

Urbanisation, Urban Governance and Environment

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Abstract

There is an increase in the urban population of the country which led to rapid urbanisation and this urbanisation has caused the environmental degradation and in turn has caused serious challenge to the institutions of urban governance in India. There is greater need to integrate environmental planning for betterment of our cities by the institutions of urban governance. The present article deals with the issues of urban governance with a special reference to environment and also deals with the structures, constitutional provisions of urban governance and suggest some measures for better urban environment management.

Keywords: Urbanisation, Urban Governance, Environment, Constitution, Sustainability

The world is witnessing a rapid process of urbanisation and this accelerated process brings myriad challenges. Urban areas now contain more than 50 per cent of world's population and occupy just two percent of world's terrestrial surface and consume up to 75 per cent of natural resources. Moreover 90 per cent of urban growth is taking place in developing countries and experts believe that by 2030 the towns and cities in continent s like Asia, Africa, and Latin America will hold 80 percent of the urban global population (UNEP 2013,6).

Urbanisation can be referred as “the process by which large numbers of people become permanently concentrated in relatively small areas, forming cities” (Britanica.com) whereas the United Nations Environment Programme (2013,9) refers urbanisation as an increase in the proportion of the population living in urban areas.. Thus Urbanisation can be referred as more and more people shifting from rural areas and going to urban centres or spaces. The definitions of urban spaces is not easy to conceptualise and varies from country to Country.As pointed out by Mcgrane (2016, 2295-2311) ‘a standard definition for an urban area remains frustratingly vague and lacking in the scientific literature and has been appropriated in various political, social and economic contexts’ but generally urban spaces are those spaces which provide large employment opportunities and there is better availability of services as compared to the rural area and people are more engaged in non – agricultural activities. According to UNEP 2013 ‘urbanization is not just an outcome of the shift out of agriculture and into an economy dominated by industrial and later services, but it is part of what makes this shift more economically productive. Municipal governments, which once focused almost exclusively on the delivery of urban services, have become increasingly involved in seeking external investment and developing city economies. This means that integrating the environment in city government activities must engage both with the service delivery and the economic development components of their work’. It has been considered for a long time that India lives in its villages and though it is true that much of India for larger population still lives in villages and villages and agriculture play an important part in Indian economy at the same time it is also becoming true that more and more Indians are now living in cities and towns. The last census of 2011 has clearly made us all understood that urbanisation

in India is gathering momentum. In China 45 per cent people live in urban areas, 54 per cent in Indonesia, and 87 per cent in Brazil. Though the Indian urban population figure is still relatively low. The challenges of urbanization in India is varied. It ranges from the use of urban planning, infrastructure, service delivery, environment, urban finance, inclusion and strengthening and building capacity of the institutions of urban governance (Ahluwalia, Kanbur, Mohanty, 2014).

Urban Governance in India: History, Structure and Characteristics

The term urban local government in India signifies the governance of an urban area by the people through their elected representatives. The jurisdiction of an urban local government is limited to a specific urban area which is be marked for this purpose by different state governments. In census of India 2011 two types of towns were identified (A). Statutory towns: All places with a municipality, corporation, cantonment board or notified area committee, declared by a state law. (B) Census towns: Places which satisfied the following criteria (i) a minimum population of 5000 (II) At least 75 per cent of male population engaged in non- agricultural pursuits and (III) a density of population of at least 400 persons per sq .Km.(Census of India, 2011,11)

As the world has started moving towards cities or the urban spaces they are witnessing rural migration towards cities and because of that the challenges for urban local bodies and for their governance is enormous. In India the challenge for our cities. is growing. The urban governance model in India is basically consist of three types viz, The Nagarpalika, the Nagar Parishad (Municipal Council) and the Nagar Nigam or Municipal Corporation. For larger urban spaces there is Metropolitan governance, But apart from these there are few other type of model of urban governance does also exist known as cantonment board, port trust, notified area committees, township, and special purpose committee. Before we go into the detail about these types there is a historical background to the evolution of urban local bodies in India.

