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The Pattern of City Government: West Bengal and Medinipur

Introduction

Efficient management of urban areas is a challenging task. Municipal government constitutes the core of urban management in a democratic setup. Urban governance is no longer conceived as a mere delivery of social goods like conservancy services, water supply, primary health etc. Today it comprehends a wider meaning and aims at involving people at decision-making. Scholars have defined 'governance' in terms of the relationship between civil society and the state, between the rulers and the ruled, the government and the governed.¹ The city government — as a local government institution — has a crucial role to play in the governance of a city. It is the local political institution entrusted with the task of democratic governance. The debate over the best institutional structure for urban government has a long history, going back at least as far as Aristotle's consideration of the most appropriate Constitution for the Greek city-state. Institutional structure achieves such an importance because it is the vehicle through which the basic purposes and values a society wishes to pursue through local government are carried out.² It is thus presumed that institutions matter —

that political and policy outcomes depend to a large extent on institutional structure. An understanding of the process of urban governance and politics in a city or town must then take into account the organisation and structure of its local government institution. The city government is the policy making body for the locality which allocates values for the urban residents. The interaction between the local government and the city people constitutes the core of urban politics.

The present study attempts to understand the process of urban politics in the town of Medinipur. And this makes it obvious to look into the institutional structure of urban governance in the town – the Medinipur Municipality. A municipality does not, however, function on its own. It (and for that matter any institution) is manned by individuals – the elected representatives of the people who are the policy-makers for the city government. Policy outcomes depend both on the institutional structure of the municipality and who the policy-makers are – that is, on their socio-economic background and political affiliation. In this chapter, we will then deal with the legal institutional structure of Medinipur Municipality as well as the social profile of the city managers. This will help us subsequently to delve into the details of urban governance and politics in the town of Medinipur. It can be said at the outset, that the institutional structure of Medinipur Municipality conforms to the general pattern of organisation of municipalities in West Bengal. Naturally, before we take up our particular case study, a brief sketch of the West Bengal municipal structure will not be out of point. Urban local self-government in West Bengal, and for that matter in India, has a long history. The genesis of modern urban government institutions in India can be traced to the establishment of British colonial rule. They have since evolved to their present state. We feel that a short glance to the past is necessary to understand the present pattern of urban government in West Bengal and therefore, a brief history of urban local government in the state follows. We have made it brief as there is no dearth of literature on the same and our main purpose is not a historical analysis of urban governance in West Bengal.
Evolution of Urban Local Government in West Bengal

