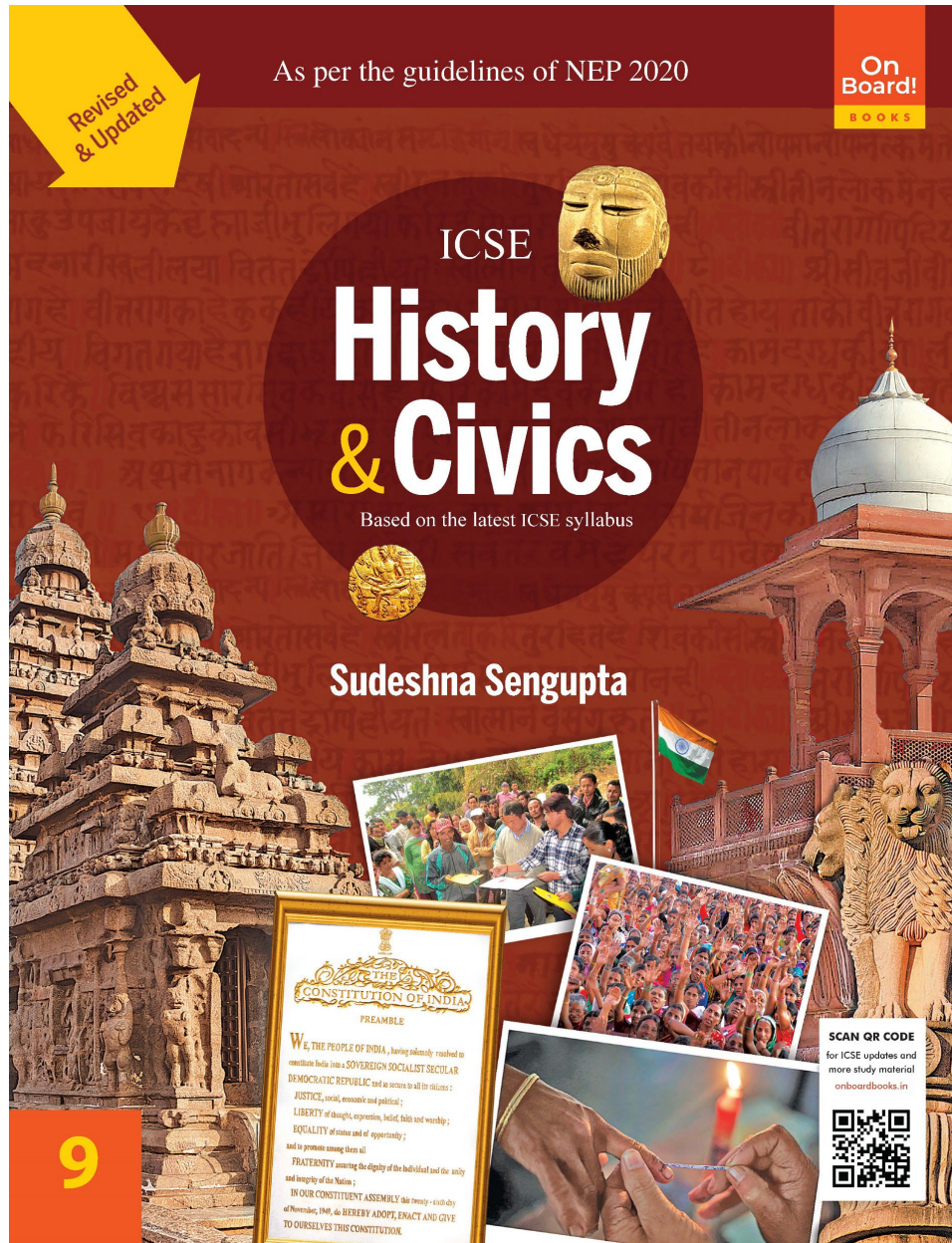


# On Board!

**B O O K S**

# History and Civics 9



# Civics 9

# Chapter 7: Local Self-Government – Urban

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# Chapter 7: Local Self-Government – Urban

Institutions of self-government in urban areas, called by the generic term ‘municipalities’, are of three types:

- Municipal Corporation for large urban areas.
- Municipal Committee for smaller urban areas.
- Nagar Palikas for areas being transformed from a rural to an urban area.

## MUNICIPAL CORPORATION

The large cities of India with a population of one lakh and above can have a Municipal Corporation as the local self-government unit. Big cities like Mumbai, Delhi, Kolkata, Chennai, Bengaluru, Hyderabad and Lucknow have Municipal Corporations in place to look after their maintenance and well-being. A Corporation is set-up under a special statute passed by the State Legislature.

