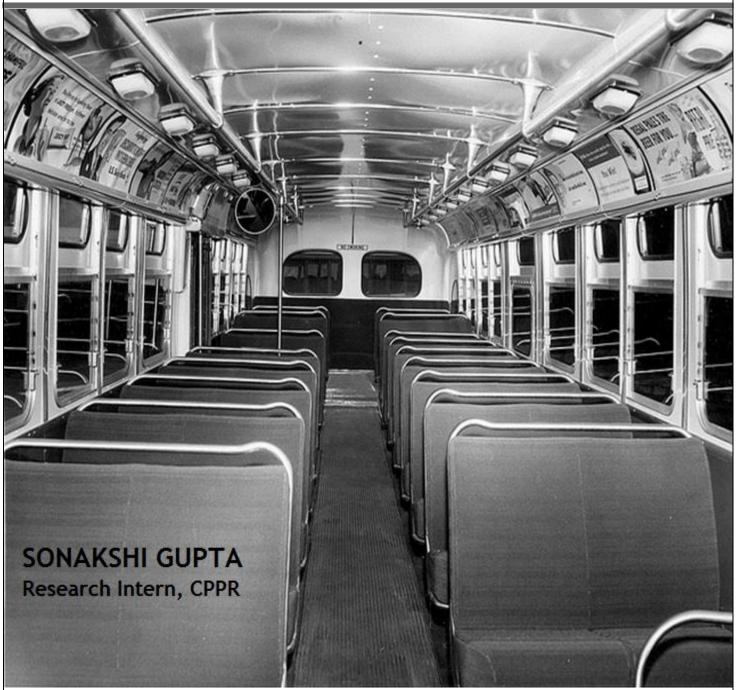
# **CPPR-CENTRE FOR URBAN STUDIES**WORKING PAPER SERIES - 2013



## URBAN METROPOLITAN TRANSPORT AUTHORITY (UMTA) OF DIFFERENT STATES IN INDIA



**CPPR-Centre for Urban Studies** 

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## **Abbreviations and Acronyms**

- JnNURM: Jawaharlal Nehru Urban Renewal Mission
- MoUD: Ministry of Urban development
- Gol: Government of India
- ULB: Urban Local Bodies
- GIS: Geographic Information Systems
- MIS: Management Information Systems
- **O&M**: Operation and Management
- CAA: Constitutional Amendment Act
- ULCRA: Urban Land Ceiling and Regulation Act
- EWS: Economically Weaker Section
- LIG: Low Income Group
- VRS: Voluntary Retirement Scheme
- PPP: Public Private Partnership
- FI: Financial Institutions
- ACA: Additional Central Assistance
- MoA: Memorandum of Agreement
- BS: Bharat Standards
- SPV: Special Purpose Vehicle
- BRTS: Bus Rapid Transit System
- UMTA: Urban Metropolitan Transport Authority
- UTF: Urban Transport Fund
- MRT: Mass Rapid Transit
- ITS: Intelligent Transportation System
- MPC: Metropolitan Planning Committee
- **DPC**: District Planning Committee
- **UA**: Urban Agglomeration
- NMT: Non Motorised Transport
- PR: Public Relations
- ICTSL: Indore City transport Service Limited
- IMC: Indore Municipal Corporation
- IDA: Indore Development Authority
- SPE: Special Purpose Entity
- RTA: Road Transport Authority
- GPS: Global Positioning System
- PIS: Passenger Information System
- AICTSL: Atal Indore City Transport Service Limited
- PPP: Public Private Partnership
- PMPML: Pune Mahanagar Parivahan Mahamandal
- PMC: Pune Municipal Corporation
- PCMC: Pimpri Chinchwad Municipal Corporation
- BoD: Board of Directors
- RTO: Regional Transport Office
- AJL: Ahmedabad Janmarg Limited

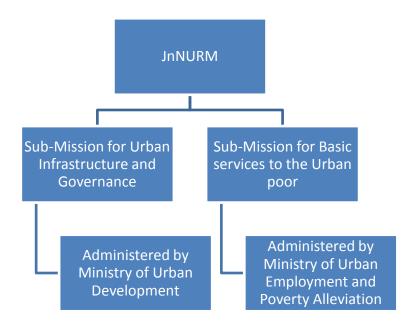
- AMC: Ahmedabad Municipal Corporation
- GoG: Government of Gujarat
- MoA: Memorandum of Agreement
- AMTS: Ahmedabad Municipal Transport Services
- CEPT: Centre for Environmental Planning And Technology
- FSI: Floor Space Index
- LASA: Lea Associates South Asia Pvt. Ltd.
- JCTSL: Jaipur City Transport Service Limited
- JNN: Jaipur Nagar Nigam
- JDA: Jaipur Development Authority
- BQS: Bus Queue Shelters
- RSRTC: Rajasthan State Road Transport Corporation Limited
- JMC: Jaipur Municipal Corporation
- HMDA: Hyderabad Metropolitan Development Authority
- HMR: Hyderabad Metropolitan Region
- **GHMC**: Greater Hyderabad Municipal Corporation
- MA&UD: Municipal Administration and Urban Development
- NHAI: National Highway Authority of India
- **SETWIN**: Society for Employment Promotion and Training in the Twin cities of Hyderabad and Secunderabad
- MMTS: Multi Modal Transport System
- **CUMTA**: Chennai Metropolitan Transport Authority
- NUTF: National Urban Transport Fund
- CUTF: City Urban Transport Fund
- SUTF: State Urban Transport Fund
- CMDA: Chennai Metropolitan Development Authority
- CTP: Comprehensive Transportation Plan
- CMPA: Chennai Metropolitan Planning Area
- RTC: Road Transport Corporation
- SCR: South Central Railways
- GCDA: Greater Cochin Development Authority
- TOD: Transit Oriented Development

#### 1. JnNURM Scheme

In 2005, the Ministry of Urban Development (MoUD), Government of India (GoI) launched the Jawaharlal Nehru National Urban Renewal Mission (JnNURM). The aim of the mission was to encourage urban level reforms and fast track planned infrastructure development of the 65 mission cities. The duration of the mission was from 2005-'06 to 2011-'12. However, since most of the projects have not been duly completed, the government has extended the mission until March, 2014.

The mission comprises of two Sub- Missions\*1, namely:

- Sub-Mission for Urban Infrastructure and Governance: This Sub-Mission is administered by the Ministry of Urban Development through the Sub-Mission Directorate for Urban Infrastructure and Governance. Important infrastructure projects relating to water supply, sanitation, sewerage, solid waste management, road network, urban transport and redevelopment of old cities with a view to upgrading infrastructure therein, shifting industrial and commercial establishments to conforming areas, etc.
- Sub-Mission for Basic Services to the Urban Poor: It will be administered by the Ministry of Urban Employment and Poverty Alleviation through Sub-Mission directorate for Basic Services to the Urban Poor. The focus of this Sub-Mission will be on integrating the development of slums through projects for providing shelter, basic services and other related civic amenities with a view to provide utilities to the urban poor.