Pre-independence

While urban centres sprang from industrial revolution in West, they emerged out of the needs of colonial commerce in modern India and Bengal. Under the British administration, some form of urban local government was created not on the basis of indigenous model but on the basis of requirements and exigencies. The earliest attempts to set up municipal institutions were made in the three Presidency towns of Calcutta, Bombay and Madras. As Calcutta became the hub of English East India Company and grew to become a metropolitan agglomeration, municipal administration had to follow suit. The first such body emerged in 1727 when the Company was granted a Royal Charter for the establishment of a Corporation in Calcutta in a rudimentary form (called the ‘Mayor’s Court), consisting of a Mayor and 9 Aldermen empowered to collect ground rents and town dues and to construct roads and drains. During 1817 it was felt that the association of popular representatives was necessary for levying taxes and ensuring administrative efficiency. In 1840 an Act was passed which marked the first attempt to introduce the principle of popular representation, but could not be enforced due to the apathy of the ratepayers. There were subsequent attempts for the same in 1847 and 1852, but still without any success. The principle of election was ultimately incorporated by the Act of 1876. The year 1876 witnessed a major policy shift when Sir Richard Temple, Lt. Governor of Bengal, brought about the above Act creating a City Corporation in Calcutta consisting of 72 members, of whom 48 were to be elected and the rest nominated. It thus took more than one and a half-century for initiating the first representative local government in the city of Calcutta in real sense of the term. This, however, made the British residents and the European mercantile community hostile. They forced the Government to substantially modify the 1876 Act to provide for a) allocation of seats for the Bengal Chamber of Commerce and the Calcutta Trade Association and b) introduction of a system of plural votes with greater weightage to the wealthier sections of the community. The process of democratisation initiated by Sir Temple was further mutilated by Sir Alexander Mackenzie (the then Lt.
Governor) who replaced the earlier Act by the Act of 1899 which provided for a strong executive and an effective representation of the European mercantile community. This annoyed the non-European commissioners and there were vehement protests. 28 commissioners led by Sir Surendra Nath Banerjee resigned in a body. Later, on becoming the first Minister-in-Charge of Local Self-Government, Sir Banerjee pushed through a draft bill in the Bengal Legislative Council which became the Calcutta Municipal Act 1923. This Act radically reformed the city government of Calcutta. The Corporation of Calcutta was constituted by this Act with 90 councillors and 5 aldermen all of them elected. The most notable change was the restoration of the Corporation as the supreme authority over the municipal affairs. The 1923 Act was in operation for 25 years. The process of municipalisation in Bengal outside the Presidency town of Calcutta was not much different. The first such municipal legislation was enacted for the Bengal Presidency in 1842 for the purpose of making better provisions related to public health and convenience. This legislation provided for a municipal committee in a town if two-thirds of the town's households applied for it. This Act, however, could not be enforced because of local people's unwillingness to pay for municipal services. There were subsequent attempts at municipalisation in 1850, 1856, 1864 and 1868. Towards the late 1860s there was increasing demands from the emerging Indian intellectuals for their participation in political and administrative institutions. The elite became vocal in demanding representative municipal institutions. Added to this was the attitude and initiative of some British administrators like Lord Mayo and Lord Ripon who were largely influenced by the political philosophy of utilitarianism and democratic liberalism. Lord Mayo's Resolution (1870) recognised local self-government as a conscious process of administrative devolution and political education. As a sequel, the Act of 1876 was legislated which consolidated the previous 4 legislation since 1850s and

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provided for election of two-thirds of the members of the Board. However, the major breakthrough in this regard was made in 1882, when Lord Ripon attempted to organise local level institutions on a comprehensive basis. The famous Ripon Resolution (1882) accepted the full liberal view of municipal government on grounds of spreading political education. It enunciated a comprehensive political philosophy, involving the transfer of power from the imperial level to the local representatives in all spheres, and with legal, administrative and financial implications. Local government began to be viewed as self-government. The spirit of this historic Resolution was reflected in the subsequent Bengal Municipal Act of 1884, which is regarded as the foundation of the present municipal legislation in West Bengal. It brought about fundamental changes in the structure, functions and responsibility of municipalities in Bengal. The Act, for the first time, required all the members of the Board to be elected and freed the municipality from the tutelage of the District Collector. It remained in force for about half a century till it was replaced by a new-municipal legislation – the Bengal Municipal Act 1932 – initiated by Sir Surendra Nath Banerjee and B.P. Singh Roy. This Act continued to govern the municipalities even after independence. With subsequent amendments from time to time, it was in force till recently when a new legislation for West Bengal municipalities was enacted in 1993.4

In spite of all these attempts at municipalisation, the urban government institutions in Bengal which came into being during the colonial rule represented in general the examples of local government from the top and were not fully representative and self-governing in nature. Born out of imperial needs to mobilise local resources by utilising local elite support and to create opportunities for political participation of the educated elite, municipal government in India had grown up amidst a profound conceptual dilemma. What emerged was a toddling grassroots democracy closely supervised by the overbearing imperial bureaucracy.

