

Guidelines for Preparation of State Level Background Paper (SLBP)

(First draft)

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Introduction

A process of preparing State Level Background Paper (SLBP)

1. Background

The School of Habitat studies (SOHs) of Tata Institute of Social Sciences (TISS), Mumbai has launched 'Urban India Reforms Facility' (UIRF) which a comprehensive research cum action facility on urban issues in India. The overall goal of UIRF is to increase public control or citizens' effective influence on urban reforms and their outcomes, by providing Knowledge support and services mainly to local academic institutions and civil society organizations. The current phase of the UIRF lays stress upon building foundations through the creation of knowledge products and networks. The emphasis is on developing these in the context of small and medium towns.

One of the major activities proposed to be undertaken under the Project, is preparing the several Knowledge products (KPs). **State Level Background Paper (SLBP)** is one of the Kps which is the Base Paper at the State Level. The SLBP partly derives from the 'National level Background Document' (NLBD) that traces urban issues, and the evolution of policy responses and reforms at the national level. It also links with the 'State Level Status Report on Urban Reforms' which traces the substantive content of reforms and the status thereof. At another level, it responds to the demands of the 'Town level Background note' (TLBN) and the 'Report for Discussion on Solutions to Local Problems (RDSLPL)' which are documents which describe local realities and guide local groups for public spirited action in particular sectors.

2. Objectives of SLBP

The principal objective of the SLBP is to map the relationships between ULBs and the state government in legal, financial, human resource dimensions and understand how these elements interface in practice to produce various 'systemic' maladies or opportunities in terms of urban service sectors. Further,

the SLBP aims to map these relationships as they have changed in response to the impetus provided by the 74th CAA and the JNNURM or other projects directed at reform.

3. SLBP users

The SLBP guidelines are expected to be applied by state level academic institutions that have a certain amount of freedom and resources to pursue research activities. It is also assumed that they will have access to various government institutions and hence data and policy material that is dynamic such as Government Resolutions, directives, notifications, budgets etc other than material that is in the form of laws, reports and research studies and articles.

It is also envisaged that the SLBP so prepared will be a knowledge resource that along, with the report on urban reforms will provide a much needed system interface to groups and individuals interested in public spirited action. This has implications for the way in which the SLBP is written and made available.

4. Process of preparation of the SLBP

The preparation of SLBP involves multiple decisions at different points. The following are some of the major aspects of the same

- **Choice of Sectors**

The SLBP adopts a sectoral approach with an understanding that relationships among ULBs and the State government vary among sectors. Establishing the

Institutional relationships in various sectoral mapping helps to respond to the demands of Sectoral RDSLP¹.

Another reason for adopting this approach is because over the years, there have been specialized sectoral institutions developed by the state governments. While preparing the SLBP for the State of Maharashtra, the choice of sectors has been determined by an initial exploration of which sectors are being pursued vigorously under the JNNURM through the projects. Thus, in Maharashtra, housing, water and solid waste have been chosen as the sectors for study.

Here, the 'Users of SLBP' are not expected to stick to study all three sectors for their state. They can choose one or two sectors. However choice of sectors can be followed by the following parameters;

- a) A sector where 'reform agenda 'has moved forward significantly.
- b) A sector where number of JNNURM projects or activities are undertaken/proposed.
- c) A sector that has interface with ULBs.
- d) A sector where there is need as well as scope for Public Spirited Action (PSA) in near future.

▪ **Locating milestones**

SLBP follows a chronological path in tracing the changes in institutional relationships. Two clear milestones are evident a) the 74th CAA and the conformity legislations passed by the state governments and b) the reforms. However, it is realized that reforms have an extremely uneven timeline and cannot be equated to these milestones alone. Also the pace of reforms is distinct across these sectors. In Maharashtra, it is seen that the pace of changes in the housing sector has been extremely rapid, followed by water while in the case of solid waste management, it is sluggish. The chronological phases for the three sectors are thus distinct. However, an attempt is made to see how these timelines interface with the 74th CAA and the JNNURM.

¹ RDSLP means Report on Discussion for solutions to local problems, which is the one of the town level KP.

These are thus used as broad milestones and the emphasis is on mapping the changes from post independence to current situations, wherever possible.

▪ **Focal Points**

The SLBP maps the legal relationships as they form the basis of the institutional relationships. However, institutional relationships are dynamic and have *multiple dimensions* which may significantly differ from the spirit of legislation. Thus, the effort is to map the *financial, human resource relationships* as well as how these elements interact in *practice*. Analysis of State Municipal laws helps to understand the changes in legal provisions related to these dimensions. Existing amendments Acts, government orders and notifications help to extract current situation or status of these dimensions.

The key element studied here is the degree to which the ULBs have 'agency' in responding to local issues and what are the 'controls' exerted by the state government departments and institutions.

▪ **Link with field**

The SLBP is not an issue based document. However, it is recognized that knowledge of 'how institutional relationships produce certain issues on ground' is a necessary part of building an insight into the significance of changing relationships.

This has been done in two ways - a) doing town case studies and b) scan of news reports, research studies. These 'practice' dimensions help to validate and deepen the understanding of 'maladies' and 'opportunities' in changing relationships of the ULBs and state government.

The rationale for evolving such a SLBP is in the fact that *there exists very little data or literature that delves into these relationships comprehensively along all these parameters*. Data exists largely at the metro and large city level and there is almost total paucity of a state wide picture. The SLBP seeks to fill in this gap and provide a knowledge support to groups interested in public spirited action.

▪ **Organizing the data to meets demands of TRK (Tools and Resources Kit) Users**

The preparation of draft of SLBP was based on existing literature and laws. This was added to through incorporation of dynamic material like amendments, ordinances, notifications, guidelines, reports, budgets etc. The second phase involved a few field visits to understand practices and issues. This formed the basis for revision and filling up of earlier drafts.

