ARTICLE

Urban Governance in Contemporary India

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Abstract

This article analyses how urban governance in India has changed since the 1990s as a result of the interplay of three interlinked forces. The liberalization of the economy in 1991, the good governance discourse together with the decentralization program officially pronounced under the 74th Constitutional Amendment Act, 1992 and the more recent urban reforms envisaged in the 2000s and institutionalized with launch of the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) in 2005, affected urban governance in significant ways. Based on recent empirical observations in the city of Mumbai, this paper argues that the involvement of multiple players, namely parastatals, local contractors, private developers, non-government organizations (NGOs), citizen groups and community based organizations across sectors of urban governance since the 1990s, has led to contesting claims by different groups to the city's spaces and resources, articulating conflicting discourses and competing practices. These in turn have serious implications on the questions of accountability and inclusion in evolving urban governance policy and practice in contemporary India.

1. Introduction

Urban development is a state subject according to the Constitution of India. Therefore, the central government can only, at best, issue directives on urban matters; it does not have the power to legislate. It is the state legislatures that have the exclusive power to legislate on any matter enumerated in List II (State List) of the Seventh Schedule to the Constitution[1]. Despite urban development being a state subject, it is the Centre that has initiated and supported most urban development programmes, especially under the Five Year Plans. The 74th Constitutional Amendment Act (CAA), 1992 conferred constitutional status on Urban Local Bodies (ULBs) such as Municipalities, which were provided

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・　2012, "Changing Contours of Solid Waste Management in India," in *Journal of Asian Public Policy*, 5-3, UK :Taylor and Francis, pp.333–342.

・　2012, "Parallel Structures of Decentralization in the Megacity Context of Urban India: Participation or Exclusion?," *Special Issue : Asian Cities in an Era of Decentralisation, Space and Polity,* 16(1), UK:Taylor and Francis, pp. 111-127.

with elected councils and constituted as the third tier of government (the other two being the Central Government and each State Government of the Union). The 74th CAA provided a general framework for decentralization in urban centres with several provisions[2]. For instance it allowed for the participation of women and weaker sections of society through reservation of seats; transferred the responsibility of urban development, in particular those of providing urban infrastructure and services and mobilizing required financial resources through taxes, levying users' costs and by attracting private national and foreign investments. The amendment also provided for the formation of an institutional structure to enable participatory governance called Ward Committees — committees at the level of municipal constituencies consisting of elected representatives, municipal officers and representatives from the civil society to address local issues.

Based on empirical observations in the city of Mumbai, this paper argues how the involvement of multiple players, namely parastatals, local contractors, private developers, non-government organizations (NGOs), citizen groups and community based organizations across sectors of urban governance in the post 1990s, has led to contesting claims of different groups to the city's spaces and resources, articulating conflicting discourses and competing practices with serious implications on the questions of accountability and equity in evolving urban governance policy and practice in contemporary India. This paper is divided into four sections. The first section discusses urban governance in the megacity context of Mumbai; the second section discusses multiple associations under the rubric "civil society" interfacing with myriad issues of urban governance in Mumbai. The third section discusses how competing discourses and contesting claims and the interplay formal and informal further complicate urban governance in the city. Finally the section on conclusion brings out how the presence of multiple actors, contesting claims and competing discourses have seriously compromised accountability and inclusion issues in urban governance.

2. Urban governance in the changed context of the 1990s

During the post 1990s governance in India's cities underwent significant changes driven by the interplay of three forces that are discussed in this section. First, liberalization of the economy in 1991 brought with it attendant needs for attracting foreign investment especially for physical infrastructure in urban centres that promoted deregulation and a corporate-led economy (for details see Benjamin, 2000). This led to several changes in urban governance. Capital market borrowing, privatization, partnership arrangements and community-based projects emerged as favoured options

for undertaking infrastructural investments and provision of basic amenities in the decades that followed. Planners and policy makers have made a strong case to make parastatals and ULBs depend increasingly on their internal resources and institutional finance with the objectives of efficiency and accountability, in the wake of introduction of the economic reforms and decentralized governance.

Second, the good governance discourse advocated by multilateral institutions like the World Bank and International Monetary Fund significantly affected urban governance in the post 1990s. Since then there have been increasing and visible expansion of non-state actors including CSOs resonating global trends [Cornwall 2002; Crook and Sverrisson 2001; Goetz and Gaventa 2001; Houtzager et al, 2003; Desai 1999]. The importance of CSOs in governance processes is captured in this sentence where the World Bank [1997] has argued that "in most societies, democratic or not, citizens seek representation of their interests beyond the ballot as taxpayers, as users of public services, and increasingly as clients or members of NGOs and voluntary associations. Against a backdrop of competing social demands, rising expectations and variable government performance, these expressions of voice and participation are on the rise" [World Bank 1997: 113]. Pinto [2008] explains that in the globalized scenario, the state is transforming itself and can legitimately transfer power or sanction new powers both above it through agreements between states to establish and abide by the norms of international government, and below it through the constitutional ordering within its own territory in respect of the relationship of power and authority between different levels of government and civil society. Melo and Baiocchi [2006] explain that localities have become significant sites of action and local strategies are devised to revitalise local structures and to find places for cities in global restructuring. This has resulted in growing trends towards devolution and decentralization with an emphasis on innovative forms of partnership and on participation in local government (for details see Singh, 2012)

Urban decentralization in India was officially pronounced under the 74th CAA, 1992. As per the Twelfth Schedule of the 74th CAA, 18 new tasks have been defined under the functional domain of ULBs[3]. However many of these functions still remain within the domain of the state government and have not passed on to the ULBs. For instance, urban planning — including town planning — remains largely the preserve of the state government. Phatak and Patel [2005] explain that the state government of Maharashtra has not yet constituted the Metropolitan Planning Committee (MPC) for Mumbai; probably because a body called the Mumbai Metropolitan Region Development Authority (MMRDA) already exists. As mandated in the 74th CAA it is required that the MPC, while preparing

the draft Development Plan, shall have regard to "matters of common interest between municipalities and the *panchayats* (rural local bodies), including coordinated physical planning of the area, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation" [Phatak and Patel, 2005: 3903]. They conclude that it would be difficult to say that the MMRDA is performing such functions.

