

The Greater Bengaluru Governance Bill, 2024 – Hits and Misses

A critical assessment using the City-Systems
framework



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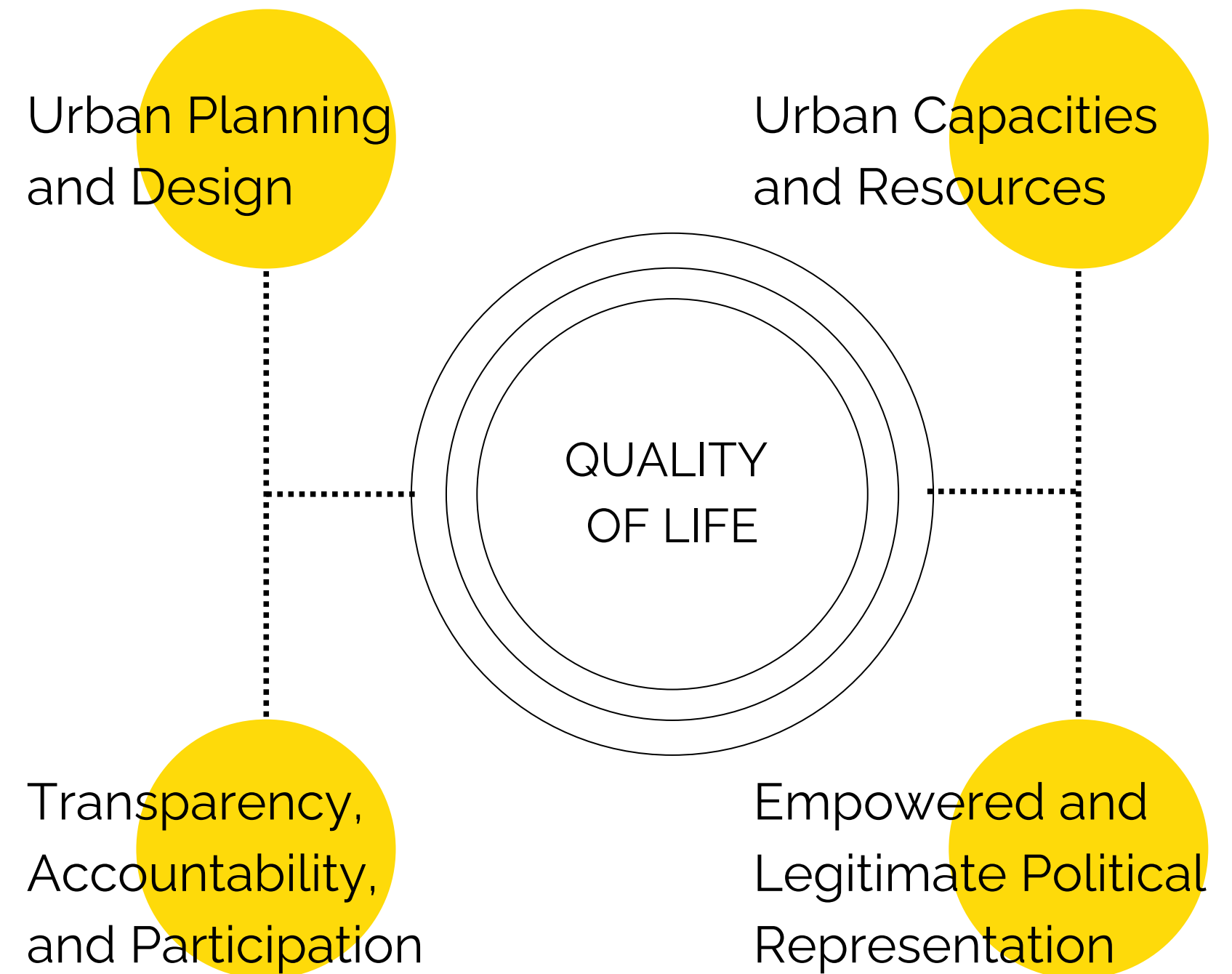
- 01 Methodology
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The City-Systems Framework

Quality of life in our cities and towns is determined by the quality of laws, policies, institutions, and institutional processes we call 'city-systems'.

By strengthening city-systems, we address the root causes of the recurrent challenges facing our cities.



City-Systems are the root causes underlying quality of life in cities.

