An integrated approach to Urban Governance in Shillong, India

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Abstract

The system of Urban Governance in Shillong is a complex setup involving three systems of government functioning in the same area. This has given rise to complicated issues such as the jurisdiction in the provision and management of urban services and regulatory functions for a planned and secure development of the city. The paper aims to study the characteristics of the existing governance system and its approach to urban development. Participatory mechanisms are an integral component of an efficient governance system and its interface with the present scenario will be important to bring about equitable and desired decision making.

The local government has been functioning in a municipal boundary that has remained unchanged since its original introduction which has limited its scope and prevented centrally funded schemes on provision and upgradation of urban services from reaching other towns in the Urban Agglomeration. The formal set up features conflicts within the municipal area and this issue is further compounded with the presence of traditional local institutions called Dorbars who at their individual level form competent models of small scale governance but require coordination to transform their isolated forms of development into a holistic approach for the whole city. The District Council which is a body formed under the provisions of the Sixth Schedule of the Constitution in the state of Meghalaya is responsible for the all-round development of the Sixth Schedule areas. Their lack of technical capability has rendered them unable to regulate the development of the built environment and presently they are facilitators by providing small scale development schemes. The Dorbars feature a system of citizen participation and this provides a possibility for influence on the greater system of governance within the city.

Considering the range of issues posed by such a multi-sectoral system, certain recommendations have been made in this regard to overcome these obstacles in the governance for urban development in the city.

Key Words:
Governance; Citizen Participation; Urban Management; Institutional Structure; Inclusion; Urban Development

Introduction

Shillong has been the capital of Meghalaya since it became a state in the year 1972. It was previously the capital of the state of Assam and was an important civil station during the British occupation in India. The system of Urban Governance in Shillong includes three major systems of governance functioning in the same area which intersect at certain levels especially in matters of urban development and management. This has given rise to complicated issues, regarding conflicting and overlapping
jurisdictions, the implementation of development projects, and the general management and regulatory functions to be performed for the smooth running of all the systems in the city. Beyond the municipal boundary, the traditional local institutions hold the authority with regards to development. There is a lack of a unified mechanism to manage urban development which can function both inside and beyond the municipal boundary and within the Shillong Urban Agglomeration (SUA). (UP Department SPA, 2008)

The aim of this paper is to investigate the existing systems of governance for urban development in Shillong city, how they interface with each other and seek possibilities of addressing the issues which arise from the scenario. The arguments are based on secondary data with interviews done with relevant resource individuals as there is a lack of proper documentation pertaining to the role of traditional local bodies. This paper will be limited to the Shillong Urban Agglomeration (SUA) and will look at the existing organisational set up and processes and how they deal with development schemes. Possibilities will then be explored from the issues derived from the case study.

The concept of Governance

Governance can be defined as an aggregate of the mechanisms in which public and private entities manage their collective affairs. The process is inclusive of the varying opinions and aspirations so that a uniform action can be taken. The process is under the operation of formal bodies which are constituted to administer conformity in society as well as informal bodies with which the citizens have placed trust to carry out their needs and requirements. (The Commission on Global Governance, 1995) It can also be defined as the exercise of political, economic and administrative authority in managing the development and all round affairs of a settlement at different scales and levels. It includes institutions which through complex mechanisms and processes addresses the needs and requirements of a populace whilst maintaining their security and propagating their aspirational values. (Weiss, 2000)

Such a process is utilized to manage a nation’s resources in effective and efficient means to create a collective benefit for its citizens. This is accomplished through an entity that can work towards directing the inclusive development of such resources. This process is called governance and the entity that operates such a process is called a government. Good governance considers the opinions of the underrepresented in society, transcends gender barriers and provides inclusivity to the vulnerable. Participatory processes are an inherent requirement for effective decision making when allocating development resources. There is a presence of intermediary bodies to channel the opinions of each section of the populace to leaders for making equitable decisions. Participation thus becomes one of the core principles in forming a good system of governance. (UNDP, 2013)

The significance of institutional structures

Better urban governance can be achieved through a suitable institutional structure which has the capability to bring about positive change in society and economy at the local level. The pursuit for the most effective institutional structures have been well documented as old as the era of
Aristotle where emphasis was laid on societal values to form the basics of such a structure. In American cities, this structure has been able to function autonomously and unhindered by central administration. This was further intensified by a participatory populace. A study of governance must acknowledge societal values and examine the mechanism of promoting such values by government institutions. (Pinto, 2000)

