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# **LOCAL SELF GOVERNMENT**

## **COURSE -424**

### **UNIT-II**

**Write a note on the system of Local Urban administration in India - 20**

Local bodies are institutions of the local self governance, which look after the administration of an area or small community such as villages, towns, or cities. The Local bodies in India are broadly classified into two categories. The local bodies constituted for local planning, development and administration in the rural areas are referred as Rural Local Bodies (Panchayats) and the local bodies, which are constituted for local planning, development and administration in the urban areas are referred as Urban Local Bodies (Municipalities).

## Urban Local Bodies:

The origin of local self-government had very deep roots in ancient India. On the basis of historical records, excavations and archaeological investigations, it is believed that some form of local self-government did exist in the remote past. In the Vedas and in the writings of Manu, Kautilya and others, and also in the records of some travelers like Megasthenes, the origin of local self-government can be traced back to the Buddhist period. The Ramayana and the Mahabharata also point to the existence of several forms of local self-government such as Paura (guild), Nigama, Puga and Gana, performing various administrative and legislative functions and raising levies from different sources. Local government continued during the succeeding period of Hindu rule in the form of town committees, which were known as 'Goshthis' and 'Mahajan Samitees'. Independence brought a new kind of activity in every sphere of public life. It opened a new chapter in the history of local government in India. The Central Council of Local Self-

Government constituted by the Central Government, has also played a significant role in labouring on reforms needed in the various aspects of municipal government and administration. In 1985, the Central Government appointed the National Commission on Urbanization, which gave its report in 1988. This was the first commission to study and give suggestions on all aspects of urban management. Apart from the contributions made by the Central Government, committees were appointed in different states in order to improve the municipal organizations and administration there under.

The Constitution (74th Amendment) Act, 1992 is a landmark initiative of the Government of India to strengthen local self-government in cities and towns. The mandate of the Municipalities is to undertake the tasks of planning for 'economic development and social justice' and implement city/town development plans.

The main features of the 74th Constitutional Amendment are as under:

COMMITTEE

Committee means a Committee constituted under article 243 S of the Constitution.

### METROPOLITAN AREA

Metropolitan area means an area having a population of ten lakhs or more, comprised in one or more districts and consisting of two or more Municipalities or Panchayats or other contiguous areas, specified by the Governor by public notification to be a Metropolitan area.

### MUNICIPAL AREA

Municipal area means the territorial area of a Municipality as is notified by the Governor.

### MUNICIPALITY

Municipality means an institution of self-government constituted under article 243Q of the Constitution.

### CONSTITUTION OF MUNICIPALITIES

As per Article 243Q, every State should constitute three types of municipalities in urban areas. Provided that a Municipality under this clause may not be constituted in such urban area or part thereof as the Governor may,

having regard to the size of the area and the municipal services being provided or proposed to be provided by an industrial establishment in that area and such other factors as he may deem fit, by public notification, specify to be an industrial township.

The constitution of three types of municipalities by every State is as under.

#### NAGAR PANCHAYAT

Nagar Panchayat (by whatever name called) for a transitional area, that is to say, is an area in transition from a rural area to an urban area.

#### MUNICIPAL COUNCIL

A Municipal Council is constituted for a smaller urban area; and Municipal Corporation: A Municipal Corporation is constituted for a larger urban area.

#### TYPE OF AREA

The Governor declares a transitional area, or smaller urban area or larger urban area based on the population of the area, the density of the population therein, the revenue generated for local administration, the

percentage of employment in non-agricultural activities, the economic importance or such other factors as he may deem fit, specify by public notification for the purposes.

## COMPOSITION OF MUNICIPALITIES

Article 243R of the Constitution makes the provision for the composition of Municipalities. All the seats in a Municipality are filled by persons chosen by direct election from the territorial constituencies in the Municipal area and for this purpose each Municipal area shall be divided into territorial constituencies to be known as wards. The Legislature of a State may, by law, provide the manner of election of the Chairperson of a Municipality.

## WARDS COMMITTEES

Article 243S of the Constitution make the provisions for constitution and composition of Wards Committees, etc. consisting of one or more wards, within the territorial area of a Municipality having a population of three lakhs or more. A member of a Municipality representing a ward within the territorial area of the Wards Committee

shall be a member of that Committee. Where a Wards Committee consists of two or more wards, one of the members representing such wards in the Municipality elected by the members of the Wards Committee shall be the Chairperson of that Committee.

## RESERVATION OF SEATS

Article 243T makes the provisions for the reservation of seats. Seats are reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in the Municipal area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality. Not less than one-third of the total number of seats reserved Scheduled Caste are reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes. Not less than one-third (including the number of seats reserved for women

belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality are reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality. The office of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide.

#### DURATION OF MUNICIPALITIES

As per Article 243U of the Constitution, every Municipality, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer provided that a Municipality shall be given a reasonable opportunity of being heard before its dissolution.