### Composition

The members of the Corporations are chosen by direct election by all adult citizens living in the area. All persons having attained the age of 21 years are eligible to be elected as members. Each city is divided into Wards on the basis of the population and one member is elected from each Ward. The State Legislature may, by law, provide for representation in a Municipal Corporation of persons having special knowledge and experience of municipal administration, members of the Lok Sabha, State Assembly, Rajya Sabha and Legislative Council, and also chairpersons of various committees.

Seats are to be reserved for the Scheduled Castes (SCs) and Scheduled Tribes (STs) in every Municipality. Out of the total number of seats to be filled by direct elections, at least one-third would be reserved for women.

The tenure of office for all Municipalities is five years from the date of its first meeting.

## Election

The members of the Corporation are elected in the same way as members of the Legislative Assembly. The municipal constituencies are known as Wards.

Elections are held on the basis of Universal Adult Franchise through secret ballot. The number of representatives depends on the population of the city.

## Eligibility

To be a candidate for the municipal elections, a person has to fulfill these conditions:

- Being a registered voter in the same municipal area.
- Having attained the age of 21 years or as prescribed under the State Corporation Act.
- Eligible for election to the State Legislature.
- Not hold any office of profit under the state government or any of its local bodies.

## Structure

A Municipal Corporation comprises the following constituents:

- General Council
- The Mayor
- The Standing Committee
- The Municipal Commissioner.

## General Council

The General Council is formed of members, known as Municipal Councillors, who are elected directly by the people through a secret ballot.

The State Government decides on the number of seats for each Corporation based on the population of the city. The city is divided into Wards and one member is elected from each Ward.

There are reserved constituencies for Scheduled Castes and Scheduled Tribes.

The Councillors elect some eminent people from the city as Aldermen. In some states they are nominated by the Governor.

## Mayor

The Mayor is the head of the Municipal Corporation, elected by the Councillors and Aldermen from among themselves. The Mayor is the 'First Citizen' of the city and holds an extremely dignified position. He acts as a link between the Corporation and the State or the Union Government.



## Standing Committees

The General Council performs various functions through the Standing Committees that are either elected or constituted by the General Council itself. There are different Standing Committees for different areas of administration.

## Municipal Commissioner

The Municipal Commissioner is the executive head of the Corporation.

- Being the executive head, his main duty is to supervise the administration of the Corporation and to implement all the policies and decisions taken.
- He safeguards the municipal properties, documents and records.
- He prepares the budget estimates and places the same before the General Council.
- He takes part in all the meetings of the Council and keeps a record of the minutes and proceedings for future clarification.
- He supervises the work of various departments.

## MUNICIPAL COMMITTEE

Cities with a population between 20,000 to 3,00,000 have the provision of setting up Municipal Committees or Municipalities. The organization is similar to Municipal Corporation and has three wings for administration purpose:

- The General Body of the Municipal Committee
- The Chairman or President
- The Chief Executive Officer or the Secretary and his subordinate officers.

## Term

According to the new Nagar Palika Act, all rural and urban local self-government bodies have a uniform term of five years in all States.

## Structure and composition

### General Body of the Municipal Committee

- The members of the General Body of the Municipal Committee are called Councillors.
- For elections, the city is divided into a number of Wards depending on its population.
- Any adult citizen, 25 years of age and above, a resident of the particular city, and not holding any office of profit can stand for election.
- Seats are reserved as per the Nagar Palika Act of 1994 for Schedule Castes and Schedule Tribes as well as for women.

### The Municipal Chairman or President

- Every Municipal Committee elects a Chairman or a President from among the members along with a Vice Chairman or a Vice President.
- His position is similar to that of the Commissioner in a Municipal Corporation.
- The Chairman, in certain states, holds the power to appoint and dismiss certain municipal staff, not otherwise appointed by the state.

### Chief Executive Officer

- He looks after the administration of the Municipal Committee.
- The municipal budget is his responsibility along with the collection of tax proceeds and granting licenses and contracts for numerous developmental and welfare schemes within the city.

## Functions of the Municipal Corporation/Municipal Committee

The main functions are placed under two categories namely, compulsory or obligatory functions and optional or discretionary functions.

### Compulsory or obligatory functions

- Running public health services
- Provision of electricity, water, sewage disposal and maintenance of public conveniences
- Construction, repair and maintenance of public property
- Looking into the state of schools and work towards opening good schools at convenient areas around the cities.
- Maintaining of records of births and deaths.
- Setting up a Disaster Management Programme.
- All records of the duties and responsibilities undertaken and planned have to be meticulously maintained for scrutiny and ratification.

### Sources of income

- The various sources of income of the municipal bodies are:
- The income from taxes
- Octroi duty on goods and toll tax.
- Income generated from commercial activities.
- Financial grants from state government.

