagar wards committee used to help many citizens, especially the poor and illiterate, get their building plans sanctioned and kathas transferred, or prevent harassment of house-builders by officials who wanted bribes.

◆ The following are some of the areas which were cited by respondents as those in which the wards committees performed well, listed in the order of frequency:

- Street lights
- Health
- Road repair
- Underground drainage
- Water supply
- Garbage
- Revenue

◆ Respondents gave the following responses for the areas in which wards committees did not perform well, listed in the order of frequency:

- Engineering
- Performance of wards committee was generally not good
- We had no powers, no scope
- Education
- Officials did not respond, no cooperation
- No support from BMP
- No role in development planning, audit and economic activities
- No encouragement

4.8 Some other commendable initiatives taken by wards committee members

4.8.1 Resignation of Malleshwaram wards committee nominated member, protesting against political appointments

Ms R. Padmini, a former staff member of UNICEF, a member of a non-political residents' initiative, Malleshwaram Swabhimana Initiative and trustee of CIVIC Bangalore, was nominated as a member of the Malleshwaram wards committee in 1999. However, the very first meeting of the wards committee that was held, dealing with the election of the Chairperson, disturbed her as it was conducted along party lines. She also began to receive memos from the ruling Janata Dal party (at State-level) treating her as a party member or at least a supporter. She felt that this nomination process by the Government defeated, in four ways, the whole spirit of the 74th Constitutional Amendment, which envisaged the wards committees as a means of decentralisation and giving 'Power to the People'.

Firstly, since the nominations were done by the State Government, the local levels, the City Council and the ward levels, had no say in the selection of nominated members;

Secondly, the criteria and justification for the nominations were not made public;

Thirdly, the citizens of the ward concerned were not given a chance to comment on the nominations before they were finalised; and

Lastly, the politicisation of the nomination process and the roles of the wards committee members had defeated the very purpose of wards committees and the usefulness of nominated members on them.

She hence tendered her resignation from the Malleshwaram wards committee to the Secretary, Urban Development, Government of Karnataka, on 14 July 1999.

4.8. 2 Protest by nominated wards committee members before the Commissioner's office

On 14 February 2000, all 196 nominated wards committee members staged a protest before the BMP Commissioner K. Jairaj's office demanding regular conduct of monthly meetings, sitting fees for such meetings and more financial powers. Their protest was widely covered by the Press.

The members complained that even eight months after the setting up of the committees, some wards committees were yet to conduct any meetings. They pointed out that Rs. one lakh was allocated to each wards committee for development works but even the wards committee chairpersons had not been given enough financial powers to utilise the money.

H. Manjunath, President of the Association of Nominated Wards Committee Members pointed out that the committees were meant to supervise and monitor works approved by the Standing Committees, and play a watch-dog role in all matters of the BMP regarding revenue, engineering and health. But they had not been given enough powers. No officials visited them to take their suggestions and nor were the members invited to BMP functions. No files were received by the wards committees.

4.8.3. Submission of memorandum by the Association of Nominated Wards Committee Members

In an undated letter, Mr. H. Manjunath, President of the Association of Nominated Wards Committee Members and nominated member of Koramangala Range, wrote to the Mayor and the Commissioner, BMP, placing the following problems before them:

- Nominated wards committee members unable to function effectively due to non-cooperation of officials of BMP.
- Chairpersons of wards committees not calling meetings regularly at fixed periods
- Lack of support from the chairpersons to wards committee members' efforts in reaching civic services to the citizens effectively
- Non-participation of elected councillors in wards committee meetings
- Information regarding engineering, health and revenue matters of the ward not being given to nominated wards committee members
- Officials not implementing the suggestions and instructions of nominated wards committee members

He also placed the following demands of the Association before them:

1. A wards committee meeting to be called compulsorily once a month in every range.
2. An office to be provided in every range compulsorily to hold meetings
3. Officials should cooperate with wards committee members to enable them to work effectively in the ward.
4. Chairpersons not calling meetings regularly. A direction to be given to them to conduct meetings regularly.
5. A direction to be given to provide all information regarding engineering, health and revenue matters to nominated wards committee members.
6. Officials not implementing suggestions given by nominated wards committee members. Action to be taken against officials who do not attend wards committee meetings.
7. ID cards to be issued to nominated wards committee members also.

8. Wards committee members should be invited for the inauguration of any work or any function of the Corporation related to engineering, revenue or health matters in the wards belonging to the Range.
9. The Resolutions of all Standing Committees regarding their Range to be communicated to the wards committee members.

Subsequently, the Mayor, Mr. M. Ramachandrappa, in a letter dated 21 March 2000, called the President and 5 members of the Association to a meeting during the first week of April to discuss their problems. But according to Mr. Manjunath, nothing came out of the discussion.

The Deputy Commissioner (Administration), on behalf of the BMP Commissioner, issued a circular dated 28 February 2001 to all BMP officials stressing that all nominated wards committee members should also be invited to all BMP functions in addition to the elected councillors. The circular also called upon all officials to treat nominated wards committee members courteously at all times and to take action on their grievances 'as per law' and also send them a letter on action taken. However, there was no instruction by the Commissioner regarding the other issues raised by the wards committee members in their memorandum.

4.8.4 Writ Petition in the High Court by a nominated member of Rajajinagar Range

Fed up with the non-convening of wards committee meetings in his Range for more than a year, despite several letters requesting the Chairman and ARO to do so, Mr. G. Thimmaiah, nominated member of Rajajinagar Range, filed a writ petition (No. 42818 of 1999) in the High Court of Karnataka at Bangalore, (on behalf of the Association of Nominated Wards committee Members). The petition was filed under Articles 226 and 227 of the Constitution of India, praying to direct the respondents to convene the wards committee meeting of Rajajinagar Range. The respondents were the Commissioner, BMP, the Chairman of the Rajajinagar wards committee, Mr. Padmaraj, the Assistant Revenue Officer and Member Secretary of the wards committee, Rajajinagar Range, and the Secretary to Government, Urban Development Department, Govt. of Karnataka.

The High Court in its order dated 14.06.2000 noted that the respondent had cited the reasons of assembly elections, introduction of self-assessment scheme for property tax collection and several other practical difficulties for not convening the meetings. He, however, submitted that he would convene the meeting within ten days from the date of final hearing of the petition. Based on this undertaking given by the respondent, the High Court disposed of the petition, pointing out that if the meetings of the Committee are not convened once a month as required under the Rules, the very purpose of constituting the Wards committees would not be fulfilled. It also ruled that the Chairman could not ignore this aspect of the matter and fail in discharge of his duties.

The Court, however, found it unnecessary to go into the question as to whether there was any justification on the part of the Chairman not to convene the meeting for a period of one year. It is significant that the Rules prescribe no punishments for Chairmen who fail to convene meetings once a month and the Court too desisted from awarding any punishment.

The above order resulted in the BMP Council Secretary writing to the ARO Rajajinagar Range on 19.06.2000 (CSG/PR/221/2000) to write to the Chairman reminding him to convene a meeting of the wards committee. The ARO did so on 3.7.2000. The Chairman responded on 19.8.2000 requesting him to convene a meeting on 26.8.2000, which was also subsequently held.

Subsequently, the Secretary, Urban Development Department, wrote to the Commissioner, BMP, on 8.11.2000, asking whether the High Court order had been complied with and a meeting of the Rajajinagar Range wards committee held. The irony is that, subsequent to

the High Court Order, only two meetings of the wards committee were called by the Chairperson over a period of more than one year.

4.8.5 Memoranda submitted by Gayathrinagar nominated wards committee members regarding problems related to functioning of wards committees

Mr. T. Mohan, along with 6 other nominated members of Gayathrinagar wards committee, made the following demands in a memorandum submitted to the Chairperson of the Wards committee on 21.06.99:

1. Monthly meeting to be held before the 10th of every month and the date for the next meeting to be fixed at that meeting itself;
2. Nominated members of the wards committee to be given greater priority and opportunities to speak at the wards committee meeting since elected councillors have their say at Council meetings;
3. To record the proceedings of the wards committee meeting on a tape recorder and prepare the minutes of the meetings without any changes from the recording;
4. A signed copy of these proceedings to be sent to every wards committee member within two or three days;
5. Provide vehicle allowance and telephone allowance to all members;
6. Provide space in each ward for wards committee members to discuss the problems of that ward;
7. Provide details of every ward to wards committee members regarding: ward maps, playgrounds and civic amenity sites and the use they have been put to; number and location of hand-pumps (borewells) and public water taps; details regarding underground drainage; street lights; street signages;
8. Provide details regarding Hundi records (with regard to MP's, MLA's);
9. Provide details regarding revenues (income) collected in each ward, the expenditure details and the monies remaining;
10. Provide details regarding extent of ward works undertaken and amounts remaining;
11. Provide details regarding the functioning of corporation health centres and hospitals, maternity hospitals, number of doctors, medicines available, etc.;
12. Provide details regarding government and corporation schools;
13. Provide details regarding social welfare schemes for SC/STs and their numbers; the number of sewing machines distributed, etc.

