COURSE 5: URBAN DEVELOPMENT AND ENVIRONMENT PROTECTION MECHANISMS

Block 1 : Urban Developmental Projects and Environment

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UNIT 1
INTRODUCTION TO URBAN DEVELOPMENTAL PROJECTS

1. Introduction

Cities can be tremendously efficient. It is easier to provide water and sanitation to people living closer together, while access to health, education, and other social and cultural services is also much more readily available. However, as cities grow, the cost of meeting basic needs increases, as does the strain on the environment and natural resources. To avoid burden on cities, Urban planning (urban, city and town planning) has to be efficiently done as well as effectively implemented.

Formulated and is a technical and political process concerned with the control of the use of land and design of the urban environment, including transportation networks, to guide and ensure the orderly development of settlements and communities. It concerns itself with research and analysis, strategic thinking, urban design, public consultation, policy recommendations, implementation and management.

A plan can take a variety of forms including: strategic plans, comprehensive plans, neighbourhood plans, regulatory and incentive strategies, or historic preservation plans. Planners are often also responsible for enforcing the chosen policies.

The modern origins of urban planning lie in the movement for urban reform that arose as a reaction against the disorder of the industrial city in the mid-19th century. Urban planning can include urban renewal, by adapting urban planning methods to existing cities suffering from decline. In the late-20th century the term sustainable development has come to represent an ideal outcome in the sum of all planning goals.

Urbanisation is a concept that emerged in the twentieth century. Only two cities, Rome and London, were populated with more than 1 million people prior to 1800 BC. Only two per cent of the total populations were urbanised in 18th century which increased to fifteen per cent in 19th century and to forty nine per cent in 20th century. India has yet to join the urban century, as India is still a mosaic of 500,000 villages' with sixty per cent of the population dependent on agriculture.
The urban population of India is growing at a much faster rate than the overall rate of population growth. Many people are moving to cities because of the available opportunities and the availability of infrastructure facilities. However, infrastructure facilities are way behind and a bottleneck to this rapid growth and consequently there has been an infrastructure crunch in many big cities in India. The public and private sector together are taking measures to avoid the failing of big cities. Along with the rebuilding of the old cities the public and private sector are developing new cities across India. Some of these cities are being planned on the Special Economic Zone (SEZ) model, essentially creating a “country within a country” by buffering the new SEZ-contained city from the old bureaucratic institutions.  

The India Infrastructure Report, 1996 estimates the annual investment need for urban water supply, sanitation and roads at about 28,035 crores for the next ten years. The Central Public Health Engineering (CPHEEO) has estimated the requirement of funds for 100 per cent coverage of the urban population under safe water supply and sanitation services by the year 2021 at Rs.172,905 crores. Estimates by Rail India Technical and Economic Services (RITES) indicate that the amount required for urban transport infrastructure investment in cities with population 100,000 or more during the next 20 years would be of the order of Rs.207,000 crore. Obviously, sums of these magnitudes cannot be located from within the budgetary resources of Central, State and Local Governments.

2. Urban Infrastructure Requirement

Urban infrastructure consists of drinking water, sanitation, sewage systems, electricity and gas distribution, urban transport, primary health services and environmental regulation. Many of these services are in the nature of ‘local’ public goods with the benefits from improved urban infrastructure in a given city limited to the citizens living in that city. Three decades of rapid economic growth would normally have propelled migration from rural areas but growth in India has not had this effect thus far. This is because industrialisation has been capital intensive and the services boom fuelled by the knowledge economy has also been skill intensive. As more cities provide economies of agglomeration and scale for clusters of industries and other non-agricultural economic activity, the urban sector will become the principal engine for stimulating national economic growth. Industrialisation will absorb more people as India advances further in its integration with the world economy. At the present juncture, India faces the challenge of continuing on its high growth trajectory while making growth more broad-based and labour-intensive.

2 Large-Scale Urban Development in India - Past and Present Sagar S. Gandhi Working Paper #35 November 2007
3 http://urbanindia.nic.in/urbanscene/urbaninfra/urbaninfra.htm
4 Report on Indian Urban Infrastructure and Services March 2011.
Cities and towns of India are visibly deficient in the quality of services they provide, even to the existing population. Considering that the Indian economy is now one of the fastest growing economies in the world, and standards are rising, current service levels are too low relative to the needs of urban households. They are also low relative to what will be required to sustain the economic productivity of cities and towns. Preparing India’s cities for a rapid growth scenario will require a paradigm shift in planning for urban infrastructure and reforming the institutions for service delivery. Regional and urban planning have an important role to play in generating new spaces and in rejuvenating existing city spaces so that a healthy socio-economic environment can be created in which the fast-growing urban population of India can live with higher standards of public service delivery and contribute to growth. The Fourth and the Fifth Five Year Plans covering the period 1969-79 explicitly envisaged the creation of smaller towns in order to prevent further growth of population in large cities. The National Commission on Urbanisation in its report in 1988 had stressed the need to reap the benefits of agglomeration economies. The Seventh Five Year Plan (1987-92) recognised that ‘urbanisations is a phenomenon which is part and parcel of economic development. Certain activities are best performed in, indeed require, agglomeration of people.’ Subsequently, at the time that India launched market-oriented economic reforms in the early 1990s, the Eighth Five Year Plan (1992-97) identified the widening gap between the demand and supply of urban services, the rapid growth of urban population aggravating the accumulated backlog of shortages of housing and infrastructure, and high incidence of urban poverty. But even then, urban planning received inadequate attention.

A beginning was made with the 74th Constitutional Amendment Act of 1992, which mandated the setting up of elected municipalities as institutions of self-government thereby creating political space for Urban Local Bodies (ULBs) within India’s federal framework, and recommended that state governments devolve a specified set of functions to the local governments. The ability of the ULBs to deliver urban services depends not only on devolution of functions (including planning of land use) and funds, which is very important, but also on helping them build capacities to fulfill their responsibilities. The Megacity Programme for Infrastructure Development in the Ninth Plan and the Urban Reform Incentive Fund (URIF) in the Tenth Plan were attempts at building capacity, but they proved to be ineffective and were short-lived.

**Water supply** - Inadequate coverage, intermittent supplies, low pressure and poor quality are some of the most prominent features of water supply in the cities of India. With rapid increase in urban population and continuing expansion of city limits, the challenge of delivering water in Indian cities is growing rapidly.

**Sewerage and sanitation** - The challenge of sanitation in Indian cities is acute. With very poor sewerage networks, a large number of the urban poor still depend on public toilets. Many public toilets have no water supply while the outlets of many others with water supply are not connected to the city’s sewerage system. Over 50 million people in urban India defecate in the open every day. The cost in terms of Disability Adjusted Life Years (DALY) of diarrhoeal disease for children from poor sanitation is estimated at Rs 500 crore.
The problem of sanitation is much worse in urban areas than in rural due to increasing congestion and density in cities. Indeed, the environmental and health implications of the very poor sanitary conditions are a major cause for concern. The WSP study observes that when mortality impact is excluded, the economic impact for the poorest 20 per cent of urban households is the highest.

**Solid waste management** - The management and disposal of solid waste generated in Indian cities leaves a great deal to be desired although the generation of solid waste is at much lower rates than in most countries. Neither households nor municipalities in India practice segregation of biodegradable waste from the rest, and public awareness on the benefits of segregation is low. The collection of the garbage from dumpsites is infrequent, processing is not done in most cases, and disposal rules are followed more in the breach. The Municipal Solid Waste Rules were put in place in 2000 but their enforcement has been poor. Disposal practices at the open dumping sites are highly unsatisfactory.

The poor management of solid waste has led to contamination of groundwater and surface water through leachate and pollution of air through unregulated burning of waste. Unscientific practices in processing and disposal compound the environmental hazards posed by solid waste.