The third force driving changes in urban governance in contemporary India is a set of reforms envisaged by the Government of India (GoI) in the 2000s, specifically institutionalized with the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) launched in 2005. The JNNURM recognises that while several reform initiatives have been initiated under the 74th CAA, further reforms (related to governance, infrastructure and basic services to the urban poor) need to be articulated by the state and local governments to create an investor-friendly environment in urban centres. The thrust of the JNNURM is to ensure improvement in urban governance and service delivery so that ULBs become financially sustainable for undertaking new programmes with the charter of reforms. The emergence of parastatals and nodal agencies under the JNNURM regime has further complicated the urban governance scenario in contemporary India. A paradoxical scenario is emerging with the coexistence of JNNURM and the provisions of the 74th CAA. While the latter empowered the elected representatives (municipal councillors) in the ULBs to a large extent, the emergence of implementing agencies of various hues, parastatals and state nodal agencies under the JNNURM curtail many of the powers invested to locally elected representatives like municipal councillors.

The next section discusses how the interplay of these forces has impacted urban governance in a megacity context of India.

3. Urban Governance in a megacity of India

Urban governance in Mumbai represents a classic example of complex multi-agency governance. The number of CSOs has also multiplied over the years. Mumbai is governed by more than ten special purpose agencies and parastatals which provide services essentially local in character. Some of the important agencies are:

The Mumbai Metropolitan Regional Development Authority (MMRDA) functions as a planning and coordinating agency of the metropolitan region including Mumbai. It coordinates between 7 municipal corporations, 13 municipal councils, and parts of Raigad and Thane districts and over 900

villages and also brings together central and state government bodies that operate in the region.

The Maharashtra Housing and Area Development Authority (MHADA) is an entirely nominated body which comes under the Housing and Special Assistance Department of the state government and works through nine Regional Boards, three of which directly relate to Mumbai — the Mumbai Housing and Area Development Board, the Mumbai Building Repair and Reconstruction Board and the Mumbai Slum Improvement Board.

The Slum Rehabilitation Authority (SRA) has the status of a corporate entity and by an amendment to the Maharashtra Regional and Town Planning (MRTP) Act 1966, it has been declared a planning authority to function as a local authority for the area under its jurisdiction. It can survey slum areas, formulate schemes for slum rehabilitation and get them implemented.

Most mega cities[4] like Mumbai are also state capitals; therefore, many of the departments of the state government related to urban development are very important. Urban development at the level of the state government is not handled by a single department. For instance in Mumbai (the capital of Maharashtra) there is a single urban development department but it has two secretaries — one dealing with town planning and the other with municipal administration. There are separate departments of housing, water supply and sanitation, industries and environment. The Urban Development Department and the Directorate of Municipal Administration in Maharashtra, as in other states, have assumed greater roles under the JNNURM. The emergence of parastatals and state level nodal agencies performing various functions, under the JNNURM regime has complicated urban governance in Mumbai. For instance, the Sanctioning and Coordinating Committee constituted under the Secretary, Ministry of Urban Development, GoI, approves funds for various works. The City Development Plans and Detailed Project Reports are considered by the State Level Steering Committee under the Chairpersonship of the Chief Minister and are recommended for approval to the Central Government. As already discussed in section one, most powers reside with state government departments and have not been devolved to ULBs. In the case of Mumbai it is the state government of Maharashtra that can make changes in the Development Plan without any reference to the ULB. The Slum Rehabilitation Authority's rehabilitation scheme, 1995, the changes in Floor Space Index for re-development of cessed buildings, 1999, and alterations in the Development Control Regulations regarding the re-development of textile mills, 2001 — all took place upon the initiative of the state government and under its dominance.

Moreover international agencies such as the World Bank and Asian Development Bank fund

important projects in many cities of India including Mumbai such as the Mumbai Urban Transport Project. The World Bank and other international development agencies emphasize "the need to privatize urban services, such as waste management and water provision as the only way to make them efficient" [Chaplin 2007: 84]. Mumbai is one of the five cities included in the centrally sponsored Megacity Scheme launched by the GoI in the Eighth Five Year Plan (1992–97). The Scheme aims to prepare local governments to use institutional finance and eventually market instruments like municipal bonds for capital investment requirements.

The Municipal Corporation of Greater Mumbai (MCGM) covers an area of over 437 square kilometers and caters to the civic needs of over 11.5 million citizens and employs 140,626 people. The municipal corporation had an annual budget of 11,425 crore rupees (approx. $114 billion) in 2008/09, which substantially increased to 20,417 crore rupees (approx. $204 billion) in the 2010/11 financial year. The MCGM attributes this increase in its budget, as working towards the central theme of 'transformation of Mumbai into a World Class City', which is sought to be pursued through multi-pronged initiatives in various spheres of municipal functioning like strengthening civic infrastructure, upgrading social infrastructure and amenities, cleanliness and improvement of city environment, city beautification and creation of places of tourist interest, disaster management and improving disaster preparedness, improving civic services and citizen facilitation, institutional improvement and reforms. One cannot ignore the emphasis on cleanliness, beautification and disaster management (as an aftermath of the floods of July, 2005) in the list. Most of the cleanliness, beautification and disaster management initiatives are sought to be achieved through effective CSO partnerships.