The local government existed in India during the pre British era. The Britishers largely developed the urban local bodies for catering their own ends. As Maheshwari (2004,14) has pointed out “local self government in India” or the urban Local government in the sense of a representative organisation , responsible to a body of electors, enjoying wide powers of administration and taxation and functioning both as school of training in responsibility and as a vital link in the chain of organisms that make up the government of the country is a British creation.” As Maheshwari (2004,14) further points out that germination point of local government was the year 1687 when for the first time a municipal corporation was set up in the city of Madras. The expansion and evolution of local government can be described into six periods and each period is characterized by a certain aim and purpose (Maheshwari 2004,15). In the First period (1687-1881)- the efforts were made to ease the financial burden of central and provincial finances. The Second Period (1882-1919) was marked by local governments being seen as Self government. In the third period (1920-1937) the local government came within the jurisdiction of provinces and further was transferred to popular control. In the Fourth period (1938-1949) the local government was in a state of repair and reconstruction. The fifth period (1950-1992) consists of post independence period of India in which its primary control was given to the Indian states. The states were vested with supervisory and control function over these local bodies .This period also saw the efforts to streamline the local bodies by trying to make them the part of the constitution. In The Sixth period (1993 onwards) the local government was given a status of third tier of government by making the urban and rural local bodies as part of the constitution. Since then the urban

bodies have almost completed twenty six year of constitutional status and have a fair mix of achievements and failures. Apart from these six period there have been major milestones in the evolution of local self governments.

As mentioned earlier the first Municipal Corporation was set up in 1687 in Madras. It was based on the institutions which were prevalent in Britain and its sole purpose was to levy tax. In 1726, the municipal corporations were set up in Bombay and Calcutta. Lord Mayo's resolution of 1870 on financial decentralization visualized the development of local self-government institutions and led emphasis that more and more Indians should be part of municipal administration. Lord Ripon's Resolution of 1882 has been held as the 'Magna Carta' of local self-government. He is called as the father of local self-government in India. He enunciated a new philosophy of local government. He considered local governments as instruments of political and popular education. The Royal Commission on decentralisation was appointed in 1907 and it submitted its report in 1909. Its chairman was Hobhouse. Under the dyarchical scheme introduced in Provinces by the Government of India Act of 1919, local self-government became a transferred subject under the charge of a responsible Indian minister. In 1924, the Cantonments Act was passed by the Central Legislature. Under the provincial autonomy scheme introduced by the Government of India Act of 1935, local self-government was declared a provincial subject (Maheshwari, 2004, 15-28). After Independence the 74th constitutional amendment act made local government a part of the Constitution. The Constitution in Part IX A lays down a broad outline for the structure of urban local government (KC SIVARAMAKRISHNAN 2020, 560-580). The Constitution Under article 243 P to 243 ZG mentions the various provisions related to the institutions of urban governance. The constitution does also mentions the twelfth schedule which contains provisions like power, authority and responsibilities of Municipalities. It also contains 18 functional items of the municipalities (Bakshi 2017, 471).

As already mentioned there are different types of urban local governments in India known as municipal corporation, municipal council, nagar panchayat aur Nagar palika, notified area committee, town area committee, cantonment board, township, port trust and special purpose agency and they do differ in terms of their creation, structure and membership.

Predominantly there are three type of urban local government in India, viz., 1- Nagar Panchayat (by whatever name called): This is for a transitional area which is transforming itself from being a rural area into an urban area. 2. Municipal council: this is for a smaller urban area. 3. Municipal corporation: This is for a larger urban area. The constitution does not lay down the parameters for categorising the urban local bodies in to nagar panchayat, municipal council and municipal corporation and allows each state to decide what should be the criteria for classifying n urban centre as a town municipal council city municipal council or municipal corporation. (Second Administrative Reforms Commission 2007, 205).

Apart from these there are few other types are also in existence in India (Arora, Goyal 2004, 392-396). The first one is notified area committee; it is an another form of urban local government in India in which this type of institution is created for administering any area which witnesses a rapid pace of industrialisation. It is also created for those places which does not fulfil the condition of a municipality but the state government finds them important.