**Urban transport and roads** - Indian cities are increasingly faced with the twin challenges of providing adequate road space for future use and improving the poor condition of existing roads due to the neglect of maintenance over the years. Current road designs do not adequately provide for facilities such as footpaths and cycle tracks. The available road space gets encroached by commercial establishments, street vendors and on-street parking due to poor enforcement of the existing regulations. The variety of vehicles on the roads moving at different speeds without any demarcated lanes also adds to the challenges of urban transport.

The highly inadequate and poor quality of the public transport system in Indian cities not only poses a major challenge to realising the growth potential of the economy but also has adverse impact on the health and wellbeing of the people. Long hours spent on road journeys, lives lost in road accidents and air pollution are only some of the effects of the acute problem of transportation facilities in and around cities. The motor vehicle population in India has increased 100 times from 1951 to 2004, while the road network has expanded only eight times, and this does not even cover the period of sharp acceleration in vehicle purchases after 2003. In 2007, Indians bought 1.5 million cars, which is more than double the number purchased in 2003.

Our ability to build the cities of tomorrow will require not only large investments in urban infrastructure but also a fundamental shift in the mechanisms of service delivery. Indeed, financing the large sums required to meet the investment needs of urban infrastructure is crucially dependent on the reform of institutions and on upgrading the skills of those who run the institutions which are responsible for service delivery and revenue generation. Residents of Indian cities have over decades accepted the poor and deteriorating quality of urban services without much protest. There is evidence to suggest that this is beginning to change especially over the past few years with rapid economic growth, rising aspirations, and increased demand for accountability.
The Town and Country Planning Organisation (TCPO) - The Town and Country Planning Organization (TCPO), technical arm of the Ministry of Urban Development, Government of India, is an apex technical advisory and consultant organisation on matters concerning urban and regional planning strategies, research, appraisal, and monitoring of central government schemes and development policies. TCPO not only assists the Central Government but also provides assistance to the State Governments, Public Sector Undertakings and Local Bodies / Development Authorities on the matters pertaining to urbanisation, town planning, urban transportation, metropolitan planning, human settlement policies, planning legislation. The Organisation also undertakes consultancy works on urban development, urban design, spatial planning, etc., besides, conducting training programme on computer application in planning, GIS, etc., in collaboration with other national and international agencies. Functions of TCPO include

i) Appraisal and monitoring of central sector projects / programmes.

ii) Advice to the Ministry of Urban Development, Planning Commission and other Central Ministries in Urban Development policies and strategies.

iii) Technical advice and assistance to State Town and Country Planning Departments.

iv) Undertaking applied research in areas of topical interest.

v) Preparation of Manuals and Guides on various aspects of planning and development.

vi) Organising training programmes, conferences and workshops for in-service planners and officials in the field of urban and regional planning and development.

vii) Providing consultancy services in planning projects at various levels.

viii) Developing Urban and Regional Information System.

3. Special Economic Zone (SEZ)

Special Economic Zone (SEZ) an engine for economic growth supported by quality infrastructure complemented by an attractive fiscal package, both at the Centre and the State level, with the minimum possible regulations. SEZs in India functioned from 1.11.2000 to 09.02.2006 under the provisions of the Foreign Trade Policy and fiscal incentives were made effective through the provisions of relevant statutes.

To instill confidence in investors and signal the Government’s commitment to a stable SEZ policy regime and with a view to impart stability to the SEZ regime thereby generating greater economic activity and employment through the establishment of SEZs, a comprehensive draft SEZ Bill prepared after extensive discussions with the stakeholders. A number of meetings were held in various parts of the country both by the Minister for Commerce and Industry as well as senior officials for this purpose. The Special Economic Zones Act, 2005, was passed by Parliament in May, 2005 which received Presidential assent on the 23rd of June, 2005. The draft SEZ Rules were widely discussed and put on the website of the Department of Commerce offering suggestions/comments. Around 800 suggestions were received on the draft rules. After extensive consultations, the SEZ Act, 2005, supported by SEZ Rules, came into effect on 10th February, 2006, providing for drastic simplification of procedures and for single window clearance on matters relating to central as well as state governments. The main objectives of the SEZ Act are:

http://urbanindia.nic.in/theministry/subordinateoff/tcpo/tcpo.htm
generation of additional economic activity;
- promotion of exports of goods and services;
- promotion of investment from domestic and foreign sources;
- creation of employment opportunities;
- development of infrastructure facilities.

The SEZ Rules provide for different minimum land requirement for different class of SEZs. Every SEZ is divided into a processing area where alone the SEZ units would come up and the non-processing area where the supporting infrastructure is to be created.  

4. Scheme

JNNURM - Jawaharlal Nehru National Urban Renewal Mission (JNNURM) is a mission which relates primarily to development in the context of urban conglomerates focusing to the Indian cities. JNNURM aims at creating ‘economically productive, efficient, equitable and responsive Cities’ by a strategy of upgrading the social and economic infrastructure in cities, provision of Basic Services to Urban Poor (BSUP) and wide-ranging urban sector reforms to strengthen municipal governance in accordance with the 74th Constitutional Amendment Act, 1992. Sub-missions JNNURM an essentially function incorporating primarily two sub-missions into its programme. The Sub-Mission for Urban Infrastructure and Governance administered by the Ministry of Urban Development, with a focus on water supply and sanitation, solid waste management, road network, urban transport and redevelopment of old city areas.

The Sub-Mission for Integrated Housing and Slum Development Programme (IHSDP) administered by Ministry of Housing and Urban Poverty Alleviation (MHUPA) was envisaged and brought into effect in 1993-94 in accordance with providing the entire population with safe and adequate water supply facilities. Programme mainly implemented in towns having population less than 20,000 as per 1991 Census. Mission Objectives Focused attention relating to infrastructural services in the context of integrated development is to be covered under the Mission. Make efficient and increase self-sustaining capabilities of cities as per the sector proving infrastructural services by securing the linkages between asset creation and asset management. Ensure adequate investment of funds to fulfill deficiencies in the urban infrastructural services. Planned development of identified cities including peri-urban areas, out growths, urban corridors, so that urbanisation takes place in a dispersed manner. Scale up delivery of civic amenities and provision of utilities with emphasis on universal access to urban poor.

Urban infrastructure Development Scheme for Small and Medium Towns (UIDSSMT) - Urban infrastructure Development Scheme for Small and Medium Towns aims at improvement in urban infrastructure in towns and cities in a planned manner. It shall subsume the
existing schemes of Integrated Development of Small and Medium Towns (IDSMT) and Accelerated Urban Water Supply Programme (AUWSP).

The objectives of the scheme are to:

a) Improve infrastructural facilities and help create durable public assets and quality oriented services in cities and towns;

b) Enhance public-private-partnership in infrastructural development; and

c) Promote planned integrated development of towns and cities.

The duration of the Scheme will be for seven years beginning from 2005-06. An evaluation of the outcomes of the Scheme will be undertaken before the commencement of the 11th Five Year Plan and, if necessary, the scheme would be suitably calibrated.

Allocation of funds among states will be on the basis of the state’s urban population (excluding cities covered under JNNURM) to total urban population in the country (excluding cities covered under JNNURM).

The State Governments may prioritise towns and cities on the basis of their felt-need. While prioritising towns, States would take into account existing infrastructure, population of Scheduled Castes/Scheduled Tribes and special problems like hilly terrain.