The MCGM has three broad sources of income — octroi fees, charges and taxes, grants from the state government, capital receipts from quasi-government organisations like the MHADA and international agencies like the World Bank. The MCGM has a "strong negotiating position vis-a-vis the state government because it controls the majority of funds needed to provide services" [Nainan and Baud 2008: 120]. The MCGM has a two tier system the head office carries out planning and maintaining primary infrastructure, while the ward offices carry out functions like solid waste management, road repairs and small projects. The Mumbai Municipal Corporation Act of 1888, within the framework of which the Corporation and the Commissioner function, has specified 9 statutory collateral authorities charged with distinct responsibilities of city government. Mumbai is divided into six administrative zones with 24 administrative wards, each with a ward office managed by a ward officer (now designated as Assistant Commissioner) and 227 elected representatives.

There is a Municipal Commissioner to oversee the activities of the MCGM. There is a police commissionerate for the entire MCGM area headed by the Police Commissioner. Executive authority vests with the Municipal Commissioner, who prepares the budget and presents it in front of the Standing Committee. Once approved by the latter it is voted by the corporation. The Commissioner also has a wide range of "executive, deliberative, emergency and financial powers, however the corporation restricts and prescribes the manner in which the powers are wielded" [Pinto 2008: 49]. The 227 elected representatives exercise general authority over civic affairs through budgetary and financial controls. The 227 councillors are directly elected by voters in the city. Each represents an electoral ward and has an "annual budget of rupees. 2 million (US$ 43,478) for development work in his or her constituency, they also work together in administrative ward committees, each combining between eight and 20 electoral wards" [Nainan and Baud 2008: 122]. Politically the MCGM has been the preserve of the Bharatiya Janata Party and the Shiv Sena while the State government is controlled by the Congress party combine.

The administrative wing of the MCGM is responsible for a wide range of services including solid waste management, water supply, drainage and sewerage systems, and public roads. It runs hospitals, health centres and primary schools. City planning also resides with the MCGM; it implements development plans jointly with the MMRDA and MHADA and sanctions building proposals. MCGM departments decentralize their activities in the city through ward offices, which manage the activities for particular administrative wards. The largest department in terms of employment is the conservancy department (dealing with solid waste management).

The next section discusses the interface of a multitude of CSOs of varying ideologies, visions and interests, interfacing in urban governance in Mumbai.

4. Civil society and citizens' activism in urban governance

Civil society engagements in Mumbai have taken various forms — citizens' movements for rights and privileges, interventions through press, informal and formal workings of governance cutting across civil society and political society, working class movements, movements around language and ethnicity. The evolution of the first kind of 'civil society' in Mumbai is strongly embedded in the colonial context of the city. Even the most rudimentary formations of early civil society in the city were marked by an engagement with the state for certain rights. This engagement, spanning over a long period in colonial and postcolonial history, is also linked with the evolution of the discourse

on citizenship, shifting power structures, class formation, formal and informal politics and various forms of engagement with the state (for details see Hazareesingh, 2000). Appadurai [2000] notes that throughout the 20th century, and even in the 19th century, Mumbai had powerful civic traditions of philanthropy, social work, political activism, and social justice, reiterated by authors like Desai,1999. There is a clear disjuncture in the situation in the post 1990s with economic liberalization, the move towards democratic decentralization after the 74th CAA and the good governance discourse. There is a well-established discussion on the movement from service provision on the part of governments to "collaborative work with the private sector and citizen movements" [Baud and Nainan 2008: 483].

CSO and urban local body partnerships across sectors like housing for the poor, education, health and solid waste management, are situated within this trend where local urban governance is being redefined and reshaped both, globally and nationally. Since the 1990s, the term 'civil society' has been increasingly invoked by India's urban middle classes to describe their own expectations and aspirations for urban governance. This is reflected in the rise of government and middle class-driven civil society partnerships in Mumbai, as well as in other megacities like Delhi [Harriss 2005; Lama-Rewal 2007], Hyderabad [Kennedy 2008], Chennai [Baud and Dhanalakshmi 2007; Coelho and Venkat 2009; Harriss 2007] and Bangalore [Baindur and Kamath 2009; Ghosh 2005; Kamath and Vijayabaskar 2009; Nair 2005; Ranganathan et al. 2009].

Table 1.1 maps out the CSOs interfacing in urban governance issues in the megacity context of Mumbai. In particular it brings out the variations in rationale, functions, interests and membership profile. This table drives home the point how the involvement of CSOs of various hues, ideologies and motivations have further rendered the city as a theatre of struggles, politics and contesting claims and competing discourses.

