

Models of Metropolitan Region Governance: A Case of Kathmandu valley

Prakriti K.C.^a, Ajay Chandra Lal^b

^{a, b} Department of Architecture, IOE, Pulchowk Campus, Kathmandu, Nepal

✉ ^a kvdaprakritikc@gmail.com, ^b 076msurp010.prakriti@ioe.edu.np

Abstract

It's been half a century since the Kathmandu Valley was envisioned to be developed as a single planning unit. Many efforts have been made, beginning with the 1969 physical development plan, followed by the formation of the Kathmandu Valley Town Development Committee in 1988, the establishment of the Kathmandu Valley Development Authority in 2012, etc., marking some significant efforts. The National Urban Development Strategy has also focused on reviewing, formulating, institutionalizing, and operationalizing the concept of the Kathmandu Valley as a single urban region. The governance includes the private sector, public sector and civil society. For this research, only the public sector has been considered and explored. This research uses worldwide case studies, interviews, and previously published publications on the subject to explore the modalities commonly accepted by policymakers. This research has suggested modalities broadly categorized into long-term and short-term solutions. The first category demands changes that need to be analyzed and accepted by a wide range of policymakers that demand changes on a greater scale, whereas the short-term solutions only demand some changes in the act that will incorporate representatives from all three levels of government into the existing structure of KVDA. The research concludes that for the Valley-wide integrated physical, social, economic, and political development, a bold political decision needs to be made that would make changes in the structure and the working pattern of the institution, which is way older than federalism itself.

Keywords

Municipalities, Authority, Council, Autonomy, Legitimacy

1. Introduction

Urban issues like pollution, waste management, traffic congestion, infrastructure development, etc. are shared not only within the boundary but also in and around the surrounding commuting areas. The same is the case of the Kathmandu Valley, which consists of 16 municipalities and 2 metropolitan cities as separate administrative units. The Kathmandu Valley as a single planning unit has been talked about for decades. The 1969 Physical Development Plan of the Kathmandu Valley was the first of its kind, drafted 53 years ago by a physical planning advisor of the United Nations. Since then, various efforts have been made to develop the valley as a solitary unit. This has been followed by many planning documents, although a little implementation could be seen.

A metro region comprises of a primary city and other smaller cities or areas around it. It is an area

comprising the urban area as a whole and its primary commuter area, typically formed around a city with a large concentration of people. A metro region or a metro area has numerous jurisdictions and municipalities. Various definitions of metro cities float around. According to the Census Commission of India, a metropolitan region is one having a population of greater than 4 million with a large economic agglomeration. In Canada, for an area to be a metropolis, the population of the core area must be at least 0.1 million and it must have a high degree of connectivity with the adjacent municipalities, which is measured by the commuting flows, all decided by Statistics Canada [1].

In the Nepalese context, according to the local government operation act, 2017, the minimum population for a metropolitan city shall be 0.5 million, and accordingly, 6 metropolitan areas have been delineated. But the designation of a metropolitan city

as defined by this Act does not comply with the basic definition of a metropolitan city as mentioned above which says compulsorily having a primate city and other areas around it having huge interconnection. Hence, the terms metro region and metro areas instead of metro city have been used just to clear the doubt that this research is not talking about the metro city designated as per LGOA but the metro region that complies with the universally accepted basic definition.

Various institutions have been working on planning, land management, and physical infrastructure development in the Kathmandu valley. In this scenario, KVDA was established, envisioning it as the valley-wide planning and coordinating agency. But due to the lack of proper institutional structure, coordination mechanism between levels of government, lack of political legitimacy and the past experience of people with the authority, its existence has been questioned many times. With proper institutional structure, various countries like Japan, UK, India, Philippines, etc. have been successfully implementing various modalities of metro regions. This paper aims to suggest modalities of the institutional structure for the valley's wide governance.

