

Governing Locally

India and other countries chose a decentralised mode of delivering public services through elected local governments for increasing public welfare. However, great expectations of effective services, increased accountability and people's participation were widely belied in practice. Based on field research in cities of Gujarat, Kerala and Tamil Nadu, the book is a detailed examination of how state and local governments function and why decentralisation outcomes vary considerably. It locates the primary reason in governance practices that compromised autonomy and capacity of urban local governments. The book demonstrates that despite a constitutional mandate for decentralised governance, policy implementation got derailed in processes threading through laws, rules and administrative actions. It shows how habitual practices create hidden institutional rigidities that thwart policy moves despite good intentions and democratic legitimacy. The book also discusses how to navigate policy to skirt hidden threats to successful implementation.

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Institutions, Policies and Implementation in
Indian Cities

Babu Jacob

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For Lizzie, Amma

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Preface

Years ago, my son Suraj, then a research student, wanted to know how the government works and asked me to write about it. Despite long years in the Indian Administrative Service, I little knew how to describe how government works. I made a note in my mind.

Towards the end of my administrative career, I began to feel that I could work not just within existing frames of government but more importantly, on the frame of government itself, to make actions and outcomes more effective. That was a breakthrough. The product was an innovative, participatory approach to creating road infrastructure. It involved reconceiving how to get something done within a specific domain of the government, drafting and facilitating a law (the Kerala Road Fund Board Act) and a new way of organising the work and decisions around it. One of its projects was a capital city road programme that brought different actors together: the mayor, city councillors, state legislators, and other politicians and bureaucrats. Frequent interactions with the mayor and councillors energised the programme considerably. I began appreciating the deep potential of local leadership for local action. Local elections had been stabilised by then. They generated leaders with remarkable capabilities, interest in city development and intimacy with city localities. I wondered how well they were performing. The monsoons were a good opportunity to gauge this. In the capital city, the annual stormwater surge inundates downtown areas just across from the state government headquarters and floods the central bus and railway terminals. As an almost repeat annual feature, government ministers rush to the spot and hold conferences while the mayor looks on helplessly. Getting stormwater flushed out – could the mayor’s team not do it? This was a dramatic instance of the fact that even with constitutional changes to empower city government, local leaders were not running local public affairs. It needed the state government to drain out stormwater, and that too, not one government minister but four because it concerned four departments (water, roads, transport and local government). And did the four ministers succeed? No. After a while, a government order (GO) was issued to proclaim that the problem should be resolved. Each department – by this time the number of concerned departments had climbed to a dozen – went on to do one thing or the other but ultimately the GO could not

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get them to address the problem. Knowledge, technology, personal competencies, policy design, administrative leadership, accountability, coordination – all of these were possible reasons and yet there was no one person or office that was answerable. The city mayor was kept out of all this. Politics, constitution, parliament, state assembly, law, rules, bureaucracy – everything was there but nothing seemed to address the problem. Big, big actions were rolled out for small matters, and yet they were unsuccessful.

I approached the Kerala Road Fund Board as an act of rethinking and redoing ‘government’. I realised that we were in fact chiselling at things like organisation, structure, coordination, accountability, decision-making, policy, autonomy, institutions and implementation. Our approach to the law and administrative rules squared with the literature on statute drafting, administrative law, delegated legislation, administrative overreach, legislative oversight, and so on. I knew well that politics inhabits policy and that policy includes all happenings up to the ‘street level’. Notably, straddling the tenures of two different governments, one leftist and the other centrist, the new Act could elicit the support of both for a significant policy measure.

So, governance and policy could work, and yet often they do not work. The constitutional reform of the 1990s promised to change the way Indian cities are governed. If it had succeeded, large numbers of local groups would likely be running their own affairs across the country in far better ways. The attempt was to achieve exactly that. Politics was not missing, it occupied the policy field, and in fact, it was India’s politicians who triggered the process of change-making even though it did not succeed. My experience in the road project makes me wonder: when things work, what makes them work? My observation of the city government’s struggles makes me wonder: when things fail, what makes them fail? Is it all simply about how things are done? The earlier question re-emerges: how does the government function, and how does it craft policies that deliver on well-meaning intent? That is why I started on this research venture and this book is the first major output. It took considerable time, a decade: about four years of fieldwork and poring over documents and reports; and another six years of extended observations. If anything, governance seemed to be getting worse. Over the decade, Suraj slowly came into the research and that gave me great strength and companionship and it infused a new level of intellectual input and commitment to untiring work.

I ventured into this task soon after retiring from the government. Lizzie, my wife and colleague in government, shared my concerns. Without her loving encouragement, this work could not have occurred. Similarly experienced like me in governance, her constant sharing of my discoveries cast new light on my path and her assurances gave me great strength. Although retired, I was on a mission to understand the government. It was like working in the cause of the government and for the government,

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although not any specific government. I could draw on my close view of government functioning especially in the concluding years of my civil service career.

