

India needs strong, directly elected mayors



Summary:

Recently, the Maharashtra cabinet approved a proposal for direct election of the village sarpanch, the head of the gram panchayat. An ordinance to this effect is in the pipeline. With this, the debate surrounding the direct election of mayors in urban areas has once again come to the fore.

Need for directly elected mayors:

While there are multiple reasons for India's urban woes, one of the underlying problems is the absence of powerful and politically accountable leadership in the city. Our cities have a weak and fragmented institutional architecture in which multiple agencies with different bosses pull the strings of city administration.

- Currently, the head of the municipal corporation, the mayor, is merely a *ceremonial authority and executive decisions are carried out by the municipal commissioner appointed by the state government.*
- **An elected mayor with substantial powers of his own not only provides a single point for negotiations with outside agencies and investors but also ensures greater coordination** among the different city departments and promotes decisive decision making.
- A popularly elected mayor with a fixed tenure also offers **more stability in governance** as the person is not dependent on the elected members of the council or on the local or state level political leadership for his survival in office. A stable leadership can also afford to roll out long term plans that will ensure major changes in the cities political and economic landscape.

The concept should face the following challenges before it becomes a reality:

- State governments do not wish to delegate more authority to city-level institutions. Often, urban resources are transferred to rural areas in the name of development. Even if the mayor is directly elected, the state governments can refuse to devolve power and resources, effectively reducing him to a figurehead.
- Municipal commissioner also, sometimes, becomes hurdle. Even if some powers are delegated to the municipality, the state governments have in place municipal commissioners to perform the executive functions, again cutting the mayor to size, the nature of mayoral election notwithstanding.
- If a directly elected mayor belongs to a party in minority in the municipality, it becomes difficult to get other municipality members on board in taking decisions. This was witnessed in Himachal Pradesh, which ultimately led to the scrapping of this system.
- Also, a mayor executing projects will tend to gain popularity at the expense of the local legislator whose job is to legislate and scrutinise the performance of the executive. A legislator will always see the directly elected and empowered mayor as a potential future rival and will do everything in his command to undercut his authority.
- It is also widely felt that elected mayors may blur the lines between the three tiers of government: the Union, the states and the local self governments.

How can we counter these challenges?

- In the light of development, state governments should take up this issue seriously and confer necessary powers upon mayor to effectively discharge his duties.
- To avoid conflict between elected mayor and municipal commissioner, mayor may be made the executive head of the municipality. Additionally, mayor may also be given the power to “authorize the payment and repayment of money relating to the Municipality”.
- To check the spread of vested interests, mayor may also be vested with the power to veto a resolution passed by the municipality.
- Voter awareness is also necessary as it is the only thing that will drive them to vote for a legislator based on his performance in the state assembly or Parliament and vote for the mayor and councillors based on their executive performance. This ensures that there exists separation between the two.

Even if a directly elected mayoral system is a relatively good reform, should it be made mandatory for all municipalities under the Constitution?

India is one of the few countries where the powers of the local government are laid out in the federal Constitution. However, local government is still under List II of the Seventh Schedule of the Constitution. Hence only the State is empowered to

make laws on this subject. In such a federal system, constitutional provisions should only lay down the broad institutional framework for local governments. But since States are often reluctant to devolve functions to local government, it makes sense to mandate such devolution in the Constitution. However, the Constitution may not be the ideal instrument for prescribing the manner in which the head of a local government is elected.

What else is needed?

Besides direct elections, a fixed tenure should be ensured for Mayors. One or two years, as provided presently, is not sufficient to ensure the holistic development of urban areas. Also, frequent changing of mayors results in discontinuation of policies and wastage of scarce resources. Preferably, the Mayor's term should be coterminous with that of the municipality, and the Mayor should be made the executive head of the municipality.

Way ahead:

A direct election of mayors in the urban centers as currently planned will ensure a sea change in the political equations at the local level and help launch a new generation of more charismatic leaders who can mobilise voters and usher in real changes in urban governance. In fact in some countries like the UK legislative changes were rolled out at the beginning of the decade to ensure direct elections of mayors in all major cities.

Conclusion:

The excessive fear of fragmentation in a newly independent India led to a reluctant federation and a dirigiste economy. While the pace of economic liberalization remains slow, the decentralization of administration has been slower. It is high time for corrective steps.