Decentralised Governance Practises in North-east India

Case Studies from Praja's Urban Governance Study (Part 2)

Praja conducted a study to map the **status of urban governance in the Northeast states of India**. The findings of the study were discussed with stakeholders in a [Northeast Regional Consultation](#) held on April 2023 in **Guwahati, Assam.** The study highlighted the presence of decentralised governance mechanisms with citizens' participation in most of those states. Praja's newsletter for [June 2023 (Part 1)](#), we discussed citizen participation in governance in the cities of Shillong, Imphal and Aizawl. In this newsletter, we will discuss other existing citizen participation mechanisms in the states of Northeast India such as **the traditional form of ward panchayat in Kohima**.

The **Principle of Subsidiarity** explains that policy decisions to be made at the lowest possible level and the state should legislate when uniform regulation is necessary to ensure efficient urban governance. **Ward committees** and **Area Sabhas** are decentralised citizen participation platforms involved in decision-making and policy implementation. Thus, **citizen participation** at these stages assists the city government to formulate policies and ensure the effective implementation of programmes.

Along with this, the newsletter discusses the **Mayor in Council (MIC) system** functional in **Guwahati**. The MIC is the cabinet of the Mayor at the city government to **ensure quality discussion, deliberations and decision making**. The Mayor as the first citizen of the city, should head the committee comprising of various **Standing/Subject committee** heads. This committee should act as the apex body of the municipal body called the Mayor-in-Council. Further, with citizen participation and diligent governance structure, there is a need for economic emancipation of cities. The **Tripura** government adopted the model of the Mahatma Gandhi National Rural Employment Generation Act, 2005 (MGNREGA) to provide employment opportunities for urban youth in the state under the Tripura Urban Employment Programme (TUEP). These three practices will be discussed in details in this newsletter.

Case Study- Kohima, Nagaland

Ward Panchayat- A traditional platform for citizen participation

Introduction: Ward Panchayat Committees (WPC) are local community groups within the Kohima Municipal Council Wards limit acting as a bridge between the citizen and city administration. The term "panchayat" refers to a system of local governance that originated in ancient India. The history of **Kohima Ward Panchayat Committees** can be traced back to the establishment of the Nagaland Village and Area Councils Act, 1978, which provided for the establishment of village and area councils throughout the state of Nagaland. In 1993, the Nagaland State Legislature passed the Nagaland Village and Ward Councils Act, which reorganised the existing village and area councils into village councils and ward councils.

Overview of WPC:

Kohima, the capital city of Nagaland, is divided into 19 wards, each managed by Ward Panchayat Committees. Each ward contains several colonies, with a total of 51 colonies in the Kohima Municipal Council limit. Each colony has its own Panchayat, which is called the Ward Panchayat, reflecting the customary practices of the local tribal people to serve the common good of the people. The Ward Panchayat Committee derives its functions from Article 371A, which mandates the administration of civil and criminal justice based on Naga customary law to be managed by the Ward Panchayat Committee.

Structure and Election of WPC:

The Ward Panchayat Committee is composed of elected representatives known as Ward Panchayat members, who are responsible for addressing the issues and concerns of the residents of their ward. The Ward panchayat committees are mainly comprised of Chairperson, Vice Chairperson, Secretary and Treasurer, selected by a Separate Search Committee made up of elder people from community. Additionally, the chairman along with three other members appoints Joint-Secretaries and all the members have a tenure of 5 years. The District Collector also appoints 2 (two) persons locally known as "Gaon Buda" who are also part of the ward Panchayat committee. Members are usually selected rather than elected based upon their competence and skills. The members of the committee are usually selected based on their competence and skills rather than elected. They can serve for more than one term. Women Committee and Youth Committee are also present in every colony and function alongside the Ward Panchayat Committee. The Executive Committee meeting is held once a month, or as required, and is attended by the member of the Ward Panchayat committee, the president of the Women Committee, and the president of the Youth Committee.

Functions of WPC:

The committees are responsible for a range of functions, including **sanitation, Awareness camps, public works, and social welfare activities**. They are also responsible for **maintaining records of permanent residence** certificates and other **development works** documents in the area. The members of the Ward Panchayat Committee **do not receive any remuneration** from the government for their services. Their work is entirely voluntary, and they are obligated to serve in order to better meet the needs of their tribal community. In the absence of elected representatives, the Kohima Municipal Council acted swiftly to educate and raise awareness among the Ward Panchayats, Youth, and Women organisations about the significance of waste management at household and primary collection levels. The Ward panchayat has a sub-committee on Sanitation committee to manage their own waste from their ward limit. and discussed the importance of their role in this process.

