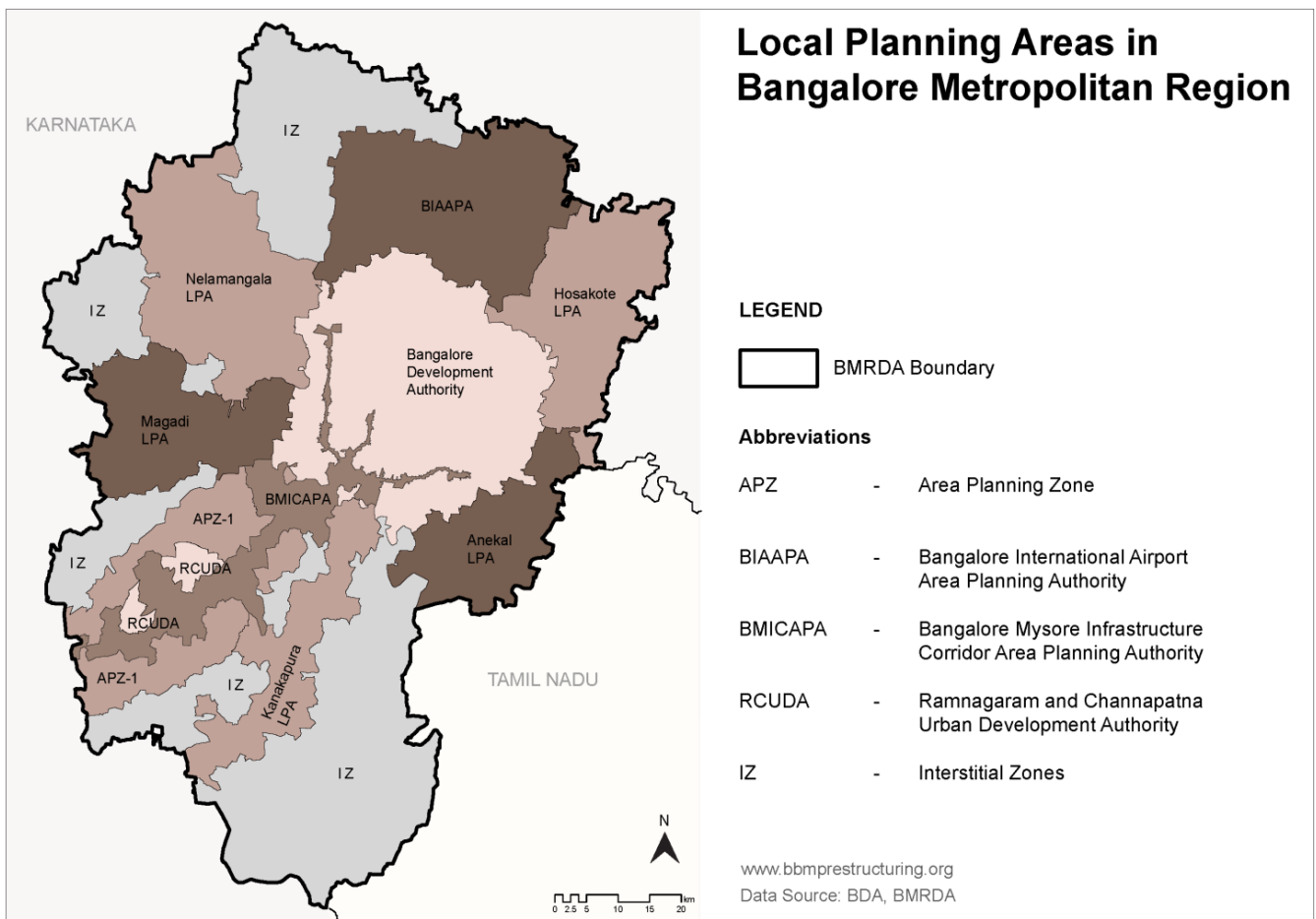


## EXTRACTS FROM THE BBMP RESTRUCTURING REPORT ABOUT THE METROPOLITAN PLANNING COMMITTEE (MPC)

### A. MPC needed at BMRDA level

The MPC is a 74th Amendment mandatory requirement. In our view this should be at BMRDA regional level of 8,005 sq kms (Fig 1l):