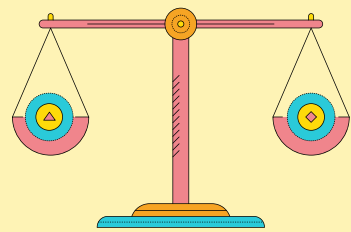
Janaagraha's Annual Survey of India's City-Systems (ASICS)

What is ASICS?

Annual Survey of India's City-Systems (ASICS) evaluates the quality of governance in cities by assessing the quality of laws, policies, institutions, and institutional processes that together help govern them.



Assessment of the GBG Bill, 2024 using the City-Systems framework



A comparative analysis undertaken of:

Greater Bengaluru Governance (GBG) Bill, 2024 tabled in the assembly on 23 July 2024

Greater Bengaluru Governance Bill, 2024 proposed by the Brand Bengaluru Committee (BBC-GBG Bill)

Bruhat Bengaluru Mahanagara Palike (BBMP) Act, 2020

Karnataka Municipal Corporations (KMC) Act, 1976



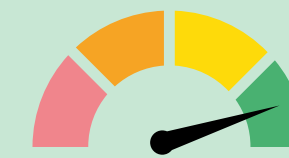
33 questions analysed:

Urban Planning and Design*
5 questions

Urban Capacities and Resources
10 questions

Empowered and Legitimate Political Representation
10 questions

Transparency, Accountability, and Participation
8 questions

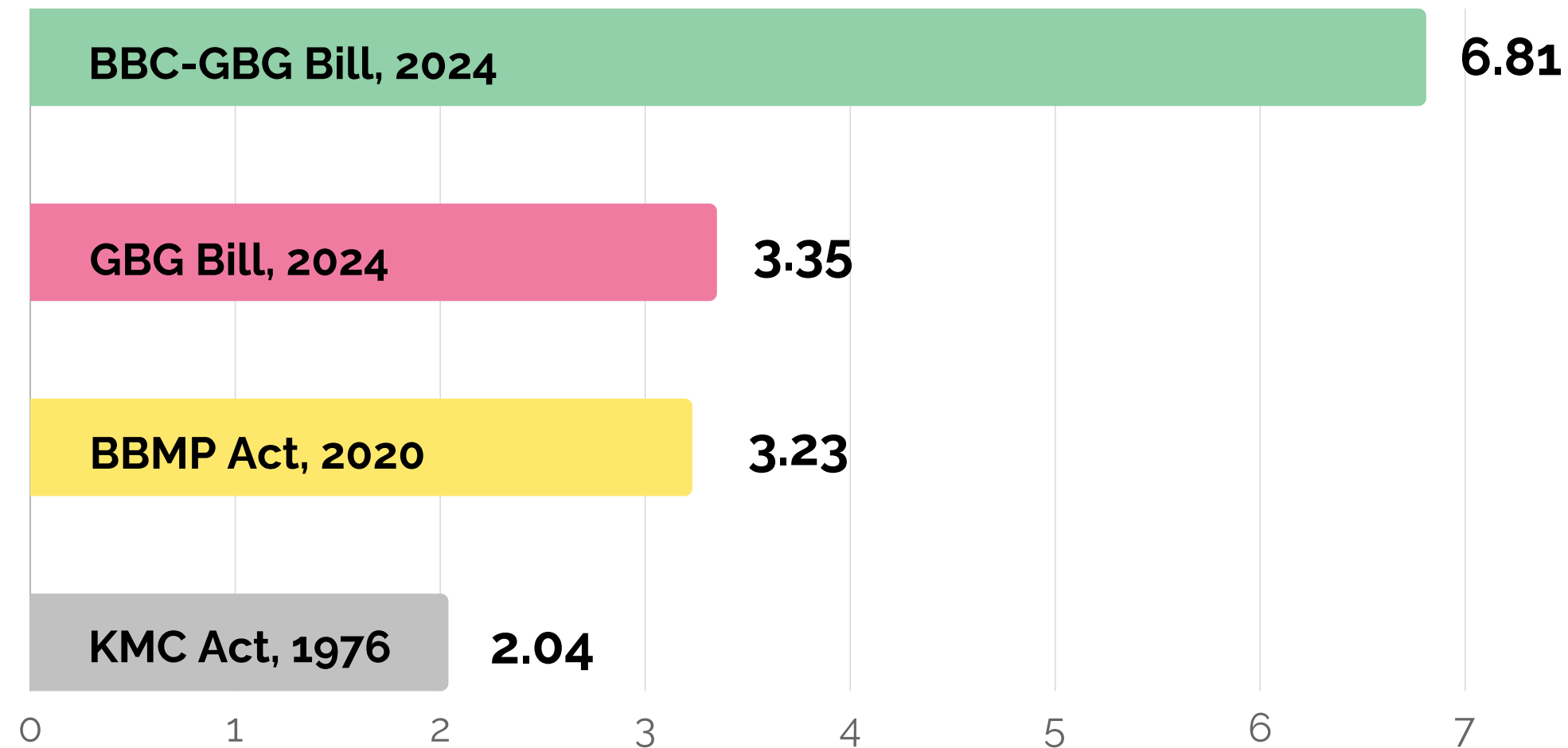


Scored on a scale of 0 to 10:

The municipal legislations/bills were scored on a scale of 0 to 10; the higher the score, the better the performance.

*Only municipal legislations have been used to score questions on 'Urban Planning and Design'. For example, Mandate for three-tiered planning, mandate for citizen participation in planning. Details that are specific to the Karnataka Town and Country Planning Act, 1961 are not included in this assessment.

