

# *Municipal governance in India*

**Municipal governance in India** has existed since the year 1687, with the formation of Madras Municipal Corporation, and then Calcutta and Bombay Municipal Corporation in 1726. In the early part of the nineteenth century almost all towns in India had experienced some form of municipal governance. In 1882 the then Viceroy of India, Lord Ripon, who is known as the Father of

Local Self Government, passed a resolution of local self-government which laid the democratic forms of municipal governance in India.<sup>[1]</sup>

In 1919, a Government of India Act incorporated the need of the resolution and the powers of democratically elected government were formulated. In 1935 another Government of India act brought local government under the preview of the state or provincial government and specific powers were given.

According to the 1991 Census of India, there were 3255 urban local bodies (ULBs) in the country; classified into the four major categories:<sup>[2]</sup>

1. Municipal corporation (Nagar Nigam).
2. Municipality (municipal council, municipal board, municipal committee) (Nagar Parishad)
3. Town area committee
4. Notified area committee

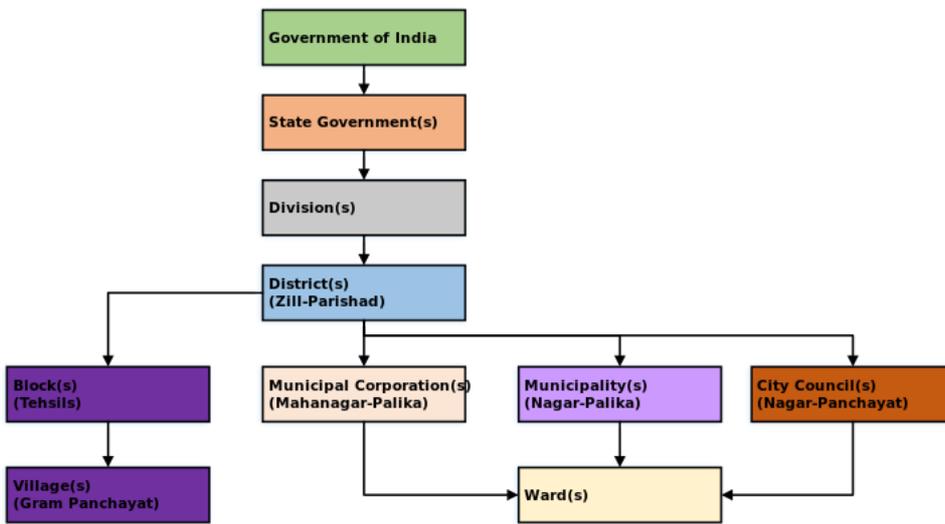
The municipal corporations and municipalities are fully representative bodies, while the notified area committees and town area committees are either fully or partially nominated bodies.

As per the Constitution of India, 74th Amendment Act of 1992, the latter two

categories of towns are to be designated as municipalities or nagar panchayats with elected bodies.<sup>[3]</sup> Until the amendments in state municipal legislations, which were mostly made in 1994, municipal authorities were organised on an *ultra vires* (beyond the authority) basis and the state governments were free to extend or control the functional sphere through executive decisions without an amendment to the legislative provisions.

After the 74th Amendment was enacted there are only three categories of urban local bodies:

#### Administrative structure of India



### *Administrative structure of India*

- Mahanagar Nigam (Municipal Corporation)
- Nagar Palika (Municipality)
- Nagar Panchayat (Notified Area Council or City Council)

Among all urban local governments, municipal corporations enjoy a greater degree of fiscal autonomy and functions although the specific fiscal and

functional powers vary across the states, these local governments have larger populations, a more diversified economic base, and deal with the state governments directly. On the other hand, municipalities have less autonomy, smaller jurisdictions and have to deal with the state governments through the Directorate of Municipalities or through the collector of a district. These local bodies are subject to detailed supervisory control and guidance by the state governments.

## Responsibilities of urban local bodies

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The municipal bodies of India are vested with a long list of functions delegated to them by the state governments under the municipal legislation.