1. Bengaluru needs a planning body that looks out for development activities on its outskirts and help accommodate that elsewhere to reduce the burden on the city
2. Land development in the region tends to happen before any government regulated expansion and hence planning for the future requires a larger jurisdiction
3. The current metropolitan region houses several urban local bodies that are almost contiguous to Bengaluru and needs a metropolitan regional authority for coordination, negotiation and cooperation purposes
4. Technically, the spirit of setting up the MPC is to coordinate plans of at least two or more Municipalities or Panchayats. The Development (Master) Plan despite splitting up of the BBMP should remain a single plan as it is one city



Currently the MPC has been notified for the BDA area. No meetings have been held and the issue of MPC composition and functioning is in Court. It is suggested that the MPC be notified as the BMRDA area and the composition and functions of MPC building on the suggestions of the Dr. Kasturirangan committee are laid out in the report. The GBA would be a Local Planning Authority within the MPC.

## **B. THE METROPOLITAN PLANNING COMMITTEE (MPC) AT THE CITY - REGION SCALE**

With a view towards planning and managing the current and inevitable future growth of the city-region, the MPC should be a body constituted at the scale of the region (8,005 sq km of BMRDA jurisdiction) and not at the city municipal or development authority scale. The reasons are as follows:

- Bengaluru while being the primate in the region also requires its expanding activities to be accommodated elsewhere, and evidence indicates the inevitability of such activities choosing a location in its immediate region. Intra as well as inter settlement economic integration and inclusiveness emerges as a priority that needs to be managed by an MPC;
- The dynamic peripheries of the expanding city fuelled by key facilities migrating to the region indicate land development occurs prior to any government regulated expansion and hence planning for the future requires a larger jurisdiction;
- The current metropolitan region houses several ULBs that prepare their own master land use plans and projects with ambitious targets. These plans are almost contiguous to Bengaluru and needs a metropolitan regional authority for coordination, negotiation and cooperation purposes;
- The ULBs and RLBs in the current Bengaluru Metropolitan Region includes 1 Corporation (BBMP), 3 CMCs (Ramanagaram, Channapattana, Doddaballapur), 7 TMCs (Devanahalli, Hosakote, Nelamangala, Vijayapura, Anekal, Kanakapura, Magadi) and 228 Panchayats (RLBs) covering 2511 Villages (as per census 2011);
- If an MPC is set up for Bangalore city (ULB), it will require a District Planning Committee (DPC) at the regional level for multi municipal and RLB coordination. Considering both an MPC and DPC will both require 2/3rd elected members this will be a mere duplication and contain two separate politically heavy organisations trying to determine Bangalore's future. Also due to Bangalore's dominance in population numbers, more than 90% of the members of the DPC will anyway be from Bangalore;
- Technically, the spirit of setting up the MPC is to coordinate plans of at least two or more Municipalities or Panchayats. The Development (Master) Plan despite splitting up of the BBMP will remain a single plan as it is one city and rules out any coordination of plans with other municipalities;
- Functions, roles and responsibilities should be allocated based on scales of planning and could be done through an activity mapping exercise. The fear that such a large area cannot be managed will be mitigated if the role of the metropolitan authority (MPC) does not overlap with that of a city authority or a ward committee and vice-versa;

- The Bengaluru Metropolitan Region Development Authority (BMRDA) enabled by the BMRDA Act, currently prepares a Structure Plan for the region covering an area of 8,005 sq km. With this current institutional armature in place, improving its efficiency, functions and enabling mechanisms is a more viable and preferred option.

