

Reasons for poor governance in Gurgaon

- Anextensive and exhaustive list of authorities without any clarity as to which organisation is in charge. Starting from the statutory Municipal Corporation of Gurgaon (MCG) to several other bodies like HUDA, HSIIDC, Haryana Housing Board, DTCP, PWD, Haryana Forest and Transport Department amongst hoards of private developers like UNITECH, DLF and ANSALS, Gurgaon seems to be marred by a large number of bodies that act like fiefdoms.
- Of particular problem is the power and resource battle between two major authorities – HUDA and MCG.
- The state plays an overbearing and overriding role in local administration. Despite MCG being an elected body responsible for decentralised administration in the city, it doesn't enjoy the kind of power that it should as a statutory body. The Municipal Commissioner reports to the Urban Local Bodies minister over the elected mayors and any project worth one crore or more has to be sent over to the authorities in Chandigarh for sanction.
- The inability to pinpoint authority in the face of multiplicity of bodies makes it difficult for the public to hold one person/body accountable over the rest.
- This lack of accountability further dissuades the public from drawing meaningful links between officials like the Mayor and Councillors and the development of the city.
- Voter turnout and public participation is abysmally low as no channels for resident participation have been established.
- This encourages lacklustre performance by people in charge, who are unable to curb corruption and effectively utilise natural

	<p>resources for the betterment of the city.</p> <ul style="list-style-type: none"> • Councillors and MC of Gurgaon are not sufficiently empowered and line of accountability of Commissioner is to the State Government – not to the elected representatives.
<p><u>Silver Lining : The 74th Constitution Amendment</u></p>	<ul style="list-style-type: none"> • The 74th Amendment Act, 1992, came into effect on 1993 and provides for local and decentralised administrative bodies at urban level – unlike the 73rd Amendment that focuses on village level bodies. • This act focuses on legitimising and strengthening Urban Local Bodies (Municipal Corporations) to act as vibrant democratic units of self-government. • This amendment seeks to strengthen ULBs with the help of several provisions: Introduction of the 12th Schedule that focuses on such aspects as planning, development and regulation, establishment of District and Metropolitan Planning Committees for election of representatives, conduction of regular and periodic elections and reservation of seats for the weaker community for their better representation. • A Municipal Corporation typically comprises of two wings – the Deliberative and the Executive – looking into functions of construction and implementation of policies respectively. • Various Statutory and Non-statutory committees form the bedrock of urban local administration. The State Finance Commission looks into matters of budgeting and financing for the Municipal Corporation while the District Planning Committee formulates five-year plans at the local level. • As opposed to the earlier act which stated that a mayor be appointed by the elected councillors, the 74th Amendment provides for a direct

	election to this post.
<p><u>Some important functions of MCG under Municipal Act:</u></p>	<p><u>Some functions of Corporation to be entrusted by the Government (under the 12th Schedule, 74th Constitutional Amendment Act):</u></p> <ul style="list-style-type: none"> • Urban planning including town planning • Regulations of land-use and construction of buildings. • Planning for economic and social development. • Responsibility for the construction of roads and bridges. • Urban forestry, protection of the environment and promotion of ecological aspects. • Safeguarding the interest of weaker sections of society, including the handicapped and slum improvement, removal of urban poverty. • Provision of urban amenities and facilities such as parks, gardens, play-grounds • Water supply for domestic, industrial and commercial purposes. • Public health, sanitation conservancy and solid waste management. <p><u>Some obligatory functions of the MCG:</u></p> <ul style="list-style-type: none"> • The construction, maintenance and cleaning of drains and drainage works and of public latrines, urinals and similar conveniences. • The construction and maintenance of works and means for providing supply of water for public and private purposes. • The scavenging, removal and disposal of filth, rubbish and other obnoxious or polluted matters • The reclamation of unhealthy localities. • The regulation and abatement of offensive or dangerous trades or practices. • The lighting, watering and cleaning of public streets and other public places. • The maintenance of municipal offices. <p><u>Some directionary functions of the corporation:</u></p> <ul style="list-style-type: none"> • The furtherance of education including cultural and physical education.

