

Legislative Brief

KARNATAKA

The Bengaluru Metropolitan Land Transport Authority Bill, 2022

Key Features

- The Bengaluru Metropolitan Land Transport Authority (BMLTA) will be responsible for planning and coordinating transport in the Bengaluru Metropolitan Area.
- BMLTA will oversee the drafting of plans and policies for mobility in the Bengaluru Metropolitan Area. It will also coordinate between transport agencies, urban local bodies, and infrastructure development agencies.

Key Issues and Analysis

- Giving overriding powers to BMLTA may lead to transport policies being prioritised over other planning considerations, such as the local economy and environmental factors.
- There may be little representation of local interests in the transport planning process. Only two out of 33 BMLTA members are local government representatives from the Bengaluru Metropolitan Area.

The Bill was introduced in the Karnataka Legislative Assembly on September 23, 2022. It seeks to give statutory backing to the Bengaluru Metropolitan Land Transport Agency. The Agency will be responsible for planning and coordinating transport in the Bengaluru Metropolitan Area.

PART A: HIGHLIGHTS OF THE BILL

Context

In India, regulation of land transport lies with multiple agencies across the central, state, and local governments. The centre is responsible for railways (including metro rail) and National Highways. States are responsible for state highways and local roads, some of which they may further empower local authorities to regulate.^{1,2,3,4,5}

In Karnataka, the Transport Department is responsible for regulating motor vehicle usage and overseeing road transport corporations.⁶ The Public Works Department oversees major district roads and state and national highways.⁶ In Bengaluru, planning, implementation, and provision of transport facilities and infrastructure are spread across multiple bodies, some of which are managed by and accountable to the state government. For example, the Bengaluru Metro Rail Corporation Limited (BMRCL) operates the metro system, and the Bengaluru Metropolitan Transport Corporation (BMTCL) operates the urban bus services.^{7,8} In addition, urban local bodies (ULBs), planning authorities, and state departments also manage some transport-related functions. For instance, the Bruhat Bengaluru Mahanagara Palike (BBMP), the municipality for Bengaluru city, is responsible for road construction and maintenance, and the Bengaluru Development Authority (BDA) prepares the Master Plan for the city.^{9,10}

The National Urban Transport Policy, 2006 noted that the current system governing transport does not provide for coordination among agencies.¹¹ It recommended setting up Unified Metropolitan Transport Authorities (UMTAs) in all million-plus cities to facilitate coordinated planning and implementation of urban transport programs and projects, and integrated management of urban transport systems. Efforts to establish UMTAs have since been initiated in 12 cities, and they have been established in Bengaluru, Chennai, Pune, Mumbai, Kochi, Kanpur, Lucknow, Agra, Hyderabad, and Gurugram.^{12,13,14} In 2007, Karnataka notified the Bengaluru Metropolitan Land Transport Authority (BMLTA) as the UMTA for Bengaluru.¹⁵ The Directorate of Urban Land Transport (DULT) was also formed to assess transport demand across the state, recommend infrastructure projects, develop policy guidelines, and work with ULBs regarding transport planning.¹⁵ Though the BMLTA has been established, some of its key work has been taken up by other agencies. For example, the preparation of a Comprehensive Mobility Plan for Bengaluru was conducted by the DULT and BMRCL.¹⁶ The Parliamentary Standing Committee on Housing and Urban Affairs recommended that UMTAs receive statutory backing to be more effective.¹² The Bengaluru Metropolitan Land Transport Authority Bill, 2022 was introduced in the Karnataka Legislative Assembly in September 2022. It seeks to provide statutory backing to BMLTA.¹⁷

Key Features

- **Bengaluru Metropolitan Land Transport Agency (BMLTA):** The state government will establish the BMLTA, which will consolidate the planning and oversight of transport policy in the Bengaluru Urban Mobility Region. This region will consist of the Bengaluru Metropolitan Area and any other areas notified by the state government.
- The BMLTA will supervise the planning, implementation, financing, and regulation of transportation in the region. Functions of the BMLTA include: (i) formulating regulations and frameworks for coordination among agencies

providing services in the Urban Mobility Region, (ii) establishing frameworks for engaging the private sector in the delivery of mobility services, (iii) preparing policies for non-motorised transport, and multi-modal integration among others, (iv) assisting the state government on matters related to urban mobility, and (v) making regulations and procedures to administer the provisions of the Bill. The BMLTA will establish a Fund to implement provisions of the Bill.