Broadly, the following types of knowledge resources were used in the creation of SLBP –

Research studies, articles: These studies and material helped to give an overview of urbanization in the state, and trends, issues in the same. However, these materials were found to be biased towards the big cities in the state and extremely limited in terms of data on small and medium towns. Another issue encountered in use of this material was the lack of updated data.

National and other data bases: The data bases used in the preparation of the SLBP have mainly been the Census extracts, NSSO data, Reports of the State Finance Commissions and sectoral reports prepared by state level research and other institutions. These reports were extremely useful in constructing trends, understanding broad situations and issues, understanding certain linkages. However, several gaps were encountered in these reports too. To illustrate, there is no data available on the status of development plans in the state or on the status of solid waste management in municipal councils. The SLBP has thus taken on these limitations as well.

Municipal and other sectoral laws: The municipal and other sectoral laws lay the basic framework of institutional relationships and thus it was important to study these legislations and analyze them in relation to each other, in relation to the provisions in the 74th CAA and in relation to the direction of change in their content over time.

Ordinances, notifications, Guidelines, Resolutions etc: This material provided some of the most significant insights into changing relationships. To illustrate, the caderisation of municipal staff has been one of the most significant

reforms undertaken by the state of Maharashtra which has impacted the capacities of ULBs tremendously. This particular move builds up the professional capacity of the ULB while placing additional financial burdens on them and introduces a cadre that is accountable to the state government than the ULB. However it is beyond the realms of detail in municipal law. A considerable effort has been involved in accessing such material which was not always available in the public domain. It has meant an investment in building relationships with state government departments and institutions but has paid dividends.

Field Visits and Interactions with key informants: Field visits and interaction with key informants have played a key role in the preparation of the SLBP. Firstly, they have helped to generate some insights into issues in small and medium towns which were invisible in data and research. Secondly, some of these field visits gave us more clues as to which areas to explore further, eg, caderisation was an issue which was indicated by field visits. Finally, the field visits helped to see how changing relationships impacted practice on ground. This meant however, that undertaking field visits involved a tremendous amount of preparation.

6. Preparation of Report

Besides the effort in collection of data, one of the key challenges in preparation of the SLBP has been the sifting through data for selecting what is 'relevant'. This is because the scope of the SLBP is extremely expansive both in terms of substance as well as in terms of theory and perspectives. Further, the timelines being mapped are extremely long. *The effort in the SLBP template is thus to provide guidelines and provide a line of inquiry which may help to sift through this material.* The focus of particular chapters has also been explained therein.

Note: How to read guidelines. For e.g.

A ----- Indicates section of the chapter

A.1----- Indicates major question under the section

A.1.1----- Indicates sub question under the section

Chapter One

Overview of Urbanization

Objectives:		
<ul style="list-style-type: none"> ▪ To create an informational and analytical backdrop of overall situation of urbanization in the state ▪ To enable an insight into location of urban reform 		
Contents of Chapter		
Sections	Major and Sub Questions	Potential Source of Information and Methodology
A	<i>Urbanization as a historical process</i>	
A.1	What was the nature of urbanization in historical times in the State?	
A.1.1	Which were the major urban centers in the state during historical times?	<ul style="list-style-type: none"> ▪ Past Research studies ▪ Website ▪ State and District Gazetteers
A.1.2	Where were they located?	
A.1.3	What functions did they serve?	
A.1.4	What was their form and size in relation to villages and towns in other parts of the country?	
A.2	How did this pattern change during the British rule?	
A.2.1	Did the British initiate any new urban centers? Which and where?	<ul style="list-style-type: none"> ▪ Past Research studies ▪ Websites ▪ State and District Gazetteers
A.2.2	What was the impact on earlier urban centers?	
A.2.3	What functions did this changed pattern of urbanization perform?	
A.2.4	What was the impact of this urbanization on society?	
A.3	What has been the process of urbanization in post Colonial years?	
A.3.1	What is the pattern of urbanization in post colonial years in terms of the geography of urban centers, their relative size and importance, their functions and their relation to societal development?	<ul style="list-style-type: none"> ▪ Past Research studies ▪ Web search ▪ State and District Gazetteers <p>Based on comparative analysis of three questions above</p>
A.3.2	What are the continuities and dysjuncts in these patterns of urbanization?	
A.3.3	In these three epochs of urbanization, which are the patterns that have remained the same? Why?	
A.3.4	Which are the patterns that have changed?why?	

B	Contemporary Urbanization Status	
B.1	What is the trend of urban population growth in the state?	
B.1.1	What is the total population of the State?	<ul style="list-style-type: none"> ▪ Census reports ▪ Website ▪ Past studies
B.1.2	What is the Urban and Rural population in the State?	
B.1.3	What is the growth rate of urban population in relation to the rural population?	
B.1.4	Annually for the past decade, decadal for the last five decades?	
B.1.5	What is the ratio of urban population to the total population of the State?	
B.1.6	How do these growth rates compare with the urban population growth in the country?	Analyses of demographic data
B.2	What is the status of urban centers?	
B.2.1	How many urban centers are there in the state?	<ul style="list-style-type: none"> ▪ Census reports ▪ Website ▪ Past Research studies
B.2.2	Which of these are census towns and statutory towns in the state?	
B.2.3	What is the growth rate of census towns and statutory towns in the state?	
B.2.4	Is the growth in urban population and therefore census towns on par with the number of statutory towns?	Analyses of census data
B.3	What is the city size trajectory of towns in the state?	
B.3.1	What are the different classes of cities defined by the municipal laws or any other govt. instrument in the state?	<ul style="list-style-type: none"> ▪ Municipal Laws ▪ Government Resolutions or Notifications ▪ State government Reports ▪ Census reports ▪ Website
B.3.2	What are their relative shares of urban population?	<ul style="list-style-type: none"> ▪ Past Research studies ▪ State government reports
B.3.3	What are the trends in growth of population across these different city sizes?	<ul style="list-style-type: none"> ▪ State government Reports ▪ Census reports ▪ Website ▪ Past studies
B.3.4	What do these trends mean?	Analyses of demographic data
C	Geographical Spread of Urbanization	
C.1	What is the geography of urbanization in the state?	