The Ward Panchayat Committees continue to be a significant institution for local governance in Kohima, serving as a vital platform for promoting sustainable development and community empowerment. Despite various challenges, they continue to fulfil their crucial role in the development and betterment of the community

Learnings:
- The Ward Panchayat is an excellent platform for local citizens to participate and raise their concerns.
- Local citizens voluntarily come together to serve their community and better address the needs of their tribal community.
- Despite limited resources for development projects, efforts are made to optimise resource utilisation

Challenges:

- The elections of the urban local bodies in Nagaland have not been conducted since 2010. Thus, there is negligible participation of elected representatives in urban governance.
- Due to the absence of an elected wing, the executive wing plans and implements policies in the urban sphere limiting the representation of citizen voice.

Case Study- Guwahati, Assam

Mayor-in-Council and Women Representation Introduction: Guwahati Municipal Corporation (GMC) is the local government body that governs the city of Guwahati. The Guwahati Municipal Corporation follows the **Mayor-in-Council (MIC) system of government**. GMC has emerged as a pioneer in reformative and gender-inclusive urban local governance in India. The Mayor–in-Council system is a structure of local government that has a mayor serving as the head of the executive wing. The Mayor nominates the Members of MIC heading respective administrative departments. The GMC has **50% reservation of women** and it is likely to yield significant benefits

in terms of higher priority to women's issues in critical areas of Urban Governance and improving service delivery such as water supply, sanitation, solid waste management, education and health, etc.

Structure of MIC:

The **Guwahati Municipal Corporation has a unique system of Mayor-in-Council,** where the Mayor is the executive head of the city and under him, there's a cabinet of Members of Mayor-in-Council (MMIC), each of them having responsibility for a separate department. The Mayor and the Deputy Mayor are responsible for overseeing the functioning of the corporation and ensuring that the needs and interests of the citizens of Guwahati are being met. They are also responsible for the proper implementation of various civic services, such as water supply, sewage, sanitation, and waste management, in the 60 municipal wards under the jurisdiction of the GMC.

Eligibility criteria for councillors in GMC:

The Guwahati Municipal Corporation (GMC) has taken a significant step towards promoting gender equality by reserving **50% of seats for women in the council elections**. This move has helped to ensure a formidable representation of women in the governance of the city, giving them a greater say in decision-making processes and enabling active participation in the development of the city. To further empower women elected representatives, all of the elected women councillors are part of a deliberating committee, ensuring that their voices are given a platform and that their perspectives are taken into account in decision-making processes. Currently, the Deputy Mayor of the Guwahati Municipal Corporation has made the leadership gender-inclusive.

Further, the **GMC has put in place strict eligibility criteria for candidates running for councillors' elections** to ensure that ethical candidates are eligible to contest the elections. The election candidate must have a functional sanitary toilet in their residence premises for the use of family members is also a criterion for contesting election. This requirement is in line with the government's efforts to promote cleanliness and hygiene.

Another eligibility criterion is that the candidate must have passed a Bachelor's degree or equivalent examination from any University recognized by the State or the Central Government. Candidates belonging to Scheduled Castes, Scheduled Tribes, and Other Backward Classes (OBC) are eligible to contest the elections even if they have passed the Higher Secondary School Leaving Certificate (H.S.S.L.C.) or equivalent examination. This requirement is aimed at ensuring that the candidates have a minimum level of education and knowledge, which is necessary for effective governance.

Functions of MIC:

The MIC system promotes increased partnership of the elected wing of the city government in decision-making. It works as a city level cabinet for the Mayor increasing quality debates and deliberation. The MIC committees are allotted individual departments from the municipal corporation to ensure the due representation of people's needs in policy formulation and implementation. The administrative wing is accountable to the Mayor and indirectly to the residents of the city ensuring efficient service delivery.

Learnings:
- The Mayor-in-Council system has ensured effective and efficient governance.
- The reservation for women has led to the inclusion of diverse perspectives in decision-making.
- The strict eligibility criteria for contesting elections have ensured that responsible and efficient candidates are elected to the council, thereby promoting good governance.

- MIC ensures due checks and balances on the administrative wing of the municipal corporation.
- The formation of MIC strengthens deliberation and decision-making by elected representatives.
- The Presiding Officer ensures smooth functioning of the General Body Meeting.

Challenges:
- Hurdles in co-ordination and implementation of policies and schemes due to multiple agencies.
- No reservations for women and other communities in the MIC.
- Lack of power of the council to check & balance the decisions of the MIC.

