

CHAPTER 4

THE FUNCTIONING OF MUNICIPAL CORPORATION OF DELHI FOR DELIVERY OF SERVICES

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Introduction

The purpose of this section is to provide a wider view and perspective of the functioning, and management of a municipal system in the delivery of municipal services. The study of private sector induction for the management and delivery of services will also need to base its findings and recommendations on the dynamics of the functioning of municipal system as a whole institution. The various issues related to governance, service delivery, finance, etc. affect the decision process in the course of the study. Municipal Corporation of Delhi (MCD) was selected for this purpose as further micro level studies are also based on the two sample colonies under it. .

BACKGROUND OF MUNICIPAL CORPORATION OF DELHI

Delhi's Municipal History

Delhi was made the new capital of India on 12 December. The laws of Punjab were extended to include Delhi since a substantial part of Delhi was originally part of Punjab.

The Constituent Assembly decided that the President through a Chief Commissioner or a Lt. Governor should administer assisted by a Council of Ministers. It laid down that the Delhi legislature will not have the power to make laws with respect to public

order, police, formation and functions of municipal corporations, improvement trusts, water supply, drainage, electricity, transport and other public utility authorities. Through the Constitution (seventh) Amendment Act 1956 Delhi became a Union Territory under the direct administration of the President and the Legislative Assembly and Council of Ministers for Delhi ceased to hold office from 1 November 1956.

Local administration of Delhi was placed under elected members through the Delhi Municipal Corporation (DMC) Act 1957. To meet the need for a responsible administration Delhi Administration Act 1966 was passed. This provided for Metropolitan Council and an Executive Council that had specific functions. The Metropolitan Council consisted of 56 elected members. It had no legislative powers but could recommend in legislative and budget proposals, development schemes, etc. The President appointed the Executive Council.

Although Act of 1966 provided autonomy to Delhi administration in matters related to the transferred subjects the Central Government had general power and control over the Administrator and members of the Executive Council. Ministries of the Central Government deal directly with their connected organizations although the subject is relating to the administration of Delhi. The union ministries keep their hold over Delhi Administration, as they have to answer parliament questions related to their concern. The budget of Delhi formed part of the central budget.

Institutional Arrangements

To provide the basic amenities like water, electricity and transport, three statutory bodies viz. the Delhi Joint Water & Sewage Board, the Delhi State Electricity Board and the Delhi Road Transport Authority, were established under the control of State/Government of India in the years 1926, 1951 and 1952, respectively. The Delhi Improvement Trust was set up in 1937 to help in the redevelopment of the city. This was later replaced by passing the Delhi Development Act in 1957, which is one of the largest urban developments, and housing agencies in the world. Urban development and management functions are handled by three levels of government namely center, state and local in vertical levels and by several urban bodies and corporations

horizontally. In the Indian Constitution urban local government is in Entry 5 of the State List. All the same the central Government plays a dominant role in state-listed subjects. Centrally sponsored schemes under the five-year plans instituted separate organizations both at the state and local levels for their implementation. In the case of Delhi there are important bodies, which contribute to the inter-governmental relations. These are the Delhi Development Authority (DDA), Delhi Jal Board (DJB), and Delhi Transport Corporation.

The powers of DDA consists of acquire, hold, manage and dispose of land and other property, construct building, carryout engineering, mining, create infrastructure to supply water and electricity and help dispose of sewage and other developmental activities. It prepares and monitors the Master Plan for Delhi. Major developmental activities have been undertaken by DDA during the last four decades. It developed about 57,000 acres of land and has provided housing to high, middle and low-income groups in addition to developing commercial, institutional and recreational areas. All the same it has become a gigantic organization having lost its focus on original functions. It has not been able to stop the growth of unauthorized settlements. Corruption, malpractice and harassment of public are some of the weaknesses that have crept into the administrative system of DDA. There are many shortcomings relating to the quality of development and level of coordination with other infrastructure organizations for electricity, water and sewage.