C.1.1	What is the overall geography of the state? How is it divided administratively?	<ul style="list-style-type: none"> ▪ Census data ▪ state reports of census ▪ State government Report
C.1.2	Which parts/regions of the state are more urbanized? Which parts/regions are less urbanized?	
C.1.3	What are the urban growth differentials across districts?	
C.2	What is the meaning of the particular spread?	
C.2.1	Along a decadal timeline, what are the patterns of urban growth at the regional and district level?	<ul style="list-style-type: none"> ▪ Census data ▪ state reports of census
C.2.2	What do these patterns mean ?What is their significance?	Analyses of demographic data
D	<i>Economic Trends and urbanization</i>	
D.1	What are the regional and district economic trends in the State?	
D.1.1	What is the GSDP (Gross State Domestic Product) of the state? How does it compare with national GSDP?	<ul style="list-style-type: none"> ▪ Economic survey of the state ▪ Reports by Planning Commission
D.1.2	What is the region and district wise GSDP?	
D.1.3	What are the trends in the same?	
D.1.4	How do these trends compare with trends in per capita growth at district level?	Analysis of trends
D.2	How do these economic growth trends compare with the trends of urbanization?	
D.1.1	Which are the districts which have high GSDP? Which are the ones that have low GSDP? Why?	<ul style="list-style-type: none"> ▪ State government Report ▪ Past Research studies
D.1.2	How do these data compare with data on urbanization?	
D.1.3	Are the districts with high GSDP more urbanized and the districts with low GSDP less urbanized?	
D.1.4	To what degree does urbanization explain GSDP growth or laggardness?	
E	<i>Poverty and Urbanization</i>	
E.1	What is the relationship between urbanization and poverty reduction?	
E.1.1	What is the proportion of poor in the state? How does it compare with the national situation?	<ul style="list-style-type: none"> ▪ Economic survey of the state ▪ Reports by Planning Commission ▪ past studies ▪ research papers ▪ websites- search
E.1.2	What are the state level trends in poverty reduction in comparison with the national trend?	
E.1.3	What is the population of urban poor as well as rural poor in the state?	
E.1.4	What is the district wise spread of poverty- urban and rural?	
E.1.5	How does this compare with district level economic growth?	
E.1.6	What are trends in poverty incidence in urban and rural areas?	

E.1.7	What is the distribution of Poverty among social groups?	
E.1.8	What do the trends in poverty say about the nature of urbanization in the state?	Same as above
F	Structure of urban Economy	
F.1	What is the structure of economy in the state?	
F.1.1	What is the contribution to the economy of the state from different sectors?	
F.1.2	How does this compare with national data?	<ul style="list-style-type: none"> ▪ Economic Surveys of the state ▪ State development reports submitted to the Planning Commission
F.1.3	What are the status/ contribution of industrial activities in the economy?	
F.1.4	What is the correlation between urbanization and industrial activity?	<ul style="list-style-type: none"> ▪ State Development Reports ▪ Census data
F.1.5	What are the trends in the above? What is the significance of the same?	
F.1.6	What is the relationship between changing trends in industrial activity on one hand and the employment trends in rural and urban areas on the other?	<ul style="list-style-type: none"> ▪ Research papers ▪ State Development Reports ▪ Census data
F.1.7	What is the other factors that have an active relationship with urbanization in the state?	
F.2	What are the emerging economic trends?	
F.2.1	What are the directions of new economic investments in the state in terms of sectors?	<ul style="list-style-type: none"> ▪ Data from Directorate of Industries
F.2.2	What is the geographical focus of these investments?	
F.2.3	Is there a relationship between particular urban locations and these investments?	
F.2.4	What is the meaning of these directions?	Analysis of above mentioned data.
F.3	Drivers of Urbanization in the state	
F.3.1	Having reviewed the factors propelling urbanization, its structure and its nature; what are the drivers of the urbanization?	<ul style="list-style-type: none"> ▪ Analytical Reports/ ▪ Analysis
F.3.2	What are the current drivers of the Urbanization?	
F.3.3	What are the continuities and discontinuities between the past and emergent drivers of urbanization?	
F.3.4	What are its implications in terms of geographies city trajectories, built environment and inclusivity?	
G	Jawaharlal Nehru National Urban Renewal Mission (JNNURM) in the state	
G.1	What is the quantum of JNNURM projects in the state?	
G.1.1	How many projects (scheme wise) sanctioned for the state?	<ul style="list-style-type: none"> ▪ JNNURM Website
G.1.2	What is the share of the state in terms of total number of projects sanctioned?	
G.1.3	Fund released for these projects scheme wise?	

