

CHAPTER 6

Local Self-Government —Urban

SYLLABUS

Local Self-Government—Urban

Urban : Municipal Committees and Municipal Corporations—meaning and functions.

An urban area is regarded as one which is a town or a city, has minimum population of 5000 and at least 75 per cent of its population should be engaged in non-agricultural pursuits. A town is generally regarded as a smaller urban area. Large towns are called cities. According to the Census Commission, cities with a population of more than 40 lakh are known as *metropolitan cities*. The local self-government institutions in all these areas function independent of one another.

THE CONSTITUTION (74TH AMENDMENT) ACT, 1992

In many States local bodies had become weak and ineffective on account of a variety of reasons including the failure to hold regular elections. As a result Urban Local Bodies were not able to perform effectively as vibrant democratic units of self-government. In order to make the

urban local bodies more effective, the Constitution (74th Amendment) Act, 1992, also known as the *Nagarpalika and Municipalities Act* was passed.

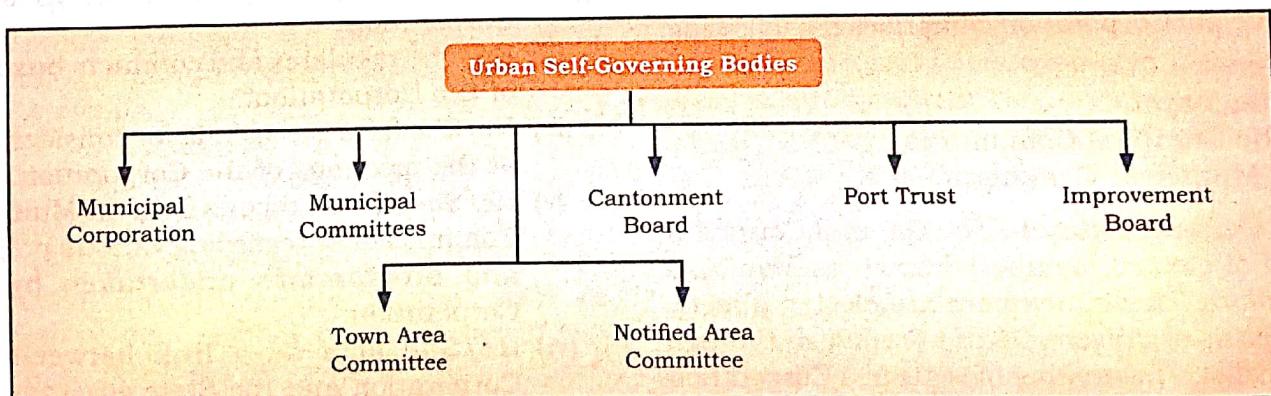
The salient features of the Act are the following:

- (i) The Act gives constitutional status to urban local bodies.
- (ii) The Act provides for direct election to all the local self-government bodies.
- (iii) A fixed tenure of five years for the municipalities has been prescribed.
- (iv) 33 per cent of the seats should be reserved for women under each category of SC/ST/Backward Classes.
- (v) District Planning Committee to be constituted by the State Government.

The Act provides for three tier local bodies for urban areas as under:

- (i) *Municipal Corporations* for larger urban areas.
- (ii) *Municipal Councils* for smaller urban areas.
- (iii) *Nagar Panchayats* for areas in transition from a rural area to urban area.

In addition, there are *Town Area Committees*, *Cantonment Boards* and *Port Trusts* in certain urban areas.



MUNICIPAL CORPORATION

Municipal Corporation is a local self-government unit in big cities.

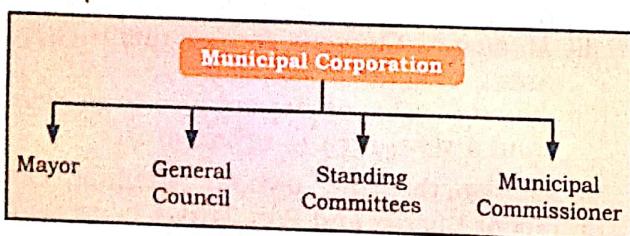
The Municipal Corporation carries out its functions through well organised divisions or departments. For example, Water Supply and Sewage Disposal Undertaking, Housing Board, Education Department and Electricity Department. Each of these departments are looked after by experienced and qualified persons.