DTC was set up in 1971 under the Road Transport Corporation Act 1950. It is headed by a chairman and directors appointed by central government. There is a managing director, three officials of central government, two officials of the Delhi Administration and one each of MCD and NDMC, two nominees of the central government. There are different general managers looking after the five regions. DTC has been not been financially viable proposition. The part privatization of the routes is not a satisfactory arrangement from the public's view. The Ministry of Surface Transport exercises control on DTC as the central government gives substantial financial assistance. Delhi's electric supply and water supply are under separate bodies. Electric supply has been handed over to private sector providers from erstwhile Delhi Vidyut Board. Water supply is under Delhi Jal Board which is autonomous in its functioning.

Geographical and Political Setup

Government of National Capital Territory (NCT) of Delhi Act 1991 provided for a Legislative Assembly of 70 members. The Lt. Governor can summon, prorogue and dissolve the Assembly. The Chief Minister to communicate to the Lt. Governor all decisions of the Council of ministers, of legislation and administration. The executive powers are with the President and are delegated to the Lt. Governor and in certain areas, with the Chief Secretary, who along with the Police Commissioner, the home secretary and secretary, land and development, are appointees of the central government. Therefore the President continues to be the final authority in the executive powers. NCT has no powers over services, as it is part of the reserved section. Therefore it cannot frame any service rules or appoint any person in service.

The National Capital Region Planning Board (NCRPB) was constituted by the Act of 1985 to initiate planned development of the region surrounding Delhi within a policy and institutional framework. The National Capital Region covers an area of 30,242 sq. km. as indicated in Annexure 17. The Regional Plan envisages deflecting the population from NCTD to NCR. The development of Delhi lies in the sequential development of its metropolitan region. The eight study groups on NCR policy zones suggests the following objectives for Regional Plan 2021:

- Develop NCR as an integrated spatial system of urban and rural settlements to accommodate economic activities and to provide socio-economic opportunities an infrastructure for all including the economically poor sections of the society.
- Provide regional land-use pattern based on socio-economic requirements, and suitability and environmental sustainability and to provide rail and road based mass transportation system based on land use pattern, economic activities and settlement system.

Three local bodies are entrusted with the civic administration of Delhi state: Municipal Corporation of Delhi (MCD), New Delhi Municipal Committee (NDMC) and Delhi Cantonment. Delhi's total area is 1,483 sq. km. (maximum length and breadth are 51.90 km. and 48.48 km. respectively.). Out of this MCD occupies 1397.29sq. Km (94.22 percent), whereas NDMC and Delhi Cantonment respectively

occupy 42.74 sq. km. (2.88 percent) and 42.97 sq. km. (2.90 percent). MCD is responsible for providing civic services to rural and urban areas, resettlement colonies, regularized unauthorized colonies, squatter settlements, slum area, etc. As per the provisional figures of population Census, 2001, the population of Delhi is 13.8 million. Out of this 13.37 million or 96.88 percent of the population lives in the areas under MCD's jurisdiction. Delhi Cantonment accommodates 0.13 million population or 0.94 percent and NDMC 0.30 million population or 2.18 percent. The following are figures applicable to Delhi based on the Census of India 2001 and especially applicable to MCD:

Details	Delhi Total	MCD Total	MCD Urban	MCD Rural
Area in square kilo meter	1483	1397.29	599.63	796.66
Total population	13,782,976	13,363,471	12,400,256	963,215
Males Female Sex ratio Literacy rate (%)	7,570,890 6,212,086 821 81.82	822		
Population density (sq. km.) Population growth (% in 1991-2001)	9,294 46.31	9,563 48.07	20,680 53.55	1,208 1.49

The Municipal Corporation of Delhi (MCD) was established under the Delhi Municipal Corporation Act, of 1957 that was enacted by the Parliament on 28th December 1957. Pending the establishment of the Corporation, under a notification of 15th February, 1958, issued by the Ministry of Home Affairs, the Government of India appointed, as an interim measure, a Commissioner of Local Authorities to take over the management of all the local bodies to be merged in it. The first general municipal election was held in March 1958 as a result of the amalgamation of nine of the eleven local bodies and the Delhi District Board, which looked after the civic needs of the rural areas at that time. MCD came into existence on 7 April 1958. Only the Delhi Cantonment Board and the New Delhi Municipal Committee continued to exist as independent entities.

