CITIES AND CITY GOVERNMENTS

NAGRIKA

ABOUT THE SERIES

Cities are important. They are at the forefront of our economy, they provide education and employment opportunities, and they act as hubs of new ideas. The lives of urban Indians are enmeshed with the cities they live in, and yet, we are so under-informed when it comes to the governing structures that ensure their smooth functioning.

The Nagrika Governance Series looks at how our cities are managed through the lens of city governments. They are part of the three-tier system of governance and form the tier closest to the citizens. They are accessible enough to listen to citizens' complaints and suggestions and are hopefully empowered enough to take action based on them.

In this article, we look at cities more specifically. This includes looking at how cities are defined in both global and national contexts. We also look at the reasons why city governments are important. The reasons range from service provision to accountability to being grounded in local realities.

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SUMMARY OF THE ARTICLE

• Definitions of city vary by country and sometimes even within a country.
• City governments provide amenities and services, represent the local population and their needs, and are part of a 3 tier governance structure.

In the previous article of the Nagrikal Governance Series, we looked at the question of defining governance through a set of principles and then defined urban governance in the context of those principles. We defined Governance as an interactive process which required coordination between various actors, including governments and non-governmental actors such as citizens, private sector among others.

In this article we delve deeper on one of the main actors in the process of Urban Governance, namely city governments, commonly known as Municipal Corporations (or नगर निगम), Municipal Councils (or नगर पालिका) and other names in various states. We begin by defining the 'city' and how various countries and Indian states

define what constitutes an 'urban area'. We then describe the need for these definitions in context of urban governance - to designate the functions of city governments.

CITIZENS OF A CITY

As a concept, citizenship is largely understood with reference to a person's country such as 'a citizen of India'. However, that is only one of the dimensions of what defines citizenship - as a legal status where a person comes under the law of a country as well as acts according to it. In India, Citizenship Act, 1955 defines who is a citizen of India. This dimension equates citizenship with nationality.

The other two dimensions of citizenship as per some of the existing literature are citizens as political agents i.e. actors participating in political institutions of their society and citizenship as an identity, where citizens identify as members of a political community.

So, while the first dimension of citizenship creates a link between citizens and their country, the other two dimensions can define citizens in relation to their communities along with the country. Hence, a citizen can take part in political institutions of their nation but also in their states and cities. Similarly, they can identify as a member of the community of people living in their city, state or country.

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While there is this national connotation to the idea of a citizen, the identity of any person finally gets linked to the city or the place they come from. When we meet someone for the first time, we usually ask them a question, "Where are you from?" If the person is not from the same country, they will give us the name of their origin country. However, eventually to know where they belong, we go down maybe their state and eventually settle on a city that they live in or a city close to their town or village that we recognize.

The word root of city comes from the latin root 'civis' which means 'citizen,' bringing our focus to the fact that at the heart of the city are those who inhabit them. So while a person's identity is linked to the city they are from, the word city itself gets it's meaning from the citizens (that live in a city). Walt Whitman also once said, "A great city is that which has the greatest men and women."

Intuitively, we know a city when we see one - dense inhabitations with a majority of the population engaged in non-agricultural activities. There is no universal definition of a city; each country has its own definition. However, there are some parameters which are found in definitions of most countries, such as population, density, economic activities among others. The next section attempts to look at some of these definitions and parameters.

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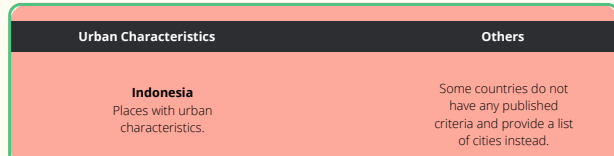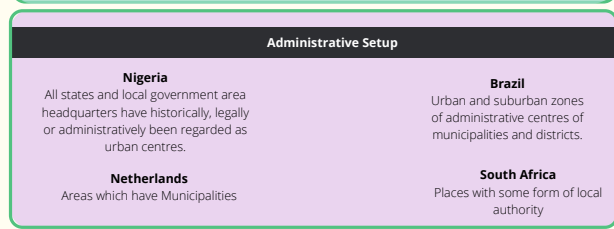
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WHAT IS A CITY?