2. Literature Review

2.1 Metropolitan Government

As the globe continues to become more urbanized, the study of issues related to the organization and management of urban areas has increased in practical relevance.[2] Local urban units are the basic units of urban governance in many parts around the globe, namely districts in England, communes in France, Gemeinde in Germany, or municipalities in the USA, etc. Combining municipalities, i.e., amalgamation of the smaller local units within a metropolitan area, might be a solution to the coordination issue among local urban units. Although several nations have had success in reducing administrative fragmentation, these efforts rarely concentrate on fostering administrative coherence in major metropolitan regions. The establishment of a metropolitan governance body, an organization committed to the coordination of policies in metropolitan areas, offers an alternative to the merging of municipalities.

[3] But the opponents of Metropolitan governance have questioned the challenges of calculating

economies of scale after establishing an area-wide structure of government. They have insisted on horizontal cooperation between local authorities as a replacement for a metropolitan government without resorting to such a heavy institutional form. For them, the logic of competition between various local units for better services and economic development prevailed. [4]

Table 1: Types of Metropolitan Region Governance Broadly classified by Lefevre, 1998

S.N.	Supra-Municipal	Inter-Municipal
1	Purest Metropolitan Model	Co-ordinated mechanism between smaller units
2	Have Direct Political Legitimacy	Political legitimacy lies between the member (Basic Authorities)
3	Financial autonomy	Rare Financial Autonomy, Financial resources deriving from the member authorities and the subsidies by the higher authority.
4	Example: The Greater London Council	Example: Metro Manila

2.2 Autonomy and Legitimacy of Metropolitan government

The ability of metropolitan governments to enact laws of their areas of jurisdiction in the areas under their control is a prerequisite for autonomy. Significant human and technical resources must be added if specific financial resources are required. Finally, for their activities to be acknowledged and applicable by all, first and primarily by the fundamental local authorities, metropolitan governments need political legitimacy. Although different nations have adopted different procedures, the direct election of their leaders is thought to be a crucial component of this legitimacy. [4] Whatever the modality of governance be, the legitimacy of the metro region's governance model is only functional, whereas the legitimacy of the local units is its identification by the citizens, which are the political, psychological, and social components developed over a longer period of time that the metropolitan government lacks.

2.3 National capital region of Manila and Delhi

The local governments of Metro-Manila post-war realized the need to provide services in Metro-Manila in a coordinated manner. In 1975, the Metro-Manila Commission was established with the Governor as the head, appointed directly by the President, which was functional till 1989. After the promulgation of the new constitution and the ending of the Marcos administration, Aquino created the Metro Manila Authority as an interim body in 1990 that was under action till 1995. The Metro Manila Council, which was made up of the mayors of the participating local

government units (LGUs), oversaw the management of the MMA. The Chairman of the Council was a ceremonial (e.g., serves as meeting chairman) and advisory position who was chosen by the mayor-members for a six-month tenure. The Secretaries of various departments participated in Council meetings as non-voting members. The council was in charge of providing overall direction in the development of economic and social policies. A Republic Act was enacted in 1995 after a compromise bill. The compositional definition of Metro Manila is reiterated by RA, making it a "special development and administrative region" that is directly under the direction of the Philippine President, who appoints a chairman holding the rank of a cabinet minister. The Metro-Manila Council was still the policy-making council that also included the president and various departments head [5].

The National Capital Territory of Delhi, the capital of neighbouring India, has been renamed the National Capital Territory. This region does not fall within any one particular province. It is the autonomous capital of India. It has three government units. There are nine districts in the National Capital Region, and each of these districts has three sub-regions. The chief of these districts is the deputy commissioner. The NCT region is one of the eight independent regions of India. It has a 70-member unicameral legislature, which is called the Legislative Assembly, like the legislatures of other states. There is also an independent judiciary and an executive government, and the head of the executive government is called a lieutenant governor, who is appointed by the president of India. The government has a chief minister. This region is not a state, but its nature is like a state. The area has been a separate area since 1992 under the National Capital Territory Act and is called the National Capital Territory. These two most talked about examples of NCR show that various modalities could be embraced depending upon the country's political scenario and what works best for one could not do the same for the other.

