



ಬೆಂಗಳೂರು ನವನಿರ್ಮಾಣ ಪಕ್ಷ BENGALURU NAVANIRMANA PARTY



BNP's Demands for key amendments to the Greater Bengaluru Governance Bill (GBGB) for a better Bengaluru

Bengaluru NavaNirmana Party (BNP) is India's first and only political party with an exclusive focus on Bengaluru and its grassroots governance. With a vision to empower the citizens of Bengaluru and develop a governance system that is constitutional, effective, transparent, accountable, and inclusive, BNP has proposed to the Government, a few key reforms to the GBGB necessary for effective decentralization of municipal governance. We have submitted our proposal with great optimism, trusting that the Government will embrace the spirit of cooperative governance, and work towards the collective betterment of all.

We look forward to the citizens of Bengaluru coming together to support these changes and push the Government to implement these changes for Bengaluru to have a better future. The following are the key reform demands presented by BNP to the State Government of Karnataka, most of which have been recommended by the Brand Bengaluru Committee too.

Empowerment of the Mayor, Council, Corporator and Citizens

1. Empowerment of the Mayor and granting powers similar to the Prime Minister and Chief Ministers:

- a. **Appointment of Mayor in Council:** The Mayor should have the power to appoint a Mayor-in-Council as per the proposal of the Brand Bengaluru Committee.¹
- b. **Chief Commissioner / Commissioner to be appointed by and to report to the Mayor:** The Chief Commissioner / Commissioner should be appointed by and should report to and be accountable to the Mayor. Otherwise, a significant challenge to the decentralization of powers is posed due to the vesting of executive powers with the State Government appointed Commissioner.²

¹Section 38 of the draft bill submitted by the Brand Bengaluru Committee in its final report.

²The Greater Bengaluru Governance Bill, 2024, § 88(5).

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2. Empowerment of Mayor-in-Council:

- a. **Executive powers to be held by Mayor-in-Council:** The overreach and interference of the State Government in the affairs of the Corporation should stop, in line with the principle enshrined in the Indian Constitution that a “Municipality means an institution of self-government”. The executive power of the Corporation should be vested in the Mayor-in-Council, as proposed by the Brand Bengaluru Committee.³
- b. **Power to decide and allocate the budget:** The power to decide and allocate the budget (including the power to devolve at least 60% of the overall budget to the wards in a balanced manner, based on population & area of each ward) should be completely vested in the Mayor and the Mayor-in-Council.

3. Empowerment of Corporators:

- a. **Ward Budget and Ward Development:** The Corporators should have the power to present the Ward Budget & Ward Development Plan, as prepared by the Ward Committee, at the start of every year which is to be approved by the Mayor-in-Council.⁴

4. Empowered Citizens:

- a. **Empowered Ward Committees:** The Ward Committees should develop the Ward Development Plan, with schemes received from the Area Sabhas of the Ward and not just those plans prepared by the Bengaluru Metropolitan Planning Committee and the City Corporation, and have the right to conduct an audit of the ward level works at any time.⁵
- b. **Empowered Area Sabhas:** Area Sabha, comprising voters of the area, should have the authority to generate proposals of works to be undertaken in their respective areas of the ward.

³Section 46(1) of the draft bill submitted by the Brand Bengaluru Committee in its final report.

⁴The Greater Bengaluru Governance Bill, 2024, § 2(78).

⁵The Greater Bengaluru Governance Bill, 2024, § 106(b).

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Accountability to ensure effective implantation should be stipulated for key provisions

Political accountability should be affixed on all public authorities delivering services as intended in the bill especially in aspects where provisions exist but implementation is lagging.⁶

1. Establish Metropolitan Planning Committee (MPC) instead of the Greater Bengaluru Authority (GBA)

- a. Establish Metropolitan Planning Committee (MPC) instead of the Greater Bengaluru Authority (GBA)
- b. GBGB provides for the constitution of GBA, an apex body for the purpose of coordination between municipalities and other parastatal agencies. GBA is proposed to be headed by the CM, with all city MLAs, Mayors of the newly constituted Corporations, select Corporators, members of parastatal bodies and domain experts as its members.
- c. However, as per Article 243ZE and the 74th Amendment of the Constitution, in every Metropolitan area a Metropolitan Planning Committee should be constituted to administer the Metropolitan area as a whole. Two-thirds of the members of such Committee shall be elected by, and from amongst, the elected members of the Municipalities and Chairpersons of the Panchayats in the Metropolitan area in proportion to the ratio between the population of the Municipalities and of the Panchayats in that area. This organization should be headed by an elected Metropolitan Mayor. There is little or no mention of this in the GBGB.
- d. Given this situation, there is no need for a body like GBA which has significant State Government control. Instead, the constitution of the MPC, an independent body with an elected Mayor as envisaged by the Constitution would be best for coordination between Municipal Corporations, Panchayats and other parastatal agencies.

