

Participatory Local Governance in Asian Cities: Invited, Closed or Claimed Spaces for Urban Poor?

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Abstract

In the past two decades, many Asian countries including India have mandated participatory local governance through national statutes. Emerging research on Asian cities shows that despite strong national mandates, the practice of participatory governance at local levels remains largely ineffective. Our research in Ahmedabad in India shows that while the state government's policy mandate for invited spaces for participation in local governance is weak compared with the national government's policy mandate, the practice by the local government is even weaker leading to ineffective or closed participatory spaces. In the absence of invited spaces, the middle class successfully uses the executive wing at ward and zone levels and e-governance and m-governance platforms to negotiate their needs, whereas the poor rely on the elected representatives, but with limited success, resonating the experience of many cities in Asia. While in other cities of India, the poor have successfully engaged with elected representatives through clientelism to negotiate their needs, in Ahmedabad, this platform is also captured by the elite middle class and offers little opportunity to the poor. In response to denial of all invited spaces of engagement and the consequent implications on their lives, the poor mobilize to claim spaces for engagement with the state through judicial recourse. Although successful, claimed spaces of the poor are one-off mechanisms which close upon the end of the judicial process rather than culminate into permanent invited spaces for participation.

Keywords

Participatory local governance, invited spaces, claimed spaces, closed spaces, slums, poor, exclusion

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Participatory Governance and the Interplay of Invited, Closed and Claimed Spaces

Since the onset of neoliberalism and globalization in the past two decades, the debates on the relation between the state, the markets and the citizens have centred on two processes: the process of moving 'out from government' through 'participatory governance' and the process of bringing the state closer to the citizens through 'decentralization' (Pierre & Peters, 2000). The first process involves sharing of power by the government with citizens and private sector and the second process involves sharing of power with higher tiers with lower tiers of government. The rationale for participatory governance is that it strengthens local democracy by increasing 'spaces' for participation by citizens in local governance processes (Cornwall & Gaventa, 2001; Devas, 2004; Nainan & Baud, 2008) which in turn contributes to more viable and just policies and a positive impact on poverty, inequality and development processes (Coelho & Favareto, 2011).

Gaventa (2006) defines 'spaces' in participatory governance as 'opportunities, moments and channels where citizens can act to potentially influence policies, discourses, decisions and relationships which affect their lives and interests' (2006, p. 26). He proposes three types of participatory spaces which are dynamically related: closed, invited and claimed. In closed spaces, citizens are not allowed any say in decisions taken by the state. Invited spaces, are those where the state offers citizens the possibility of participation in decision-making processes and may be institutionalized and permanent or transient. In claimed spaces, citizens come together as autonomous agents to create opportunities to influence the state.

Of these, the invited spaces represent participatory governance and allow citizens to be 'makers and shapers' rather than just 'users and choosers' of services. Invited spaces provide a platform to them both as consumers of services as well as citizens with rights to shape their cities (Baud & Nainan, 2008; Cornwall & Gaventa, 2001). Invited spaces are assumed to lead to more efficient delivery of services, as decisions are made at levels in proximity to the source of citizen problems and to more accountability of government to the citizens. It is proposed that higher the proximity of such spaces to the citizens, higher will be the responsiveness of the government (Crook & Manor, 1998).

However, researchers have argued that a national policy or statute mandating invited spaces in local governance is required for them to be meaningful (Parry, Moyser & Day, 1992). Further, researchers claim that such mandates should provide equal opportunity to all citizens to participate; should delegate clear functions, powers and financial autonomy to the invited spaces (De Wit, Nainan & Palnitkar, 2008); and should allow participants in these spaces to be involved in all three areas of influence, that is, formulation, process of passing and implementation of public policies (Fung & Wright, 2003).

The effectiveness of invited spaces is countered on two grounds. The first is the reluctance of higher tiers of government to share power with these spaces because of entrenched culture of power accumulation and the second is the risk of capture of these spaces by the local elites. Researchers (Baud & Nainan, 2008; Sridharan, 2008; Yilmaz & Venugopal, 2013) suggest that despite national mandates, the state- and local-level governments are reluctant to allow greater say to lower tiers with invited spaces on the pretext of the underlying danger that individual and localized issues may supersede the collective interest of the city. Consequently, the invited spaces mandated by the national government may either become closed spaces at the local level or may have a limited role and power.

Swyngedouw (2005) proposes that while formal democracy has clear rules and offers equal opportunity, if only to vote, in participatory governance, participation itself can become contested and limited in terms of who can and/or who will be allowed to participate. In essence, there is a risk that invited spaces

will be captured by local elites for their own interest, with an exclusionary effect on the marginalized and the urban poor (Baud & Nainan, 2008; Kundu, 2011; Swyngedouw, 2005; Teeffelen & Baud, 2011). Discussing the politics of participatory governance, Coelho, Kamath and Vijaybaskar (2011) suggest that participatory governance has implications on the politics of decision making as it splinters the urban local polity into smaller neighbourhood-based units, institutionalizes the powers of the new middle class leaders and legitimises the exclusionary agendas of neighbourhood associations. In essence, it paves the way for a new politics of civil society and urban activism at the expense of elected bodies, representatives and the urban poor. Through participatory spaces, the middle class in Indian cities is increasingly emerging as a political agency with a political and moral leadership, spurring the renewal, decongestion or beautification of cities as well as the dispossession and dislocation of the urban poor (Deshpande, 2006; Ghertner, 2011).

When less powerful actors are thus excluded from invited spaces because of elite capture, Gaventa (2006) proposes that they mobilize for common concerns and claim spaces for themselves in governance which he refers to as 'claimed' spaces. Gaventa (2006) suggests that claimed, closed and invited spaces exist in a dynamic relationship to one another, and they are constantly opening and closing through struggles for legitimacy and resistance, co-optation and transformation. Closed spaces may seek to restore legitimacy by creating invited spaces and similarly invited spaces may be created as more autonomous people's movements attempt to use their own fora to claim engagement with the state.

The debates and advocacy for participatory governance and decentralization in the past two decades have led to their implementation by 63 developing countries by the 1980s (World Bank, 2000). In Asia, Philippines, Cambodia, Vietnam and India among others began to follow the global trend since the 1990s.