FUNCTIONING OF MUNICIPAL CORPORATION OF DELHI

Municipal Corporation of Delhi (MCD) has been entrusted with 23 obligatory and 27 discretionary functions by an Act of Parliament as detailed in Annexure 18. The Corporation and its various Committees constitute the Deliberative Wing as given in Annexure 19 that is responsible for policy formulation, supervision, guidance and control. Policy execution is entrusted to professional administrators and technical personnel that constitute the Executive Wing as given in Annexure 20. The Corporation is charged with a wide range of duties and vested with adequate powers. Chapter XXIV of The Delhi Municipal Corporation (Amendment) Act, 1993 enumerates the scope/extent of control by the Delhi Government. Delhi Government has been bestowed with the power to require production of any record, plan or other documents and may depute any person to inspect or examine any Municipal Department or Office of Corporation. While the Commissioner is to exercise the powers and discharge his functions, it has been provided that this would be under the general superintendence, direction and control of the Central Government. The Central Government may delegate any of its powers by a notification to Delhi Government or any of its officers or the Commissioner or to any other authority. Similarly the Central Government may by an order dissolve the Corporation if it does not perform its functions, after giving the Corporation reasonable opportunity of being heard before its dissolution. In such cases, an election to constitute the Corporation shall be completed within six months from the date of its dissolution.

With a view to decentralize municipal services, the Delhi Municipal Corporation Act, 1957 was comprehensively amended in 1993 through Parliamentary Legislation, namely "The Delhi Municipal Corporation (Amendment) Act, 1993 (Act No. 67 of 1993)". It was passed by the Parliament on 17 September 1993 and its provisions were enforced from 1st October 1993. It contains 136 clauses and brought about fundamental changes in composition, functions, governance and administration of the Corporation. A basic change that comes about is in the composition of the Corporation. The Corporation used to be composed of Councilors and Aldermen. The institution of Aldermen has been omitted in the amended Act. Instead, the

Corporation shall be composed of Councilors. The size of the Deliberative Wing of the Corporation is about 168 as per the following:

- The Administrator shall nominate ten persons who have special knowledge or experience in municipal administration. They have no voting right in the meetings of the corporation.
- Members of Parliament representing the constituencies in the Corporation and members of the Council of States registered as electors within the Corporation's area.
- One-fifth of the members of the Legislative Assembly of Delhi to be nominated on a rotation basis by the Speaker for a period of one year.
- The chairpersons of the committees.
- One hundred and thirty four councilors chosen by direct election on the basis of adult suffrage from various wards of Delhi.

The concept of reservation of seats for Scheduled Castes and for women to different wards has been introduced for the first time. Women belonging to Scheduled Castes have been provided distinct status in the Amended Act. The Corporation unless dissolved under section 490, shall continue for five years from the date appointed for its first meeting and no longer. The Mayor is the head of the organization assisted by a Deputy. Every year, at its first sitting, the Corporation elects a Mayor and a Deputy Mayor from amongst its members. Voting is by a secret ballot. The Mayor presides over the deliberations of the Corporation and conducts its proceedings. The Deputy Mayor assists the Mayor and acts for Mayor during his temporary absence. The office of the Mayor is reserved in favor of women for the first year of the Corporation and in favor of a member belonging to the Scheduled Caste for the third year of the Corporation.

The area under MCD is divided into twelve zones and each zone is further divided into a number of wards. Presently there are 134 wards and each ward is taken care by a Junior Engineer, Sanitary Inspector, Registrar of Births & Deaths, etc.

Municipal Authorities

Municipal authorities under the Corporation consist of (a) the Standing Committee, (b) the Wards Committee, and (c) the Commissioner. The Standing Committee consists of six members elected by the Councilors from among themselves and one member each elected by the Wards Committee. The Standing Committee exercises such powers and performs such functions as are specifically conferred or imposed upon it by or under the Delhi Municipal Corporation act, 1957 (amended 1993). Wards Committees deal with all such civic matters that directly affect the individual residents. Being readily accessible, they are expected to meet day-to-day needs of public more effectively. The power and functions of the Wards Committees are defined in the Fifteenth Schedule (Annexure 21). These committees have been given statutory status. Each zone has Ward Committee consisting of all the Councilors, elected from the Wards comprised in that Zone and the person, if any, nominated by the Administrator u/s 3(3). The Standing and Wards Committees can appoint sub committees among themselves.