ELECTION

The members of the Corporation are elected in the same way as members of the Legislative Assembly. However instead of Constituency, Municipal areas are known as *Wards*. The elections are held on the basis of Universal Adult Franchise through secret ballot. The number of representatives depends on the population of the city.

TERM

A fixed tenure of five years has been provided in the Constitution (74th Amendment) Act, 1992. It can be dissolved even before the completion of its term by the Governor of the State on the advice of the Council of Ministers. However, the election for the Municipal Corporation should be completed before the expiry of its term. In case of dissolution, elections should be held within six months of its dissolution.



COMPOSITION

A Municipal Corporation comprises the following:

- (a) General Council.
- (b) The Mayor.
- (c) The Standing Committees.
- (d) A Municipal Commissioner.

(a) General Council: The General Council is formed of elected members known as *Municipal Councillors*. These members are elected directly on the basis of Universal Adult Franchise through secret ballot. The number of seats in a Corporation

The Municipal Corporation of Delhi

The Municipal Corporation of Delhi had its first formal meeting on June 1, 1863. According to officials the municipality came into being in February 1863 and acted as a constituent committee to frame by laws to run the city.

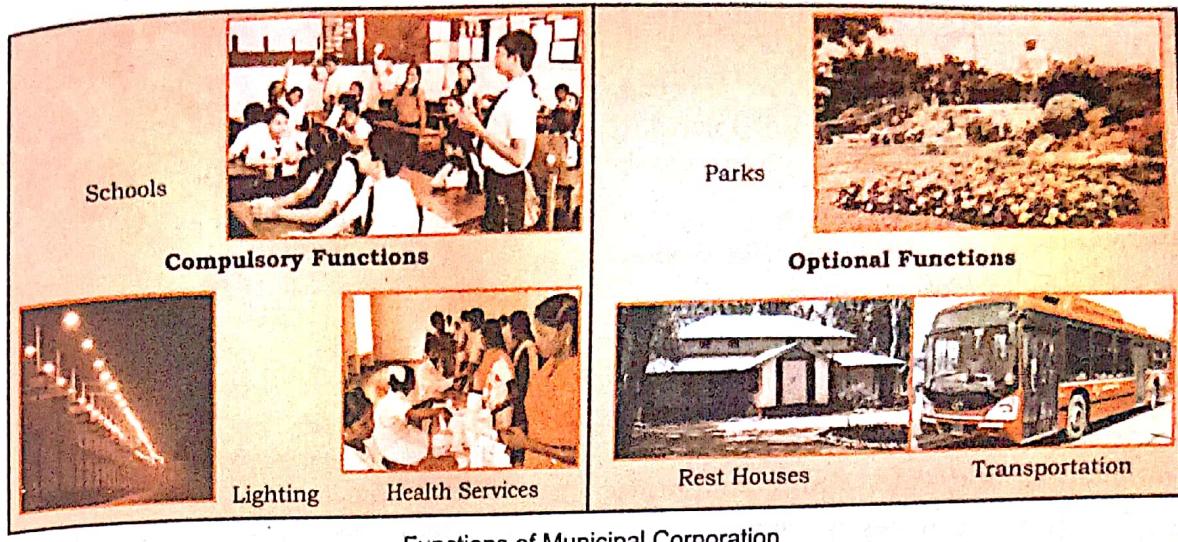
The year also marked the setting up of the first sanitation and conservancy system with a Unani dispensary in Sadar Bazar as well as the introduction of registration births and deaths. The next year saw the introduction of fire fighting system, water supply and taxation. Municipal Corporation of Delhi as set up by the an Act of Parliament in 1958 is the second largest municipal body in the world.

depends on the population of the city and is determined by the State government. There are reserved constituencies for Scheduled Castes and Scheduled Tribes. The General Council co-opts some members as Aldermen. They are generally eminent persons of the city and are nominated by the Governor. The General Council appoints many other officials except the Municipal Commissioner.

(b) Mayor: The Councillors together with Aldermen elect from amongst themselves the Mayor and the Deputy Mayor. They are generally elected for a period of one year but can be re-elected annually for the full term of the Corporation.