Table 1.1 Schematization of CSOs interfacing in urban governance in Mumbai

CSOs interfacing in urban governance from the perspective of middle class/high income sections	
AGNI (Action for Good Governance and Networking in India)	*Mission*: AGNI is a non political, non-sectarian movement for good governance and its basic unit Joint Area Action Group (JAAG) in each ward; helps build interaction between citizens, administration and elected representatives. *Areas of work*: Working in the area of good governance network at the ward level since 1999 as a partner of the MCGM. It networks citizen groups so as to create the democratic "numbers" that no political system can easily ignore. It works with government agencies for transparency and accountability in them. Each organisation in the AGNI network maintains its own goals, character, structure and activities. AGNI promotes communication among them and collective assertion by them vis-à-vis political and administrative authorities. In 1999, it was decided that clusters of

AGNI (Action for Good Governance and Networking in India)	NGOs, resident associations, and voluntary institutions would organise themselves at the electoral constituency level to exert democratic pressure on the MCGM. *Focus*: Garbage collection, sanitation, hawkers, encroachments, illegal constructions and crime became the priority issues. Among its campaigns, AGNI's efforts to scuttle an MCGM workers' strike brought it into the limelight. *Members*: Ex-bureaucrats and media people. *Partners*: MCGM. AGNI helps citizens form resident associations called Advanced Locality Management (ALM) groups and was assigned an informal role during the 1990s in facilitating the formation, networking and capacity building of ALMs and ALM networks.
DIGNITY FOUNDATION	*Mission*: Dignity Foundation was established in 1999 to bring together senior citizens and engage them in meaningful work by which they could also contribute to society. It is a non-political body and functions as a registered Public Trust. *Areas of work*: DF offers services like the Dignity Civic Services, Security with Dignity, Dignity Dialogue, Dignity Second Careers, Dignity Companionship, Dignity Helpline, Dignity Investment, Computer Training, senior Citizens identity cards, Dignity Counseling Centre and Dignity Homes that are being planned to be built in Lonavla. *Members*: Senior citizens from high income groups. *Focus*: Civic issues. Every year the DF felicitates some municipal staff and their own DF members. Communication and dialogue is regular with the MCGM, Ward office, junior officers, conservancy workers, Junior Engineers of the maintenance, conservancy, SWM and utility staff. Interaction and follow up is done politely and persuasively. *Partners*: MCGM, Stree Mukti Sangathan, NGO Force Forum, Fescom, Worspa, housing societies, clubs, associations, police and railway authorities across the city.
CITISPACE	*Mission*: Fighting for open spaces and against encroachments in Mumbai. *Members*: Citizens from high income bracket living in South Mumbai. *Areas*: Forefront in protection of open spaces in the city, free from encroachments including street vendors and slum communities. Carried out many campaigns and judicial processes.
PRAJA	*Mission*: Governance reforms, recommendations to local government. *Areas of Work*: Citizens' charter and handbook, online complaint management system, accountability, PRAJA Dilogue (E Citizenship). *Focus*: involving citizens of Mumbai in local governance primarily though the internet. *Members*: Educated middle class citizens, consultations with experts in the field of public policy, and former government officials.
SAHASI PADYATRA MOVEMENT	*Mission*: Established on 26th January 2008 as a movement for the rights of the pedestrian joined by many prominent activists. *Partners*: Satyagrahas are often carried out in partnership with organisations such as H-West Ward Federation, Dignity Foundation, Borivli Dahisar Jagrut Nagrik Manch (BDJNM), Citizens' Forum of Borivli etc. Hundreds of women and senior citizens in Bandra, Vile Parle, Borivli, Bombay Central, Matunga and Chembur participated in "Padyatri Satyagraha", painting pedestrian lanes on main roads and formed human

SAHASI PADYATRA MOVEMENT	chains, many hundred metres long.
	Members: Citizens, resident welfare associations and activists from middle class and elite sections.
	Focus: The erosion of the pedestrians' right to walk safely has been gradual over the past two decades. The motorist's ability to honk a blaring horn and to subtly threaten to run down someone who obstructs him has skewed the balance. The pedestrian, by contrast, endlessly adjusts and modifies his path, peacefully yields the centre of the road to moving vehicles and the roadside to parked vehicles etc. The pedestrian rarely protests — and this has been his undoing. Sahasi Padyatri is essentially focused on creating a pedestrian-friendly and citizen-friendly environment. It believes that a preponderance of public transport and a diminished role of private transport is the way for our city to attain sustainability. Public space is a precious resource that must be jealously guarded.
CSOs interfacing in urban governance from the perspective of urban poor groups	
APNALAYA	*Mission*: Apnalaya is an NGO founded in 1972 to help children living in slums towards a better life. Apnalaya strives to achieve this through urban community development projects in Mumbai. Its role is one of empowerment: of encouraging ordinary men and women to believe in themselves and in their abilities to change their lives for the better.
	Members: Apnalaya's programmes are carried out by over 60 trained and dedicated community based staff, who work hand in hand with 7 professional social workers and 3 doctors, under the guidance of the Director.
	Areas of work: The main area of work is Shivaji Nagar, Govandi, with communities around the dumping ground: Rafi Nagar, Baba Nagar, Shanti Nagar, Padma Nagar and Chickalwadi. Other centres are located in Chikuwadi in Mankhurd, Wadaripadda in Malad, and Datta Mandir and Jaiphalwadi in Tardeo.
	Focus: Children and women. Programmes such as balwadis and study classes, sponsorship and recreation, and to reach larger numbers through community programmes, offering training and support to community groups to run similar programmes. Apnalaya also strives to improve the condition of women in the communities, helps them with vocational training and to form savings groups, to sort out family problems, and to know how to protect themselves. The approach is both direct and indirect, moving between service delivery and a rights-based approach to health, since it cannot hope to provide all the services needed.
	Partners: MCGM, communities, and other NGO. From identification of needs and problems, to planning and execution of projects, local people are involved at every stage. The prime focus of Apnalaya's work is community development, the ultimate aim — to empower the communities to take up and resolve issues which impact on their quality of life, building the capacity of the people through training, thereby enabling them to negotiate for, and make relevant government programmes functional in their respective areas.
CORO (Committee of Resource Organisations)	*Mission*: CORO's activities are rooted in building community members' awareness of their rights and equipping them with the skills to claim and exercise them.
	Areas of work: It first worked for Literacy. It is a community-owned organisation working on holistic community development in the Chembur-Trombay region of Mumbai. CORO's work is entirely directed by the needs and desires of its communities.

