

CITIZENS PARTICIPATION IN LOCAL GOVERNANCE-A STUDY OF WARDS COMMITTEE IN BANGALORE MUNICIPAL CORPORATION

Midatala Rani and Ashwini Roy A.S ***

ABSTRACT

The 74th Constitution Amendment Act provides for a significant devolution of functions and powers to the local bodies through decentralization and people's participation in local self-governance. The main thrust of decentralization is to bring the governance nearer to people in order to enhance its quality. The concept of ward committee is a novel addition in examples of people-centric governance. The wards committee creates the platform for citizen's participation from below the municipal level, thus bringing the electorate closer to their representatives. This article examines the working of ward committees in Karnataka, and their defects. It also recommends suggestions for the proper working of ward committees.

Governance is the new buzzword in development parlance. The World Bank and other International Financial Institutions identify public sector management, transparency, legal framework, accountability and information as the key components of governance. In a country like India, which has the largest number of poor people in the world and also ranks high on the list of most corrupted nations, good governance involves fighting corruption, improving bureaucratic and political accountability and promoting people's participation and private-public partnerships in poverty alleviation.

Citizens' participation can therefore be understood as a forum wherein people can participate in the decision-making process and are involved in local affairs. According to United Nations definition, it is the creation of opportunities to enable all members of a community to actively contribute to and influence the development process and to share equitably the fruits of development. This theory

* Reader, Dept of Political Science, Mysore University, Manasagangothri, Mysore.

** Lecturer, Dept of Political Science, Government First Grade College, HSR Layout, Bangalore-102.

of governance is in certain ways like revisiting the reasons of community like wherein the community participation infact shows that when people are given the chance to participate in the decision making process, the resulting policies are often the best possible solutions to any local problem.

Community participation when first heralded as the new method of promoting development in the 1960's was seen as a method to promote sustainable and long-term development. Community participation thus may seem like an equitable approach towards governance. Community participation if used rightly can pave the road to development.. It is an empowering tool whereby a community is empowered to decide furtherance of self-reliant community. Empowering people leads to giving them necessary rights, which they can use for their own betterment. It has been seen that an empowered community or group can flourish even when bureaucratic set up of the country fails.

Methods Of People's Participation

What means do the people have by which they can decide the terms and nature of their participation? According to Kaufman, participation is not just people participating in the decision-making but it is a question of whether the population has the means to define the terms and nature of its participation. The people must be bestowed with the economic, cultural, political and social process to define what is desirable, what is good and what is the means of their involvement in reality. This will lead to individual and social empowerment, economic development and socio-political transformation.

The four methods of Participation have been identified as follows;

1. **Voice:** It refers to people's freedom to express their opinions, ideas, feelings and problems. The people have the right to seek information. They also have means and procedures for lodging complaints and mechanisms for grievances handling. This method will act as a device for regulation and control by the people. People express their voices through the courts, consumer forums, panchyats, community organizations, tribunals, media etc.

2. **Choice:** People exercise their choice during elections. If they are dissatisfied they can throw their representatives out of power. Likewise they can also form their own organizations and become members of different bodies. With a large number of service providers they have the benefit of getting the desired services at a lower cost and with wider choice.
3. **Representation:** Representation can be understood in different ways. First, is the concept of representative government whereby the representatives from the different segments of society are represented. Here the people can also choose their representatives and get their needs fulfilled through them.. Free and Fair elections assure such a representation. Second there is representative bureaucracy. Where the civil services represent the different sections of the society. In addition, representation takes place with people directly or indirectly participating with the various community based and non-governmental organizations. According to Rousseau, Representation is the direct rule of the citizen ensuring optimal involvement. Representation thus, helps the people to channelise their voice and choices. It becomes possible to exude accountability, transparency and responsiveness of the public officials. Regulation and control by the people becomes possible. The people can also render their opinions.
4. **Information:** Information about various services, rules and regulations, rights, entitlements help the people to make right choices and voice their opinions and problems. Informed citizens make the service providers to offer decent services and motivate service competition. Accessibility to information from the media, public facilitation centers, Internet and websites, government departments, institutions will render public participation and effective service delivery.

The change agents-Governments, Local authorities and development workers also play an important role in enabling people's participation. These change agents involve the community through dialogue, which will include talking with them and not with them. There will be open discussion in which the community can state

their ideas, ask question and provide answers and their own perceptions. These will precipitate equality and self-confidence in them. The change agents first begin with things the group knows, thereby enabling their members to contribute and participate. When actions are decided upon by the participants out of their own understanding of the situation, then there is genuine unity of theory and action, which can lead to a further round of reflection and action starting a self- sustaining process. (Institutionalization Of citizens Participation, 2007:3-4).