<sup>&</sup>lt;sup>1</sup> www.jnnurm.nic.in

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## 1.1 JnNURM Agenda of Reforms\*2

Fulfilment of the reforms prescribed by the mission is a prerequisite for accessing the Central Assistance. All mandatory and optional reforms should be completed within the stipulated mission duration.

#### 1.1.1 Mandatory reforms for the Urban Local Bodies (ULB)/ Parastatals

- Adoption of modern, accrual based double entry system of accounting.
- Introduction of e-Governance using IT applications such as GIS and MIS for various services provided by the ULBs/ Parastatals.
- Reform of property tax with GIS. It becomes a major source of revenue for ULBs. And arrangement for its effective implementation so that collection efficiency reaches at least 85 per cent within the mission duration.
- Levy of reasonable user charges by the ULBs / Parstatals with the objective that the full cost of O&M or recurring cost is collected within the mission duration. However cities and towns in the North East and other special category states may recover only 50 per cent of the O&M charges initially. These cities and towns should graduate to full O&M cost recovering in a phased manner.
- Internal earmarking of budgets within local bodies for basic services to the urban poor.
- Provision of basic services to the urban poor including security of tenure at affordable prices, improved housing, water supply and sanitation. Delivery of other existing universal services of the Government for health, education and social security must be ensured.

## 1.1.2 Mandatory reforms for the States

- Implementation of decentralisation measures as envisaged under the 74<sup>th</sup>
   Constitutional Amendment Act (CAA). The States should ensure meaningful association
   and engagement of ULBs in planning the functions of the parastatal agencies as well
   as the delivery of services to the citizens.
- Repeal of Urban Land Ceiling and Regulation Act (ULCRA).
- Reform of Rent Control Act to balance the interests of the landlords and the tenants.
- Rationalization of Stamp Duty to bring it down to no more than five per cent within next seven years.

<sup>&</sup>lt;sup>2</sup> www.jnnurm.nic.in

- Enactment of Public Disclosure Law to ensure preparation of medium-term fiscal plan of the ULBs and parastatals and release of quarterly performance information to all the stakeholders.
- Enactment of Community Participation Law to institutionalize citizens' participation and introduction of the concept of 'Area Sabha' in urban areas.
- Assigning or associating elected ULBs with the city planning function. Transferring all special agencies that deliver civic services in urban areas to the ULBs and creating accountability platforms for all urban civic services providers in transition.

## 1.1.3 Optional Reforms\*3 (for states and ULBs/ Parastatals)

- Revision of bye-laws to streamline the approval process for construction of buildings and development of site et cetera.
- Simplification of legal and procedural frameworks for conversion of land from agricultural to non-agricultural purposes.
- Introduction of Property Title Certification System in ULBs.
- Earmarking at least 20-25 per cent of the developed land in all housing projects for Economically Weaker Sections (EWS) and Low Income Groups (LIG) category with a system of cross subsidization.
- Introduction of computerized registering of land and property.
- Revision of bye-laws to make rainwater harvesting mandatory in all buildings and adoption of water conservation measures.
- Bye-laws for the reuse of recycled water.
- Administrative reforms, that is reduction in establishment costs by adopting Voluntary Retirement Scheme (VRS), not filling posts falling vacant due to retirement et cetera and achieving specific milestones in this regard.
- Structural reforms
- Encouraging Public Private Partnership (PPP)

## 1.2 JnNURM Bus Funding Scheme

On December 3, 2009 GoI announced that as a part of the second stimulus package, the funding for buses for urban transport would be given under JnNURM as an incentive to cities and states across the country to implement bus based public transport systems. The scheme guidelines were as follows:

<sup>&</sup>lt;sup>3</sup> Cities under JnNURM will have the freedom to opt for any two optional reforms in each year of implementation

Table 1: The financing pattern for procurement of buses

| Population of the mission cities               | Central Assistance | State Assistance | ULBs/ Parastatals/<br>Loans from Fls |
|--|--------------------|------------------|--------------------------------------|
| More than 4 million                            | 35 per cent        | 15 per cent      | 50 per cent                          |
| 1-4 million                                    | 50 per cent        | 20 per cent      | 30 per cent                          |
| Less than1 million                             | 80 per cent        | 10 per cent      | 10 per cent                          |
| Jammu and Kashmir<br>& North-Eastern<br>States | 90 per cent        | 10 per cent      | -                                    |

- Under Central Financial Assistance, funds would be released as Additional Central
  Assistance (ACA) to the State Governments or the State level Nodal Agency. The Nodal
  Agency will thereby disburse the Central Assistance to the ULB as the case maybe as
  soft loan, grant-cum-loan or grant.
- The funds will be released in instalments. The first instalment of 50 per cent will be released upon the sanction of the project from the competent authority. The second instalment of 40 per cent of ACA will be released upon the receipt of Utilization Certificates (UC) to the extent of 70 per cent of the grants (Centre and State) and subject to route permission from the competent transport authority, Operations tie up, Loans tie up. The third instalment of 10 per cent of ACA will be released upon receipts of UCs to the extent of 70 per cent of the grants (Centre and State) and subject to commencement of satisfactory service operations.
- Setting up of public umbrella bodies that have the capacity to make scientific assessment of demand on various routes and contract services that can be properly monitored. The umbrella bodies should also mange common facilities like the bus stations, depots, terminals, central office and control centres et cetera and provide for the maintenance facilities. Such umbrella bodies should have representation from all the major stakeholders and operators.
- All the buses procured must conform to the Urban Bus Specification circulated by the MoUD.
- Emphasis is to cover all JnNURM cities and to start organised city bus service in cities which do not have organised bus services at present.

- The buses are to be in line with the Auto Fuel Policy approved by the Government in 2002 that is introduction of Bharat Standards (BS) three and four vehicles.
- All mission cities will be eligible for ACA
- States/ ULBs/ Parastatals shall float a city specific, wholly owned Special Purpose Vehicle (SPV)/ Umbrella Public Body for controlling and managing the city bus services/ Bus Rapid Transit System (BRTS) to ensure that the buses procured under JnNURM are utilized exclusively for the purpose of Urban Transport.
- For accessing ACA, Detailed Project Report (DPR) shall have to be submitted by the State Government/ State level Nodal agency including details about the city bus service/ BRTS: planning, financing arrangements, sustainability, user charges, operation, maintenance, the ultimate benefit. This will become available to the urban commuters.
- Proposals for PPPs will be given priority. However the ownership will remain with the parastatals/ ULBs.
- The ULBs/ Parastatals must commit to the maintenance of these buses throughout their useful life and must put them in operation immediately.
- All buses procured under JnNURM must carry the JnNURM logo on both sides.