Functions of the Mayor

- (i) Considered as the 'First Citizen', he/she represents the city at various ceremonies and receives foreign guests coming to visit the city. This is considered his most important duty.
- (ii) He/She presides over the meetings of the Corporation.
- (iii) He/She regulates and conducts business of the Corporation.
- (iv) He/She fixes the agenda for consideration at the meetings of the Corporation.
- (v) He/She obtains reports from the Municipal Commissioner regarding various projects and programmes undertaken by the Corporation.
- (vi) He/She acts as a link between the Corporation and the State government.



Functions of Municipal Corporation

(c) Standing Committees: The members of the General Council are represented on Standing Committees through elections. There are different Standing Committees to deal with subjects like finance, health, engineering, taxation and welfare schemes.

(d) Municipal Commissioner: The Municipal Commissioner is appointed by the Governor usually for a term of 5 years. In the case of Union Territory, he/she is appointed by the Central Government. He/She is the Chief Executive of the Corporation. His/Her functions include the following:

- (i) To carry on and control the administration of the Corporation.
- (ii) To implement the projects and programmes as laid down by the General Council.
- (iii) To maintain and safeguard all municipal properties, records etc.
- (iv) To prepare financial budgets and perform other related functions.
- (v) To take part in the meetings of the Council but he cannot move any resolution or vote in the meetings. He also keeps records of the minutes and proceedings of the meetings.

functions and discretionary or optional functions (functions depending on availability of funds).

1. Compulsory Functions: These include:

- (i) Provision of electricity, water, sewage disposal. These functions are carried through various departments which have the services of experts and engineers who are appointed as full time employees of the Corporation.
- (ii) Provision of public health services like provision of hospitals, dispensaries, family welfare centres. It has to organise and carry on special public health measures to prevent spread of communicable diseases. Removal and disposal of garbage, dealing with other city wastes are priority functions. The Corporation appoints its own staff to carry on these functions.
- (iii) Provision of public conveniences and utilities like roads, buildings, bus-shelters, demolition of dangerous structures, plantation of trees, provision of public urinals and toilets.
- (iv) Provision of educational institutions like primary and secondary schools including organisation of adult literacy classes, organising and undertaking promotion of sports and games and providing necessary facilities.
- (v) Maintenance of records of births and deaths and maintenance and upkeep of cremation and burial grounds.
- (vi) Undertaking of public safety and security like maintenance of fire department together with fire engines; disaster like

FUNCTIONS OF THE MUNICIPAL CORPORATION

The Municipal Corporation is the local self-government unit of the city. It deals with all the matters that concern the residents of the city. These functions are generally divided into two categories—the obligatory or compulsory

floods and earthquake management groups etc.

- (vii) Preparation, publishing and issuing of annual report of the Corporation stating its various activities, projects and programmes

2. Discretionary or Optional Functions:

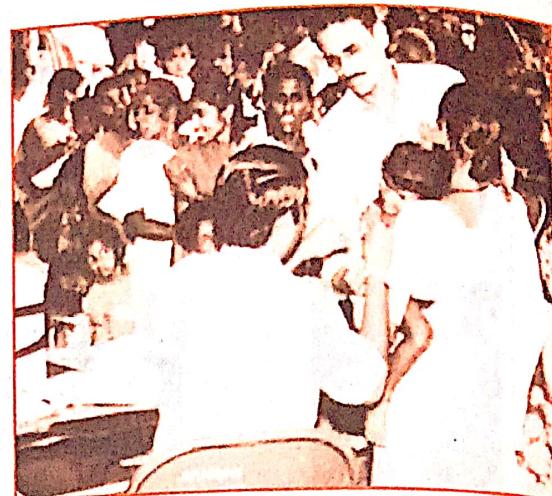
These include the following:

- (i) Public housing through housing boards.
- (ii) Construction and maintenance of public parks, libraries, museums, theatre, akharas, picnic resorts etc.
- (iii) Establishing and maintaining children's homes, orphanages, old-age homes, night shelters and rest houses.
- (iv) Undertaking welfare schemes, organising fairs, functions, melas.
- (v) Beautification of city.

Municipal Councils and Municipal Corporations are constituted in smaller urban areas and larger urban areas respectively. The Governor of a state determines the areas for different forms of urban bodies based on the population of the area, density of population, revenue generated by the local body, percentage of employment in non-agricultural activities and other factors.