Town area committee it is created for or the administration of a small town which does limited number of civic functions like roads, street lighting, drainage and functions

of conservancy. It is often created by a separate act of state legislature and by nature it is a semi municipal kind of authority.

Cantonment board: cantonment board is a unique structure in the system of local governance in India. Cantonment board is generally formed where there is a mix of military population and civil population. In India it was a British creation and a cantonment board act was passed in 1924. It works under the administrative control of the defence ministry of the union government. It consists of partly elected and partly nominated members and generally headed by the station commander who is a military officer. The cantonment board in India classified into three broad categories namely class first, class second and class third category. Class 1st category is created where the civilian population is more than 10000. Class II category is created where there is a civilian population between 2500 and 1000. The class third category is created where there is population of civilians is less than 2500. Though the functions performed by cantonment boards are on the similar lines of a municipality yet people questions its democratic nature and calls it a military government.

Another form is known as township. Township is created in those areas where there is a large public enterprises and it wants to provide civic amenities and services to its employees. Generally it is created near the plants of those enterprises. A town administrator is appointed to look after the administration of the township. It has no elected members and considered as a long arm of the bureaucratic structure of that particular enterprise.

Special purpose agency; the other forms mentioned earlier are area based but special purpose agency is created for a special purpose that is why they are also called as single purpose agency. The examples of these types of bodies are urban improvement trust, city development authorities, pollution control boards, housing board and water boards etc.

The 74th amendment act and its various provisions has given urban local bodies a definite structure and streamlined it. The demand for giving a constitutional status to these bodies was long and overdue and even there was debate in the constituent assembly of India about these local bodies. The 74th amendment act and article 243P to 243 ZG contain many provisions and features. The first important feature of the 74th amendment act of the Constitution is that it talks about the three types of municipalities which has been discussed earlier like nagar panchayat, municipal council and municipal corporation. Second feature of this is the composition of these bodies. As far as the composition of these bodies is concerned all the members of a municipality shall be elected directly by the people of the municipal area. For this purpose each municipal area shall be divided into territorial constituencies to be known as wards. The manner of the election of the person of the municipality is left to the state legislatures. Third feature is related to the formation of ward committees and they will be constituted consisting of one or more wards within the territorial area of a municipality having population of 3 lakhs or more. Fourth feature relates to the reservation of seats. 74th constitutional amendment act provide for the reservation of the seats for scheduled casts and the scheduled tribes in every municipality in proportion of their population to the total population in the municipal area. The act also provides for the reservation of not less than one third of total number of seats for women

The fifth feature is duration of municipalities in which there is a five year term of office for every municipality. This is a very important feature of the 74th amendment act as far as the local bodies are concerned because before this the states differed on the

tenure of the urban local bodies. In some cases it was 5 years and in some States it was 4 years or 6 years. In Some States the elections for these bodies were not held even for very longer durations. So fixing the term of these urban local bodies is a remarkable step. The next feature of the 74th amendment act was creation of a state election commission for conducting elections for these urban local bodies and the superintendence, direction and control of the preparation of electoral rolls and the conduct of elections to the municipalities are vested in a state election commission under article 243 ZA of the constitution. The next feature is the conferment of 18 functions to the urban local bodies which is mentioned in schedule XII of the constitution. The next feature of the 74th amendment act is also the constitution of state finance commission for the reviewing of the financial positions of the municipalities. The next feature of the 74th amendment act is the creation of District planning committee article 243 ZD of the Constitution. There is also a provision of metropolitan planning committee for metropolitan areas having a population of more than 10 lakhs (Bakshi 2017,278-283). So thus the 74th Constitutional amendment act of 1993 has been a remarkable step in the right direction for empowering the urban local bodies.