#### Mission Reforms

All of the central Assistance is tied to the following reforms in the field of Urban Transport:

#### 1.2.1 State level

- Setting up of a city level Urban Metropolitan Transport Authority for all the 1 million+ cities, duly backed by legislation to facilitate co-ordinated planning and implementation of projects relating to Urban Transport and their integrated management.
- Setting up of a dedicated Urban Transport Fund (UTF) at the state level.
- Change in the bye-laws and Master Plan of the cities to integrate land use and transport by densification along the Mass Rapid Transit (MRT) corridors and areas around the stations.
- Nominating a single department at the State level to deal with all Urban Transport issues as against different departments at present.
- Setting up of a regulatory/ institutional mechanism to periodically revise fares of all public and intermediate public transport systems.
- The State Government and ULBs waiving off/ reimbursing its taxes on urban buses and city bus services/ BRTS.

#### 1.2.2 City level

- Setting up of a dedicated UTF at the city level
- An advertising policy which helps tap advertisement revenue on public transport, intermediate public transport and public utilities subject to relevant legislations.
- Parking Policy wherein parking fee represents the true value of land on the land occupied which is used to make public transport more attractive. Banning of parking on arterial routes, making provisions for multi-level parking centres in the city, park and ride facilities et cetera.
- A well organised city bus system using Intelligent Transportation Systems (ITS) through city specific SPVs.
- Multimodal integration to provide network connectivity in the region and single ticketing to provide seamless travel.
- Setting up Traffic Information, Management and Control Centre for effective monitoring of traffic as well as data generation for future planning.

## 2. Urban Transport Fund

## 2.1 National Urban Transport Fund

In order to facilitate highly capital intensive projects like Metro Rail et cetera, it is essential to provide cheaper, long tenure finance. For this a dedicated non- lapsable, non- fungible and statutory National level UTF (NUTF) needs to be set up (according to the recommendations of the Working Group on Urban Transport in the 12<sup>th</sup> Five Year Plan) in the first year of the 12<sup>th</sup> plan. Since the entire funding cannot be through traditional sources, innovative financing mechanisms will therefore be required to be tapped. Some possible sources proposed were:

- Green Surcharge of Rs. 2 on petrol sold across the country
- Green Cess on existing personalised vehicles at the rate of three per cent of the annual insured value for both cars and two wheelers
- Urban Transport tax on purchase of cars and two wheelers at 7.5 per cent of the total cost of petrol vehicles and 20 per cent in case of personalised diesel cars.

The above levies would serve the twin purpose of generating a dedicated and sustained stream of resources at the national level and provide de-incentive for middle class, lower middle class to give up the use of private vehicles.

## 2.2 State Urban Transport Fund\*4

At the State level, additional sales tax on petrol, additional registration fee on four-wheelers and two-wheelers, high registration fee for personal vehicles running on diesel, annual renewal fee on driving license and vehicle registration, congestion tax, green tax etc. may be used to draw sources for the Dedicated Urban Transport Fund at the State level. The inelastic demand of petrol with respect to price in a short run would ensure sufficient accruals to the funding and which would, in the long run, incentivize such people to shift to the public transport system. The funds so generated by the States can be used for new projects in urban transport, compensate towards exemption of tax on urban buses and replacement of assets of public transport companies and, towards meeting the cost of various other concessions extended to encourage public transport by the State Government.

## 2.3 City Urban Transport Fund\*5

The cities can generate fund out of betterment levy on land in areas which benefit by investment in urban transport projects; rationalization of parking-fee, property development tax, property development on the land banks with parastatals, advertisement revenue on transit corridors, employment tax (as done in France) etc. This fund at the city level can be used for establishing a fare contingency fund to meet the difference between the 'public fare' (paid by the commuters) and the 'technical fare' (payable to the private operators) to sustain the operations and; to provide ULBs' share for funding the urban transport projects.

## 3. Special Purpose Vehicles

A Special Purpose Vehicle is a legal entity created to fulfil narrow, specific or temporary objectives. Normally a company transfers assets to the SPV for management or for financing large projects and thereby achieves a narrow set of goals without putting the firm at risk. This SPV also known as Special Purpose Entity (SPE) can be owned by one or more entities. The SPV is usually a subsidiary company with an asset/ liability structure and legal status such that makes its obligations secure even if the parent company goes bankrupt.

<sup>4</sup> www.jnnurm.com

 $<sup>^{5}</sup>$  " JnNURM report gives possible suggestions for the sources of state, city level UTFs.

## 4. Urban Metropolitan Transport Authority

According to the recommendations of the Working Group on Urban Transport in the 12<sup>th</sup> five year plan, UMTA:

- UMTA should be an executive body governed by a Board made up of heads of various departments in the city, local elected leaders and eminent citizens. It should be supported by a team of professionals with a Chief Executive.
- UMTA should be based in the city and should report to the Metropolitan Planning Committee (MPC)/ District Planning Committee (DPC) as envisaged under the 74<sup>th</sup> Constitution Amendment Act (CAA). Until the MPC/DPC is constituted, UMTA should report to the relevant department at the State Headquarters.
- UMTA should be empowered to set up SPVs for various components of Urban Transport.
- UMTA should undertake the following functions:
  - Policy Functions: such as formulation of policies, strategies and financing for the city urban transport systems.
  - Regulatory Functions: to ensure co-ordination of various available modes of public transport to ensure seamless travel.
  - Integrated and holistic planning: such as comprehensive, integrated transport planning of all components of Urban Transport on a city wide/ Urban Agglomeration (UA) basis for implementation including integrated land use. Transport planning with inputs from urban Development Authority. This will include planning for an integrated, multimodal public transport system, MRTS, planning of bus routes, terminals, interchange points, intermediate public transport, Non Motorised Transport (NMT) and transport demand management. It will also plan goods movement in the city.
  - Planning of road network and associated infrastructure in conjunction with planning of city wide public transport system. Infrastructure includes roads and associated facilities such as road furniture, traffic signals, road intersections, flyovers, grade separators, bridges, bye-passes, and facilities for inter modal transfer and parking.
  - Organising and co-ordinating services that is franchising/ route allocation, contract monitoring, co-ordination of services, ensuring supply of services to meet demand, provisioning of new supplies, monitoring the work assigned to the implementing agencies. All service providers including Rail Transit and BRTS will be monitored by UMTA (however, construction, operation and

- maintenance of various MRTS, bus services and other infrastructure will continue through existing city agencies.)
- Common services such as resolution of day-to-day matters, dispute resolution, Public Relations (PR), security services, management of revenue sharing arrangements. Provision and management of common facilities i.e. depots, terminals, and Passenger Information System (PIS), integrated ticketing, data management, management of multimodal interchanges, last mile connectivity, planning movements around MRT stations, co-ordination with other agencies and planning for future extension.
- Traffic Engineering and Management.
- Capacity building to upgrade the skills of the city officials.