4.8.6 Request for information by Gayathrinagar nominated wards committee members

On 26.07.99, Mr. T. Mohan and five other nominated members, sought ward-wise details of the following from the Secretary of the Gayathrinagar wards committee:

1. Estimates sanctioned
2. Works completed
3. Names of contractors awarded works
4. Money released for works
5. Plans sanctioned road-wise and fees collected:
 - For tiled roofs with red-oxide floors
 - RCC roof with red-oxide floors
 - Houses with teak and marble
6. Buildings assessed
7. Road-wise commercial buildings
8. Road-wise details of residential houses
9. Details regarding vacant sites

10. Division-wise revenues
11. Revenue collected
12. Revenue dues
13. Leased properties of corporation
14. Betterment charges collected

4.9 Other aspects of effectiveness

◆ Most wards committee members felt that they had achieved a fair amount of success with the health department on the issue of garbage clearance and street sweeping.

◆ 52% of the respondents felt that the wards committees did not succeed in bringing about greater decentralisation, accountability, transparency and people's participation.

◆ 80% felt that wards committees did not become a formal, institutionalised mechanism for people's participation in planning, implementing and monitoring works.

◆ 57% of the respondents felt that wards committees became effective modes of public grievance redressal to a certain extent. This was possible because of wards committee members' close contact to citizens.

◆ 52% of the respondents felt that the wards committee was successful in establishing the control of the community over local resources to a limited extent. This was possible through citizens bringing land grabbers to the notice of wards committee members. But they could have done better if details regarding the properties and civic amenities in the ward were given to wards committee members.

◆ 90% of the respondents felt that wards committees had never been consulted and had no role in the decision-making regarding large projects, etc., coming up within their wards.

◆ The most frequent responses to the questions as to how they 'resolved conflicting and competing interests in the ward', are listed below in the order of their frequency:

- | | |
|--|---|
| • Such problems did not arise | 6 |
| • We were not given an opportunity to resolve such issues | 4 |
| • 18% grants to marginalised used to take care of such conflicts | 2 |
| • Such issues were not at all resolved | 1 |
| • We used to give suitable advice | 1 |

◆ On the question as to the method adopted for prioritising actions in the face of financial constraints, the following responses in the order of their frequency are listed:

- | | |
|---|---|
| • Public interest used to be kept in mind | 3 |
| • We were not consulted | 2 |
| • We were not given an opportunity | 2 |
| • Only councillors used to decide | 2 |
| • Such occasions did not arise | 1 |
| • Ward works were not discussed | 1 |
| • No action was taken in this regard | 1 |
| • With the help of government | 1 |

◆ The most frequent responses to the question as to the method adopted to arrive at a fair and equitable distribution of the ward's resources, are the following listed in the order of their frequency:

- We were not consulted 3
- No or negligible action taken in this regard 3
- No opportunity given to resolve such issues 2
- Such occasions did not arise 1
- By prioritising 2
- Chairman and officials used to decide 1
- Through majority decision 1

◆ On the problems faced by nominated wards committee members, following are the responses in order of their frequency:

- Political interference 9
- Bureaucratic hurdles 4
- Lack of capacity to manage affairs 3
- Councillors' indifference / non-cooperation 2
- Not allowed to perform by councillors 2
- We were namesake members 2
- We were not invited to functions 2
- We were falsely accused of corruption 2
- Council resolutions not placed before us 2
- No office space / honorarium / information / facilities 1
- Official apathy 1
- Refusal by councillors to share power 1
- Corruption within BMP 1

4.10 Problems identified by individual wards committee members in the functioning of wards committees

4.10.1 Mr. Huchhappa, ex-mayor

- ◆ Officials used to avoid calling meetings by giving various excuses.
- ◆ Officials do not do any work on their own. One does not know what they do when they go on inspections. Instead of they identifying problems and reporting to us, we have to identify the problems and report to them.

4.10.2 Mr. Lakshmipathi, ex-ward committee member, Hombegowdanagar Range

- ◆ Not holding of meetings regularly. Meetings being held once in 4-5 months.
- ◆ Lack of proper space for holding meetings.
- ◆ Secretary (ARO) not taking action to conduct meetings systematically and regularly.
- ◆ No response from officials or elected representatives to queries of wards committee members regarding health, engineering, revenue, education and other issues.
- ◆ Lack of information to wards committee members on above matters.
- ◆ Non-availability to wards committee members of list of ward works and income and expenditure statements for wards committee area.
- ◆ Officials only responding to requests made by elected representatives and not those of wards committee nominated members.

- ◆ Indifference of officials to wards committee members' suggestions
- ◆ Non-cooperation by elected representatives.
- ◆ Bringing above problems to the notice of BMP Commissioner also had no effect.
- ◆ No rationale in having wards committees when no encouragement or support is being given to service-minded, honest and dedicated persons on the committees who work with no expectations of any rewards.

4.10.3 Mr. M. Nandgopal, ex-wards committee member , Chamarajpet Range

- ◆ Currently, neither the area MLA nor elected councillor is genuinely interested in the welfare of the citizens. They are only interested in the 'percentages' they can get out of the work of engineering and health contractors. Whether or not the contractors have done good work, an area councillor 'certifies' the contractor's work as having been performed well and passes his bills, as long as he gets his percentage. This nexus needs to be broken as this is not helping to address the genuine problems of the people.
- ◆ The MLAs and councillors are also engaged in encouraging the building of houses without licences and in permitting unlicensed running of petty shops and trades by encroaching on pavements and municipality properties. They earn hefty sums as rents and bribes from these illegal trades and activities being permitted by them.
- ◆ Junior and middle level officials such as health inspectors, executive engineers and revenue inspectors are frightened of the MLA and councillors. They obey them blindly and do whatever is asked of them.

4.11 Recommendations of wards committee members

4.11.1 Mr. Huchhappa, (ex-mayor of BMP)

- Party-wise nominations of wards committee members should go.
- Senior citizens, retired IAS officers and residents' associations should be formed into a committee to recommend names of suitable persons to serve on wards committees.
- Denial of increments and promotion should be the punishment meted out to officials who do not call meetings or take action on issues raised by wards committee members.
- Compulsory voting by all eligible citizens is the panacea to ills of municipal bodies' malfunction.

4.11.2 Mr. M. R. Devaraj, (ex-wards committee member, Chamarajpet Range)

- ◆ The Ward Committee Rules have been framed without being discussed or placed before the Assembly. Hence they have no backing of the Legislature. Only when they are passed by the Assembly and consented to by the Governor will they carry weight and respect.

4.11.3 Mr. Lakshmipathi, (ex-wards committee member, Hombegowdanagar Range)

- ◆ As far as possible, educated and knowledgeable persons, retired government officials, social workers (with contact to people) to be made members of ward committees (those with administrative experience). Political persons should be controlled.
- ◆ Proper place for conducting meetings to be provided.
- ◆ Strict instructions to be issued to officials to conduct meetings of wards committees regularly and systematically.
- ◆ Meeting notices to be issued in good time to all members.

- ◆ The Secretary (AROs) to make proper arrangements for conducting meetings systematically.
- ◆ The secretary of the committee to forward memoranda submitted by members to concerned officials and get replies from them, which are placed before the committee.
- ◆ Officials to be responsive to the suggestions made by wards committee members.
- ◆ Chairmen of ward committees to support the wards committee members and make officials respond to their suggestions.
- ◆ Elected representatives should not be partisan and take up the side of contractors or officials.
- ◆ Ward maps and work specifications of programme of works to be made available to wards committee members.
- ◆ The Commissioner should monitor the functioning of wards committees to make them effective. He should take strict action against the officials not implementing the suggestions made by ward committee members.

4.11.4 Mr. Shivaram (ex-wards committee member, Chamarajpet Range)

- ◆ Wards committees to have legally established powers
- ◆ Powers to inspect files, resolve public grievances and inspect works
- ◆ Compulsory holding of wards committee meetings once a month
- ◆ Corporation hospitals and dispensaries to be under the wards committees.
- ◆ Wards committee members should have control over street lights, water supply, desilting of drains, park development, property tax assessment, scientific amendment to building bye-laws, plan sanction, preventing unreasonable harassment by officials of public.

4.11.5 Mr. N. Muddanna, (ex-wards committee member, Govindarajnagar Range)

- ◆ Local people, that too educated persons, should be given preference when nominations are made to wards committees.
- ◆ The tendency to appoint those close to the elected councillors in the Council or to the MLAs belonging to the party in power in government has to stop as such persons do not normally have any experience or interest in civic affairs.
- ◆ Voluntary organisations and service organisations working in each ward should be asked to identify those rendering selfless service in every ward. Nominations should be made as per their recommendations.
- ◆ Wards committee meetings should be held in a place within the ward large enough to allow the participation of the common people of the ward in them. Common people should be able to present their grievances to the wards committee at these meetings and the committee discuss them openly.