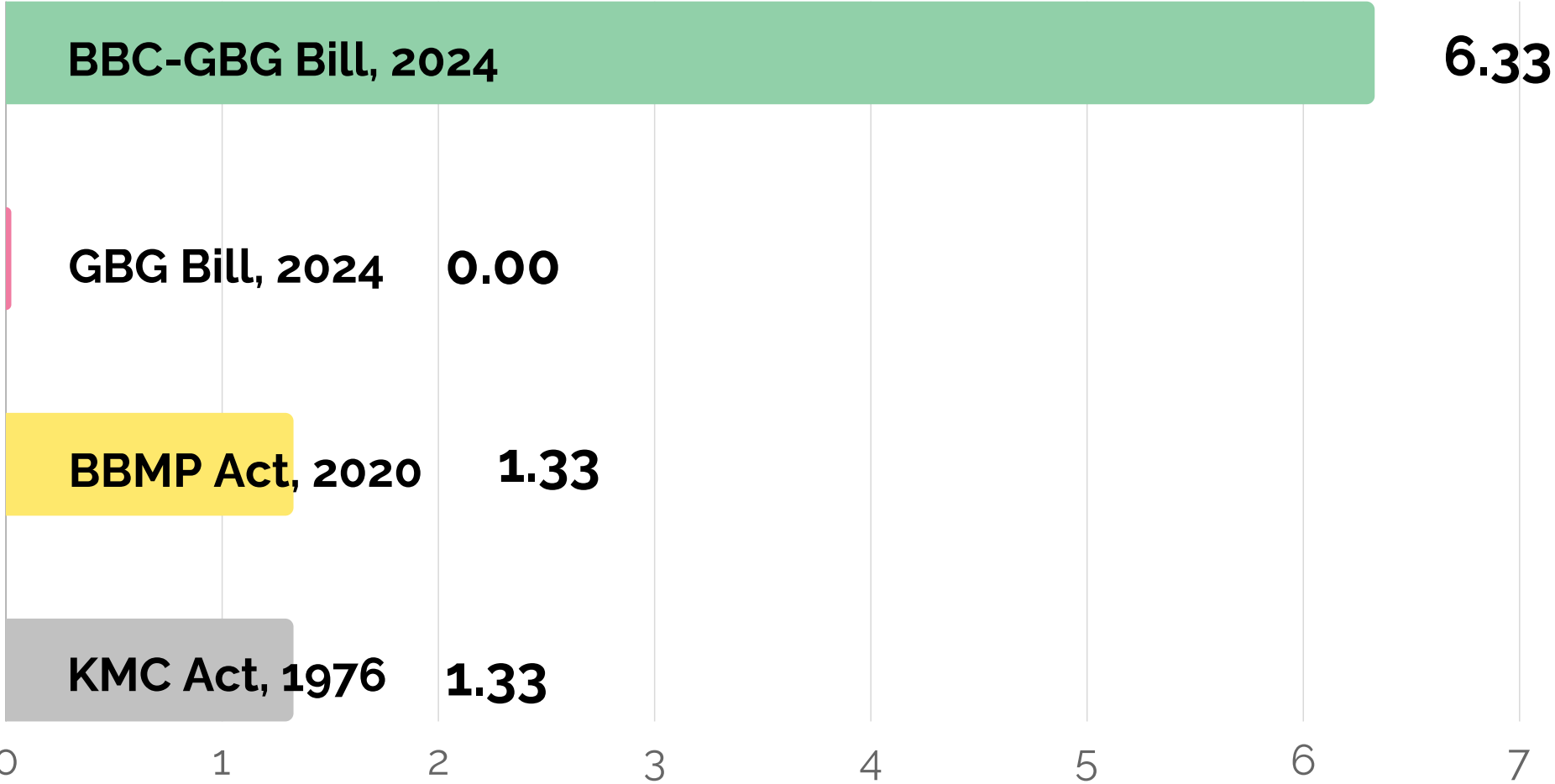
City-Systems Assessment



At **3.35**
overall, the GBG
Bill, 2024 is only
half as good as the
BBC-GBG Bill, 2024

Only those legislative provisions and rules that applied to Bengaluru have been considered while assessing the KMC Act, 1976.

Urban Planning and Design



Only municipal legislations have been used to score questions