Post-independence

With the achievement of Independence, it was expected that the urban local government institutions were to be completely restructured and overhauled. The dilemma of the British Raj in constituting representative form of local institution was understandable in that, they were apprehensive of the impetus that it could provide to the demand for the local self-government by the 'natives'. What is intriguing is that, this attitude did not wane even long after Independence. Unfortunately, in spite of the repeated pronouncement of our nationalist leaders, the idea of 'democratic decentralisation' was not given sufficient attention and the urban local bodies were not assigned rightful place in the governance of the country. Since the larger battle for democracy had been won, the tendency had been to concentrate more on higher level governments than on the grassroots institutions. The Constitution of India recognised only two tiers of government: one at the union and the other at the state level and had no place for municipal government as such. Local government has been mentioned as an item for legislation by the state governments in pursuance of the entry in item No. 5 of the State List in the Constitution. Apart from this, there was hardly any prevision in the Constitution that guaranteed the rights and powers of local authorities so that they would find place as one of the tiers in the overall scheme of governance of the country. Since independence, no comprehensive attempt was made for the rejuvenation of urban local bodies as self-governing institutions. Such an apathy and neglect on the part of the framers of the Constitution and the policy-makers towards urban local bodies prevented their healthy growth during the post-independence days. In the absence of constitutional recognition and a comprehensive initiative on the part of the national government, the fate of the urban local bodies depended largely on state government. Legally speaking, municipal government in post-independence India was to become the creation of state legislatures. There was no hard and fast rule about the area, powers and functions, financial resources and autonomy of municipal governments. All these depended upon concerned state legislation and therefore, varied from state to state. As a result, no uniform pattern of urban local government could develop. The only unfortunate uniformity was found in the reluctance of the state
governments in devolving powers to the local level and creating autonomous self-governing urban local bodies. Excessive state control and repeated acts of supersession of the local bodies by the state governments became a general feature of urban governance in the post-independence period. And West Bengal was no exception to this.

Immediately after independence, the state government stepped in to take over the management of the Calcutta Corporation from the elected elements. Amongst serious allegations of maladministration and mismanagement, the government in March 1948 superseded the Corporation. Later, the Calcutta Municipal Act 1951 came into operation. The Act provided for three coordinate authorities – i) The Corporation, ii) The Standing Committee and iii) The Commissioner. The Corporation was to act as the deliberative wing with Mayor as its presiding officer, the policy-making powers being distributed among the five standing committees and the executive power being vested in the Commissioner. This Act, however, was not much different in spirit from the earlier ones so far as democratisation was concerned. By vesting all executive powers and authorities in the state-appointed Commissioner, it paved the way for bureaucratic control over the elected local government. The Mayor was left only to preside over the deliberations in the Council. The story of the corporation government in Calcutta for about three decades since the 1950s was that of a constant friction between the Commissioner and the Corporation. Due to fragmented structure and splintering of authority, the needs of the city as a whole, its planning for development, attention to mobilisation of resources and enlisting of active popular support for civic development seemed to be nobody's concern. The plight of the other towns outside Calcutta in West Bengal was no less. The Bengal Municipal Act 1932, which governed the municipalities, ignored the issue of full-fledged decentralisation of power to the local level. The Act made only one function of the municipality – 'conservancy' – as obligatory and listed some others as

discretionary. This, by implication, gave prerogative to the state government to play with the municipal functional domain to its convenience, which in effect ensured full state control over the municipal bodies. Such control was further strengthened by wide regulatory powers vested in the District Magistrate. From independence till the late seventies, there had been no visible urge in West Bengal for reorienting the dated 1932 Act towards promotion of democratic form of local institutions in the real sense of the term. No election was held in the municipalities since the mid 1960s for a period of about 15 years and the urban local bodies lost their representative character: It was only in the late 70s that initiatives were consciously taken for decentralisation and democratisation of local institutions in West Bengal. That was the beginning of a new era.

The New Era

After the change of guard in state administration in 1977, sincere attempts were made to rejuvenate and revitalise the urban local self-government institutions. The undemocratic authority structure and centralised power related to urban development at the state level were antagonistic to the pronounced policy of the state government that came into power in 1977. As a result, a new Calcutta Municipal Corporation Act, 1980 was enacted. With the adoption of this Act, the erstwhile Corporation of Calcutta emerged as the Calcutta Municipal Corporation having all the attributes of a full-fledged civic government. The Act provided for, among other things, a ‘Mayor-in-Council’ to be responsible for the administration of the civic body. It created three authorities — the Corporation, the Mayor-in-Council and the Mayor. The Commissioner was to function under the supervision and control of the Mayor. The Mayor-in-Council is collectively responsible to the Corporation. The Corporation consists of all the elected councillors from the wards. The Act separated the ‘deliberative’ and ‘executive’ wings of the city government. This, in fact, ushered in a cabinet system of government for the city of Calcutta. The state of West Bengal can be regarded a pioneer in this respect. Under this Act, fresh election was held in mid-1980 in the Calcutta civic body after a long gap and its representative character was revived.
Changes were also noticeable during the post-1977 period in the governance of the municipalities outside the Presidency town of Calcutta. There were conscious efforts at decentralisation of urban development responsibilities at the municipal level. Some major amendments were made in the Bengal Municipal Act 1932 which provided *inter alia* for reduction in voting age from 21 to 18 years; creation of a Directorate of Local Bodies; secondment of four key municipal officers to each municipality at government expenses; and a progressive property tax structure. Elections to the municipalities were being held at regular intervals since 1981. Ultimately, the Bengal Municipal Act 1932 was replaced by a new legislation – The West Bengal Municipal Act 1993. This Act, passed in the West Bengal Legislature, came into force in July 1994. As amended till date, it governs all the municipalities in West Bengal at present. The town of Medinipur also has a municipality as its local government institution. Naturally, the pattern of urban government in the town has been in accordance with the overall structure of municipalities both before and after the enactment of the new legislation. The new arrangements provided for in the Act of 1993 has also been introduced in case of Medinipur Municipality. We, therefore, will look into some detail at the changes made in respect of municipal governance in West Bengal by the new Act. It may not be out of context to note that a large majority of urban local bodies in West Bengal are municipalities. However, at present there are also two other types of such bodies in the state. Let us briefly look at this typology.

Types of Urban Government in West Bengal

At present there are three types of urban local bodies in the state – i) Municipal Corporations, ii) Municipalities and iii) Notified Area Authorities. Till date, there are 122 such bodies of which 6 are Municipal Corporations (Calcutta, Howrah, Chandannagar, Asansol, Siliguri and Durgapur), 2 Notified Area Authorities (Mirik and Cooper’s Camp) and 114 Municipalities. The Municipal Corporations are governed by respective Municipal Corporation Acts. The Municipalities and the Notified Areas are governed by the West Bengal Municipal Act 1993. As mentioned earlier, the Calcutta Municipal Corporation Act 1980
came into force in mid-80s and ushered in the 'Mayor-in-Council' system of urban governance. The Howrah Municipal Corporation Act followed suit. Four separate legislation for the rest of the four Municipal Corporations has been enacted during the 90s. The cabinet system in city government, which started in Calcutta, was thus extended to other five large towns in the state. These Acts have effectively established the division of the policy-making and executive powers amongst the functionaries of these local self-governments, following the doctrines handed down in the Constitution of India.

Among the three types of urban local government institutions in West Bengal, Municipal Corporations are meant essentially for bigger towns where civic problems acquire a high degree of complexity. A Municipal Corporation is set up under a special statute passed by the state legislature. Municipal Corporations vary considerably both in terms of population and resources. Municipalities are constituted in smaller urban areas where the density of population is not less than 750 inhabitants per square kilometre; more than one-half of the adult populations are chiefly engaged in non-agricultural vocation; and which contains a population of not less than 20,000. A municipality is formed for urban areas where demand for civic amenities by urban dwellers becomes pressing but at the same time the civic problems have not grown too complex warranting handling by a municipal corporation. A Notified Area Authority is set up for newly developing industrial urban areas which do not qualify in all respects for being constituted as a municipality in the immediate present but at the same time having many of the common urban problems and requiring municipal facilities. The state government by an order notifies its formation in the Government Gazette – hence it is known as Notified Area Authority. It is entirely a nominated body generally consisting of not less than five and not more than nine members. The state government may at any time transform a notified area into a municipality or include the notified area or any part thereof within a municipality. In recent years a number of such notified area authorities have been converted into
municipalities in West Bengal. This process of gradual municipalisation of newer rural areas in West Bengal has been in tune with the overall policy of the state government to direct urban growth toward alternative centres in space during the last decade.