Case Study- Agartala, Tripura

Tripura Urban Employment Programme (TUEP) in Agartala

Introduction:
The **Tripura Urban Employment Programme (TUEP)** was launched in 2009 by the Tripura government to provide employment opportunities for urban youth in the state. The TUEP is modelled on the grounds of the Mahatma Gandhi National Rural Employment Generation Act, 2005 (MGNREGA), where one adult member from each family below the poverty line shall be provided with 50 days' employment in a year.

The TUEP provides work related to garbage collection and disposal, cleaning of roads, roadside jungle clearance, avenue plantation, flood protection measures, maintenance and beautification of parks, playgrounds, etc. within Agartala Municipal Corporation (AMC). However, the list is not exhaustive but illustrative.

Structure and Function:
Article 243W of the Constitution (Seventy-fourth Amendment) Act, 1992 has recommended the State Governments to devolve 18 functions listed in the Twelfth Schedule to the City Governments. The listed functions are of high importance in terms of day-to-day civic services in the city. This stands with the background of the principle of subsidiarity which emphasizes that the function of local importance is best to be managed and delivered at the local level. The third function on economic development aligns fairly with the scheme and the city government has an important role in delivering the same.

To ensure transparency, the scheme outlines certain guidelines, like carefully preparing the job registers, 100% verification of muster roll which should be numbered and issued only by the implementing officer, payment through post office or bank accounts only, conducting a half-yearly social audit, maintaining data digitally, etc. This role of monitoring has also been devolved to AMC. To monitor the programme efficiently, AMC should form a separate vigilance and monitoring committee.

State Government

- Preparing Guidelines for TUEP
- Devolving funds to the city government
- Monitoring team headed by the Director of Urban Development Department.

The fund for the programme is provided by the state government whose 3% can be used by the city government for administrative purposes. The state has been providing funds worth ₹21 Crore to over ₹31 Crore from 2019-20 to 2021-22 to AMC to deliver the programme.

Agartala Municipal Corporation

- TUEP Cell
  - Member of Mayor-in-Council
  - Poverty Alleviation Committee
  - Municipal Commissioner
  - 2 Grade C officers & 1 Grade D officer

AMC is the Nodal Agency in the city that look after the planning, implementation and monitoring of the scheme. The major functions are:

- Issue job cards after verifying applications.
- Planning for work and providing work as early as possible.
- Ensuring payment of work to the worker.
- Maintenance of records
- Conducting social audit with ward committee for public disclosure.
- Submit the utilisation certificate to Directorate of Urban Development.

Learnings:
- The case shows that the scheme has been designed to devolve the function of planning economic activities which is the third function of the eighteen functions of the 74th CAA to the city government.
- By increasing the categories of jobs, mentioned in the scheme, through which AMC can provide employment to the citizens can help AMC to facilitate functionaries for delivery of other functions listed in the Twelfth Schedule, which eventually can lead to the effective devolution of the eighteen functions to the corporation.
- There is involvement of the elected representatives, citizens and the administration.

Challenges:
- The number of job cards will be decided by the state government and cannot be increased by AMC. This creates difficulty in providing jobs to all the applicants making it challenging to supply jobs according to the demand.
- In conclusion, the Tripura Urban Employment Programme has been successful in providing employment opportunities to poor urban population in Tripura. The programme has been implemented effectively with the help of the Agartala Municipal Corporation, which has played a fundamental role to make the scheme a success.

The 74th Constitutional Amendment Act, 1992 (74th CAA) was based on the principle of subsidiarity that enables the empowerment of city governments through transfer of funds, functions and functionalities. The Mayor being the head of the city government should be responsible for the development, planning, economic activities and service delivery in the city and therefore, be empowered to deliver the functions.

As Government holds the responsibility to form policies, initiate reforms for the citizens, and deliver services efficiently, the code of a democratic structure of government involves the devolution of executive powers amongst the three tiers of the government. Each sphere having autonomous powers and responsibilities has been seen in Kohima with the formation of Ward Panchayat.

The city governments can encourage decentralised decision-making and community-driven policy implementation by adopting multiple models of urban governance. The instances from the Northeast cities can be adopted by city governments across India with modifications as per their local requirements. There is a need for systematic citizen participation to achieve the true sense of the 74th Constitutional Amendment.

References:
- The Nagaland Municipal Act, 2001
- The Nagaland Village and Area Councils Act, 1978
- Assam State Election Commission website
- Guwahati Municipal Corporation Act 1971
- Agartala Municipal Corporation (AMC) official website
- Budget documents of AMC

To read Full Report on **Regional Consultation Report on Key Findings from North-Eastern States**
Scan the QR Code or Click on the link below
Link: Full Report

We would like to know your views and feedbacks based on the above information shared. Feel free to reach us at info@praja.org

Kind Regards,

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