The components for assistance under the scheme will include all urban infrastructure development projects including water supply and sewerage. Land cost will not be financed except for acquisition of private land for schemes/projects in the North Eastern States and hilly States viz. Himachal Pradesh, Uttaranchal and Jammu & Kashmir.

i) Urban Renewal i.e. redevelopment of inner (old) city areas this would include items like widening of narrow streets, shifting of industrial/commercial establishments from non-conforming (inner-city) to ‘conforming’ (outer-city) areas to reduce congestion, replacement of old and worn-out water pipes by new/higher capacity ones, renewal of sewerage/drainage/solid waste disposal systems, etc.

ii) Water Supply (including de-salination plants) and sanitation

iii) Sewerage and Solid Waste Management

iv) Construction and improvement of drains/storm water drains

v) Construction/ Up-gradation of roads, highways/expressways

vi) Parking lots/ spaces on Public Private Partnership basis

vii) Development of heritage areas

viii) Prevention and rehabilitation of soil erosion/landslides only in case of Special Category States where such problems are common and

ix) Preservation of water bodies.

While sanctioning projects for slum improvement, State Level Sanctioning Committee would ensure that there has not been any duplication of efforts from other sources. For this purpose the implementing agencies are required to submit requisite certificate.
5. Urban Planning

Cities are probably the most complex things that human beings have ever created. They are the wellsprings of culture, technology, wealth and power. People have a love-hate relationship with cities. We are torn between our needs for community and privacy and the conflicting attractions of urban and rural life. Urban Planning can be defined as the design and regulation of the uses of space that focus on the physical form, economic functions, and social impacts of the urban environment and on the location of different activities within it. The need of the hour is sustainable development. With increasing population and growing pollution, we can’t ignore the ill effects of planning on the environment.

Sustainable development refers to utilising the present resources keeping in mind the future needs of the society, so as not to exhaust the resources. It should not disturb the ecological cycle and hence preserve the environment.

City planning has always been of chief concern since times immemorial. Evidence of planning has been unearthed in the ruins of cities in China, India, Egypt, Asia Minor, the Mediterranean world, and South and Central America. Early examples of efforts towards planned urban development include orderly street systems that are rectilinear and sometimes radial; division of a city into specialised functional quarters; development of commanding central sites for palaces, temples and civic buildings; and advanced systems of fortification, water supply, and drainage. Most of the evidence is in smaller cities that were built in comparatively short periods as colonies. Often the central cities of ancient states grew to substantial size before they achieved governments capable of imposing controls.

On the state level some progress has been made in enacting planning legislation and setting up planning agencies. The results have not all been entirely satisfactory. In several cases efforts were made by some states to abolish or merge planning departments with the public works department. Nevertheless, the Second Plan largely places the onus of planning on the states. If planned urban development is to be undertaken, said the Planning Commission, “each state should have a phased program for the survey and preparation of Master Plans for all important towns”. The Commission noted that, in order that this might be accomplished, town and country planning legislation should be enacted in all states and the necessary machinery for its implementation should be set up.8

Key Features of Urban Planning in India:

Urban Planning in India includes (but is not confined to) the following:

♠ Town planning
♠ Regulation of land use for residential and commercial purposes
♠ Construction of buildings
♠ Planning for economic development
♠ Planning for social development
♠ Construction of roads

Constructions of bridges
Water supply for domestic use, industrial and commercial purposes
Public health care management
Sewerage, sanitation and solid waste management
Proper fire services
Urban forestation and maintenance
Protection of environment through sustainable development
Promotion of ecological balance and maintenance
Safeguarding the interests of weaker sections of society
Offering proper infrastructural help to the handicapped and mentally retarded
Population of the society
Organised slum improvement
Phased removal or alleviation of urban poverty
Increased provision of basic urban facilities like public urinals, subways, footpaths, parks, gardens, and playgrounds
Increased public amenities including street lighting, parking lots, bus-stop and public conveyances
Continual promotion of cultural, educational and aesthetic aspects of the environment
Increased number of burials, burial grounds, cremation grounds and electric crematoria
Proper regulation of slaughter houses and tanneries
Absolute prevention of / zero tolerance of cruelty to animals
Proper maintenance of population statistics, including registration of births and deaths records.

It is imperative that the states enact workable legislation for planning, housing and slum clearance. Since only the larger municipalities will be in position to recruit a qualified planning staff, the states must largely assume the task of preparing and carrying out plans for the smaller towns, villages and development areas. In this the Central Government must assume greater leadership. Support and technical advice must be given the states to enable them to organise and administer effective planning programmes. In turn, the Central Government must crystallise its own housing, slum clearance and urban development programmes within the context of comprehensive urban planning schemes.

A better working relationship together with a sufficient and equitable distribution of funds is needed to meet the development needs of the cities and towns. Additional schools of planning are required to increase the output of trained planners and to undertake research in manifold problems of urban growth and development. Above all, on all levels of government and elsewhere, there is a pressing need to recognise the urgency of the urban problem.

Development-wise or unwise will take place with or without planning. Boldness, imagination and resourcefulness are needed to solve the problems faced by urban areas just as they are for national economic progress. India’s plans for urban development or her schemes
for rural welfare, or her efforts toward exploitation of resources and industrialisation to raise the standard of living are all part of one pattern. If the rewards of economic development are to be realised far greater attention must be given to the urban areas which, after all, are the center of the country’s productive machine, and the fountainhead of economic progress.


India has created specialised institutions for long-term infrastructure financing and there are certainly many arguments for establishing a regional investment bank, similar to the line of India’s IIFC. Viability Gap Financing (VGF) is likely to be successful instrument in managing much needed gaps in road development in developing Asia and LDCs where domestic resources are limited and suffer from capacity constraints. While this institution could certainly play an important role by tapping into global financial markets and channelling funds to infrastructure projects, their mere existence will not increase investment if the underlying obstacles precluding investor confidence are not addressed.

Public-Private Partnership (PPPs) in Infrastructure

Government is actively pursuing PPPs to bridge the infrastructure deficit in the country. Several initiatives have been taken during the last three years to promote PPPs in sectors like power, ports, highways, airports, tourism and urban infrastructure. Under the overall guidance of the Committee of Infrastructure headed by the Prime Minister, the PPP programme has been finalised and the implementation of the various schemes is being closely monitored by the constituent Ministries/Departments under this programme.

7. Conclusion

Provision of quality and efficient infrastructure services is essential to realise the full potential of the emerging Indian economy. Indian government’s first priority is therefore rising to the challenge of maintaining and managing high growth through investment in infrastructure sector, among others. To sustain 9 per cent growth, the Government of India has estimated that an investment of over US$ 492.5 billion during the 11th Five Year Plan (2007-2012) is required. Therefore, there is substantial infrastructure needs in infrastructure sector in India, which, in other words, also offers large investment opportunities. Public Private Partnership (PPP) is emerging as the preferred instrument, where the private sector gets its normal financial rates of return while the public sector partner provides concessional funding based on the long-term direct and indirect benefits to the economy. New instruments such as Viability Gap Funding (VGF) through a special purpose vehicle (SPV) set up recently by the Government of India to fund mega infrastructure projects may be relevant for other Asian countries as well. The cross-border infrastructure component is an important determinant of regional integration. If countries are not inter-linked each other through improved transportation network, regional integration process will not move ahead at a desired pace. In India, development of cross-border infrastructure, especially transportation linkages and energy pipelines with neighbouring countries is underway and expected to contribute to the regional integration in Asia by reducing transportation costs and facilitating intra-regional trade and services.

8. References and Recommended Readings

Sustainable urban development in India: Some issues by Basudha Chattopadhyay.

Report on Indian Urban Infrastructure and Services March 2011.

Compendium of primers for undertaking reforms at ulb level for the scheme of urban infrastructure development in satellite towns around seven million plus cities town and country planning organisation government of India ministry of urban development.


Scheme and Guidelines for India Infrastructure Project Development Fund Department of Economic Affairs Ministry of Finance - Government of India.