### **C. Bengaluru Metropolitan Region Perspective Strategy, Structure Plan and Annual Plan**

The BMRDA which will function as the technical secretariat of the MPC is to continue its task of preparation of the Regional Structure Plan. While The Model Urban & Regional Planning and Development Law (Revised) suggests both a Perspective Plan and a Development Plan, it is recommended to avoid such duplication and time lag. A perspective Strategy shall set out broad policies and vision for a 20 year period whereas the Development Plan with a 5 year term will detail goals, objectives and priorities taking into account various sectoral requirements of panchayats and municipal bodies and their spatial implications within the metropolitan region. Annual Plans will have tangible regional level projects linked to budgets for implementation.

As per the 74th CAA and Model Planning Law, the MPC shall have regard to the plans prepared by the Municipalities and the Panchayats in the region. These plans will not essentially be changed by the MPC but a convergence through rationalization of the plans and policies prepared by local bodies will be undertaken and provide a forum to resolve conflicts and arrive at a comprehensive plan for the Region.

The MPC will address matters of common interest (and common concern) between the municipalities and panchayats, coordinated spatial planning and economic development and social justice. Due regard to enabling the following will be undertaken:

- Regional General Land Utilisation and Densities;
- Environment and Sustainability;
- Integrated Transport;
- Regional Economic Development, Investments & Employment;
- Integrated Infrastructure Development;
- Housing;
- Hazards, Disaster Management & Climate Change Mitigation;
- Institutional Coordination in Planning;
- Policies, Schemes and Regional Projects linked to clear budget outlays.

As per the 74th Constitutional Amendment Act and the Model Urban & Regional Planning and Development Law (Revised) the following terminology are to be understood. The Metropolitan Region being discussed in this chapter is the 'Metropolitan Area' as per the Act for which a 'Metropolitan Development Plan' is to be prepared that gives due regard to the plans prepared by more than one Municipality and Panchayats in the Metropolitan Area. The city area which in this report is the GBA extent is similar to the 'Local Planning Area' for which a 'Development Plan' is prepared.

## D. THE LEGAL FRAMEWORK: METROPOLITAN PLANNING COMMITTEE (MPC)

The 74th Constitutional Amendment requires that a metropolitan area, consisting of two or more Municipalities or Panchayats with a total population of more than ten lakhs, shall have a Metropolitan Planning Committee to prepare a draft development plan for the Metropolitan area. Article 243ZE of the Constitution of India provides that “There shall be constituted in every Metropolitan area a Metropolitan Planning Committee to prepare a draft development plan for the Metropolitan area as a whole”<sup>1</sup> and further provides that State Legislatures may enact legislation for the composition of MPCs, selection/election of their members and their functions.

In order to bring the KMC Act in conformity with provisions of the 74th Constitutional Amendment, the KMC Act was amended (Amending Act 35 of 1994) to provide for the constitution of Metropolitan Planning Committees in every Metropolitan area. Despite the Constitutional provision and state legislation, however, an MPC was not constituted for Bengaluru for more than 20 years. It was only in 2013 that the rules required to operationalize MPCs were issued by the State Government. Following the issue of the rules, members were elected to the MPC in 2014; however, the MPC has still not started functioning.

- **Territorial Jurisdiction of MPC**

As per the provisions of the Constitution and the KMC Act, the state government can define the territory constituting a “metropolitan area” by an executive notification.<sup>2</sup> Currently, the area that has been notified for the constitution of the Metropolitan Planning Committee is the 1219 sq. km. Bangalore Metropolitan Area (excluding NICE) under the jurisdiction of the Bengaluru Development Authority (BDA) and not the 8,000 sq. km Bangalore Metropolitan Region coming under the jurisdiction of the Bengaluru Metropolitan Region Development Authority (BMRDA).