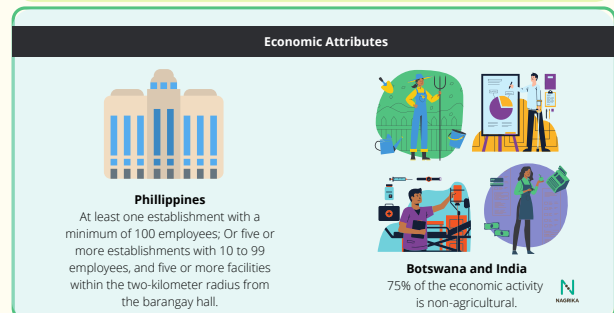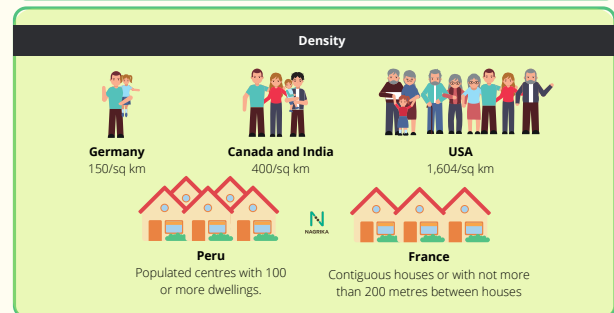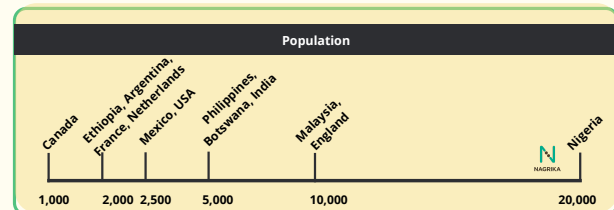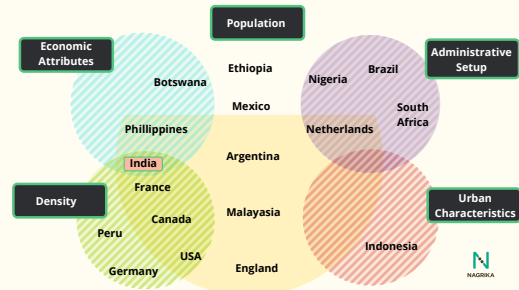### Definitions of a "City" vary by country

Globally, there are many variations between defining a city, because of the contextual differences in countries. The categories of 'urban' and 'cities' are often administratively distinct from each other but cities are by default urban areas. By looking at the different definitions of urban areas in the world, we can see how cities are imagined in different countries.

Globally, many cities use a minimum population criteria to define an urban area, but that size can range from 2,000 individuals in Argentina to 2,500 in the USA, to 20,000 individuals in Nigeria. Some countries also define areas as urban on the basis of the population density, the administrative set ups, economic attributes, and urban characteristics.

For example, in South Africa, areas with local authorities are termed as urban, while in Botswana, along with a minimum population of 5,000, areas also need to have 75% of all economic activities to be of non-agricultural nature. In India, the definition used by the census to define urban areas is based on population, density, and economic activity. The image provides a summary of the most diverse definitions across the globe.

How Are Urban Areas Defined Across the World?

Population

Canada — 1,000
Ethiopia Argentina, France, Netherlands — 2,000
Mexico, USA — 2,500
Philippines, Botswana, India — 5,000
Malaysia, England — 10,000
Nigeria — 20,000

Density

Germany 150/sq km
Canada and India 400/sq km
USA 1,604/sq km

Peru Populated centres with 100 or more dwellings.
France Contiguous houses or with not more than 200 metres between houses

Economic Attributes

Phillippines At least one establishment with a minimum of 100 employees; Or five or more establishments with 10 to 99 employees, and five or more facilities within the two-kilometer radius from the barangay hall.

Botswana and India 75% of the economic activity is non-agricultural.

Administrative Setup

Nigeria All states and local government area headquarters have historically, legally or administratively been regarded as urban centres.

Brazil Urban and suburban zones of administrative centres of municipalities and districts.

Netherlands Areas which have Municipalities

South Africa Places with some form of local authority

Urban Characteristics

Indonesia Places with urban characteristics.

Others

Some countries do not have any published criteria and provide a list of cities instead.

There is no universal definition of what constitutes an 'urban area' and each country follows its own definition that reflect the particular needs of the context. These examples illustrate the diversity in the parameters of defining as well as in the magnitude. The definitions taken above are national definitions for defining urban areas and there may be country specific variations in how a city may be defined.

Source: UNSD Demographic Yearbook 2007, government websites.

The Office of the Registrar General and Census Commissioner of India uses the following criteria for urban areas and then groups settlements in India into three categories: Rural Areas, Census Towns, and Statutory Towns.

