Local governance has emerged as an important mode of governance at the local level across the polities. The institutions of local governance are used as mechanisms of service delivery in most of the countries whether it is centralized-unitary system or decentralized -federal structure. In some of the cases it forms an important order of government. In federal systems local government generally constitutes a form of third order government. In few others, institutions of local governance are seen not merely as extension of the state structure and mechanism of service delivery at the local level but as institutions of participatory decision-making, forms of local democracy and inclusion of groups and communities. In the previous chapter we already mapped out the perspectives and issues involved in local governance both in centralized and decentralized governance structures. The comparative mapping of the institutions of local governance in previous chapter- on the parameters of their constitutional status, competence and responsibilities, fiscal capacity and autonomy- provides perspectives not only on the position and competence of the local governance institutions but also enables us to understand the democratic and participatory potentials of the local governments across the polities. It also hinted out on a complex question as to how local governance institutions in decentralized structure could lead to better governance since they are provided with capacity and competence to deliver. Since local governance institutions in decentralized structures are closer to the people, they are more likely to provide opportunity of citizen participation in governance, and thereby creating
better prospects for efficient service delivery and inclusive development at local level.

In the previous chapter we also attempted to analyse the local governance institutions in both centralized and decentralized systems. This chapter attempts to examine the framework of local governance in Iran and India. Though the study is mainly focused on urban local governance, the present chapter attempts to unravel the perspectives of local governance in both the country in the first case, and then delves into the institutional framework of governance in both rural and urban areas in Iran and India. Since the perspectives of local governance can not be compartmentalized, the chapter takes into account the perspectives of local governance in both urban and rural areas.

**Perspectives of Local Governance in Iran and India**

Both India and Iran make provisions for the structures of local governance but the perspectives of local governance differ considerably in both the cases. In case of Iran the institutions of local governance in their present form are creation of post Islamic Revolution. The institutions of local government in Iran are primarily extension of the centralized state structure. The concept of local governance in Iran does not go beyond service delivery. It can hardly been seen as institutions of community empowerment, participatory democracy or inclusion of community. Local governance is seen at most as decentralization. In Iran, the concept of Decentralization stands for three interrelated but essentially distinct processes: one, decentralization as the transfer of authority and resources from the central agencies to their respective field offices in the provinces; two, decentralization as the transfer of service responsibility, again from the central government agencies to specialized
organizations with some degree of administrative and operational autonomy. \(^1\) Iran administrative structure is characterized by its strongly centralized system of control. There are 32 province governorships, 5001 divisions, 496 cities and 1581 village-districts and Constitution provides for the administration of each village, division, city, municipality, and province. In Iran’s case, this is true for a limited number of fields of concern like water and wastewater, electricity, and agriculture. The regional agencies which have been delegated the service-providing responsibilities usually act as semi-autonomous corporations or as sub-national units of the government. The Regional Water and Wastewater Companies are examples of the corporate type and the provincial organizations of the Jihad of Agriculture exemplify the semi-autonomous sub-national organizations. In this case, decentralization is synonymous to “delegation”; and again, the citizens have no role to play\(^2\). Local governance in Iran is constitutive of different social classes, interest groups, institutions of civil society, and political parties; and these actors have taken sides, again either for or against local governance. The most important institutions representative of local governance in Iran are the local councils: village, city, urban districts, provincial councils and high councils of provinces\(^3\).

Since local governance in Iran is integrally linked to its centralized governance structure of the country, a kind of hierarchical structures informs the institution of local governance in Iran. There is no essential dichotomy between rural and urban governance structures. All the institutions of local governance are controlled by the centralized structure of the government. The central government provides institutional structures for the administration of each village, division, city, municipality, and province. These are known as councils of the respective units. Since the concept of local governance in Iran comes from the centralised conception
of state, there is hardly any space for local innovation steered by the participatory
decision making of the people. As pointed earlier the local governance structures in
Iran are hardly autonomous, the possibility of community involvement in governance
process in real sense of the term is deficient. They can hardly be seen as the
structures and institutions of inclusion. It is no doubt that the multilayered structures
of centralised governance make provision of citizen’s participation in governance
through the institutions of councils at various levels.

In contrast to the perspective of local governance in Iran, India represents a different
case both in terms of orientation and structure of local governance. Local
governance in India has not been merely as extension of the state but as integral
part of village life. In fact village, caste and joint family system have been constitutive
aspect of Indian life. In this frame, the local level institutions, extensively referred as
Panchayat, have occupied a central place. In fact the institutions of local governance
have existed in India from the very beginning in different forms and manifestations.

Since India had a long tradition of local governance institutions, any informed debate
and perspective on local governance cannot simply undermine existence of the
institutions. This has been one of the main reasons that the debate on local
governance has also formed a part of larger debate on governance and democracy
in India. Gandhi was ardently in favour of a governance structure which could
resemble an oceanic circle. He was not at all in favour of a pyramidal structure of
governance. The idea of an ocean circle gets expression in the Gandhian vision of
Gram Swaraj (village self government). The idea of Swaraj in the Gandhian
philosophy is life in totality. Though the idea of village republic as a form of
government has been strongly contested by Amberdkar, the value of the institutions
of local governance has not been negated. The constitutional philosophy of India finds imprints of the Gandhian thinking on the issue. The provision of Article 40 of the constitution articulates the concern as a guiding principle. The debate on local governance in India in subsequent years has acknowledged the importance of institutions of local governance in variety of ways. It would not be out of place the traverse through the journey of local governance in India especially after independence. This helps us in better understanding the dynamics of local governance in India on the one hand and to find perspective on local governance on the other.

Though the Panchayat found place under the Article 40 of the Indian constitution, it could hardly find its due place in the governance structure till the passage of 73rd and 74th constitutional amendments. In initial decades of post independence, local governments in India were seen primarily as vehicle of service delivery in urban context and institutions of community participation for development and implementation of governmental programmes in rural areas. The constitution of Balwantrai Mehta Committee and its recommendations are attestation of the same fact. Despite the limitations of the committee’s Report In 1957, a historic breakthrough in establishing Panchayati Raj was effected through the Report of the Balwantrai Mehta Committee which recommended that “Public participation in community works should be organized through statutory representative bodies.” It was of the view that without an agency at the village level that could represent the entire community, assume responsibility and provide the necessary leadership for implementing development programmed, real progress in rural development could not come about at all. 4 Subsequently, the National Development Council (NDC) endorsed the basic principles of democratic decentralization enunciated in the
Balwantrai Mehta report and laid on the States the duty of working out the structures suitable to each State. It was during this period that the term “Panchayati Raj” gained currency as a process of governance organically linking the will of the people from the Gram Sabha to the Lok Sabha. However, in this framework local governance institutions have hardly been seen as third order of federal governance or the institutions of local governance. The idea of participatory democracy and institutions of inclusive governance was very subdued.

By the early seventies however, the Panchayats had gone from a phase of early ascendancy to decline and stagnation. The Asoka Mehta Committee, formed in 1978, made far reaching recommendations to amend the situation and recommended that Panchayati Raj be included in the Constitution. In keeping with the spirit of the Asoka Mehta Committee recommendations, some states, including West Bengal, Karnataka and Andhra Pradesh, revisited their respective Panchayati Raj systems and undertook several new initiatives to endow local bodies with more powers, which served as a prime inspiration and example for subsequent reform.  

Major recommendations of the Asoka Mehta Committee were as follows:

- There should be a three-tier structure of local self-government from the village to the district level whit the village at the bottom and the district at the top with its intermediary link institutions all organically related to one another
- There should be genuine transfer of power and responsibility to this institution of local government
- Adequate resources should be transferred to these bodies to enable them to discharge those responsibilities
• All programmers of social and economic development formulated through the network or planning should be channeled through that institution

• The whole system of panchayati Raj should facilitate further devolution and dispersal of power. Responsibilities and resources in the future

• The district should be the first point of decentralization under popular supervision below the state level.