Philippines introduced the local Government Code (LGC) in 1991 to increase the autonomy of local governments and participatory local governance. The LGC mandated participation through two invited spaces: Barangay Assemblies at ward level and Local Development Councils (LDCs) at city level. Researchers have shown that both these invited spaces are neither fully implemented nor functioning in all the LGUs of Philippines (Yilmaz & Venugopal, 2013). While only 30–50 per cent of cities have LDCs in place, most Barangay assemblies under them only function as platforms for information dissemination rather than meaningful engagement with citizens. The entrenched culture of power accumulation and patronage has resulted in elite capture of these spaces where implemented. The LGC required that one-fourth of its members should be citizen representatives and almost 33 per cent of them were found to be directly selected by the local chief executive without any due process, indicating an elite capture of these spaces. The LDCs were empowered to formulate development plans, public investment programmes and annual investment plans, but less than one-third of the local governments were found to have development plans with meaningful citizen participation (Yilmaz & Venugopal, 2013). As the urban poor found themselves excluded from these invited spaces, in cities such as Cebu, they mobilized with the help of local Non-Governmental Organizations (NGOs) to claim their right to these spaces and succeeded in getting several mayoral candidates to agree to a programme that would allow the poor to participate in local governance processes (Yilmaz & Venugopal, 2013).

In Vietnam, participatory local governance and decentralization were mandated in 1998 through Decree 29 termed as 'The promulgation of regulations on the exercise of democracy in Communes'. Decree 29 introduced commune people's council as an invited space allowing participation in four categories of decision-making processes, namely, information, consultation, approval and supervision. However, available evidence suggests an uneven pattern of implementation across the country attributed to the broad framework of Decree 29. Unclear responsibilities and insufficient devolution of

decision-making powers to commune people's councils have diluted their effectiveness in decision making. In effect, a participatory governance in Vietnam is being viewed as a mechanism through which the political centre is attempting to assert more coherent control over local society by allowing only narrowly circumscribed space for local-level negotiations (Mattner, 2004).

In Cambodia, participatory governance and decentralization were institutionalized in 2001 through two laws: the Law on Election of Commune and the Law on Administration and Management of Communes. The laws mandated invited space for citizen participation in the commune councils. Researchers argue that in reality, the power remains centralized at higher tiers of government rendering these spaces ineffective. Further, these spaces are argued to be indifferent to the rights of the poor, especially where conflicts with the rich and big business occur. In essence, these spaces are often captured by the local elites (Alicias, 2011).

The Government of India (GoI) mandated participatory governance and decentralization first in 1992 through the 74th Constitutional Amendment Act (74th CAA) and further, in 2005, through the Community Participation Law (CPL) under Jawaharlal Nehru National Urban Renewal Mission (JNNURM). The 74th CAA proposed devolution of power from state to local governments and mandated local governments with population more than 300,000 to form one more tier of governance, that is, Ward Committee (WC), as a participatory space wherein elected councillors, administrative officers and citizens groups would work together. However, the states took a long time in ratifying this legislation and setting the processes in motion in their Urban Local Bodies (ULB). Many but not all cities created WCs and there were vast differences across cities in terms of WC's composition, proximity to citizens, functions, powers and resources (De Wit et al., 2008). Consequently, in 2005, with the same political party which passed the 74th CAA in power at the centre, participatory governance and decentralization processes were once again reinforced and mandated through CPL as a reform at the state and local levels under JNNURM.

Under JNNURM, the national government proposed a model CPL for the state governments to emulate. The model CPL's proclaimed objective was to 'deepen democracy, facilitate efficiency and socio-economic growth and promote pro-poor initiatives' (Government of India, 2006c). Under CPL, a minimum of three tiers of decision making were mandated in a ULB, the city level, the WC level and the Area Sabha (AS) level, with invited participatory spaces for citizens at the lower two levels. The states had to either enact a separate CPL on the lines of the model CPL given by the national government or make appropriate amendments to their existing municipal laws to clearly define composition, proximity criteria, functions and powers and funding sources of the two participatory tiers (Government of India, 2006c). The local governments then had to implement these tiers as per the enacted state statute. To ensure compliance by the state and local government, a tripartite Memorandum of Agreement (MoA) between national, state and local government was signed. Non-compliance with the agreed conditions in the MoA would lead to curtailment of grants from the national government.

Both WCs and ASs were aimed to act as platforms of neighbourhood governance and increase proximity between elected representatives and citizens through invited spaces for citizen participation (Sivaramakrishnan, 2000). To this date, both the 74th CAA and the CPL remain ratified and implemented to different degrees by state governments (Baud & Nainan, 2008; De Wit et al., 2008; TERI, 2010). The research on practice of these initiatives remains limited to a few states which were early ratifiers like West Bengal, Kerala, Maharashtra, Madhya Pradesh and Karnataka. The state of Gujarat ratified 74th CAA in 1997 but institutionalized WCs only in 2007 and ASs in 2012. As a late rejoinder, the experience of participatory urban governance through invited spaces in Gujarat remains largely unexplored except for a few government-sponsored studies by TERI (2010) and Grant Thornton (2011). This article addresses this empirical research gap.

The research attempts to validate Gaventa's (2006) spaces for participation by inquiring how different spaces are created, on what terms and whose interests they serve in the context of Ahmedabad in India. A particular focus is on the extent to which different social groups, and particularly urban poor, are able to negotiate their rights through such spaces. The three specific questions are as follows:

- How was the mandate of national government for participatory governance implemented by the state government particularly in terms of composition and inclusion of poor, proximity to citizens, functions and financial autonomy?
- How have the state government's mandates been implemented by the local government and whose interests do they serve locally?
- How do urban poor excluded from invited spaces claim spaces for engagement and what is the outcome of such spaces on their empowerment?

The research seeks to contribute to the emerging research on the experience of participatory local governance in the Asian countries.

Methods

Mixed methods were used to collect and analyze primary and secondary data. The fieldwork for the research was undertaken from May 2014 till February 2015. To understand the gap between the mandate of national government and implementation by the state government, related secondary data were collected and critically analyzed. Secondary data included JNNURM documents such as the CPL Primer, the MoA between the three governments, the commitment by state government for implementation of CPL in the MoA and the state government's statutes related to the formation of WCs and ASs. The findings on gaps were corroborated by semi-structured interviews of two key officials from Gujarat's urban development and urban housing department, three key officials in the Ahmedabad Municipal Corporation (AMC), members of three key NGOs and six members of academia engaged in various aspects of participatory governance and slums in Ahmedabad (Figure 1).

To understand the implementation of the state mandate at the local level secondary and primary data were collected and analyzed. Secondary data included the resolutions passed by the AMC for the formation of WCs and ASs, AMC's annual budget documents from 2012 to 2015, the population data of Census 2011, including ward population, marginalized group composition, and data on utilization pattern of individual budgets of councillors of selected wards. Six wards, one from each zone were selected to get the perspectives of all the key stakeholders. To capture official claims related to community participation in WCs and budgeting processes, semi-structured interviews of AMC officials and councillors were undertaken. They included nine executive officials including municipal secretary at city level, deputy municipal commissioner and additional city engineer at zone level and six assistant engineers (also ward officers) at ward level. Eighteen councillors from various wards were interviewed to capture their response to different citizen groups including those from wards with low and high composition of marginalized population and those from opposition parties. Twelve residents from middle class and 12 slum community leaders were interviewed to understand the efforts to claim spaces for participation by different social groups. Two NGOs and four academicians working with slum communities were interviewed to corroborate the claims of ward officers and councillors.

