

THE INTERSECTION OF GOVERNMENTS IN DELHI

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India's capital is marked by different settlement types, defined by diverse degrees of formality, legality, and tenure. As part of a larger project on urban transformation in India, Cities of Delhi seeks to carefully document the degree to which access to basic services varies across these different types of settlement, and to better understand the nature of that variation. Undertaken by a team of researchers at the Centre for Policy Research (CPR), New Delhi, the project aims to examine how the residents of the city interact with their elected representatives, state agencies, and other agents in securing public services.

Through three sets of reports, the project provides a comprehensive picture of how the city is governed, and especially how this impacts the poor. The first is a set of carefully selected case studies of slums, known as jhuggi jhopri clusters (JHCs) in Delhi, unauthorised colonies, and resettlement colonies. The second set of studies explores a range of different processes through which the governing institutions of Delhi engage with residents. The third focuses on selected agencies of governance in Delhi. All reports are made public as they are completed.

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Many of the challenges and complexities of governance in Delhi arise from its place at the intersection of local, state, and national jurisdictions. This brief explains Delhi's governance structure at the local, state, and union levels of government.

Local

Delhi's local government is made up of five urban local bodies: the New Delhi Municipal Council (NDMC), the Delhi Cantonment Board (DCB), the North Delhi Municipal Corporation, the South Delhi Municipal Corporation, and the East Delhi Municipal Corporation.

The **New Delhi Municipal Council** (NDMC) was established through the NDMC Act, 1994, amended in 2011, and includes about three per cent of Delhi's area under its jurisdiction. According to Census of India 2011, 249,998 people live within the area governed by the NDMC. The Council is a nominated body, and is headed by a chairperson who is appointed by the Ministry of Home Affairs of the Government of India. The Council, in turn, is directly accountable to this Ministry.

The **Delhi Cantonment Board** (DCB), established in 1914, also has about three per cent of Delhi's area under its jurisdiction, housing a population of 116,352 (Census 2011). The DCB is legislated by The Cantonments Act, 1924, amended in 2006, and is made up of eight elected members. The executive head of the Board is appointed by the Ministry of Defence, and, just as the NDMC answers directly to the Ministry of Home Affairs, the DCB is accountable to this union government ministry.

The majority of Delhi, nearly 95 per cent of its land area, housing more than 11 million people, sits under the jurisdiction of the city's three **Municipal Corporations**. These three bodies were established in 2011 with the trifurcation of the unified Municipal Corporation of Delhi (MCD). Created by Parliament in 1957 through the Delhi Municipal Corporation Act, the MCD was led by the Municipal Commissioner of Delhi, appointed by the Ministry of Home Affairs (MHA). Each year, the MCD's 272 municipal councillors, elected by their respective municipal wards, selected a mayor.

In 2011, the Legislative Assembly of the National Capital Territory of Delhi passed an amendment to the DMC Act, 1957, splitting the MCD into three bodies. Today, the MHA appoints a commissioner to lead each of the three Municipal Corporations of Delhi. The North and South Delhi Municipal Corporations each have 104 municipal councillors, and the East Delhi Municipal Corporation has 64 municipal councillors, elected from their respective municipal wards.

The 2011 amendment also saw a new measure of state-level involvement in the local bodies. In addition to the union government-appointed commissioner, the Secretary of the Urban Development Department of the Government of National Capital Territory of Delhi (GNCTD) was designated Director of Local Bodies. The director's responsibilities include coordination of functions across the three corporations, framing recruitment rules, and resolving any inter-corporation issues. Despite this change, the corporations remain directly accountable to the Government of India.

State (Government of NCT of Delhi)

Although it briefly had a legislature after Independence, between 1956 and 1992 Delhi was a union territory, governed by the union government with no state-level legislative power. In 1992 the Government of National Capital Territory of Delhi Act, 1991 came into force, creating Delhi as a state with a new state-level representative government to be called the Government of the National Capital Territory of Delhi (GNCTD). Today, the GNCTD oversees nearly 1500 square kilometres.

In many ways, the GNCTD is similar to any other state level government: it manages transport, industrial development, revenue administration, power generation, food and civil supplies, and health and family welfare. The GNCTD's legislative body—the Legislative Assembly of the National Capital Territory of Delhi—is made up of 70 members (MLAs), each representing an assembly constituency averaging 200,000 voters, delimited based on data from the Census of India 2001. Each constituency contains four municipal wards.

