

Standing Committee Report Summary

New Delhi Municipal Council (Amendment) Bill, 2010

- The Standing Committee on Home Affairs, chaired by Shri M. Venkaiah Naidu, submitted its 148th Report on 'New Delhi Municipal Council (Amendment) Bill, 2010' on February 22, 2011.
- The Bill was introduced in the Lok Sabha on August 3, 2010. It seeks to amend certain provisions of the 'New Delhi Municipal Council Act, 1994' that lay down the composition of the New Delhi Municipal Council (NDMC)¹ and the procedure for presiding over the meetings of the Council.

Recommendations of the Committee

The members of the Committee were divided on the provisions of the Bill. Key remarks include:

- There were different perspectives on the question of making NDMC an elected body, rather than a nominated body as at present. Some members were of the view that the Bill should be passed in its present form. Others felt that in keeping with the spirit of the 73rd and 74th amendment to the Constitution, the Council should be made into an elected body, at least partially, on the lines of Cantonment Boards.
- On the issue of revolving Chairmanship of the NDMC, the majority view disagreed with this provision.
- The Committee recommended that the government should take up a broader discussion with major political parties and other stakeholders, before piloting the Bill in Parliament.

Some comments/ observations of the Committee

- The Committee pointed out that contrary to the claims of the central government, the present structure of NDMC and the proposed amendments are not in consonance with the recommendations of the Balakrishnan Committee.² The Balakrishnan Committee had proposed that NDMC should consist of a certain number of members elected on the basis of adult franchise and an equal number of members appointed by the Lt. Governor. The Committee also noted that the membership of MPs and MLAs in the NDMC is more in the nature of ex-officio. Their sphere of functioning is very different from that of directly elected councillors/ corporators.
- The Committee did not find merit in some arguments laid forward by the Ministry of Home Affairs. The Ministry had argued that in the event of NDMC being made an elected body, the central government may not be able to ensure compliance of municipal governance on critical issues. However, the Committee observed that the NDMC Act, 1994 contains adequate provisions that empower the central government to exercise oversight, require production of documents, call for inspection and dissolution of the Council.

¹ According to the comments submitted to the Committee by the Ministry of Home Affairs, the NDMC area consists of about 3% of the area of Delhi and houses 3% of its population. It is the seat of the central government and the area houses buildings like the Rashtrapati Bhawan, Parliament House, Supreme Court and diplomatic missions of different countries. The government owns almost all land and about 80% of the buildings in the NDMC area.

² The Committee had been setup in 1987 to look into the issues connected with the administration of Delhi.

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