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Member of Standing Committee on Finance
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Co-Chairman, Vigilance & Monitoring Committee, Bangalore Urban District
Vice Chairman, National Military Memorial Management Trust, Bangalore

22nd November, 2013

Dear Shri Siddaramaiah avare,

With reference to the Urban Development notification on draft rules for setting up a Metropolitan Planning Commission (MPC) for Bangalore, I have studied the same and have also received several representations from many Residents Welfare Associations (RWAs) and NGOs such as CIVIC, Namma Bengaluru Foundation – attached for your reference – and I agree with them that there are fundamental flaws in the MPC draft rules making them inconsistent with spirit of the 74th amendment of the Constitution.

The draft rules go against the spirit of citizens' participation in the planning process and devolution of powers to elected representatives as mandated in the 74th Amendment.

The draft rules need several changes and must address the following concerns raised by the citizens:

1. The draft rules appears to comply with the High Court order in letter but not in substance failing to develop an MPC that will be autonomous, participatory and accountable to citizens. Instead, the draft rules maintain the status quo on the current situation of state government control with no independent participation, over the planning of Bangalore.
2. The draft rules do not provide for real and active citizens participation, and without their participation the planning process is a clear violation of the 74th Amendment which envisages a specific role for ward committees, citizens, RWAs and NGOs – a glaring omission that must be addressed.
3. While the draft has the Chief Minister, MLAs and MLCs as Members of the MPC while the Mayor who represents the largest and most important area of Bangalore Metropolitan Area and BBMP commissioner are not included as members –

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Indicating there is no devolution of planning powers and autonomy to local bodies, which continues to be with the state government. This defeats the letter and spirit of the 74th amendment that mandates real devolution of power to the third tier – citizens and RWAs who are the real stake holders of the city.

4. There is no representation to the real stakeholders of the metropolitan area – citizens and RWAs - except for a fleeting reference to consult NGOs and other professional bodies in preparing the draft development plan. The citizens need representation on the MPC and given a voice in the decision-making body.
5. The draft rules for setting up an MPC is a public act and if developed in proper consultation would have enhanced the quality of the ultimate decision taken and also be consistent with the requirement of the participation of those affected in a fully informed and effective manner. The opportunity to participate and voice an opinion on the MPC has to be a meaningful one which was not the case in this instance as citizens were caught unawares as no opportunity was given for public consultation and receiving suggestions.

In its current form, the MPC deviates from the mandate of the 74th Amendment Act and will fail to perform its constitutional functions. Therefore, I urge your intervention to address the fundamental flaws in the draft Bill and other concerns expressed by the citizens and RWAs when the final rules of MPC Act are notified, failing which it will be concluded that the state government is being derelict in its responsibility and promise of 'Good Governance'.

Sincerely,

RAJEEV CHANDRASEKHAR

Shri Siddaramaiah
Hon'ble Chief Minister
Government of Karnataka
Vidhana Soudha
Bangalore