In addition there are also Rural Areas Committee and Education Committee of the Corporation. The Rural Areas committee consists of all the Councilors elected from wards situated within the rural areas. Rural Areas Committee makes recommendations regarding the functions of the rural areas. The Education Committee consists of seven members of whom three shall be nominated by the Corporation from among experts in education who are not members of the Corporation and the rest elected by the members of the Corporation from among themselves. The Education Committee exercises and performs powers, duties and functions in relation to primary education in Delhi as determined by regulations made in this behalf. The Corporation can constitute special and ad-hoc Committees as required for the exercise of any power or discharge of any function which the Corporation may by resolution delegate to them or for inquiring into, reporting or advising upon any matter which the Corporation may refer to them. A Finance Commission is constituted every five years to review the financial position of the Corporation and to make recommendations to the administration. The Municipal Secretary assists the various committees. The civic secretariat is responsible for preparing agendas and proceedings of various Committees and Corporation, and

assists the elected representatives in matters connected with legislative work. Agendas and minutes are issued in three languages i.e. English, Hindi and Urdu.

At the apex of the Executive Wing is the Municipal Commissioner who is appointed by the Central Government. He holds office for a term of five years in the first instance. His appointment may be renewed from time to time. The entire executive power for the purpose of carrying out the provisions of the Act vests in the Commissioner. Powers of the Commissioner for entering into contracts have been enhanced to Rs.1 million. The Central Government has been empowered for its further enhancement. Previously, this power was with Corporation itself. The Commissioner can direct that any power conferred or any duty imposed on him be exercised and performed also by any municipal officer or other municipal employee specified in the order. Additional/ Deputy Commissioners, Additional Deputy Commissioners, Assistant Commissioners and heads of different departments assist the Commissioner. The Corporation appoints Engineer-in-chief, Director (Health Services)], Director (Primary Education)], Chief Accountant-cum-Financial Advisor, the Municipal Secretary and the Municipal Chief Auditor. It can also appoint one or more Additional Commissioners and Deputy Commissioners and such other officers. Besides the Commissioner, the Central Government also appoints the Chief Auditor who works independently and reports direct to the Standing Committee. The Chief Accountant also acts as Financial Advisor to the Commissioner.

The basic change in the 1993 amendment of the DMC Act, 1957 was in the composition of the Corporation and constitution of Wards Committees at zonal level with vast increase in financial powers. It necessitated administrative support to the Wards committees to formulate proposals for development works. The civic body with a view to get the civic works done efficiently strengthened its administration at zonal level effective 1997. Each zone came to be headed by a Deputy Commissioner, who enjoys all the delegated powers of the Commissioner so as to take major decisions at zonal level. He is assisted by an Assistant Commissioner, Superintending Engineer, Deputy Health Officer, Joint Assessor & Collector, Deputy Chief Accountant to give efficient and accountable, civic administration to the citizens at their doorsteps and prompt addressing of their grievances. Each zone extends to the

areas comprised in the wards specified for the zone. The number of wards ranges from four to sixteen in different Zones.

Municipal Taxation and Finance

The Provisions of Section 99 of the Delhi Municipal Corporation Act, 1957 (Amended 1993), regulate the Constitution of MCD Fund. The Corporation is required to adopt for the ensuing year the budget estimate of the income and expenditure of the Corporation before 31 March. On or before 15 February of each year, the Corporation determines rates for various municipal taxes, rates and cesses for the following year. The rates cannot be subsequently altered for the year for which they have been fixed. Budget estimates shall be prepared in such form as may be approved by the Standing Committee and presented and adopted in such manner and shall provide for all such matters as are prescribed by regulations made in this behalf.