• Below the district level the people in development management can be best achieved by grouping a number of village to constitute Mandel panchayats

• The preference of the committee is for tier (district level – zillaparishad and a mandal panchayate

• PR election should be conducted by the Chief Election Officer of the state in consultation with the chief election commissioner

• Participation of political parties in PR election would ensure clearer orientation towards development programming facilitate healthier linkage with higher level political processes

• All development function relating to a district which are now being discharged by the state government would have to placed under the Zillaparshed

• The function of the mandal panchayats would to viewed from a new angle

• All development staff with the illaparishad should be placed under an officer to be designated as the chief Executive of Zilaparishad. The national development council accepted the above recommendations in 1958 and soon after various states began to implement the scheme of panchayati Raj. ⁶
Despite the attempts made by the governments at the time, the local institutions could get firm grounds. The major breakthrough came with the passage 73rd and 74th constitutional amendments. The 73rd constitutional amendment makes provision for three tier structure in rural areas—panchayat at village, block and district levels. The 11th Schedule of the constitution lists out 29 subjects on which Panchayati Raj institutions will have competence. Mandatory election to panchayats every five years, constitution of state finance commission, district planning committee, provision of reservation of seats to the panchayats are important provision that can provide a new life to the institution of local governance in rural areas. The amendment Act considers the Gram Saba or Village Panchayat as the foundation of the power given to it by the legislature or Assembly of the concerned state. This Amendment Act has also taken care of the small states. So the states with population below 20 lakhs or two million have been given the option not to constitute the panchayats at the block or intermediate level and have them only at villages and district level. The other notable aspects of the Amendment Act are the provision of Gram Sabha under Article 243A, establishment of panchayats (Article 243B) and composition of panchayats (Article 243C).

Similarly, the 74th constitutional amendment intends to empower the urban local bodies. The 74th Amendment provides for three types of municipal bodies instead of five as before. They are Nagar Panchayats for areas in transition from rural to urban, Municipal Councils in smaller urban settlements, and Municipal Corporation in larger urban areas. What structure is best suited for a given area are the decisions of the state government. Where the municipal area has a population of more than three Lakh, Ward Committees will exist, thus making for a two – tier system. An important provision of the Amendment is the grant of five – year term to the municipalities, with
the opportunity to be heard if they are to be dissolved or superseded. In any case, fresh elections must be held within six months. The Amendment carries a Twelfth Schedule which lists 18 functions to be devolved to municipal authorities. Apart from the usually local functions, there are others like urban planning; building construction, regulation of land use and construction of roads and bridges. In the 74th Amendment, there is a provision for the mandatory constitution of a finance Commission by the state government, once every five year. The Finance Commission has to make recommendations regarding the principles which govern the sharing of the state taxes, duties, tolls and fees between the state government and the municipalities and also its distribution between the municipalities. Despite the mandatory provisions included in the respective constitutional amendments, the institutions of local governments have yet to achieve the intended results.

It is evident from the above exposition that though India started its journey with centralized federalism, over the years the counters of federalism transformed to a large extent. A form of decentralized federalism has made its presence. This gets articulated at the level of social, economic and political processes. The processes shape and reshape the debate on structures also. This is precisely the context in which the perspectives on local governance in India have been taking shape. However, the 73rd and 74th constitutional amendments have drastically changed the perspective and context of local governance on the one hand and have reshaped the debate on local governance on the other. The institutions of local governance have been provided competence, though there is long way to go in the direction of exercising the competence by the local governments in a meaningful way.
Institutional Framework of Local Governance in India

The local governance structure in India is decentralized with a federal system of government. The institutions of local government in India, especially after the 73\textsuperscript{rd} and 74\textsuperscript{th} constitutional amendments, have come to characterize as the third order of federal governance. The Panchayati Raj system in rural areas are constituted on a three – tier system of rural local government namely Gram Sabha and panchayat at the village level, block panchayats at the bloch level and the Zila Parishad at the district level. In Urban Areas the form of local government varies widely with differing sizes of population and areas. Some of forms of urban local governance are as follows: Town Areas, Notified Areas, Cantonment Boards, Municipal Boards and Municipal Corporations

The Institutions of Panchayati Raj

Saroj Sharma very elaborately and perceptively provides a detailed account of the institutional structures and corresponding functions of the local government in rural areas.\(^7\) The discussion and description in the following section is based primarily on her exposition to the issue.

Gram Sabha

The Gram Sabha is the general body of all the residents of a village to which a panchayat could be accountable, Gram Sabha is a statutory body in most of the states. The membership of Gram Sabha is restricted to adult residents of a village in some states, while in others it is based on the electoral list of voters for the state legislative assembly.
Gram Sabha, in a true sense of the term, the grass root organization consisting of not representatives of the people but the people themselves. The Gram Sabha undertakes the welfare and the developmental work in an area. The meetings of the Gram Sabha are held either once or twice a year.8

The Panchayats

The most basic form of rural local government institution in India is the “panchayat” of a village. It is democratically chosen republic as its members are elected from amongst the Gram Sabha. Thus, it can be considered as the executive committee of the Gram Sabha. The panchayat performs all the functions which a local government normally performs. The functions of the panchayats can be classified in to two major categories i.e. obligatory and discretionary.

The important obligatory functions include: (a) regulation of the construction of the buildings; (b) regulation of markets and fairs; (c) maternity and child welfare; (d) establishing and maintaining of primary schools; (e) construction, repair, maintenance, cleaning and lighting of streets; (f) medical relief.

Their obligatory functions also include development of agriculture, registration of births, deaths and marriages, maintenance of gram panchayat’s property, prevention of fire, control over offensive trade, regulation of public markets, management and development of public land and collection of land revenue.

The important discretionary functions of panchayats are: assisiting and advising agriculturalists in obtaining and distribution of government loans and the repayment thereof, establishment of granaries, helping in the preparation of the national register, running of community centers, promotion of cooperative farming and construction and maintenance of play grounds, clubs, gymnasia, libraries, reading rooms, parks etc.
State Control over panchayats

Panchayats function under the control, supervision and directions of state governments. The state government may suspend or abolish a panchayat.

The Sources of Income

The village panchayat is empowered to raise its own income through various taxes. The main heads of these taxes are:

a) Lighting tax; (b) tax on buildings; (c) tax on animals and vehicles; (d) tax on profession and trades and (e) fees on registration of animals sold within the area of panchayat. Other sources of income include fees from regulatory and remunerative enterprises such as markets, slaughter houses and cattle ponds. State grants and loans also form important sources of revenue of panchayat.

Panchayat Samiti

Under the three-tier system of local government the panchayatsamitis constitute the intermediate level between the ZilaParishads and the village panchayats. There are about 4526 panchayatsamitis at the Block/ Tehsil level covering 88 per cent of the blocks in the country. On an average a panchayatsamiti covers about 48 gram panchayats.

Broadly speaking, a panchayatsamiti consists of ex-officio, associate and co-opted members. The Sarpanchs of the panchayats in the samiti area are the ex-officio members of the Panchayat samiti have also associated members, but they have no voting right. Persons having experience in public administration and rural development, members of state legislature, schedule caste and schedule tribes, chairmen of municipalities and notified areas are generally nominated by the state government on panchayat samitis.
Functions of Panchayat Samiti

Functions of a Panchayat Samiti may be classified into two broad areas, namely the provision of civic amenities and the fulfillment of developmental functions. The panchayats samitis in all the states function through the elected standing committees. The Block Development Officer functions as the secretary of these samitis.