2.4 Kathmandu valley as an Autonomous Region

The capital city of Nepal, Kathmandu, has a long history of settlements dating back more than three thousand years ago, growing along the trade route between Tibet and India. In 300 BC or before, Kirants established the groundwork for the first towns. The Kathmandu Valley became the nation's political,

economic, and administrative centre after Nepal's unification in 1769, but it wasn't until the 1950s that political centralization became visibly apparent. After the autocratic Rana Regime was overthrown in 1951, the monarchical authority held sway over policymaking and development. Political unrest persisted until the 1990s, which brought Nepal two significant changes: the restoration of democracy and the surge of globalization, which brought about an unparalleled transformation in the urban form of the Kathmandu Valley. The Communist Party of Nepal (Maoist), however, started a civil conflict that lasted for ten years until 2006, endangering the fledgling local administration (decentralization) and driving large numbers of people from rural areas into metropolitan areas, particularly the Kathmandu Valley. A democratic monarchical country was transformed into a federal republic by the mass movement of April 2006, which was intended to reduce the centripetal hold the valley had on the economy and government, if not politics. In terms of urban policy and development strategy, Nepal's federal republic era has seen political turbulence for more than ten years. The valley's population has increased drastically over the years. Additionally, all metropolitan neighbourhoods had experienced a considerable relocation from rural areas, just like in other regions of Nepal. Presently, the valley has been divided into 18 administrative urban units. The administrative frameworks now in place, in particular, are not functional and inadequate to manage the infrastructure, social, and economic concerns of the entire economic zone. The metropolitan area's number of municipalities, along with various line agencies, makes it challenging to coordinate services like transportation and land use planning, and therefore makes regional policy cooperation challenging.

The way the Nepali government controls the environment in the city has changed in recent years. The Ministry of Urban Development was founded in 2012 to act as the focal point for the coordination of all national infrastructure programs in urban areas. In addition, the 2017 publication of the National Urban Development Strategy is a concerted effort to identify locations for priority development and to plan urbanization for the next 15 years. Electable mayors, deputy mayors, and ward chairpersons oversee development in municipalities, sub-municipalities, and rural municipalities. The management of development in the Kathmandu Valley is the responsibility of the Kathmandu Valley Development

Authority (KVDA), a larger governmental body. Numerous private actors and non-governmental organizations (NGOs) are also active in the valley’s urban environment. In addition to KVDA, there are more than 50 government institutions that contribute to shaping the urban environment of Kathmandu valley.

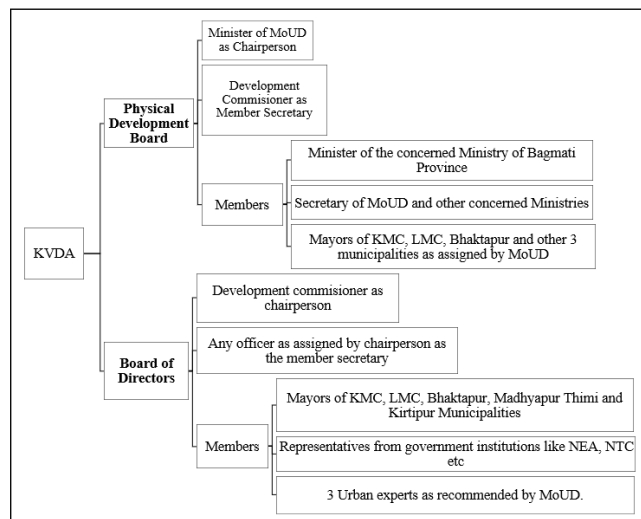


Figure 1: Existing structure of Kathmandu Valley Development authority

3. Methodology

This research has been done with a qualitative approach. I have used interviews, open-ended response formats, and archival documents as the tactics for data collection and Phenomenology as the research strategy. Due to time constraints, a total of 38 one-on-one interviews have been conducted with mayors, bureaucrats, federal and provincial politicians, and urban planners. The mayors included nine present mayors and two former mayors. The bureaucrats included the present and former development commissioners of the Kathmandu Valley Development Authority; present and former Assistant Secretaries and Deputy Secretaries of the Ministry of Urban Development, and urban planning experts. The data collected through interviews with experts has been categorized and models agreed upon are extracted through the interviews. After categorizing and defining the suggested models, the pros and cons of each model have been explained, letting the policymakers decide on the appropriate choice.

