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# Suggestions and Comments on the KERALA METROPOLITAN TRANSPORT AUTHORITY BILL 2018

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- (1) In the introduction of the Bill, a better clarity is sought for the definition of accessibility, safety, ease of mobility, clean environment and affordability of transport systems. The defined role of the authority is lacking in the proposed bill. The functions like management, facilitation etc are missing in the objectives stated.
- (2) In the introduction of the Bill, the placement of the Authority in the overall Organizational structure of the governance of the public transport in the state, and how the authority should be an autonomous wing dedicated for Transport related services are missing.
- (3) In the introduction of the bill, the implementation of the Comprehensive Mobility Plan for the region is not mentioned. In the demanding situations for the preparation and planning of CMP could be delegated to the authority. This decision shall be passed in the councils of Municipal Corporation and those of the other local self-government bodies of which the jurisdiction of the authority lies with (as defined by the Urban Mobility Area defined from time to time)

Also, its role in executing of other transport plans and policies should also be mentioned w.r.t current and previous plans still being followed. eg. Master Plans, NUTP Vision, Smart City Plans, or any other Comprehensive mobility plan if any.

- (4) Ch. 1- Preliminary- Definitions should also define the meaning and objectives of the following terms like-
  - Planning
  - Regulate
  - Supervision

In addition to the above functions, the following function should be added and defined

- Facilitate
- Manage

As these may be important in the case when roles and responsibilities of various departments under the authority are being planned.

(5) Ch. 1- Should mention about the role of IT, Software's, GeoSpatial Analysis and 24X7 Surveillance, and database procurement for unified transport systems.

(6) Ch. 2- The Organizational structure of the Authority is important. In cases where Authority has many roles, responsibilities, and various stakeholders at different levels, the subcommittees focusing on the following areas may be constituted-

- Energy
- Environment and health
- Land utilization
- Safety
- Mobility

(7) The authority shall have the members, in addition, the members mentioned in the Bill, namely;

- (1) The Mayor of the Municipal corporation
- (2) The Chairpersons and the Presidents of the local self-government bodies that come under the Metropolitan area jurisdiction of the authority

(8) Clause 4 says no member of the authority should have a conflict of interest. However, how can MD of KSRTC, (as per Clause 3 (e)), MD of Metro rail etc. be in the authority, without a conflict of interest?

(9) Ch.2 Clause 10. Metropolitan Transport Authority will be established, but where will it function from and where will the HQ of the Authority be?

Once roles and responsibilities of the Authority are well defined the representatives from different organizations like Police, NHAI, MRC, TCPO, Municipal Corporations, and other members can be part of various sub-committees formed, and the committee meeting protocols can be planned.

(10) Clause 11 permits State government to declare any area as an Urban Mobility area. This section could be misused. There should be a strict criterion defined in the bill to avoid policy paralysis in the future.

- (11) The bill does not reflect on the existing mobility features and the operators in the circuit. The operators shall be represented in the subcommittees and not as the members of the authority. This provision will be applicable to the public operators also. The bill does not reflect on the feeder services also.
- (12) Ch. 2 - The power to change the constitution of subcommittees and their functions should lie with the Authority, but the scope and objectives of the Authority should be well defined by the State.
- (13) Ch.3 – Transport related developments by other organizations may lead to overlap of interests between different organizations for achieving the same objectives. Eg. Parking facility built by Municipal corporation or Highway project passing through municipal limits. Therefore, the function as Facilitator, regulator or Authority for executing the project in the mobility area must be well defined.

Further laws, rules, bye-laws should be identified for merging with the KMTA namely; parking, traffic regulations, transport licensing, public transport operations etc.

- (14) Ch. 4. The Authority may also provide or delegate research projects for Planning, Mobility studies, Impacts of Air pollution on Public health, Research in Science and Technology aspects on the urban mobility, and other special projects related to Urban Mobility.

to determine load limits for any road, bridge or culvert and to stipulate fines, penalty, and cess for road usage and/or for traffic calming measures;

Power to award compensation for any acquisition or for any matters related to transport integration which causes loss of income or earnings to another party

- (15) Ch.4 Clause 12 (a) discusses the aim to ensure integration of land use and transport planning on a regular basis; for which the mentioned provisions are inadequate.

Integration of departments and roles and responsibilities of departments should be defined, and the constitution of subcommittees may also be addressed. This should be the main and first task for KMTA while operationalizing it.

- (16) Clause 12 (c) discussed planning for financing; again, the provisions are inadequate.

Fund sharing ratios or dedicated funds for expenses on transport dedicated by Government can be mentioned.

The fund allocation in the State Finance Commission reports or through any other dedicated funds for transportation-related developments should be allotted to the MTA for their expenses.

- (17) Ch4. Clause 12. (h) Development and dissemination of performance indicators for urban transport services, including the hiring of MIS consultant, preparation of MIS strategies and publication of progress and development reports.
- (18) Clause 12 speaks of the Duties and Functions of the authority. Clause looks very broad. Should authority be doing *detecting and reporting of traffic offenses* as stated in Clause 12 (o)?
- (19) Clause 12 (o), the authority may also consider some data sharing agreements with police and traffic police to provide urban planning and transport interventions for safer cities.
- (20) Ch. 4. Clause 12. (p) (q), integrated transport system should define public transport routes, timings, and other Schedules of rates and availability of transportation systems including the introduction of public transport facilities wherever it deems fit
- (21) Ch. 4. Clause 12. (r) Skill advancement of Public through IEC activities for awareness on Air pollution, Noise pollution, and Safety should also be carried out for safety concerns for the public.
- (22) Clause 12 (s) make recommendations to the railways, on railway services, schedules and timetable to enhance the efficiency; such provisions are not so explicitly mentioned for similar operators in the urban mobility area including in the cases like permits and licenses.
- (23) Duties and responsibilities of the Command control center must be well defined.
- (24) Clause 13 (3) clearly mentions the right of the government to reject the Comprehensive Mobility Plan. It is suggested that the plan should be published on the website and the comments from the state government should also be published on the website.