## OTHER URBAN LOCAL SELF-GOVERNMENT BODIES

### Town Area Committee

- The Town Area Committee is also referred to as Nagar Panchayats in some states.
- These are set up in towns having a population between 10,000 and 20,000.
- The number of members is determined by the State Government on the basis of the population.
- Seats are reserved for Scheduled Castes and Scheduled Tribes as well as women in all municipal bodies.
- The Chairman for each Town Area Committee is selected by the members from among themselves.
- The functions of the Committee include sanitation, provision of drinking water, electricity, education, medical care and health services, transport, construction and maintenance of roads, sewage disposal, sanitation, etc.
- The sources of income of the Town Area Committee are tax on property, income from octroi and grants from the State Government.

### Notified Area Committee

- Though most of the members are elected by the local residents, a few of the members are nominated by the State Government.
- A Sub-Divisional Officer from the government has jurisdiction over the funds and supervises the working of such committees.
- The formation of these Committees is, therefore, also notified in the State Government Gazette.

## Cantonment Board

- A Cantonment Board is established in areas where there is a military establishment.
- These boards are set-up by the Union Ministry of Defence and hence remain under the direct control of that Ministry.
- Like a Municipal Corporation, these Cantonment Boards also provide for all facilities in the area for the welfare of the army personnel and the families.
- They are financed by the Ministry of Defence.
- They are autonomous bodies under the overall supervision of the General Officer Commanding of a specified area.

## Port Trusts

- Port Trusts, like Cantonment Boards, are established in port areas all over the country.
- The Trusts have both elected and nominated members.
- The Port areas have unique functions like facilities for loading and unloading, smooth transport of goods to assigned places and so on.
- The main source of income is from cess on trading ships, and payment for services provided at the port.

## Improvement Trusts

They are also referred to as a Development Authority established in big cities for their general improvement.

The main function is to plan for the general welfare of the citizens.

The State Governments regulate the composition and functions of these Development Boards

# DEFECTS IN THE WORKING OF THE LOCAL SELF-GOVERNMENT

- Unnecessary interference from political parties and leaders have hampered the smooth working of such institutions.
- There has been a rise in incompetency and inefficiency as result of devolution of authority to local bodies.
- The resources at the disposal of these local bodies are insufficient for the proper functioning and achievement of objectives.
- The illiteracy and poverty level of the residents also contribute for corruption to creep into this system.
- One important defect is the narrowing down of the general outlook of the people. Residents tend to become more interested in localized improvements rather than the state or the growth of the country as a whole.

## THE CONSTITUTION (74TH AMENDMENT) ACT, 1992

- The Act provides for direct election to all the three local self-government bodies.
- States the powers and functions of local urban bodies.
- Fixed tenure of five years for the municipalities has been prescribed.
- There should be a proper system of checking and auditing of accounts by the state government.
- District Planning Committee, to be constituted by the state government, will prepare, consolidate and coordinate district plans through the Municipal Corporation and Panchayati Raj institutions.
- Notwithstanding the defects, the government structure of the local self-governing institutions is an indispensable part of the entire democratic process.



## To Remember

**Municipal Corporation**—For cities with a population of over one lakh, members elected by direct election, city divided into Wards, above 21 years eligible, special representation of members of the Lok Sabha, Rajya Sabha and the legislative councils, reservations for SCs and STs and women, term is for five years, elections before expiry of term.

**Structure**—The General Council, the Mayor, the Standing Committee, the Municipal Commissioner.

**Municipal Committee**—For cities between population 20,000 and 3,00,000, uniform term of five years.

**Structure**—General Body, Municipal Chairman or President, Chief Executive Officer.

**Functions of the Municipal Corporation and Municipal Committee**—Compulsory functions: Health services, electricity, water, sewage disposal, construction and maintenance of roads, disposal of garbage, primary education to be provided, maintenance of a record of births and deaths, upkeep of cremation and burial grounds, rescue during calamities, records to be maintained, Optional functions: Construction of parks, orphanages, old age homes, public toilets, transport facilities.

**Sources of Income**—Taxes on houses, entertainment, electricity, water, vehicles, octroi duties on goods, cess and income from commercial activities, financial grants from state governments.

**Other Urban Local Self-Government Bodies**—Town Area Committees, population between 10,000 and 20,000, Notified Area Committee, Cantonment Board, Port Trusts, Improvement Trusts.

**Defects in the Working of the Local Self-Government**—Unnecessary interference from political parties, incompetence and blame-game because of devolution, insufficient resources and illiteracy lead to corruption, localized thoughts go against national feeling of oneness.

**The 74th Amendment Act of 1992**—Introduced to tackle the difficulties, 12th Schedule details the functions and working of the Municipalities.

**Thank You**