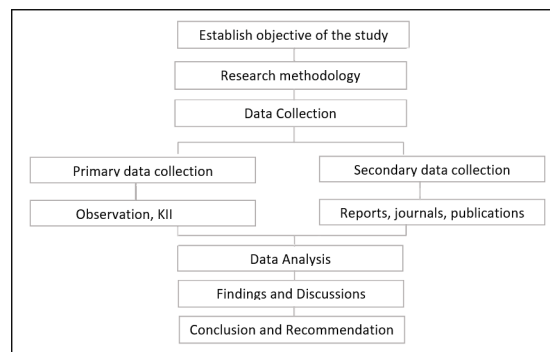


Figure 2: Schematic representation of the methodology adopted for the study

4. Dataset and Analysis

Among the group of mayors, the majority of the interviewees believed that the reformation of the existing KVDA with mayors in the policy-making unit of the existing structure of KVDA is needed for KVDA to perform its intended task successfully. It has been failing to make the local government show responsiveness and ownership of the institution. The Kathmandu Valley Public Transportation Authority has incorporated this weakness of KVDA as its major strength. The interview with the federal and provincial MPs shows that they agree upon the fact that the mayors and the members of parliaments of the various electoral regions within the valley should be included in the policy-making unit of KVDA. Some also believed in the fact that the valley would, in the long run, be developed as an independent region, either a separate state or a single municipal region. The majority of bureaucrats interviewed believed in the fact that the involvement of all LGs in the policy making would help culminate the goals set for the Valley Wide Development by KVDA. A little contradictory result was seen in interviewing the bureaucrats of MoUD. Among the 12 interviewed policymakers from MoUD, 25 percentage totally supported the current structure of KVDA and the involvement of LGs in the institution was totally denied. This may be due to the requirement for assurance of MoUD’s representation in the institution. Most of the professional urban planners interviewed supported the formation of a new structure for developing the metro region into a single entity looking over the whole valley, while some also believed in the restructuring of the current structure of KVDA.

The findings compiled from the interview conducted

showed that most of the interviewees suggested involvement of all LGs in the policy making unit of KVDA is what is needed in the current federal structure. The formation of a policy-making unit including the LGs and MPs is the second most suggested model. The third suggestion demands the formation of a new coordination agency with the PM, President, or Chief Minister of Bagmati Province as its head. Except from these models mentioned above and the current structure of KVDA, some minorities also believed in the supra-municipal concept.