When analysing the connection between structure and values, “…one generally finds that the values of efficiency and economy favour central control and domination while the values of self-governance, empowerment of people and local participation favour decentralized structures and greater autonomy.” (Nallathiga, 2008)

This is evident in India where Colonial rule had removed the character of autonomy from Indian cities and centralization of powers emerged post-Independence in an attempt to strengthen central power. The institutional structures for urban governance since then assimilated this trend and it was not until the advent of the 74th Constitutional Amendment Act in 1992 that there was a push for decentralisation of powers which was perceived to enhance urban administration of local bodies.

The policy environment in Shillong

The Shillong Urban Agglomeration area includes 12 towns: Shillong Municipal Area, Shillong Cantoment Area and 10 other Census Towns.

Growth in Shillong has taken place beyond the Municipal boundary. The Census Towns and their peripheries surrounding the Municipal area are witnessing such growth in an unplanned and unregulated manner. The local government is unable to facilitate this growth which is a burden on existing infrastructure. The Municipal boundary has remained unchanged since its inception and attempts to absorb the Census Towns into the Municipal area have been futile owing to resistance by the traditional local bodies who do not wish to lose their authority. (Khongwir, 2013) Moreover these areas are Sixth Schedule Areas, which fall strictly under the purview of the District Councils who presently lack the required technical expertise to deal with the issues of urbanisation. With limited or no public infrastructure, these urbanizing fringes may create health hazards which will affect the welfare of citizens in the surrounding towns. (UP Department SPA, 2008) It becomes necessary to bridge the gap between these people and the government to fulfill their collective interests. This is a crucial consideration as newly formed urban areas will not be municipal in nature. (Sivaramakrishnan & Singh, 2003)

The main actors in the city include:

a. The local government

The local government is the main actor in driving urban development within the city. The Urban Affairs Department is the responsible body in preparing the Master Plan for the city and through its various parastatal bodies, it implements schemes in slum improvement, urban renewal, solid waste management and sanitation. The Meghalaya Urban Development Authority (MUDA) constituted under the Meghalaya Town and Country Planning Act, 1973, is tasked with promoting and securing the development of the city according to the provisions of the Master Plan. It may declare scheme areas and prepare development schemes to improve infrastructure for the same. The municipal functions within the city are managed by the Shillong Municipal

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Board which is constituted under the provisions of the Meghalaya Municipal Act, 1973. This body is empowered to manage water supply, lighting, drainage, sanitation and other civic amenities amongst other duties. Within the Municipal area, jurisdical overlaps exist in the provision of water supply between Government bodies. This will be examined later on in the paper. The other line departments involved in the delivery of urban services include the PWD which is responsible for highways, roads and government building and the PHED for water supply and management. (BCEOM India Private Limited, 2007)

c. Dorbars

At the neighbourhood level, the city of Shillong is constituted of areas called Shnongs each with their own traditional governance institution called a Dorbar, which is headed by a headman called a Rangbah Shnong and is elected through voice voting by the citizens of the particular Shnong. The other members of the Dorbar are also elected through the same medium where the election is endorsed under the guidelines of the local community. Although this body is not constitutionally recognised and enjoys no legal status, the local communities entrust the Dorbars to oversee multiple urban and social affairs such as maintaining law and order, preserving the common properties of the community and the delivery of urban services in conjunction with government agencies or individually in places where there is no formal intervention. Collaborations are also done with NGOs to help provide services like water supply, electricity, education and footpaths amongst others. The Dorbars are able to collect funds from the community for services such as the aforementioned water supply and the pick-up and disposal of solid waste. Fines and contributions from the citizens of the Shnongs also form a portion of their funding. (Basan, 2013)

Evidently, the setup is multi-sectoral in nature, involving line departments of the government and traditional tribal institutions in the SUA. The role of different agencies needs to be clearly defined. The Dorbar system may be legalised as they play an important role in the governance system. A systematic intersectoral coordination is
needed which can be a means to preserve and propagate collective interests and if successful, the aspirations and reservations of the communities can be adopted while framing policies for public welfare. Decentralising Constitutional powers to the Dorbars has the added benefit of gaining access to information and the possibility of incorporating traditional fund generation mechanisms. (Montiel & Barten, 1999)