4.11.6 Mr. M. Nandgopal, (ex-wards committee member, Chamarajpet Range)

- ◆ Wards committee members should be selected by the government by holding small meetings in every wards committee area to which the elderly and distinguished people of the ward are invited. Service-minded persons serving in local organisations should be identified and recommended by the citizens at these meetings. The government should select such recommended persons as wards committee members.
- ◆ The practice of nominating of political party workers as wards committee members should stop as they are only interested in 'percentages'.
- ◆ Whatever powers are given to the municipal councillor, the same powers should be made available to the wards committee members.
- ◆ Sitting fees, as paid to councillors, should also be paid to wards committee members.

- ◆ Files, reports and accounts regarding all works taken up in a wards committee area should be placed before the wards committees.
- ◆ All works taken up in the wards committee area should be inspected by wards committee members and the quality of work certified by them before the bills are passed. This in order to break the nexus between the councillors and contractors.
- ◆ Wards committee members should be empowered by the Rules to inspect and report on the treatment being given and the distribution of food and milk in all corporation hospitals.
- ◆ All basic needs provided to citizens should be through the wards committee.
- ◆ The Commissioner himself should make spot inspections and find out how effectively the wards committee is functioning.

5. INFORMAL STRUCTURES

5.1 Interventions of CIVIC Bangalore

5.1.1 Informal wards committees

The activities of CIVIC in lobbying and advocacy, before and after the conformity legislation to the 74th Amendment was passed have been already dealt with in Section 2.1 of this Report. In addition, since the formation of the formal wards committees was delayed for various reasons, CIVIC was involved in initiating experimental and informal wards committees in Bangalore to bring in greater decentralisation and people's participation in the true spirit of the 74th Amendment.

In May 1995, when the term of the BMP Council, elected in 1990, came to an end, the State Government appointed an Administrator instead of holding the elections for a new Council. The Administrator, Dr. A. Ravindra, who was also the chairman of the Bangalore Development Authority (BDA) at the same time, was persuaded to form a couple of Wards committees as an experimental measure. He did form one for the Malleswaram Range with three wards of the Corporation and another in a BDA area in Kalyannagar.

The informal wards committees, with representatives nominated by the administrator, began working and held 4-5 meetings with the various officials of the BMP and were gathering momentum when the elections to the council were held in Oct.1996. Two newly elected councillors of the three wards in Malleswaram Range refused to recognise this informal wards committee and it, therefore, stopped functioning at Range level. The BDA ward office continued to meet with the citizens in Kalyannagar, still under the BDA

However, a new informal wards committee for the single ward Malleshwaram (No. 7) was initiated with the help of its corporator, Ms Padmavathi, under the auspices of the Malleshwaram Swabhimana Initiative (MSI). The ward with 45,000 population was subdivided into five blocks with 8-10,000 persons each. People from each block were asked to provide names of persons, representing different stakeholders, such as traders, slum-dwellers, educationists, etc, and NGOs/CBOs willing to serve on the wards committee. The corporator chose five individuals, one CBO, the MSI and one NGO, the Sampige Road Traders' Association, from the list of 10-12 names provided. Monthly meetings, which were attended by officials from the health, engineering, police and other departments, were held regularly for 7-8 months. Ward works and solid waste management were chosen as focal issues.

At the time of BMP budget formation, the five nominees were asked to get a list of needed works from each of their areas, which were then prioritised. Provision of water supply to a slum with minority population was accorded highest priority. Rough costing of the suggested works was done and the corporator asked to get the list approved by the Council. But the corporator prepared a list with her own priorities and asked the residents to clamour and get these done. But she did manage to get a water tap from BWSSB for the minorities' slum. Attempts were also made by MSI to take up the garbage contract for a portion of Malleshwaram ward and by a member of MSI to prepare a ward budget for Malleshwaram ward.

The informal wards committee however became defunct when the notification forming the official wards committees was issued in 1999, but their pioneering role and efforts cannot be denied.

5.1.2 Educating residents' associations

Once the final rules on the working of the wards committees were published by the Government on March 12, 1998 and the formation of the wards committees seemed to be only a matter of time, CIVIC considered it appropriate to educate residents' associations. How they should monitor the functioning of such committees and gradually become participants in the planning process both for development and for getting quality services was informed to them. In the second half of 1998 and throughout 1999, a series of six consultations were held, along with the other NGOs in Swabhimana, in different wards committee areas (covering about 20 wards) appraising the representatives on:

- (I) the basic features of the 74th Amendment to the Constitution and how people's participation in the local affairs was envisaged through the wards committees;
- (II) the organisation and functions of the various departments of BMP and how the various functions envisaged in the KMC Act, 1976, were to be delivered to them;
- (III) how the Comprehensive Development Plan (CDP) for Bangalore city was prepared with the participation of the people; and how citizens need to follow up on its implementation;
- (IV) the budget-making process of BMP for provision of services;
- (V) how to obtain details of works and other services to be rendered in a year, monitor execution through the councillors and the wards committees; and
- (VI) how to get into the planning process with the wards committees and spell out their requirements, according to the priorities of each ward, at the time of the preparation of the budget so that the wards committees and the councillor could press for allocation of resources for each ward.

Representatives of BMP were also present at a number of these meetings to help residents' associations resolve their problems. It was also pointed out to the residents' association members that under Section 6(g) of the Rules, "organising people's participation with regard to the functions allocated" to it was also one of the functions of the wards committee. In addition, three briefings were held in slums in 1999, mainly to women.

CIVIC conducted a survey starting July 2000 on how the wards committees functioned in the previous one year. Based on the results, campaigns for education of the public and other actions were organised.

5.2 Informal wards committees in Mangalore Municipal Corporation

No wards committees were formed in any of the other municipal corporations of Karnataka other than Bangalore city. But informal wards committees were initiated by a Janata Dal (United) councillor, Judith Mascarenhas, of the Mangalore Municipal Corporation, as early as in 1983, when she was first elected. The ward had 5,000 voters and the Council had 60 corporators.

Ms Mascarenhas started a monthly newsletter called "Nagara Deepika" in which the activities in her ward were publicised. Through the newsletter, she invited interested citizens to come for a meeting so that an informal people's committee could be formed in her ward. 150 residents came for the meeting. It was decided to give 20% representation to woman volunteers. Various committees were formed with these volunteers, such as Peace Committee, Arbitration Committee, Works Committee, etc. The Nairmalya (Sanitation) Committee introduced door-to-door garbage collection. As more problems were identified, more committees were formed to deal with them. Jagrat Bharat, a committee of 12 persons who had a clean reputation, was formed to fight corruption and work for public good. Monthly meetings were held to plan and review progress.

The committees also performed useful functions, such as conducting literacy surveys, amenities survey, etc. NSS students were asked to teach all the identified illiterates in the

ward. An economic survey was carried out through the newsletter to identify unemployed youth and design programmes for them. Surveys were conducted to identify suitable beneficiaries for old age pension, widows' pension, etc.

Street-wise committees were formed to interact with the informal wards committee members. Self-help groups were promoted. Common people were encouraged to attend the corporation council meetings so that they could report back to other residents about the performance of their councillor in the council.

Her initiative shows how effective one wards committee per ward can be in enabling greater people's participation and decentralisation. It also shows that good work can be done even through informal committees and even if a councillor belongs to an Opposition party.

5.3 Janaagraha – A citizens' movement

5.3.1 Background to Janaagraha

Janaagraha is a nascent citizens' movement launched in Bangalore with the immediate goal of seeing a beautiful and clean Bangalore and the long term goal of making democracy a reality by bringing in transparency and accountability in urban governance. Janaagraha hopes to achieve this through the deepening of representative democracy by bringing in greater participatory democracy.

Janaagraha was initiated by Swati and Ramesh Ramanathan, ex-NRIs, inspired by the now well-known experiment in Porto Alegre in Brazil of citizen engagement in participative budgeting.

Janaagraha's portfolio of campaigns:

- Campaign #1: Ward Works: Takes one item of the city's budget, the Programme of Works (POW) (about 6%), and brings the citizens' voice into the selection, prioritization and implementation of various local area works. The citizens then persuade their local councillor to implement their demands. In the second phase of contracting and implementation of the POW, citizens were asked to get the details of the tenders and work orders given to contractors and monitor the implementation of the works.
- Campaign #2: PROOF (Public Record Of Operations and Finance): first-of-a-kind campaign to get quarterly statements from the local government (now six-monthly) and hold discussions among all concerned stakeholders.
- Campaign #3: ANKUR for the urban poor: Janaagraha hopes to resuscitate the well-designed but poorly-executed Government of India programme, Swarna Jayanti Shehri Rozgar Yojana (SJSRY) by involving 4 stakeholders: the urban poor, the government, the bankers, and the NGOs.