All money of the MCD, all proceeds from disposal of property, rents from property, and all revenues form the municipal fund Payment from the fund can be made only if the expenditure is covered by the current budget grant. MCD revenue consists of own tax revenues and the shared taxes with the central government. The central government gives a portion of terminal tax, entertainment tax and betting tax collected in Delhi under central laws. MCD can also borrow from open market for certain specified purposes on the strength of its revenues. It needs to create a sinking fund for repayment of loans. This power can be exercised only with the consent of the central government. MCD levies the following taxes apart from revenues from the provision of electricity, water supply and sewage disposal:

- Property taxes levied on the basis of ratable value of a property as determined by the investigating officer and according the prevailing rules
- Tax on vehicles and animals,
- Theatre tax,
- Tax on advertisement other than those published in news papers,
- Stamp duty on transfer of property,

- Tax for sanction of building plans,
- MCD can also levy the following taxes:
- Education cess,
- Local rate on land revenues,
- Tax on professions, trades, callings and employment,
- Tax on consumption, sale or supply of electricity,
- Betterment tax on the increase in urban land values due to any development or improvement work
- Tax on boats,
- Tolls.

The Legislature of the National Capital Territory of Delhi (NCT) appoints a Finance Commission every five years. This reviews financial position of the MCD and makes recommendations to the Administrator about the principles which should govern (a) the distribution between the NCT and MCD of the net proceeds of the taxes, (b) determine the taxes to be appropriated by MCD and (c) the grants-in-aid to MCD from the consolidated fund of NCT. The Finance Commission also looks into measures needed to improve the financial position of the Corporation or the matters referred to it by the Administrator. The Administrator submits all the recommendations to the Legislative Assembly of the NCT.

The Corporation determines the tax rates before 15 February and the budget estimates are adopted before 31 March. The amount of budget-grant under any head can be amended on the recommendation of the Standing Committee. Additional budget-grant can be made for the purpose of meeting any unforeseen requirement provided the cash balance at the close of the year is not below Rs. 100,000 or any higher sum fixed by the Corporation. The Standing Committee may also reduce the amount of a budget-grant or sanction transfer of any amount within a budget head. The Commissioner can sanction transfer within a minor head not exceeding Rs. 5,000 if it does not involve a recurring liability. Any such transfer exceeding Rs. 500 needs to be reported to the Standing Committee.

The annual budget of MCD for 2003 –2004 is 2,170 million rupees (Annexure 28). The major income items include government grant, municipal taxes, share of assigned taxes and the expenditure items include conservancy, roads and public lighting, medical relief, education and establishment expenses. Of the total income municipal taxes account for 68.95 percent, share of assigned taxes 14.58 percent and government grants mainly for education 5.93 percent. General tax from urban and local areas account for the maximum share of income (57.54 percent). The major share of expenditure is on establishment expenses (35.62 percent), education (18.90 percent) and conservancy (16.75 percent). It is interesting to note that only 0.62 percent is spent for sanitation and 2.22 percent for public health. The following table summarizes the 2003 – 2004 budget:

MCD Budget Estimates for 2003-2004
(Million Rupees)

Income Item	Rs.	%	Expenditure Item	Rs.	%
Government Grants (education)	1,286	5.93	Collection of Revenue	724	3.18
Municipal taxes	14,965	68.95	Education	4,291	18.90
Share of Assigned taxes	3,165	14.58	Public Health	505	2.22
Rent, Fee and fines	389	1.80	Medical Relief	1,980	8.72
Miscellaneous	1,185	5.45	Conservancy	3,803	16.75
Development/Deficiency charges	115	0.53	Sanitation	140	0.62
Ways and Means advance	600	2.76	Roads/ Public Lighting	1,977	8.71
			Buildings/Land Acquisition	331	1.46
			Gardens and Open spaces	866	3.82
			Establishment expenses	8,083	35.62
Total	21,705	100	Total	22,700	100

Source: MCD Budget Estimates 2003-04

More data relating to MCD's various relevant items to the study are in Annexure 28. MCD also receives Plan Funds for undertaking developmental activities. It received Rs. 62,074 million in the Ninth Five Year Plan and the proposed plan outlay in the Tenth Five Year Plan (2002-2007) is Rs. 36,137 million. The following is the sector wise Break of for proposed plan outlay for the Tenth Five Year Plan and the Annual Plan for 2003-04 (in million rupees):