- **Composition of BMLTA:** The BMLTA will have 33 members, including the Chief Minister (Chairperson) and the State Transport Minister. Other members include (i) Secretaries of state government departments, including the Departments of Urban Development, Transport, Finance, and Public Works, (ii) the Mayor and Chief Commissioner of the BBMP, (iii) Commissioners of the BDA and Bengaluru Metropolitan Region Development Authority, and (iv) Managing Directors of transport and infrastructure corporations such as the BMTC and the BMRCL. It will also have representatives from urban mobility, law, academic institutes, and civil society.
- **Executive Committee and CEO:** The BMLTA will be assisted by an Executive Committee, chaired by the Chief Secretary to the state. Other members include the Chief Commissioner of the BBMP, the Commissioner of the Bengaluru City Police, the BDA Commissioner, the Managing Director of the BMRCL, and representatives from civil society organisations and professional bodies. The Commissioner of the DULT will be the Chief Executive Officer (CEO) of the BMLTA. The Executive Committee and CEO will be responsible for ensuring the implementation of BMLTA's policies and preparing its plans.
- **Comprehensive Mobility Plan:** BMLTA will prepare a Comprehensive Mobility Plan which will be revised at least once in five years. It will provide for the development of infrastructure and services, including: (i) public transport routes, (ii) road networks, (iii) accessible mobility, (iv) pedestrian and cycling paths, and (v) traffic management. The Plan will be subject to the state government's approval.
- **City Mobility Investment Program:** In order to achieve the goals of the Comprehensive Mobility Plan, the BMLTA will prepare a City Mobility Investment Program for financing transport projects. It will be revised within two to five years and will be prepared by agencies from each relevant sector (such as urban transport), in consultation with the BMLTA.
- **Annual Implementation Plan:** Agencies from relevant sectors such as transport and infrastructure development will prepare Annual Implementation Plans. These plans will cover project plans, sources and details of funding, and details of urgent projects not initially included in the City Mobility Investment Program.
- **Integration with land use planning:** Planning Authorities in the urban mobility region shall take into account the Comprehensive Mobility Plan when preparing or revising Master Plans, which govern land use. They must also consult the BMLTA and incorporate its suggestions into the Master Plan.
- **Penalties:** The Bill empowers the BMLTA to impose fines and other punishments for failure to comply with its provisions, including Rules, Regulations, and Directions framed thereunder. Persons may be punished by a fine of up to one lakh rupees for their first offence.

PART B: KEY ISSUES AND ANALYSIS

BMLTA's input on Master Plans may prioritise transport over other factors

The Bill requires that the BMLTA should be consulted by the planning authorities in the Urban Mobility Region during preparation or revision of the Master Plan. In case the BMLTA suggests some changes to the Master Plan, it shall forward the same to the concerned authority. After incorporating the suggestions, the planning authority shall send the revised Plan to the BMLTA for its approval. In cases where the BMLTA's suggestions are not incorporated, the authority must provide detailed reasons for their exclusion. After receiving such reasons, the BMLTA shall give its agreement or otherwise convey its opinion to the planning authority and state government. It is unclear why the BMLTA should have such overriding powers in the planning process.

Land use planning involves the preparation of a Master Plan by a planning authority for a given area.¹⁸ Master Plans designate land to be used for various purposes such as residential, commercial, industrial, agricultural, recreational, and educational.¹⁸ Preparing a Master Plan involves wide consultation and consideration of economic, social, and ecological factors, among others.¹⁹ This does include some aspects of transportation, such as planning of street and road networks, accounting for immediate and future demand.¹⁹ The National Transport Development Policy Committee (2013) identified the need for integrating planning of land use and transportation, but it recommended doing so with the ULB as the primary tier of decision-making.²⁰ Therefore, the rationale for needing the BMLTA's concurrence for the Master Plan as a whole is not clear given the other aspects involved. The question is should the transport network follow the infrastructure being created, or should the infrastructure be planned to follow the transport network.

Illustration: If a park has to be built in the city, BDA will designate an area for the park based on certain factors. These factors include the location where a park is needed, availability of land, presence of flora and other landscape features, and environmental factors such as the presence of water bodies. Under present law, ULBs and transport agencies would

plan the transport routes and infrastructure needed to access the park, based on the existing transport network. However, under the Bill, the BMLTA could suggest that the park be relocated to a location with better road connectivity so that the park can be served by existing transport routes. This location may not fulfil all the other criteria which the BDA incorporated into its decision when planning the location of the park.