UNIT 2
INFRASTRUCTURE PROJECTS AND ENVIRONMENT

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1. Introduction

In the recent times, India has stepped up its development agenda. One explicit indicator of this is the aggressive pace of construction activity in the country. It is believed that if the current national level initiatives are consistently supported along with a few new initiatives in the areas of education, health and labour, this country will be in the driving seat and on a one-way street of growth. The particular emphasis on infrastructure development will put India on a road map with Brazil, China and Russia towards becoming a developed nation by 2050.

The construction industry is the second largest industry of the country after agriculture. It makes a significant contribution to the national economy and provides employment to large number of people. The use of various new technologies and deployment of project management strategies has made it possible to undertake projects of mega scale. In its path of advancement, the industry has to overcome a number of challenges. However, the industry is still faced with some major challenges, including housing, disaster resistant construction, water management and mass transportation. Recent experiences of several new mega-projects are clear indicators that the industry is poised for a bright future. It is the second homecoming of the civil engineering profession to the forefront amongst all professions in the country.1

Human being is not only dependent on the physical environment for livelihood, but also in a number of ways they are capable of controlling and influencing the physical environment. However, in the quest to improve their standard of living and to fulfill their ever-increasing diversified and sophisticated needs, human use of the physical environment is often excessive and uncontrolled. Environmental degradation is often mentioned as the consequence of human negligence on the one hand, but on the other hand it is more often than not is the intentional individual or collective actions that has put economic gains as of utmost importance. As such, in the process of economic and infra-structural development, environment has not been given its due respect and has often been sidelined which leads to further degradation of the environment.2

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1 Challenges before Construction Industry in India Arghadeep Laskar and C. V. R. Murty Department of Civil Engineering Indian Institute of Technology, Kanpur.

The concept of environmental clearances for projects after conducting an environment impact assessment (EIA) study was started in 1978 as a directive of the Planning Commission for the Government of India funding. In 1994, obtaining environmental clearances for projects was made mandatory for most major projects (both state and private funded). Consequently, any person who desires to undertake such a project in any part of India or the expansion or modernisation of any existing industry or project has to make an application for environmental clearance to the central government or the state government, as the case may be, and support such application with an EIA report of the proposed project activity and an environment management plan (EMP).


2. Major Urban Projects

India’s rise in recent years is a most prominent development in the world economy. India has re-emerged as one of the fastest growing economies in the world. India’s growth, particularly in manufacturing and services, has boosted the sentiments, both within country and abroad. With an upsurge in investment and robust macroeconomic fundamentals, the future outlook for India is distinctly upbeat. According to many commentators, India could unleash its full potentials, provided it improves the infrastructure facilities, which are at present not sufficient to meet the growing demand of the economy. Failing to improve the country’s infrastructure will slow down India’s growth process. Therefore, Indian government’s first priority is rising to the challenge of maintaining and managing high growth through investment in infrastructure sector, among others. The provision of quality and efficient infrastructure services is essential to realise the full potential of the growth impulses surging through the economy. India, while stepping up public investment in infrastructure, has been actively engaged in involving private sector to meet the growing demand. The demand for infrastructure investment during the 11th Five Year Plan (2007-2011) has been estimated to be US$ 492.5 billion. To meet this growing demand, Government of India has planned to raise the investment in infrastructure from the present 4.7 per cent of GDP to around 7.5 to 8 per cent of GDP in the 11th Five Year Plan. In general, efforts towards infrastructure development is continued to focus on the key areas of physical and social infrastructure.

Performance of physical infrastructure in Indian economy in last one and half decades has been mixed and uneven. Over years, India’s soft infrastructure grew much faster than the hard infrastructure. For example, India’s rising trade has been reflected in growing container port traffic, which increased from less than a million in 1991 to about 5 million in 2005 with an annual growth rate of about 266 per cent since 1991. In contrast, hardware components, like railways, roadways and airways, witnessed little expansion in last one and half decades. In general, performances of these sectors (hardware) are nevertheless

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poor, when counted their densities in terms of country’s surface area or population. Densities in terms of access or spread of rail and road length clearly indicate that road sector has been successful, compared to railways, in spreading the network as well as providing an access in the economy.\(^5\)

**Delhi Metro Rail Project**

This project is developing a Mass Rapid Transit System (MRTS) in Delhi. The estimated completion cost of this phase alone Rs.10,500 Crores. It involves construction of 10.5 km of surface lines, 45.6 km of elevated routes and 12.2 km of underground routes. The construction of underground segments involves tunneling through hard rock strata.

**Highway Projects**

Until recently, India lacked proper highway network across the length and breadth of the country, which severely affected the pace of growth. The development agenda of the nation and the projected industrial growth demanded world-class road network for safer, faster and efficient movement of men and material. A detailed assessment of needs was done and ambitious plans were prepared to undertake a mega-project for highways as part of the Ninth Five Year Plan. The project comprises of two parts namely: (a) Part I : Golden Quadrangle - Connecting all four mega-cities of India; and (b) Part II : North-South and East-West Corridors - Connecting Srinagar-Kanyakumari and Silchar-Porbandar respectively. During 1999-2007, about 14,846 km of 4/6 lane highways are to be built at an approximate rate of 1650 km per year.

**River Inter-Linking Project**

This project of developing a mega-network of canals linking major Indian rivers is a long-term, multi-crore solutions of Country’s drought, flood, inter-state water dispute, chronic power shortage and pollution. It would open-up windows of opportunities like water transport and tourism, which have ample geo-political and socio-economic benefits. The total project is expected to cost Rs.560,000 Crores, which is expected to irrigate an additional 15,00,00,000 hectares land. Presently, out of the total geographic area of 32,80,00,000 hectares of the country, 14,20,00,000 hectares is irrigated. Thus, with the implementation of this project, the irrigated land in the country would double covering almost the entire nation. The project is also expected to generate 35,000 MW of electricity. This would increase the power generating capacity of the nation by 33% of the present capacity of 104,918 MW.\(^6\)

**Sea-Ports Project**

This project of upgrading existing ports along the gigantic coastline of the country will be an invitation to traders from all directions to conduct business with India; the project is therefore called as the Saagar Mela Project and sometimes as the Necklace Project. With a total outlay of about Rs.60,000 Crores, this project is also expected to relieve the pressure on the rail, road and air traffic systems, by allowing the ship and ferry services between various port cities. The project entails improvement of harbour structures, developing advanced navigational inventory systems for small and large vessels, and adding

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6. [www.ntpc.co.in](http://www.ntpc.co.in), 2004.
a few smaller ports to facilitate offloading of cargo at points where the rail or road traffic is not already too congested.

**Air-Taxi Project**

Another mega-project that is under plan preparation is one that will enhance air connectivity between various places in the country. It is expected that the enhancement of existing airports to higher standards and capacity, and addition of new airports at critical locations will lead to more hubs for traffic exchange, in contrast to just Delhi and Bombay currently. It is also proposed to have a high capacity airport at Nagpur, which will off load and carry passengers from any corner of the country to another such destination without having to necessarily reach one of the already busy airports of Delhi and Bombay. This project along with other national level initiatives of the Central Government is expected to result in a sharp drop in the current air travel cost in the country. The financial outlay for this project is expected to far exceed some of the ongoing mega-projects like the highways project or the sea-ports project.

### 3. Environment Impact Assessment

The Indian experience with Environmental Impact Assessment began over 20 years back. It started in 1976-77 when the Planning Commission asked the Department of Science and Technology to examine the river-valley projects from an environmental angle. This was subsequently extended to cover those projects, which required the approval of the Public Investment Board.

Till 1994, environmental clearance from the Central Government was an administrative decision and lacked legislative support.

On 27 January 1994, the Union Ministry of Environment and Forests (MEF), Government of India, under the Environmental (Protection) Act 1986, promulgated an EIA notification making Environmental Clearance (EC) mandatory for expansion or modernisation of any activity or for setting up new projects listed in Schedule 1 of the notification. Since then there have been 12 amendments made in the EIA notification of 1994.