Sector/Scheme	Plan Outlay	Annual Plan 2003 – 2004
Agriculture and allied services	552	60
Rural development	2,600	550
Roads and bridges	6,000	950
Economic Sector services		1
Computerization of MCD	50	10
Trans-Yamuna Area Development	2,000	400
Urban development	14,250	2,750
Education	7,000	1,300
Sports and youth services	155	10
Mid-day-meal	1,000	220
Medical	1,500	240
Public health	1,000	120
Welfare of scheduled cast and tribes	30	3
Total	36,137	6,614

Source: MCD, Civic Guide

Services Provided by MCD

The important services provided by MCD include licensing and regulation of industries in Delhi, administering health and medical services, engineering services, control and monitoring of building constructions, conservancy and sanitation services, community services, and improving living conditions of slum dwellers.

The Factory Licensing Department of MCD monitor and control industrial units within Delhi under Sections 416 and 417 of the DMC Act. It is mandatory for industrial units running with power, mechanical energy or by steam to obtain license from MCD. Licenses are issued for units in industrial and conforming areas, local commercial areas and for household categories.

Primary education is an obligatory function of MCD. Although until June 1970 middle and higher secondary education was also under MCD, these were transferred to the Delhi Administration. There are 33 independent nursery schools, 968 independent primary schools and 852 combined nursery and primary schools providing education to 936,000 students (887,000 primary and 49,000 nursery students). It may be noted that within every one square kilo meter of Delhi there is one MCD school. MCD provides free textbooks, jerseys, uniform and bags to all children. In addition MCD provides mid-day-meals to all the primary school children at Rs. 2 per child per day for 180-200 working days. MCD also provides medical

facilities to all children through the zonal health units. The education department employs 19,900 teachers and 6,200 administrative staff.

Solid waste management: One of the primary duties of MCD is to provide sanitation and scavenging services as an obligatory function under section 42 of the DMC Act. MCD's Conservancy and Sanitation Engineering (CSE) department is responsible for the sanitation work including solid and liquid waste management. CSE covers all areas within the jurisdiction of the MCD including rural and urban villages, slum clusters, regularized unauthorized colonies, roads, streets and public conveniences. CSE performs the following functions:

- Construction, maintenance and cleaning of drains and drainage works, public latrines, urinals and similar conveniences;
- Scavenging, removal and disposal of filth, rubbish and other obnoxious or polluted matter;
- Reclamation of unhealthy localities, removal of noxious vegetation and abatement of all nuisances; and
- Lightening, watering and cleansing of public streets and other public places

Bhagidari – Citizen's Partnership in Governance

The Delhi government initiated the concept of 'Bhagidari' meaning co-sharing or partnership or joint stake holding leading to citizen-government partnership. The basic tenet of this concept is that true democracy can be achieved only with people's participation in governance. The functioning of this concept is through the process of dialogue and discovery of joint solutions between Resident Welfare Associations (RWAs), Market and Traders Associations (MTA's), civic service agencies providing public utility services. These agencies include DVB, DJB, MCD, NDMC, Delhi Department of Environment & Forest (DOEF), DDA, and Delhi Police (DP). The ultimate objective is to create and sustain people's partnership in governance.

The process of initiation of Bhagidari is through participating in the Large Group Interactive Events (LGIE), which include the multiple stakeholders. Through interactions the participants discover common grounds of agreement and workable solutions and set up implementation mechanisms. Through area-wise action teams,

RWA representatives and authorities of public services are expected to act upon agreed solutions and within agreed time frame for solving problems at local level.

During the period March 2000 – February 2001 four workshops were conducted in phase I. Total number of participants ranged from 200 to 550 including 167 RWAs, 12 MTAs and officials from seven different government agencies. The administration of the scheme is under the Chief Minister of Government of Delhi. It consists of a committee for monitoring and review of projects and four sub committees for planning and implementation of action plans. The four sub committees are for (i) water supply, harvesting and sewer management, (ii) sanitation and solid waste management, (iii) power, and (iv) forest/plantation and environment.