⁶The Greater Bengaluru Governance Bill, 2024, Preamble.

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2. All functions to be devolved to municipalities as per Schedule 12 of Indian Constitution, should be devolved to BBMP

- Article 243W of the Indian Constitution (added pursuant to the 74th Constitutional Amendment Act, 1992) requires State Governments to transfer 18 key urban development functions to city governments.⁷ (See Annexure A)
- However, in practice, out of these 18 functions, city governments have full control over only a few of them. For the other functions, city governments have little or no control and often function just as implementing agencies.⁸
- Given this situation, we demand that the Bill include provisions to protect the powers meant for local governments from being taken over by the Karnataka Government. The case of Bengaluru Solid Waste Management Ltd. (BSWML) is one such example of a municipal function being usurped by the State Government, in violation of the Indian Constitution.

3. Provisions should be added to ensure accountability and address election delays for the Corporations

- Under the Bruhat Bengaluru Mahanagara Palike Act, 2020 (BBMP Act), elections are required to be held to constitute a new Corporation either before the term of the existing Corporation ends or upon its dissolution.⁹
- However, Bengaluru has been without a council for more than 50 months, the longest ever delay in the State.¹⁰
- Therefore, it is once again emphasized that accountability must be established, and specific provisions to ensure elections are conducted before the end of the tenure of a Municipal Corporation and a new Corporation should be properly constituted upon the expiry of the term of the existing Corporation, should be included in the GBGB.

⁷Constitution of India, Article 243W

⁸*ibid*

⁹The Bruhat Bengaluru Mahanagara Palike Act, 2020, § 13.

¹⁰Janaagraha Centre for Citizenship and Democracy, "A Critical Review of Decentralised Participatory Governance in Cities of Karnataka," (2024)

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4. Provisions should be added to ensure accountability for delays in publishing audited accounts

- Public disclosure by urban local bodies (ULBs) is a state level reform introduced under Jawaharlal Nehru National Urban Renewal Mission.¹¹ Under the Karnataka Local Fund Authorities Fiscal Responsibility Act, 2003, ULBs are required to share information about their operations with the public. This includes annual performance statements covering operational and financial details, as well as service levels for various public services.¹² The BBMP Act, also requires the display of ward budgets.¹³
- Currently, the BBMP's accounts have not been published since the Fiscal Year 2020-2021. Publishing audited accounts is crucial for financial transparency and for enabling citizens to hold authorities accountable for public spending.¹⁴
- To address this, we propose that the GBGB include a provision to ensure accountability for delays in publishing audited accounts. This would mandate the Corporation to audit and publish its accounts in the public domain every year, within six months of the end of each financial year.

5. Provisions should be added to ensure accountability for publishing details of Corporation projects

- The BBMP Act, requires ongoing projects to be displayed for the public.¹⁵
- However, no work schedules of Municipal Corporations have been published in the public domain.¹⁶
- Therefore, a provision is needed to ensure that details of all Corporation projects—whether completed, ongoing, or approved—are published and made accessible to the public. This will allow people to track the progress and expenditure of these projects.

¹¹<https://site.bbmp.gov.in/rtipublicdisclosure.html>

¹²*ibid*

¹³The Bruhat Bengaluru Mahanagara Palike Act, 2020, § 86(r).

¹⁴site.bbmp.gov.in/information.html

¹⁵The Bruhat Bengaluru Mahanagara Palike Act, 2020, § 86(r).

¹⁶*ibid*

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6. Provisions should be added to affix accountability for the performance of functions of Ward Committees

- BBMP Act requires Ward Committee meetings to be held on a monthly basis.¹⁷ While this requirement is included in the GBGB, there has been no real improvement in enforcing accountability.
- A report revealed that between 2019 and 2024, a mere 32% of the scheduled Ward Committee meetings were held in Bengaluru.¹⁸ (See Annexure B)
- It is therefore essential to establish accountability for those responsible for conducting Ward Committee meetings and include measures in the Act to address delays in fulfilling the Committees' functions.