- (25) Clause 14 (1) and 14 (2) are contradictory. 14 (1) says authority shall have the powers for implementation of comprehensive mobility plan. But, when it comes to alignment of road transport services, authority needs the approval of state government, as stated in Clause 14 (2).
- (26) Clause 15 explains that powers of the authority are only **recommendatory** and not binding. Clause 46 makes it clear that authority is bound by the directions of state government. The session needs further clarification on the power of the authority.
- (27) The proposed Metropolitan Transport Authority is not autonomous in nature but highly dependent on the state government. This does not augur well to meet the objectives of the proposed authority.
- (28) The nature of the authority is not clear from the proposed bill.

### Grey Areas in the Bill

The Bill has many lacunae or grey areas;

1. The Bill is ambiguous in defining the nature of the authority; is it a regulatory body or an implanting agency or a provider. The Authority should be regulatory in nature for better and effective coordination and implementation, but the stated provisions are misleading in its definitions.
2. Even though there is a representation from the local governments, the bill is not clear on way forward in the case of the jurisdiction of the authority confronts with the local authorities
3. The bill is not clear on the role of the district transport board and the Road Transport Authority. Ideally the transport functions of these bodies should be merged to KMTA
4. Even though the authority is meant for the Municipal area, the representation of the local government is confined to the secretary of the corporation and everything else left for the discretion of the state government. It fails in its own mandate at the local level by giving excessive control of the state government over its functions.

5. The bill defines the authority in a very loose manner for its outcome part and its success is at the mercy of the state government. The authority is not independent and remit to plan and execute its decisions.
6. The Potential roles and responsibilities of the departments in the future and the role of the authority in managing the functions have been mentioned below.

<b>Sustainability Component</b>	<b>Aims</b>	<b>Role of Authority</b>
Energy	Fossil Fuel/EV/ CNG charging Infrastructure	Regulation and Facilitation
	Fossil Fuel/ EV/ CNG transition plan	Facilitation
	Provision of Fossil Fuel/Electricity/CNG supply	Facilitation
Environment, Health, and Waste	Environment Impact assessment	Regulation and Facilitation
	Social Impact Assessment	Regulation and Facilitation
	Strategic Impact assessment of all development and infrastructure projects	Regulation and Facilitation
	Impact assessment of various policies carried out by different stakeholders	Facilitation
	Emergency plans and routes for Ambulances, fire engines, police etc	Regulation and Facilitation
	IEC Activities for Sustainable Transport	Regulation and Facilitation
	Urban planning for Safer cities	Planning and Policy
	Science and technological research for Health and Technological Solutions	Facilitation
	Rehabilitation plan for people affected by changes in development	Planning and Policy
	Economic opportunity for people affected by changes in development	Planning and Policy
	End of Life assessment of Public transport	Planning and Policymaking

	Transportation waste management	Facilitation
	Solid waste management and cleanliness in and around Railway stations, Bus stops, Car parking's, Airports etc.	Regulation and Facilitation
	E-waste and various waste recycle protocols	Facilitation
	Noise assessment plans	Facilitation
	Vehicle noise reduction laws	Regulation and Facilitation
	Signage's	Facilitation
	Road speed limits	Regulation and Facilitation
	Noise Impact reduction plans	Facilitation
	Land Consumption	Vehicle Ownership policy
Vehicle registration charges and policies		data sharing with RTO
Parking norms compliance in residential and commercial areas		Planning and Policymaking
Revenue models for Parking prices		Planning and Policymaking
Planning for future parking Demand		Planning and Policymaking
Traffic assessment and traffic flow rate monitoring, Smart parking Initiatives through Applications and Signage's		Planning and Policymaking
Safety		Pedestrian safety plans
	Public transport safety plans	Planning and Policy
	Safety at Intersections and Crossing plans	Planning and Policy
	IEC activities on Road safety	Facilitation
	Emergency plans and route coordination	Planning and Policy
	Data sharing from police and traffic police and urban planning solutions	Planning and Policy
	Mobility	Economic viability
Laws for Price regulation		Regulation and Facilitation

	Route optimization plans	Regulation and Facilitation
	Open source data on tracking transport services	Facilitation
	Better First and Last mile connectivity	Regulation and Facilitation
	Availability and needs assessment of critical infrastructure	Facilitation
	Planning for Critical transport Infrastructure	Facilitation
	Better accessibility for disabled	Facilitation
	Updating of Online maps and Routes for better public convenience	Facilitation
	Command control centers and Ease of travel for all modes of transport like walking, bicycling, driving, cab sharing, using public transport and ferries	Execute and Manage
	Demand assessment of Critical lifeline transportation infrastructure as per design standards	Facilitation
	Financial sustainability planning	Facilitation
	100% Connectivity	Facilitation
	Cost-benefit analysis plans from Infrastructure developments	planning and policy
	Efficiency improvement in Logistics and connectivity	Planning and Policy

**D Dhanuraj PhD**

Chairman | Centre for Public Policy Research

Email: [dhanu@cpvr.in](mailto:dhanu@cpvr.in)

Phone: 9249503895

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