Municipal Reforms and the 74th Amendment

The new outlook and initiative in West Bengal towards urban self-government since the late 70s resulted, first, in revamping the city government of Calcutta by introducing the 'Mayor-in-Council' system (first in India) and subsequently, extending the cabinet system of urban government to other areas. The enactment of the West Bengal Municipal Act 1993 — which has created the 'Chairman-in-Council' system in municipalities — was also the result of this process. All these were sincere attempts at municipal reform. And the state of West Bengal can be regarded as a pioneer in this respect.

As noted before, the pious hope that attainment of independence would usher in a truly representative urban local government system in India was belied. Urban local bodies substantially declined over the years due to their undefined role, leading to systemic erosion in the municipal functional domain, inadequate resource base and pervasive state control. The absence of a national urban policy even after independence and the indifferent attitude and prolonged neglect by state governments made the urban local bodies static organisations which were not in a position to deal with the growing demands for civic services and amenities. As a result of the sorry state of affairs, the debate to reform and empower the municipal bodies has ensured ever since the 1950s. Several committees and commissions were set up to review the working of urban local bodies and to recommend remedial measures. However, their suggestions and recommendations were not of much effect as those have been seldom adhered to seriously and sincerely by

governments at the state and national level. And the plight of urban self-governing institutions in India has continued over the years. Ultimately a positive step was taken for rejuvenating the urban local bodies in 1989 by the then government at the Centre. The 65th Constitution Amendment Bill was introduced in the Lok Sabha in August 1989 with a view to give power to the people at grassroots and to strengthen the urban local government. The bill was based on the consensus emerging from threadbare discussions at the conferences of municipal officers, chief ministers and conventions of elected representatives of municipal bodies (Nagarpalika Sammelans) held in different parts of the country during 1988-89. It was passed in the Lok Sabha but failed to get the required majority in the Rajya Sabha and, therefore, could not be enacted. After the 1989 general election, political uncertainties followed resulting in a fluid situation and nothing positive could happen in respect of the said legislation. There was a fresh attempt by the Congress (I) government which in 1991 introduced the Constitution (73rd Amendment) Bill in the Lok Sabha with a view to reform and rejuvenate the urban local bodies. This ultimately became the Constitution (74th Amendment) Act, 1992. The 74th Amendment was thus the culmination of a prolonged debate for devising a democratic and empowered system of municipal government in India.

The said Amendment has been historic in ensuring, for the first time since independence, a constitutional recognition of municipal government in India. The Constitution of India, as a result of this amendment, now provides for the constitution of three types of institutions of urban self-government. A new part – Part IX-A – has been inserted in the Constitution containing Articles 243(P) to 243(ZG). Article 243(Q) states that there shall be constituted in every state –

a) a Nagar Panchayat (by whatever name called) for an area which is in transition from rural to urban;

b) a Municipal Council for a smaller urban area; and

c) a Municipal Corporation for a large urban area.
The Amendment Act ushered in a uniform pattern of urban governance in the country. According to this Act, the municipal authorities are to be constituted of the elected representatives who are to be directly elected from the different territorial constituencies known as wards; persons having special knowledge or experience in municipal administration; the members of Parliament and state legislature representing constituencies which comprise wholly or partly the municipal area; and the chairpersons of the committees of the municipal authorities. The Act also provides for the formation of Ward Committees, consisting of one or more wards, within the territorial area of a municipality having a population of three lakhs or more. This is an indication of a positive attitude towards further decentralisation of power to the grassroots. The Act makes provisions for the reservation of seats in every municipal body with a view to empower the women and the weaker sections of society. Besides dealing with the structure and composition, the Act encompasses three other broad areas – powers and functions, planning and finance – of the functioning of the urban local bodies.