5. Discussions

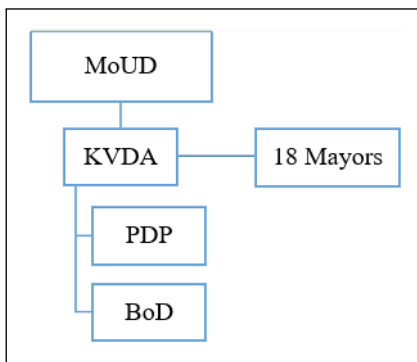


Figure 3: Model 1; KVDA Governed by MoUD

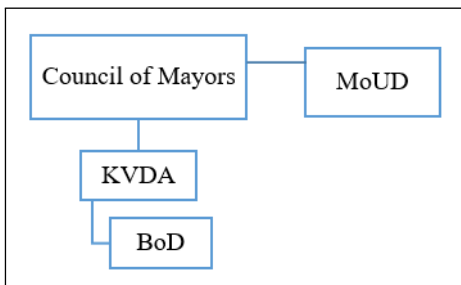


Figure 4: Model 3; KVDA governed by Council of Mayors

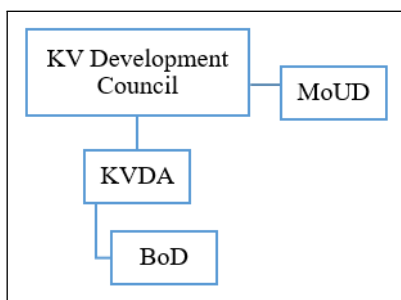


Figure 5: Kathmandu Valley Development Council

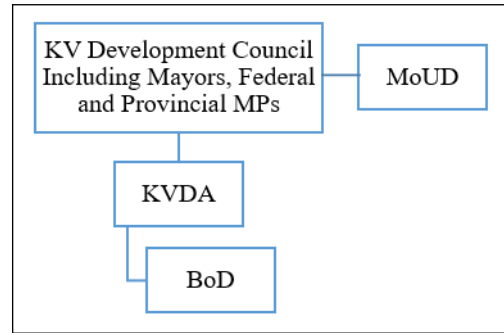


Figure 6: Kathmandu Valley Development Council with MPs

5.1 Supra-Municipal Model: The Long-Term Solution

Supra-municipality is the purest form of the "metropolitan model," which has direct political legitimacy, clear financial independence, and numerous powers exercised across a relevant functional territory. [4]. The Supra Municipal Model simply means that the valley will have a single governing unit having either a single mayor (As in The Greater London) or governed as a single urban territory having powers similar to that of a province (As in National Capital Territory of Delhi). There shall be two-tiered local government. The current municipalities or some similar structures will be the lower-level local units.

The current policy of Nepal government offers only two possibilities for such supra-municipal government model. The first such policy is LGOA whose article 7 says that two or more municipalities in the same district can propose amalgamation to the provincial government. This shall further be submitted to the federal government for approval and will come into action just before the upcoming election. This means that, according to this act the best that could be done is establishment of three municipalities in the three districts of the valley. The sub-division of local governments has secured the position of numerous politicians and hence the probability of their willingness to voluntarily participate in the amalgamation in the near future could merely be expected.

Nonetheless, the second such policy environment has been created by the constitution itself. According to Article 56(5) of the constitution, special, Protected and autonomous regions may be created for socio-cultural protection or economic development according to Federal law. This could be a way out for

the establishment of KV as a single unit. Except for these two possibilities, this model does not seem to be implemented shortly. Presently, the administrative units that has just been established after federalism shows least chances of amalgamation. Worldwide, the inter-municipal to supra-municipal evolution of metro region governance has been seen and the evolution has barely occurred in the opposite direction although some critics has mentioned that the transformation of metro-region governance from inter-municipal to supra-municipal through amalgamation could weaken local democracy and lower public participation. In the long run, the supra-municipal model could be the future of our capital region as well. For the further discussion of metro-region governance modality, I haven't dug deeper into what the institutional framework of the supra-municipal model shall be.

5.2 Immediate Solution

Except for the supra-municipal model, various inter-municipal models have been discussed further. The current structure of KVDA lacks both political legitimacy and financial autonomy, which could be seen in the tree diagram below. In the existing structure of KVDA, there is representation of a few mayors (6 out of 18) in the physical development board (PDB) and board of directors (BoD). This representation has been considered as "pseudo-participation" by the mayors, and hence mere participation could be seen in the meetings organized by the authority. This representation should be thoroughly revised after the local bodies are transformed into local government. Four modalities have been identified as the immediate solutions. The first model calls for a minor modification to the Physical Development Board of the KVDA, as specified in the statute, to include each of the valley's 18 mayors. Under this arrangement, the KVDA will continue to report to the Ministry of Urban Development, and the Minister will serve as the PDB's chairperson.