## 4.1 HYDERABAD URBAN METROPOLITAN TRANSPORT AUTHORITY\*6

UMTA for Hyderabad was constituted by an Act of the Andhra Pradesh Government legislature (GO Ms No. 624). It was formed in order to deal with issues related to traffic and transportation in the Hyderabad Metropolitan Region (HMR). Some of its functions are to oversee the implementation of various traffic and transportation measures undertaken by various agencies in the region, to ensure that effective public transport systems are in place for the metropolitan region, and to integrate various routes of public transport and issues including combined ticketing and feeder services. Hyderabad Metropolitan Development Authority (HMDA) constituted the UMTA. Under subsection (1) of section 16 of HMDA Act No. 8, 2008, the Governor of Andhra Pradesh constituted Hyderabad UMTA with the following members

Table 2: Board of Directors, Hyderabad UMTA

| Designation   | Post in Hyderabad UMTA |
|---|------------------------|
| Chief Secretary   | Chairman               |
| Commissioner, Greater Hyderabad Municipal Corporation   | Member                 |
| Principal Secretary/ Secretary to the Government, Municipal Administration and Urban Development (MA&UD) Department | >>                     |
| Principal Secretary/ Secretary to Government, Transport, Roads and Buildings  | >>                     |

<sup>&</sup>lt;sup>6</sup> www.hmda.gov.in

| Chairman & MD, Andhra Pradesh State Road  Transport Corporation           | "               |
|---|-----------------|
| Commissioner of Police, Hyderabad   | "               |
| Commissioner of Police, Cyberabad   | "               |
| Member Secretary, Andhra Pradesh Pollution Control Board                  | "               |
| General Manager, South Central Railway                                    | "               |
| Transport Commissioner  | "               |
| Two Experts in the field of Urban Transport (nominated by the Government) | "               |
| Metropolitan Commissioner, HMDA   | Member Convenor |
| Any other person nominated by the Government                              | Member          |

Hyderabad city's transportation requirements are largely met by: 42 per cent by bus transportation, 1.5 per cent by Rail based Multi-Modal Transport System, eight per cent by three-seater and seven seater autos and 48.5 per cent by private vehicles (two wheelers and four wheelers). There was a need to 'dis-incentivise' the use of private vehicles and encourage people to opt for public transport modes. As we know, UMTA is responsible for multimodal integration.

Various agencies like HMC, HMDA, National Highway Authority of India (NHAI), APSRTC, Society for Employment and Training in the twin cities of Hyderabad and Secunderabad (SETWIN), Multi-Modal Transport System (MMTS), Railways are involved in supporting and facilitating the traffic and transportation mechanism in Hyderabad.

#### 4.1.2 Functions of Hyderabad UMTA

- Hyderabad UMTA has been assigned the task of overseeing the implementation of various traffic and transportation measures undertaken by various agencies in the HMR.
- To ensure effective co-ordination and implementation of various traffic and transportation measures by various Government agencies
- To deliberate and recommend effective transportation strategies for the Hyderabad Metropolitan Region.

- Processing of funds for implementation of proposals.
- Approval of all traffic and transportation proposals/ projects from any agency in the metropolitan region and all new initiatives to be brought to the attention of the members
- The recommendations/ instructions of the UMTA shall be binding on all concerned departments
- Maintenance of an Escrow account in HMDA in which 0.25 per cent of the estimated
  cost of all projects of traffic and transportation undertaken by various departments is
  to be deposited together with 0.25 per cent development charges collected by HMDA
  and GHMC and other ULBs to be added to the income annually.
- Formation of SPV for the metro rail.
- To decide about location of bus stands on highways.
- Decisions about usage of private open spaces like educational institutions and big marriage halls.
- Provision of multi-level parking zones, no-hawker zone and hawker zones for effective traffic control.
- Introduction of CNG to reduce air pollution levels. In fact, the Hyderabad UMTA has even set up a Sub-Committee for provision of CNG for going in detail the measures to be taken in all respects to ensure that the CNG facility is made available at the earliest. The members of this Sub-Committee are:
  - GHMC
  - Andhra Pradesh Pollution Control Board
  - Commissionerates of Hyderabad & Cyberabad
  - Collectors of Rangareddy and Hyderabad Districts
  - Bhagayanagar Gas Ltd.
  - Transport Department (convenor)
- To follow the Delhi model of allowing advertisement by private carriers on cost/ revenue sharing basis.
- Maintenance of traffic signals, road markings, streamlining speed breakers and junction improvement.
- SPV for BRTS (especially for Kukatpally-JNTU-Rathibowli via High Tech city)
- Management of ITS.
- Provision of bus parking facilities, lorry parking facilities, alternate bus routes for
   Private buses, pedestrian footpath et cetera.
- Non- Motorised Transport policy for HMA.
- Developing Traffic Impact assessment guidelines.

One project undertaken by Hyderabad UMTA was the introduction of Combi-Tickets in 2007. These Combi-Tickets were to serve as a common ticket between Road Transport Corporation (RTC) & MMTS for the convenience of the commuters. Revenue sharing arrangement was a 50-50 between RTC and South Central per cent basis Railways (SCR). The Executive Director of APSRTC said that since APSRTC was performing all functions that an SPV should be doing, therefore there was no need to set up another body for the same purpose.

## 4.2 Chennai Urban Metropolitan Transport Authority (CUMTA)\*7

The bill to provide for the establishment of a Unified Metropolitan Transport Authority for Chennai Metropolitan Planning Area and for matters connected therewith and thereto says that there are many agencies involved in planning, operating, and management of transportation system in the Chennai Metropolitan Planning Area. And thus proper coordination and streamlining the activities among such agencies was necessary in order to utilize the available infrastructure facilities and resource development. Therefore, the State Government decided to establish a Unified Metropolitan Transport Authority for the above reasons.

The Act was supposed to be enacted by the State Legislative Assembly of Tamil Nadu. The act would be known as the Chennai Unified Metropolitan Transport Authority Act, 2010 and would extend to the whole of Chennai Metropolitan Planning Area (CMPA).