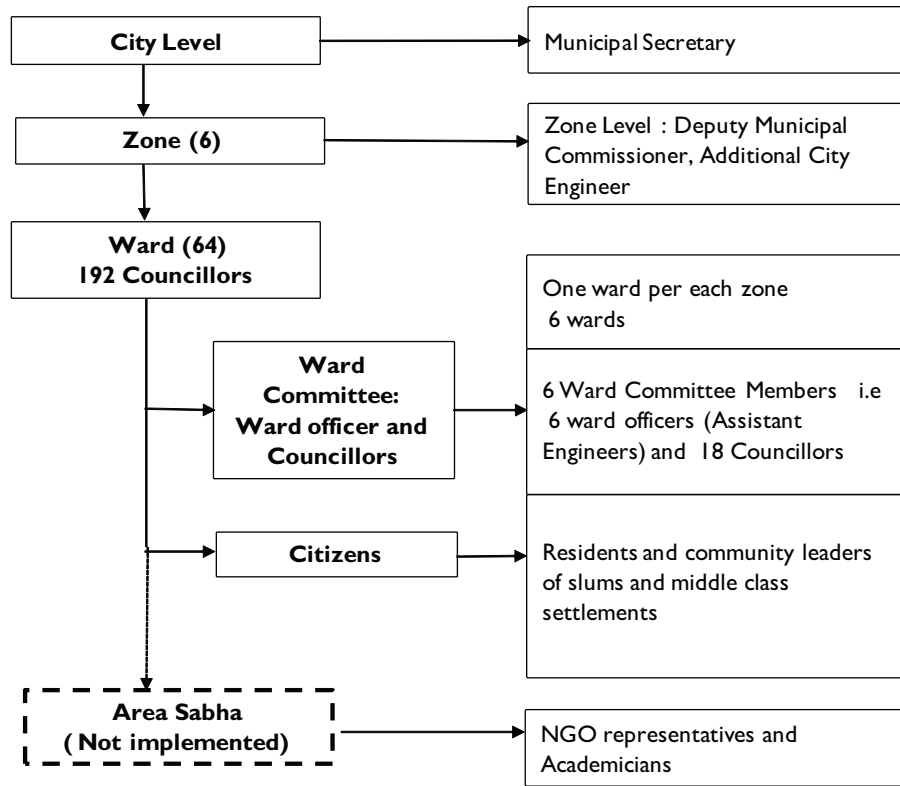


Figure 1. Distribution of Semi-structured Interviews of Key Stakeholders in Ahmedabad

Source: Compiled by authors.

Results and Discussion

This section is arranged in three subsections, each discussing one sub-question.

Implementation of National Government Mandate for Participatory Governance by the State Government

In this section, we assess whether the Government of Gujarat's (GoG) rules for WCs and ASs follow the national mandate in terms of meaningful opportunities to citizens groups, particularly the poor, to participate in local governance.

Mandate for Ward Committees in Gujarat

The first mandate for participatory governance was given by national government under 74th CAA by provision of WCs in ULBs with 'nomination of persons having special knowledge or experience in municipal administration' (Government of India, 1992). The WCs could thus have members from various

citizens groups and provide a platform for bringing the local government closer to the people (Singh & Maitra, 2001). The 74th CAA allowed the states to decide the extent of devolution of functions, powers and fiscal resources to WCs but with the corollary that all three would be devolved.

Many states, including Gujarat, had not passed rules related to WC as per the provisions of 74th CAA. Hence, under JNNURM, participatory governance was reemphasized and mandated by the national government through the provision of CPL as a mandatory reform for the state governments. Consequently, though GoG had ratified 74th CAA in 1993, it sanctioned the rules for the formation of WCs only in 2007 under the provision of CPL reform of JNNURM and after signing an MoA with national government in 2006 committing to this and other reforms (Government of India, 2006a). The GoG rules are titled ‘Gujarat Municipal Corporation’s Ward Committees Functions, Duties, Territorial Areas and Procedure for Transaction of Business, Rules 2007’.

We assess the functions, powers, resources and composition of a WC under the rules. First, the rules limit the powers of WCs by making them to ‘be advisory in nature’ (Government of Gujarat, 2007, p. 2) and assigning them the following functions:

- Collect details of deficiencies in essential services by the Municipal Corporation, assess the requirement of development works to be undertaken and make recommendations to the standing committee for development works.
- Review complaints and guide the administration in speedy disposal of complaints.
- Review implementation of schemes in slums and programmes related to poverty eradication.
- Seek co-operation of citizens and NGOs in solid waste management and in making the city clean and beautiful.
- Extend co-operation in the recovery of property tax.
- Create awareness among citizens towards duties and responsibilities.

The list indicates that a WC is limited in functions and powers and is to only serve as a platform for advising, reviewing, seeking cooperation and extending cooperation to citizens and municipal corporation. It is not assigned independent power in formulation, passing and implementation of projects at ward level.

Further, in Gujarat, WCs have not been allotted any resources and thus have no financial autonomy. By contrast, a few other states, such as Maharashtra and Tamil Nadu, have devolved substantial powers and fiscal resources to WCs and have empowered them to sanction works up to ₹500,000 (USD 8,012¹) and ₹1,000,000 (USD 16,025), respectively (Singh & Maitra, 2001). This is also done in Kerala, West Bengal and Madhya Pradesh (De Wit et al., 2008).

Finally, Gujarat’s rules prescribe a WC to be composed of three councillors and one ward officer and excludes provision for citizen participation, unlike states like Maharashtra, Karnataka, West Bengal and Kerala whose rules allow co-optation of three, seven, fourteen and fifty citizen members respectively including representatives of urban poor communities (De Wit et al., 2008; TERI, 2010). In Kerala, which is considered a national good practice, a WC has large and inclusive participation with 15 persons from registered resident welfare associations, 20 from registered poor neighbourhood groups, one nominated by each political party represented in the council, heads of all recognized educational institutions in the ward and 20 nominated jointly by the chairperson and councillor (Administrative Staff College India, 2011). Thus, both middle class and poor community members have equal representation in WCs in Kerala. The disposition to empower all classes of citizens in local governance in Kerala and also in West Bengal could be attributable to communism as a deeply rooted social, political and economic ideology there, whereas the indisposition in Gujarat could be

attributable to the deepening neoliberalism and right wing politics in local politics which tend to give patronage to the local elites (Desai, 2006).

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Mandate for Area Sabhas in Gujarat

The objective of national government's CPL and AS mandate was to institutionalize inclusive participatory governance through representation of all groups of a polling booth (i.e., for approximately 1500–4000 population) (Figure 2). The CPL primer mandated clear devolution of functions, powers and resources (Government of India, 2006c) but allowed the state governments to decide the extent and nature of the three as well as the exact composition of the invited spaces.