There have been several community movements the world over. Some have demanded identity, so to get rights while others have been to find answers to their problems.

Institutional Development in Urban Governance in India:

74th Constitutional Amendment Act, which was passed by parliament in 1992, came into effect on June 1st 1993. It has given constitutional status to local self-government. Major changes in thinking have been brought about by this amendment. The salient points are;

- New concepts of direct participation of all beneficiaries and stakeholders
- Notion of alternative development
- New role of local bodies as facilitator and enabler rather than a service provider and regulator.

For the first time, detailed guidelines were given for the classification of urban local bodies and the fair representation of all groups in governance. Ward Committees representing the smallest unit of governance were introduced. Till this amendment, there was no explicit guideline regarding regarding participation of all stakeholders in actual governance. Once the corporators were elected, the citizens had no role to play. Howe ever this amendment, introduced the concept of decentralization of administration to the level of wards, which is the smallest unit of administration. Model municipal legislation, introduced by the government of India, introduced a concept of participatory governance. (Ibid: 58).

Working of Ward Committees in Karnataka:

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

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. The functioning of Wards committee from July 2004 to date reveals that their functioning has not improved or has, in fact, become worse than before. This is clear indication that decentralization 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 Panchyat Raj Act.

Size and Composition of Wards Committee

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 percentage constituted by combining 3-4 wards). Each wards committee shall consist of;

- The councilors of the corporation representing the wards in the corporation coming within that wards committee area
- Not more than five persons having knowledge and experience in municipal administration, nominated by the government.
- Not more than two members nominated by the government from such non-government organization (NGOs) and community based organizations (CBOs) working within the area of the wards committee as the government may specify in this behalf.

As per the above, the population covered by the 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.

Functions of Wards Committee;

Within the watered-down devolution of functions to municipalities the wards committee Rules, says that a wards committee is responsible for discharging the following functions subjects to the general supervision and control of the corporation;

1. Collection and removal of garbage
2. Removal of accumulated water on streets, public places etc due to rain and other causes
3. Health immunization Services
4. Improvement of slums, including its clearance wherever necessary, in accordance with the established law.
5. Redressal of Public Grievances pertaining to the wards committee
6. Maintenance of essential statistics
7. Organizing people's participation with regard to the functions allocated to the wards committees.
8. Numbering of streets and premises.
9. Such other functions as may be entrusted to it by the corporation

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. (Kathyayani Chamraj & Prasanna Rao: 2006; 62-69).

Defects in the Constitution and Functioning of Wards Committee:

- When we look at the constitution of wards committee, it is not a fully elected body like the gram panchyat. The seven members on the wards committee are nominated by the state government. This pits the elected councilors against the nominated members.

- The elected municipal councilors represent about 40,000 to 50,000 population each in their individual wards making proximity and accountability a far dream as compared to the gram panchyats where there is one elected representative for every 500 persons and one gram panchyats for every 5000-7000 persons.
- 3 to 4 ward combined to constitute one wards committee and each wards committee represent a population of 1-1.5 lakhs, 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
 - ❖ When we analyze the functioning of wards committee, internal squabbles exist between elected councilors belonging to different parties and between elected and nominated members.
 - ❖ There was also non-observance regarding the regular holding of meetings and or weak rules regarding procedures to be adopted for decentralizing functions.
 - ❖ Lack of access to ward level information
 - ❖ Lack of finances and lack of control over ward expenditure.
 - ❖ No role in planning, implementation, monitoring or auditing of ward works.
 - ❖ Inability to bring in systematic changes.
 - ❖ Inability to break nexus of vested interests.
 - ❖ No institutionalizes forum for interaction with people, such as the” ward sabha”, for citizens interface with the wards committee, for dissemination of information, for grievance redressal etc on a systematic, institutionalized procedure

through which the people could participate in the planning, implementation, monitoring and social auditing of works and for identifying beneficiaries of schemes.

Since most wards committees hardly meet a couple of times, there over all performance has to be considered as negative. Most wards committee members have identified unwillingness of elected councilors to share powers with nominated members; political interference and bureaucratic apathy are the major problems that hindered their effective functioning.

However, the overall consensus is that the wards committees did not bring about as much decentralization, accountability, transparency or people's participation as they could have, if they had been allowed to function as envisaged. (Ibid: 110).