The Ministry of Environment Forest recently notified new EIA legislation in September 2006. The notification makes it mandatory for various projects such as mining, thermal power plants, river valley, infrastructure (road, highway, ports, harbors and airports) and industries including very small electroplating or foundry units to get environment clearance. However, unlike the EIA Notification of 1994, the new legislation has put the onus of clearing projects on the state government depending on the size/capacity of the project.

Certain activities permissible under the Coastal Regulation Zone Act, 1991 also require similar clearance. Additionally, donor agencies operating in India like the World Bank and the ADB have a different set of requirements for giving environmental clearance to projects that are funded by them.

EIA is an exercise to be carried out before any project or major activity is undertaken to ensure that it will not in any way harm the environment on a short term or long term basis. Any developmental endeavour requires not only the analysis of the need of such a project, the monetary costs and benefits involved but most important, it requires a consideration and detailed assessment of the effect of a proposed development on the environment.
The EIA process really took off after the mid-1980s. In 1989, the World Bank adopted EIA for major development projects, in which a borrower country had to undertake an EIA under the Bank’s supervision.

The environment impact process was introduced with the purpose of identifying/evaluating the potential beneficial and adverse impacts of development projects on the environment, taking into account environmental, social, cultural and aesthetic considerations. All of these considerations are critical to determine the viability of a project and to decide if a project should be granted environmental clearance.

An EIA concentrate on problems, conflicts and natural resource constraints which might affect the viability of a project. It also predicts how the project could harm to people, their homeland, their livelihoods and the other nearby developmental activities. After predicting potential impacts, the EIA identifies measures to minimise the impacts and suggests ways to improve the project viability.

The aim of an EIA is to ensure that potential impacts are identified and addressed at an early stage in the projects planning and design. To achieve this aim, the assessment finding are communicated to all the relevant groups who will make decisions about the proposed projects, the project developers and their investors as well as regulators, planners and the politicians. Having read the conclusions of an environmental impact assessment, project planners and engineers can shape the project so that its benefits can be achieved and sustained without causing adverse impacts.

In recent years, major projects have encountered serious difficulties because insufficient account has been taken of their relationship with the surrounding environment. Some projects have been found to be unsustainable because of resource depletion. Others have been abandoned because of public opposition, financially encumbered by unforeseen costs, held liable for damages to natural resources and even been the cause of disastrous accidents.

Under the Environment Protection Act (EPA), 1986, various rules have been promulgated to control pollution and manage environmental issues. EIA Notification, 2006 imposes certain restrictions and prohibitions on new projects or activities, or on the expansion or modernisation of existing projects or activities based on their potential environmental impacts. These project categories are listed in the notification and clearance process defined based on their capacities to obtain prior environmental clearance.

4. Urban Infrastructure and Impact on Environment

As the number of projects and private investments increased, bureaucratic delays became a concern. Laws were modified to overcome these delays. Between 1980 and 1998, nine Acts, Bills and Amendments related to environment were enacted. These included the Forest Conservation Act, 1980, the Environment Protection Act, 1986, the National Environment Appellate Authority Act, 1997, and the Coastal Regulation Zone notification, 1991.

The Environment Protection Act (EPA) 1986 came into existence soon after the Bhopal gas tragedy. It became an umbrella legislation, and attempted to seal the existing gaps in the law. It empowered the central government to take measures to protect and improve the quality of the environment, by setting standards for emissions and discharges, by regulating the location of industries, and by protecting public health and welfare (EPA, 1986).
The need for the Environmental Impact Assessment (EIA) was formally recognised at the Earth Summit held at Rio de Janeiro in 1992. In India, the EIA Notification was enacted in 1994, with the EPA as its legislative foundation (MoEF, 2008). The Act has been amended in 1997, 2006, and 2007. Thirty-two categories of developmental projects require EIA approval. In addition, all developmental projects, whether or not mentioned in the schedule, and if located in an environmentally fragile region, must obtain clearance from Ministry of Environment and Forest (MoEF), a central government entity set up in 1985. Prior to this clearance, they must also obtain clearance from the State Pollution Control Board (SPCB). If the location involves forestland, a No Objection Certificate (NOC) shall be obtained from the State Forest Department (SFD). Both SPCB and SFD are the state entities functioning in the geographical region where the project exists. Over the years, regulations have been simplified with an aim to reduce the total time required for the approval process. The simplifications include reducing the number of interfacing agencies and approvals, and allowing parallel activities for clearances. As per the EPA Amendment Act 2007, environmental clearance for project proposals were to be granted usually within the mandated time frame of 120 days from the date of receipt of complete information from the project authorities. As the number of projects and private investments increased, bureaucratic delays became a concern. Laws were modified to overcome these delays. Between 1980 and 1998, nine Acts, Bills and Amendments related to environment were enacted. These included the Forest Conservation Act, 1980, the Environment Protection Act 1986, and the National Environment Appellate Authority Act, 1997, and the Coastal Regulation Zone notification, 1991.7

The preserving of environment is a great challenge in a developing country like India, which has a fragile environment that is faced with high levels of land degradation (e.g., erosion, aridity, desertification, drought, flooding, and alkalinity and salinity of ground). The rapid urbanisation alongside associated problems like pollution of air and pressure on existing infrastructure with regard to waste management, pose a race against time. Many countries, mainly industrialised ones, have taken steps to ensure that the reduced use of construction materials, techniques and practices, which result in operations and products that have lower environmental impact. Developing countries like India can derive valuable lessons from these steps. Some of the desirable steps are:

a) **Government action:** The Government need to enforce legislation and regulations on environmental performances. Licenses and approvals need to be regulated with transparency to ensure that all organisations in the industry operate in an environment friendly manner. Tax holidays and special grants may be introduced to encourage environment protection. A policy of certification and labelling of products need to be brought into practice.

b) **Market forces:** Project clients need to insist on better environmental performance of construction companies. Experience from other construction firms adopting or benefiting from good environmental practices need to be disseminated to all.

c) **Institutional initiatives:** Professional bodies need to take interest in providing support services to construction firms to function in an environment friendly manner.

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7 Mega projects in India Environmental and Land Acquisition Issues in the Road Sector G. Raghuram Samantha Bastian Satyam Shivam Sundaram W.P. No. 2009-03-07 March 2009.
d) **Operational environment:** Pressure groups and informed users need to work continually to prevent deterioration of the environment.

The practice of being engaged in a continuous search for inputs and ways of working which will minimise the negative impact of construction activity on the environment should be encouraged among construction companies and practitioners. Also, openly discussing detailed case studies of good practices would be useful. The feasibility of preparing good-practice manuals suitable for use in various contexts may be investigated.

5. **Sustainable Development**

Sustainable development means attaining a balance between environmental protection and human economic development and between the present and future needs. It means equity in development and sectoral actions across space and time. It requires an integration of economic, social and environmental approaches towards development. Sustainable urban development refers to attaining social equity and environmental protection in urbanisation while minimising the costs of urbanisation. This paper aims at discussing some of the important issues relating to sustainable urban form that would lead to sustainable urban development with possible references to India. The paper is based on available literature and secondary data. The paper is divided in two parts. The first part deals with the concept of sustainable development and its implications for urban areas. First section of this part of the paper explains the concept of sustainable development with special mention of sustainable urban development. This is followed by the second section of this part with a discussion of the role of environment and climate change in sustainable urban development. The second part of the paper discusses sustainable urban development with special reference to India. This part is divided in four sections. The first section deals with urban basic services and sustainable urban development in India. The second section notes the inefficiencies in the land policy of India and its implications for sustainable urban development in India. The third section leads to possible options of sustainable city form, which may be relevant for India. Here first the study discusses the compact city debate and next it explains the concept and possibilities of multi-modal urban region as a city form. The last and fourth section summarises the discussion and ends with way forward.