For the constitution of AS, GoG enacted rules in February 2012, 3 years later than the agreed timeline of 2009 in the MoA with the national government. The rules are titled 'Functions, Duties, Territorial Areas and Procedure for Transaction of Business of Area Sabhas'. Though outside the scope of this research, it is instructive to note that despite this delay and breach of conditions of MoA (Government of India, 2006b), the national government continued releasing subsequent grant instalments to GoG and AMC for infrastructure development. This is an indication of lack of seriousness of all tiers of government related to the participatory governance.

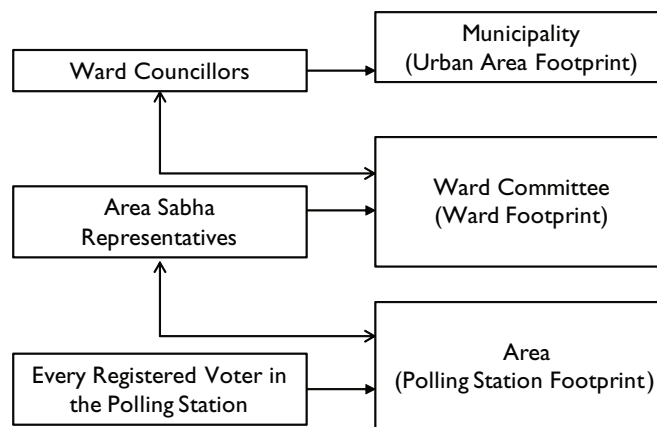


Figure 2. Proposed Structure by GoI for Participatory Platforms under CPL Reform Primer of JNNURM

Source: JNNURM CPL Primer document, 2006.

This is reiterated by the GoG rules which limit the functions and powers of an AS to being only advisory by stating ‘Wards committee shall prepare their proposals/suggestions for the annual budget for respective ward in consultation with area sabha’ (Government of Gujarat, 2012, p. 2). Other than this statement, there is no mention of functions, powers and resources or financial autonomy to this invited space.

In terms of representation ratio and proximity to citizens, GoG rules recommend that each ward be divided into three ASs, irrespective of size and population of the ward. As per the municipal statute of Gujarat state, three councillors are elected from each ward in a ULB. Hence, each ward is pragmatically distributed into three ASs without much consideration to the proximity of this space to the citizens such that one councillor chairs each AS. However, in metropolitan cities with large ward populations such as Ahmedabad, such a constitution may not deepen democracy as the representation ratio of an AS will be an average of 29,000, that is, more than 10 times the ‘polling booth footprint’ of 1500–4000 mandated by the GoI in the CPL.

Concerning the composition of an AS, GoG rules recommend ‘Municipal corporation shall appoint members of area sabhas from among the eminent citizens including retired government officials, ex-councillors, teachers, NGOs from literary and social fields, urban planners, architects etc.’ (Government of Gujarat, 2012, p. 2). Though promoting pro-poor initiatives through representation of poor communities was the key objective of CPL, slum dwellers or their leaders are not included in the list of ‘eminent citizens’ invited to this space. The rule therefore serves the interests of the elite and will lead to their capture of this space. This lacuna was also highlighted by GoI’s appraisal agency for JNNURM, Deloitte Touche Tohmatsu India (2013), but evidently it was not taken cognizance of by GoI, as there is no record of amendment in the GoG rules or retributory action by GoI. Thus, GoG rules for ASs deviate from mandates of CPL by GoI as they do not devolve substantive functions powers and financial autonomy, limit representation by mandating three ASs in a ward and promote elite capture of this space.

The review of the rules of GoG for both WC and AS indicates a clear reduction in the mandates by the state government out of the envisaged mandates provided by national government under both the 74th CAA and JNNURM’s CPL. A large representation ratio between citizens and nominated representatives at both levels, absent and differentiated citizen participation that excludes urban poor members, absence of selection process criteria for citizens, limited functions and powers and no financial autonomy clearly indicate the reluctance of GoG in sharing power in these invited spaces and providing meaningful opportunities to citizens to participate in local governance processes.

While ‘elite and eminent’ citizens have been accommodated in the GoG rules for invited space of AS, the urban poor have been excluded which may have implications on their quality of life understood as the extent to which their basic needs and rights are reflected in the activities carried out in this space (Baud & Nainan, 2008). This exclusion becomes more problematic in the context of Ahmedabad as slum dwellers comprise 26 per cent of population in the city, ranging from 14 per cent in east zone to 40 per cent in central zone (Ahmedabad Municipal Corporation, 2007, p. 73). As access to the two invited spaces is denied to them by the GoG rules, it remains to be assessed how or if at all slum community manages to negotiate or claim its rights.

Implementation of Participatory Governance in Ahmedabad

In this section, we discuss how participatory governance has been locally implemented by AMC under the limited mandates of GoG’s rules for WC and AS.

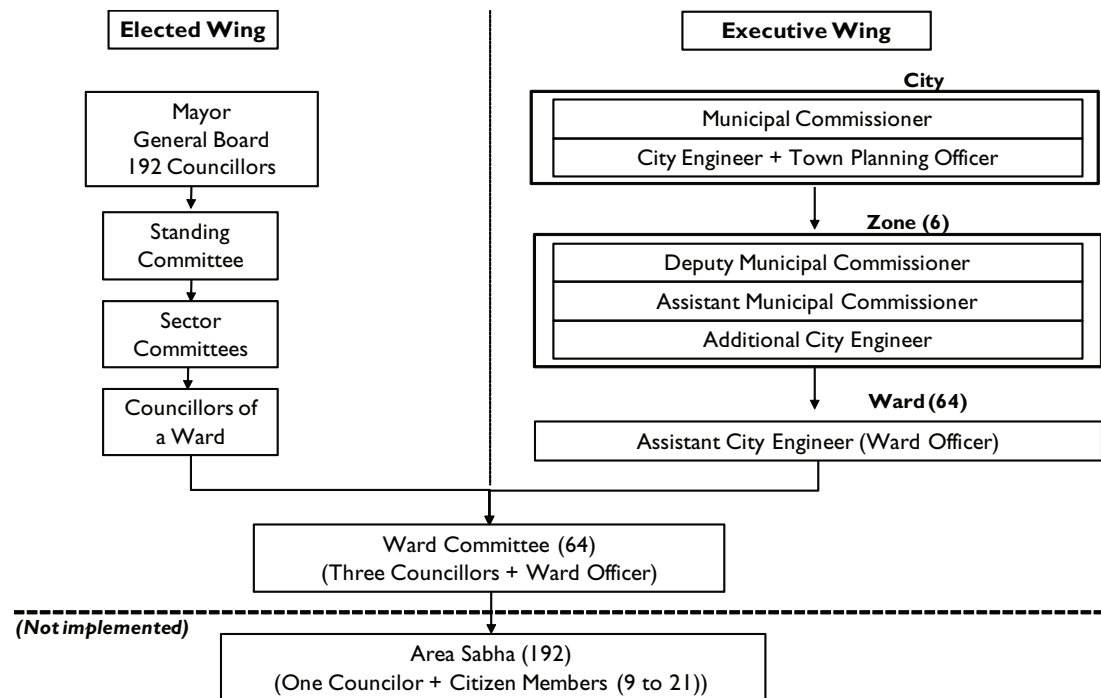


Figure 3. AMC Structure after the Mandate for Ward Committees and Area Sabhas

Source: Compiled by authors.