The bill proposed CUMTA to be a corporate body having perpetual succession with a common seal and the authority will consist of the following members:

Table 3: Board of Directors, CUMTA

| Designation                                    | Post in CUMTA             |
|--|---------------------------|
| Minister in-charge of Transport                | Chairman, ex- officio     |
| Chief Secretary to the Government              | Vice Chairman, ex-officio |
| Vice Chairman of CMDA                          | Vice Chairman, ex officio |
| Secretary to Government, Transport  Department | Ex-officio member         |
| Secretary to Government, Finance Department    | "                         |

www.thehindu.com/multimedia/archive/00287/Chennai Unified Met 287799a.pdf

| Secretary to Government, Housing and      |    |
|---|----|
| , ,                                       | "  |
| Urban Development                         |    |
| Secretary to Government, Highways         |    |
|   | "  |
| Department                                |    |
| Secretary to Government, Home             | "  |
| Department                                |    |
| Secretary to Government, Municipal        |    |
|   | "  |
| Administration and Water Supply           |    |
| Commissioner of Police, Greater Chennai   | "  |
| · ·                                       |    |
| Commissioner, Chennai City Municipal      | ,, |
| Corporation                               |    |
| Turner out Commission on                  | ,, |
| Transport Commissioner                    | "  |
| Member Secretary, CMDA                    | ,, |
| Member Secretary, CMDA                    |    |
| General Manager, Southern Railways,       | ,, |
| Chennai                                   | "  |
| Divisional Dailyey Manager Channai        |    |
| Divisional Railway Manager, Chennai       | "  |
| Division, Southern Railway, Chennai       |    |
| Managing Director, Metropolitan Transport |    |
| Corporation (Chennai) Limited             | "  |
| ·   |    |
| Managing Director, Chennai Metro Rail     | "  |
| Limited                                   |    |
| One eminent traffic and transportation    |    |
| expert nominated by the Government (not   | _  |
|   |    |
| more than three)                          |    |

## 4.2.2 Functions of CUMTA

 CUMTA shall oversee, co-ordinate, promote and monitor the implementation of various traffic and transportation measures including promoting the cause of public mass passenger transport systems and regulating their operations, besides implementation of certain traffic and transportation infrastructure of special nature in Chennai Metropolitan Area.

- Prepare a Comprehensive Transportation Plan (CTP) addressing planning and development of all public mass passenger transport modes and related infrastructure within the Master Plan in consultation with CMDA and recommend for the implementation of the same through respective transport agencies.
- Update CDP periodically in tune with changes in traffic and transportation situation in CMPA.
- Monitor, co-ordinate and evaluate the implementation of the CTP.
- Plan and implement traffic and transportation infrastructure of special nature.
- Regulate measures for integration of all public mass passenger transport modes by means of various measures including routing and scheduling, operating feeder services and combined ticketing to facilitate seamless travelling.
- Regulate measures aimed at enhancing the equity and efficiency of each mass passenger transport and Para-transit modes to serve the commuting needs of the CMPA.
- Determination of fares for mass passenger transport mode and Para-transit in consultation with the Government.
- To come up with innovative methods and practices and recommend measures for implementation of such methods and practices.
- Commission studies and research needed to improve the efficiency of the mass transit and Para-transit transport modes and maintain a data base.
- Make recommendations to the central government in respect of National Highways and Railways to improve the transport modes.
- Mange a road safety cell
- To secure compliance of inter agency requests and resolve any difference that comes up between such agencies.
- CUMTA should meet at least once in three months and as often as necessary.
- The authority can from time to time, consultants required to assist the authority in discharge of its functions on such terms and conditions as specified by the Authority.
- The authority shall have its own fund and all sums of money may from time to time be
  paid to it by the Government and all receipts shall be credited to this fund. All
  expenditure incurred by the firm will be defrayed from out of the said fund and any
  surplus remaining shall be invested in such manner as maybe prescribed.

## 4.3 AICTSL: Indore SPV\*8

Indore City Transport Service Limited (ICTSL) now known as Atal Indore City Transport Service Limited (AICTSL) was set up as an SPV by the executive order of the Government in the year 2005. This SPV was formed between Indore Municipal Corporation (IMC) and Indore Development Authority (IDA) with an initial capital of 25 lakhs with equal contributions from both authorities.

The SPV manages a set of three private operators:

- 1. Bus Operators:
  - Dayajeet Nimay Logistics Private Ltd.
  - Rama Jyoti Travels
  - Priyadarshini Transport Service
- 2. Pass Issuance Agency: R Square Systems and Solutions
- 3. Advertising Agency: Giriraj Advertising & Marketing Services

Table 4: Board of Directors, ITCSL

| Designation                      | Post in ICTSL                 |
|----------------------------------|-------------------------------|
| Mayor, Indore                    | Chairperson                   |
| Chairman, IDA                    | Vice Chairperson              |
| District Collector               | Executive Director            |
| Municipal Commissioner           | Managing Director             |
| CEO, IDA                         | Director                      |
| Jt. Collector                    | Chief Executive Officer (CEO) |
| Regional Transport officer       | Special invitee               |
| Superintendent of Police, Indore | Special invitee               |

Bus routes which would maximise passenger traffic were finalised in consultation with Road Transport Authority (RTA). Finally a hub- spoke pattern was finalised to cover both personal and workplace community requirements. Bus routes and buses were colour coded for the ease of identification.

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<sup>&</sup>lt;sup>8</sup> http://www.citybusindore.com/pdf/Tender\_NIT%20on%2005-06-13\_24062013.pdf

#### 4.3.1 Private Party Obligations

Bus operators were supposed to procure and maintain buses as per specifications laid down in the contract. They were supposed to operate buses on prefixed routes as per predetermined schedules.

**Pass Issuance Agency:** was to set up pass issuing centres throughout the city and administer computerized vending of uniform monthly passes. They were supposed to issue a minimum of 15000 passes in a month so as to ensure a minimum revenue stream to ICTSL and the bus operators.

**Advertisement Agency:** was to provide all advertisement equipment, generate and manage in-bus advertisement and ensure a fixed monthly revenue stream to ICTSL and bus operators.

#### 4.3.2 ICTSL's Obligations:

It was supposed to act as the regulator of the entire system, to administer tariff fixation/revision, monitor quality and standard of services and undertake planning and route management. ICTSL is supposed to provide and maintain the allied infrastructure such as bus stops through, Global Positioning System (GPS) based Passenger Information System (PIS) and common ticketing facilities. Investment for allied infrastructure (except bus stops developed by the IMC) was to be made by ICTSL. Also, the revenue sharing arrangement between the private operators was to be managed by ICTSL.