	<ul style="list-style-type: none"> • The taking of a census of population. • Any measures for the welfare of the Corporation officers and other Corporation employees or any class of them including the sanctioning of loans to such officers and employees or any class of them for construction of houses and purchases of vehicles. • The organization and management of cottage industries, handicraft centers and sales emporia. • The provisions for unfiltered water supply. • The improvement of the Municipal area in accordance with improvement schemes approved by the Corporation. • Any measures not herein before specifically mentioned, likely to promote public safety, health, convenience or general welfare.
<p><u>Experience Elsewhere: Indore</u></p>	<ul style="list-style-type: none"> • Indore, with its population of 19.6 lacs (2011), is the trade and commercial centre of Madhya Pradesh. The main revenue resources for the corporation are property tax (21%) and Octoroi Compensation (44%) • In 1997, IMC developed a City Development Strategy (CDS) with public consultation. Its main objectives were – 1. Improved delivery of services; 2. Resource mobilization with focus on management; 3. Expenditure management; and 4. Better communication with the citizens. • Some improvements carried out in the area of revenue generation were – 1. Self-assessment of property tax on area-based system; 2. Reassessment of under-assessed properties; and, 3. Focus on revenue management. • Other key improvements included conduction of extensive property surveys, reorganisation of revenue department, accrual based accounting and computerised billing and database management. • There has been a major reorganisation in the revenue department with the creation of three separate sections for Survey, Assessment and Recovery.

	<p>Financial management has seen improvement because of the computerized, double-entry, accrual based accounting.</p> <ul style="list-style-type: none"> • Citizen participation and communication has been a top agenda with the issuance of a citizen charter, publication of 'Nagrik', a magazine on municipal management and creating of hoardings with important information, dates etc. • Due to effective management and usage of effective policy instruments, IMC has managed to increase its revenue from 42 crores in 1995-96 to 184 crores in 2003-2004. • These are some of the factors that have been instrumental in the corporation's success – 1. Hands-on and direct involvement of Mayor and Commissioner; 2. Crucial personnel involved in design and implementation; 3. Simple measures implemented with immediate and visible effects; 4. Priority to those measures that benefit the public; and 5. Good communication with citizens and outside world.
<p><u>Benefits of an empowered local body:</u></p>	<ul style="list-style-type: none"> • Single window service becomes a possibility. One single authority mandated by the Constitution for local governance. • Enables citizens to participate in development decisions at ward, municipal, district and metropolitan regional level. Opportunity for citizens to decide on the development alternatives for their city. • Reduces chaos and confusion owing to multiple organizations such as HUDA, DTCP, HSIIDC. The HUDA administrator is accountable only to the CM, not to the people. Empowering MCG could ensure a system of proper accountability. • Local Mayor will become powerful, with effective authority to carry out his/her duties. The Mayor should be able to appoint the Municipal Commissioner because he/she is like Chief Minister of a city, capable of

	<p>answering to the people who were responsible for his/her election.</p> <ul style="list-style-type: none"> • Local councillors will become directly accountable to the people. One councillor will work for and be answerable to 35,000-50,000 people. Councillors who live among the people like ordinary citizens are easier to approach. People can easily complain about the councillor's non-performance. • Currently, the administrator has no power to dismiss a non-performing official. With empowerment of the municipal corporation as per the 74th CAA, the Mayor will have power to suspend municipal officers. • Long term commitment of bureaucrats will be ensured. Three year minimum tenure of Commissioner MCG and other senior officers – Chief Engineer, Joint Commissioners, Senior Engineer and Executive Engineer will work in this direction. • MCG would have full autonomy in deciding what taxes to levy on residents of Gurgaon and how to spend the revenue generated. It would bring in complete transparency on service delivery, process of tax collection and funds spent. • Most importantly, the 74th CAA empowers MCG with all such functions that HUDA is currently doing. If this is carried through, single-window responsibility and accountability is just a stone's throw away.
<p><u>Gurgaon Master Plan: Deficiencies</u></p>	<ul style="list-style-type: none"> • Brought forth after the MP2021 and MP2025, the efficacy of this plan is questionable because three successive masters have come about in the span of six years. • Affordable housing went for a toss with the latest plan because of HUDA's declaration that land was too expensive. • Farmers remained unconvinced and unwilling to cooperate. This led to forcible possession of their land by the