Sources of Income Panchayat Samiti

A panchayat samiti has the following sources of income available to it: loans and grants from the state government, income from leases granted by the panchayat samitis to the public ferries, fairs, proceeds of taxes and fees, which a panchayat samiti levies, fees from the licenses and loans from the public.

State Control

The state government exercises control over the panchayat samitis in order to maintain a certain degree of efficiency in administration and to prevent them from abusing their powers. If the samitis persist in making default in the performance of any duty imposed on them or are exceeding their powers, the state government may supersede them. 10

ZilaParishads

ZilaParishads are formed to replace the old boards. ZilaParishad occupies the highest position in the district administration. Every ZilaParishad is a corporate body, having perpetual succession and a common seal, can sue and is empowered to enter into contracts. It is an identity in the eyes of the law. There are 330 ZilaParishads covering about 76 per cent of the districts in the country and ZilaParishad has on an average 13 to 14 panchayat samitis and about 660 gram panchayats in India.
Organization of Zila Parishads

Presidents of all the panchayatsamitis are ex–office members of ZilaParishad. The other members of the samitis are all members of parliament, all members of the state legislative assembly and a representative of cooperative societies including certain specified number of members of scheduled castes and scheduled tribes and some co–opted members possessing experience in administration, public life or rural development. The term of ZilaParishad is usually five years, which may be extended by the government. The ZilaParishad elects a chairman and a vice – chairman normally for a term of five years.

ZilaParishad functions through communities and sub – committees. A number of committees are formed to look after specific items of work like education, planning and finance. The term of office of committee is the as that of the Parishad. The members of the ZilaParishads elect their president from amongst themselves.

Functions of ZilaParishad

It advises the government on the implementation of government schemes. The ZilaParishad has some specific executive functions in the establishment, such as the maintenance and expansion of secondary, vocational and industrial schools. In some states it performs some administrative functions

Finance of ZilaParishad

One of the most important sources of income is a fee. The ZilaParishad may charge a fee to be fixed according to the bye laws or by public auction or by argument for the use of an immovable property vested in ZilaParishad. Another source of income is toll tax, which may be imposed on vehicles, animals or porters bringing goods for sake in the markets falling under the jurisdiction of the Parishad. Grants from the state government are a very valuable source of income.
State Control

State control for ZilaParishad is instituted to ensure a certain degree of uniformity in their working and in maintaining a certain level of efficiency in administration. Thus, by and large, the ZilaParishads in all the states work under the administrative control and supervision of the state governments. 11

In this regard it is important to note that the Panchayati Raj institutions function are by and large under the purview of the respective states. The constitutional Act provides central framework legislation. It has been mentioned in Article 243G that subject to the provisions of the constitution the legislature of a state may by law confer on the necessary function to enable them to function as institution of self-government. Such a law may have provisions for the delegation of powers and authority as well as responsibilities to the panchayats at all levels subject to such condition as may be specified. The states are however expected to transfer the subjects listed in the Eleventh Schedule of the constitution to the Panchayati Raj Institutions. They are as follows: Land improvement, Implementation of land reforms land consolidation and soil conservation, Minor irrigation; Water management and watershed development, Animal husbandry, dairying and poultry & fisheries, social forestry and farm forestry & minor forest produce, Small-scale industries including food – processing industries, khaki; village and cottage & Rural housing & Drinking water, Roads, culverts, bridges, ferries and others means of communication, Non-conventional energy sources & Poverty alleviation programmed. Education (primary and secondary schools) Technical training and vocational education & Adult and non-formal education, Libraries, Cultural activities, Markets and fairs, Health and sanitation including hospitals, primary health
centre and dispensaries, Family welfare & Women and child development, Social welfare including welfare of the handicapped and mentally retarded, Welfare of the weaker section and in particular of the scheduled castes and the scheduled Tribes, Public distribution system and Maintenance of community assets. Such a vast responsibilities transferred to the institution of Panchayati Raj could have proved to vital. However, in most of the states power and responsibilities listed in the Schedule are not transferred.

**Urban Local Governance**

The 74th Amendment provides for three types of municipal bodies instead of five as before. They are Nagar Panchayats for areas in transition from rural to urban, Municipal Councils in smaller urban settlements, and Municipal Corporation in larger urban areas. What structure is best suited for a given area are the decisions of the state government. Where the municipal area has a population of more than three lakh, Ward Committees will exist, thus making for a two-tier system.

In the 74th Amendment, there is a provision for the mandatory constitution of Finance Commission by the state government, once every five years. The Finance Commission has to make recommendations regarding the principles which govern the sharing of the state taxes, duties, tolls and fees between the state government and the municipalities and also its distribution between the municipalities.

**Power and Responsibilities of the Urban Local Government**

The Twelfth Schedule of the constitution lists 18 Subjects to Municipalities. Some of the specified functions are as follows:

- Urban Planning & Town Planning Regulation of Land use and construction of building
- Planning for Social and Economic development
• Water Supply for domestic Industrial and commercial establishments
• Public Health, sanitation Conservancy and solid waste Management
• Fire Service
• Urban Forestry, protection of the Environment and promotion of Ecological aspects
• Safeguarding the interest of weaker sections of society, including the handicapped and Mentally retarded
• Slum improvement and upgradation
• Urban Poverty Alleviation
• Roads and Bridges Provision of Urban Amenities
• Provision of Cultural, Educational and Aesthetic Aspects
• Burial, Cremations and its Grounds, electric crematorium etc
• Cattle Ponds; Prevention of Cruelty to Animals
• Registration of Births and Deaths
• Public amenities including street Lighting, Parking Lots, bus stops and public conveniences
• Regulation of Slaughter Houses and Tanneries

There are different forms of local governments prevalent in different urban areas. The major forms of local government institutions that exist in various towns and cities having different sizes of population and areas are: Town Areas, Notified Areas, Cantonment Boards, Municipal Boards and Municipal Corporations\(^\text{12}\).

**Town Areas**
Small towns, which are more rural in nature than urban have town area committees to look after the local obligations of the people. The functions of the town area
committees are quite narrow and fall much short of the functions of municipal boards or corporations.

Notified Areas

An area is notified if the population is of semi urban nature. The notified area committees are set up under municipal law in urban areas.

Cantonment Boards

The cantonment boards are centrally administered under the direct control of the ministry of defence of the central government

Municipal Boards

These are also known as municipalities. They are the most common form of local government in India.

Municipal Corporation

Municipal Corporations are in operation in big cities. The municipal corporations are assigned wide range of responsibilities.

As of now there three well known forms of local governance:

Municipal corporations for cities with a population of more than (0.3 million),

Municipal councils for towns smaller than this population limit

Nagar panchayats for villages in transition to becoming towns.

These bodies are elected on a universal suffrage basis, with all citizens above the age of eighteen years of age having a right to vote.

In India we find generally find five different kinds of systems in metropolitan cities of India:

1. The Weak Mayor – Council Form

2. The strong Mayor – Council System
3. The Commission System
4. The Council – Manager system
5. The Municipal Commissioner

Just to recapitulate cities and towns in India are managed by Municipal Governments. Metropolitan cities all have Municipal Corporations that are the highest and most autonomous forms of city governance. They are created by state legislation, have obligatory and discretionary functions, with property taxes generally providing their main sources of revenue.

Needless to highlight the state government is involved directly in urban management as local government is set up under state legislation. In addition land, which is a vital ingredient in urban planning and development, is a state listed subject and is therefore the source for the state – local government interaction. State governments provide many services like medical, health and education which are local in character. For the maintenance of law and order, traffic control, removal of squatters, demolition of unauthorized structures, the help of the police is required and the police is required and the police comes under the state governments.¹³

So far as the financial resources are concerned the urban local governments are dependent on various sources of revenue and taxes but mainly property water, sewage taxes etc.