The workshops have identified difficulties and solutions for implementation in the various services as listed in Appendix 22. The following are some of the matters in which RWAs, MTAs and officials of the concerned departments have agreed upon:

Department	Decisions
Delhi Vidyut Board (erstwhile)	Load shedding information will be given to RWAs Special complaint cells will be established for Bhagidari Information regarding staff posted in the areas RWAs and DVB staff will do meter reading Easier load enhancement Meter name change in cooperation with RWAs Revenue improvement through the help of RWAs
Delhi Jal Board	RWAs will collect payments against water bills Awareness building regarding water preservation through RWAs Distribution of water tankers Water harvesting program involving RWAs Replacement of defective pipes
Municipal Corporation of Delhi	House tax to be collected by interested RWAs Community parks to be maintained by RWAs RWAs to manage community halls Sanitation service to be supervised by RWAs RWAs to have information of regarding sanitary staff Imposition of fine for littering in cooperation with RWAs
Environment and Forest	Plantation and upkeep of saplings
Delhi Police	Crime prevention through involvement of RWAs Neighborhood watch scheme through RWAs Verification of antecedents of domestic help Prevention of encroachment Regulation of traffic through colony

The Chief Minister's office, General Administration Department, and other departments have issued orders for implementation of the action points jointly agreed upon during the Bhagidari workshops. It is planned in phase II to empower the district commissioners of Delhi to assume ownership of their own district administration by taking responsibility for planning, coordinating, and conducting workshops. The target will be to include all the RWAs and MTAs numbering about 500. It will also propose to include Bhagidari in the 10th Five Year Plan. The major projects proposed to be included are hospital management, anti-littering and anti-plastic bag campaign, water conservation and harvesting, management of government schools and welfare of senior citizens.

EVALUATION OF THE SERVICES OF MUNICIPAL CORPORATION OF DELHI

The following are some of the comments on the quality of municipal services and their functioning based on newspaper reports surveyed during period May – June 2002 (Annexure 23):

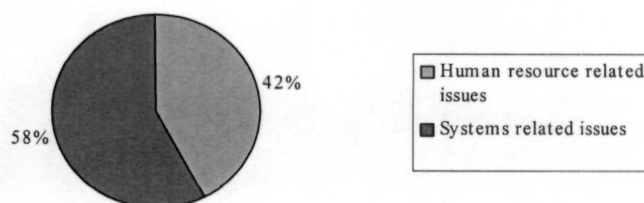
- (i) Presently municipal contractors do all the civil engineering works, including construction of bridges, roads, buildings, subways, underground parking lots, community halls and hospitals. There have been reports about contractors selling cement and iron procured from municipal stores in the open market. Other factors that affect smooth functioning of municipal contractors are non-payment of bills and delay due to non-availability of construction material in MCD stores. Even when construction material is readily available, it is not released on time due to bureaucratic procedures. To overcome this situation MCD has decided to do away with such bottlenecks by asking municipal contractors to manage on their own.
- (ii) Bureaucratic delays cause the calling of tenders for desilting of drains by contractors. MCD is responsible for desilting 1,330 drains, which cover 95 per cent of the city. Out of this private contractors are cleaning 335 and MCD is desilting the rest. In addition Flood Control Department (IFCD) is responsible for cleaning 63 drains, which include 15 trunk drains. Both float tenders for private contractors to do the job.