The second model suggests the establishment of a council of mayors, which would be the policy-making body of KVDA. Incorporating all the local governments into the council will help promote responsiveness and ownership of the local governments towards the institution, and hence the smooth running of KVDA will be possible. The lack of political legitimacy and the financial scarcity of the current institution will be partially addressed if this

modality is implemented. The third model suggests the formation of a Kathmandu Valley development council similar to that of the Metro Manila Council, constituting the President or Prime Minister him/herself and the provincial chief and mayors of the municipalities. Members of Model Number 2 as well as federal and provincial MPs from the valley's electoral regions make up Model Number 4. Members of the parliament in the House of Representatives in particular are closer to the voters in their area. Furthermore, the way KVDA is operating in the current scenario shows how important they are to KVDA's project planning and budget allocation. Their participation in the Council will provide the institutions' decisions legitimacy, support from the federal and provincial budgets, and ownership by all three tiers of government.

The inefficient and uncoordinated development approach through institutions more than half a century in number established under all three tiers of government could be solved by including various department heads on the council or the board of KVDA to increase the institution's financial leverage, responsiveness and ownership of the line agencies towards the institution. For instance, the development of particular infrastructures by the concerned authorities (e.g., construction of roads by the Department of Roads) in accordance with the master plan created by KVDA. Project formulation will be simpler, and it is anticipated that there won't be any project duplication, as there is now. All the modalities will have similar responsibilities of planning, monitoring, and coordinating the urban activities and development within the metropolitan area and also construction of some special physical infrastructure at the metro-level.

The four immediate solution models that has been mentioned could be implemented by substantially altering the KVDA act as it currently stands. The MoUD will process the act modifications, which will then need to be approved by the Parliament and will come into action.

6. Conclusion

The current functioning of KVDA is mostly driven by influential bureaucrats and politicians at all levels. The Physical Development Board of the institutions has involved the federal and local governments. However, the local government considers this a

fictional engagement. There is a lack of provincial representation, and the mere participation of local government could be seen in the meetings organized by KVDA. The local government, although through the mayor's forum, has demanded the scrapping of the institution. This research found out that the mayors have also felt the need for this institution. The fact that most of the urban policy-makers agreed on the need for changes in the current institutional structure of KVDA validates the modalities created. No clear mode of inter-ministry, inter-institutional, or inter-governmental co-ordination of institutions among the three levels of government could be traced. The models generated will provide a clear way out for co-ordination between the three levels of "government and also the government institutions". Out of the five models, one being the long-term solution and the other four being the immediate solutions, three of the models under the immediate solutions have demanded the formation of a council as the legislative body of the Kathmandu Valley Development Authority. The executive body will be the authority itself. All three of these models demand horizontal co-ordination between the municipalities under the umbrella council. For the implementation of immediate models, either the Minister of Urban Development or the Prime Minister himself/herself shall make a bold political decision to make the amendments needed to the existing KVDA Act. The Kathmandu Valley Public Transportation Authority (KVPTA), which has just been passed through parliament, has a Kathmandu Valley Public Transport Council for the operation, supervision, and management of all the activities of the authority with Kathmandu Metropolitan City's

mayor as chairperson of the council. This shows the present day need for the involvement of local government in the metro-region institution for both political and financial legitimacy. The appropriate model, the generalization of any such model is almost impossible, depends on various factors, and the choice of the best model for any region is always case-based, but there is no doubt that with the changed political scenario of the country and the implementation of the new constitution, strong representation of all three levels of government is needed in the institution that has the responsibility to look into the whole capital region of the country to meet the regional goal of valley wide-development.

References

- [1] Andrew Sancton. The governance of metropolitan areas in Canada. *Public Administration and Development: The International Journal of Management Research and Practice*, 25(4):317–327, 2005.
- [2] Daniel Kübler. Introduction: metropolitanisation and metropolitan governance. *European political science*, 11(3):402–408, 2012.
- [3] Rudiger Ahrend, Alexander Lembcke, and Abel Schumann. Why metropolitan governance matters a lot more than you think. *Vox CEPR Policy Portal*, 2016.
- [4] Christian Lefèvre. Metropolitan government and governance in western countries: a critical review. *International journal of urban and regional research*, 22(1):9–25, 1998.
- [5] Rosario G Manasan and Ruben G Mercado. Governance and urban development: Case study of metro manila. Technical report, PIDS Discussion Paper Series, 1999.