Urban Environment Issues: The Challenges and Some Suggestive Measures

As mentioned earlier India is also witnessing the increasing urban population and it is going to create lot of burden and pressure on the apparatus of urban governance . It is likely to affect our urban environment. According to UNEP (2013) these growing cities can have an impact on the surrounding sensitive ecosystems such as wetlands, forests, mountain ecosystems and need increasing amounts of resources which could result in over-exploitation . Urban environmental concerns have often been categorised as belonging to either the ‘brown’ or the ‘green’ agendas. The ‘brown’ agenda prioritises environmental health, and addresses local issues related to inadequate water and sanitation, urban air quality and solid waste management – all of which are particularly relevant to poor urban dwellers. Inadequate provision of water, sanitation and drainage, and the generation of large amounts of solid waste, air pollution and water pollution, can cause major environmental health consequences for urban residents, a problem that is particularly acute in low-income areas. At the same time, activities taking place in urban areas and urban spaces can have major implications and consequences for environmental conditions elsewhere in the other areas of world. Towns and cities in present times rely on a wide range of resources from outside their geographical boundaries (including water, food, and raw materials for manufacturing): demands that can have significant environmental effects on distant and far locations. Urban areas also use large amounts of energy, and contribute significantly to global greenhouse gas emissions. Which is a major cause of concern (UNEP ,2013). Further UNEP (2013) classifies environmental issues in to three broad categories. The first category belongs to local environment issues which includes “reducing risk and improving amenities within the urban area. This includes improving water supply and sanitation provision to reduce the burden of environmental health problems; and improving systems and infrastructure to reduce environmental hazard”. The second category includes issues related to regional environment issues which includes “reducing environmental impact in the vicinity of the city. In particular, this involves reducing air and water pollution and strengthening ecosystem services”. The third issue belongs to global environmental issues which includes “ensuring that activities within the city do not have detrimental impacts elsewhere in the world. Many of these burdens are hidden– the environmental consequences are not felt in the location where decisions driving these are made”. Though

these issue may vary from city to city but at large sooner or later all these issues are going to affect our cities be in India or elsewhere in the world.

Urbanisation in India also has costed environmental degradation and has created lot many challenges for environment. This creates environment challenges for sustainable urban living for the better management of our cities. India's urban population is projected to increase from about 380 million in 2012 to 600 million by 2030. It will be a very daunting task for the officials of urban governance and will require for adoption of sustainable processes (Ahluwalia, Mathur 2014, 82-116) specially in terms of managing the urban environment and making it a sustainable system. Ahluwalia and Mathur (2014) talks about four areas in which there is a need of intervention as far as India is concerned and suggest some measures for those areas. The first two are reducing use of electricity e based on fossil fuels and reducing the energy used in urban transportation both of which contribute in Sustainability by containing CO2 emissions. Other two are meeting the demand for water in our cities in a sustainable manner and ensuring effective management of municipal solid waste (MSW). The table below mentions the policy interventions required for protection of environment and sustainable urban living in India.

	Area of Intervention	Policy Intervention	Level of Government
A	Restraining Electricity Use in Buildings	<ol style="list-style-type: none"> 1. Mandatory energy efficient building design 2. Implementing energy efficiency in new buildings and retrofits in old buildings 3. Pricing of electricity to reflect costs and incentivise savings 4. Setting mandatory energy efficiency standards for electrical appliances. 5. Encouraging rooftop SPV connections which can feed back into the grid 6. Introducing time of use electric metering to incentivise energy savings in peak hours 7. Tax incentives for expenditure on retrofits and for installation of rooftop SPV 	City Governments.State Governments Central Government State Governments Central Government for pricing of coal. State Electricity Commissions for pricing of electricity Central Government State Electricity Distribution Companies. State Electricity Regulatory Commissions Central Government
B	Sustainable Urban Transportation Solutions	<ol style="list-style-type: none"> 1.Sensible land use planning in cities 2. Urban property laws (sale and rental) which facilitate mobility 3.Ensuring provision of reliable and good quality bus transportation in cities 4.Provision of metros in large cities 5.Rational planning of roads with features such as BRT, footpaths, cycleways, etc 6.Institution of disincentive parking charges in congested areas to discourage parking of private vehicles 7.Differential taxation on buses and cars to incentivise public transport 8.Imposition of 'Congestion Charges' to allow private vehicles into congested areas 9.Improved fuel efficiency standards 10.Maintaining fuel price differentials which discourage private transport, i.e., petrol 	City Planning Authorities Central Government and State Governments City Government and Road Transport Corporations City Governments and Metro Corporations City Governments City Governments State Governments and Central Government city Governments Central Government Central Government