- (iii) The types of settlements of population of Delhi (Annexure 24) indicate only 23 percent of the population live in planned colonies and the rest are living in resettlement, unauthorized colonies and in rural villages. This causes a major problems related to service delivery.
- (iv) There are about 2400 garbage dumps under MCD. The management of these has been always with MCD and there is always public outcry about the inefficient functioning of the garbage collection system. The complaints include inconvenient location of the dumps, faulty design and maintenance of the dumps, ineffective collection system, feeding place for stray cattle, breeding grounds for infections, etc.
- (v) In general the residents of Delhi are not very sensitive to the civic needs. They prefer not to be sensitive to the general needs and do not take initiatives to bring about general awareness among the MCD authorities. Two main factors contribute to this general apathy one the ignorance about the line of control in MCD for raising issues and two the irresponsive attitude of the staff of MCD and their lack of motivation to perform.
- (vi) The various actions of social activists and Resident Welfare Associations are not effective as they are localized and are not sustainable as they are individual driven and not based on the initiatives of MCD on sound principles of management.
- (vii) Lack of coordination among the various departments of MCD creates delay and avoidable inconvenience. Functional responsibility of each geographical area should be vested on one identifiable entity for greater commitment to achieve maximum efficiency.
- (viii) MCD has about 47,000 sweepers and they are under cover of 14 trade unions. The management of MCD is not geared to monitor the efficiency of this labor force and this has led to inefficient sanitary condition of areas under MCD. There is need to downsize, mechanize, and privatize the labor force and how will it manage the various trade unions.

An analysis of the survey leads to the conclusion that there are two main causes for the complaints (i) ineffective human resource management related issues and (ii) inefficiency in the functional system. Out of 26 reported cases 11 (42 percent) cases

refer to human resource related issues and 15 (58 percent) cases refer to systems related issues.

Figure 7: Identified Causes for MCD's Problems



Conclusions

Delhi is managed by multiplicity of institutions. These include MCD, NDMC, Delhi Cantonment Board, Delhi Administration, NCT consisting of the Chief Minister and the council's ministers and legislators, the Lt. Governor and the Central Government. There are undertakings providing services such as Delhi Transport Corporation, Delhi Vidyut Board, Delhi Development Authority, and Water supply and Sewage Disposal Undertaking. This leads to the need for high degree of coordination and multiplicity of approvals/obstructions and passing of responsibilities. This also results in high degree of politicization, which is detrimental to citizens' welfare.

Delhi suffers from over-governance. Although Delhi is under MCD, it is also subject to control by the Delhi Government and the Central Government. There is need for interplay of interests between the three levels of governance. The Municipal Commissioner is appointed by the Central Government and the Lt. Governor appointed by the President need to coordinate with the Chief Minister and the Mayor. Each can interfere in the authority of the other. The Lt. Governor has charge of all local bodies. The executive and legislature look after the local bodies. The Chief Secretary and the Chief Minister, the Council and Member of Legislative Assembly (MLA) head the bureaucracy. Conflicts can take place between the Chief Minister and the Lt. Governor. Similarly it is possible to have conflicts between councilors and MLAs.

There is extensive overlapping of the roles played by the deliberative and executive wings. Involvement of Councilors in policy making is minimal as policies are determined at the macro-level and the resolutions they pass generally they pass do not hold much significance. They therefore act as middle persons in getting things done, as they do not have direct involvement with the administration.

The Councilors influence the functioning of MCD differently at the three levels – ward, zone and corporation. At the ward this position has a pivotal role as the intermediary between the public and the municipality in routine administrative matters. This position is considered by the public as the one that makes the administrative system function. In addition the constituency fund of the Councilor provides avenues to win confidence of the public. The Councilor influences the functioning of the administrative staff that being at junior level can be affected by cohesive moves. At the zonal level the councilor works through the Zonal Committee and the zonal Assistant Commissioner heads the zonal administrative wing. This position has considerable powers even to delay implementation of a committee decision but the zonal committee can only consider motions but cannot decide. The Councilors and Administrators at the zonal level consider themselves as equals. At the Corporation level the administration represented by the Municipal Commissioner comes to the center of power and the councilor and citizen-administrator recede to the background.

The Bhagidari scheme of the Delhi Government is a positive step towards decentralization of administration. All the same there are doubts on the sustainable interest from the part of RWAs and MTAs as they are not permanent institutions, which cannot ensure focused attention as the office holders are periodically changed. It can lead to further concentration of vested interests among such office holders. Further the scheme does not ensure efficient functioning of the public service provider as no visible changes are not taking place in their style of function although it may possibly create certain amount of follow up force from RWAs and MTAs on the staff of the utilities. The management style consists of fortnightly meetings and discussions by the various committees and subcommittees. It is likely that such meetings are not attended by the concerned and this will lead to crippling of the process.