CORO (Committee of Resource Organisations)	As a result, cultivating grassroots leaders through training and capacity building has become CORO's niche. CORO's "Unique Demonstrative Proposition" is its competence in training grassroots leaders. It is based on understanding that CORO has acquired in the past 20 years about: Urban community issues, Strategies that truly work at the grassroots, Community dynamics and politics, How to identify potential leaders, How to create support structures for collective leadership, Tools for bridging gaps between macro-concepts and micro-realities. Community members have identified these priorities to be addressing domestic violence and access to basic services (water, sanitation, solid waste disposal), education, health services, and housing especially women who are the most oppressed members of the communities and the most potent and energized drivers of change. *Focus*: CORO focuses on empowering low income community women and approaches community development with a concentration on gender equality. *Members*: Since the emphasis is on communities, CORO's staff is all from communities within CORO's work area.
GHAR BACHAO GHAR BANAO ANDOLAN	*Areas of work*: Slum dwellers, pavement dwellers and those hawking on public spaces who are constantly under attack and are invisible to the policy makers. *Members*: Slum communities and housing activists following rights based approach. *Partners*: affiliated to the National Alliance of Peoples Movement.
FERIWALA VIKAAS SANGATHAN	*Mission*: Workers' issue. *Focus*: Rights of street vendors. *Areas of work*: Mumbai wing of the National Hawkers Federation.
STREE MUKTI SANGATHAN	*Mission*: Solid Waste Management and livelihood of women rag pickers. *Areas of Work*: The Parisar Vikas programme was launched in the year 1998 by the Stree Mukti Sanghatana with the cooperation of the MCGM. The programme aims to address the problems of waste management and of self-employed women engaged in the 'menial' tasks of collecting waste. *Focus*: Livelihood issues of women from low income groups. *Members*: Women from low income groups. *Partners*: MCGM, other NGOs
LEARN (Labour Education and Research Network)	*Mission*: LEARN was established in 2000 to conduct research work on the informal sector. *Focus*: Informal sector. *Areas of Work*: • Trade Union Education. • Initiating a dialogue on demand for a policy on unorganised workers and working out a draft policy in consultation with groups. • Facilitating formation of district level networks of organisations working with the unorganised workers. • Helping in formation of trade unions and other membership based organisations. Besides helping in union formation, LEARN is also interested in linking other activities with the trade unions. It has successfully helped in creating a credit co-operative

LEARN (Labour Education and Research Network)	society in one of the trade unions of street vendors in Mumbai. LEARN took initiative in forming a platform of all organisations (NGOs, and Social Movements and individuals) called "Aapli Mumbai", to voice the rights of the majority of the citizens of Mumbai, who are staying in slums. Through this platform of Aapli Mumbai, LEARN supported the drafting of a model State Slum Policy Draft based on the guidelines of National Slum Policy.
	Members: In 2007 LEARN started its own membership organisation called LEARN Mahila Kamgaar Sangathana of domestic workers and LEARN Kachra Patra Kagaar Sangathana of waste pickers.
	Partners: • INSAF (Indian National Social Action Forum) — LEARN is State coordinating organisation for INSAF in Maharashtra. Presently through INSAF, it is involved in extensive campaign on NURM and its impact on the poor. • SEWA — LEARN has build up a good understanding and network with SEWA which is helping in building up the unorganised sector women workers cooperative by sharing their vast experience. • Aapli Mumbai — LEARN is a convening organisation of this platform. Through Aapli Mumbai it is working on the housing rights of poor and on various development issues in Mumbai. • NASVI (National Alliances of Street Vendor in India — is a national level federation of organisations / unions of street vendors, around 72 organisations are members of NASVI) LEARN is executive member of NASVI and is Maharashtra state coordinator. • STREET NET — is an international network of waste pickers and LEARN is a member of this network. • WIEGO (Women in Informal Economy — Globalising and Organising) — is an international network of organisations working with women in informal sector. LEARN is a member of this network. • Kamgaar Hakh Abhiyaan — is a platform of 40 organisations working with informal sector workers in Mumbai, Nasik, Thane, Solapur and Nagpur. LEARN is the convening organisation of this platform.
CENTRE FOR PEACE AND JUSTICE COMMISSION	*Mission*: Church-based organisation under the Bombay Catholic church or the Archdiocese of Bombay.
	Focus: Human rights and governance issues. The legal aid cell provides free legal service to the poor for 'out of court settlement' of legal disputes, mainly those related to property and marriage. The documentation department is carrying out research work in two main areas, climate change and solid waste management. The issue of solid waste management is an important component of urban governance especially in a megacity like Mumbai and the Centre is researching in this area drawing from the experiences in other parts of the world in order to address the issue in a better way.
	Areas of work: The main executive wing is its Training, Research and Documentation Centre at St Pious College, Goregaon, in the western suburbs of Mumbai. The Centre has four departments — Legal Aid, Human Rights Cell, Training and Documentation. The Centre has 40 to 45 centres all over the city of Mumbai and the target population are the urban poor and the marginalised. The Centre creates awareness programmes and plan joint action programmes in slums located in various