**Governance in four Metropolitan cities**

The governance in four metropolitan cities in India is interesting one. They do not follow the same pattern of governance. The institutional structures also vary considerably. Marina Pinto¹⁴ has extensively mapped out the pattern of governance in these four metropolitan cities.
Institutional Framework of Local Governance in Iran

Actually, the structure of local government in Iran also testifies to its uniqueness. Customarily, those who are referred to as the actors of local government and elected local institutions which enjoy various degrees of autonomy and the authority vested on them by the constitution or passed legislations, along with the NGOs, political parties, market institutions and other institutions of civil society especially those working to protect the basic rights of citizens.

Iran administrative structure is characterized by its strongly centralized system of control. The Constitution provides for administration of each village, division, city, municipality, and province through Articles 6 and 7.

Local Council in the Constitution

Article 6 " In the Islamic Republic of Iran, the affairs of the country must be administered on the basis of public opinion expressed by the elections, including the members of councils,

"Article 7: Their affairs are by consultations among them' consultative bodies-such as the Islamic Consultative Assembly, the Provincial councils, and the city, region, district, and village councils.

Article 100: The administration of each village, division, city, municipality, and province will be supervised by a council to be named the village, division, city, municipality, or provincial council...

Article 101: In order to prevent discrimination in the preparation of programmers for the development and welfare of the provinces, a Supreme Council of, the provinces will be formed.
Article 102 The Supreme Council has the right within its jurisdiction, to draft bills and to submit them to the Islamic Consultative Assembly, either directly or through the government.

Article 103 Provincial governors, city governors, divisional governors, and other officials appointed by the government must abide by all decisions taken by the councils within their jurisdiction.

Article 105 Decisions taken by the councils must not be contrary to the criteria of Islam and the laws of the country.

Article 106 The councils may not be dissolved unless they deviate from their legal duties.

Local Council Laws

In May of 1981, the Parliament asked the Councils' Commission to formulate a Local Council Law. From November 1982 the second law on local councils in the Islamic Republic of Iran was passed, through this way, many village councils representing the rural population were formed with the aim of helping in rural reconstruction and development.

In July 1986, the Parliament again made some changes in the 1982 legislation, making the Ministry of Interior the only government agency to oversee the establishment of all different types of local councils. At that time, however, no elections were held. Then towards the end of November 1990, the Parliament once again introduced some changes on the previous law. In 1996, the Islamic Parliament approved a legislation called the "Law of Islamic Councils and Appointment of Mayors". The finally law on local governance in the Islamic Republic of Iran passed by Parliament and put into effect in 2003 is called "The Islamic Councils' Reformation Law"
The Existing Legislation, Rules and Guidelines on Local Governance in the Islamic Republic of Iran: The Actors and Accountability Mechanisms to reiterate, local governance in Iran has been a target of extended and heated debates, ratification of various legislations, constant revisions of those legislations, the addition of single notes or provisions, amendments, their cancellations, and their beginnings. Moreover, in the past hundred years, it has been an issue which attracted competing camps battling for or against local governance. The various actors have included different social classes, interest groups, institutions of civil society, and political parties; and these actors have taken sides, again either for or against local governance. 15

Local Councils in Iran: Regulations, Rules and Guidelines

As previously mentioned, the city and village councils are the most important institutions of local government in Iran whose history goes back to the Constitutional Revolution of 1906. On a number of occasions in the past hundred years, laws, regulations, rules, and guidelines which have governed these institutions have been debated on and passed. A review of these shows a number of recurring patterns, the knowledge of which is essential towards understanding the reasons for the inability of Iranians to make local governance sustainable.

In March of 1977 a little more than a year before the victory of the Islamic Revolution, town and city associations were dissolved and put to an end; this after 70 years of attempt to create a decentralized system in Iran along with the establishment of local governments.
This seventy years of unsuccessful attempts at local governance shows that a number of factors work to act as critical barriers towards true and active local democracy in Iran:

Duties and Authorities of Councils

The duties and authorities of councils are challenging issues in Iran. It should be taken into account that people have very high expectations from the councils; so high that they cannot imagine any limitation at all and do not consider that councils are guided by legislations, rules and guidelines which are spelled out in the present Councils’ Law. A review of the reasons why people go to the councils for their problems clearly shows that people think councils are in a position to solve any problem they encounter in their daily lives. As will be explained further in other sections of this research, there have been many cases registered with village, city, urban, and rural districts’ councils as well as with provincial councils which even have to do with marital conflicts and disputes wherein couples, more frequently the husbands, have approached the councils for help

Duties and authority of the rural district councils:

1. to coordinate all the activities of the village councils in their own district;
2. to supervise the activities of the village councils in order to prevent any violation of existing laws, rules, and guidelines;
3. To solve problems shared by a number of villages in any given rural district and should also act as mediator in conflicts and disputes among the villages or village councils in the same rural district. The cases particularly covered are those which cannot be resolved through legal procedures;
4. to settle all rural development issues which are beyond the authority of the village councils;

5. to act as a village council in independent farms or any other rural location which for some reason do not have village councils;

6. to encourage the residents of villages within their districts to take part in development projects, especially by investing, such as in projects for agricultural development, transportation services, public health, rural industries, handicraft industries, and cultural and religious affairs; and

7. To review and approve directive plans of villages within their districts and forward them to the relevant agencies for final approval and to initiate implementation.

Duties and Authority of City Councils

Article 71 of the Local Councils' Law spells out the duties of the city councils, the third tier of local councils in Iran today. They are as follows: Probably the most important and the most significant duty of city councils is the election of a Mayor;

Submission of a letter of resignation by the Mayor

The council dismisses or removes the Mayor from office after due legal proceedings

The council suspends the Mayor after due legal proceedings

When the council realizes that the Mayor does not after all meet the qualifications as stated in the legislation.

Supervise the proper submission of all proposals

To collaborate with executive government authorities

To encourage people's involvement in the expansion of sports complexes

To be active in establishing social associations and institutions,
Supervise the job performances of organs of municipalities

To approve rules, guidelines and by-laws passed by the municipalities after careful review

**Duties and Authority of Urban District Councils**

Article 78 of the Local Councils’ Legislation defines the duties and authority of the urban district councils. They are as follows:

1. to provide suggestions concerning the economic, social, cultural and physical development of the urban districts to the relevant organizations such as the Urban District Planning Committee and the Provincial Council;
2. to supervise the activities and decisions of the city councils;
3. to modify, provide supplements, and approve the budget of the Urban District Council Secretariat;
4. to coordinate with the rural district and city councils in solving problems these councils face and to act as mediator in cases of disputes between city and rural district councils and among the city councils themselves; and
5. To supervise all the activities of both city councils and rural district councils.

**Duties and Authority of Provincial Councils**

The Repeated Article 78-1 spells out the duties and authority of provincial councils as follows:

Each provincial council conducts studies to identify problems, shortcomings, and needs. The outcome of these studies will be translated into proposals for putting an end to discriminatory resource and fund allocation and to move towards a well-
balanced and uniform development in all the villages, rural districts, cities, and urban districts of the province. To guarantee this undertaking, a provision to Repeated Article 78-1 is included in the Local Councils’ Legislation. According to this provision, three members of the Provincial council are elected by their fellow councilors to participate in the deliberations of the Province's Planning and Development Council;

1. It supervises the implementation of decisions of the Supreme Council of Provinces in their respective provinces;
2. It coordinates with the Urban districts, City, and rural district councils so that there would be no conflicts in the execution level;
3. It collaborates with the Planning and Development Council of each province;
4. It reviews, modifies if necessary, and approves the budget and its supplements, if there are, of the Provincial council;
5. It supervises the functioning of the Urban Districts Councils and the councils of the province.