<sup>1</sup>Article 243ZE further provides in relevant part: *Every Metropolitan Planning Committee shall, in preparing the draft development plan,—(a) have regard to—(i) the plans prepared by the Municipalities and the Panchayats in the Metropolitan area; (ii) matters of common interest between the Municipalities and the Panchayats, including co-ordinated spatial planning of the area, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation; (iii) the overall objectives and priorities set by the Government of India and the Government of the State; (iv) the extent and nature of investments likely to be made in the Metropolitan area by agencies of the Government of India and of the Government of the State and other available resources whether financial or otherwise; (b) consult such institutions and organisations as the Governor may, by order, specify.*

<sup>2</sup> Clause (c) of Article 243P of the Constitution of India provide the definition of a metropolitan area- “Metropolitan area” means an area having a population of ten lakhs or more, comprised in one or more districts and consisting of two or more Municipalities or Panchayats or other contiguous areas, specified by the Governor by public notification to be a Metropolitan area for the purposes of this Part” Section 503B of the KMC Act provides that: (1) *The Government shall constitute a Metropolitan Planning Committee for e Bengaluru Metropolitan Area to prepare a draft development plan for such area as a whole.Explanation.- For the purpose of this section "Bengaluru Metropolitan area" means an area specified by the Governor to be a metropolitan area under clause (c) of Article 243P of the Constitution of India.*

As the spatial growth of Bengaluru goes beyond the boundaries of present city, the area currently covered by the BDA and MPC does not accurately represent the metropolitan region of Bengaluru. The Kasturirangan Committee had recommended that the MPC have jurisdiction over the territorial area presently covered by BMRDA which includes the districts of Bengaluru Urban, Bengaluru Rural and Ramanagaram. Considering Bengaluru's projected urban growth, we are also of the opinion that the MPC be constituted for the entire Bangalore Metropolitan Region of 8000 sq.km. As explained in Part I of this chapter, for the 1307 sq.km. of metropolitan area, the Greater Bengaluru Authority will be the planning body.

## E. Composition of Metropolitan Planning Committee

- **Current Set up**

The amendment to the KMC Act in 1994 provided for the establishment of a Metropolitan Planning Committee and specifies its composition. Section 503B of the KMC Act provides for the composition of the MPC to consist of 30 persons, including elected representatives from municipal councils and town panchayats and nominated representatives of the Central and State Government. Further, the Bangalore Metropolitan Planning Committee Rules, 2013 provides that the 30 members be constituted in the following manner:

- (a) Ten members nominated by the State Government (including the chief ministers, urban development minister and officials of government bodies)
- (b) Twenty elected members from urban and rural bodies within the metropolitan area of which eighteen members are from BBMP and Municipalities and 2 members elected by and from the Panchayats.

Additionally, two persons who are eminent Economists or professionals with experience in Town Planning are nominated by the State Government as special invitees. All MLAs and MPs whose constituencies lie within the Bangalore Metropolitan area shall be permanent invitees. While the Commissioner of the BDA will be the member secretary who shall convene the meetings of the committee, the Rules provide that the Chairperson of the committee shall be chosen from among the members.

- **Alternatives Considered for MPC**

In considering the ideal composition of the MPC, we will need to consider its optimal size as well as the manner in which its members are elected/selected. Some options that we considered were the proposals of the Kasturirangan Committee Report and the model for the MPC in Kolkata.

Kasturirangan Committee Report: The Kasturirangan Committee Report suggested that 30 members was inadequate to represent the proposed larger metropolitan region of 8000 sq.km (instead of 1300 sq.km). In order to give adequate representation to the various locally elected bodies in this vast territorial area, the Kasturirangan Committee suggested that the MPC should have 63 members of which 42 would be elected and the rest nominated. It provided that the elected members be elected from the 3 electoral segments comprising of

- (1) Corporators of BBMP,

(2) Councillors of the other urban municipalities and

(3) the Chairpersons of the Gram Panchayats, Taluk Panchayats and Zilla Panchayats

Out of the 21 seats for nominated members, 10 may be provided for MLAs, MLCs and MPs. The remaining 9 nominations may be made from one representative each of manufacturing industry, service industry, trade and commerce, real estate industry; one individual each with expertise on environmental affairs, education or health, urban planning, law; and a Metropolitan Commissioner, who will also be the Member-Secretary of the MPC, not below the rank of Principal Secretary to Government of Karnataka.

