



Citizens' Action Forum

The Fifth Estate

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“Open Letter to the Honourable Chief Minister, Karnataka – Shri Siddaramaiah”

CITIZENS' ACTION FORUM (CAF) SEEKS BBMP ELECTIONS TO BE HELD WITHOUT ANY DELAY AND NOT BE LINKED TO RESTRUCTURING EFFORTS OF BBMP

Respected Sir,

Subject: Expressing CAF's Concerns on Possible Delay in holding of BBMP elections on account of “restructuring BBMP”

We from the CITIZENS' ACTION FORUM (CAF) a not- for- profit initiative formed by a group of RWA's and concerned citizens, civil society leaders, interested in bringing transparency and accountability by increasing citizen participation in matters of Governance through structured citizen participation.

We are writing this open letter to you Sir, stating our apprehension that Govt Order (GO) no. NaAaE484 MNY 2013 dated Sept 22, 2014.on Restructuring BBMP, that has put together a 3 member committee to study “restructuring BBMP and give its recommendations to address the pressing issue of Bengaluru's future governance and administration can be linked to the impending BBMP elections, which than can possibly be postponed indefinitely.

We have a request to you sir to please ensure that BBMP elections are held on time and not be linked with the GO.

We are already seeing a delay in the process i.e. if we go by the original GO DATED 22/09/2014 it mentions that the report has to be submitted within 3 months, post which an addendum to the GO was

made on 20/11/2014. Further the GO is not clear about the timelines for acting upon the advice received we quote “To advice the government to create suitable government systems and infrastructure to Bengaluru including increased services expected by citizens’ ” which may take months or even years to implement.

In this scenario it becomes very important to delink the Elections from the trifurcation process and continue with the elections on schedule and have an elected BBMP council in place. Any delay in the BBMP elections will adversely impact in formulating a functional MPC and Ward Committees will become defunct without a “Chairperson” who is the councilor.

We are also apprehensive that mere bi/trifurcation will decrease the power of our municipal elected representatives and instead make the bureaucrats more powerful. We believe it is important to give more power to our elected representatives who are accessible to citizens and can sort out their civic problems. Further the quality of life in the city has reached an abysmal low in the city and bifurcation/trifurcation of BBMP which has a very limited role in ensuring a smooth functioning of the city should be the last thing, make it better. Measures like **decentralization of administration and mandated devolution of funds to BBMP independent of the State Government. In addition to the above if the Area Sabha, the Ward Committees and the Metropolitan Planning Council are formed and operationalised as per the provisions of the 74th amendment the city would be governed better.**

We know your government has always pledged commitment to the 74th constitutional amendment act and ensuring democratic decision-making and justice for the common man and we hope our prayers will not go unanswered.

Sincerely yours

Mahalakshmi Parthasarathy

Secretary
Citizens’ Action Forum
Mob: 9845575665

Rajshekar. D.S

President
Citizens’ Action Forum
Mob: 9845470168.

PS: Please find an addendum with detailed concerns and suggestions to ensure a better quality of life in Bengaluru.

ADDENDUM 1

OUR OBJECTIONS TO THE GO no. NaAaE484 MNY 2013 dated Sept 22, 2014 AND POSSIBLE SOLUTIONS TO ENSURE GOOD GOVERNANCE TO BENGALURU.

We strongly disagree with the argument that bi/trifurcating BBMP the Governance issues of Bengaluru will be solved. In this context we strongly urge you to ensure a **“white paper on - reasons for the Governance Deficit”** to be brought out which will also examine the justification for the merger in 2007, the reasons for subsequent inadequacies and list a clear roadmap for ensuring effective governance for Bengaluru.

Our reasons for this demand include the following –

- 1) We foresee that mere bi/trifurcation will decrease the power of our municipal elected representatives and instead make the bureaucrats more powerful. We believe it is important to give more power to our elected representatives who are accessible to citizens and can sort out their civic problems.
- 2) The GO DATED 22/09/2014 mentions that the report has to be submitted within 3 months, post which an addendum to the GO was made on 20/11/2014. We already see a delay in the process and the GO is not clear about the timelines for acting upon the advice received. In case of any delay in the BBMP elections this will in turn result in a delay to formulate an MPC, and without a “Chairperson” the ward committees will become defunct which is not acceptable.
- 3) We strongly differ with a very narrow point of view of the GO, which holds the size of BBMP having become too large and unwieldy to be managed as a single Corporation and the problems stem from this reason. But if we are to examine whether size of BBMP really matters or does the reason for BBMP's inefficiency lies elsewhere then on this ground the earlier smaller BMP should be have been the very epitome of efficient administration and similarly the smaller nagara palikas should be very efficient. But as it well known the prime rationale for the amalgamation into BBMP was the poor governance and negligible infrastructure provisioning in the CMC / TMC and villages. Hence a case was made earlier that by integrating it with BMP and forming BBMP, as there was scope to optimize expenditure and bring in efficiencies of service delivery through access to better resources centrally. This has not materialized due to unbridled corruption, lack of transparency in planning and execution of various projects and non existence of an audit with zero accountability for tax payers' money within BBMP.
- 4) We need a scientific understanding of the need and process as we have seen earlier and also reported in the media that 198 wards were created merely to accommodate superstitious beliefs of some of the elected representatives in power at that time which reeks of unscientific decision making.