#### 4.3.3 Project Details - Revenue Sharing Arrangement

- Revenue from fare box collections accrued entirely to Bus Operators for specified bus routes.
- Revenue from passes: revenue was shared by bus operators and ICTSL on an 80-20 per cent basis. ICTSL would retain 12.2 per cent of its share in case of a new pass and 17 per cent in case of a renewed pass and remaining was given back to the pass issuance agency.
- Revenue from in- bus advertisement: accrues to the advertisement agency and a fixed sum of Rs.25000 was to be paid to ICTSL per bus per month. 60 per cent of revenue from such advertisement was shared by ICTSL with the bus operators.
- The revenue from advertisement at bus stops and through ICTSL installed LEDs for displaying public information was shared between ICTSL and IMC.
- A monthly bid was paid by the bus operators to ICTSL.

#### 4.3.4 Outcomes

The project has generated high and steady revenues for ICTSL with minimal asset holding in the system. The net profits of ICTSL have gone up from Rs. 34 lakhs in 2006-'07 to over Rs. One Crore in 2009-10. The bus operators have gained advantage since there is no competition on the routes they operate on.

However, the contract did not prescribe any particular formula/ mechanism for periodic increase of fares. Decision regarding revision of fares is one of the mandates of the ICTSL Board of Directors and its acceptance is subject to mutual understanding between to the two parties. The existing bus system focused on high capacity arterial routes. The system does not service all areas of the city.

## 4.4 PMPML\*9: Pune SPV

Pune Mahanagar Parivahan Mahamandal Limited (PMPML): this SPV was formed between Pune Municipal Corporation (PMC) and Pimpri Chinchwad Municipal Corporation (PCMC). It came into existence on 19<sup>th</sup> October, 2007 when the two transport undertakings merged. PMPML now has about 1000 buses carrying nearly 807511(21998 trips per day) with a staff of about 8610 with 11 bus depots, 3278 bus stops and 20 main bust stations and running on approximately 365\*<sup>10</sup> routes.

The buses are being operated on a PPP model. The private bus operators procure the buses and lease it to PMPML (PMPML defines the physical specifications of the buses and the number of buses it requires). These buses are then operated and maintained by the Private Operator on routes as identified by PMPML. PMPML provides administrative support to the operations of the buses including supply of tickets and passes.

Bus drivers are appointed by the Private Operators and the conductor is appointed by PMPML and is responsible for running the buses as per defined routes whereas the conductor is appointed by the Private Operators and is responsible for collecting the fare revenue.

**Institutional Framework**: The Board of Directors (BoD) are entrusted with the responsibility of framing the policies and taking important decisions.

<sup>&</sup>lt;sup>9</sup> www.pmpml.org

<sup>10</sup> www.janwani.org

Table 5: Board of Directors, PMPML

| Designation                         | Post in PMPML           |
|-------------------------------------|-------------------------|
| IAS* <sup>11</sup> Officer          | Chief Managing Director |
| Municipal Commissioner, PMC         | Director                |
| Municipal Commissioner, PCMC        | **                      |
| Mayor, PMC                          | "                       |
| Chairman, Standing Committee, PMC   | "                       |
| Mayor, PCMC                         | ,,                      |
| Chairman, Standing Committee, PCMC  | "                       |
| Director, Central Institute of Road | "                       |
| Transport                           |                         |
| Regional Transport Officer          | "                       |
| PMC member* <sup>12</sup>           | "                       |

However, the day to day management lies in the hands of a management body.

Table 6: Functions of the Management Body, PMPML

| Post in PMPML           | Functions  |
|-------------------------|--|
| Chief Managing Director | <ul> <li>Reviewing the existing routes and altering them if necessary</li> <li>Surveying and planning new routes and attending to the demands and suggestions of the passengers</li> <li>Management of main bus stations and depots</li> <li>Assigning tasks to the staff working at the depots and main bus stations</li> <li>The heads of all depots and main bus stations, Transport planning and Execution Officers, Transport</li> <li>Supervisory staff are all accountable</li> </ul> |

<sup>&</sup>lt;sup>11</sup> Mr. Ramchandra Joshi currently assumes the post of Chief Managing Director of PMPML. He is an IAS officer and has handled a number of positions including Deputy Commissioner of State Election Commission (Mumbai), Deputy Commissioner of Revenue Department, Chief Executive Officer of Jalgaon, Commissioner of Aurangabad Municipal Corporation, Chairman and Managing Director of Western Maharashtra State Development Board and Additional Divisional Commissioner of Pune.

<sup>12</sup> Prashant Jagtap currently holds the position of a director in PMPML. He was also a PMC member.

|                         | <ul> <li>to the Managing Director</li> <li>To preserve lost property of passengers and ensure their return after ascertaining the identity of the claimant</li> <li>To attend to PMPML accidents</li> <li>To take measures to prevent accidents</li> <li>To conduct departmental enquiries of staff members</li> </ul>  |
|-------------------------|---|
| Jt. Managing director   | <ul> <li>The Jt. Managing Director is<br/>responsible for the overall<br/>functioning of the company. All<br/>officers except the CEO are placed<br/>under him.</li> </ul>  |
| Chief Executive Officer | <ul> <li>The functions of the CEO are similar to the functions of any Company's Secretary like conducting meetings of the BoD</li> <li>Preparing resolutions as per discussions in the Board meetings and implementation of these resolutions</li> </ul>  |
| Chief Engineer          | <ul> <li>Efficient use of bus vehicles</li> <li>Repairs and maintenance</li> <li>Implementing the regulations in the Pollution Laws and Motor Transport Act</li> <li>Overall maintenance and upkeep of the buses</li> <li>Controlling the Central Workshop as well as the repairs and maintenance sections of all depots and main bus stations to see to it that there is an adequate supply of tools and implements necessary for repairs</li> </ul> |

|                                     | and maintenance, spare parts, tyres, fuel, and related incidental items and monitor their optimum usage.  |
|-------------------------------------|---|
|                                     | <ul> <li>To keep a record of the fuel efficiency of the buses and their comparative study</li> <li>To make an age-wise analysis of vehicles</li> <li>To get vehicles passed through the RTO department</li> <li>Staff in the Central Workshop, maintenance Heads and other staff in all depots and main bus stations and technical staff, store managers are all accountable to the Chief Engineer</li> </ul> |
| Finance Manager                     | Responsible for all transactions     related to the financial matters   |
| Civil Engineer                      | <ul> <li>Responsibility of maintenance and repairs of all PMPML buildings, commercial complexes, main bus stations, depots, staff colonies, bus stops</li> <li>The head office building and Central workshop are to be maintained by the Civil Engineer</li> </ul>  |
| Controller of Stores                |   |
| Administrative Officer              | Appointment, salaries, promotion     and retirement of the staff  |
| Labour and Public Relations Officer |   |

## 4.5 AJL\*13: Ahmedabad SPV

Ahmedabad Janmarg Limited (AJL) was constituted as an SPV by the Ahmedabad Municipal Corporation (AMC), Ahmedabad Urban Development Authority and Government of Gujarat (GoG) in order to run and operate BRTS buses. AJL has 65 kilometres of operational BRTS routes with approximately 135 buses (36 of which are Air Conditioned) and carries around 1.30 lakh passengers daily. AJL is registered as a 100 per cent subsidiary of AMC. As per the Memorandum of Agreement (MoA), the Municipal Commissioner is the chairman of AJL.