MUNICIPAL COMMITTEE

A Municipal Committee is set up for smaller towns. Such bodies are also called *Municipal Boards* or *Municipalities*. Their organisation is more or less similar to Municipal Corporation. Due to their smaller size these have generally



Medical camp being organised by Municipal Corporation

three wings—*General Body, Chairman/President, Chief Executive Officer or the Secretary*.

(a) General Body of the Municipal Committee:

The members of the General Body of the Municipal Committee are called Councillors. They are elected from Municipal wards. The number of members depends on the population of the city.

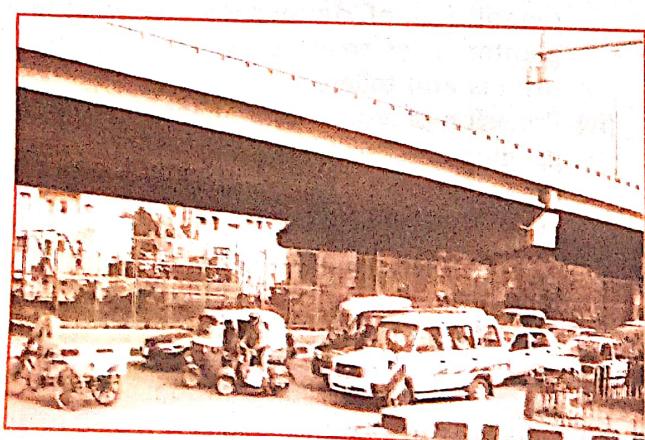
Eligibility: Eligibility for contesting elections to the General Body of the Municipal Committee are same as in the case of Municipal Corporation.

Term: According to the new *Nagarpalika Act*, all rural and urban local self-government bodies have a uniform term of 5 years in all states.

(b) Chairman/President: A Chairperson and a Vice-Chairperson are elected indirectly by the members from among themselves. The Chairperson of a Municipality enjoys vast powers. His functions are similar to those of the Mayor. (Kindly refer to Functions of Mayor)

(c) Chief Executive Officer: The Chief-Executive Officer is an appointee of the State government and usually belongs to the State Civil Services. He looks after the administrative wing of the Municipal Committee.

Other Office Bearers: Like in the case of Municipal Corporation, a Municipal Committee also has various departments like Education, Health, Engineering, Taxation etc. These departments are under the administrative control of senior officers and engineers or other experts.



Municipal Corporation constructs and maintains roads and flyovers

COOPERATION AND COORDINATION BETWEEN LOCAL SELF-GOVERNMENT AND LOCAL GOVERNMENT

THE DISTRICT ADMINISTRATION

A distinction has already been drawn between the local self-government unit and the local government. The local government in an area functions at the district level under the overall charge of a District Collector or Deputy Commissioner. A Deputy Commissioner often combines both these functions. He is also the highest officer in a district for the purpose of revenue collection and is therefore also called District Collector.

Appointment: The Deputy Commissioner belongs to the Indian Administrative Service (IAS) and is appointed by the State government. A District Collector or Deputy Commissioner is a highly trained officer in all aspects of administration and management of local affairs.

Other Office Bearers: A number of government officers, heading various departments, work under the Deputy Commissioner. Among these officers some are exclusively deputed to rural areas with variety of duties. These include Tehsildar, Naib Tehsildars, Kanungos, Lekhpal or Patwari all concerned with preparation and maintenance of land records and revenue collection from district down to village level. At the district level law and order is looked after

by the Superintendent of Police. Under him, work deputy superintendents, inspectors and subedars. A number of villages are provided a police chowki and a chowkidar is also placed on duty in each village. Other important officers at the district level include Chief Medical Officer, Inspector of Education and District Judge, etc.

All of these government officers work in close cooperation and coordination with the Panchayats often through the Block Development Officer. Further the Deputy Commissioner is also represented on the Zila Parishad. Therefore, he also influences the policies and programmes of the Panchayats.

Functions: The Deputy Commissioner is the chief executive officer of the district. As such he performs almost every function of local government in the district. These include:

- (i) Collection of Revenue.
- (ii) Maintenance and Updating of land record.
- (iii) Law and Order.
- (iv) Supervision and execution of all plans of the Union and State governments.
- (v) Provision of civic amenities and execution of public works.
- (vi) Implementation of policies and programmes in respect of Panchayati Raj institutions.
- (vii) Supersession, dissolution, holding of election, etc., in respect of Panchayati Raj institutions.