	<p>State with the intervention of the Haryana police force. Litigations involving hundreds of acres are pending in the Punjab and Haryana High Court since 2007.</p> <ul style="list-style-type: none">• Despite its stated mandate to increase industrial development, land allocated for industrial use was reduced by 2020 acres in MP2031.• Description of land use fails to account for mandatory requirement to first demarcate rechargeable areas such as flood plains, water bodies, etc. for conservation purposes.• There is insufficient information on inputs for planning. Except Census 2011 for provisional population data, no other documentary evidence is used, which can indicate the basis of planning.• There is inadequate evidence of integration with the regional plan. No city can exist as an island or in isolation. All developments influence and impact beyond and above their immediate environs, especially when there is large-scale people movement and trade across borders.• There needs to be a thorough assessment of impact of all proposed infrastructure development. Consequent developments such as growth in carbon emissions from increased vehicular traffic, or growth in volume of sewerage generated from increased populations needs to be checked.• The plan indicates a major chunk of agriculture land will be protected. Agriculture consumes close to 70% of the water supplied to the district. But it does not indicate how the new plan will meet the water demands of the new developments as well as for agriculture. If it is well known that canal water will always be insufficient for this purpose.• MCG is also responsible for waste management in the city, but the plans featured in the MP2031 feature no such provision for effective waste
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	<p>disposal and treatment.</p> <ul style="list-style-type: none"> • There is a need for more information on health and hospital plans. Need for blood banks, laboratories, and trauma centres and public health facilities for the poor. Implementation is only possible if local bodies are effectively empowered in this direction. • Planning for educational hubs including schools, colleges and technical institutions is unclear. • Despite Gurgaon-Manesar area being situated in Seismic Zone 4, there isn't any clear disaster management planning in the MP2031. • No land use provisions have been mentioned related to setting up of power plants indicated under public services.
<p><u>Way forward:</u></p>	<ul style="list-style-type: none"> • In the spirit of the 74th Amendment, the major areas that need to be looked into are – functional devolution, fiscal self-sufficiency, wider participation and sectoral development. • Demand changes in the MC Act Haryana for empowering the mayor and the finance authority. • MCG commissioner should be appointed with direction from Mayor/elected representatives (councillors) and other authorities should report into Mayor. • Fixed tenure of the MCG Commissioner is a step that needs to be taken immediately. • Profit from land development should be shared with MCG, the statutory body for local governance in Gurgaon. MCG should be sufficiently empowered and have full autonomy in deciding what taxes to levy on residents of Gurgaon and how to spend the revenue generated. • Communication with citizens and an increased level of transparency in the administration in accordance with the Right to Information Act, 2005. • Encouragement of citizen participation in different committees of MCG. • Measures like Participatory funding by civil society, bottom-up Budgeting and

	<p>property tax reforms to be carried out for enhancing revenue instruments.</p> <ul style="list-style-type: none">• The Commissioner of MCG, HUDA Administrator, Police Commissioner and heads of all other public agencies should report to the Mayor of Gurgaon, being accountable to the people of Gurgaon via their elected representatives, the Councilors.• The PEARL initiative (Peer Experience and Reflective Learning) under the JNUURM scheme must be effectively publicized and utilized in Gurgaon in order to better understand success stories across India in the process of cross-learning among JNUURM cities through knowledge networking.• Long term commitment of bureaucrats will add to the well-being of the city. Three year minimum tenure of MCG Commissioner and other senior officers – Chief Engineer, Joint Commissioners, Senior Engineer and Executive Engineers will ensure better accountability.
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