Table 7: Board of Directors, AJL

| Designation                            | Post in AJL        |
|--|--------------------|
| Municipal Commissioner                 | Chairman           |
| Mayor, Ahmedabad* <sup>14</sup>        | Director           |
| Chairman, Standing Committee           | "                  |
| Chairman, Ahmedabad Municipal          | "                  |
| Transport Services (AMTS)              |                    |
| Opposition party leader                | "                  |
| IPS, Additional Commissioner of Police | "                  |
| Dy. Municipal Commissioner             | Executive Director |

The basic functions of AJL as an SPV are:

- To operate buses decide fares
- To maintain bus lanes
- To maintain bus shelters
- AJL also gets advertisement rights across the BRTS routes
- To provide pay and park facilities to the citizens
- Provision of smart card facility and tokens

One notable feature of AJL model is the involvement of professional bodies for the effective management of BRTS. The team AJL comprises of the following members:

<sup>&</sup>lt;sup>13</sup> www.ahmedabadbrts.com

<sup>&</sup>lt;sup>14</sup> Mr. Asit Vora who is currently the mayor of Ahmedabad is on the roll of Board of Directors of AJL

#### Table 8: Members of Team AJL

Centre for Environmental Planning And Technology (CEPT).

CEPT has undertaken:

**Planning** 

Street design ( Planning and Section, Signal Phasing, Detail Design, Bus stops, Terminals and interchanges, workshops and depots)

Engineering Design

Vehicle Technology

Lead Planning And Implementation agengy: Ahmedabad Municipal Corporation (AMC)

Project support:

Ahmedabad Urban Development Authority

Gujarat Infrastructure Development Board

Urban Development and Housing Department, GoG

Ahmedabad City Traffic Police

Project Funding:

GoI: 35% of the project cost

GoG: 15% of the project cost

AMC: 50% of the project cost (raised through different sources like Advertisement rights and purchaseable Floor Space Index (FSI) on the BRTS routes)

Planning and Design:
CEPT university with assistance from
Lea associates
Arya Architects
Multi-Media
Coordinates Infrastructure
ITDB
CDAC

Project Management Consultants: Lea Associates South Asia Pvt. Ltd. (LASA)

Contractors/ Service Providers:

Road infrastructure works- Roman Tarmet, IRB Ltd.

Bus stations works- M/s Nila Infrastructure

Bus operators- Chartered Speed Pvt. Ltd.

ITS & Ticketing- Vayam GMV Intelligent Transportation Pvt Ltd.

Automated Doors-Technocratss System Pvt. Ltd.

Automated Traffic Signal System- Webel with technical support from CDAC

The AJL model has by far been one of the most successful SPV models for Urban Transport in India. AJL has won several accolades for implementation of successful BRTS operations (some of which are mentioned below):

- National Award for 'Best Mass Transit Rapid System Project 2009' by Government
- International Award for 'Sustainable Transport Award 2010' at Washington DC, USA.
- International Award for 'Outstanding Innovations in Public Transportation 2010' from UITP, Germany.
- National Award for 'Best Innovation Project towards Improvement in Urban Mobility in the City of Ahmedabad through New Technological Innovations in Janmarg BRTS - 2010' from Government of India.
- International Award for Design 'Daring Ambition Award and Knowledge and Research Award - 2011' at the 59th UITP World Congress, Dubai.
- National Award for 'Award for Excellence in the category of Best ITS Project -2011' from Government of India.
- International Award for 'Momentum for Change 2012' was given by United Nations in the light house activities conference, held on 5th December, 2012 at Doha, Qatar.

## 4.6 JCTSL\*<sup>15</sup>: Jaipur SPV

Jaipur City Transport Service Limited (JCTSL), an SPV formed with equal partnership of Jaipur Nagar Nigam (JNN) and Jaipur Development Authority (JDA) in the year 2007. Jaipur City Transport Services Limited (JCTSL) is a city bus service for Jaipur, the capital of Rajasthan state in India. It is operated by RSRTC.

The Bus Queue Shelters are an integral part of the overall transportation plan. All JCTSL buses running on any of the routes will stop only at the Bus Queue Shelters (BQS). The BQS is designed so as to facilitate boarding and disembarking from the special JnNURM buses. The BQS is also expected to act as information centres for passengers, tourists and others and have been specially designed for high density areas at the points of easy accessibility.

<sup>&</sup>lt;sup>15</sup> www.jaipurbus.com

Each BQS is expected to have a small kiosk as well as an ATM counter. Since it is prominently located on the roadside, well lit in the evenings, the BQS will also serve as one of the best advertisement platforms for visual advertising in Jaipur city. As a policy measure too, the governments are increasingly adopting advertisement by-laws which clearly indicate that advertisement on roads have to be in/near the public transport facilities. Apart from the utility, the BQS are also expected to be, visually, very attractive.

Table 9: Board of Directors, JCTSL

| Designation   | Post in JCTSL     |
|---|-------------------|
| MD, Rajasthan State Road Transport  Corporation (RSRTC)                     | Chairman          |
| Jaipur Development Commissioner   | Director          |
| Secretary to the Government, Department of Finance, Government of Rajasthan | "                 |
| CEO, Jaipur Municipal Corporation (JMC)                                     | "                 |
| _*16  | Managing Director |
| _*17  | Company Secretary |

## 5. Observations

First, on comparing the official structures of these four SPVs, we see that there is a huge difference in the official structures of SPVs of different cities across the country. There is no uniformity in structures of the SPVs. Ahmedabad's SPV has various professional bodies like CEPT actively involved in the planning however, on the other hand we see in Jaipur the SPV structure is not so elaborate and planning functions are limited to the authorities in the ULBs. In Ahmedabad, Jaipur and Indore, the management as well as the decision making process is in the hands of the Board of Directors, however in Pune, the decision making power is in the hands of the Board members and the management of the day to day decisions lie with similarly there is no uniformity in the UMTA structures as well:

 $<sup>^{\</sup>rm 16}$  Smt. Suchi Sharma holds the post of MD in JCTSL currently

<sup>&</sup>lt;sup>17</sup> Ms. Ritika Toshniwal holds the post of Company Secretary in JCTSL presently.