Under the Nagarpalika Act (1992), municipal government is no longer viewed only as a civic body responsible for delivering some common and day to day public services. Rather, they have now been entrusted with much greater responsibilities in matters of overall social development, thus broadening their functional domain. The Act proclaims for such powers and authority for the urban local bodies so as to enable them to function as institutions of self-government. It prescribes specific responsibilities for these bodies to prepare plans for economic development and social justice in respect of matters listed in the newly added XIIth Schedule of the Constitution. Some of these are, for example, urban planning including town planning, public health, urban forestry, protection of the environment, safeguarding the interests of the weaker sections of the Society, slum improvement, promotion of cultural, educational and aesthetic aspects and so on.

A municipal body can successfully carry out its duties and responsibilities when, among other things, it possesses a sound financial resource base. The said
Amendment Act took a sincere note of this need and delved into the arena of municipal finance. The Act suggests that besides grants from the state governments, municipal bodies are also to be assigned the revenue of certain taxes and be permitted to collect and retain revenue it raises. A redeeming feature of the 74th Amendment in financial sphere is the mandatory constitution of Finance Commission by the state governments once in every five years. The Act bestows upon the State Finance Commission the task to review the financial position of the municipalities and determine the principles on the basis of which adequate financial resources may be ensured for them.

Development presupposes the need for adequate planning and successful implementation of the same. If the urban local bodies are entrusted with the overall responsibility of development from below, it also must have a due share and a right to participate in the planning process. The 74th Amendment thus makes provision for the representation of municipal bodies in the Committee for District Planning and ensures their participation in the formulation and implementation of district plans. It also provides for Metropolitan Planning Committee for a metropolitan area to prepare draft plan for the area as a whole.

Another very important provision of the said Amendment act pertains to the municipal authorities' right to exist. Prior to this constitutional amendment, the state governments used their power of suspending or dissolving municipal boards liberally, mostly on political considerations and sometimes on technical-administrative grounds. In a superseded municipality, the administrator — an appointee of the state government — hardly took his job seriously and performed his duties mostly at the bidding of the state government. The Nagarpalika Act has sought to put an end to this practice, which was injurious to healthy municipal government. It has fixed a time of full five years for the municipalities. A municipality may be dissolved earlier but before dissolution a reasonable opportunity of being heard must be given to it. If superseded, fresh elections must be held within six months of such supersession and the freshly constituted body would continue only for the remainder of the term. The 74th Amendment Act thus heralded in a new era in the field of urban governance in India. It attempted to do
away with many of the weaknesses and shortcomings of urban local government in a comprehensive manner. The state governments have been directed to reform and remodel the urban government institutions in their respective jurisdictions in accordance with the provisions incorporated and measure suggested in the Amendment.

The Government of West Bengal has been a pioneer in carrying out this task. As we have discussed earlier, the state government expressed a serious concern to revitalise the urban local bodies as early as in the late 70s and the city government of Calcutta was thoroughly restructured with the enactment of the Calcutta Municipal Act 1980. The cabinet system in urban government was thus first introduced in the country. The erstwhile Corporation of Calcutta emerged as the Calcutta Municipal Corporation with a genuine representative character, enlarged functional domain and financial resource base and more amount of autonomy. Similar legislation followed suit for other large towns in the state. The enactment of the West Bengal Municipal Act 1993 has been the latest in this process. This Act is completely in tune with the spirit and purpose of the 74th Constitutional Amendment. The Act, with subsequent amendments, today governs all the municipalities in West Bengal. The restructured and remodelled municipal government, according to this Act, is as follows.