C	Sustainable Water Use in Cities	<p>prices higher than diesel prices with a high tax ab initio on diesel powered cars. 11. Incentivising electrical vehicles and hybrid vehicles through differential taxation and preferential depreciation rates</p> <ol style="list-style-type: none"> 1. Increasing water use efficiency in agriculture and industry to make room for expanding urban water demand 2. Reducing wastage and leakage from existing water utilities by improving efficiency in the system including by introducing private sector concessionaires 3. Increasing local availability of water in surface water reservoirs and through groundwater recharge and water harvesting 4. Treating 'grey water' (sullage) to acceptable levels and recycling for some purposes 5. Promoting use of water saving devices (low flush toilets, taps with aerators, etc.) by setting standards 6. Comprehensive treatment of sewage 7. Appropriate water pricing to cover cost of delivering freshwater and treating sewage 8. Establishment of a Water Regulatory Authority to establish equitable and financially viable user charges for water 	<p>Central Government</p> <p>Central and State Governments</p> <p>state Governments and city authorities</p> <p>state Governments and City authorities</p> <p>City Authorities</p> <p>Central Government</p> <p>City authorities and State Pollution Control Boards</p> <p>City authorities and State Water Regulator</p> <p>State Governments</p>
D	Solid Waste Management	<ol style="list-style-type: none"> 1. Municipalities to make arrangements for collecting 100 per cent of the waste segregating at source if possible, and processing to extract value 2. Organizing different ways of extracting value from waste including sale of recyclable waste (plastic and metal) and processing of biodegradable waste to produce compost/energy 3. Promoting establishment of waste-to-energy plants with suitable incentivisation of PPPs including payment of an incentive tariff for electricity generated 4. Organising scientific landfills for disposal of residential inert waste 5. Organising citizen involvement in SWM by empowering citizens groups to register complaints which can be tracked through imaginative use of IT 	<p>City authorities to be enforced by State Pollution Control Boards</p> <p>City authorities in consultation with technical consultants</p> <p>city authorities and State Distribution Companies supported by State Electricity Distribution Commissions</p> <p>City authorities</p> <p>City authorities in partnership with resident welfare authorities and civil societies</p>

Source: Ahluwalia, Montek S., Mathur, Ajay. 2014. "Sustainable Urban Living." in *Urbanisation in India: Challenges, Opportunities and the way forward*. edited by Ahluwalia, Ishar J., Kanbur, Ravi. and Mohanty, P.K. 89-111. Sage Publication. New Delhi

Apart from the above suggested interventions the UNEP (2013) has also suggested some principles to be included for better environment management in policy formulation for our cities. These are known as nine planning principles for 21st century viz, 1. “Sustainability: committing to an environmental ethic. 2. Accessibility: facilitating ease of movement. 3. Diversity: maintaining variety and choice .4. Open space: regenerating natural systems to make cities green. 5. Compatibility: maintaining harmony and balance. 6. Incentives: renewing declining cities / rebuilding brownfields. 7. Adaptability: facilitating “wholeness” and positive change .8. Density: designing compact cities with appropriate transit. 9. Identity: creating/preserving a unique and memorable sense of place.”

The institutions of urban governance can adopt and integrate various approaches and principles in managing the environment of our cities. Two fold efforts are required. First there is need to inculcate the concern for environment in the administrators/policy makers of our cities and the second efforts is related to the strengthening of urban local bodies .There is growing agreement that a concern for the well being of future generations needs to be married to a concern for the well being of current generations and it will require efforts at all levels and all sections of societies. It will have to be addressed from local level to the global level. The urban governance and its various mechanisms will require to be strengthened and energised as cities will play a major role in our growth along with the rural India.

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