A recent initiative has been to get citizens to create a "Ward Vision" in ten wards of Bangalore to be realised over a period of three years. There has also been a 'Ward Reci-pe' programme to survey the wards to make an assessment of their true revenue potential and motivate citizens to pay their taxes. The idea is to persuade BMP to let the wards keep some of the additional revenue generated for implementing their ward vision.

A Trust, called the Janaagraha Community Development Fund, has been established to fund residents' associations, through loans of up to Rs. two lakh, to catalyse their local-level activities.

5.3.2 Janaagraha and Wards committees

According to Janaagraha:

- The creation of the wards committee, while important, is not a sufficient condition for true participatory democracy. It brings the institution of government CLOSER to the citizen, but the citizen is still a CUSTOMER of services, rather than a PARTNER. There has to be a role for the citizen to play.
- Janaagraha believes that there needs to be a PLATFORM for citizens of a particular administrative unit –say the ward – to collectively engage with their wards committees, and local government. Janaagraha calls this the “Federation”. This would deepen the process of representative democracy into participatory democracy.
- In many ways, the structure of federation being suggested is not different from the original village republic vision of Gandhi.

5.3.3 BMP's resistance to Janaagraha

BMP's resistance to Janaagraha is becoming increasingly evident. Despite all efforts by Janaagraha to 'collaborate' with and not 'confront' the councillors, the councillors have practically declared 'war' against it. The councillors have sensed that this empowerment programme of citizens is ultimately going to mean a lessening of their own powers. They have hence launched a disinformation campaign against 'Janaagraha'

5.4 Bangalore Agenda Task Force (BATF)

5.4.1 Background to BATF

It is curious that the Karnataka government ignored the implementation of the Constitutionally mandated Nagarapalika Act to enhance decentralisation and citizen participation in urban governance, even while it fostered informal and extra-constitutional bodies, such as the Bangalore Agenda Task Force (BATF), which were not legally accountable to the people.

The Bangalore Agenda Task Force (BATF) was constituted by way of issuing a Government Order (GO) in 1999 (critics question under which law this was done) identifying key individuals from the corporate sector who, it was felt, could contribute to the city's progress. The mandate given by this order to BATF was to:

- Work with city stakeholders to achieve the vision of role model city by 2001.
- Identify measures to upgrade city infrastructure & systems.
- Secure greater involvement of citizens, corporates, industry for enhancing quality of life.
- Provide intellectual and professional skills to ensure sustainability.
- Create an efficient, effective and pro-active administrative framework.

The Bangalore Agenda is meant to be a partnership between the citizens, corporates and the seven identified administrative agencies – the Bangalore Mahanagara Palike (BMP), Bangalore Development Authority (BDA), Bangalore Metropolitan Transport Corporation (BMTCL), Bangalore Water Supply and Sewerage Board (BWSSB), Bangalore Electricity

Supply Company (BESCOM), Bangalore Telephones (BT), and Bangalore City Police. BATF has tried to bring together the key players in a "Private-Public Partnership" (PPP) to enable synergy of effort and visibility of result.

An accountability platform was created where the above stakeholders would set targets and report on their progress regularly at periodic day long 'summits'.

BATF has identified and prioritised the following issues that it needs to focus on:

- Identify citizen concerns for prioritisation through citizen Report Cards
- Public articulation of vision for accountability.
- Build public-private partnership models & facilitate pilot projects - involving corporates, government & citizens.
- Scalable pilot projects for learnings.
- Adopt best in class practices.
- Identify internal champions per project.
- Strategic financial intervention.
- Documentation to enable shared learnings across cities in Karnataka.

Some of BATF's Initiatives have been:

- **Infrastructure projects** of BDA
- **Swachha Bangalore** - in the area of Solid Waste Management (SWM) to implement best practices in municipal solid waste collection, transportation, disposal and processing
- **Nirmala Bangalore** to provide upgraded public sanitation facilities
- **Swayam Ghoshane** - a Self-Assessment Scheme (SAS) for property tax collection conceptualised by BMP has been promoted by BATF
- **Fund-Based Accounting System** at BMP
- **Traffic Review and Action Committee** - to address all road and road safety issues, such as road signage, bus shelters, etc.
- **Public Transportation** - helping the Transport Corporation (BMTTC) in their design of bus stands, bus route maps and timetables
- **Future Undertakings**

The Bangalore Agenda Task Force is to focus on the following issues:

Bring in e-governance by upgrading the information systems relevant to decision-making particularly in Information Technology, Geographical Information Systems (GIS) and Enterprise Resource Planning; stimulate corporate and industry involvement in the city by funding towards the maintenance of civic assets and important programmes;

The assumption of BATF is that only after introducing supply-side reform so that the system becomes more capable of delivering, through measures such as fund-based accounting, e-governance, etc., can one create meaningful demand-side participation with citizens demanding their right to information or grievance redressal, etc.

5.4.2 BATF & 74th Amendment

◆ The Bangalore Agenda Task Force is a good model of informal public-private partnership, but it cannot replace or become a parallel body to formal statutory bodies foreseen under the 74th Constitutional Amendment for bringing in greater citizens' participation and accountability. Being composed of persons from the corporate sector, its

strengths and capabilities lie in the areas of ability to fund projects and also provide ideas, concepts, technical skills, support and guidance.

- ◆ The BATF, curiously calls the seven 'service providers' of the city as the 'stakeholders' which appears to be a misnomer because the genuine stakeholders – the common people of the city - are nowhere represented in the BATF. If the idea was to create a multi-stakeholder forum to bring in greater people's participation, the citizens' associations, the slum-dwellers' associations, employers' and workers' unions, traders' and small entrepreneurs' associations, women's and youth groups, etc., representing various interest groups, should all have been represented. Critics hence point out that the BATF is not a truly representative body which can decide on behalf of all these different stakeholders of the city and that the BATF represents only the corporates, who are merely one of the stakeholders in the city.

- ◆ Though BATF has the vision of making Bangalore another Singapore, it has practically no interaction with the elected BMP Council, the representative body under the 74th Amendment, in charge of the City. Hardly any elected councillors or wards committee members attend the BATF stocktaking summits organised half-yearly or, nowadays, annually, when the achievements and the plans for the future of the seven service providers are placed before the public. If at all they do participate, they feel like fish out of water, since all of BATF's summits are conducted mostly in English. BATF is dealing directly with the agencies or parastatal bodies of the State or Central governments, such as BDA, BWSSB, BESCOM, BSNL and Bangalore Police, who continue to operate outside the urban local body though they provide local services.

- ◆ Participation of common people, residents' associations or slum-dwellers in the decision-making process of the BATF, in the agenda-setting or its implementation has been practically nil or limited to tokenism. Initially, participation in BATF's Summit was not open even to residents' associations and was strictly by invitation only. Participation of the general public was restricted to answering cursory surveys. Critics say that the BATF has an attitude of "I-know-what-is-good-for-you". The growing non-transparency of the BATF itself has also been a matter of debate among more participatory bodies. Some citizens resent the fact that some members of the BATF have taken to making policy statements on behalf of BMP as if they are 'the government'. The BATF has no history of demanding that the legitimate and democratic institutions foreseen under the Nagarapalika Act are strengthened or made functional, such as the Metropolitan Planning Committee.

- ◆ BATF has also shown practically no interest in promoting formal, decentralised, ward-level institutions and structures such as wards committees, that would enable greater local citizen participation, and transparency and accountability of BMP to citizens in their own areas / wards. Accountability of the service providers is being seen, more or less, as 'accountability at city-level to BATF'. At the time BATF launched its Swachha Bangalore programme, the wards committees were very much in existence. But the BATF did not involve the wards committees in any way in the Swachha Bangalore programme though garbage disposal is very much a function of wards committees and hence their legitimate territory.

- ◆ The BATF's Shuchi Mitra programme of having common people as 'garbage wardens' in every ward has been at best tokenistic. Its plan to have local committees with common people to monitor garbage disposal under the new garbage contracts announced in 2003 has been a non-starter and is again bypassing formal wards committees. Many feel that the functioning of BATF is hence antithetical to the processes being sought to be institutionalised in the Nagarapalika Act.