**Duties and Authority of the Supreme Council of Provinces**

Repeated Article 78-2 refers to the duties and authority of the Supreme Council of Provinces, which are:

1. to review all proposals received from the provincial councils and forward them to the concerned organizations depending on the nature of each proposal, then follow them up;
2. to inform government organizations about the shortcomings and lack of cooperation from some government organizations with activities within the councils' domains;
3. to review the proposals of all tiers of councils and translate them into bills and legislations to be submitted to Parliament for approval;

4. to approve the budget of the Secretariat of the Supreme Council of Provinces;

5. To require the Management and Planning Organization (MPO) to provide the Supreme Council of Provinces a copy of the first draft of the whole country's development plans and enactments (acts, bills, measures). After careful review, the High Council in turn proposes what should be added to ensure that the concerns of all local councils on various issues be included;

6. To prepare the by-laws with regards to how the local councils' budgets should be spent. These by-laws are to be reviewed then approved by the Cabinet before sending them back to the Councils in the form of a notification;

7. to plan training programs for the councilors for them to become familiar with their own duties (i.e. the nature of local councils, the merits of collective decision-making, people's participation and the likes); these training programs are in the form of applied short-term educational packages depending on available means;

8. To hold regular meetings. The High Councils of Provinces are to meet every two months for a period of three days maximum. In case more time would be needed in the course of these meetings, the High Council will call upon its members for extra meetings; as many as required.
Elections of Local Councils

The elections of local councils in Iran were held in 156 cities in July of 1997. (This failure at the first attempt at establishing local governments after the Islamic revolution gave an opportunity to those against any real decentralization to work unceasingly against local governance.

The first election of local councils finally took place after all the above changes were made. 33418 village and city councils with a total of 107293 members (102861 members of rural councils and 4432 members of city councils) were established.

The second election of local councils finally took place after so many changes were made to the council legislation; changes discussed in the text.

As previously mentioned, the most important institutions representative of local governance in Iran are the local councils: village, city councils. The village and city councils are directly elected through universal suffrage by those 15 years old and above. Until now, the ones responsible for reviewing each candidate's application to run for election have been the Parliament and the Ministry of Interior; moreover, they announce the names of those considered eligible to run. Again, those who have gained approval have been the candidates without a criminal conviction registered in the Police or Court files. 16

Furthermore, any Iranian citizen who is 15 years of age or above and has resided in the locality where he or she wishes to vote date is eligible to vote; however, having been a resident of a locality for at least one year is a qualification which does not apply to cities with populations of 100,000 or more. But it is clear that the local councils are the most representative institutions in Iran. For instance, although the Parliamentary elections also take place by universal suffrage, the candidates of

74
these elections compared to the council elections should be able to meet more requirements; in a sense,

**Number of Councilors to be elected for Various Tiers of Councils:**

- 3 Councilors for villages with populations up to 1500
- 5 Councilors for villages with populations from 1501 and above
- 3 Councilors for legal residential complexes of 200 to 1000 families
- 5 Councilors for legal residential complexes of 1001 families and above
- 5 Councilors and 2 Proxies for cities with a population up to 50,000
- 7 Councilors and 3 Proxies for cities with populations of 50,001 up to 200,000
- 9 Councilors and 4 Proxies for cities with a population from 200,001 up to 1,000,000
- 11 Councilors and 5 Proxies for cities with a population of more than 1,000,000
- 15 Councilors and 6 Proxies for Tehran
Structure of Local Council

Source: Office of Islamic Council Of Tehran: 2008
Local Councils’ Internal Organization

When elections are over and Councilors have been elected, protests, grievances, and complaints, if any, will be reviewed after which the councils (village and city) are approved. The first task would be to elect a Chair and the other defined positions; parts of the internal structure. Although there is no particular model for councils, especially city councils, to follow, over the years an administrative structure has emerged which almost all city councils and village councils with more than five members have followed.

Soon after the confirmation of the election results, members are informed of the first council meeting which is to be chaired by the oldest member. In this meeting the election of the chair will take place. Those who desire the position will declare so, sometimes in written form, and whoever receives the absolute majority vote will be council's Chair; an absolute majority vote meaning half of the number of Councilors present plus one. All council meetings are to be considered official meetings requiring a quorum of two-thirds the total number of Councilors. Only decisions made in official meetings can be considered official decisions and are to be implemented.

Administrative Board

According to internal bylaw, the administrative board of Islamic Council of Tehran City is composed of five members: chairman, vice-chairman, two secretaries, and one treasurer who are elected for two years.
In the first official meeting of the city council, the present councilors take actions for holding internal election and elect one chairman, one vice-chairman, and at least one secretary, and one treasurer among themselves by secret votes for two years, and prepare the minutes. Election of administrative board councilors in case of resignation of each of them from their position, or from the city council is held maximum one week after acceptance of their resignation by the city council or quit of the councilor and for the same position.

The administrative board is elected for two years. Nonetheless, their election for any responsibility for the next coming two years has no impediment.

In case that any of administrative board councilors provide their resignation before the expiring date, the resignation should be prepared in written form, and by mentioning the reasons, and provision of documentation, and after registration by secretariat must be announced to receipt in the next meeting of the city council, and called the matter into the agenda of the next meeting,

And it should be read by the resigning person in the same meeting, and according to the regulations in order to assign the substitute person the election would be done.

In case of death or approve of dismissal of each member of administrative board, the administrative board would announce the issues by a written report to the councilors and in the official meeting the corresponding issues are read and according to the regulations the substitute person would be elected.

The election of administrative board councilors for each responsibility would be only for the remaining period from two years

The Duties of Administrative Board

The council's administrative board is bound to take actions for the following issues:
A) Holding the sessions for administrative board meetings, revision and decision making concerning the propound issues and issuance of approvals of administrative board for implementation and their follow up.

B) Registration and constitution of profile for all drafts, bills, submitted reports, and all cases that need revision in principal council commissions and regulating their report of work and reviewing them.

The administrative board is bound to refer to drafts, bills and reports after their submission in official meetings according to the relation of them to the case and their appendix and send them to the principal commission and ask for report of revision while determining the respite. Also, it should submit the concerning transcripts for revision of subsidiary commissions and related

**Administrative Organizations**

C) Regulation of official agenda for council meetings and announcement of them by the signature of the council’s chairman for official notice to councilors and corresponding duty persons.

D) Coordination in holding the official Council meetings from ordinary, extraordinary, public or in private sessions in determined timings.

E) Having regular relation with councilors and corresponding administrative responsible persons for consultation of the propound issues.

**Duties and Authority of City Councils**

Members of council have to monitoring of financial resource as fallow as:
Approve comprehensive income-expenditure reports of municipalities every six months, again after careful review to collaborate with the municipalities, supervise the job performances of organs of, protect the properties of the municipalities whatever they are, and monitor the financial transactions in the municipalities (i.e. income and expenditures) in such manner that will not disturb the routine activities.

Councilors and their first-degree relatives at no circumstance are allowed to engage in any financial transactions of any type or nature and not for any reason with the municipalities or any organization in the rural districts and in villages that are related in any way to the councils, whether directly or indirectly. The signing of any contract within the above-mentioned framework is totally forbidden. (Article 74 Duties and Authority of City Councils).

Approve the annual budget of municipalities and all organizations and companies under the auspices of the municipalities; in addition to the city council budget approve all transactions, buy and sell activities, bids, renting and the likes whilst taking all rules, regulations and guidelines into account;

Supervise over the financial affairs of the municipalities and its affiliated organs and institutions, and to ensure the protection of public properties in the cities as well as specific properties of the municipalities.

This entails the hiring of official accountants to review all the monetary transactions of the municipalities and in cases of possible violations to inform the Mayor and other relevant organizations that legal action could be taken; to be obliged to disclose to the public all items in its budget and all expenditures at the end of each fiscal year.
Since the council has not opened a bank account in the name of two councilors as is the case in most councils, all financial transactions are to take place in the Municipal Hall with the supervision of the inspectors.