A local government in India has political representation by councillors elected at ward level since the 74th CAA in 1992. The AMC thus consists of both political and executive wings. The executive wing is headed by the municipal commissioner and the political wing by a mayor elected from the councillors. For administrative purposes, AMC is divided into 6 zones and 64 wards below the zones. Three councillors are elected from each ward and the 192 councillors including the mayor form the general board which is the final decision-making body (Figure 3). Below this is the standing committee comprising both political and executive members including the municipal commissioner, and below it are 14 sector committees. The standing committee functions as an advisory body to the general board and constitutes of 12 councillors selected on pro-rata basis from every political party by the general board (1 from 16 councillors of a party). As the general board at present has 151 councillors from the ruling party BJP, 38 from the opposition party Congress and 3 independents, the standing committee has 9 members from BJP and 3 members from Congress. As BJP has the overwhelming majority in the general board since 10 years or past 2 terms, councillors from the opposition party and their wards tend to be ignored in terms of budget allocation. This concern was highlighted by a former mayor from the Congress party who said ‘...councillors (from BJP) politicising things and ignoring areas that voted the opposition party mar the very objective of having a ward committee’ (Siddiqui, 2009). The general body meets on a monthly basis, the standing committee on a weekly basis and the sector committees meet every 15 days. The agenda of meetings is to finalize and sanction project proposals submitted by the municipal commissioner of value above ₹500,000.

The executive wing functions at the city, zone and ward levels. Its task is to implement a wide range of services and projects approved by the general board. The executive heads of a zone and a ward are the deputy municipal commissioner and assistant city engineer, respectively. The annual budget formulation and allocation after approval by the general board are done at the zone level. The zone officers invite budget estimates from their respective wards as well as sector committees, adjust the estimates as deemed appropriate and finalize the zone budget for recommendation to the municipal commissioner who aggregates budgets of all six zones, formulates the city budget and presents to the standing committee which amends it as deemed appropriate and presents to the board for the final approval. The budget approved by the board is then allotted to the zones which retains the funds for zonal works and allots the funds for ward works to the WCs. Despite decentralization mandates, the budget finalization power remains at the zone level. This is attributed by an academician

to the clientelistic political system wherein the zonal executives and political party chief are reluctant to yield their discretion over finalisation of fiscal resources as doing so runs them the risk of disenchanting the middle class elite who expect to have privileged access to public resources in exchange for their political support.²

The deputy commissioner's response to this concern was that 'this is in the interest of the city as a whole otherwise the local problems and budgets may take over the city problems'.³

Ward Committees as Invited Spaces for Participation in Ahmedabad

Pursuant to passing of GoG's rules for WCs, AMC passed the resolution for their formation in 2007 as per the stipulations of GOG rules in terms of functions, powers, resources and composition. Our research indicates that WCs have been formed in all the wards of Ahmedabad but are ineffective as participatory spaces.

First, they are exclusionary in terms of composition and functioning. This is partly because the GoG rules do not mandate representation of citizens in WCs. Citizen exclusion is further deepened by denial of access for interested citizens to routine decision-making processes, such as, monthly meetings where ward development works are formulated and reviewed or to the meeting minutes wherein the decisions made in the meetings are stated. The lead author was denied permission by two ward officers to attend a monthly meeting on the grounds that 'often confidential matters related to budgeting are discussed'.⁴ The NGOs are also excluded from WC's decision-making processes. An NGO member explained that this was 'because of resistance from councillors who see us as competitors in power and legitimacy over their constituent voters'.⁵ Such exclusion of citizens and NGOs stands in contrast to inclusive practices of WCs in cities of Kerala and West Bengal, where meetings and related documents are made open to the citizens (TERI, 2010), and in Mumbai, where WCs successfully engage with NGOs, even if only as advisory members (Baud & Nainan, 2008).

Second, WCs are not in proximity to the citizens and the source of their problems. WCs represent an average of 97,858 population with a maximum of 295,000 and a minimum of 33,829 population. Such a high representation ratio and increased distance from citizens reduces responsiveness of WCs to their needs and grievances. Among the two major social groups, that is, the poor and the middle class, the reduced proximity appears to cause more adverse implications on the well-being of the poor. The middle class has good access to basic services and their grievances mainly pertain to minor repairs or upgrade for which they resort to multiple platforms. As explained by one respondent, 'I and my neighbours use AMC's toll-free phone number (m-governance platform) or internet-based complaint registration portal (e-governance platform) and only if the two don't yield a result we contact the ward officer

or a higher officer at the zone level.’ All respondents from this class expressed ‘satisfactory responsiveness from all these platforms’ and expressed ‘disinterest to engage with WCs and ward councillors’ and ‘unawareness of names of the three councillors in their ward’.⁶

On the other hand slum dwellers have very limited basic services and their complaints pertain to development works for the slum for which they approach councillors through the leader of their Community Based Organisation (CBO)

Councillor(s) is the only platform available to us to negotiate our needs. We approach him as a community rather than individually in expectation of eliciting more responsiveness. But as he is busy, access is difficult and response remains delayed or absent except during election time when the response is prompt.

Eighty per cent respondents in this group expressed unawareness of m-governance and e-governance platforms for grievance redressal.⁷ It is clear that for the poor, proximity to councillors is a critical factor for better responsiveness to their needs and that alternative forms of grievance redressals used successfully by the middle class have not reached them yet, resulting in an e-based divide, also shown by Teeffelen and Baud (2011) in the case of Hubli–Dharwad.

Third, constituted under the GoG rules which devolve substantial functions, powers and resources, WCs in Ahmedabad are limited to being only advisory with limited power, which have left them at the mercy of political power game and manipulation as in other cities like Mumbai (Baud & Nainan, 2008). As WCs do not have fiscal resources, they only formulate development works, make budget estimates and recommend these to the zone office. The budget may get accepted or may get amended as deemed appropriate by zone authorities and the political party chief of the zone.