UN General Assembly convened a conference on the “human environment” at Stockholm in June 1972, which came out with guiding principles on “human environment”. It emphasized that man has the fundamental right to environment of quality and also that he has a responsibility towards protecting the environment for present and future generations. It also maintained that natural resources of the earth must be safeguarded for the benefit of present and future generations. Sustainable urban development specifically means achieving a balance between the development of the urban areas and protection of the environment with an eye to equity in employment, shelter, basic services, social infrastructure and transportation in the urban areas. Concerns are raised at environmental damages and depletion of non-renewable resources and rising levels of pollution in urban areas. In recent times cities have become places of urban environmental degradation and wasteful use of resources, which is proving to be costly to generations present and future. In order to mitigate the problem we require to minimising the depletion of non-renewable resources and resort to environmentally sustainable economic development. While planning

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8 Cruz et al, 2007.
for sustainable development of the towns, we should also take into account the factor of climate change. Explaining implications of climate change for sustainable development the Intergovernmental Panel on Climate Change notes “Sustainable development represents a balance between the goals of environmental protection and human economic development and between the present and future needs. It implies equity in meeting the needs of people and integration of sectoral actions across space and time”.

6. References and Recommended Readings

Challenges before Construction Industry in India Arghadeep Laskar and C. V. R. Murty Department of Civil Engineering Indian Institute of Technology, Kanpur.

Sustainable Urban Development in India: Some issues by Basudha Chattopadhyay.

http://old.cseindia.org/programme/industry/eia/introduction_eia.htm

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9 Cruz et al, 2007.
UNIT 3
GOOD GOVERNANCE: BEST PRACTICES

1. Introduction

Good governance is an indeterminate term used in development literature to describe how public institutions conduct public affairs and manage public resources in order to guarantee the realisation of human rights. Governance describes “the process of decision-making and the process by which decisions are implemented (or not implemented)”. The term governance can apply to corporate, international, national, local governance or to the interactions between other sectors of society. The concept of “good governance” often emerges as a model to compare ineffective economies or political bodies with viable economies and political bodies. Because the most “successful” governments in the contemporary world are liberal democratic states concentrated in Europe and the Americas, those countries’ institutions often set the standards by which to compare other states’ institutions. Because the term good governance can be focused on any one form of governance, aid organisations and the authorities of developed countries often will focus the meaning of good governance to a set of requirement that conform to the organisations agenda, making “good governance” imply many different things in many different contexts.

It has been defined as the use of power and authority by those in government to provide goods and services to the people to uphold the common good and fulfill the aspirations and needs of the common man. Governance, therefore, is concerned with power, strategies, policies, plans and projects that aim at improving the substance or quality of life. The people expect their government to proceed.

Governance, in the modern times, has been becoming an important means for achieving societal development objectives. Although governance improvements are perceived differently in the developed and developing worlds, it is also becoming an area of convergence where both developed and developing societies could learn from experiments and make use of it for transforming respective societies.

Governance is a concept which is used in different meanings in different contexts; it varies from narrow structural definition of its management of public affairs by government constituents i.e., legislation, executive and judiciary, to the processes that ensure deliveries,

1 UNESCAP, 2009.
participation, justice, respect of rights, innovation and networking. The World Bank defined it as follows: Governance, in general, has three distinct aspects:

a) the form of a political regime;

b) the processes by which authority is exercised in the management of a country’s economic and social resources;

c) the capacity of governments to design, formulate and implement policies, and, in general, to discharge governmental functions.²

As per the United Nation’s Commission on Human Rights, the key attributes of good governance include transparency, responsibility, accountability, participation and responsiveness to the needs of the people. Good governance is thus linked to an enabling environment conducive to the enjoyment of Human Rights and promoting growth and sustainable human development. The expectation of every civil society of its Government is that it would fulfill its commitments and provide an equitable atmosphere contributing to individual’s growth. A Government is expected to be fully accountable to its people and transparent in the use of public resources. It enforces the Human Rights including economic, social and cultural rights and has no place for corruption of any kind since dishonesty is anathema to economic wellbeing as it transmits public money allocated for development unjustly into private coffers depriving the citizenry of its use for their welfare. In nutshell, Good Governance entails effective participation in public policy-making, the prevalence of the rule of law and an independent judiciary, besides a system of institutional checks and balances through horizontal and vertical separation of powers, and effective oversight agencies.

2. Some Best Practices

Good governance has 8 major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimised, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making.³

Participation: Participation by both men and women is a key cornerstone of good governance. Participation could be either direct or through legitimate intermediate institutions or representatives. It is important to point out that representative democracy does not necessarily mean that the concerns of the most vulnerable in society would be taken into consideration in decision making. Participation needs to be informed and organised. This means freedom of association and expression on the one hand and an organised civil society on the other hand.

Transparency: Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media.

**Effectiveness and efficiency:** Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

**Responsiveness:** Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe.

**Accountability:** It is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organisations must be accountable to the public and to their institutional stakeholders. Who is accountable to whom varies depending on whether decisions or actions taken are internal or external to an organisation or institution. In general an organisation or an institution is accountable to those who will be affected by its decisions or actions. Accountability can not be enforced without transparency and the rule of law.

**Consensus oriented:** There are several actors and as many viewpoints in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

**Equity and inclusiveness:** A society’s well being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well being.

**Rule of Law:** Good governance requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible police force.4

2. **Best Practices : States**

India has been experiencing several changes in the political and economic space, which have some implications to governance and, so also, to urban governance. India had followed mixed economic model with public sector leading the economy and public spending determining the welfare of the society. There was a significant deviation in this approach through economic policy reforms in 1991 that were brought as a necessity to make India emerge as a strong economy in line with competition from other countries. With this added pressure on services, in addition to the pressures from rapid urbanisation gripping the country in 1980s, markets emerged as important institution in the wider allocation of resources, in their ability to mop-up and bring-in private resources in economic activities and in representing the needs (and aspirations) of growing consumer class in cities. Urban planning is an important function of urban local governments in which the authorities will

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have to plan allocation of land for various uses, particularly for housing the population, and ensure that the basic infrastructure services such as transport, water and sanitation, health, education and recreation are well planned and provided to the citizens. This is an important task which requires the strategic visioning and deployment of organisational, financial and technical skill sets, wherein little attention is paid and the physical as well as financial estimates are considered unrealistic, therefore, they call for alternative governance mechanisms for achieving it. Nevertheless, the planning process has to ensure strategic visioning and public participation in the plans, and the implementation of plans has to reflect the adherence to principles of good urban governance i.e., transparency, accountability, equity, efficiency, acknowledgment of rights, rule of law etc.

Indian cities are no exception to and no different from the status of developing countries’ cities in the first section i.e., they are facing severe pressures on service delivery and not fully responsive to the needs. Therefore, urban governance reforms and innovations are assuming greater importance. Undoubtedly, city governance is more challenging also because spatial structures keeps changing.

Governance reforms are becoming essential to ensure that these agents are made accountable through alternate institutional structures and are monitored to ensure the movement of development.