CENTRE FOR PEACE AND JUSTICE COMMISSION	areas of Mumbai like Santa Cruz, Malad and Kurla. It has its own federation called the Federation of Centres of Community Organizations. Each centre is independent and the Centre coordinates their work. In slums the target population is women. The Centre helps them organise into Self Help Groups and Mahila Mandals, also known as Bachat Ghar, provide them with legal knowledge. The Centre is part of various networks like the Mumbai Initiative for Human Rights Education which in turn forms part of the International Human Rights Education Consortium with its headquarters in the US. The Centre interacts with colleges, universities and education institutes in trying to figure out ways in which Human Rights can be included in the curriculum. *Partners*: NGOs like YUVA, Ashakur and Vikaas Adhyaan Kendra MCGM.
JUHU MORAGAON MACHHIMAAR VIVIDH KARYAKARI SAHYOG SANSTHA	*Mission*: Rights of livelihood and habitat of fisherfolk living in the Juhu Moragaon area for generations. *Areas of work*: Fishermen community at Moragaon is pleading repeatedly to put a halt on Slum rehabilitation project which has been acting as a threat to their livelihood and habitat. This project has been designed to encroach the land allocated for the community. They have been protesting the scheme since it was first planned in 2002. The scheme enlists 273 existing tenements containing several fake names. *Members*: Fishing community
CSOs interfacing in urban governance for greater political roles of citizens	
Loksatta	*Mission*: Political and governance reforms. *Areas of work*: The NGO wing, a citizens' movement was initiated in 1996 and has continued since then. It is a movement for political reforms. Today governance is power centric, there is a need to bring the government close and accountable to the people. After all they pay taxes and hence have a right to certain services. Therefore the need for systemic reforms. Loksatta has a party wing as well. The party was formed in Andhra Pradesh in 2006 and in Maharashtra it was formed in 2009. Loksatta entered politics because it believes that no change can happen unless power is shared, succeeded in this experiment during the municipal elections of 2007 by electing one candidate from ward 63 in Mumbai who fought the municipal elections and won as an independent candidate. Though he does not have the support of any political party, he has the mandate of the people in ward 63. Goal is to fight the assembly elections in Andhra Pradesh and Maharashtra and get the Nagar Raj Bill passed. This Bill will bring about significant changes in empowering people in urban governance something that the 74th CAA aspired for but could not achieve. *Partners*: CSOs, MCGM *Members*: Educated, middle income and elite citizens
YUVA(Youth for Unity and Voluntary Action)	*Mission*: Urban issues from the citizens' perspective *Areas of Work*: works in several clusters dealing with urabn issues. Habitat cluster relates to governance, participation, housing and basis services, economic cluster relates to livelihood and unorganized sector, another cluster deals with Child, Women and Youth Rights. It is also involved in training, consultation, advocacy and preparation of several policy documents. Experimenting the Area Committee model and advocating towards the passing of the

YUVA(Youth for Unity and Voluntary Action)	Community Participation Law in Maharashtra. *Members*: Works as a professionally organised NGO governed by a trust. *Partners*: Several organizations working on similar issues
JCWG (Juhu Citizens' Welfare Group)	*Mission*: governance reforms, civic issues and political mobilisation of citizens *Areas of work*: The JCWG lobbied hard as a part of the Vote Mumbai campaign with the state government to carry out systemic reforms in governance before the civic elections. When the government ignored it, the JCWG decided to set up a model of good governance itself by nominating its own candidate. Along with Loksatta, for the municipal elections in Mumbai in February 2007, JCWG zeroed in on ward number 63 of Juhu from among 227 municipal wards in Mumbai to create a model of good governance which could then be replicated all over the city. The JCWG played an important role in the removal of hawkers from the Juhu beach and the implementation of the beautification plan. It carried out important campaigns - against the use of plastic, the 'Go Green' movement, the 'No Plastic Shopping Bag' campaign at the Sun and Sand Hotel in Juhu sponsored by the ABN AMRO Bank. *Members*: Residents in Juhu, mainly belonging to higher income and elite sections *Partners*: MCGM, other NGOs like Loksatta

Table 1.1 brings out the range of CSOs actively involved in urban governance in Mumbai. From the table it is evident that most associations are led by the educated middle classes. A host of CSOs also works for poor urban citizens. The leadership however comes from the middle class. In particular CSOs working in partnership with the ULB is of particular significance here. Such partnerships mark the rise of a new kind of activism in the post-1990s across cities in India. Middle class led CSOs and their partnerships serve as viable alternatives to address issues of urban governance like cleanliness, beautification, and management of open spaces working in tandem with the ULB and consequently off load many of the constitutionally mandated services to non- state actors. Partnerships also provide spaces for participation for the propertied middle class citizens. The priorities, modus operandi and attendant exclusionary discourse that evolve, are tied to the particularized class situations of this section and not the bulk of population that inhabit the city. Middle class led associations vociferously demand reforms in urban governance, accountability from the ULB, greater participation of citizens in governance and decentralization. CSOs like AGNI, Loksatta, PRAJA, YUVA, and JCWG have spearheaded this political mobilization of middle class CSOs in Mumbai.

In contrast, the right to the city entered the urban governance discourse through mobilization of urban poor groups, which form the bulk of the city's population. The subsequent making of the

alternative discourse can be historically located in the 2004–2005 when Mumbai witnessed massive slum demolitions rendering 300,000 people homeless, noted in exiting literature [Roy 2009]. CSOs actively involved in the mobilization of the city's grassroots, articulated an alternative discourse on urban space and rights and openly opposed the officially recognized discourses. The Ghar Banao Ghar Bacho Andolan, the Feriwala Vikaas Sangathan and the Juhu Moragaon Machhimaar Vividh Karyakari Sahyog Sanstha are in the forefront of those CSOs advocating the rights of the urban poor groups like street vendors and slum dwellers.