A review of AMC’s annual budget of the past 3 years (Table 1) indicates that AMC allots the wards a paltry portion of the total budget, that is, less than 5.3 per cent of the total municipal budget (Ahmedabad Municipal Corporation, 2012, 2013, 2014) and this percentage has been progressively decreasing, indicating a tendency of AMC to undermine WCs. This stance is in contrast to practice of other cities such as Hyderabad where 20 per cent of total municipal budget is allotted to wards so that WCs can perform substantive functions entrusted to them (Administrative Staff College India, 2011).

Table 1. Details of Ward Budget as Percentage of Total Municipal Budget in Last 3 Years

Zone	Total Ward Budget (INR millions)					
	Year 2012–2013	Percentage of Municipal Budget	Year 2013–2014	Percentage of Municipal Budget	Year 2014–2015	Percentage of Municipal Budget
Central zone wards	381		347		248	
East zone wards	503		298		434	
West zone wards	247		297		345	
North zone wards	414		420		383	
South zone wards	322		494		433	
New west zone wards	505		599		508	
Total wards budget	2,372		2,455		2,350	
Total municipal budget	45,110	5.26%	49,510	4.96%	53,010	4.43%
Total revenue budget	19,041	12.46%	22,920	10.71%	24,730	9.50%

Source: Ahmedabad Municipal Corporation Budgets.

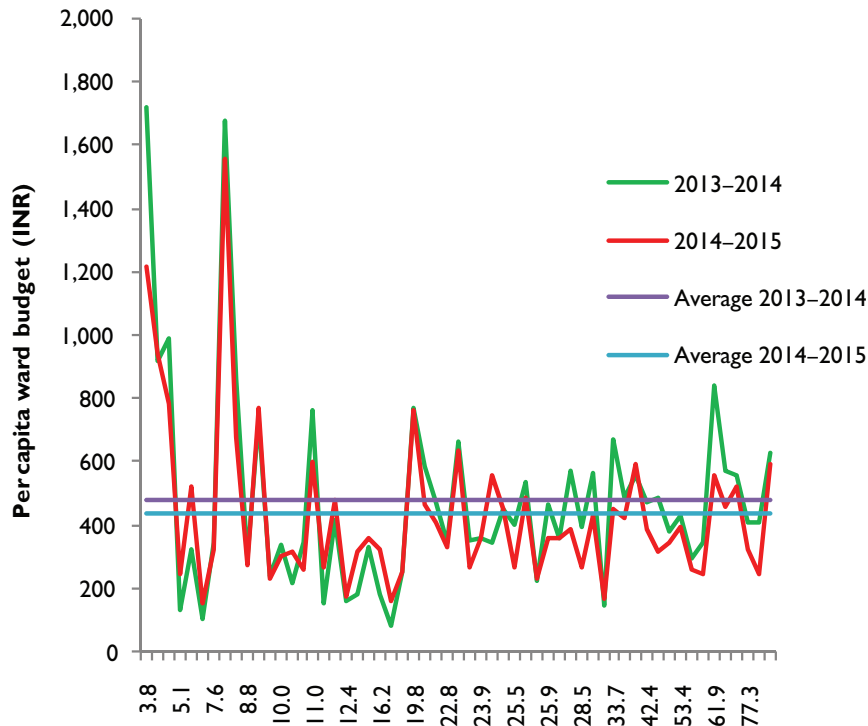


Figure 4. Relationship between Marginalized Population Composition in a Ward (as percentage of ward population) and per Capita Ward Budget in 2013 and 2014 Budgets

Source: Ahmedabad Municipal Corporation Budgets.

An equity-based budgeting approach would mean high per capita budget for wards with high composition of poor and marginalized groups, that is, Scheduled Caste (SC) and Scheduled Tribe (ST) households. However, discussions with ward officers and councillors reveal that budgeting in Ahmedabad is a political process that depends on complex power relations of ward councillors with the zonal political party chief and of the ward officer with the deputy municipal commissioner.⁸ This is also corroborated by the analysis of past 3 years' budgets (Figure 4) which shows that the per capita ward budget does not relate to the composition of marginalized group in the ward. The analysis also shows that many of the top 10 wards in terms of composition of marginalized groups have been allotted far below average budget per capita, much to their detriment (Table 2).

Centralization of power and budget decisions at zone level have implications on slum dwellers as their access is limited only to the ward councillors and does not extend to zone officials or the zonal political party chief. This was corroborated by a slum leader from ward 57 which has consistently received low per capita budget in past 3 years. He explained, 'We can only access our councillor to negotiate our needs for development works but we meet with mixed response because final decisions are taken at the zone level where our councillor is not always able to wield influence.'⁵

There is also a limitation of scope and nature of development works allowed by AMC at ward level. Because of budget limitations, the scope is limited to repair and upgrade and excludes new development work. The nature of work allowed involves four rigidly specified categories: roads and footpaths, water

Table 2. Per Capita Ward Budget of Top 10 Wards in Terms of Marginalized Population Composition (SC and ST as percentage of ward population)

Ward Number	Ward Population	Percentage of SC and ST Population	Ward Budget per Capita (INR/person)		
			2012–2013	2013–2014	2014–2015
30	70,015	80	560	631	597
39	81,636	78	184	408	245
14	75,687	77	492	408	325
18	64,713	69	507	556	525
38	67,110	67	636	574	456
25	89,953	62	765	843	561
57	96,266	57	346	347	249
33	114,146	57	297	293	258
32	80,638	53	308	429	397
15	68,566	49	456	384	343
Average per capita ward budget allocation (of 192 wards)			453	480	436
Maximum per capita ward budget allocation (of 192 wards)			1,667	1,716	1,558

Source: Ahmedabad Municipal Corporation Budgets.

supply networks, drainage networks, and public buildings such as municipal schools and urban health centres. As upgrade or new development works in slums are not specified as admissible category, the related requests by slum dwellers are denied by the ward officer on the grounds ‘that there is no provision for the category in the ward budget and that such projects are in the purview of the zones’.⁵

Area Sabhas and Creation of Negotiation Spaces in Ahmedabad

Pursuant to GoG’s rules for formation of ASs in February 2012 AMC passed a resolution for their formation in March 2012. Our research shows that at the time of fieldwork in February 2015, ASs were not formed in any ward. In fact, when asked, one ward officer asked the lead author ‘to explain the meaning of the term’!⁹ When questioned about their absence, the municipal secretary responded that ‘the provision of three elected representatives in each ward instead of the usual one in other cities, offers an adequate representation of various citizen groups’ interests and negates the need for an area sabha’.¹⁰ One ward officer claimed that ‘ward officers and councillors regularly meet citizens and are available for receiving complaints and requests, which negates the need for an AS’. The claim was countered by an academician who said,

Three councillors per ward cannot be accepted in lieu of an AS since it implies an average population of 29,000 per councillor in Ahmedabad whereas an AS was intended at a much lower threshold of a polling booth population of 1500 to 4000 to deepen the participation.¹¹

It is evident that the state mandate on empowerment of both the invited spaces for participation, WC and AS, is weak and the practice of AMC is even weaker. This gap has caused more adverse implications on the quality of life of the poor than on the life of the middle class. While AS is not formed in any ward, WCs are formed but function with severe constraints and do not offer invited spaces for

participation to citizens. Thus, the citizens, both middle class and poor are denied the envisaged opportunity to be ‘shapers and movers’ or having a voice in shaping their cities. But as ‘users and choosers’ or as consumers of services the middle class rely on and succeed to some extent in negotiating their needs with executive officials at ward and zone level as well as through e-governance and m-governance platforms. In absence of invited spaces, for the poor, the councillor is the only accessible platform for negotiating their needs as consumers but there also they meet with limited success. This dependence also opens the scope for clientelism as found by Teeffelen and Baud (2011) in the case of Hubli–Dharwad.