Due to certain special provisions inserted into the Constitution of India by the GNCTD Act, 1991, the legislature is more limited than other state governments. While the Legislative Assembly has the power to make laws for the whole or any part of the NCT of Delhi with respect to matters set out in the State List or in the Concurrent List of the Constitution, it does not have the power to make laws relating to police, public order, or land; these areas remain the purview of the Parliament of India. This limitation extends to executive power: according to the Constitution

of India, executive power is 'co-extensive' with the legislative power of the Parliament of India.

In other words, the GNCTD is not responsible for physical planning, development of land, or law and order. These functions are overseen by bodies that are directly accountable to the Government of India, leading to a governance structure that is often described as "limited statehood". For administrative purposes, the GNCTD area is divided into 11 districts, divided among governing bodies as follows:

North Delhi Municipal Corporation	Central, North, and North West Districts
South Delhi Municipal Corporation	South, West, South West (excluding Delhi Cantonment area), and South East Districts
East Delhi Municipal Corporation	East, North East, and Shahdra Districts
New Delhi Municipal Council	New Delhi District

Today, basic service provision in Delhi is largely the purview of the GNCTD, which has absorbed and reconfigured several local-level bodies since its creation in 1992.

Water

The Delhi Jal Board (DJB), formed in 1998, is directly accountable to the GNCTD and is responsible for water and sewage-related infrastructure in Delhi. The DJB oversees bulk water supply for all of Delhi and distribution of water in the MCD areas; the NDMC and DCB are responsible for distribution of water in the areas under their control. The DJB was preceded by the Delhi Water Supply and Sewage Disposal Undertaking (DWS&SDU), part of the MCD from 1958 until 1996, when it was transferred to the GNCTD.

Electricity

Like water, electricity generation, transmission, and distribution was overseen by an MCD body for many years: the Delhi Electric Supply Undertaking (DESU). In 1997, the state-level Delhi Vidyut Board (DVB) replaced the DESU, shifting responsibility for electricity to the GNCTD. In 2002, the DVB was split into six companies. Three of these have remained pure government undertakings: the Delhi Power Supply Company Limited (DPCL), a holding company; Indraprastha Power Generation Company Limited (referred to as Genco), the power generation company; and the Delhi Transco Limited (referred to as Transco), the power transmission company.

Union, State, and Local Agencies Involved in the Governance of Delhi



The remaining three companies, which have become known as “discoms”, are responsible for distribution. Fifty per cent of each of these was auctioned to private players, resulting in three joint venture distribution companies: Tata Power Delhi Distribution Limited (TPDDL) for North Delhi, BSES Rajdhani Power Limited (BRPL) for South Delhi, and BSES Yamuna Power Limited (BYPL) for East Delhi. The private partner in Tata Power Delhi Distribution Limited (TPDDL) is the Tata Group, and the private partner in both BSES Rajdhani Power Limited (BRPL) and BSES Yamuna Power Limited (BYPL) is the Reliance Anil Dhirubhai Ambani Group (ADAG). The remaining fifty per cent of each of these distribution companies is still owned by the GNCTD. A sixth body, the Delhi Electricity Regulatory Commission (DERC), regulates electricity tariffs.

Union (Government of India)

Delhi’s seven members of parliament (MPs) each represent an average of 2,000,000 voters (Census of India 2001), spread across ten assembly constituencies. In other words, while there is only one national-level representative for every 2 million voters, there are 10 state-level representatives, and some 40 local representatives.

The constitutional head of Delhi is the Lieutenant Governor (or LG) of Delhi, who is appointed by the President of India. Delhi is the only state with an LG, a post otherwise reserved for union territories. The LG of Delhi heads governance functions in Delhi vested with the union government, and he or she leads the executive bodies that carry out the functions of land, police, and public order.

The Delhi Development Authority (DDA) is responsible for all physical planning and development of land and housing in Delhi. The DDA was established through the Delhi Development Act, 1957, passed by the Parliament of India. It is important to note that the DDA was created at a time when Delhi was a union territory, with no state level government. The DDA has remained a union government body since Delhi became a state in 1992 and continues to be accountable to the Ministry of Urban Development of the Government of India.

In addition to its planning, Delhi’s law and order are also managed by the union government: the Delhi Police is directly accountable to the Ministry of Home Affairs at the Government of India.

MORE INFORMATION

A more detailed account of the institutions and structures mentioned in this brief can be found in the reports of the Cities of Delhi project, available at citiesofdelhi.cprindia.org/reports/