In Bangalore, it has been happening in the form of a spurt of non-profit initiatives, which led to the reactivation of improvements in urban governance. Here, the major institutional innovations are: the Bangalore Forward (Blr For), which undertook several initiatives for improving Bangalore city and its management; the Bangalore Agenda Task Force (BATF), which contributed to an overall improvement of the city in a significant manner by acting as a decision making and accountability instrument; the Public Affairs Center (PAC) has emerged both as a think tank body and an independent monitoring institution on the behalf of citizenry; and Janagraha emerged as an institution to voice community concerns. Bangalore Forward is a private non-profit initiative that works towards better Bangalore with an active support of the private corporates in the city and with an encouragement of the State government. It works hand-in-hand with the Bangalore Agenda Task Force (BATF), which was established by the state government as a statutory body to strategise, look after, coordinate and monitor the development activities in Bangalore. An important element of its working strategy is the stakeholder meetings held in public to bring-in accountability of the seven major service providing agencies concerned with Bangalore city that have a greater stake in the city development. Bangalore Forward (Blr For) has undertaken several other voluntary initiatives that led to an overall improvement of Bangalore city. Interestingly, in all these initiatives, private corporates as well as individuals have contributed. Though the scale of achievement could be less than that of government, it demonstrates the potential of private sector contribution to city development, and, hence, its engagement. This also led to an active support of media and the general public. There were an overwhelming proportion of citizens who perceived that Bangalore city infrastructure and amenities improved in the just one year. Also, there had been a consistently increasing share of population positively perceived about developments in Bangalore, which gets reflected in the public report cards based on the citizen perception surveys.

The Public Affairs Center (PAC), a non-profit policy research organisation, emerged as a watchdog of the civil society to express citizen satisfaction with respect to major service
providers in the city periodically through large scale public surveys. It established an independent system of citizen report cards for continuous performance monitoring of public agencies. At the same time, Janaagraha was initiated by a group of concerned citizens of the city to express their voice and concerns on the development projects of the government on one hand and undertake micro level intervention with or without external financial support. It also took forward the FBAS to the citizens through launching Public Record of Operations and Finance (PROOF) campaign, thereby, extending it to improved public accountability and citizen empowerment through discussion of revealed knowledge of civic finances. However, it primarily acts as a public opinion gathering institution; thereby, it seeks to provide inputs to policy-making in the government. Incidentally, these institutes came into existence primarily due to the efforts of few individuals, who sought to play a catalyst role in city development through mobilising civil society.

Public Affairs Center (PAC) instituted a citizen report card system on Bangalore’s public service providers, in which users (or, citizens) provide a feedback on the quality, efficiency and adequacy of services and the problems they face in their interactions with service providers. This involves drawing a number of large samples and conducting surveys based on questionnaires. The assessment was done with the objectives of (i) demonstrating that citizen feedback on services could be used to rate the performance of public service providers and highlighting the aspects of their services that needed improvement (ii) sensitising the public at large about the state of public services and exerting pressure on government and service providers to improve the quality of services and public accountability in general.

Moreover, it could also act as a benchmarking device when it is carried out periodically. The first report card was published in 1993, the second was published in 1999 and the third was published in 2003. All of them reported a widespread public dissatisfaction with public service providers with only one of them receiving satisfaction by over 50% of the people. Majority of them reported the bureaucratic delays and hurdles, and also the prevalence of corruption. The report card was an eye opener and the service providers came under public scrutiny through such system, which pressurised them to undertake measures to improve the performance.5

Urban Governance in Mumbai

Mumbai has actually found some novel institutions emerging in response to the failure of local government in delivering goods and services to citizens’ satisfaction; in a way, it gave an inspiration to the spurt of institutions in Bangalore. The Partnership Institutions in Mumbai are: Bombay First (BF), a non-profit initiative of private corporates, and Citizens’ Action Group (CAG), a State appointed institution to strategise and monitor the initiatives for Mumbai city development. Further, initiatives like Action for Good governance Network of India (AGNI) and PRAJA emerged as civil society watchdog groups that partnered with local and State governments. Bombay First (BF) is a private non-profit initiative that was formed by private corporates under the umbrella of Bombay Chamber of Commerce and Industry with a vision of transforming the city into a globally competitive city through improvements in economic growth, infrastructure and the quality of life. It drew inspiration from London First and structured its organisation in line with London First. The mission

of Bombay First, however, has been larger to address the issues and problems confronting the city through partnerships with government, business and civil society.

Also, Bombay First is different from London First in terms of methods; it proposed to use research, catalysis, advocacy and networking as the means of achieving the mission, whereas London First uses the means of dialogue, expert assistance and advocacy to influence the decisions. Bombay First, under the guidance of Bombay City Policy Research Foundation, began its work with a comprehensive diagnosis of the city development - its economic and social structure, the causes of decline of certain activities and infrastructure, possible solutions and pilot scale projects. It commissioned relevant studies and carried out surveys, which led to a renewed understanding of structure and nature of employment, sectoral growth patterns and hindering factors like critical infrastructural bottlenecks. Also, later these studies indeed helped in understanding the city problems to search solutions. Bombay First (BF) spent considerable time in understanding and groping with issues concerning Mumbai city. The Citizens' Action Group (CAG) is an important development of the post-Vision Mumbai plan, which was constituted to act as a monitoring and review group concerning with Mumbai’s development through a special government order. The CAG is a statutory body and a Special Secretary coordinates its meetings. This group has about 30 eminent citizens who meet and discuss both internally and together with the Chief Minister the status of ongoing projects and the new plans envisaged by various agencies. It, thus, emerged as a partnership institution between government and private sector in city level decision making through setting agenda and monitoring the progress of government agencies concerning with Mumbai city with respect to the plans, initiatives and projects. Apart from the CAG as an instituted group to monitor city development activities, PRAJA, a non-profit initiative, acts as a partnership institute to communicate citizens’ grievances and opinion to the Municipal Corporation of Greater Mumbai (MCGM).

Citizen interface improvement initiatives in Mumbai

The Municipal Corporation of Greater Mumbai (MCGM) instituted a system of interface with public in collaboration with PRAJA to check the department-wise and ward-wise performance and to take some remedial actions for improving service provision. The first project performance survey was carried out in 2000 and continued in 2001. It expressed the public perception of MCGM at large in terms of the responsibilities the citizens believe it was obliged to and the relative satisfaction of the services of the seven departments - water supply, traffic/transport, roads, sewerage, solid waste management and license departments.

Moreover, performance of wards was also planned to be measured using the citizen satisfaction scores. In general water supply and traffic departments fared better, and sewerage and environment departments fared poor in service provision. Likewise, the satisfaction was better in the prime suburbs rather than in island city. The survey also revealed that bribes were paid for getting some services done and that many citizens were not aware of corporator’s funds for improvement. Apart from measuring citizen satisfaction, a complaint audit system was established in all 24 wards. It was first executed in the year 2000. BMC-PRAJA Online Complaint Management (OCMS), an electronic interface between citizens and MCGM through internet. These complaints were categorised according to their nature, ward and departments. Moreover, the redressal of complaints, both the proportion of complaints redressed and the speeds of redressal, was also checked through surveys and
so do monitoring of general perception about the MCGM. This system provided the citizens to have an electronic interface to explain the problems and get them redressed and while doing so to express their satisfaction with the way they were dealt and the outcomes. Citizens were also given an opportunity to state the reasons for delay like corruption.6

4. Role of Judiciary and Good Governance7

The concept of governance is as old as human civilization. Good governance signifies the way an administration improves the standard of living of the members of its society by creating and making available the basic amenities of life; providing its people security and the opportunity to better their lot; instill hope in their heart for a promising future; providing, on an equal and equitable basis, access to opportunities for personal growth; affording participation and capacity to influence, in the decision-making in public affairs; sustaining a responsive judicial system which dispenses justice on merits in a fair, unbiased and meaningful manner; and maintaining accountability and honesty in each wing or functionary of the Government. The “participation” in order to be effective, needs to be informed and organised and, therefore, depends upon the availability to the subjects “freedom of association and expression” on one hand and existence of “an organised civil society” on the other. This necessarily is a pointer to “representative democracy”.

The attribute of “rule of law” in hers as prerequisite “fair legal frameworks” that are enforced impartially and particularly “full protection of human rights”, especially of the vulnerable sections of the society. The factor of “transparency” requires that information is freely available and the decisions are taken or enforced in a manner that adheres to the rules and regulations. The attribute of “responsiveness” necessitates that all public institutions and their processes strive “to serve all stake holders within a reasonable time frame”.