Consequences of Denied ‘Invited Spaces’ on the Poor and Creation of One-off ‘Claimed Spaces’

The discretionary budget of ₹17 million available to each councillor in Ahmedabad, irrespective of ward population, is the only platform where councillors can take decisions independent of other influences and offers a negotiation opportunity to citizens as consumers, even if a small one in terms of value. As this platform usually works on clientelism (Teeffelen & Baud, 2011), the councillor will tend to spend this budget on the social group which constitutes the larger portion of electorate, at least in the run-up years to the election. The review of the allocation of the individual budgets of six councillors, three from the ruling party and three from the opposition party indicates a contradictory behaviour and a sharp bias towards middle-class neighbourhoods (Table 3). The budget for the year 2013–2014 was analyzed as the municipal election is scheduled at the end of 2015. From their individual budgets, the six councillors have spent between 0 and 25 per cent on poor neighbourhoods and between 35 and 75 per cent on middle-class neighbourhoods. This indicates an elite middle-class capture of this platform also and contradicts the view that there is pro-poor populist stance in case of different power bases, that is, from the opposition party (Crook & Sverrisson, 2003) or in run-up years to an election (De Wit et al., 2008). Though this is the only platform where the poor can negotiate their rights to basic services, it obviously offers limited scope and response.

Table 3. Individual Annual Budget Spent on Poor versus Middle Class Neighbourhoods in 2013–2014 of Six Councillors of Different Parties

	For Poor and Low-income Neighbourhoods		For Middle-income Neighbourhoods	
	Budget Amount Spent (INR)	Amount Spent as % of Total Individual Budget (%)	Budget Amount Spent (INR)	Amount Spent as % of Total Individual Budget (%)
Councillor 1 (ruling party, BJP)	310,000	17	1,274,500	68
Councillor 2 (ruling party, BJP)	267,000	14	1,363,000	73
Councillor 3 (ruling party, BJP)	460,000	25	660,000	35
Councillor 4 (opposition party, Congress)	305,800	16	827,000	44
Councillor 5 (opposition party, Congress)	153,200	8	1,124,000	60
Councillor 6 (opposition party, Congress)	0	0	1,400,000	75

Source: Discretionary individual budget and utilization sheets from councillors.

Table 4. Budget for Marginalized Population in Last 3 Years from Total City Budget

	Annexure B Budget 2012–2013 (INR Millions)	Annexure B Budget as % of Municipal Budget	Annexure B Budget 2013–2014 (INR Millions)	Annexure B Budget as % of Municipal Budget	Annexure B Budget 2014–2014 (INR Millions)	Annexure B Budget as % of Municipal Budget
Annexure B budget (for marginalized population)	2,127		1,550		3,606	
Total municipal budget	45,110	4.72%	49,510	3.13%	53,010	6.80%

Source: Ahmedabad Municipal Corporation Budgets.

Major development works in the settlements of the poor and marginalized groups, as reflected in Annexure B (locally called ‘Patrak B’) of the municipal budget are formulated, budgeted and implemented at central or zone level where there is no formal space for citizen participation. At the city level, in the past 3 years, the pro-poor budget for slum upgrading and similar works accounted for a paltry 3–6.8 per cent of the total municipal budget (Table 4) even though the slum dwellers account for 26 per cent of population in the city (Ahmedabad Municipal Corporation, 2007, p. 73), whereas the balance of the budget is for beautification and developmental works favouring the middle class. This grossly disproportionate allocation results from the middle class activism for beautification and developmental projects and AMC’s acquiescence (D’Monte, 2015; Desai, 2006).

The pro-poor budget includes capital works such as construction of new housing for urban poor, individual toilets and community toilets, urban health centres and crèche, development of drainage networks, street lights and roads in slums and night shelters for pavement dwellers. Such works are formulated, budgeted and implemented at the zone or city level and within the ambit of a national, state or local government supported programme. In most programmes, provision for poor community participation is either absent or is mediated by NGOs or is tokenistic in nature (Mahadevia, 2014). For example, in a major programme, Basic Services for Urban Poor (BSUP), where ₹5,000 million was invested for housing units for slum dwellers on new sites, the slum community was excluded from all stages of implementation as the programme guidelines did not mandate participation. The consequent lack of understanding of their needs by AMC led to further impoverishment of the poor in the new housing sites as shown by Patel, Sliuzas and Mathur (2015). They have shown multiple forms of impoverishment of displaced urban poor resettled on unsuitable sites such as loss of employment, loss of access to social amenities, health risks including increased mortality and food insecurity, marginalization and social disarticulation. They attribute the impoverishment to absence of guidelines for invited spaces for the poor community to engage with the government during the design, planning and implementation of projects under the programme.

In response to the denial of invited spaces for engagement and the consequent implications on their well-being, slum communities have occasionally mobilized and claimed spaces for engagement (Mahadevia, 2014) as also proposed by Gaventa (2006). However, these have been one-off ‘claimed spaces’ which closed once the common interests of mobilization were achieved. One example is the space for engagement claimed by a slum community-based platform named Sabarmati Nagarik Adhikar Manch (SNAM; meaning Sabarmati Riverfront Residents’ Rights Forum). The SNAM was created in 2003–2004 by the mobilization of about 14,500 slum households living along the Sabarmati River which were going to be displaced by the river beautification project locally called Sabarmati Riverfront

Development (SRFD). The SNAM's objective was to negotiate with AMC and political parties the recognition of right to shelter of slum dwellers in general and the right to resettlement in alternative sites in proximity to the current residences of the households displaced by SRFD in specific. Through negotiating efforts, they met with limited success as the state and local government authorities responded with vague assurances of resettling all the slum households to be displaced under SRFD but did not follow up with concrete actions or share information on the project's resettlement policy. When it became increasingly clear that there was no mention of resettlement in the project, SNAM stopped the negotiating efforts and instead took judicial recourse by filing a public interest litigation (PIL) in the High Court of Gujarat in 2005 with help from NGOs and civil rights activists. Tracing the PIL from 2005 till its disposal in 2011, Desai (2014) shows how through judicial intervention, SNAM could claim and achieve resettlement dwelling units for 10,000 displaced households albeit in a non-transparent and ad hoc manner from AMC. However, she also cautions that SNAM could not become a platform for claiming a rights-based and transparent resettlement and rehabilitation process for slum dwellers. Mahadevia (2014) cautions that SNAM and PIL were one-off mechanisms of claiming spaces for engagement with the local state. Hence, when the judicial process ended, the negotiations also ended and the space closed. In the absence of a permanent invited space, a recourse to judiciary to claim space for negotiating their rights has become an expensive process for the poor in Ahmedabad (Mahadevia, 2014).