Providing each council with an independent budget based upon well-documented local needs is a step towards empowering local government and is urgently needed. Also empower councils concerning the mechanisms and Sharing with other countries' similar experiences will be very helpful.

Furthermore, each council elects a General Inspector to supervise all affairs, especially financial ones, and then reports both to the Chair and in the council's general meetings where all the Councilors should be present (Management of local government in Iran).²⁹

An absolute majority of village councils are not successful because of the lack of any local tax to collect or any independent source of revenue. Cities with populations of more than 200,000 up to 600,000 at that many in Iran; but, these are the cities which enjoy moderate councils. They are neither poor nor rich. Women activities are at acceptable levels as well as accountability, responsiveness.

The other group of cities consists of those cities with populations between 100,000 to 200,000 or a little more. The councils of these cities are well organized, well disciplined, where political pressures are manageable, corruption is not high, councils are typically not corrupt, the Councilors are community leaders and trustees, development works are progressing relatively well, and women are indirectly active. However, in these localities ethnic issues are a problem.

Council’s Authorities

The Constitution of Islamic Republic of Iran on the context of principles regarding Islamic Councils of the country emphasizes on governance of the country based on
public votes while discussion, review, and approve of helpful principles. According to this, executive, legislative and supervisory duties of the city council are determined precisely besides election of the mayor.

A) Council's Executive Duties

-Election of the mayor for incumbency of four years

Islamic Council of the City is bound to elect the qualified mayor just after having official authorities.

The mayor cannot be a member of the city council, spontaneously.

Election of mayors in the cities with population over two hundred thousand people, and the provinces capitals are done by propose of city council and order of The Minister of Interior Affairs, and in other cities with propose of city council and order of provincial governor.

The Mayor's Tenure Terminates to the Following Cases:

Written resignation by approve of the city council  Dismissal by city council with observance of legal rules Suspension based on legal rules Lack of any requirements for gaining mayor's post, by distinguish of the city council.

-Review and cognition of shortages and social, cultural, educational, hygienic, economic and facilitating needs of the electing area; and provision of plans, and amending propositions and functional solutions regarding these fields for programming and offering them to corresponding authorities.

-Cooperation with executive authorities, institutions and governmental organizations in different social, cultural, educational, economical and civil fields according to their request.
- Programming for people participation in fulfillment of social, economical, civil, cultural, educational, and other welfare services with agreement of corresponding organizations.

- Encouragement of people concerning development of recreational, sporting, and cultural centers with collaboration of corresponding organizations.

- Taking actions regarding constitution of social, aiding, and guiding associations and institutions, and establishment of producing, distributing and consuming cooperation, also taking statistics, local researches, and distribution of public donations with collaboration of corresponding organizations.

Membership in ten commission branches of article 100
- Membership in commission of solving disputes
- Membership in commission of article 5
- Membership in commission of guardianship
- Membership in commission of article 77
- Membership in commission for buying real states
- Membership in commission for revision of gardens
- Membership in commission for revision of 20th clause
- Membership in associations of organizations and firms
- Membership in high council for education membership in over 28 general meetings, and other councils, and commissions.

B) Council’s Legislative Duties
- Review and approve of annual program and budget of municipality
- Review and approve of deals and loans of municipality
- Review and approve of statutes for companies and institutions
- Approve of limits and regulations plan of urban installations
- Determination of services and urban taxes price
- Determination of public transportation vehicles price
- Review and approve of proposed municipality’s bylaws
- Enactment of necessary regulations regarding collaboration of municipality with corresponding offices and organizations for performing different exhibitions.
- Approve of necessary regulations for un-surrounded urban lands regarding public hygiene and comfort, urban development and beauty.
- Enactment of regulations regarding creation and public governance of municipality for purchase and sale of public needs with subjective regulations observance
- Approve of pathways’ naming, squares and streets in urban districts and also their renaming
- Approve of necessary regulations by proposition of municipality for writing any subject or installing any advertisement and panel on the city walls with subjective regulations observance and publication of them for public.

C) Council’s Supervisory Duties
- Good governance of city and municipality currency
  - Municipality deals
  - Municipality legal claims
- City and public spaces’ hygiene
- Urban installations and services
- Supervision on good implementation of council’s approvals and approved municipality affairs’ plans
- Supervision on implementation of plans concerning
creation and development of pathways, streets, squares, green spaces and public installations of the city according to subjective regulations.

- Enactment of regulations and supervision for channels and urban installation paths’ excavation.
- Supervision on creation of cemetery, mortuary, and devices provision for carrying the dead according to hygienic and urban development principles.

Presentation of Drafts or Bills

The proposed cases of Tehran’s municipality or other administrative organizations include the propositions provided by Tehran’s municipality or other administrative organizations and sent to the council that are called “bill” in which subjects are brought in the format of single article or articles and the corresponding notes are mentioned clearly and is ready to offer to the council only by the signature of the mayor, or the municipality supervisor, or the highest duty person of administrative organization in Tehran city accompanied by determination and proposition of revision—ordinary type, one or two starred priority.

The proposed cases by members of Islamic Council of Tehran City are the propositions provided by the councilors and are called draft in which subjects are brought in the format of single article or articles and the corresponding notes are mentioned clearly and is ready to offer to the council only by the signature of at least three members of the council accompanied by determination and proposition of revision—ordinary type, one or two starred priority. Each draft or bill after entering the council is sent by administrative board to the corresponding commission. The reports of commissions regarding ordinary drafts within one month, and regarding one priority drafts within one week are submitted to the administrative board to be
propounded in the official meeting of the city council which takes place every Sunday and Tuesday.

The municipality can offer its bill concerning the subjective cases to the council for revision and in case that the provided bill is with two-starred priority presence of the mayor in the council’s meeting for decision making is obligatory. Also, the councilors can offer their subjective plan for revision with signature of at least three councilors. The draft provided by councilors can also be offered by two-starred priority that in this case it should be reviewed and decisions should be taken in the first meeting. Each commission has a number of committees that review the cases concerning the city in the format of diverse drafts.

D) The Duties of the Committee Chairman

Management of committee meetings
- Inviting members for constitution of meetings and share of work for them
 Inviting experts for participation in committee meetings
 Determining committee inspectors and referring revising cases to them
- Signing approved final reports of committee to be offered to administrative board
 Relation and coordination with commissions, committees chairmen, councilors, and administrative board
- Proceeding committee approvals
-Estimation of financial and provisional committee needs and in absence of committee chairman, the vice-chairman of the committee does his duties and is responsible regard commission and the council.
E) The Duties of the Committee Secretary Reporter

- Preparation and provision of committee agendas according to bills, drafts, reports, and determined time for revision; and offering them to committee chairman for issuance of the agendas
- Provision of the text for committee meetings and registration and maintenance of all precedents in secretariat
- Provision of text of committee letters and numbering them, provision of statistics, information and report of committee activities
- Relation and coordination with reporters of other commissions, committees, councilors and administrative board
- Proposition of financial and provisional needs of committee to the chairman
- Regulation of the presence and absence report of committee members
- Proposition and introduction of committee secretary to the chairman and through him to the administrative board

The committee chairman is allowed to introduce a qualified person as the committee secretary based on proposition of committee reporter for issuance of his order by council's administrative board in order to have better collaboration and have a better performance in the committee.

Committee secretary’s work statement will be determined in the organizational chart of the council by the opinion of the council chairman and reporter. Council subsidiary Commissions,

Each City Council forms at least Four Commissions, Namely:

1. The Social and Cultural Commission
2. The Planning and Budget Commission,
3.-The Technical and Development Commission,

4- Supervisory Commission.

