Opinion: Chennai finally has an elected council, but will it improve the state of the city?

URBAN LOCAL BODY POWERS IN CHENNAI

Devolution of powers to the local body is essential for better service delivery in Chennai. Pic: Wikimedia Commons/ CC (BY: SA 2.0)

Cities are drivers of economic growth in any country. They start attracting people as they develop economically. Cities also play an important support role in the development of the rural hinterland. In the past few decades, the Indian economy has grown rapidly which shows the high population growth in urban areas in India.

However, this rapid growth has not been managed very well and urban India is increasingly seeing problems such as, inadequate infrastructure for the growing population, poor service delivery, pollution, poor health care, housing, irregular elections and other issues that continue to impede cities across India from achieving their true economic potential. India's growth story is majorly being driven by cities. But to propel the growth on a much larger scale, the focus needs to shift towards creating both competitive and sustainable cities. For enabling this to happen, the aim must remain on bringing in structural reforms which will facilitate the development of grassroots democracy in cities.

Chennai, the city with the oldest corporation of the country, held municipal elections in February 2022 after a decade. The implications of a defunct corporation and the reluctance in following the Chennai City Municipal Corporation Act, 1919 (CCMCA, 1919) reflect in the city's situation every year, when it is suddenly paralyzed due to heavy rainfall. The city has been experiencing recurrent floods since the past few years.

But now that the city has an elected body of councillors, will things change? To understand this, it is important to look into the functioning of the municipal body of Chennai.

The 74th amendment and devolution of powers

The 74th CAA added Part IXA in the constitution which introduced the third tier of government as the Urban Local Body (ULB) that deals with the functions relating to municipalities. As per the amendment, the city government is responsible for delivery of 18 functions listed in the Twelfth Schedule which includes urban planning, water supply, public health, sanitation, solid waste management, planning for economic and social development, public amenities, roads and bridges. However, the functions performed by the city government are subject to state devolution and the involvement of multiple parastatal agencies, although the amendment has given complete power to the Corporations to have control over the functions.

A **study done by Praja foundation**, The Urban Governance Index (UGI), 2020, for assessment of devolution of the 18 functions show that no state has devolved all 18 functions to the city government. To be able to effectively address a situation of citizens' need, it is essential to empower the city governments for better decision making.

The UGI 2020 is built in the spirit of the 74th CAA through four themes, namely, Empowered City Elected Representatives and Legislative Structure, Empowered City Administration, Empowered Citizens, and, Fiscal Empowerment which broadly study the devolution of funds, functions and functionaries in 40 cities across the 28 states and the NCR of Delhi. These themes act as bedrocks to achieving empowered urban governance. These are further divided into 13 sub themes and comprise of a total of 42 indicators.

The UGI revolves around the fact that cities should be empowered enough in different ways: they must be represented well through the legislative structure, they should have a capacitated city administration which is citizen centric. Very importantly, they must also enjoy financial empowerment where the city government has the right to decide upon the taxes that they deem fit for the city and has financial accountability.

Delayed elections a worrying sign

Greater Chennai Municipal Corporation was established in 1919. The Chennai City Municipal Corporation Act, 1919 (CCMCA, 1919) provides the statutory guidelines to the elected representatives and the administration for governing Chennai.

A city is governed by the city elected representatives with its administrative body. Like every city in the country, the CCMCA has mandated specific terms for the municipal corporations and councils. The mentioned term in CCMCA is 5 years, however, the city of Chennai had its last elections in 2011. Although the term of the then government ended in 2016, and according to the CCMCA Section 5-B (2) (a), elections must happen before the term of the present corporation ends.

Elections were held back due to several legal and political reasons like inadequate reservation of backward castes, and also allegations such as the elections were being held in a hasty matter. These took as long as ten years to be taken care of, after which the Hon'ble High Court gave its nod for conducting the urban local body elections in

2022. A corporation with the inability to maintain one of the basic essence of holding elections at a regular interval puts the question of a defunct body, both corporation and parastatals, into place.

Drafting of development plan for Chennai

According to the Tamil Nadu Metropolitan Committee Act, 2009, the Metropolitan Planning Committee (MPC) is supposed to prepare a draft development plan, taking into consideration the plans prepared by municipalities and panchayats in the metropolitan area (Section 3 (4)) and then forward it to the Government (Section 3 (5)). As per the MPC Act 2009, the CMDA must assist the Metropolitan Planning Committee in its preparation of a draft development plan and also serve as the office of the Metropolitan Planning Committee (Section 12).

However, it was found in the study that the CMDA prepares the Master Plan for the city. The parastatal agency still runs according to the Tamil Nadu Town and Country Planning Act, 1971 through which it has developed the Second Master Plan 2026 of Chennai. It has been thirty years since the 74th CAA was passed but the power of town planning has not been devolved to the GCMC.

Civic woes and their solutions

Every year, the city faces **devastating floods** during the retreating monsoons in November and December when the city struggles to function properly. The function of the corporation is to provide a smoothly run city to its citizens which it is clearly unable to during that time of the year. Storm water management project completed in 2020 under the Smart City Programme has failed to capture the water. Reasons for such a failure are the faulty planning where the storm water drains have been choked with debris along with the city having been lost nearly 85% of its wetlands due to rapid and unregulated urbanisation.

The lack of contour studies and design flaws in stormwater drains are some of the issues behind flooding in Chennai. Pic: Korah Abraham

Planning of a city should be citizen centric and the only way to do it is to involve the citizens in the planning process. One such example is the ITDP project through the initiative of the GCMC few years back where a stretch of hundred kilometres of city roads were made more accessible and equitable for citizens. Technical support was given by Institute for Transportation and Development Policy (ITDP) India Programme, an initiative which has grabbed the Ashden Award.

Many such initiatives are required to make the city flood free. Faulty road planning needs to be replaced by strategic citizen centric and sustainable planning by the corporation which will help the city become a better and smarter place for its citizens.

Although the constitution has empowered City governments, they are still heavily dependent on state governments for human resources, funds and all other resources. To empower the cities in the true sense, the devolution of funds, functions and functionaries is crucial. It is thus essential to address the structural inadequacies in the corporations of the country to accomplish smoother urban governance and to enable the local governments to provide basic functions more efficiently.

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