Conclusion

The main inquiry of the article was how different spaces for participation in local governance have been created or claimed, on what terms of engagement and whose interests they serve in Ahmedabad.

The research shows a progressive weakening of mandate for participatory governance from the top to bottom tiers of government and suggests that decentralization and participatory governance are antithetical. First, there is a reduction in mandates of WCs and ASs by the state government policy out of the envisaged mandates given by the national government under 74th CAA and JNNURM's CPL reform. The reduction was in terms of reduced proximity, differentiated citizen participation that excluded poor community, limited and unclear functions and no financial autonomy. This evidence reiterates the view (Baud & Nainan, 2008; De Wit et al., 2008; Sivaramakrishnan, 2000; Sridharan, 2008) that state and local governments are reluctant to share power with invited spaces. Our research also reiterates the view that policy for invited spaces (Baud & Nainan, 2008; Kundu, 2011; Swyngedouw, 2005) is designed to allow capture by local elites.

While the state government's mandate for participatory governance is weak, the practice by the local government is even weaker, causing more adverse implications on the quality of life of the poor than on the middle class. At local level, ASs are not formed in any ward and WCs are formed but function with severe constraints and without any space for the citizen participation. Thus, all citizens are denied the right to engage in the three critical areas of influence, that is, formulation, passing and implementation of public policies as advocated by Parry et al. (1992) or to be 'shapers and movers' as advocated by (Cornwall & Gaventa, 2001; Devas, 2004; Nainan & Baud, 2008). Thus, in Ahmedabad, we validate Gaventa's (2006) proposition that invited spaces by the national government have become closed spaces at the local level.

In absence of invited spaces, the two predominant social groups, that is, the middle class and the poor take a recourse to other platforms for negotiating their needs as 'user and choosers' as shown by Cornwall and Gaventa (2001) with varying responsiveness. As shown by other researchers (Baud & Nainan, 2008; De Wit et al., 2008; Kundu, 2011; Teeffelen & Baud, 2011), the middle class successfully use the

executive wing at ward and zone levels and the e-governance and m-governance platforms to negotiate their needs, whereas the poor community relies on the elected representatives, but meets with limited success. In contradiction to the experience of other cities in India (De Wit et al., 2008; Harris, 2005), in Ahmedabad, even the elected representatives from both the ruling and the opposition parties have shown more bias and responsiveness towards the middle class than to the poor, despite the latter forming 26 per cent of their vote bank at the city level. Thus, while in other cities the poor have strategically and successfully negotiated their needs through clientelism with the elected representatives (Teeffelen & Baud, 2011), in Ahmedabad, this platform offers little opportunity to them.

Such exclusion of slum community from invited spaces in routine local governance processes and in specific programmes which influence them, has resulted in their further economic and social impoverishment in Ahmedabad as shown by Patel et al. (2015). In response, slum communities have occasionally mobilized and claimed spaces for engagement as proposed by Gaventa (2006). The SNAM, through judicial recourse, represents one such 'claimed space' through which slum residents claimed and achieved resettlement of 10,000 slum households evicted by the riverfront development project. However, such claimed spaces by the poor are only one-off mechanisms which close on the ending of the judicial process rather than culminate into permanent invited spaces for engagement in local governance as proposed by Gaventa (2006).

To conclude, the experience on participatory local governance in Ahmedabad in India well resonates with the experiences from cities of other Asian countries, such as Philippines, Vietnam and Cambodia, as summarized in the Table 5. Issues, such as, limited devolution of functions, power and responsibilities to participatory spaces and elite capture of these spaces appear to be the common concerns in the practice of participatory governance in cities of Asian countries.

Table 5. Comparative Experience of Participatory Local Governance in Asian Countries

	Philippines	Vietnam	Cambodia	India
National Government Act	Local Government Code, 1991	Decree 29, 1998	Law on Election of Communes, 2001 Law on Administration and Management of Communes, 2001	74th Constitutional Amendment Act, 1992 Community Participation Law reform (under JNNURM), 2005
Participatory tiers (National Act)				
City	Local Development Councils	Commune People's Councils	Commune Councils	
Zone				
Ward	Barangay Assemblies			Ward Committees
Sub-ward				Area Sabhas
Level of implementation in all cities	Partial	Partial	Partial	Partial

(Table 5 Continued)

(Table 5 Continued)

	Philippines	Vietnam	Cambodia	India
Devolution of clear functions and powers	Local Development Councils: Yes	No	No	Ward Committees: Partial
	Barangay Assemblies: No			Area Sabhas: No
Devolution of financial autonomy	Local Development Councils: Yes	No	No	Ward Committees: Partial (in cities of Kerala, West Bengal, Maharashtra, Madhya Pradesh, Tamil Nadu)
	Barangay Assemblies: No			Area Sabhas: No
Elite capture of spaces	Local Development Councils: Yes	Yes	Yes	Ward Committees: Yes (except in cities of Kerala, West Bengal, Maharashtra)
	Barangay Assemblies: Not known			Area Sabhas: Yes

Source: Compiled by authors.

Notes

1. As per the exchange rate of US\$1 = ₹62.4 prevailing in mid April 2015 when the research and analysis had concluded (<http://www.xe.com/currencytables/?from=USD&date=2015-04-15>)
2. Interview of municipal secretary in January 2015.
3. Discussions with Deputy Municipal Commissioner in November 2014.
4. Interview of ward officers of west zone and north-west zone 6th and 11th November 2014.
5. Interviews of members of two NGOs working with AMC on issues of slums in August 2014.
6. Semi-structured interviews of middle class residents held from May 2014 to December 2014.
7. Semi-structured interviews of slum leaders and residents held from May 2014 to December 2014.
8. In AMC, the ruling party appoints a chief of zone from among the councilors of the constituent wards of the zone and the six such zonal party chiefs along with mayor and standing committee chairperson wield the most political power.
9. Interviews of ward officer of a ward in north-west zone in February 2015.
10. Interview of municipal secretary in January 2015.
11. Semi-structured interviews of academicians in urban planning and public policy from January to February 2015.

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