- ◆ The BMP Commissioner too, at the BATF Summit in February 2003, more or less distanced himself from the BATF by stating that he was bound by the statute which required him, first and foremost, to be answerable to the BMP Council to implement its decisions. He was hence not bound to implement the agenda or meet the deadlines sought to be set by non-statutory bodies such as the BATF.
- ◆ The emphasis of BATF on infrastructure and the promise to make Bangalore another Singapore (a dream of the CM) are motivated by its desire to have a clean and sparkling city, with good roads and pavements in order to attract investment, which is the prime interest of the corporates. Hence its preoccupation with Swachha Bangalore and the superficial and cosmetic improvements to the city in the form of fly-overs, roads, better traffic management, bus-shelters, toilets in commercial areas, etc. Many feel that BATF is merely voicing the interests of the elite and affluent and is hence largely responsible for the hijacking of the development agenda, and hence the budget, of the city to meet the aspirations of the few rich.
- ◆ Even in its engagement with Swachha Bangalore, the BATF was so far only interested in seeing that garbage somehow disappeared from the streets, but it showed no interest in ensuring that BMP looked into the social aspects of garbage management, such as the wages and working conditions of the contract Pourakarmikas, i.e., the municipal sweepers. However, recently, BATF has initiated a process of involving all concerned stakeholders to design an Integrated Sustainable Waste Management (ISWM) Programme for the whole of Bangalore city.
- ◆ The BATF has so far, never directed its expertise to address the problems of the urban poor – of providing basic amenities to slums, such as drinking water, underground drainage, community toilets, decent housing, child care, primary education and primary health care, which are the issues related to human rights and human development. The aspects of better enforcement of laws and plugging of corruption have also not been on BATF's agenda. Without addressing these core issues, no genuine development of Bangalore can be brought about. A former BMP Commissioner too has pointed to the poor record of BATF in these areas.
- ◆ There are also accusations that there is a quid pro quo involved in the ostensible magnanimity of the corporates in sponsoring Swachha Bangalore and several other initiatives with huge donations. These are, it is claimed, in reality a hidden bribe to the government in order to reap far greater benefits in the form of land at throw-away prices, tax reductions and exemptions, subsidies, etc. There is also the handicap that BATF has been initiated by a Congress CM, which makes its survival under a new political dispensation doubtful.
- ◆ **Update:** Since this study was done, elections in 2004 saw a new government take position at state-level which has practically disbanded the BATF, though assurances to re-start the initiative have been made.

5.4.4 Some observations on the approach of some informal structures and citizens' movements

Following are some observations on the approach of informal structures / citizens' movements in Bangalore that have been trying to bring about greater people's participation :

- The idea of citizens going to municipal councillors as supplicants, requesting that their needs be heard and accommodated, for instance in ward works, goes against the grain

of citizens' right to participation as a Constitutional mandate enshrined in the 74th Constitutional Amendment.

- Though people from several wards involve themselves initially in such campaigns, their number comes down later as very few councillors and engineers part with the details of the tenders and specifications of the works to informal groups. The question remains as to how many officials would continue to oblige the citizens if they started asking for bills and vouchers, muster rolls, measurement books and wage records, which would be the next logical step.
- Regular monthly review meetings with officials, such as the engineering department, requested by such groups happen in only a few wards. This indicates that at some point of time, the resistance of elected representatives and officials or the apathy of citizens takes over when there is no formal, legal requirement on the councillors and officials to be transparent and accountable to the citizens.
- Though some movements emphasise a cooperative and collaborative strategy while approaching corporators and officials and not one of confrontation, they often do not invoke the "Right to Information Act" - which makes it mandatory for officials to part with information - to get the information they desire. Their persistence with informal methods of persuasion, and non-formal structures, with no legislative backing, to enforce accountability forces one to question the claimed sustainability of these processes.
- The campaign in Rajasthan of the Mazdoor Kisan Shakti Sangathan on people's Right to Information also began as a people's movement, when there was still no law on Right to Information. But MKSS' campaign, in fact, led to the law being framed because there was an explicit demand by the movement for such a law. It appears that, unless these citizens' movements too link their movement to demands for changes in the law itself to institutionalise people's participation, they will meet with increasing resistance, as has also taken place. They need to demand participatory democracy or participatory budgeting within BMP as policy measures.
- These movements have often not shown much interest in demanding and strengthening the institutionalised mechanisms for citizens' participation foreseen in the 74th CA which would give formal, self-sustaining and permanent structures for citizens' participation, such as wards committees. These would not be subject to the whims and fancies of councillors and bureaucrats. There is scope for making wards committees the empowered local government that one would like them to be by demanding suitable changes to the law.
- While Informal groups have a watch-dog role, only institutions prescribed under the law have true legitimacy. Civil society needs to strengthen these statutory institutions. Civil society groups can only supplement and not supplant legal structures such as wards committees.
- Often, these movements are built upon the foundation of residents' associations which are elitist in nature. RA's are also weak organisations with poor managerial capacity and thin base of membership. When attempts are made to fund residents' associations for carrying on their activities, many feel that it subverts the civil society movement that has evolved over a slow period in Bangalore on the basis of pure voluntarism. Funding them could also not be a sustainable approach.
- The legitimacy of a few residents' associations or a few individuals, often with a 'tunnel vision', representing the elite in a ward, planning and prioritising works for the whole

ward needs to be questioned. Ward visioning needs to have a broader basis. A multi-stakeholder consensual approach with legitimacy needs to be evolved.

- Capacity building of the Councillors needs to be undertaken to enable them to do all that is possible under the given law and to do good as per their election manifesto.
- The corporate-marketing language and methods used by some organizations may work for some time but not forever. Their model for transformation needs to be tested first on pilot-project basis and results proved before going to scale.
- The Porto Alegre experiment in participatory democracy worked because of political will and commitment which came through political struggle and participating and winning in formal elections. The experiment was in response to poor people's bad bargain in the city's budget. It cannot be blindly replicated in our cities where the contextual setting may be different. One may not be able to create a revolution from above.
- When some organizations or movements are blessed by the political leadership of a particular party, it becomes doubtful whether they will continue to get the same support if a different government comes to power, is doubtful.

While the creation of the wards committee, while important, may not be a sufficient condition for true participatory democracy, it can be said that some of these citizens' movements too, while important, are not a sufficient condition for participatory democracy. They **need to become a part of the formal, institutionalised mechanism for people's participation envisaged in the 74th Constitutional Amendment even as they provide the missing component of genuine 'people's power' to strengthen the 74th CA.*** But many of these movements need to be lauded for their ability to mobilise such great numbers of citizens, who are often apathetic and content to merely blame the system without doing anything themselves to change the situation.

***Update:** It is observed that since this study was conducted, some of these movements have begun to realize the truth of the above statement and are working towards strengthening the institutions foreseen under the 74th CA.

6. CIVIC'S OBSERVATIONS & FINDINGS

6.1 Constitution of wards committees

- ◆ The wards committee is not a fully elected body like the grama panchayat which is a body formed only by elected representatives, each member equal to the other and having his/her own constituency and the backing of the people there.
- ◆ In addition to the directly elected councillors, there are seven members on the wards committees - five individuals and two from NGOs/CBOs working in the area -who are nominated by the State government and have no constituency of their own or the people's backing. This pitted the elected councillors against the nominated members *ab initio*.
- ◆ The elected municipal councillors representing the area are on the wards committee, but they represent about 40,000 to 50,000 population each in their individual wards making proximity and accountability a far dream. In the grama panchayats there is one elected representative for every 1000-3000 persons or even less and there is one grama panchayat for every 5000-7000 persons.
- ◆ 3-4 wards are combined to constitute one wards committee which makes them zonal and not wards committees. Each wards committee represents a population of 1 – 1.5 lakh which actually increases the distance between the people and their representatives.
- ◆ The delimitation of wards and wards committee areas is most arbitrary with neither the area nor the population being fixed bases for the delimitation, though population is the criterion for delimiting grama panchayat areas in rural areas.

6.2 Procedure for formation of wards committees:

- ◆ The five nominated members are supposed to be 'persons with knowledge of municipal affairs' to be nominated by the state government. But the previous government filled these positions almost wholly with its own party workers (Janata Dal), who may or may not have had the requisite knowledge of municipal affairs since their backgrounds were never made public knowledge.
- ◆ The procedure of nomination is non-transparent and wholly undemocratic. No public announcement was made calling for nominations to the wards committees. The received nominations were not displayed at a public place, like the ward or range office. No objections were called for to the proposed nominations either from the public, officials or party workers. No public scrutiny of the nominations was done by any officials, no objections made public, and no rejection of nominations done on the basis of any specific criteria.
- ◆ There was no participation of the people of the wards in the mode of nomination at all.
- ◆ Nomination allows the State government to extend its control over wards committees through the back door which is against the idea of local self-governance.
- ◆ Many of the NGOs on the committee are bogus or unsuitable, such as Ganesha Seva Samithis, Karnataka Rajyothsava Silver Jubilee Celebrations' Committee, and wrestling associations.