Public health includes water supply, sewerage and sanitation, eradication of communicable diseases etc.; welfare includes public facilities such as education, recreation, etc.; regulatory functions related to prescribing and enforcing building regulations, encroachments on public land, birth registration and death certificate, etc.; public safety includes fire protection, street lighting, etc.; public works measures such as construction and

maintenance of inner city roads, etc.; and development functions related to town planning and development of commercial markets. In addition to the legally assigned functions, the sectoral departments of the state government often assign unilaterally, and on an agency basis, various functions such as family\_planning, nutrition and slum improvement, disease and epidemic control, etc.

The Twelfth Schedule of Constitution (Article 243 w) provides an illustrative list of *eighteen functions*, that may be entrusted to the municipalities.<sup>[4]</sup>

Besides the traditional core functions of municipalities, it also includes development functions like planning for economic development and social justice, urban poverty alleviation programs and promotion of cultural, educational and aesthetic aspects. However, conformity legislation enacted by the state governments indicate wide variations in this regard. Whereas Bihar, Gujarat, Himachal Pradesh, Haryana, Manipur, Punjab and Rajasthan have included all the functions as enlisted in the Twelfth Schedule in their amended state municipal laws, Andhra Pradesh has not made any changes in the existing list of municipal functions. Karnataka,

Kerala, Madhya Pradesh, Maharashtra, Odisha, Tamil Nadu, Uttar Pradesh and West Bengal states have amended their municipal laws to add additional functions in the list of municipal functions as suggested in the twelfth schedule.

There is a lot of difference in the assignment of obligatory and discretionary functions to the municipal bodies among the states. Whereas functions like planning for the social and economic development, urban forestry and protection of the environment and promotion of ecological aspects are obligatory functions for the

municipalities of Maharashtra, in Karnataka these are discretionary functions.

Provision of water supply and sewerage in several states has either been taken over by the state governments or transferred to state agencies. For example, in Tamil Nadu, Madhya Pradesh and Gujarat, water supply and sewerage works are being carried out by the state level Public Health Engineering Department or Water Supply and Sewerage Boards, while liability for repayment of loans and maintenance are with the municipalities. Besides these state level agencies, City Improvement

Trusts and Urban Development Authorities, like Delhi Development Authority (DDA), have been set up in a number of cities. These agencies usually undertake land acquisition and development works, and take up remunerative projects such as markets and commercial complexes, etc. In terms of fiscal federalism, functions whose benefits largely confine to municipal jurisdictions and may be termed as the *essentially municipal* functions. Similarly, functions that involve substantial economics of scale or are of national interest may not be assigned to small local bodies. For valid reasons, certain functions of higher authorities are

appropriate to be entrusted with the Municipalities – as if under principal-agent contracts and may be called *agency* functions that need to be financed by intergovernmental revenues. Thus instead of continuing the traditional distinction between *obligatory* and *discretionary* functions the municipal responsibilities may be grouped into *essentially municipal, joint* and *agency* functions.

## **Suggested municipal functions** ...

The suggested functions to municipal corporations, municipalities and nagar

panchayats are listed in the table  
below.<sup>[5]</sup>

<b>Essentially Municipal Functions</b>	<b><u>Municipal Corporation</u></b>	<b><u>Municipal Council</u></b>	<b><u>Nag Pan</u></b>
Urban planning including town planning	Yes	Yes	Yes
Regulation of land-use and construction of buildings	Yes	Yes	Yes
Planning for economic and social development	Yes	Yes	Yes
Roads and bridges	Yes	Yes	Yes

Water supply domestic, Industrial and commercial purposes	Yes	Yes	Yes
Public health, sanitation, conservancy and solid waste management	Yes	Yes	Yes
Fire services	Yes	Yes	No
Urban forestry	Yes	Yes	Yes
Preventive Health Care	Yes	Yes	Yes
Provision of urban	Yes	Yes	Yes

amenities and facilities such as parks, gardens, playgrounds			
Burials and burial grounds, cremations, cremation ghats/grounds and electric crematoria	Yes	Yes	Yes
Cattle pounds, prevention of cruelty to animals	Yes	Yes	Yes
Vital statistics	Yes	Yes	Yes

including registration of births and deaths			
Street lighting	Yes	No	Yes
Parking lots, bus stops and public conveniences	Yes	Yes	Yes
Regulation of slaughter houses and tanneries	Yes	Yes	Yes
Slum improvement and up gradation	Yes	Yes	Yes