These four commissions are common in almost all city councils and many village councils as well variety of other commissions are also formed such as the Youth and Women Commission, the Health Commission ,

Each Commission in Turn is divided into a Number of Committees as follow as:

1-The committees under supervision of development and civil commission

2-Committee for Urbanism and architecture

3 - Committee for Security building and supervision on civil projects

4- Committee for Environment and Information technology

Elections Supervision and Monitoring Boards of Local Councils

Article 53 of the legislation on local councils stipulates that the supervision of Islamic Councils’ elections is based on Articles 73 and 74 of the “Law of Reforming Organization of Islamic Councils and those councils’ elections”. According to these articles, the law requires that there should be various tiers of supervision and monitoring. At the first level are the individuals (5 all in all) known to be public trustees, then the Councils’ election Supervision and Monitoring Boards of rural districts, then above them would be the Supervision and Monitoring Boards of the Urban Districts Councils’ Elections, and again above these are the Provincial Councils’ Elections Supervision and Monitoring Boards. Finally, at the top tier, is the
Central Councils’ Supervision and Monitoring Board. These boards are all responsible for ensuring clean, fair, and lawful council elections.

Until now the Central Councils’ Election Supervision and Monitoring Board has been formed through election from among the members of the Parliament. At the provincial level, there is an Assembly of Provincial Parliament members consisting of all the MPs of each province. This assembly elects three MPs to form the Provincial Council Election Supervision and Monitoring Board. This board then invites the public trustees of the urban districts to select from among themselves who are to be members of the Councils’ Election Supervision and Monitoring Board.

Violations of Council Elections

The violations specified in the Council legislation under review here and which now governs all council elections, are of two types: the first type refers to those violations which give ground to the cancellation of votes in the polling stations while votes are being counted after the election is over. This type of violations may be intentional or accidental. What follows is a list of these violations

1. votes which cannot be read
2. votes for which a candidate have done favors for, paid money for, or otherwise if proven beyond any doubt
3. votes on which the voter has written his or her name, placed his or her fingerprints on it, or has signed it
4. votes containing names of individuals other than the candidates
5. votes which do not have any name on them
Local Councils' Internal Organization

When elections are over and Councilors have been elected, protests, grievances, and complaints, if any, will be reviewed after which the councils (village and city) are approved. The first task would be to elect a Chair and the other defined positions; parts of the internal structure. Although there is no particular model for councils, especially city councils, to follow, over the years an administrative structure has emerged which almost all city councils and village councils with more than five members have followed.

Soon after the confirmation of the election results, members are informed of the first council meeting which is to be chaired by the oldest member. In this meeting the election of the chair will take place. Those who desire the position will declare so, sometimes in written form, and whoever receives the absolute majority vote will be council’s Chair; an absolute majority vote meaning half of the number of Councilors present plus one. All council meetings are to be considered official meetings requiring a quorum of two-thirds the total number of Councilors. Only decisions made in official meetings can be considered official decisions and are to be implemented.

Council’s Organs

Membership in Supervisory Committees

The Council’s administrative board is obliged to propose each member in the beginning of each period and according to their experts and capabilities in the specific form for one of 5 supervisory committees and provide the final proposition for confirmation of the council chairman after conclusion of opinions to be implied in the meeting agenda after confirmation. Membership order of each member will be issued and announced in one of the five committees.
Each councilor is obliged to be a member of one of the supervisory committees of the council. According to their backgrounds, information and profession by respect of priorities. The number of members of each committee is three persons and the duration of membership is one year from the date of issuance of the order. After the duration of one year, the administrative board is obliged to proceed for change of memberships in the committees. The supervisory committees are allowed to revise and conclude the problems of neighborhoods by coordination of executive institution of Council-aiding associations and via Council-aiding associations of the neighborhoods under their supervision and in case of necessity take actions by provision of ordinary, one-starred or two-starred drafts and also by the visit of these districts,

Organizations and subsidiary companies of municipality for solving these problems and revision of the situation of activities and prepare necessary supervisory reports for corresponding commissions to be reviewed via administrative board.

Each committee is obliged to hold its meetings in a fixed place appointed by the council’s administrative board and inside the main building of the council. Nevertheless, performance of non-official meetings in the offices of the districts, organizations and subsidiary companies of Tehran municipality are without problem. Each committee is obliged to assign and approve certain times for revision of cases and performance of devolved duties and announce the results for administrative board to be mentioned in monthly calendar of the work schedule of the council. The committee meetings are official with presence of at least two third of members. The committee decisions are legal with absolute majority (two persons) of members.
The committee members are obliged to vote by secret ballot to choose a chairman, a vice-president and a secretary (reporter) among themselves after their election and after provision of minutes should announce the results to administrative board. The committee agenda will be arranged by secretary (reporter) according to the referred cases from administrative board (The council chairman), or by the distinguish of committee chairman; and will be signed by committee chairman and will be offered to committee members, corresponding administrative, and the office of administrative board at least 48 hours before performance of the meetings.

The Commission for Naming

Tehran’s municipality is obliged to constitute a commission included of the below members for distinguish of gardens among real states and land lots below 2000 square meters:

- The Mayor of concerning district (without right to submission to other)
- Full-authority delegate of Parks and Green Spaces Organization
- Delegate of Islamic Council of Tehran City by selection of council chairman

Naming and Renaming of towns, avenues, streets, alleys, squares, markets, passages, pathways, parks, dead ends and public spaces inside Tehran’s urban district, a subsidiary commission by the name of naming and renaming commission for public places and pathways is constituted inside the commission of cultural, social and eco-urbanism by presence of three members of this commission and general directorate of public relations and international affairs of Tehran Islamic City Council and general directorate of public relations and international affairs of Tehran’s municipality and one selected delegate from the Academy for Persian Language and Literature.
The secretariat of this commission is determined in general office of public relations and international affairs of Tehran’s municipality and the general directorate of public relations and international affairs of Tehran’s municipality is appointed as the secretary of the mentioned commission.

The commission meets every fifteen days, on necessary, at the place of Tehran Islamic City Council and the minutes should be registered in specific notebooks and signed by present members in each session.

The commission meetings are in session by presence of two third of members. The commission approvals are valid by vote of maximum present members and are applicable after their proposition to the Council and approval in their public meetings.

Provision of proposition for naming and renaming of pathways and public spaces of Tehran city can be done via the corresponding commission in Islamic Council of Tehran City and the secretariat of the above commission is obliged to receive and register all received propositions and offer them in the concerning meetings and announce the results for natural and legal persons who offered them.

Also, in order to facilitate doing expertness work and speeding up in the process of naming and renaming of pathways, the above commission is obliged to take actions for constitution of expertness, naming, and renaming committees for pathways and public spaces in each district of Tehran’s municipality by presence of the following people:

A) The Mayor of the district (committee chairman)
B) Director of public relations on the district (committee secretary)
C) One delegate from council-aiding associations of the district’s neighborhoods (in case that Council-aiding associations were constituted on that district) by introduce of executive staff of council-aiding associations.

D) One full-authority delegate of Islamic Revolutionary Martyr’s Foundation in Tehran that the district is located in the supervisory area of related branch of the foundation.

E) Prayer-leader at one of the mosques in the district by introduce of Coordinating Council for Mosques’ Affairs in Tehran.

F) One well-informed expert of social-cultural affairs familiar with history and literature by selection and introduction of district’s Mayor, by priority of university professors or teachers having residence in the same district.

G) One full-authority delegate of commander of Basin Resistance Region that the Municipality is located in their ruling area,

The above committees are active under supervision of naming committee and have the responsibility of all naming and renaming of pathways under sixteen meters width an hundred meters length.