- ◆ Many of the nominated members too were found to have criminal backgrounds as substantiated through a writ petition filed by CIVIC Bangalore in the High Court of Karnataka. **(Annexure 5)**

6.3 Internal squabbles:

- ◆ Since 3 to 4 councillors from as many wards, often belonging to different parties, were brought together into one wards committee, there were frequent squabbles between the elected members. Squabbles between elected and nominated members were also common. One elected councillor hence called the wards committees as 'war committees'.
- ◆ If the wards committee chairman happened to belong to the Janata Dal, Congress or BJP councillors from the other wards coming under the wards committee jurisdiction often did not attend the meetings called by him and vice versa.
- ◆ Since one of the 3 or 4 councillors was elected as chairperson, he gained an advantage over the other two to three councillors, which could only have been resented by the other councillors. Since the term of the chairperson is five years, the others would never gain the advantage of becoming chairpersons.
- ◆ The nominated members have been given voting rights and since they number seven in a committee of 10-11 persons, they could always overrule the 3-4 elected councillors on the committee.
- ◆ **The elected councillors felt that the nominated members had no 'political legitimacy' as they had not been voted to power by the public as they themselves had been. Hence they resented the power the nominated members had been given to influence decision-making which the elected councillors felt was their prerogative. Hence the disinclination of chairpersons to convene meetings of the wards committees and their indifference to the functioning of the wards committees.**
- ◆ Elected councillors felt that the nominated wards committee members' role was restricted to bringing problems in their wards to the notice of the elected councillor or chairperson who would then take suitable action. They did not want nominated members to inspect works on their own, ask for information and give orders to officials themselves as if they were equal to elected councillors. The elected councillors felt that this was a usurpation of their role.
- ◆ **Elected councillors also saw the nominated members as their potential rivals during the next election and hence had to necessarily thwart their activities to safeguard their own position.**
- ◆ It is significant that one of the few wards, where the functioning was smooth between the elected councillors themselves and between the elected and nominated members, was in Koramangala Range, **where all the three elected councillors were women.** The women councillors here used to put pressure on officials to address the issues raised by the nominated members.

6.4 Non-observance of rules or weak rules:

- ◆ The greatest hurdle to the effective functioning of the wards committees was that the Rule stipulating that a wards committee meeting should be held once a month was never

observed. In more than 30 months of their existence, some wards committees had held only one or two meetings. As per our study, the maximum number of nine meetings was held in Gayathrinagar Range.

- ◆ Other than prescribing procedures for the conduct of meetings, **the Rules did not prescribe any procedures for the discharge of the various functions assigned to wards committees.** Hence no decentralisation of functions to wards committees could take place. In the absence of laid-down procedures, there was no obligation on officials to place any paper work before the committees or get its approval for any administrative action.

6.5 Lack of facilities:

- ◆ There was no proper meeting hall / place for the wards committees. Generally, makeshift arrangements were made in the office of the Assistant Revenue Officer by rearranging the tables and chairs of the revenue staff. There were not even enough chairs for all the members to be seated. There was no mike system, hence all could not hear what was being spoken at one end of the table by the Chairperson and the ARO. In one instance, a meeting had to be adjourned due to lack of chairs and venue.
- ◆ There was not enough space for the participation of the public. If at all they came to attend meetings, several wards committees did not allow them inside on the plea (contrary to the rules) that the wards committee meeting was being held and that the public were not allowed to attend the meeting. If they managed to come inside, they had no place to sit.
- ◆ Wards committee members were demanding an office and meeting space, a typist, a phone, a van for conducting inspections, diaries, ID cards, TA and DA.
- ◆ Wards committee members were not paid any sitting fees or remuneration for their services which acted as a disincentive to their working with greater commitment.
- ◆ Bringing all these problems to the notice of the Commissioner brought forth hardly any response.

6.6 Role of AROs:

- ◆ The Assistant Revenue Officers (AROs), who are the Secretaries of the wards committees, were given no training on their powers and functions.
- ◆ The decisions of the standing committees, resolutions of the BMP, ward-wise budgetary allocations, copy of ward maps and ward-wise details of corporation properties are supposed to be available with the AROs, but most of them do not possess these.
- ◆ Though the Rules require them to do so, the AROs were not monitoring follow-up or reporting action taken on points raised during the wards committee meetings or on the resolutions passed.
- ◆ The AROs pleaded their inability to direct officials of health, engineering and other departments to take action on points raised at the wards committee meetings as they were of the same level in the bureaucratic hierarchy as the other officials and were not above them.

- ◆ AROs also pleaded lack of secretarial assistance to undertake follow-up action and ask for action taken reports.

6.7 Lack of access to ward-level information

The wards committee members sought but were not given the following information:

- ◆ Range/ward maps
- ◆ Copies of the Annual Programme of Works (APOW).
- ◆ Estimates sanctioned
- ◆ Works completed
- ◆ Names of contractors awarded works
- ◆ Money released for works, amounts paid, amount remaining
- ◆ Plans sanctioned road-wise and fees collected for houses with:
 - ◆ tiled roofs and red-oxide floors
 - ◆ RCC roof and red-oxide floors
 - ◆ teak and marble
- ◆ Buildings assessed
- ◆ Road-wise commercial buildings
- ◆ Road-wise details of residential houses
- ◆ Details regarding vacant sites
- ◆ Division-wise revenues
- ◆ Revenue collected
- ◆ Revenue dues
- ◆ Leased properties of corporation
- ◆ Betterment charges collected
- ◆ Details regarding playgrounds and civic amenity sites and the use they have been put to; number and location of hand-pumps (borewells) and public water taps; details regarding underground drainage; street lights; street signages;
- ◆ Details regarding Hundi records (with regard to MP's, MLA's);
- ◆ Details regarding the functioning of corporation health centres and hospitals, maternity hospitals, number of doctors, medicines available, etc.;
- ◆ Details regarding government and corporation schools;
- ◆ Details regarding social welfare schemes for SC/STs and their numbers; the number of sewing machines distributed, etc.

6.8 Lack of finances:

- ◆ Though the Rules specify that the wards committee has powers to approve works up to a total of one lakh in a year, no use was made by the wards committee members of this provision to ask for sanctions for works. There was no sanction of money to wards committees, no release of funds, no money drawn and no accounts given during their tenure.
- ◆ Some wards committee members stated that since no executive orders to release the Rs. One lakh to them was issued by the Commissioner, they could not make use of it. Some others stated that the Mayor had informed them that since they had not made use of the funds, it had been diverted to the Mayor's own discretionary fund. Some others stated that they had never tried to get anything sanctioned under the money set apart for wards committees.
- ◆ Sanction for even small works contemplated by the wards committee members was needed from the Commissioner.

- ◆ One member felt that money was not the problem. The Councillor should have consulted them before framing the annual programme of works for which there was allocation of about Rs. 30-40 lakh to each ward anyway.

6.9 Indifference of elected councillors & officials to wards committee members

- ◆ Wards committee members complained that many officials were not showing due respect to them; they were often discourteous and behaved arrogantly with them.
- ◆ Many officials did not attend the wards committee meetings regularly.
- ◆ Most officials did not attend to the ward problems pointed out by the nominated members. They neither took any action nor provided any action taken reports. They gave mere assurances at the meeting. Wards committee members complained that out of ten issues raised by them, only one or two were attended to.
- ◆ Most elected councillors did not support the demands of the nominated wards committee members and put pressure on officials to attend to them.
- ◆ Most of the time, wards committee members were not invited to BMP functions held in their wards. They were ignored when works were inaugurated / started in the wards.
- ◆ Many elected councillors did not support activities initiated by the nominated members in their wards; they, in fact, delayed them or scuttled them since they perceived the nominated members as potential rivals during the next elections.
- ◆ The indifference of many officials was due to the fact that the wards committee nominated members did not have the powers to get them transferred, if they did not perform. Most officials attended only to the issues raised by elected councillors as they had the powers to get them transferred.

6.10 No role in planning, implementation, monitoring or auditing of ward works

- ◆ Wards committee members confessed that they were unable to influence the working of the engineering department, which is in charge of executing public works.
- ◆ Wards committee members were not involved in an institutionalised manner in planning for the ward.
- ◆ They were unable to have any say in the utilisation of ward budget grants as the councillor alone used to make the plans for the Annual Programme of Works by discussing with officials.
- ◆ Annual Programme of Works (APOW) for each ward, sanctioned by the Standing Committee on Works, were not allowed to be monitored by wards committee members.
- ◆ Wards committee members were often uninformed about major works being taken up in their areas by the Standing Committee.

- ◆ Some AROs felt that the Works Standing Committee members did not want to share the booty provided by the Programme of Works with seven more wards committee members.
- ◆ Wards committees were rarely able to get any work done that required sanctions.
- ◆ No wards committee studied had done any work on implementation of urban poverty alleviation schemes, slum improvement, or organising people's participation in the functioning of wards committees.

6.11 Inability to bring in systemic changes

- ◆ In most wards committee areas, only the most trivial of problems got solved through the wards committees, such as street lights, lavatory cleaning, drain cleaning, de-silting and sanitation which relate to only routine work.
- ◆ Whatever little was achieved, was mostly due to the individual initiative and influence of the wards committee nominated members and not through the collective action of the wards committee as a whole. As the nominated members were mostly party workers of the erstwhile Janata Dal, which was holding power at the State level, they were able to utilise their personal contacts with the Councillor or MLA and officials to get a few things done. Their contacts with associations and people within the ward were also through their party linkages. They were able to take up individual grievances of their following within the ward and get them redressed through their familiarity with ward-level officials.
- ◆ There is no instance of wards committees attempting to bring in systemic changes in the functioning of the municipality through their collective action. They were merely fire-fighting and did not suggest or bring in sustainable long-term solutions. For instance, there is no instance of wards committees setting up proper procedures for their area on how public grievances, routed through various channels, should be handled within time-frames and generate action taken reports.
- ◆ Most of the time, the wards committee members were mere conduits for bringing grievances of the public to the notice of officials but not in providing managerial answers to dysfunction. For instance, they brought to the notice of officials areas where garbage had not been lifted properly. But none analysed the causes of malfunction and suggested what needed to be done to improve the system of collection of garbage in the ward as a whole.
- ◆ Similarly, wards committees did not deliberate on how to make the administration more transparent and less corrupt, enable greater people's participation, or make it a stronger institution of local self-governance.