Case study: comparison between municipal and a non-municipal area

The Shillong Municipal area and the Census Town of Mawlai will be considered as case studies to demonstrate the status of Governance for Urban Development in these two urban areas. Within the Urban Agglomeration, these two towns have the highest populations of 143229 and 55012 respectively as per the Census 2011.

a. Institutional set-up

The Shillong Municipal Board as the responsible agency to manage municipal matters in the city of Shillong is comprised of two basic wings: The Executive/Administrative Wing and the Legislative/Political Wing. The Legislative/Political Wing is to be headed by a Commissioner or Chairman who would be elected under the provisions of the Meghalaya Municipal Act, 1973. The Act also provides for the division of the Municipal area into Wards. In the case of Shillong, 27 wards were created. There would be Ward Committees for each of these which would be headed by a Ward Commissioner. All of these members would be elected following the provisions of the Act. (The Meghalaya Municipal Act, 1973) However, the Municipal elections have not been held for more than four decades since the local pressure groups and the Dorbars believe the very concept of a municipality will erode the powers and functions of the traditional institutions. Presently, only the Executive wing is functional and is headed by the Chief Executive Officer who is a Government nominee.

The municipal functions in the Census Town of Mawlai are taken up by the Mawlai Town Dorbar which is an apex body that is a conglomeration of the 15 Dorbars in the Census Town. The Town Dorbar is headed by a President who is elected from the Dorbar Headmen of the 15 Dorbar areas. He is assisted by a Secretary, a Treasurer and an Assistant Treasurer. Other members include the Dorbar Headmen of the individual Dorbar areas, their Deputy Headmen if any and also 4 community members from each Dorbar. This indicates that the community is actively participating in the municipal functions. However, no women are elected to the prominent posts of the Town Dorbar. There are organisations which have representation from the women and the youth (the Seng Kynthei and the Seng Samla respectively), although these don’t have any role in the decision making process of the Town Dorbar. In this system, the Dorbar knows all the members of the community which creates transparency and due to this a respect is created between the two. (Khongwir, 2013)

b. Infrastructure

Two sectors will be compared to highlight the differences in approach and management of urban services in the two areas.

- Solid waste
The Shillong Municipal Board is responsible for collection, treatment and disposal of solid waste. Solid Waste is manually loaded in open trucks which transport the waste to a compost treatment facility. In certain localities, waste segregation from the source has been initiated and it is envisaged that the process will have full coverage of the Municipal area in the near future.

To deal with solid waste management, the Dorbar collects funds and fees from the community/shnong to purchase light trucks for the collection of the waste which it disposes of at the sanitary landfill site of the SMB. There is no segregation of waste at source. The community takes up a collective responsibility to keep their surroundings clean and this is advocated by cleaning drives held frequently. This is similar to the mohalla samiti experiment in Jhunjhunu where the residents of a neighbourhood contribute to have their drains cleaned and garbage removed to be disposed of at designated areas. (Sharma, 2012)

- **Water supply**

  The Shillong Municipal Board and PHED provide the bulk of the water supply services in the city. In addition to its own source the Board gets additional supply from PHED. The investigation, planning and execution agency for the entire area is with the PHED. (UP Department SPA, 2008)

  In the Census town of Mawlai, water is supplied under water supply schemes, some of which were implemented and are being maintained by PHED, whereas others were implemented by PHED but maintenance is done by the Dorbars themselves. On a small scale in some localities, the Dorbar itself provides water procured through natural springs. (Khongwir, 2013)

  **c. Regulation of development**

  The Meghalaya Urban Development Authority (MUDA) regulates the construction of buildings through the Meghalaya Building Bye Laws 2011, although the enforcement has not been effective with many violations present across the Municipal area. The main violations relate to ignorance of norms rather than structural requirements in the pursuit of maximum buildable floor areas.

  MUDA has no role in the Census Towns and it is only approached for consultation. The District Council is legally authorized to regulate the construction of buildings but this function has not been performed so far. This can be attributed to the lack of technical capability of the District Councils.