The West Bengal Municipal Act 1993

This Act, passed in the West Bengal legislature, came into force in July 1994. As amended till date it governs the municipal bodies in West Bengal except the municipal corporations for which separate legislation already exists. The Act has closely followed the pattern of municipal governance as has been recommended in the 74th Amendment Act in the spheres of structure, composition, powers and functions. planning, planning and finance of urban local bodies, which has already been discussed above.

The West Bengal Municipal Act states that the municipal authorities charged with the responsibility of carrying out the provisions of this Act shall, for
(a) the Municipality,

(b) the Chairman-in-Council, and

(c) the Chairman.

This essentially ushers in a cabinet form of municipal government in West Bengal.

The Municipality established for a town shall mean the 'Board of Councillors' charged with the authority of municipal government of the town. The councillors elected in a general election (or by-election) of a municipality shall constitute the Board of Councillors. It will also consist of persons having special knowledge or experience in municipal administration as may be nominated by the state government from time to time, provided they shall not have the right to vote in the meetings of the Municipality.

There shall be a Chairman-in-Council consisting of the Chairman, the Vice-Chairman and other members, the number of whom will vary from one to five depending upon the size and category of the municipal area. The Chairman from amongst the councillors of the municipality shall nominate the Vice-Chairman and other members. All executive powers of the Municipality shall vest in the Chairman-in-Council. The Chairman-in-Council shall be collectively responsible to the Municipality.

The Chairman shall be the executive head of the Municipality and the municipal administration shall be under his control. The Board of Councillors in its first meeting shall elect one of its elected members to be the Chairman. The Chairman shall allocate the business among the members of the Chairman-in-Council and shall preside over the meetings of the Chairman-in-Council as well as the Board of Councillors. The members of the Chairman-in-Council shall exercise such powers and perform such functions as may be assigned to them from time to time. The Vice-Chairman shall, during the absence of the Chairman for any
reasons whatsoever, discharge all the duties and exercise all the powers of the Chairman unless otherwise expressly directed by the Chairman.

To further decentralise the working of the municipal government, the Act provides for constitution of Ward Committee and Borough Committee. Each ward of a municipality may have a Ward Committee. The composition and functions of the Ward Committee shall be such as the state government may determine. The councillor elected from a ward shall be the Chairperson of the Ward Committee for that ward. Every municipality having a population of three lakhs or more may group the wards of the municipality into five Boroughs so that each Borough consists of not less than six contiguous wards and constitute a Borough Committee for each Borough. Each Borough Committee shall consist of councillors elected from the wards constituting the Borough. The members of each Borough Committee shall elect from amongst themselves one member to be its Chairman who shall not be a member of the Chairman-in-Council. A Borough Committee shall, subject to general supervision and control of the Chairman-in-Council, discharge within the local limits of the Borough such functions of the Municipality as the Municipality may require it to discharge. The Board of Councillors may also, from time to time, appoint a Special Committee to perform such specified functions or conduct such inquiries or undertake such studies including reports thereon, as may be contained in a resolution in that respect. Any person who is not a councillor but possesses special qualifications useful for the purpose of such a committee may be associated therewith as its member. The state government may, if it so desires constitute a Joint Committee for more than one municipality or for one or more municipalities with other local authority/authorities for any purpose in which they are jointly interested or for delegating to it any power or function which calls for joint action.

Besides the elected people's representatives, a municipality consists of some permanent executive staff, which composes the municipal establishment. According to the West Bengal Municipal Act, 1993, a municipality may have the following officers — an Executive Officer, a Health Officer, an Engineer, a Finance Officer, a Medical Officer, a Security, an Office Superintendent, one or
more Sub-Assistant Engineer, one or more Sanitary Inspector, a Head Clerk, a
Head Assistant, an Accountant, a Surveyor, a Draftsman and such other officers
as may be designated by the state government in this behalf. The state
government may by order reduce the number of such posts or redesignate any of
the aforesaid posts in respect of any municipality. The Act provides for the
constitution of a cadre of common municipal service and a Municipal Service
Commission by the state government in respect of the selection of the officers of
the municipal establishment. The positions of the Executive Officer and the
Finance Officer are very significant in the municipal organisation. According to
the Municipal Act (1993), the Executive Officer shall be the principal executive
officer of the Municipality and all officers and other employees shall be
subordinate to him. He may be required to be present at a meeting of the
councillors or of any committee by the Chairman to make a statement or to
explain facts, but he shall not vote for or against or make any proposition at such
meeting. Subject to the supervision and control of the Chairman, the Executive
Officer and the Finance Officer will exercise such powers and perform such
functions as may be notified by the state government from time to time.