6.12 Lack of control over range/ward finances:

- ◆ Wards committee members were provided no insight into overall range-level finances.
- ◆ Most of them had no role in the assessment of property tax or its collection, no role in the sanction of trade licenses.
- ◆ No accounts were presented at wards committee meetings on the incomes and expenditures for the month in the range.

- ◆ No bills for works undertaken in the range as part of APOW were scrutinised by the wards committee and no bills were passed by them.

6.13 Nexus of vested interests:

- ◆ Wards committee members were unable to break the existing nexus of vested interests operating in every ward between contractors, officials and councillors and the entrenched system of obtaining 'cuts' and 'percentages'. Many service-minded nominated members were not allowed to gain information on or insight into works and other ward-level information for this very reason.
- ◆ In fact, the reason for the indifference of most elected councillors and the Council as a whole to the functioning of the wards committees was that the elected councillors did not want to share their powers and the implicit benefits with seven more members.
- ◆ Some elected councillors used to accuse wards committee members falsely of demanding 'cuts' from contractors and house-builders. The elected councillors used to make the nominated wards committee members the scapegoats to cover up their own misdeeds.
- ◆ Several AROs complained that many nominated members were only interested in getting a 'cut' in the 'percentages' that were till then the monopoly of elected councillors. They felt that the wards committees had only 'decentralised' and 'increased' corruption.

6.14 Interaction with people:

- ◆ There was no public announcement of the dates of the wards committee meetings.
- ◆ People of the ward were not informed periodically through 'ward sabhas' of the decisions taken at the wards committee meetings.
- ◆ Interaction between wards committee members and citizens were mostly through personal, individual contacts.
- ◆ There was also no systematic, institutionalised procedure through which the people's suggestions for plans for the ward and for identifying beneficiaries were elicited.
- ◆ There was no mechanism by which the people could participate in monitoring the works in their wards or audit the accounts at the ward level. Bills and vouchers were not thrown open for public scrutiny and social audit by the people themselves.
- ◆ Wards committee members did not attempt to seek the public's support for the wards committees.
- ◆ They did not educate residents about the existence of the wards committees and how citizens could interact with them for better governance.
- ◆ **They did not ask the people of the ward to protest against the non-convening of wards committee meetings or their ineffective functioning. Wards committee members kept appealing to the Commissioner and the Urban Development Department to ensure the proper functioning of wards committees which was a return to the top-down mode of ensuring accountability. Wards committee members had no concept of downward accountability to the constituents, i.e. the people. They failed to build bridges with them.**
- ◆ Few residents' associations and other citizens' groups took action to protest against the poor functioning of wards committees.

6.15 Wards committee effectiveness

- ◆ Since most wards committees hardly met a couple of times, their overall performance has to be considered as negative.
- ◆ **Most wards committee members have identified unwillingness of elected councillors to share powers with nominated members, political interference and bureaucratic apathy as the major problems that hindered their effective functioning.**
- ◆ However, the overall consensus is that the wards committees did not bring about as much decentralisation, accountability, transparency or people's participation as they could have, if they had been allowed to function as envisaged.
- ◆ The wards committees did not succeed in becoming a formal, institutionalised mechanism for people's participation in planning, implementing and monitoring works.
- ◆ Since the wards committees were continuously struggling to establish basic recognition of their existence and observance of stipulated Rules about their functioning, expecting them to have played any larger role is illusionary.
- ◆ It was too much to expect that the wards committees could be successful in establishing control over local resources, such as land, influence any larger decision-making by the Corporation regarding their wards, or become genuine institutions of 'local self-governance'.
- ◆ Since they were given no powers, no finances and no decision-making roles, they had no occasion to resolve 'conflicting and competing interests in the ward' or adopt a method for 'prioritizing actions in the face of financial constraints' or 'arrive at a fair and equitable distribution of the ward's resources'.

7 RECOMMENDATIONS OF CIVIC BANGALORE

7.1 Constitution of wards committees

- ◆ CIVIC continues to endorse the recommendation made at the CIVIC meeting held on 18 December 1993: “In order to maintain a clear chain of accountability and avoid dilution and/or mixing of responsibility, combining several wards under one committee must be avoided. Instead every ward should have a committee that is solely responsible for conditions in the ward”. Hence, there should be one wards committee per ward.
- ◆ This recommendation of CIVIC has also been endorsed by a Consultation Paper on ‘Decentralisation and Municipalities’ commissioned by the National Commission to Review the Working of the Constitution. It cites the 65th Constitutional Amendment Bill which had envisaged a three-tier set-up of a wards committee for each ward, zonal committees and corporation for larger urban areas, similar to the three tier arrangements envisaged for the Panchayats. This was to ensure “decentralisation not only at the city level but within the city as well. The provision also enabled greater proximity between the citizens and the elected representatives...”.
- ◆ The system of making political nominations of wards committee members should be given up. Nominations are unhealthy and undemocratic and result in friction and rivalries and dysfunctional wards committees. This also provides a back-door entry to the state government to influence issues of local governance which needs to be avoided in the interest of ensuring the autonomy of local self-governance bodies.
- ◆ CIVIC’s December 1993 meeting also felt that “a representative to population ratio smaller than 1:10,000 would not ensure genuine accessibility and visibility”. Currently, there is one elected representative for a population of about 40,000 in the wards of Bangalore. Therefore, a ward should be broken up into further sub-wards and the Rules should be amended to allow for direct election of wards committee members from sub-divisions of the ward. (This too has been accepted and endorsed by the above-mentioned study group.)
- ◆ The Rules should be amended to fix a population basis for the election of wards committee members and for the formation of wards committees, on the lines of elections to grama panchayats. That is, there should be one elected member for, say, every 5,000 population and one wards committee for, say, every 50,000 population.
- ◆ There should be at least one-third reservation for women members in the wards committees.
- ◆ If the present system of combining 3 to 4 wards to form a wards committee is to be continued, then all the 3 to 4 councillors should be given a chance to assume the role of chairperson by rotating the position every 20 or 15 months [Recommendation of the Urban Management Committee (UMC) set up by the Karnataka Government].
- ◆ **Right now, the elected councillor does not need the support of the nominated wards committee members for his position or functioning; therefore, he ignores them. To overcome this, the elected wards committee could elect one of its members as the ward councillor, in line with the grama panchayat members who elect their own president. This in order to make the councillor dependent on the support of the other wards committee members for his position and functioning.**

Only then will he make an effort to carry the wards committee members along with him and be answerable to them.

- ◆ The Rules should allow the elected wards committee to co-opt or nominate distinguished or knowledgeable persons, and representatives of other stakeholders in the ward, such as traders' associations, corporate bodies, trade unions, NGOs, CBOs, women's associations, youth groups, etc., to the wards committee, through an open, transparent and democratic process. Nominations could be done by setting up committees for the purpose consisting of distinguished citizens of the ward, reputed NGOs, senior officials and elected councillors.
- ◆ Corporation officials belonging to each department at ward-level, such as health, engineering, horticulture, education, revenue, hospitals, etc., should be made ex-officio members of the wards committee and their presence at wards committee meetings should be made mandatory in the Rules.
- ◆ It should be mandatory under the Rules for officials of para-statal agencies such as the BWSSB (Water Supply and Sewerage Board), BESCOM (Electricity Supply Co.), and officials of local Police, Traffic, Public Transport departments, etc. to also attend wards committee meetings when invited to do so.

7.2 Meetings of wards committees

- ◆ It should be mandatory in the Rules to hold wards committee meetings every month by a certain date or on a certain day. The Rules should specify punishments for those violating this provision, either in the form of fine, stoppage of increments, suspension, etc.
- ◆ The Rules should require the date and time of holding of the wards committee meeting to be given wide publicity through the press and local electronic media.
- ◆ The wards committee meetings should be held in a place, such as a community hall, within the ward, so that the general public can attend them in large numbers. The meetings could also be televised live on the local TV channels.
- ◆ Wards committee proceedings should be mandatorily displayed at the ward office every month. The decisions and works planned by the Wards committee should be publicised to the local community through information boards displayed throughout the ward.