I recall that politicians P. J. Joseph as Minister in the E. K. Nayanar government and M. K. Muneer in the succeeding government played key roles in the policy changes in the road sector which measured up to Chief Minister A. K. Antony's call for seeing 'visible improvements' in the state capital by steering through a smoother implementation path. As I started to research urban local governance, V. Ramachandran's robust advice and support encouraged me. He was authoring the report of the Second National Administrative Reforms Commission of India and shared his knowledge and wisdom on governance and life. After I presented my first conference paper, K. N. Nair, the director of the Centre for Development Studies, supported me to submit a research proposal to the Indian Council of Social Science Research (ICSSR). He was with me throughout this effort leading to the book. My service colleague and friend C. K. Koshy in Gandhinagar has been an enormous source of support. He connected me with important players and institutions in Ahmedabad and Gandhinagar, and constantly shared his insights. I was also encouraged by the interest in my pursuit shown by senior colleagues P. M. Abraham and P. G. Muralidharan. I constantly interacted with my friend and colleague M. S. Joseph. I benefited from a discussion with Merilee Grindle at Harvard's Kennedy School of Government, who shared her research experience in Mexico's municipalities.

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I was met with an overwhelming response in the field. It surprised me to see the deep desire for meaningful service and the bubbling hope for change among the numerous local politicians I met. It filled my work with new meaning and elevated my spirit. I cannot list them all, over 600 politicians across states and localities. I am indebted to them all for their deep insights and the interest that they shared with me.

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I had a great many interactions, often multiple times, with several senior and middle-level government officials of both state and city governments. Their cooperation is reflected in the evidence presented in the book.

In doing the research, I had not planned to convert it into a book. This came from Suraj's prompting and his active interest in governance, skill in developing conceptual frameworks, and deep social concern. My daughters Neerada and Anjana, also PhDs in the social sciences and humanities, played a sizeable role by giving their love and care and also helping with editing at different stages. Parts of this book were drafted in their homes and that of Suraj.

31 August 2020
Thiruvananthapuram

Babu Jacob

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Manifestations of governance surround us and yet it is difficult to make sense of the government. Privileged outsiders are sometimes dismissive. Many see incompetence, corruption, violence and retrograde practices. Many more aspire to work in the government. But the outsider-insider distinction is stretched. Today it is difficult to be really outside of the government except in a formal sense. And insiders scarcely can make any more sense of the government than others. Conversations, reading and experience have helped me understand the government only to a limited extent. This book project was a unique opportunity to do this. While I was in the loop during the fieldwork stage, I became seriously engaged only afterwards. I am conscious that general familiarity with the material through fieldwork probing government in other projects is an insufficient substitute. It helped that in the last few years, I led a large organisation and experienced many of the book's concerns (autonomy, capacity, administrative procedures, organisational form, procurement, and so on). In the roughly five years of my engagement on this book project, my contribution focused on exploring the literature, thinking about the empirical material, assembling and reassembling it, and toying with coherent explanations.

I am lucky and thankful for the opportunity to formally work with my father, which is a rare chance for any author. I have learned an incredible amount from this formal association. I experienced new sides of him which deepened my affection and respect for his sense of public service, unflagging energy and keen intellect going beyond political correctness and facile theory. As my training and inclination are towards the academic and the methodological, this association and project helped to ground me and renew my instinct for the importance of academic work that is relevant for policy or that at least has a sympathetic eye for policy. As a consequence of doing

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this, I am more interested in the need to theorise practice, especially administrative and policy practice, and to do it in a way that naturally loops back to and becomes practice.

At one level, ‘understanding government’ is a hopeless aspiration. The project managed to bite off a chewable portion by examining selected city governments. This generated strands that took us wider into other parts of the government, both state and national, but it helped that the wider explorations were grounded in city governments. The book does not foreground concerns of caste, class and gender which have animated my past research, but these concerns are implicit although the focus and lens are different. I found it interesting that the terrain of this book, local self-governance, draws interest from very different angles: liberals, Gandhians, mainstream economists, leftists, technocrats, critics of neoliberalism, communitarians, non-governmental organisations, and so on. However the reader interprets it, I hope the material and arguments will be of interest and lead to more explorations of governance. And the philosophical edge of autonomy, agency, freedom and justice is never far away.