The interplay of varied CSOs addressing urban governance issues in Mumbai, having different ideological and political leanings, goals and visions have rendered the space of urban governance extremely fragmentary.

5. Contesting discourses and competing claims

In contemporary urban India various agencies (local, national and international) and their attendant, often conflicting discourses interact while addressing urban governance issues in the city. Struggles between various groups over urban governance issues — infrastructure development, urban space, open spaces, water, and solid waste management have intensified in the post 1990s and have become more visible through their respective CSOs. While CSO partnerships, usually spearheaded by sections of the middle class in Mumbai could be the domain of what Chatterjee [2004] calls "civil society" peopled by proper citizens positioned against the "populations" belonging to political society, one cannot really interpret the urban poor as only passive recipients of welfare. Instead in mega cities of India like Mumbai, Delhi and Bangalore, the urban poor are active agents in forming alliances and staking claims to contested city spaces. Applying what is termed as "politics of stealth" [Benjamin 2000] or "negotiated development" [Roy 2009] urban poor groups could be seen to be as active as the elite in staking claims to the city; sometimes employing the rights based approaches (as in the case of National Alliance of Peoples' Movement) or unique strategies of participation (as in the case of Society for the Promotion of Area Resource Centres). So the "politics of forgetting" [Fernandes 2004] the urban poor as part of the larger project of spatial purification can only partially explain the developments in cities like Mumbai.

In the megacity context of Mumbai, urban poor groups lobby at various levels of the government machinery to stake claims to urban space and also in their struggle to access collective goods and services. This is corroborated by several studies [Sen 1998; Sharma 2000; Anjaria 2006]. The ways

in which different social groups (comprising both rich and poor citizens) negotiate with various agents of the government reflect the "empty spaces" that are open to interpretation, constantly negotiated in the everyday struggles of day to day existence and even to accomplish larger economic objectives. These empty spaces traverse the boundaries of urban planning, law, policies and practices of urban governance that can best be understood in detailed examinations of each such case in the city context. The interplay of formal and informal processes in urban governance has already been established (for details see Hansen 2000; Eckert 2002; Masselos 2007; Weinstein 2008).

Partnerships across sectors of urban governance, involving middle class led CSOs act as 'cushion' for those exclusionary government policies that work against the interests of poorer citizens, whom the local government may perhaps not like to confront directly. Such exclusionary policies, for instance, zoning laws, vociferously advocated by middle class led CSOs, are part and parcel of urban restructuring and governance processes, nevertheless. For instance, in their spatial practices, CSOs like the Juhu Citizens' Welfare Group in Juhu have been forthright and also succeeded in removing street vendors and small shopkeepers from their neighbourhoods. They used their professional expertise citing zoning and planning principles clubbed with aesthetics to negotiate with municipal officials to remove the so-called encroachments (read street vendors).

Such CSOs are mostly formed by the educated, higher middle income groups and elite sections of the city, usually formed by a few residents of the locality through self-selection. They claim to represent the general interests of the 'law abiding citizens' (that implicitly exclude street vendors and hawkers, slum communities in the concerned area). Middle class, educated urban Indians also have at their disposal a repertoire of specialized knowledge pertaining to issues like the need for a clean and green environment, open and green spaces, waste segregation, management and vermicomposting. They also possess adequate social capital, are well connected and well-resourced and make best use of the internet and mass media to make themselves visible and act as pressure groups on the ULB. Middle class and elite citizens, informed by their class situations articulate exclusionary discourse on governance based on efficiency principles rather than considerations of justice and democratic norms.

The alternative discourse calls into question the exclusionary discourse articulated by middle class led CSOs and their partnerships and provides useful pointers for policy decisions like inclusive zoning, rethinking the idea of informality and a concern for livelihoods of the people. Consequently, CSOs linked with the alternative discourse comprise various grassroots level social movements,

and NGOs working on slum communities, street vendors and contract workers. Thus CSOs with the alternative discourse argue that while middle class led CSOs coupled with government policy fight against encroachments and oppose the fact that hawkers carry out private business on public space; nobody raise their voice against big restaurants like the Salt Water Grill in Marine Drive and the McDonalds on D N Road which have also encroached on public land with permanent structures and have violated several building development laws. On the issue of slums and illegal settlements, an activist of the Ghar Banao Ghar Bachao Andolan, advocating the right to the city approach, pointed out,

> A lot of respectable business houses and building development lobby have flouted development control rules and twisted and abused norms and policies like the slum rehabilitation programme to gain profits. So they are no less encroacher than us. Another form of encroachment is through the use of lease. Again through a Right To Information application we found out that a total of 1,947,372.94 square metres of the District Magistrate's land has been leased out for residential and commercial use in the prime areas of the city fetching an abysmally low rent. There are also examples where building developers have purchased land from the government for peanuts to partially construct houses for the poor and partially for commercial sale. However, they backtracked (interview, March 2010, member of the National Alliance of Peoples' Movement).