G.1.4	What is the share of funds received by the state for JNNURM?	
G.2	What is the geographical spread of JNNURM projects?	
G.2.1	What is the spread of JNNURM projects across different sizes of towns in the state?	Analysis of data procure from JNNURM Website
G.2.2	What is the regional/district wise spread of JNNURM in the state?	
G.2.3	How does this pattern compare with the pattern of urbanization and economic prospects in the state?	
G.2.3	How do these patterns compare with conclusions of F. 3.4	

Chapter Two

Mapping Institutional relationships of Urban Local Bodies with the State Government

Objective: <ul style="list-style-type: none"> ▪ To lay the foundation for understanding the ULB- State Government relationships as manifested in particular sectors ▪ To map the changes in these relationships pre and post 74th CAA Period (includes JNNURM Mission Duration) with respect to Composition, constitution, functions, financial and human resources of ULBs. 		
Contents of Chapter		
Sections	Major and Sub Questions	Potential Source of Information and Methodology
A	<i>Introducing the legal frameworks and urban governance institutions</i>	
A.1	Identification of state level institutions involved in urban governance and the requisite legal frameworks: Which are the State institutions that are involved in urban services and in local governance?	
A.1.1	How many urban local bodies are there in the state? What is their classification?	<ul style="list-style-type: none"> ▪ Documents (for e.g. Performance Budget Document for State Urban Development department contents list of ULBs) from State Urban Development department ▪ websites
A.1.2	Which are the laws through which urban local bodies are constituted and made functional?	
B	<i>Constitution of ULBs</i>	
B. 1	Declaration and Expansion of Urban Area: What were the parameters and the process for declaration of an urban area prior to 74th CAA 1992?	
B.1.1	What are the legal provisions for declaration and expansion of Urban Area/ULBs in the various Municipal Laws with respect to <ul style="list-style-type: none"> • Basis of declaration • Procedure for declaration • classification of ULBs • Extension or alteration of Urban Area 	<ul style="list-style-type: none"> ▪ State Municipal Laws

B.1.2	What were the differences in these laws"?	<ul style="list-style-type: none"> ▪ Past studies on Municipal governance or law ▪ State Municipal Laws
B.1.3	What accounts for these differences?	
B.2	How have the parameters for declaration and expansion of ULBs changed after 74th CAA 1992?	
B.2.1	What are the provisions for declaration and expansion of Urban ULBs as per state conformity legislations for all levels of ULBs? <ul style="list-style-type: none"> • Basis of Declaration • Procedure for declaration • Classification of ULBs • Extension or alteration of Urban Area 	<ul style="list-style-type: none"> ▪ State Municipal Laws
B.2.2	How do these provisions compare with the original provisions in the 74 th CAA?	<ul style="list-style-type: none"> ▪ 74th Constitutional Amendment Act
B.3	What have been the changes in the same after 1992?	
B.3.1	What have been the changes in the parameters and processes after 1992?	<ul style="list-style-type: none"> ▪ Amendments to legislation ▪ Government Resolutions/ Notifications
B.3.2	Is there a pattern to these changes? What does it mean?	<ul style="list-style-type: none"> ▪ Analysis of these amendments
B.3.3	Is there a trend in terms of emphasis or understatement of 'urban'?	
B.3.4	What are the reason for B.3.3	
B.4	What are the issues in Constitution of ULBs?	
B.4.1	Has the process of constitution of ULBs been a smooth or a contested process?	<ul style="list-style-type: none"> ▪ News Scans ▪ Field Visits
B.4.2	What has been the nature of issues encountered?	<ul style="list-style-type: none"> ▪ Field Visits ▪ News Scans
B.4.3	Are the issues specific to particular kinds of ULBs?	
B.4.3	What are the reasons for such issues?	
C	Composition of ULBs	
C.1	How was the composition of ULB defined by Municipal law or laws prior to 74th CCA?	
C.1.1	How and on which basis was the number of Councillors decided?	<ul style="list-style-type: none"> ▪ Municipal Laws
C.1.2	Who was the authority deciding number of councilors?	

C.1.3	What were the reservations categories and its basis?	
C.1.4	What was the proportion of elected/nominated members in the ULBs?	
C.1.5	What were the impacts of the above provisions?	
C.1.6	What were the differences in the different municipal laws with respect to these provisions?	
C.1.7	What was the direction of changes in the provisions, if any prior to 1992?	
C.2	How was the composition of ULB defined by Municipal law or laws after 74th CCA?	
C.2.1	What were the provisions in the various state conformity legislations for composition of different ULBs?	<ul style="list-style-type: none"> ▪ Municipal Laws
C.2.2	Who is the authority deciding number of councilors?	
C.2.3	What are the existing reservations categories and its basis? How are reservations operated in the state?	
C.2.4	Are there nominated/co-opted members?	
C.2.5	What are the impacts of these changes?	<ul style="list-style-type: none"> ▪ Analysis of these provisions in the municipal law.
C.3	Is the composition in keeping with principles of <ul style="list-style-type: none"> • Proximity- representativeness • Democracy-devolution 	<ul style="list-style-type: none"> ▪ Analysis of these provisions in the municipal law.
C.4	What have been the changes in composition subsequent to 1993?	
C.4.1	After 1992/3, have there been further changes in composition of ULBs at any level? If so, what are these changes?	<ul style="list-style-type: none"> ▪ Municipal Laws with Amendments Act
C.4.2	Comments on the direction of these changes	
C.5	What are the issues in composition of ULBs?	
D	Functions of ULBs	
D.1	Which were the major municipal functions as per the municipal laws in the state prior to 74th CAA?	
D.1.1	Which were the obligatory or discretionary as per the municipal laws?	<ul style="list-style-type: none"> ▪ Municipal laws
D.1.2	Is there any difference in functions according to types of ULBs i.e. Municipal councils and corporations?	
D.2	How did these functions compare with the functions enlisted in the XII Schedule?	

D.2.1	What was the status of functions which are now enlisted in the twelfth schedule? Which of these already existed? Were they obligatory/ discretionary?	<ul style="list-style-type: none"> ▪ Municipal law with 74th CAA
D.2.2	Which were the functions that were emphasized? Why?	
D.3	How are the functions enlisted in the twelfth schedule incorporated in the state conformity legislations?	
D.3.1	What is the status accorded to functions enlisted in twelfth schedule- either obligatory or discretionary?	<ul style="list-style-type: none"> ▪ Municipal laws
D.3.2	Are there differences across municipal laws?	
D.3.3	What are the implications of particular status of municipal functions for practice?	
D.4	Are there any changes in the same, through amendments/orders?	
D.4.1	Any changes in the status of functions after 74 th CAA?	<ul style="list-style-type: none"> ▪ Municipal laws with amendments Act
D.5	What are the issues with respect to functions of ULBs?	
D.5.1	Which are the new functions ? Are there capabilities for the same?	<ul style="list-style-type: none"> ▪ Municipal laws with amendments Act <p>Some examples that throw the light on issues. issues can be extracted through</p> <ul style="list-style-type: none"> ▪ News Scan ▪ Field visits
D.5.2	Which are the functions where new institutions have been created?	
D.5.3	Which are the functions which overlap with other institutions?	
D.5.4	What are the trends in terms of transfer of functions of ULBs?	
E	Financial Resources of ULB	
E.1	What were the major financial sources of ULBs prior to the 74th CAA as envisaged by the municipal legislations? <ul style="list-style-type: none"> • Taxation • Non tax revenue • Grants • Loans 	<ul style="list-style-type: none"> ▪ Municipal Laws ▪ Government Notifications/ Resolutions
E.2	How did these legal provisions vary across different classes of ULBs?	Comparative Analysis of Municipal laws
E.3	What does the state conformity legislation to 74th CAA 1992 talk about financial powers of ULBs?	
E.3.1	How do the provisions compare with provisions in earlier laws in terms of resource sustainability?	<ul style="list-style-type: none"> ▪ Municipal laws ▪ Amendment Act
E.4	About the Property Tax	
E.4.1	What did property tax comprise of under the different legislations?	<ul style="list-style-type: none"> ▪ Municipal Laws
E.4.2	What degree of autonomy did the ULBs have in deciding rates of property taxes?	<ul style="list-style-type: none"> ▪ Past Research studies

		<ul style="list-style-type: none"> ▪ State Finance Commission Reports
E.4.3	What was the basis of fixation of property tax?	<ul style="list-style-type: none"> ▪ Municipal Laws ▪ State Finance Commission Reports ▪ Records from municipal departments ▪ Past Research studies ▪ State Finance Commission Reports ▪ Records from municipal departments
E.4.4	How much did property taxes contribute to the revenue of the ULBs?	
E.4.5	Prior to 74th CAA, what have been the revisions in property tax along any of the above mentioned dimensions?	
E.4.6	What was the significance of these revisions?	
E.4.7	What were some of the key issues pertaining to property Tax as a source of revenue to the ULBs?	<ul style="list-style-type: none"> ▪ Past Research studies ▪ State Finance Commission Reports ▪ Comptroller and Auditor General reports
E.5	About the Octroi	
E.5.1	Which ULBs had the power of levying octroi?	<ul style="list-style-type: none"> ▪ Past studies ▪ State finance commission reports ▪ Comptroller and Auditor General reports ▪ Records from municipal departments
E.5.2	What was the contribution of octroi to the revenues of ULBs in the state?	
E.5.3	What are some of the revisions in levying of octroi across the ULBs ?	
E.5.4	What are the impacts of these changes in octroi on the revenues of ULBs?	
E.5.5	What are the compensatory mechanisms devised for loss of revenue if octroi is abolished?	
E.5.6	Are these compensatory mechanisms unconditional or subject to conditionality?	
E.5.7	How have ULBs responded to loss of octroi?	
E.6	What were the major sources of non tax revenue prior to 1992?	<ul style="list-style-type: none"> ▪ Municipal laws
E.6.1	What was their share in the overall revenues of ULBs?	<ul style="list-style-type: none"> ▪ Research studies ▪ State finance commission reports ▪ Records from municipal

		departments
E.7	What are the sources for non tax revenue currently?	
E.7.1	What is their share in overall revenues of ULBs?	<ul style="list-style-type: none"> ▪ Research studies ▪ State finance commission reports ▪ Records from municipal departments
E.8	What are the state grants to ULBs? What is the nature and volume of grants to different classes of ULBs?	
E.8.1	What is the overall contribution of grants to the income of ULBs?	<ul style="list-style-type: none"> ▪ Past studies ▪ State finance commission reports ▪ Comptroller and Auditor General reports ▪ Records from municipal departments ▪ State Budget documents
E.9	What are the changes in the grants to ULBs post 74th CAA to now?	
E.9.1	What is the significance of these changes in the nature, quantum, and conditions of grants?	<ul style="list-style-type: none"> ▪ Past Research studies ▪ State finance commission reports ▪ Comptroller and Auditor General reports ▪ Records from municipal departments ▪ State Budget documents
E.9.2	What is the overall contribution of grants to the income of ULBs?	
E.10	What are the issues involved in resource generation of ULBs currently?	<p>Issues can be emerged from</p> <ul style="list-style-type: none"> ▪ analysis or ▪ sensed from interview with officials , experts, or from ▪ news items
E.10.1	Do the trends indicate greater financial devolution?	
	Do trends indicate financially empowered ULBs?	
	Do trends indicate greater financial accountability?	

F	Human Resources of ULB	
F.1	What were the staffing guidelines for different classes of ULBs prior to the 74th CAA?	<ul style="list-style-type: none"> ▪ Documents on staffing Guidelines ▪ Orders/notification/GR
F.2	Which were the institutions/authorities involved in deciding staffing pattern of ULBs?	<ul style="list-style-type: none"> ▪ Municipal laws
F.3	What were the parameters and process for deciding staffing pattern of ULBs?	<ul style="list-style-type: none"> ▪ Guidelines document ▪ Orders/notification/GR ▪ Municipal laws
F.4	What was the degree of autonomy available to ULBs to recruit appropriate staff?	Analysis of municipal laws and staffing guidelines
F.5	What have been the revisions in such staffing guidelines after the 74th CAA?	<ul style="list-style-type: none"> ▪ Guidelines document ▪ Orders/notification/GR ▪ Amendment Act
F.6	What are the current staffing pattern and guidelines of different classes of ULBs?	<ul style="list-style-type: none"> ▪ Guidelines document ▪ Orders/notification/GR
F.7	How does it compare with earlier staffing guidelines?	Analysis of municipal laws
F.8	Are there further orders/ resolutions/ amendments which have caused a change in the parameters and process of deciding staffing pattern?	
F.8.1	Is the direction of changes in line with transfer of functionaries to ULBs in the spirit of decentralization?	<ul style="list-style-type: none"> ▪ Orders/notification/GR
F.9	What have been the issues emerging with respect of staffing pattern of ULBs?	<p>Issues can be emerged from</p> <ul style="list-style-type: none"> ▪ analysis or ▪ sensed from interview with officials , experts, or from news items

Chapter Three

Solid Waste Management

Objectives:		
<ul style="list-style-type: none"> ▪ To understand the changes in legal and institutional frameworks, pre and during JNNURM period through the projects and reforms ▪ To link these frameworks to issues in particular small and medium towns. 		
Contents of Chapter		
Sections	Major and Sub Questions	Potential Source of Information and Methodology
A	Status	
A.1	What is the status with respect to waste management in its various dimensions in the different ULBs?	
A.1.1	Across different ULBs in the state, what is the status of- <ul style="list-style-type: none"> • Quantum of waste generation • Collection • Processing • Transport • Disposal • Costs Incurred • Uses of technology 	<ul style="list-style-type: none"> ▪ Studies by Government Departments ▪ Studies by Government Institutions ▪ Alternative research studies
A.1.2	What are the patterns seen in the above?	
B	Situation Prior to 2000	
B.1	What were the legal, institutional frameworks, human and financial resources for solid waste management prior to the MSW rules of 2000?	
B.1.1	What was the status of solid waste management as a municipal function? What did it emphasize?	<ul style="list-style-type: none"> ▪ Municipal laws ▪ Research studies
B.1.2	Which institutions were involved in solid waste management?	
B.1.3	What was the nature and quantum of human resources deployed by ULBs for undertaking this function?	

B.1.4	What was the nature and quantum of financial resources available to ULBs for this function?	<ul style="list-style-type: none"> ▪ Guidelines of staffing pattern of ULBs ▪ Reports of state Finance commission 	
B.2	What were the issues in the same? <ul style="list-style-type: none"> • Efficiency • Environmental • Performance as a service • Accountability • Social Justice 	Analysis the same above	
C	Legal Framework post 2000		
C.1	How have the MSW rules of 2000 been incorporated in the legal regime of the state?		
C.1.1	Which new legal frameworks have been introduced in the state in line with MSW rules?	<ul style="list-style-type: none"> ▪ Document of MSW Rules 2000 	
C.1.2	What is their content and legal position?		
C.2	How do the state provisions compare with the provisions of the MSW rules?		
C.2.1	How do these frameworks compare with earlier legal framework?	<ul style="list-style-type: none"> ▪ Analysis by using Municipal laws ▪ Document of MSW Rules 2000 	
C.2.2	How do the state frameworks compare with the MWS rules?		
C.2.3	What is elaborated, what is omitted, what has a different terminology, which new actors, terms have been introduced?		
C.2.4	What is the significance of these variations?		
D	Changes in Institutional Framework		
D.1	What are the changes in institutional framework in management of solid waste after 2000?		
D.1.1	Which new actors have been introduced in solid waste management?	<ul style="list-style-type: none"> ▪ Document of MSW Rules 2000 	
D.1.2	Which of these are sub-ULB level and which are above the ULBs?		
D.1.3	What is their role vis- vis ULBs? How has this impacted the ULBs?		
D.1.4	Are these changes in institutional framework in keeping with the MSW rules?		Analysis the same above

E	Changes in human resources	
E.1	What are the changes in human resource deployment for solid waste management at the ULB level?	
E.1.1	Are there new directives/ orders to the ULBs in terms of staff deployment for solid waste management?	<ul style="list-style-type: none"> ▪ Staffing Guidelines ▪ Notifications/GRs
E.1.2	Is there a trend in these directives?	
E.1.3	What is the significance of these directives?	
E.1.4	What kind of human resource deployment is sought to be created under the new directives and how is it different from the earlier pattern?	
E.1.5	How does this affect the functioning of the ULB in terms of this sector?	Give some instances. This can be extracted from news scan or town visit experiences.
F	Changes in financial resources	
F.1	What are the changes in financial resources made available to the ULBs post 2000?	
F.1.1	What are the financial requirements if MSW rules are to be implemented by the ULBs in the state?	<ul style="list-style-type: none"> ▪ State Finance Commission Report ▪ Budget of State Urban Development Department ▪ Budget of ULB ▪ GRs/Notifications/orders
F.1.2	What are the new financial resources being made available to them for the same?	
F.1.3	Are these resources being provided unconditionally? If no, what are the conditions/parameters attached to these new resources?	
F.1.4	Who controls the access to these funds and how?	
F.1.5	How does this affect the ability of the ULB to expend on this function?	
G	Issues in Solid waste management	
G.1	What are the new issues being generated as a result of the reforms in the solid waste management sector?	
G.1.1	What is the emergent pattern and nature of issues being generated in solid waste management – <ul style="list-style-type: none"> • Efficiency • Environmental • Performance as a service • Accountability • Social Justice 	<ul style="list-style-type: none"> ▪ News items ▪ Research studies

Chapter Four

Housing

Objective: <ul style="list-style-type: none"> ▪ To introduce the legal regulatory frameworks and institutions that impinge on issues of housing in urban centers of state ▪ To understand the changes in these frameworks, pre and during JNNURM period through the projects and reforms ▪ To link these frameworks to issues faced by the poor, in particular 		
Contents of Chapter		
Sections	Major and Sub Questions	Potential Source of Information and Methodology
A	<i>Status of housing in urban areas in urban areas of the state</i>	
A.1	What is the status of housing in the urban areas?	
A.1.1	What is the status of housing and amenities in urban areas of the state?	<ul style="list-style-type: none"> ▪ Census data ▪ NSSO data on Housing
A.2	What is the meaning of these statistics?	
A.2.1	What patterns are revealed by the data?	Analysis the same above
B	<i>Institutional Framework of Housing Sector</i>	
B.1	Which are the institutions connected with urban housing? How are they connected?	
B.1.1	It involves an identification of state institutions/ parastatals with connection to following components of housing sector <ul style="list-style-type: none"> a. Land: It includes institutions related to land which regulate the land availability for urban housing, and system of land surveys, land records, maps. b. Planning and Construction: It includes institutions related to town planning and development control rules, building by-laws etc. c. Slums and irregular developments: It includes institutions related to slum declaration, clearance, improvement and redevelopment 	<ul style="list-style-type: none"> ▪ Interaction with key informants/sector experts ▪ Research reports of State Government ▪ Research studies
C	<i>Legal regulatory and Policy Framework</i>	
C.1	Which are the major laws, regulations and policies that control the housing in urban areas? How? What is the impact in terms of housing issues?	

C.1.1	<p>It covers, Intervention in land - by regulation of private ownership i.e laws defining/ constraining the ownership rights - State government's ownership of land - Regulations that govern the supply of land for urban use - Regulation of availability for residential use i.e. reservations in Development Plan of towns - or any other - Intervention through planning such as regional plans, development plans etc - Intervention in Construction and development through development control rules or building bye laws - Stamp duty and Registration provisions - Rent Control acts and provisions - State as Provider: which are the state level institutions that provide public housing, particularly for EWS, LIG? - Slums: laws, policies and programmes dealing with slums - Dealing with irregular housing: laws, policies or programs to deal with irregular housing, control through rules, regulations or any other medium</p>	<ul style="list-style-type: none"> ▪ Laws, Regulations, Data from state institutions, Web search. ▪ Interaction with key informants/sector experts ▪ State Government Reports/Reports of state Housing Institutions ▪ Research Studies ▪ News Reports <p>Analysis of all the above</p>
C.1.2	Any other laws, policies, institutions impinging on housing that may be existing in the state?	
C.2	What are the broad phases through which changes in the legal, regulatory and policy frameworks have taken place?	
C.2.1	What is the nature of changes that have taken place in each of these phases? What do these changes mean in terms of housing issues?	<ul style="list-style-type: none"> ▪ Research studies
C.3	What is the current direction of changes?	
C.4	What is the position of urban local bodies in the state with respect to the housing sector? How has this position been changing?	
D	Practice	
D.1	Mapping the above mentioned component /issues of housing by way of field experience of one city and thereby sharpening the insights into legal regulatory frameworks and issues/ changes in there	<ul style="list-style-type: none"> ▪ News reports ▪ secondary data about town Interaction with key government departments/institutions pertaining to town Field visits ▪ Interaction with other key informants in towns <p>Please refer Annexure 1: format for mapping the housing issues at town level.</p>

Chapter Five

Urban Water Governance

Objective: <ul style="list-style-type: none"> ▪ To provide overview of the urban water in the state especially in the context of small and medium towns, and urban reforms. ▪ To understand the changes in the legal and institutional frameworks pre and during JNNURM period through the projects and reforms ▪ To link these frameworks to issues in the sector 		
Contents of Chapter		
Sections	Major and Sub Questions Status of water supply in the state	Potential Source of Information and Methodology
A	Background- Status of water supply in the state	
A.1	What are the status and broad issues in the state with respect to urban water supply, in both aspects - bulk as well as the retail? - water resources, and urbanization in the state - Scarce-hit and water-blessed regions - levels of supply - Broad Issues, in bulk allocations as well as retail water supply	<ul style="list-style-type: none"> ▪ Studies by Government Departments ▪ Studies by Government Institutions ▪ Alternative research studies
B	Pre 1995 or 2000 situation - institutional framework	
B.1	What were the legal, institutional frameworks, human and financial resources for urban water supply prior to reforms (pre 95 or 2000)?	
B.1.1	What are the Institutional arrangements for bulk water allocation? (sources of water, Departments/Committees/State Government/ Parastatal agencies and their roles, process of decision making)	<ul style="list-style-type: none"> ▪ Municipal laws ▪ Research studies
B.1.2	What are Institutional arrangements for the retail water provisioning pertaining to functions? Functions such as <ul style="list-style-type: none"> • finance • building water supply infrastructure • operation and maintenance of the schemes (Functions of the ULBs, changes if any due to 74th amendment, role of state level agencies, PHEDs / WSSBs, Industrial development corporations and private supply if any even in pre 1995 situation)	<ul style="list-style-type: none"> ▪ Government Resolutions issues by concerned departments such as WSSD, Department of irrigation, urban

		development etc.
B.1.3	Tariffs for both bulk as well as domestic (retail supply)	<ul style="list-style-type: none"> ▪ Water supply and sewerage board acts, ▪ Report of the committees appointed by state governments as well as of the private consultants (if any)
B.1.4	Supply norms (if changes in CPHEEO guidelines by state)	
C	Issues pre 1995 situation	
C.1	<p>What were the issues involved in the urban water supply, both in bulk allocation as well as retail domestic and commercial supply?</p> <p>With respect to</p> <ul style="list-style-type: none"> • Access and Quantity • Quality • Availability of bulk water <p>(Sufficiency and adequacy of the urban water supply systems (network, connectivity etc)</p> <ul style="list-style-type: none"> • Finance <p>(Central GIAs, State grants, municipal revenues, loans, bonds, other sources)</p> <p>(Recovery of taxes, collection efficiency, NRW levels)</p> <ul style="list-style-type: none"> • Issues pertaining to local political economy <p>(political protection, nexus, tanker supply etc)</p> <ul style="list-style-type: none"> • Municipal Capacities <p>(staff configurations, adequacy, skill-base, capacities with respect to financial operations, etc)</p>	<ul style="list-style-type: none"> ▪ Research studies ▪ Government reports and policy documents, if not available - planning commission reports ▪ Primary data (if available)
D	Urban Water Reforms (post 95 or post 2000)	
D.1	How reforms have progressed / are progressing in the bulk water allocations (if any)	
D.1.1	Overall direction of the reforms	<ul style="list-style-type: none"> ▪ Research studies ▪ Government Resolutions issues by concerned departments such as WSSD, Department of irrigation, urban
D.1.2	Major institutional developments, changed roles and functions, objectives behind the functions as well as the its relation with the reforms elements	
D.1.3	Major thrust areas - for example financial reforms aiming at full cost recovery etc.	
D.1.4	Issues, if any, created by the reforms or issues looming on the horizon, its positive or negative impact (likely impact) over the past issues in availability of the bulk water for ULBs	

		<p>development etc.</p> <ul style="list-style-type: none"> ▪ Report of the committees appointed by state governments as well as of the private consultants (if any) ▪ Reports of the International financial institutions such as WB
D.2	How reforms have progressed / are progressing in the retail water provisioning Pre-jnnurm scene?	
D.2.1	<p>Changes in</p> <ul style="list-style-type: none"> → policy and Legal framework → Institutions (organizations, departments, agencies, etc) → Roles and functions → Funding patterns, tying funds-disbursement with the reforms → Activities undertaken for implementing reforms such as database building, water audits etc. 	<ul style="list-style-type: none"> ▪ Research studies ▪ Government Resolutions issues by concerned departments such as WSSD, Department of irrigation, urban development etc.
D. 3	<p>How reforms have progressed / are progressing in the retail water provisioning Post JNNURM scene?</p> <ul style="list-style-type: none"> • Major additions in the reforms, and its emphasis, directions • Reforms that were not initiated before the JNNURM at state level as well as ULB level • JNNURM/UIDSSMT allocations <p>progress of reforms in the ULBs</p>	<ul style="list-style-type: none"> ▪ Report of the committees appointed by state governments as well as of the private consultants (if any) ▪ Reports of the International financial institutions such as WB
E	Issues	
E.1	What are the major issues posed by the reforms?	
E.1.1	Is there any Impact of reforms (Positive or negative) on the issues discussed in pre 1995 situation?	<ul style="list-style-type: none"> ▪ Research studies ▪ Government Resolutions issues by concerned departments such as WSSD, Department of irrigation, urban
E.1.2	Prerequisites for reforms and <i>dangers</i> if reforms implemented <i>without addressing the pre-requisites</i> (such as municipal capacities)	
E.1.3	<i>Challenges</i> posed by the reforms	

		<p>development etc.</p> <ul style="list-style-type: none">▪ Report of the committees appointed by state governments as well as of the private consultants (if any)▪ Reports of the International financial institutions such as WB
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Annexure 1: Format for mapping the housing issues at town level

No	Component	Component Related Questions	Response From	Information
A	Access	1. Are these homeless people in the town?		
		2. Pockets/Wards where they can be found?		
		3. How many declared slums? Where?		
		4. How many undeclared slums? Where?		
		5. How many unauthorized layouts? Where?		
		6. How many unauthorized constructions? Where?		
B	Affordability	1. Average rental prices		
		2. Average ownership apartment prices		
		3. Average land (NA, residential) prices		
		4. Average price of construction per sq. feet		
C	Habitability	1. No. of unsafe structures? Where?		
		2. Area Covered by Safe Water? Which?		
		3. Area Covered by sewage lines? Which?		
		4. Services levels in slums		
D	Legal Security	1. No. of buildings covered by property tax and those not covered which? Where?		
		2. Slums under threat of displacement		
E	Development plan	1. Land owned by ULBs		
		2. Land Ownership- Are there monopolies? How big? How much land Govt. dept. owned? Land owned by ULB's		
		3. Land availability for urbanization-How many times /how much/Have city limits Changed/Area of city/population/land owned by ULBs/land area available for residential development/how much is already developed		

F	Building construction	1. Profile of developers- contractors? Big Developers?		
		2. General Housing availability and affordability		
		3. Ease/difficulty in building permission		
G	Issues related to Slums	1. Emergence of Slums/slums in town		
		2. Socioeconomic profile of slum dwellers, their location in city politics		
		3. Blocks in declaration of slums		
		4. Major concerns of slum dwellers.		
H	MHADA	Initiative from MHADA		
I	Housing Projects	Other housing programmes or schemes		
J	Trends in A to E above			
K	How JNNURM Projects interface with components A to E			