7. Provisions need to be added to ensure Area Sabhas are given proper responsibilities for their empowerment

- Participatory governance, a key aspect of the 74th Constitutional Amendment. BBMP Act provides for Area Sabhas to create proposals and set priorities for schemes and development programs in their areas. These were then to be forwarded to the Ward Committee for inclusion in its development plan.¹⁹ They were also required to meet at least once a month.²⁰
- However, in practice, this has not been happening as intended, with no Area Sabha Representatives appointed nor Area Sabha Meetings happening.
- To address this, there should be clear legal provisions to ensure that Area Sabha meetings are held at least once a month and that Area Sabhas have the authority to propose works for their areas. Transparency in appointing Area Sabha representatives and conducting meetings should also be guaranteed. To further empower Area Sabhas, only the projects and works proposed or discussed in their meetings should be considered by the Ward Committee and the Mayor-in-Council.

¹⁷The Bruhat Bengaluru Mahanagara Palike Act, 2020, § 85.

¹⁸<https://indianexpress.com/article/cities/bangalore/report-shortcomings-karnataka-urban-governance-act-on-democracy-9543581/>

¹⁹The Bruhat Bengaluru Mahanagara Palike Act, 2020, § 93(a).

²⁰The Bruhat Bengaluru Mahanagara Palike Act, 2020, § 92(1).

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8. Provisions need to be added to ensure accountability and greater transparency in the tender process and the allocation of projects to any organization

- Karnataka Transparency in Public Procurement Act (KTPP Act) details the process to be followed for awarding public tenders.
- However, organizations like the Karnataka Rural Infrastructure Development Limited (KRIDL) have reportedly been awarded projects outside the tender process by exploiting the exception highlighted in section 4 of the Act, as highlighted in a report by the Committee of Public Undertakings.²¹ (See Annexure C)
- We demand that the tender process outlined in the KTPP Act be followed to ensure greater transparency in the tender process and consider blacklisting organizations like KRIDL to uphold lawful and efficient functioning of local government agencies.

We are hopeful that our demands would be considered and effective changes will be made to ensure that effective, and accountable urban governance is established in Bengaluru.

Our City! Our Pride! Our Responsibility!

Thanking You,

Srikanth Narasimhan
Founder, Bengaluru NavaNirmana Party (BNP)

²¹<https://www.deccanherald.com/india/karnataka/bengaluru/rs-12943-cr-rural-infrastructure-works-under-s-canner-as-ed-widens-bbmp-probe-3348872>

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Annexures

Annexure A

Article 243 W and 12th Schedule of Indian Constitution

243W. Powers, authority and responsibilities of Municipalities, etc.-

Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow-

(a) the Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to-

(i) the preparation of plans for economic development and social justice;

(ii) the performance of functions and the implementation of schemes as may be entrusted to them including those in relation to the matters listed in the Twelfth Schedule;

(b) the Committees with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.

TWELFTH SCHEDULE

(Article 243W)

1. Urban planning including town planning.
2. Regulation of land-use and construction of buildings.
3. Planning for economic and social development.
4. Roads and bridges.
5. Water supply for domestic, industrial and commercial purposes.
6. Public health, sanitation conservancy and solid waste management.
7. Fire services.
8. Urban forestry, protection of the environment and promotion of ecological aspects.
9. Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded.
10. Slum improvement and upgradation.
11. Urban poverty alleviation.
12. Provision of urban amenities and facilities such as parks, gardens, playgrounds.
13. Promotion of cultural, educational and aesthetic aspects.
14. Burials and burial grounds; cremations, cremation grounds and electric crematoriums.
15. Cattle pounds; prevention of cruelty to animals.
16. Vital statistics including registration of births and deaths.
17. Public amenities including street lighting, parking lots, bus stops and public conveniences.
18. Regulation of slaughterhouses and tanneries.

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Annexure B

Excerpt from “Ward committees: Inactive, unheard.”, Reddy Y M, Bangalore Mirror, 2023, September 27

“When the BBMP term ended in September 2020, corporators stopped chairing ward committee meetings. Nodal officers were then appointed to oversee these committees, but they also stopped holding meetings once the model code of conduct was implemented during the State Assembly elections. Such situations undermine the principles of responsible, accountable, and representative local governance.”

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Annexure C

Excerpt from “Over 22,000 KRIDL projects, many of them awarded without tender, pending: report in Karnataka Assembly”, Indian Express, 13 December 2023

“On ground, when it comes to companies like the Karnataka Rural Infrastructure Development Ltd (KRIDL), as many as 22,066 projects were awarded to the scam-hit KRIDL between 2016-17 and 2020-21 remain incomplete. Of the incomplete work, 5,086 projects have been pending since 2016-17, 6,079 since 2017-18, 4,386 from 2018-19, 3,373 since 2019-20 and 3,142 since 2020-21. The total number of projects awarded to KRIDL during the period was 84,574, of which the most, 24,963, were allocated in 2018-19. And funds allocated to KRIDL swelled from Rs 5,212.01 crore in 2016-17 to 17,320 crore in 2020-21”.

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