Democracy, liberty and the rule of law together represent the troika that is universally accepted now as the index of a civil society. Democracy signifies a government of, by and for the people. The protection of individual liberties follows the notion of democracy as a natural corollary. This entails the espousal of a methodical configuration of laws by which society might be regulated and different conflicting interests can be harmonised to the fullest extent. This is why “the rule of law” is indispensable. It envisages the pre-eminence of law as opposed to anarchy or capricious dictates. It involves equal accountability of all before the law irrespective of high or low status.

Democracy has been evolved through centuries of experience amongst the people, who care for human person, dignity and rights as the best and most acceptable form of good governance. It is a concept that occasions the idea that all citizens have a right to participate in the decision-making processes that lead to adoption of policies that are applicable to the societies. It also means that there are some limits on majority decision-making and, hence the inevitability of certain basic rights being protected. It rests on

6 Executive Summaries of Reports of PRAJA (2005).
7 Relevant extract were taken from Role of Judiciary in good governance By Justice Y.K. Sabharwal, Chief Justice of India.
maintaining a necessary equilibrium between the numerous competing interests, demands, constraints and compulsions that exist in any civic society eager for development. India was founded as a democratic welfare State which would allow equal opportunity to one and all, irrespective of caste, creed, colour, sex or any other form of discrimination; a State where everyone would have equal opportunity for personal growth and for contributing to the cause of nation. Democracy has been defined as “a Government by the people, of the people and for the people”.

The Directive Principles have been used as fundamental principles of governance tempered by the Fundamental Rights. From time to time, adjustments have been made in the Fundamental Rights — through legislative measures, executive action or judicial pronouncements — so as to further the object sought to be achieved by the Directive Principles. After all, the purpose of the Fundamental Rights on the one hand and the Directive Principles on the other is common; viz., to provide for an environment that can ensure dignified growth and development of each individual as a useful human being. In order to guarantee that the role of law would inure to, and for, everyone and the promises made by the Constitution would not remain merely on paper, the Constitution makers made provisions for independence of the judiciary.

Judiciary in India enjoys a very significant position since it has been made the guardian and custodian of the Constitution. It not only is a watchdog against violation of fundamental rights guaranteed under the Constitution and thus insulates all persons, Indians and aliens alike, against discrimination, abuse of State power, arbitrariness etc.

Liberty and Equality have well survived and thrived in India due to the pro-active role played by the Indian judiciary. The rule of law, one of the most significant characteristics of good governance prevails because India has an independent judiciary that has been sustained, amongst others, because of support and assistance from an independent bar which has been fearless in advocating the cause of the underprivileged, the cause of deprived, the cause of such sections of society as are ignorant or unable to secure their rights owing to various handicaps, an enlightened public opinion and vibrant media that keeps all the agencies of the State on their respective toes. One of the most important principles of just democratic governance is the presence of constitutional limits on the extent of government power. Such limits include periodic elections, guarantees of civil rights, and an independent judiciary, which allows citizens to seek protection of their rights and redress against government actions. These limit help make branches of government accountable to each other and to the people. An independent judiciary is important for preserving the rule of law and is, therefore, most important facet of good governance. The judicial system has an important role to play ultimately in ensuring better public governance. There may be a plethora of regulations, rules and procedures but when disputes arise, they have to be settled in a court of law. There is no area where the judgments of Supreme Court have not played a significant contribution in the governance good governance — whether it be - environment, human rights, gender justice, education, minorities, police reforms, elections and limits on constituent powers of Parliament to amend the Constitution. This is only illustrative. Indian Judiciary has been pro-active and has scrupulously and overzealously guarded the rights fundamental for human existence.

The scope of right to life has been enlarged so as to read within its compass the right to live with dignity, right to healthy environment, right to humane conditions of work, right
to education, right to shelter and social security, right to know, right to adequate nutrition and clothing and so on. This has been achieved by filling the vacuum in municipal law by applying, wherever necessary, International instruments governing human rights. The Supreme Court has, over the years, elaborated the scope of fundamental rights consistently, strenuously opposing intrusions into them by agents of the State, thereby upholding the rights and dignity of individual, in true spirit of good governance. In case after case, the Court has issued a range of commands for law enforcement, dealing with an array of aspects of executive action in general, and of police at the cutting edge level in particular. Democratic form of Government of the kind adopted by India depends in its success of a system of free and fair elections regulated, monitored and controlled by an independent agency.

5. Sustainable Development

While many factors play an important role in development, good governance is now recognised as playing an essential role in the advancement of sustainable development. Good governance promotes accountability, transparency, efficiency, and rule of law in public institutions at all levels. In addition, it allows for sound and efficient management of human, natural, economic and financial resources for equitable and sustainable development. Moreover, under good governance, there are clear decision-making procedures at the level of public authorities, civil society participation in decision-making processes, and the ability to enforce rights and obligations through legal mechanisms.

These aspects of good governance do not in themselves ensure that society is run well nor do they guarantee sustainable development. However, their absence severely limits that possibility and can, at worst, impede it. Without proper functioning institutions of governance based on the rule of law that promote social stability and legal certainty, there can not be investment and assumption of risk that form the basis of market economy development, let alone sustainable development.

Indeed, the strength of the rule of law is the best predictor of a country's economic success.

Furthermore, deficiency in the rule of law encourages high rates of corruption, with further devastating consequences on the confidence of economic actors. This lack of investment, in turn, slows economic growth and consequently deprives the governments of resources to invest in education, social safety nets, and sound environmental management, all of which are critical for sustainable development. Introduction of good governance and rule of law, however, can not be done overnight. The process is often a gradual one, involving changes to long-standing practices, entrenched interests, cultural habits, and social and even religious norms. A significant step was taken in this endeavour in 1998 when countries adopted the Convention on Access to Information,

Public Participation in Decision-making and Access to Justice in Environmental Matters. The Convention recognises that sustainable development can only be achieved through the involvement of all stakeholders and seeks to promote greater transparency and accountability among government bodies by guarantying three pillars for the public:

1) The rights of citizen access to information.

2) Citizen participation in decision-making.
3) Citizen access to justice in environmental matters.

In other words, the Convention guarantees freedom of access to information on the environment, gives citizens a right to participate in environmental decision-making, and provides for recourse to judicial and administrative remedies when these rights are denied by state authorities.9

6. Concluding Remark

The phenomena of urbanisation, globalisation and liberalisation are increasing pressure on service delivery in the cities of developing countries that are engulfed by vast number of problems. Unfortunately, most of the cities are ill equipped to tackle the problems and pressures because either they gave inadequate thought about the trajectories of city growth or because they did not plan and allocate resources to do it; even otherwise, there are inefficiencies built-in through traditional designs of institutions of service delivery made on political and bureaucratic forces.

This is leading to government failures in service delivery, which can be addressed by institutional innovations under partnership mode (apart from governance reforms) to steer urban governance in right direction. However, policy reforms are also needed so that right kinds of incentives prevail for nurturing new institutions.

The institutional innovations in Bangalore and Mumbai presented in this paper show the way for other cities on what kind of role can be played and how partnerships between public, private and civil society sectors can be forged. The success of these institutions lies in (a) undertaking initiatives to improve city governance and ensuring service delivery (b) bringing together the stakeholders under one platform to work towards a common vision (c) discussing public policies and reporting citizen opinion on service providers functioning. These are perhaps worth emulating in other cities as well, but they need to be well structured and target oriented to be effective.

Here, it may be observed that while institutional innovations in Bangalore were impacting city governance strong and fast in Bangalore, their impact in the case of Mumbai has been somewhat weak and slow. Much has to be seen on the long term sustainability of these innovations.10

7. References and Recommended Readings

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