The Commission for gardens Tehran’s municipality is obliged to constitute a commission included of members as follow in order to supervise good implementation of the law of maintenance and development of green spaces in cities as well as garden’s approval and final distinguish of gardens according to their placing and the situation of vegetation of the area and existing precedents of the profile and also for cut and transfer of trees:

- Delegate of Islamic Council of Tehran City by selection of council chairman
- Managing director of Parks and Green Spaces Organization

- Technical delegate of municipality by selection of Tehran’s Mayor

This commission is assumed as principle commission regarding real states and land lots over 2000 square meters and as the first revising commission regarding real states and land lots below 2000 square meters.

Council Delegations

Any delegation from the council for participation in associations, councils, commissions, committees, institutions and executive organizations can be done by proposition of council chairman and approval in council meetings and its duration is for two years from the date of issuance. Re-election of delegations for one period in the same issue is allowed.

If according to the Council approvals, assignment of delegate is determined by proposition of commission or committee, actions are taken based on that. All delegations are doing their duty under supervision of council’s administrative board and are obliged to prepare the monthly report of their activities for administrative board of the council.

The delegates are allowed to take actions only in the limit of their duties and responsibilities and interference in other cases which do not include in the limit of their duties and responsibilities is prohibited and would cause deprival of delegation according to the distinguish of administrative board and council approval.

Council Secretariat

The council organization has responsibility for official and covering affairs and turnover of financial affairs of the council. The council’s official organization is prepared and proposed by the Mayor by proportion to municipality organization and
will be offered to The Ministry of Interior Affairs after council approval and agreement of Organization of Management and Programming of the Country to be announced after issuance. The employees of Council secretariat are subject to the hiring bylaw of municipalities.

All the orders of duty persons and employees of council secretariat who are municipality employees are issued by council chairman and the council secretariat will be active under supervision of council chairman or administrative board or a person introduced by the chairman after administrative board approval. The office of each councilor has an officer, a driver and a consultant who is selected by the opinion of the councilor among municipality employees or subsidiary organizations and companies of the municipality and will be working under supervision of council organization. Payment of salary and benefits of council organization’s employees is the same as Tehran’s municipality rules and regulations.

**Constitution of the Meetings**

After the first session, council meetings are formed normally twice a month at council place; and in case of written request of corresponding governor or deputy governor including the date, order and the necessity for constitution of the meeting an extraordinary meeting can be performed. Also, the council can hold a meeting on the Mayor’s written request, or it’s distinguished in case of extraordinary.

Official meetings of Islamic Council of Tehran City are held every Tuesday by presence of the audience after approval of the meeting in the council and every Sunday as extraordinary.

The council meetings are open to public and presence of the audience is allowed by opinion of council chairman. Nevertheless, a closed meeting can be held by a written
request of the Mayor, or Governor, and agreement of absolute maximum of present councilors.

**Meetings Agendas**

The meeting agenda of Islamic Council of Tehran City is included of work schedule for official meetings of Islamic Council of Tehran City which is provided by council secretaries according to received propositions (reports received from principle commissions of the council regarding .The article 12 of approved statute mentions the duties of Council-aiding association as follow

**Council-aiding Associations**

Taking efforts in creation of an environmentally healthy space by goal of fighting air, water, noise and soil pollution and energy saving in spaces via collaboration with Islamic Council of the city based on their request.

- Provision of draft and proposition for improvement of internal commutes situation by goal of optimization of transportation.
- Provision of drafts and proposition regarding creation of urban symbols and monuments and proposition of naming the pathways, squares, streets and alleys and so on.
- Taking efforts in provision of facilities for leisure time of the youths and adolescents and development of recreational, sporting, cultural and artistic centers by collaboration of corresponding organizations.

Cooperation with Islamic Council of the city for maintaining comfort and urban security and fighting against social vulnerabilities and criminal contexts.

- Cooperation with Islamic Council of the city for introduction, education of citizenship rights and duties, and people participations, and public awareness
- Provision of proposed drafts for self-governing of public spaces, provision of beautifying and optimization of eco-urbanism spaces and helping implementation of these drafts.

- Cooperation in creation of green spaces and self-governing of urban gardens and helping development and construction of parks.

- Cooperation with Islamic Council of the city for development of public beneficiary institutions and voluntary activities.

- Revision and cognition of shortages, needs and malfunctions in the fields of social, cultural, educational, hygienic, economic, welfare and civil deficiencies. Preparation and provision of propositions regarding different aspects of urban life.

- Taking efforts in management of public installations via voluntary activities.

- Cooperation with Islamic Council of Tehran City for establishment of different kinds of voluntary associations regarding helping, social, guiding affairs and constitution of cooperatives for production, consumption and distribution and distributing of public sustenance.

- Cooperation with Islamic Council of Tehran City for control of prices and price of inter city transportation fees.

- Provision of drafts for education of non-military defense programs to citizens and cooperation with the Council for confronting and preventing of non-predicted disasters.

- Taking actions regarding management of public spaces like memorizing house, sporting spaces, galleries and so on by agreement of Islamic Council of the city and municipality.
- Collaboration in management of religious and cultural spaces by the request of corresponding administrations.
- Participation in performance of Parliament, presidential and Leadership elections via cooperation with duty persons and by the request of corresponding authorities.
- Collaboration with the Office of Driving in the field of amending urban traffic by the request of that office.

The above exposition clearly shows that Iran has elaborate institutions of local governance despite its centralised structure of government. However, on the parameters of inclusion of disadvantaged groups like women in the institutions of local governance Iran has to go a long way in direction of making the institution of local government more inclusive and participatory.

In Iran, Piran rightly observes, there is no comprehensive study which has measured the role and status of all those actors in a comprehensive and scientific way. Aside from the city and village councils, all other types of local councils; rural district councils, urban district councils, provincial councils and Supreme council of provinces, have been formed either very recently or their activities have been limited to a review of passed bills, demands, and recommendations of village and city councils. The domain of local councils and local government is a contested area of activism and interest representation within the limits of what are possible in the Iran of today. Establishment of an "Assembly of Council Advisors" in each locality with reserved seats for women, the youth, minority groups, and any other group which, so far have been neglected or marginalized is an effective mechanism to reduce exclusion and discrimination. Revision of council legislation(once for ever) with the assistance of female and male experts, lawyers, legal consultants, activists, and
Councilors from all tiers of the Council structure; and, with emphasis on the legal guarantees in enforcing council decisions and the full cooperation of government agencies should be done with no further delay. 20

A comparative perspective on local governance in both Iran and India suggest that both the countries have elaborate institutions of local governance. Despite this the local governance institutions in India over the years have emerged as the institutions of inclusion empowerment and participatory democracy besides the vehicle of service delivery and development at the local level. Iran has yet to move in this direction.

Notes

1 Gassem Tahari: Local Governance and Decentralization, Tehran: Amirkabir Publisher, 2005. P.18


5 A.K Sinha, Panchayati Raj and Empowerment of Women, New Delhi: Northern Book Center, 2004

6 Alka Dhameja, Contemporary Debates in Public Administration, New Delhi: Asoka Published, 2003. P 182

7 Saroj Sharma, Delhi Municipal Corporation, New Delhi: Shakti Book House, 2009

8 Saroj Sharma, Delhi Municipal Corporation, New Delhi: Shakti Book House, 2009
9 Saroj Sharma, *Delhi Municipal Corporation*, New Delhi: Shakti Book House, 2009


14 For detailed exposition see Marina Pinto, *Metropolitan City Governance in India*, New Delhi: Sage Publications, 2000


17 Islamic Council of Tehran: [http://www.shora-tehran.ir](http://www.shora-tehran.ir)

18 Islamic Council of Tehran: [http://www.shora-tehran.ir](http://www.shora-tehran.ir)

19 Journal of City, Article 74 Duties and Authority of City Councils, Tehran, Municipality Corporation of Tehran, 1982.

20 See Parviz Piran, Report on Local Governance in Iran