- 5) The financial resources of our Maha Nagara Palike is also under severe pressure because except for the levying of Property taxes, the license fee for Hoardings and advertisements and rentals for its properties they have no authority to collect money. It has resulted in a skewed financial situation where the planned expenditure is far in excess of the revenue. This has resulted in a pathetic dependence on the dole outs by the State Government and every State Government uses **as** this as a political tool to exercise absolute control over the local administration. This in one stroke makes the elected representatives ineffective and redundant. The trifurcation obviously would mean expenses which in the present scenario is a very difficult proposition.
- 6) We from CAF believe that to efficiently govern the largest, geographical urban area it is imperative to run the city in accordance with the tenets of the 74th Constitutional Amendment Act. Which brings urban governance as close to the people as possible. The amendment has suggested to the State Governments, to bring in as many as 18 functions under the direct control of the local government. This includes basic services like Garbage Clearance, Water Supply, Electricity, Transport, Traffic management among others, were supposed to be brought under the control of the Municipality so that the citizens through their elected representatives can have a direct say in how these services are managed.

As you appreciate the fact that the 74th CAA further stipulates the formation of a Metropolitan Planning Council for all municipalities having a population of over 10 lakhs to act as the overarching authority for the overall planning and implementation of the urban area. It also suggested a mandated devolution of funds directly to the local government through the mandatory recommendations of the State Finance Commissions. Even 20 years of such a constitutional directive most of the State Governments in the country have failed to implement the provisions. This is purely based on the fear of losing control over the local administrations across the State.

We know Your government has always pledged commitment to democratic decision-making and justice for the *aam aadmi*, which strengthens our demand that the State Government must also set up a functional Metropolitan Planning Committee (MPC) for the Bangalore Metropolitan Area as we believe it's non constitution is a continuing breach of the requirements of the 74th Constitution Amendment Act, 1993. Further we also urge a discussion on the BMRGA bill in the assembly, which can create a structure that would become the local planning authority for the city and the metropolitan region with **Functional** and **Financial** Empowerment.

- 7) In Bangalore we have a situation where - in addition to BBMP acting as the elected local government we have a multiplicity of "Parastatal" agencies like BWS&SB in charge of water and sewage, BMTC for public transport, Bangalore City Police for maintenance of law and order and traffic management, BESCO for power distribution, all of them report directly to the State Government bypassing the local municipal administration. Hence to ensure true functionality for MPC it is essential to **restructure acts governing "Parastatals"** and MPC has to be vested with both planning and coordinating functions with the necessary executive powers which need to be

conferred by law and regulation to perform this role. The institutional hierarchy of MPC with the overall decision making power must be established clearly where related statutes such as the Karnataka Town and Country Planning Act, 1961 (KTCP Act) and the Bangalore Metropolitan Regional Development Authority Act, 1985 (BMRDA Act) should also be amended to accommodate the **primacy of the MPC**.

- 8) Further, it is crucial to ensure that the ward committees are made functional complete with their chairperson and their input to the plans must be taken to ensure citizen centric plans. Ward Committees must be reconstituted in an effective manner.
- 9) In the same breath we seek a Comprehensive Development Plan (CDP) developed for the city with inputs from citizens and also gaining a scientific understanding of the carrying capacity of the city, with a focus on citizen centric governance that guarantees transparency and accountability of the bureaucrats and elected representatives.
- 10) Further if there are reforms in Municipal administration in the State - like a Directly-elected Mayor with a five year term, a system of Public Hearings for deciding on projects that can be taken up and such similar systems to make the administration in sync with the aspirations of the citizens.

The quality of life in the city has reached an abysmal low, it is very clear that the basic reason for the inefficiency of administration is on account of total lack of Governance for which the successive State governments are responsible. Hence instead of the present move of forming the committee to suggest suitable ways and means of bifurcation/trifurcation of BBMP which we have shown will only lead to greater inefficiency, more bureaucracy resulting in lesser availability of financial resources for development and utter chaos because of lack of coordination in implementation and consequent skewed development of the city as BBMP has a very limited role in ensuring a smooth functioning of the city, in fact if need be it should be the last thing, along with other measures like **decentralization of administration and mandated devolution of funds to BBMP independent of the State Government**. In addition to the above if the **Area Sabha, the Ward Committees and the Metropolitan Planning Council** are formed and operationalised as per the provisions of the 74th amendment will bring the Government and Governance much closer to the citizens and this is the true essence of democracy.