## Agency Functions

Protection of the environment and promotion of ecological aspects	Yes	Yes	Yes
Safeguarding the interests of weaker sections of society, including the handicapped and the mentally retarded	Yes	Yes	Yes

Urban poverty alleviation	Yes	Yes	Yes
Promotion of cultural, education and aesthetic aspects	Yes	Yes	Yes
Primary Education	Yes	Yes	Yes
Primary Health Care	Yes	Yes	Yes

## Municipal Corporation (Nagar Nigam/Mahanagar Palika)

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**Nagar Nigam** a.k.a. **Mahanagar Palika** or by some other names in different states(*translated in english as Municipal Corporation*) in India are state government formed departments that works for the development of a metropolitan city, which has a population of more than 1 million. The growing population and urbanisation in various cities of India were in need of a local governing body that can work for providing necessary community services like health centres, educational institutes and housing and property tax. They also replace street lights.

They are formed under the Corporations Act of 1835 of panchayati raj system which mainly deals in providing essential services in every small town as well as village of a district/city. Their elections are held once in five year and the people choose the candidates. The largest corporations are in the eight metropolitan cities of India, namely Mumbai, Delhi, Kolkata, Chennai, Bangalore, Hyderabad, Ahmedabad, Surat, and Pune. These cities not only have a large population, but are also the administrative as well as commercial centres of the country.

Municipality (Nagar Palika)

In India, a Nagar Palika or Municipality is an urban local body that administers a city of minimum population of 100,000 but less than 1,000,000. However, there are exceptions to that, as previously nagar palikas were constituted in urban centers with population over 20,000 so all the urban bodies which were previously classified as Nagar palika were reclassified as Nagar palika even if their population was under 100,000. Under the Panchayati Raj system, it interacts directly with the state government, though it is administratively part of the district it is located in. Generally smaller district cities and bigger towns have a Nagar palika. Nagar

palikas are also a form of local self-government, entrusted with some duties and responsibilities, as enshrined and guided upon by the Constitutional (74th Amendment) Act, 1992. Udaipur is a city which is big but its population is 451,000 so it has a Nagar Palika.

The members of the Nagar palika are elected representatives for a term of five years. The town is divided into wards according to its population, and representatives are elected from each ward. The members elect a president among themselves to preside over and conduct meetings. A chief officer, along with officers like an engineer, sanitary

inspector, health officer and education officer who come from the state public service are appointed by the state government to control the administrative affairs of the Nagar Palika.

## Notified Area Council (Nagar Panchayat)

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A Nagar Panchayat or Notified Area Council or City Council is a form of an urban political unit in India comparable to a municipality. An urban centre with more than 11,000 and less than 25,000 inhabitants is classified as a "Nagar Panchayat".

Each Nagar Panchayat has a committee consisting of a chairman with ward members. Membership consists of a minimum of ten elected ward members and three nominated members. The NAC members of the Nagar Panchayat are elected from the several wards of the Nagar Panchayat on the basis of adult franchise for a term of five years. There are seats reserved for Scheduled Castes, Scheduled Tribes, backward classes and women. The Councillors or Ward Members are chosen by direct election from electoral wards in the Nagar Panchayat.

See also

- List of municipal corporations in India
- Local self-government in India

## References

1. *"Good municipal governance key to improve quality of life | Pune News - Times of India" . The Times of India. Retrieved 19 December 2019.*
2. *"Local Bodies" (PDF). Ministry of Statistics and Programme Implementation. Retrieved 16 May 2019.*
3. *"74th Amendment Act of 1992" . Retrieved 18 January 2009.*
4. *"74th Amendment Act of 1992" . Retrieved 18 January 2009.*

## 5. *Reforming Municipal Finances:*

*Some suggestions in the context of India's Decentralization Initiative, by Mohanty P.K., Urban India, January–June 1995.*

## External links

- [Official site of Tiruchirappalli \(Trichy\) Municipal Corporation](#)
- [Official site of Ministry of panchayat Raj, Govt of India](#)
- [Official site of Bruhat Bengaluru Mahanagara Palike, Govt of India](#)

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**Last edited on 5 May 2020, at 07:01**

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