Difference Between a Municipal Corporation and a Municipal Committee

Municipal Corporation	Municipal Committee
1. These are meant for big cities.	1. These are meant for smaller cities.
2. The head of the corporation is known as Mayor.	2. The head of a Municipal committee is known as Chairperson/President.
3. It has more powers and more sources of revenue.	3. It has comparatively less powers and fewer sources of revenue.
4. It deals with the State government directly.	4. It deals with the State government through the District Administration.

EXERCISES

I. Multiple-Choice Questions

Choose the correct answers to the questions from the given options.

1. Which of the following statements correctly describe an urban area?
 - (a) It has a minimum population of 10,000.
 - (b) At least 75 per cent of its population is engaged in non-agricultural pursuits.

- (c) At least 50 per cent of its population is literate.
 (d) All of the above.
2. The Councillors together with _____ elect from amongst themselves the Mayor and the Deputy Mayor.
- (a) Chief Minister (b) Minister
 (c) Alderman (d) Collectors
3. Legislative Assemblies : Constituencies :: Municipal Corporation : _____
- (a) Sabha (b) Wards
 (c) Ballots (d) Boards
4. Which of the following is NOT correct?
- (a) Panchayat: small urban area
 (b) Nagar Panchayat: Areas in transition between rural and urban
 (c) Municipal Council: smaller urban areas
 (d) Municipal Corporation: large urban areas
5. What is the tenure of a Municipal Corporation?
- (a) 6 years (b) 5 years (c) 1 year (d) 3 years
6. Which of the following is NOT a part of Municipal Corporation?
- (a) The Mayor (b) Standing Committees
 (c) General Council (d) Municipal Board
7. Which of the following is NOT a part of compulsory function of a Municipal Corporation?
- (a) Provision of public health services
 (b) Provision of electricity, water, sewage disposal
 (c) Undertaking of public safety and security
 (d) Provision of housing for all.
8. The Deputy Commissioner of a Municipal Committee belongs to which cadre?
- (a) IPS (b) IAS (c) IFS (d) IRS
9. Which of the following deals with the State government directly?
- (a) Municipal Committee (b) Gram Panchayat
 (c) Municipal Corporation (d) Zila Parishad
10. The members of the Municipal Corporation are elected in the same way as members of the
- (a) Legislative Council (b) Legislative Assembly
 (c) Lok Sabha (d) Rajya Sabha
11. Who is known as the 'First Citizen', and represents the City at various ceremonies?
- (a) The Alderman (b) The Mayor
 (c) The President (d) The Commissioner

II. Short Answer Questions

- What do you understand by the term *urban area*?
- Mention any two salient features of the Constitution (74th Amendment Act), 1992.
- How is a Municipal Corporation set up? What are wards in a Municipal area?

4. Who is known as the Mayor? State one of the most important functions of the Mayor.
5. Who is the 'First Citizen' of the city? Give reason.
6. Name one compulsory and one optional function of the Municipal Corporation.
7. What is the tenure or term of office of a Municipal Corporation?
8. What is known as Municipal Committee? Who is the head of the Municipal Committee?
9. Who is the Chief Executive Officer of a Municipal Committee?

III. Structured Questions

1. With reference to Municipal Corporation, answer the following questions:
 - (a) State its composition.
 - (b) State any three functions of the Mayor.
 - (c) State any four functions of the Corporation.
2. Give the role of each of the following in the Municipal Corporation:
 - (a) General Council of the Corporation.
 - (b) Standing Committees.
 - (c) Municipal Commissioner.
3. With regard to the working of a Municipal Corporation answer the following questions:
 - (a) Giving three examples, state how compulsory functions are distinguished from optional functions.
 - (b) What organisational system exists for carrying out these functions?
 - (c) Who is the Municipal Commissioner? How is he appointed?
4. With regard to the Municipal Corporation
 - (a) Distinguish between Municipal Corporation and Municipal Committee.
 - (b) Describe the three wings of the Municipal Committee.
 - (c) What is the role of the Deputy Commissioner at the district level?

IV. Thinking Skills

1. Do you think that the urban local bodies in your city are effectively performing their role? Give examples from your personal experience to support your answer.
2. If you are made the Councillor of your area, what steps you would take to ensure the effective working of the Municipality in your area?