My thinking on this book, and more generally, owes a great debt to Ajay Mehta. Working with him and enjoying his hospitality and wide-ranging conversations, I have slowly come to adopt his approach and sensibilities to governance and relationships in the broadest sense. I am also deeply thankful to Balmurli Natrajan for his intellectual companionship and conversations in our joint explorations over the last several years. I am grateful to the Azim Premji University which has given me considerable latitude in following my heart and supporting various projects. Ashok Chandran gave invaluable advice on the book project. We are grateful for the many comments on parts of the draft from several people: Anjana Jacob, Aparna Sundar, Ashok Chandran, Gayatri Menon, Joseph John, Kaveri Gill, Lizzie Jacob, Mathew Idiculla and Neerada Jacob. It has been a pleasure working with Anwesha Rana at Cambridge University Press. My wife Priyanka, daughters Mili and Amira and mother Lizzie Jacob have all breathed this book for the last many months and years. Words cannot convey my gratitude for their presence in my life and for supporting my itinerant instincts over cities and countries.

This book tries to dissect the government. There is a danger that by dissecting, the life escapes and we are left with a limp form. I hope that we have managed to bring some of the life onto these pages.

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Abbreviations

AE	assistant engineer
AEE	assistant executive engineer
AMRUT	Atal Mission for Rejuvenation and Urban Transformation
ARC	Administrative Reforms Commission
ASICS	Annual Survey of India's City-Systems
BATF	Bangalore Agenda Task Force
BJP	Bharatiya Janata Party
BPL	below poverty line
BPMC	Bombay Provincial Municipal Corporations Act, 1949
BSNL	Bharat Sanchar Nigam Limited
BSUP	basic services for the urban poor
CA	constitutional amendment
CDP	city development plan
CDS	Centre for Development Studies, Trivandrum
CEPT	formerly known as Centre for Environmental Planning and Technology, Ahmedabad
CET	College of Engineering Trivandrum
CMD	Centre for Management Development, Trivandrum
CPHEEO	Central Public Health Engineering and Environment Organisation
CPM	Communist Party of India (Marxist)
CPWD	Central Public Works Department
CSS	Centre for Social Studies, Surat
CTP	chief town planner
DDP	detailed development plan
DMK	Dravida Munnetra Kazhagam
DPC	district planning committee
DPR	detailed project report
DTP	detailed town planning
EE	executive engineer
EMS	Elamkulam Manakkal Sankaran (initials of the political leader and former Kerala chief minister E. M. S. Namboodiripad)

Abbreviations xxiv

EWS	economically weaker sections
GIDR	Gujarat Institute of Development Research, Ahmedabad
GO	government order
GoK	Government of Kerala
GUDC	Gujarat Urban Development Company
HPEC	high powered expert committee for estimating investment requirements for urban infrastructure
HUDCO	Housing and Urban Development Corporation
ICSSR	Indian Council for Social Science Research, Delhi
IIMA	Indian Institute of Management Ahmedabad
IIPA	Indian Institute of Public Administration, Delhi
IMF	International Monetary Fund
IT	information technology
JNNURM	Jawaharlal Nehru National Urban Renewal Mission
KDMC	Kalyan-Dombivli Municipal Corporation
KILA	Kerala Institute of Local Administration, Thrissur
KMA	Kerala Municipality Act
KRFB	Kerala Road Fund Board
KSEB	Kerala State Electricity Board Limited
KSUDP	Kerala State Urban Development Project
KWA	Kerala Water Authority
LDC/UDC	lower division/upper division clerk
LG	local government
LSGD	Local Self-Government Department
MHADA	Maharashtra Housing and Area Development Authority
MIS	management information system
MLA	member of legislative assembly
MMRDA	Mumbai Metropolitan Region Development Authority
MoHUA	Ministry of Housing and Urban Affairs
MoPR	Ministry of Panchayati Raj
MP	member of parliament
NCAER	National Council of Applied Economic Research
NDDB	National Dairy Development Board
NGO	non-government organisation
NHAI	National Highway Authority of India
NIUA	National Institute of Urban Affairs
NPCC	National Project Construction Corporation
NPM	new public management

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PA	personnel assistant
PIL	public interest litigation
PIU	project implementation unit
PSC	Public Service Commission
PWD	Public Works Department
RAY	Rajiv Awas Yojana
RWA	resident welfare association
SCM	Smart Cities Mission
SEC	State Election Commission
SIDCO	Small Industries Development Corporation (Kerala)
SMC	Surat Municipal Corporation
SRFD	Sabarmati River Front Development project
SWM	solid waste management
TAG	technical advisory group
TISS	Tata Institute of Social Sciences, Mumbai
TMC/TC	Thiruvananthapuram (Trivandrum) Municipal Corporation
TNUDF	Tamil Nadu Urban Development Fund
TNUIFSL	Tamil Nadu Urban Infrastructure Financial Services Limited
TPO	town planning officer
TPS	town planning scheme
TWAD	Tamil Nadu Water and Drainage Board