on 'Urban Planning and Design'. For example: the mandate for three-tiered planning, and the mandate for citizen participation in planning. Details specific to the Karnataka Town and Country Planning Act, 1961 have not been included in this assessment..

zero

provisions for planning
in the GBG Bill

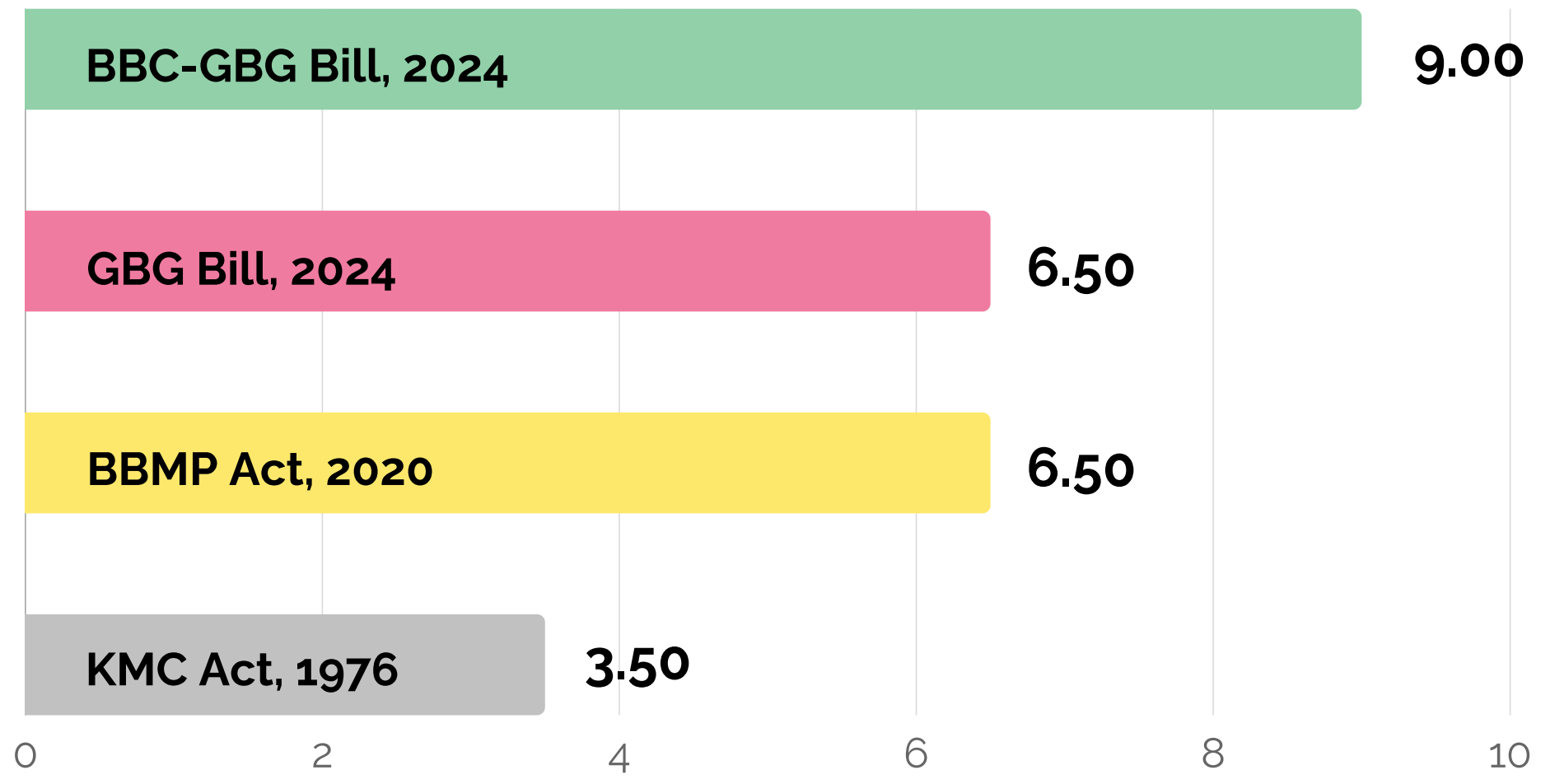
The BBC-GBG Bill mandates:

- Greater Bengaluru Authority to undertake integrated planning for the Greater Bengaluru Area
- Three-tiered planning — at the metropolitan, municipal, and ward levels — with a decentralised approval process
- Public participation in metropolitan planning

6.50

With a score of
human resource woes are
likely to continue

Urban Capacities and Resources



The Karnataka Local Fund Authorities Fiscal Responsibility Act (KLFAFRA), 2003 has been considered when scoring the KMC Act on MTFP. The Karnataka Municipal Accounting and Budgeting Rules (KMABR), 2006 has not been considered when scoring on provisions on the double entry accounting system as it was not applicable to Bengaluru.

The GBG Bill:

- Devolves all key taxes
- Empowers over borrowings
- Mandates for an MTFP
- Independent audit of accounts
- Double-entry accounting

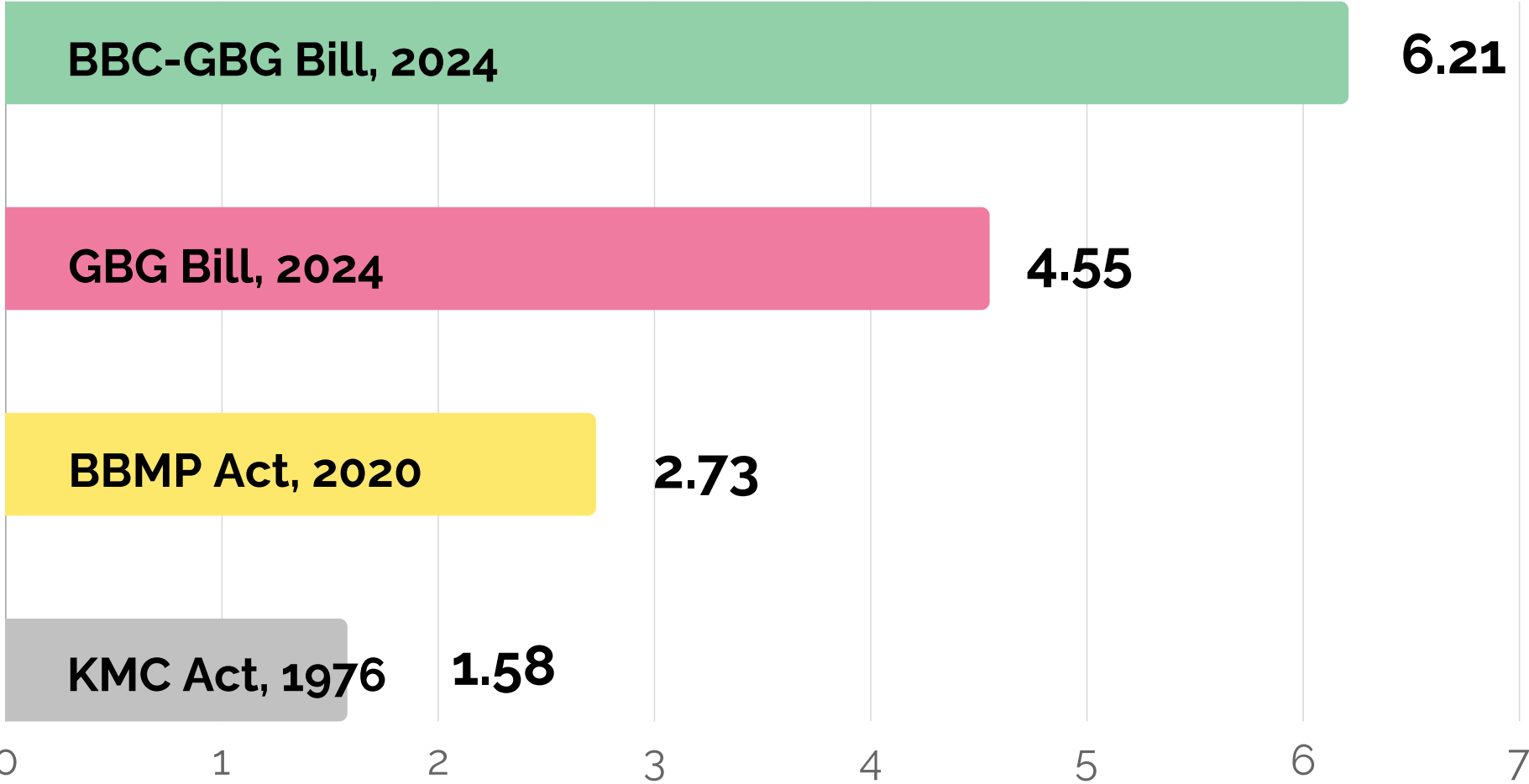
However, no mandate for:

- Municipal cadre
- Training for city officials
- Performance management system ('may' provision)

All the above provisions are part of the BBC-GBG Bill.

With a score of **4.55**
the GBG Bill does not go far
enough on mayors and councils

Empowered and Legitimate Political Representation



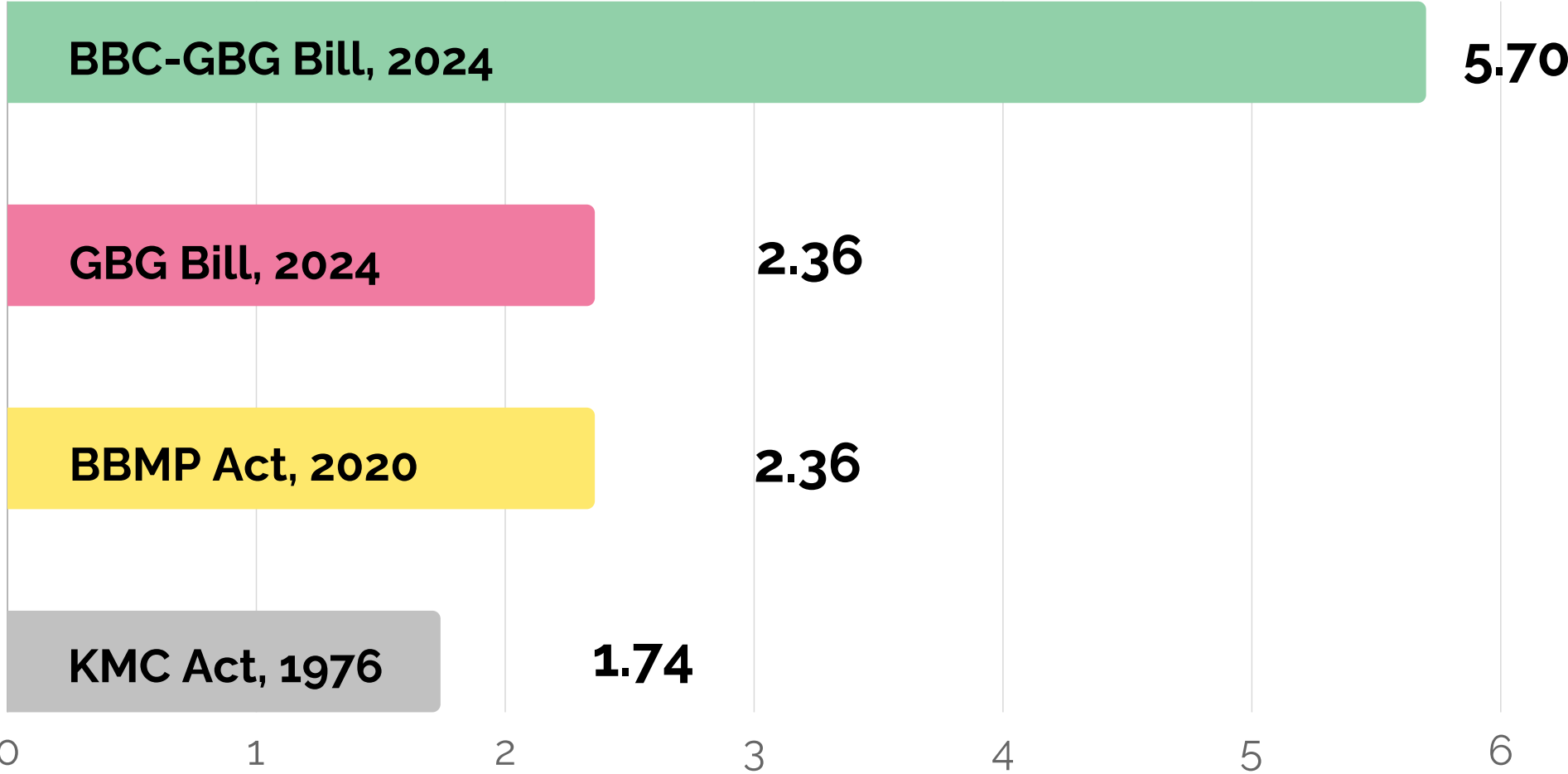
The GBG Bill provides for:

- Five-year mayoral tenure
- Devolution of all 18 functions as per the Twelfth Schedule of the Constitution

However, it does not:

- Empower municipal corporations over:
 - Staff
 - Budgets
- Mandate training for mayors/councilors
- Mandate disclosure of interests
- Empower SEC over delimitation of wards

Transparency, Accountability and Participation



Provisions of the Karnataka Right to Information (Disclosure of Information by Authorities Providing Municipal Services) Rule, 2009 framed under the RTI Act, 2005, have been applied to all four legislations/Bills to score civic data disclosure.

At **2.36**
the GBG Bill is likely to
worsen transparency.

The GBG Bill does not
mandate:

- Comprehensive civic data disclosure
- Ombudsman for service-related issues
- Internal audit
- Digital governance policy

Ten Missed Opportunities

		GBG Bill, ● 2024	BBC-GBG Bill, ● 2024
Parameter			
01	Is there a provision for a metropolitan mayor?	●	●
02	Is the GBA responsible for integrated planning of the Bengaluru metropolitan area?	●	●
03	Is there a mayor-in-council?	●	●
04	Is there an ombudsman?	●	●
05	Is the municipal corporation empowered over their staffing decisions? Is there a mandate to establish a municipal cadre?	●	●

- Provision included in the Bill
- Provision missing in the Bill

Ten Missed Opportunities

		● GBG Bill, 2024	● BBC-GBG Bill, 2024
Parameter			
06	Does the council have oversight over finances?	●	●
07	Is there a mandate for an audit of internal controls and processes?	●	●
08	Is there a mandate for comprehensive disclosure of financial statements, budget, plans, service levels, minutes of meeting, etc.?	●	●
09	Can the council approve municipal budget?	●	●
10	Are ward committees effective? Can citizens provide their inputs into budgets?	●	●

- Provision included in the Bill
- Provision missing in the Bill

While the BBC-GBG Bill, is significantly better than the GBG Bill, it still has room for improvement.

- 01 Provide for a **metropolitan mayor** for the Greater Bengaluru Area.
- 02 Mandate **disclosure of interests** by mayors and councilors (in public works and contracts taken up by their immediate family).
- 03 Mandate for a **systematic councillor leadership development programme** with a focus on women and first-time councillors.
- 04 Empower the **State Election Commission** over delimitation of wards and reservations to different categories.
- 05 Integrate all provisions of the **Karnataka Right to Information (Disclosure of Information by Authorities Providing Municipal Services) Rules, 2009** and **Model Public Disclosure Law** to improve transparency.

While the BBC-GBG Bill, is significantly better than the GBG Bill, it still has room for improvement.

06

Mandate municipal corporations to have a **digital governance policy** covering civic technology open data standards, open Application Programme Interfaces (APIs), and public disclosure in machine-readable formats.

07

Mandate **internal audits** to have a check on internal controls and processes.

08

Provide **lateral entry** for roles lower than municipal commissioner.

09

Provide **voting rights** for the area sabha representatives in ward committees as they are the true representatives of the community/neighbourhoods from the grassroots.

10

Strengthen **public participation** in planning across all levels.