- Minimum population of 5,000 persons
- Population density of at least 400 persons per square kilometer
- 75% of the male population engaged in non-agriculture work

While both Census Towns and Statutory Towns fulfil the trifold criteria, only the latter are recognised as urban by the respective state government and have municipal governments under the 74th Constitutional Amendment Act (CAA), while the former can be administered by rural governance bodies as well.

Definition of what is "urban" may vary even within the country

It is possible that the definition of urban areas differs within a country. In India, for example, while the national government defines urban areas, the state governments have their own definitions, since Local Governments are under the states' jurisdiction as per India's constitution.

Most states in India use population as a criteria for urban areas. Some states also use other factors such as percentage of non-agricultural workers, revenue generation, etc. The threshold population used by states vary widely from each other and reflect the difference in rates of urbanisation, population size, geographical features etc. However, the majority of the nation-wide statistics in India use the Census of India's definition of urban to define urban areas.

WHAT IS A CITY GOVERNMENT?

The city government is composed of various actors who occupy various roles in the government and undertake different functions. City government actors can be divided into two broad groups - administrative and elected. The role of administrative staff has significant variance but differs from the elected officials primarily because they are not elected and are not put in office through the citizens' votes. We shall look at some of the key actors and institutions at city governments.

Elected Officials

Elected Officials are the councillors that the people in a city elect. They include the mayor and deputy mayor as well. In some states, the mayor is elected directly by the people, whereas in other states the elected councillors elect the mayor from amongst themselves.

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Elected members can form various committees within the city governments, depending on the provisions of the respective municipal acts.These can include standing committees, subject committees, executive committees etc.

Apart from this, some states also have the Mayor-in-Council (MIC) system where a cabinet-like committee of a few councillors is formed with each councillor responsible for one or two subjects. In the states which follow this system, it is the Mayor who chooses the members of the MIC.

The general body of the councillors or elected representatives, sometimes known as the Council or the House, is generally the most powerful body in a city government.

Its approval is needed for various things such as the passing of the municipal budget and decisions on development works in the wards.

Administrative Sections

Just like in central and state governments, city governments also have various administrative sections or departments to look after particular functions. These administrative sections are headed by department heads who are mostly deputed from state governments. The sections may be known by different names in different cities. Some of the most common sections are:

ADMINISTRATIVE SECTION	RESPONSIBILITY
Engineering	Construction and maintenance of infrastructure such as roads, culverts, municipal buildings etc.
Town Planning	Approval of building plans in the city.
Social Welfare	Implementation of central and state social welfare schemes.
Public Health	Solid waste management in the city; Responsible for hospitals or dispensaries (if any are under the control of city government).
Accounts Section	Accounts of the city government. Drafting of Municipal Budget is overseen by this section.
Others	Other sections vary by city depending on the functions the city government undertakes and the size of the city.

Administrative Staff

Officers occupy various roles at the city governments and come from various backgrounds. In many states, heads of key departments such as Health, Engineering among others, are deputed from state departments while in others they are part of core municipal staff. In the former case, their services can be transferred to other cities within the state while in the latter scenario, the staff serves the same city government.

For example, a municipal engineer in a city who is deputed from the Public Health Engineering Department of the State can also be transferred to another city as a city engineer or other departments within the state including rural areas. One of the biggest reasons for a non-uniform system of appointing municipal staff is the lack of a dedicated municipal cadre system from where to draw employees for city governments.

The head of the administrative section of the city government is the Municipal Commissioner. In case of bigger city governments, Municipal Commissioners generally belong to the Indian Administrative Services while in various other city governments, the Commissioners come from the state civil services. In smaller city governments, they are called Chief Executive Officer (CEO) or Chief Officer (CO) and not Commissioner. In Kerala, they are designated as Secretary.

Other staff in the administrative wing includes that of the middle and lower tiers of technical, administrative and field staff. These include accounts officers, junior engineers, health or sanitary inspectors, electricians /linemen, clerks, peons among others. There are field based staff as well, such as health inspectors and tax collectors. Together they form the bulk of the city government administrative staff and can be hired on both temporary and permanent basis. City governments generally do not have the liberty to hire staff at will, especially on a permanent basis.

WHAT DO CITY GOVERNMENTS DO?

Functions as per the Constitution of India

The city government is the closest to the citizens. They interact with citizens to provide the basic amenities, provide access to various government programs and address local challenges. As mentioned above, local governments are part of the State List of the Constitution and hence a state subject i.e. the state governments can make laws and provisions.