Kolkata Metropolitan Planning Committee: The West Bengal Metropolitan Planning Committee Act, 1994 provides for the constitution of the Kolkata Metropolitan Planning Committee (KMPC) which comprises of 60 members. Forty members are elected from amongst the Councillors of the Urban Local Bodies and chairpersons of the panchayats included in the Kolkata Metropolitan Area and 20 are nominated members. Of the 40 elected members, 34 members are from the municipalities/corporations and 6 are from the panchayats included in the Metropolitan Area. The 20 nominated members are made up of representatives of the government including the Chief Minister who shall be the Chairperson of the committee and the Minister of Urban Development who shall be the Vice- Chairperson. It also provides for an Executive Committee for the KMPC which is headed by the Minister of Urban Development. Its members include the mayors of Kolkata, Hooghly and Chandannagar, which are the three Corporations in the KMPC. It also includes the ZP Chairmen of the panchayats included in the KMPC.

The executive committee coordinates the development activities within the KMPA on behalf of the KMPC. The Executive Committee reviews and monitors the work of all the 5 Sectoral Committees dealing with the following Sectors: (a) Water Supply; (b) Drainage, Sewerage & Sanitation; (c) Traffic and Transportation; (d) Environment, Wetlands, Heritage etc.; and (e) Health, Education, Employment and Slum. Each of the Sector Committees is to prepare a sectoral Master Plan/Development Plan that would lay down the strategies of development in each sector and also identify the major schematic interventions needed in each sector over a period of time. The Executive Committee finalizes the sectoral plans and submits them to KMPC for approval.

## **F. Recommendation for MPC for the Bengaluru region**

There is currently not enough evidence on the workings of MPCs for there to be a considered analysis of the optimal composition or functions of MPCs. One reason for MPCs not being functional in most cities could be that the MPCs do not have a mandatory statutory role. The primary initial challenge with MPCs is to get them underway. Considering the proposal by Kasturirangan Committee and the experience of Kolkata, we feel the MPC shall have be constituted by a larger number of members to represent a wide array of interests, in the light of its increased territorial jurisdiction. We would recommend an MPC comprised of 60 members on the terms set out below. The composition of the MPC should have a statutory basis and the KMC Act should accordingly be amended to introduce the following provision:

***Suggested Composition of the Metropolitan Planning Committee at BMRDA scale:***

*(1) The Metropolitan Planning Committee for the Bangalore Metropolitan Area shall consist of a maximum of sixty members.*

*(2) Not less than forty of such members shall be elected by and from amongst the elected members of the Municipalities and the Adyakshas and Upadyakshas of Zilla Panchayat, Taluk Panchayat and Grama Panchyats within the metropolitan area in proportion to the ratio between the population of the Municipalities and of the Panchayats of that area. The election shall be held by the Karnataka State Election Commission.*

*(3) A maximum of twenty of such members shall be shall be nominated by the state government and shall include:*

- i. The Chief Minister, who shall be the Chairperson of the Committee*
- ii. The Minister for Urban Development, who shall be the Vice-Chairperson of the Committee*
- iii. Commissioner, Bangalore Metropolitan Region Development Authority, who shall be the Member Secretary of the Committee*
- iv. Metropolitan Commissioner, Greater Bengaluru Authority*
- v. Commissioner, Bangalore Development Authority*
- vi. The Principal Secretary to Government, Urban Development*
- vii. A maximum of seven members who are experts with wide experience in the fields of urban planning, economics, law, ecology and other fields relevant for metropolitan governance*
- viii. A maximum of seven members from the civil society who are active in civic issues through resident welfare associations, community based organizations, slum federations, chambers of commerce and industry and other such initiatives.*