Assessment Criterias

- 01 Urban Planning and Design
- 02 Urban Capacities and Resources
- 03 Empowered and Legitimate Political Representation
- 04 Transparency, Accountability and Participation

Assessment Criteria - Urban Planning and Design

- 01 Does the law require 3 levels of Spatial Development Plans (SDPs): Metropolitan, municipal and ward(s)
a. Metropolitan SDP | b. Municipal SDP | c. Ward SDP
- 02 Does the law mandate participation of all parastatals/agencies /city governments in creation of SDPs (metro/municipal/ward)?
- 03 Is there a clear decentralised procedure for approvals of each level of plans?
 - a. Does the law mandate that the metropolitan SDP be approved by the state government?
 - b. Does the law mandate that the municipal SDP be approved by the MPC/metropolitan authority?
 - c. Does the law mandate that the ward SDP be approved by the city government?
- 04 Does the law mandate public participation in the preparation of each level of plan (metropolitan, municipal and ward) through area sabhas/ward committees and other means?
- 05 Does the law mandate public scrutiny at (including objections and responses) each levels of plan (metropolitan, municipal and ward) through area sabhas / ward committees and other means?

Assessment Criteria - Urban Capacities and Resources

- 06 Is the city government empowered to set and collect the following taxes?
a. Property tax | b. Entertainment tax | c. Profession tax | d. Advertisement tax/fee
- 07 Is the city government authorised to raise borrowings without state government approval?
- 08 Is the city government authorised to make investments or otherwise apply surplus funds without state government approval?
- 09 Is the city government required by law to have a long-term and/or medium-term fiscal plan?
- 10 Are the annual accounts of the city government mandated to be audited by an independent/external agency?
- 11 Is the city government mandated to follow a double-entry accounting system?
- 12 Does the law mandate a minimum tenure of 2 years for the municipal commissioner?
- 13 Are the city government officials mandated to undergo induction and periodic training?
- 14 Does the law mandate to establish a performance management system?
- 15 Does the city government have access to a municipal cadre for its staffing?

Assessment Criteria - Empowered and Legitimate Political Representation

- 16 Do city governments have the following powers with respect to its employees?
a. Appointment | b. Disciplinary Action | c. Termination
- 17 Does the mayor of the city government have a five-year term?
- 18 Is the mayor directly elected?
- 19 Does the mayor/council have the authority to appoint the municipal commissioner?
- 20 Is the mayor ex-officio member of the metropolitan authority?
- 21 Is the city government responsible for providing all functions and services it is mandated to as per the 74th CAA?
- 22 Does the council have the final say in approving the city budget?
- 23 Are locally elected officials mandated to undergo training?
- 24 Is the State Election Commission (SEC) empowered to conduct delimitation of wards?
- 25 Are locally elected officials required to publicly disclose their income and assets, and their interests (in public works and contracts taken up by their immediate family)?

Assessment Criteria - Transparency, Accountability and Participation

- 26 Has the state government mandated city governments to publish key civic data in line with the model Public Disclosure Law (PDL) with respect to:
a. Audited financial statement on quarterly basis | b. Audited financial statement on annual basis | c. Service level benchmarks | d. Particulars of major works | e. Details of plans, income and budget | f. Minutes of its meetings
- 27 Has the state government enacted the Community Participation Law (CPL)?
- 28 Are the city governments mandated to have a participatory budgeting process in place?
- 29 Are the city governments mandated to carry out an internal audit (audit of process/internal controls) within a predetermined frequency, at least annual? Are the city governments mandated to publish internal audit report in the public domain?
- 30 Are the city governments mandated to have a digital governance policy/ roadmap?
- 31 Are the city governments mandated to have a citizen charter with: providing for target levels of services, timelines for delivery of services and protocols for obtaining relief where service levels are not met?
a. Target level of service | b. Timelines for delivery of service | c. Protocols for obtaining relief, where service levels are not met
- 32 Does the state provide for the constitution of an ombudsman for the city governments to cater to service-related issues as well as corruption?
- 33 Is the Ombudsman authorised to:
a. Resolve inter-agency disputes? | b. Investigate corruption suo motu?

About Janaagraha

Janaagraha is a Bengaluru-based not-for-profit institution working to transform the quality of life in India's cities and towns. It defines quality of life as comprising quality of infrastructure and services, and quality of citizenship. To achieve its mission, Janaagraha works with councillors and citizens to catalyse active citizenship in city neighbourhoods, and with governments to institute reforms to city-systems. Janaagraha has worked extensively on urban policy and governance reforms for over two decades including on JnNURM, and with the XIII, XIV and XV Finance Commissions, Second Administrative Reforms Commission, Comptroller and Auditor General of India, NITI Aayog/Planning Commission, Ministry of Housing and Urban Affairs (MoHUA), as well as the state governments of Odisha, Uttar Pradesh, Tamil Nadu, Rajasthan, and Assam.

Find out more at www.janaagraha.org



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