Recommendations for the Proper Working of wards Committee in Karnataka:

Local Self-Government should infact, be a real democracy. It should be a government that helps people to govern themselves, and also to do the duties assigned to them. It provides an opportunity to the citizens to learn about the democratic set-up and administration. People everywhere deserve a pleasant and safe environment in which they can live and work. We all want god quality public services, with rising standards in our schools and in our health care. We want local communities where everyone can participate in society and effective care is available to those who need it.

Central to our agenda is modernizing local self-government. Among all public institutions councils have a special status and authority as local, directly elected bodies. They are uniquely placed to provide vision and leadership to their local communities. They are able to make things happen on the ground, where it really matters. People need councils, which serve them well. Council needs to listen to, lead and build up their local communities. We want to see councils, working in partnership with all stakeholders, making their contribution to the achievement of common aims for improving people's quality of life. To add to this council needs to break free

from old-fashioned practices and attitudes. There is a long and proud tradition of councils serving their communities. But the world and how we live today is very different from where our current systems of local government were established. It is very clear that there is no future in the old model of councils trying to plan and run most services. This does not provide the services, which people want and cannot do so in today's world. Equally there is no future for councils, which are inward looking-more concerned to maintain their structures and protect their vested interests than listening to their local people and leading their communities.

Many types of councils have already adopted new and imaginative measures like the Kerala, Madras and Delhi. Such as a ward committee for each ward, mayor-in-council system, proposed division of Delhi (NDMC Areas) into smaller councils refocusing of council's traditional roles. A fundamental shift of the culture of governance throughout local authorities is essential so that councils become outward looking and responsive. Only in this way will local government fulfill its potential and councils everywhere contribute to their communities well-being—that is what people have a right to expect from local democratic institutions.

For the ward committee to be a effective system of people's representation in Bangalore the following recommendations/suggestions are provided.

They are as follows;

1. There should be one ward 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 wards.
2. Their 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 gram panchyats. That is, there should be one elected member for say every 5000 population and one wards committee for every 50,000 population and there should be at least one-third reservation for women members in the wards committee.

3. All planning, prioritizing, 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 councilors/chairperson and officials.
4. The wards committee should display all vital information pertaining to development projects, especially receipts of funds and how they are being spent on a prominent board for the information of the public.
5. 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. They should be consulted before any projects are approved in their area so that they become institutions of self-governance.
6. The rules should specify the manner and periodicity with which the wards committee should hold “ward sabhas” on the lines of “gram sabhas”. Keeping in mind the dens population in urban areas “ward sabhas” may be prescribed for every 5000 or 10,000 population. The periodicity of the meetings should not exceed three or four months.
7. The rules should allow bottom-up planning, implementation, monitoring and social auditing through the holding of ward sabhas by the wards committee. 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 sabha as is being done in the gram sabha.
8. A network of neighborhood groups/ streetwise citizens committee, which federates into community development societies and ward level federations, should be actively promoted.
9. Sub-committees should be set up with great 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.

10. Links should be established between non-formal structures and processes of citizen's participation, such as BATF and wards committee to mutually strengthen the functioning of each and impart democratic legitimacy to these informal processes.
11. Training programme should be conducted compulsorily by the Bangalore Municipal Corporation with the help of NGOs to ward-level officials, AROs (Assistant Revenue Officer) and ward committee members.

Conclusion:

The weak and undemocratic structure, lack of access to information, lack of empowerment with funds, functions, functionaries and facilities has made decentralization to wards committee largely unfruitful in Bangalore Municipal Corporation. 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 government are unwilling to part with their power. The metropolitan planning committee is yet to be set up in Bangalore and in its absence, state level agencies such as Bangalore Development Authority, BMRDA, and other utility agencies allow backdoor control of the state government over local governance. Similarly 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 seemed more as service delivery organizations and not as developmental agencies. Vital functions, involving the fulfillment of basic needs of citizens such as right to food, work, primary education, 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 this line department need to be brought under the municipalities and subsequently under the wards committee. For this the important function of "Economic and Social Development" and "Safeguarding the Interest of Weaker Section", listed in 12th schedule need to be brought under the

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obligatory functions list of the Karnataka Municipal Corporation Act and these in turn devolved to the wards committees. Unless there is a change in all respects, genuine grassroots democracy, which will give “Power to people”, will remain a mirage in the Urban Local Bodies of Karnataka.

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