Thus, all statutory towns as per the Census definition above, are formed as per State Municipal Acts which provide city governments these various powers and functions to provide the basic amenities and

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various other services. These powers are further guided by the 74th Amendment Act of the constitution.

The Act mandated 18 broad functions that are to be delivered by the city governments. These include, but are not limited to, services like water supply, cesspool cleaning, providing roads and bridges, and poverty alleviation schemes. But in reality, the actual devolution of these functions vary from state to state, sometimes within the same state, and is subject to the discretion of the state government.

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Provision of Amenities and Services

Typically, municipal governments have been responsible for providing amenities like clean water, sewage, garbage disposal. Provision of facilities like streetlights, parks and playgrounds, public transport also is a function of city governments. In terms of planning, the city government is often responsible for enforcing building codes, zoning laws and in encouraging planned development of the city.

Municipalities traditionally raise funds through property taxes, user charges for amenities and through transfers from the state and union governments in federal structures. More recently, innovations such as municipal bonds have emerged to raise funds.

Since cities are responsible for service delivery, if they are not given adequate decision making powers, then they will not be able to provide adequate support to the citizens. For example, in many cities, the city governments do not have control over water supply even though water supply is their responsibility according to the 74th CAA.

Citizens cannot approach the city government if they face any issues in supply. At the same time, these city governments do not get revenue from the user charges on water usage paid by the consumers. This creates a cycle that leads to poor last mile connectivity.

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Represent the Citizens

Unlike the bureaucratic system of governance, where officials can be posted in places other than their home city, the elected wing of the city governments is the one where local needs are represented. The technical, administrative and elected systems are expected to work in tandem to provide services to the residents of the city. A councillor acts as a liaison between the citizen and the municipal council, which is key to implementing various programs.

Each ward in a city gets at least one councillor to represent it but this varies across the country. For example, in Ahmedabad, each ward has four councillors. The councillor takes the concerns and needs of the ward to the city government. Not only that, the councillor is most often a resident of the ward itself, which leads to increased accessibility, accountability, and interest in the welfare of the area.

Often, officials from the administrative wing - such as Junior Engineers (JEs) and Sanitary Inspectors (SIs) - are tagged to particular wards. These administrative staff members also act as the medium between the ward and the city governments. They are responsible for enquiring about issues, making estimates for development works, and reporting to higher officials about problems in the wards. This process is made easier in states which have instituted ward level committees.

For example in Bhubaneswar, each ward has a committee with the members being the councillor, JEs, SIs, and other municipal staff along with the ward residents. This allows every ward-level stakeholder to be part of the conversation.

A city government that consists of officials elected from amongst the people of the city allows for cultural nuances, and for the history and geography of that region to be taken into consideration while making decisions for the city. Technical expertise, local data, can all be sourced to look for a solution to a problem that is unique to a ward or locality within a city.

Third Tier of Governance: Connect Citizens with State and National Governments

India has a three-tier governance system. The 74th CAA recognised city governments as the third-tier of government, with the Union and State Government being the first two tiers. While the cities have their own responsibilities as per the various state acts (and the 74th CAA), they are also responsible for implementing various programs of state and national governments.

For example, in many states the implementation of programs like the National Urban Livelihood Mission (NULM) and the Swachh Bharat Mission is the responsibility of the city governments, albeit under varying degrees of state government supervisions.

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For example, in Mangalore, the municipal corporation is responsible for both central and state level schemes like NULM, and the 24.10% Scheme (for Scheduled Caste and Schedule Tribe members of the city) respectively, through its Social Welfare Section. The section conducts beneficiary identification, reviews applications, and tenders the training of beneficiaries. At Ranchi Municipal Corporation, there are dedicated cells that are responsible for the implementation of NULM and Pradhan Mantri Awas Yojana. These cells are headed by City Mission Managers who were recruited by the state government's Urban Development & Housing Department, but they report to nodal officers at the corporation.

Implementation of central and state schemes by the city governments ensures decentralisation of the process. The city governments are able to focus on a limited geographic area and have better penetration of information and action. It is easier for citizens to approach city governments instead of state government institutions.

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As we make the journey from understanding how we define cities to who runs these cities, the role of the laws governing urban governance come to the center. The 74th Constitutional Amendment, which defined the powers to be devolved to the city governments in India, comes up multiple times. To build on our understanding of urban governance in India, we will discuss the Amendment in detail in the next article of Nagrikal.

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