The alternative discourse is based on the right to the city approach and insurgent citizenship. Organisations of fishermen in Mumbai like the Maharashtra Machimar Kruti Samiti and the National Fish Workers' Forum are fighting for the basic rights of fishermen and their habitat that is being grabbed by builders in Mumbai. A fisherman activist explained,

> In 1988, we had requested the government to allot us land for constructing our homes but the Housing and Special Assistant refused us citing Coastal regulation zone rules. We, therefore, started constructing houses on the West ward of the plot adjoining the plot bearing C.T.S. number 7 reserved for playground. On January 17th 2005, 150 houses were demolished by the Deputy Collector despite a High Court order not to do so. We have written to the Chief Minister of Maharashtra and also applied to the government for grant of land for construction of houses under the centrally sponsored scheme for housing of backward classes of fishermen. Three plots in the region each of which is over 9,000 square metres have been earmarked for fishermen housing on the development plan. But

this prime plot of 10,000 square metres facing the sea has been grabbed by a builder who posed himself as a slum dweller. Actually, this land is a mangrove reserved for fishermen's housing, but the Slum Rehabilitation Authority has approved a slum rehabilitation scheme and also allowed additional Floor Space Index. The developer has plans to construct buildings that will be put for commercial sale on a sea facing strip, while the existing tenements will be accommodated in three ground plus 6 buildings located away from the sea (interview, February 2010).

6. Conclusion

In light of the changes set in urban governance processes due to the interplay of the forces of liberalization, decentralization and urban reforms, there are definite shifts in governance policy and practice and a consequent profusion of parastatals, regulatory bodies, autonomous bodies and CSOs of various hues in the megacity context. The profusion of partnerships across sectors of urban governance, involving non-state actors like CSOs has serious implications on the questions of accountability and inclusion.

First, government departments are increasingly receding in the background and provision of basic services and infrastructure are being passed on to non-state actors under "partnerships". Without a regulatory framework in place this trend has serious implications on accountability. For instance the MCGM has greatly divested itself of the sole responsibility of solid waste management functions by involving communities and passed on its obligatory functions to agencies (contractors and spurious NGOs) that are often unaccountable. Workers receive an unfair deal in the hands of such agencies and lose their entitlements they once received from the government. New partnerships in the sector have brought changes in nomenclature, for instance, the word 'worker' is replaced by 'volunteer' and the word 'wages' was replaced by '*mandhan*'(voluntary work) without any corresponding changes in actual wages and social security. In fact, volunteers are at a lesser bargaining position than regular conservancy workers because their services are contractual and can be terminated any moment. A trade union leader of the conservancy workers of the MCGM narrated the story of a worker called Shekhar Sundaram, who was killed by a truck used for garbage collection. Both the MCGM and the concerned contractor for whom he worked refused to compensate his family. With the intervention of the trade union and a legal battle that went on for 4 years, the principal employer — the municipal authority — was finally made to compensate.

Second, the growing trend of involving non-state actors in the provision of basic services and infrastructure also mars the efforts towards inclusion. For instance the partnership programme in the solid waste management sector, adopted by the MCGM is meant only for registered slums. Hence, non-registered slums have to do away with solid waste management altogether. The question of solid waste management in rehabilitated buildings remains a grave concern with no one in charge. It is the middle class citizens who live in well serviced localities who have benefitted most from such partnerships.

Finally, partnerships between CSOs and municipal government in the arena of urban governance have encouraged a particular form of middleclass activism in Mumbai and other cities, which act as self-appointed civil society players but clearly function in exclusionary ways. Through the articulate use of mass media, other forms of communication, social networks and lobbying, middle-class-led activism has greatly enhanced its role in public life in contemporary urban India. Exclusivist citizen partnerships with the executive wing of the ULB usually bypass municipal councillors, who are the elected representatives of the people in urban constituencies and are therefore accountable to them. Besides, partnerships with the executive wing bypass constitutionally given spaces for participation in urban areas like Ward Committees. While such partnerships may serve as viable solutions to the middle class citizens for "getting things done" they do not work well for disadvantaged sections. Middle class activism is being increasingly challenged by another set of CSOs advocating the right to the city approach to articulate an alternative discourse on urban governance. The complex interplay of formal and informal processes in urban planning and policy also provide opportunities to different sections of the urban citizenry to access the city's resources. The larger implications of these processes on the questions on accountability and inclusion clearly throw new challenges to urban governance in contemporary India that need to be addressed.

Notes

1) Pinto [2008] explains that the Constitution of India describes India as a Union of States. The Centre legislates on its subjects (List I); the states have exclusive power in certain areas (List II); share power with the Centre in some fields (List III); and also control the administrative machinery at the lower levels. There is no local list, the Twelfth Schedule (Article 243-W) which lists 18 functions that could be devolved to municipalities by the state government indicating an overlapping.

2) Census of India (2001) talks of two types of towns (urban centres), namely:

   a) Statutory towns: All places with a municipality, corporation, Cantonment board or notified town area committee, etc. so declared by state law.

    b) Census towns: Places which satisfy following demographic criteria:
      i) A minimum population of 5000;
      ii) At least 75% of male working population engaged in non agricultural pursuits; and
      iii) A density of population of at least 400 persons per square kilometres.

3) The 18 additional functions are:
    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
    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 slaughter houses and tanneries
    [Source: Jain, 2003:354].

4) "The majority of mega cities (cities with a population of more than 10 million) are currently concentrated in countries of the global South. By 2015, 21 mega cities and 37 cities with more than five million people each are expected to exist, most of them in the South. The number of mega cities is expected to grow mostly in South and South East Asia" [Zwingle, 2002: 77; Baud and De Wit, 2008: 2]. "The UN World Urbanisation Report 2005 shows that starting with an already large urban population in Asia, and having a relatively high growth rate over the next 25 years, Asia will rank first in urban population by 2030" [Baud and De Wit 2008: 2].

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