  As in other small towns, this area is reflected through the haphazard built environment where there are no clear rules to dictate the heights of buildings, required coverage and setbacks. More importantly however, the structural integrity of the buildings is not subject to any formal authority which adds a great risk in an area which is in Seismic Zone V. (Sharma, 2012)

  The Municipal area receives Central schemes to aid in the development of infrastructure and in the improvement of quality of life. The JNNURM schemes within the municipal area concentrated on large scale infrastructure development such as the Greater Shillong Water Supply Scheme and poverty alleviation. The ongoing Smart City scheme aims to provide more efficient services to the public while retrofitting a specific core area to upgrade the existing infrastructure. AMRUT, another
centrally funded scheme will aim to improve and upgrade drainage, urban transport, water supply and sewerage within the city. The remaining schemes are largely small scale facilitated through local MLA (Member of Legislative Assembly) development schemes. These are implemented by the DUA and PHED. District Council schemes are also present which are small scale in nature such as the provision of roads, drainage and water supply and are implemented by the Dorbars and the line departments. (Urban Affairs Department, 2013)

Implementation of the District Council schemes is done by the Dorbars and this highlights the fact that the Dorbars are able to provide land for development projects ensuring a high rate of implementation. There is a lack of technical assistance to be able to implement larger scale works. (UP Department SPA, 2008)

On account of Mawli being a Census Town, the schemes being employed are mostly small scale development schemes aimed at creating or upgrading basic infrastructure such as the construction of roads. There is some emphasis on sanitation but the majority of the schemes do not focus on providing all round infrastructure as in the Municipal area. (Urban Affairs Department, 2013) The majority of schemes are implemented by the Dorbars due to the presence of small scale development schemes of the Government and the District Council which attract the role of the Dorbars due to their ability to mobilise land from the community.

The governance in urban agglomerations with multiple bodies should be coordinated through a structure which is inter-organisational and includes citizen participation. The solution should cater to the agglomeration level’s needs of economic propagation and efficiency and decentralisation to consider local needs. (Sivaramakrishnan & Singh, 2003)

**Issues and possibilities**

The SUA is fragmented as there are multiple bodies having overlapping jurisdictions and conflicting points on the functions. The SMB has authority and control over the municipal area. The Meghalaya Urban Development Authority (MUDA) is the official plan implementing body in the Greater Shillong Planning Area but only effective in SMB area. In effect, the KHADC has a very limited role to play in working as a coordination body as well as implementing body. The majority of State schemes, MLA and District Council schemes are small scale schemes and promote an isolated mode of development. The Dorbars on their own are good forms of decentralisation and these small scale schemes help to upgrade the urban environment of each Dorbar. However the approach is not holistic in nature. A mechanism can be evolved from the present scenario to provide good urban governance and efficient and effective provision of urban services. It also provides an opportunity to have representatives from the State Government as well as the public. Also, the schemes can provide development at the grassroots level and contribute to a holistic development if they are coordinated.

The Traditional systems of Governance are competent with helping to improve the welfare of citizens at a neighbourhood level only. The Dorbars are not legally identified Urban Local Bodies but they are powerful. Therefore, measures can be taken to take advantage of their position as facilitators in
the process of urban development. The scale of projects implemented by them can be increased with necessary inputs from the Municipal authority.

The planning approach should be inclusive as it is only at the Dorbar level that such an approach is present. There can be effective public participation which will help to preserve and maintain the unique governance system here along with ensuring long term development.

The way forward

The local government with greater support from the non-constitutional bodies and consolidated representation from the other public bodies can better work towards an inclusive development for the SUA and especially in urban fringe areas where there is limited technical authority. (Montiel & Barten, 1999)

The urban development can be better managed by an Apex body. Public representatives within the Apex body will include the local Members of Parliament, Members of Legislative Assembly and Members of the District Council. As the existing Wards function only as geographic boundaries, they have become redundant. Dorbars in effect are a traditional interpretation of Wards as provided under the 74th Constitutional Amendment Act. Without transforming their existing structure, their elected representatives can become members of the Apex body. The Dorbar and Dorbar representatives can play the role of mediators between the citizens and the government. Strengthening the technical capabilities of the Dorbars is an imperative measure if they are to undertake larger development works. The adoption of an Apex body will bring about an expansion of the municipal boundary. The construction of new buildings can also be regulated across a larger area to reduce the existing risks. Centrally funded schemes will have a greater coverage to bring about urban development in the city.

India is a ‘flawed democracy’ due to a low political participation. Citizens’ opinions need to be engaged and confronted by leaders for effective decision making. Avenues for facilitating this determine the effectiveness of a governance system. (Janaagraha, 2011)

References:


