

Governing Framework of Future of Cities- An Evaluation

Broad Area

Governance

Need for the Study in the Context of Future of Cities

Last decade of the last century witnessed two significant developments relating to development of better-living cities; one is the decentralization of governance in the form of constitutionally ingrained third-tier/local government and other is fast emergence of new urban areas. However, these two developments fail to benefit each other, consequently deteriorating quality of life of inhabitants of urban areas.

Also, there is a noticeable shift in the landscape of urban areas in India development on account of change in demographic pattern and consequent crisis in the provision of adequate infrastructure. The development continues to have negative by-products such increased air, land and water pollution. Rapid urbanization is leading to increased carbon emissions and a direct consequence of this is climate change, which is one of the biggest threats being faced by mankind and other life forms. The inability of state governments and local governments to contain the crisis relating to urban development revolves around the factors of paucity of fund, mal-administration of cities, inadequate provision of basic amenities, incoherent planning, complicated regulatory framework, inordinate delay in decision-making, unscientific land-use changes, and lack of institutional alignment etc.

The migration of rural people to urban areas and introduction of second or third tier cities in the league of first tier cities caused imbalance in resource allocation and distribution of amenities amongst habitants of the city. Different regulatory regime, ranging from environmental issues, land use and availability of infrastructure and amenities, required for establishment of city presents multi-pronged challenges for developers and builders. The fast growing urbanization also contributing to the generation of low-income employment without any sufficient social security measures for the workers engaging in construction/building of the city.

Given the problem cities are confronting, there is a need for comprehensive examination/evaluation of factors relating to governance of urban areas. In this process, it is desirable to undertake systematic, scientific and all-inclusive study on governance structure.

Objective and Scope of Work

- To examine the efficaciousness of the existing constitutional and legislative frameworks relating to the governance of the cities.
- To evaluate the efficaciousness of the existing regime in furthering the needs and requirements of the future cities.
- To compare and contrast the Indian constitutional and legislative frameworks relating to the governance of the cities with other jurisdictions.
- To compare and contrast the advantages and disadvantages of private ordering of governance of cities.
- To analyze the strengths and weaknesses of the existing regulatory mechanism.
- To identify judicial approach in dispute-settlement.
- To examine the constitutional and statutory framework of resource allocation to local bodies.
- To explore the factors of resource mobilization pattern.

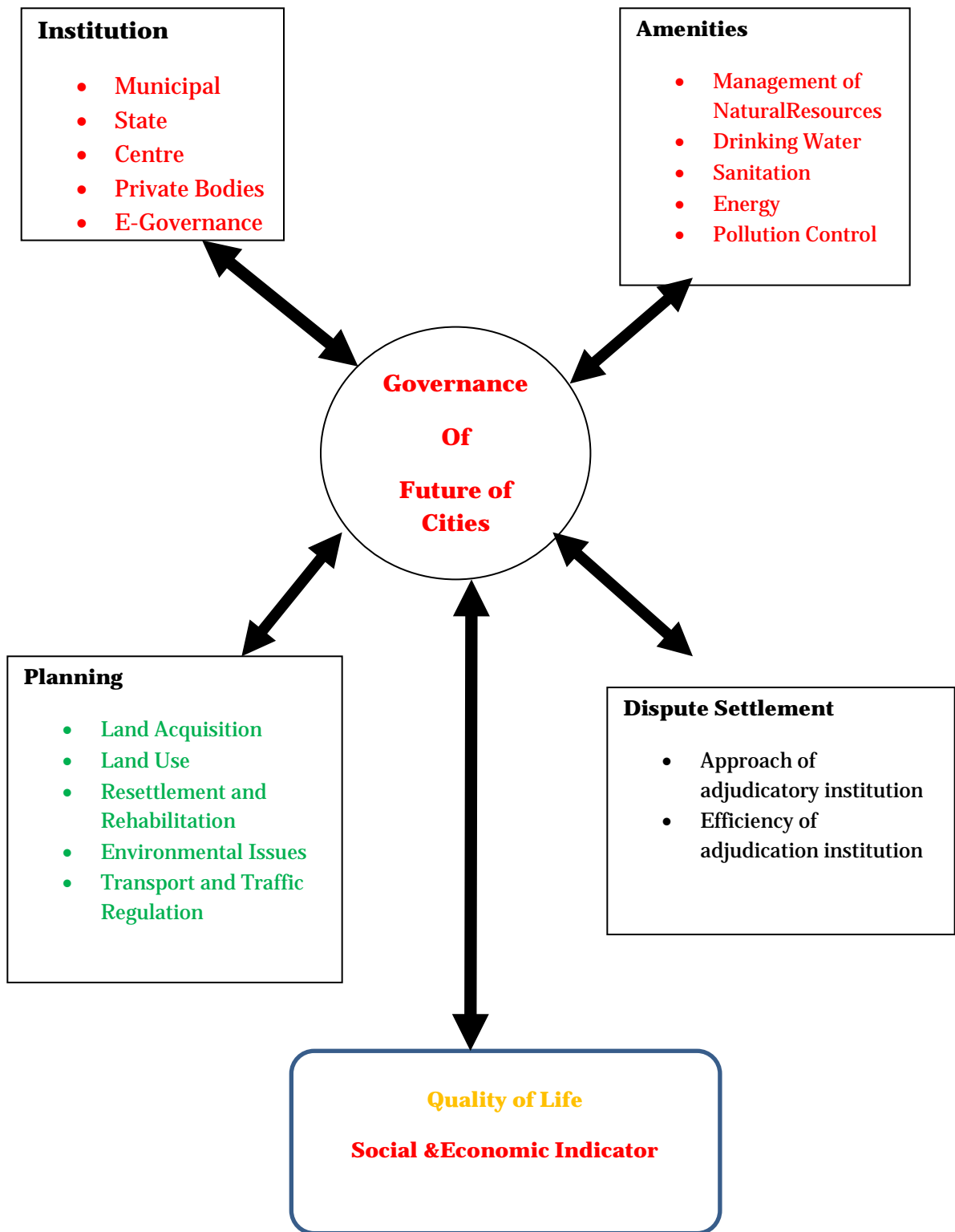
Methodology

The study will be based non-doctrinal research method. The methodology will be employed to evaluate the 'operation of law' and interaction with society. The research aims to identify to what extent legal rules work or have worked. A number of factors beyond the realm of law make impact on the operation of law which demands a probe on the identification of factors and influence on the operation. A systematic scrutiny of these factors will facilitate in identifying the bottlenecks and remove difficulties in to the effective application of law for ensuring socio-economic change in the society. The idea underlying adopting this method is to evaluate the application of laws in society is still valid and relevant.

The tool of carrying on the research shall be primary, questionnaire, interview, schedule, and secondary sources such as published or unpublished literature. The literature relating to scientific study undertaken in relation to the subject and study site will also be undertaken. In order to carry on the application of law, the comprehensive mapping of legislative and policy framework will be done, through analytical method, to draw integration amongst institutional mechanism.

Governing Framework of Future of Cities- An Evaluation

Flow Chart Representing the Interrelationship



Outcomes/Deliverables

- Mapping of legislative and regulatory framework relating to relating to the governance of the cities
- To provide institutional framework for sustainable city which shall be a community of residence, neighbors, workers and visitors who strive together to balance ecological, economics and social needs to ensure a clean, healthy and safe environment for all members of society and for generations to come.
- To suggest appropriate governance model for city management system which will create a strategically-oriented organization that optimizes its operations to serve the city's residents in the most effective and efficient way possible.
- To suggest the principles of a model municipal code keeping in mind the debate between private and public ordering in different service issues to improve quality of life.
- To recommend measure for effective role of state in urbanization process.

The research will be validated by undertaking detailed study of diverse paradigms of city-governance prevailing in different parts of India. For carrying out the research, the governance pattern of an older city, a planned city, a city-in-making and a private city (such as Kolkata, Bhubaneswar, New Raipur and Lavasa) respectively will be studied for structuring the foundational framework of a model municipal code.

Team Composition

Principal Investigator	
Dr. Uday Shankar	Assistant Professor, Rajiv Gandhi School of Intellectual and Law , IIT Kharagpur
Co Investigator	
Dr. Tapas Kumar Bandyopadhyay	Assistant Professor, Metallurgical & Materials Engineering