Table 11: Inconsistencies between Hyderabad UMTA and Chennai UMTA

| Designation   | Post in Hyderabad<br>UMTA | Designation  | Post in Chennai<br>UMTA       |
|---|---------------------------|--|-------------------------------|
| Chief Secretary to the Government                             | Chairman                  | Minister in-charge of<br>Transport                                 | Chairman, ex- officio         |
| Commissioner, GHMC  | Member                    | Chief Secretary to<br>the Government                               | Vice Chairman, ex-<br>officio |
| Principal secretary, MA& UD Department                        | "                         | Vice Chairman of<br>CMDA   | Vice Chairman, ex<br>officio  |
| Principal Secretary, Transport, Roads and Building Department | "                         | Secretary to Government, Transport Department                      | Ex-officio member             |
| V- Chairman& MD,<br>APSRTC                                    | "                         | Secretary to Government, Finance Department                        | "                             |
| Commissioner of Police, Hyderabad                             | "                         | Secretary to Government, Housing and Urban Development             | "                             |
| Commissioner of Police, Cyberabad                             | "                         | Secretary to Government, Highways Department                       | "                             |
| Member Secretary, Andhra Pradesh Pollution Control Board      | ,,                        | Secretary to<br>Government, Home<br>Department                     | "                             |
| General Manager,<br>SCR                                       | "                         | Secretary to Government, Municipal Administration and Water Supply | "                             |
|   |                           | Commissioner of  |                               |

| Transport                         | "                 | Police, Greater                        | "  |
|-----------------------------------|-------------------|--|----|
| Commissioner                      |                   | Chennai                                |    |
| Two experts in the field of Urban |                   | Commissioner,<br>Chennai City          |    |
| Transport nominated               | "                 | Municipal                              | "  |
| by the Government                 |                   | Corporation                            |    |
| Metropolitan                      | Member Convenor   | Transport                              | ,, |
| Commissioner, HMDA                | Member Convention | Commissioner                           |    |
| Any person                        |                   | Member Secretary,                      |    |
| nominated by the                  | Member            | CMDA                                   | "  |
| Government                        |                   |  |    |
|                                   |                   | General Manager,                       | ,, |
|                                   |                   | Southern Railways,<br>Chennai          | ·  |
|                                   |                   | Divisional Railway                     |    |
|                                   |                   | Manager, Chennai                       |    |
|                                   |                   | Division, Southern                     | "  |
|                                   |                   | Railway, Chennai                       |    |
|                                   |                   | Managing Director,                     |    |
|                                   |                   | Metropolitan                           |    |
|                                   |                   | Transport                              | "  |
|                                   |                   | Corporation                            |    |
|                                   |                   | (Chennai) Limited                      |    |
|                                   |                   | Managing Director,                     |    |
|                                   |                   | Chennai Metro Rail                     | ,, |
|                                   |                   | Limited                                |    |
|                                   |                   | One eminent traffic                    |    |
|                                   |                   | and transportation expert nominated by |    |
|                                   |                   | the Government (not                    | -  |
|                                   |                   | more than three)                       |    |
|                                   |                   | more than three)                       |    |

Even the very premise whether UMTA will be set up by and administrative decision or by a legislative process is different across different cities.

Second, the guidelines provided by JnNURM are on a very philosophical level. There are no set mandates given under scheme guidelines. This has resulted in a lot of confusion and still some crucial questions remained unanswered. For example: there is no clarity about the sources of funding from the side of ULBs and parastatals, utilization of such state and city level Urban Transport Funds i.e., if there is a predetermined ratio for utilization of such funds, authority responsible for setting up of these UTFs, UMTAs. For example, according to the recommendations of the working group on Urban Transport, the DPC is responsible for setting up of UMTAs in the mission cities. However there is no mention about cities where the DPC has still not been constituted. And for a city like Kochi where the area constituted on the basis of census data 2011, consists of Corporation of Kochi (Cochin), nine municipalities, 14 Panchayaths and parts of four Panchayaths. The nine municipalities are Thrippunithura, Maradu, Thrikkakara, Kalamassery, Eloor, North Paravur, Perumbavoor, Aluva and Angamali. The 14 Panchayaths consists of Cheranelloor, Varapuzha, Chennamangalam, Kadamakkudy, Mulavukad, Kadungalloor, Chengamanad, Nedumbassery, Alengad, Chottanikkara, Choornikkara, Edathala, Kumbalam, Kottuvally and Vypin Island.

Apart from these local body areas, the Census Towns (CT) of Kureekad, Chowwara, Cheriyakadavu and Kedamangalam are also part of the Kochi Urban Agglomeration. Urban ugglomerations in India are determined on the basis of Census Towns (CT) which may or may not coincide with local bodies like Corporations, Municipalities or Panchayaths. E.g., Thrikkakara Municipality is enumerated as Census Towns of Kakkanad and Vazhakkala. Kochi being an urban agglomeration, which is not a geographically contiguous entity, an important question that arises is how DPC is capable to take decisions regarding the entire agglomeration area. For a city like Kochi an MPC should be constituted.

One thing that we need to realise is not all mission cities are alike. There are topographical, social, economic differences which cannot be overlooked. Therefore there cannot be a universal plan of action to tackle all mission cities. One recommendation of the working group was that since there is no legislation at present that covers all requirements of Urban Transport, a comprehensive Urban Transport Act should be enacted by the Central Government and the States may draft rules under it as per its needs. The proposed Act should facilitate the following:

• Setting up of UMTA: the proposed Act should specify whether UMTA formation will be an administrative decision or by a legislative process, the authority in-charge to set up UMTA. Crucial questions like the criteria for DPC or MPC or any other authority to set up UMTA should be answered. The Act should be like a chassis around which the States may draft their required provisions. Therefore the Act should mention the

- mandatory stakeholders of UMTA and the states may make additions according to their requirements. The Act should also specify the functions that this body should perform.
- State and City level UTFs: the proposed Act should clarify the authority in-charge of setting up and handling such funds. We know that according to JnNURM guidelines, there should be dedicated City and State level Urban Transport Funds. However, the usage of such funds still remains unclear. For example: questions like whether the state level fund could be used for non- mission cities still remains unanswered. Thus, the Act should specify the uses of such funds and the geographical area within which such funds be utilized. The Act should also prescribe a pre-determined ratio for utilization of the funds if necessary.