Lack of Urban Local Body and Panchayat representatives in the BMLTA

The jurisdiction under BMLTA is the Bengaluru Metropolitan Region and additional areas to be notified by the state government. More than half of the Bengaluru Metropolitan Area is under BBMP's jurisdiction, which is the municipality for Bengaluru city. BBMP has two representatives in the BMLTA, the Mayor and the Chief Commissioner, of whom only the Mayor is an elected representative of the BBMP. The Bengaluru Metropolitan Area also contains jurisdictions of panchayats and ULBs outside BBMP jurisdiction, covering approximately 593 square kilometres.²¹ However, no representative from these areas finds a place in the BMLTA. There is a lack of representation from these areas, and relatively minimal representation of the BBMP in the BMLTA. This means that there could be little representation of local interests in the transport planning process, relative to the impact of transport policy at the local level. Further, the BMLTA is chaired by the Chief Minister of the state, and 11 other members are representatives of state government departments and agencies. Given that transport issues are at the metropolitan level, these ministers may not be ideally placed to engage with relevant issues.

The 74th Amendment to the Constitution enables the devolution of responsibilities for certain state subjects to urban local bodies, including preparing plans for economic development and social justice.³ The Twelfth Schedule to the Constitution lists other responsibilities that may be devolved to ULBs. These include urban planning, roads, and bridges, which have a close relationship with transport planning.²² Several experts and committees, including the National Transport Development Policy Committee (2013), have recommended that ULBs oversee transport planning.^{20,23} They cite examples of similar integrated bodies in other jurisdictions, which are often led by local representatives and have other municipal officials in their membership. For example, the equivalent authority in London, UK, called "Transport for London", is headed by the city's elected Mayor.²⁴

1. Entry no. 13, List I (Union List), Seventh Schedule, [The Constitution of India](#).
2. Entry no. 23, List I (Union List), Seventh Schedule, [The Constitution of India](#).
3. Article 243W, [The Constitution of India](#).
4. Entry no. 4, Twelfth Schedule, [The Constitution of India](#).
5. Entry no. 6, List I (Union List), Seventh Schedule, [The Constitution of India](#).
6. Schedule XIII and Schedule IX-A, [The Karnataka Allocation of Business Rules, 1977](#).
7. "[Annual Administration Report 2019-20](#)", Bengaluru Metropolitan Transport Corporation.
8. [Letter No. K-14011/34/90-UD.II/MRTS/Metro](#), Ministry of Urban Development, May 11, 2006.
9. Section 12, [The Karnataka Town and Country Planning Act, 1961](#).
10. Section 107 and First Schedule, [The Bruhat Bengaluru Mahanagara Palike Act, 2020](#).
11. [The National Transport Policy, 2006](#).
12. Report No. 13, [Standing Committee on Housing and Urban Affairs: 'Implementation of Metro Projects: An Appraisal'](#), Lok Sabha, July 19, 2022.
13. [The Kerala Metropolitan Transport Authority Act, 2019](#).
14. [The Chennai Unified Metropolitan Transport Authority Act, 2010](#).
15. [Government Order No. BMR 134 BMR 2006\(2\)](#), February 9, 2007.
16. "[Comprehensive Mobility Plan for Bengaluru](#)", Bangalore Metro Rail Corporation Limited and Directorate of Urban Land Transport, Government of Karnataka.
17. "[Annual Report, 2020-21](#)", Directorate of Urban Land Transport, Government of Karnataka.
18. Section 12, [The Karnataka Town and Country Planning Act, 1961](#).
19. [Vision Document, "Bangalore Master Plan – 2015"](#), Bangalore Development Authority, June 25, 2007.
20. Chapter 5, Volume III, "India Transport Report: Moving India to 2032", [National Transport Development Policy Committee](#).
21. This is an estimation, based on subtraction of the area of the BBMP jurisdiction as given in the Preamble to the [Bruhat Bengaluru Mahanagara Palike Act, 2020](#) (714 square kilometres), from the area of the Bengaluru Metropolitan Area provided on page 72 of the [Vision Document of the BDA Revised Master Plan, 2015](#) (1307 square kilometres).
22. Entry no. 1, Entry no.2, and Entry no.3, Twelfth Schedule, [The Constitution of India](#).
23. "[Report on Indian Urban Infrastructure and Services](#)", The High-Powered Expert Committee (HPEC) for Estimating the Investment Requirements for Urban Infrastructure Services, March 2011.
24. "[Board Members](#)", [Transport for London](#), last accessed on December 12, 2022.

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