

Govt on backfoot as Saldanha pummels and Raghunandan hits straight

If Urban Development Minister Vinay Kumar Sorake keeps his promise, rules and laws would be amended to give more power to citizens in urban governance.

Panel discussion organised by CIVIC. Pic: Shree D N

If what Minister for Urban Development, Karnataka, Vinay Kumar Sorake promised in a panel discussion held on July 11, 2014 materialises into concrete action, Bruhat Bengaluru Mahanagara Palike (BBMP) corporators cannot continue to rule the roost. Citizens will get more power and say in local matters, in the form of ward committees and area sabhas.

The Minister promised to amend the section 13 of Karnataka Municipal Corporation Act, to remove veto power over ward committees given to corporators. He also said he would look into amending the section to remove the power to nominate members for ward committees and introduce some other means to select ward committee members.

The promise came on Friday, July 11th, 2014, in a panel discussion on Karnataka Ward Committee and Area Sabha Act and Rules, arranged by CIVIC in Jain College auditorium off JC Road, Bangalore, in which ex-IAS officer and governance expert T R Raghunandan, co-ordinator of Environment Support Group Leo Saldanha and others participated. Minister Vinaykumar Sorake and Secretary to Urban Development Department T K Anilkumar were the chief guests.

‘We don’t expect you to do any magic’

The discussion started with Raghunandan putting his points in a witty manner that drew applause from the crowd. “We don’t expect you to do any magic, sir, but I request you to re-consider the veto power for ward committees given to councillor. Also, it would be great if you can amend the rules to disallow nomination of ward committee members by the corporators. If you do these two, the rest will fall in place,” said Raghunandan, addressing Vinay Kumar Sorake, Urban Development Minister, Karnataka.

Currently the Chief Minister has multiple roles to play. He is the chairman of Bangalore Metropolitan Region Development Authority (BMRDA), and the finance minister, and is going to be the chairman of Metropolitan Planning Committee. “There’s a situation where CM is the member of everything and hands over files to

himself, this situation has to be corrected,” said Raghunandan, adding that multiple roles will cause confusion and conflict of interest at some point of time, hence there is greater need for decentralisation of power.

Giving examples of how the government and people continue to ignore the legislation, Raghunandan gave the example of JNNURM scheme. No state has fulfilled the condition of citizen participation, still the Centre kept on giving funds, he said, adding that as long as Jaipal Reddy was the minister, he followed some conditions but Kamalnath did not follow any of them.

He also gave the example of Hyderabad where social audits worked excellently in case of Mahatma Gandhi National Rural Employment Guarantee Act and eliminated the scope for corruption, stressing that citizen participation is the key in public administration.

‘Let the past be past, do something now’

Leo Saldanha, Coordinator of Environment Support Group, was aggressive in putting forward the reality. He asked the Minister what would be the legacy he would leave behind. He said that every politician left behind a legacy. Y M Ghorpade brought in Panchayat Raj system. Jagadish Shettar left behind a different kind of legacy where Mavallipura was used to dump trash by deploying 800-member police platoon, by the then-deputy chief minister and home minister Ashoka, Saldanha recalled.

The 74th amendment was done in 1992, which proposed ward committees for municipality areas. “Since then all the governments have ironed out the legislation. Citizenship is not a negotiation, it is the right of every citizen to assert the views. Do we need 22 years to get the legislation implemented right?” asked Saldanha, advocating that deep democratisation of urban municipalities should be done.

Saldanha also explained the background of the push to ward committees in recent days. In the aftermath of Mavallipura incident in 2012, Environment Support Group filed a writ petition in High Court of Karnataka. When the court asked why there was such a deep crisis, petitioners said it was because of bad governance, and ward committees don’t even exist. The justices asked then-BBMP commissioner Siddaiah to give the reason, he said the assembly has not passed the resolution. Finally the court asked the BBMP to form ward committees, and BBMP gave 10 names per ward in hurry and submitted to the court. After that there has not been any meeting by these committees, which Leo Saldanha termed, as an insult to democracy of India.

He also exposed the loopholes in the existing ward committee rules, and said even the Prime Minister of India doesn’t have veto power but a councillor has it. “These rules are not what you expect. These are ritualistic. Let the past be past. Now you have power to change the things. Last two decades were a dark age for democracy in the state. Now you can bring in the reforms. So please do it,” Saldanha requested the Minister, at the same time warning with a smile that “We are not going to keep quiet. We will hold you accountable.”

‘Ward committees should be inclusive’

Executive Director, COVA, Mazher Hussain explained the system existing in Hyderabad, where ward committees have been formed but not functional in some areas. He said his organisation has filed a petition in the court in this regard.

President of Slum Janandolana - Karnataka, Narasimha Murthy stressed on equitable participation for everyone including those living in slums, in the ward committee.

Other points reflected by the audience were:

- There has to be a lot more consultation on ward committees at zonal level in Bangalore and in all districts.
- Current clause says only registered voters can become ward committee members but in case of street vendors this rule can't be followed, they should also be given a chance to join ward committees in the areas they work. Similarly all persons should be given a chance.
- There should be an age cut-off for becoming a ward committee member
- There should be a rule that 90% works recommended by ward committees should be approved and sanctioned on priority. Otherwise there will be no value to the decisions that ward committee takes.
- Ward committee meetings should take place regularly.
- Experts should be brought into ward committees.
- Avoid partiality in selection of ward committee members.

'I'm committed to bringing in reforms'

The Minister, Vinaykumar Sorake attentively listened to all the points made by all panelists and citizens. In his 15-minute speech, he agreed in principle that the suggestions were good enough to be taken into consideration. He also explained the other side of the story, where no other municipality in the state has ward committees. Even in rural areas where the gram sabhas proposed by 73rd amendment are supposed to be functioned, "there are no meetings taking place, hence decisions are not being taken by gram sabhas. Many members of Panchayat have started asking 'what's in it for me.,'" he explained.

"I agree that corruption rules in the current system. Councillors are knowledgeable only about the what they can benefit from. They need awareness on how to increase the revenue and other issues. We have to take them into confidence and move forward," said Sorake.

"Kerala has a vibrant system where people take part in governance. We are committed to bringing in the same system here," promised Sorake. "Bangalore is under the Chief Minister, but I look after all other municipalities. I handle the ministry that makes the rules, and I'm committed to bringing in reforms," he assured, and promised to call some of the organisers and panelists when he discusses the issue with officers. He added that no law can be implemented if there is no public support.

Talking about garbage crisis, he said six months was very tough to stick to. He indicated that there was also politics at play behind Mandur crisis, and said the government will directly go to the people of Mandur to solve the crisis.

‘Automated processes for transparency’

UDD Secretary T K Anilkumar said that transparency is possible by converting some key processes into automation and changing systems to process -driven systems. He gave the example of Bhoomi software and Bangalore One. He said he will work towards such systems which bring in transparency..

Kathyayini Chamaraj, trustee of CIVIC who had organised the panel discussion, said that the points discussed would be submitted to High Court on the upcoming hearing on ward committees, on July 17. In the beginning she also presented the background and the amendments proposed.

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