7.3 Functioning of wards committees

- ◆ The wards committee should be given an office or a place and secretarial support at ward-level.
- ◆ There should be a fixed, standing agenda for every meeting which is strictly followed.
- ◆ The powers and roles of the Councillor / Chairperson vis-à-vis the wards committee and the powers of individual wards committee members should be clearly defined. There should be a binding on the Councillor / Chairperson to respect the majority decision taken by the wards committee.
- ◆ The Rules should be amended to allow for removal of the Chairperson/Councillor through a no-confidence motion.

- ◆ The Rules should specify that any information sought by wards committee members regarding ward-level issues should be made available to them within a time-frame and punishments foreseen for officials violating this provision.
- ◆ The functions of wards committees listed in the Rules should be exclusive to wards committees and not be concurrent with those of the Corporation. The basis should be that what can be done at the lowest level is best done at that level. The necessary powers, staff and resources for carrying out these tasks should be provided to them.
- ◆ Wards committee-level officials should be accountable to the wards committee and not merely to their higher-ups in the bureaucracy. Wards committees should have the powers to punish and transfer the officials who do not perform.
- ◆ Ground-level officials of the state's line departments or para-statal bodies performing functions now listed for discharge by the wards committees, such as urban poverty alleviation schemes, slum clearance, etc., should be made accountable to the wards committees.
- ◆ The wards committee could be required to send periodic progress reports of its activities to the Corporation Commissioner.
- ◆ All policy matters and paper-work pertaining to the wards committee area, public grievances, etc., should be mandatorily placed before the wards committee at the monthly meetings. Decisions on these should be taken either through ratification or by putting the matter to vote at the wards committee meeting.
- ◆ All planning, prioritising, implementation, monitoring and auditing of ward works should be through the wards committee, through a bottom-up process involving citizens, and not merely through the Councillor / Chairperson and officials.
- ◆ **The procedures for devolving the necessary funds, functions and functionaries to the wards committee for discharging the functions listed in the Rules should also be clearly specified in the Rules.**

7.4 Role of the secretary of the wards committee

- ◆ The Secretary of the wards committee, the Assistant Revenue Officer (ARO), should be placed above and be authorised to give directions to officials of the health, engineering, education, and other departments of the Corporation, to give effect to decisions taken by the wards committee. His designation should be suitably changed to, say, CEO of the wards committee. Currently, his level is on par with that of the officials of health, engineering and other departments, because of which he is unable to give directions to them.
- ◆ The ARO should be provided with enough secretarial support to take follow-up action on the resolutions of the Wards committee and to report action taken on every point raised during the wards committee meetings. The Rules should foresee punishments for his failure to take follow-up action and report action taken.

7.5 Right to information

- ◆ The officer in charge of the ward shall make arrangements to keep all items of information regarding the ward available in the ward office for reference of the wards committee members. They should be entitled to receive photocopies of the above said

documents on payment of a prescribed fee. (Urban Management Committee recommendation)

- ◆ The wards committee should “display all vital information pertaining to development projects, especially receipt of funds and how they are being spent ... on a prominent board for the information of the public. Second, all relevant records should be open to inspection and third; members of public should also be able to obtain photocopies of documents pertaining to development projects as also matters of general public interest. Particularly, all bills, muster rolls, vouchers, estimates and measurement books should be available...” (Mr. N. C. Saxena quoted by the Urban Management Committee)
- ◆ Also, information regarding city-level works being taken up in or in the immediate surrounding of the wards committee area should be made available in the ward office.
- ◆ The wards committee should also publish the names of various officials, their place and time of availability, names of contractors, etc. (Urban Management Committee)

7.6 Finances of wards committees

- ◆ The necessary funds and functionaries for the wards committees to perform all the listed functions should be devolved to them.
- ◆ At least 40% of the ward funds should be given to the wards committee as untied fund as in the people’s planning process initiated in Kerala.
- ◆ Whether wards committees should be allowed to levy cesses or raise contributions from citizens/ corporates / traders from within the ward for schemes or projects they wish to initiate needs to be considered.
- ◆ All income and expenditure details should be available ward-wise and should be placed before the wards committee at every meeting. All bills, vouchers, measurement books, muster rolls, etc. should be placed before the committee for approval and passed by it.

7.7 Wards committee as institution of local self-governance

- ◆ The wards committee should be given the power to decide on the use of public land properties and resources in the ward, including parks and playgrounds, use of civic amenity sites, location of public amenities, etc.
- ◆ The relationship between the Corporation Council, the Standing Committees and the wards committees needs to be clearly defined. For instance, any resolution of the Council regarding use of lands or initiation of development projects in a ward, should be approved by the wards committee before being implemented.
- ◆ MLA’s, MP’s, etc., should not be allowed to interfere in local issues which are in the exclusive domain of the wards committees.

7.8 Wards committee – citizen interaction

- ◆ Wards committees should foster the organisation of citizens in their areas, as required under the Act, and interact regularly with them.

- ◆ The Rules should specify the manner and periodicity with which the wards committee should hold 'ward sabhas' on the lines of 'grama sabhas'. Keeping in mind the dense population in urban areas, 'ward sabhas' may be prescribed for every 5,000 or 10,000 population. The periodicity of the meetings should not exceed three or four months
- ◆ The Rules should allow a bottom-up planning, implementation, monitoring and social auditing process through the holding of 'ward sabhas' by the wards committees. At least, four 'ward sabhas' should be held in a year: firstly, to elicit people's inputs to ward-level planning; secondly, to inform them about the plans sanctioned and their implementation; thirdly, to involve them in the monitoring of the works being implemented; and lastly to involve them in the accounting and auditing of works completed.
- ◆ The Rules should require the holding of public hearings by the wards committee / corporation in the wards committee area, whenever any projects are planned in the ward or in the surrounding areas, which are likely to affect the citizens in the ward.
- ◆ The Rules should require the selection of beneficiaries for government schemes to be done through ward sabhas as is being done in the grama sabhas.
- ◆ A network of neighbourhood groups / street-wise citizens' committees, which federate into Community Development Societies and ward-level federations should be actively promoted to create downward accountability mechanisms of the wards committees to the constituents, i.e. the people and community. This to be preferred rather than upward accountability of wards committees to the Municipal Commissioner, Council, etc.
- ◆ The Rules should allow the wards committees to set up sub-committees with greater common people's participation to deal with specific ward-level issues, such as solid waste management, road and drain works, school enrollment, health care, poverty alleviation schemes, etc.
- ◆ Links should be established between non-formal parallel structures and processes of citizens' participation, such as the BATF, and wards committees to mutually strengthen the functioning of each and impart democratic legitimacy to these informal processes.

7.9 Training & IEC

- ◆ Training programmes should be conducted compulsorily by the municipal corporations, with the help of NGOs, to all AROs, ward-level officials and wards committee members. Training should focus on the history and need for local self-governance, letter and spirit of the 74th Constitutional Amendment, state Acts and Rules, scope and purpose of wards committees, information on various service providers, roles, responsibilities and functioning of wards committees, and other technical inputs.
- ◆ An Information & Education Campaign (IEC) should be conducted, with the help of NGOs, through posters, pamphlets, meetings and press and electronic media in every ward to educate residents' associations and citizens about the functioning of wards committees and how they can interact with them and make them more accountable.

8 CONCLUSION

Wards committees were envisaged in large municipal corporation areas for putting into effect the ideas of decentralisation, local self-governance and people's participation. Though the formation of wards committees was a step in the right direction, their weak and undemocratic structure, lack of access to information, lack of empowerment with funds, functions, functionaries and facilities made decentralisation to wards committees largely unfruitful in Bangalore Mahanagara Palike.

A part of the problem is that the municipal councils themselves are yet to become institutions of genuine local self-governance, as envisioned by the 74th Constitutional Amendment, since the State Governments are unwilling to part with their powers. Thus the State Finance Commissions are yet to address the issue of financial autonomy of local governments satisfactorily, which in turn will have to address the financial autonomy of the wards. The Metropolitan Planning Committee is yet to be set up in Bangalore and in its absence, state-level agencies such as the Bangalore Development Authority, BMRDA, and other utility agencies allow backdoor control of the State government over local governance. Siimilarly, what we are seeing is the unwillingness of the municipal councils themselves to share even their existing powers with wards committees.

Another handicap is that municipalities continue to be seen more as service delivery organisations and not as development agencies. In reality, they are mere fire-fighting agencies. Hence their inability to go beyond the tasks of sanitation, roads, drains, etc. **Vital functions, involving the fulfillment of basic needs of citizens, such as the rights to food, work, primary education, basic health care and social security, which are best ensured at the local level, continue to be outside the purview of municipalities. Even poverty alleviation programmes are mostly in the hands of line departments of the State.**

All these functions, funds and functionaries of these line departments need to be brought under the municipalities and subsequently under the wards committees. For this, the important functions of "economic and social development" and "safeguarding the interests of the weaker sections" listed in the 12th Schedule need to be brought under the obligatory functions list of the KMC Act and these in turn devolved to the wards committees.

Unless there is a change in all these respects, genuine grassroots democracy which will give "Power to the People" will remain a mirage in the urban local bodies of Karnataka.