*(4) All the members of the House of the people and the State Legislative Assembly whose constituencies lie within the Bangalore Metropolitan area and members of the Council of States and the State Legislative council who are registered as electors in such area shall be permanent invitees.*

*(5) The Bangalore Metropolitan Region Development Authority shall be the Secretariat to the Metropolitan Planning Committee and shall provide the Committee with all the necessary administrative support required in carrying out its functions.*

- Proposed Functions of the Metropolitan Planning Committee (MPC)**

Section 503B of the Karnataka Municipal Corporations Act, 1976 provides that the MPC “shall prepare a draft development plan for the Bangalore metropolitan area as a whole.... The Chairman of the Metropolitan Planning Committee shall forward the development plan, as recommended by such Committee, to the State Government.”



The functions of the Metropolitan Planning Committee are set out in further detail in the Bangalore Metropolitan Planning Committee Rules, 2013.

For the MPC to work as an effective institution, its scope and functions need a stronger legislative basis with greater clarity about its objectives and manner of working. Based on the constitutional and statutory provisions, the MPC Rules, various proposals for reforms and provisions of legislations of other cities, it is suggested that the following provision be introduced to institutionalize the functions of the MPC:

***Functions of the Metropolitan Planning Committee:***

*(1) The Metropolitan Planning Committee shall, within two years of its constitution, prepare and publish a 5 year regional development plan, which fairly integrates the interests of all geographic regions, for the Bangalore Metropolitan Region as a whole and repeat this exercise for subsequent five year periods.*

*(2) The Metropolitan Planning Committee shall exercise the powers of the State Planning Board in accordance with the provisions of the Karnataka Town and Country Planning Act, 1961 for co-coordinating and supervising the local planning authorities in the Bangalore Metropolitan Region in connection with the preparation of the various plans.*

*(3) The Metropolitan Planning Committee shall formulate guidelines for compliance for the local planning authorities under Bangalore Metropolitan Region for preparation of master plans, spatial plans and any other urban plans.*

*(4) An executive committee, headed by the Member Secretary of the Metropolitan Planning Committee and maximum of 7 members elected by and from amongst of members of the Metropolitan Planning Committee, shall constitute five Sectoral Committees dealing with the following Sectors:*

*(a) Spatial Planning*

*(b) Infrastructure and Transportation*

*(c) Environment and Ecology*

*(d) Heritage, Arts and Tourism*

*(e) Urban Poverty*

*(5) Each Sectoral Committee has to prepare a 5 year Development Plan that would lay down the strategies of development in each sector and identify the major schematic interventions needed in each sector over a period of time.*



*(6) The executive committee shall review and monitor the work of all the 5 Sectoral Committees, finalize the sectoral plans and submit them to the Metropolitan Planning Committee for approval.*

*(7) The Metropolitan Planning Committee shall, in preparing the draft regional development plan, have regard to,-*

- (i) the plans prepared by the local authorities in the Metropolitan area;*
- (ii) the sectoral plans submitted by the Executive Committee;*
- (iii) matters of common interest between the local authorities including co-ordinated spatial planning of the area, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation;*
- (iv) the overall objectives and priorities set by the Government of India and the State Government;*
- (v) the extent and nature of investments likely to be made in the Metropolitan area by agencies of the Government of India and of the State Government and other available resources whether financial or otherwise;*

*(8) The Member Secretary of the Committee shall publish the draft regional development plan and display it in the offices of the local authorities in the Metropolitan area for a period of 30 days soliciting objections and suggestions*

*(9) The objections and suggestions received by the Secretary, in this regard shall be presented to the Executive Committee and the Executive Committee shall consider the same and suggest modifications to the plan.*

*(10) After reviewing the modifications suggested by the Executive Committee, the Metropolitan Planning Committee shall finalize the regional development plan and forward it to the Government*