The West Bengal Municipal Act (1993) has, in pursuance of the XIIth
Schedule of the Indian Constitution, also extended the functional domain of the
municipalities to incorporate a long list of obligatory and discretionary functions.
These include public works, public health and sanitation, town planning and
development, education and administration. Such obligatory functions of a
municipality include water supply for public and private purposes, sewerage and
drainage, street lighting, solid waste disposal, slum improvement, surveys of
buildings and lands, registration of births and deaths, protecting public properties
in general and civic properties in particular, abatement of pollution of all kinds
and so on. A municipality may at its discretion provide either wholly or partly for
the following matters, among others, within the limits of the municipal area—relief
works in times of famine, flood or earthquake; construction and maintenance of
old age homes and orphanages; establishing and maintaining preprimary schools;
promotion of cultural activities; civic reception to persons of distinction;
reclamation of waste lands and promotion of social forestry and liberation and
rehabilitation of scavengers and their families. To produce positive results, decentralisation of functions and responsibilities need to be matched by availability of enough non-Plan and Plan resources in the urban local bodies. The state government in West Bengal has taken some positive steps to strengthen the financial position of the municipalities. New avenues of income have been explored and the quantum of financial assistance has been raised with a view to make the local bodies financially viable. With this aim, the state government appointed two Municipal Finance Commissions – the first in 1979 and the second in 1991 – which in their comprehensive reports made significant recommendations for improving the financial conditions and fiscal management of the urban local bodies.

The West Bengal Municipal Act (1993) has been amended subsequently in 1994 and 1995 to provide for the empowerment of the weaker sections of the society and women by reservation of seats in the municipalities, constitution of the State Election Commission and other matters. The Act presently provides for reservation of seats for Scheduled Castes (SC) and Scheduled Tribes (ST) in every municipality in the same proportion of the total number of seats as is the SC and ST population to the total population of the area of a municipality. Not less than one-third of the total number of seats reserved for SC and ST shall be reserved for women belonging to the SC/ST. Moreover, not less than one-third (including the number of seats reserved for women belonging to SC and ST) of the total number of seats to be filled by direct election in the municipalities shall be reserved for women. By implication, more than one-third of the total number of seats in a municipal council shall be reserved for SC, ST and women. The Act further states that the office of the Chairperson of a municipality shall be reserved for a women or for a SC/ST candidate for the first term if at least fifty per cent of the total number of elected members are women or belong to the SC and ST communities. The last municipal election held in West Bengal in 1998 has, for the first time, incorporated the above changes and the municipalities have been formed accordingly. The total electoral process has been conducted under the overall supervision of the State Election Commission. All the municipalities in West Bengal today are governed by the West Bengal Municipal Act (1993) as amended.
till date. The legal-institutional structure of Medinipur Municipality thus, naturally, conforms to the pattern laid down in the said Act.

Medinipur Municipality: A Brief History

During British rule, an European official was stationed at Medinipur in 1777 as Commercial Resident and the town was first officially declared the headquarters of Medinipur district in 1783. The British imperial power set up a Sadar Panchayat and later, a Poura Samiti for the sake of their administrative convenience. These bodies were totally nominated in nature. The members were nominated by the District Magistrate. There was no elected element. However, some great personalities of the time – such as Rishi Raj Narayan Basu, Darasatullah, Jamnjenay Mallick, Brajo Nath Bhaduri – served the Poura Samiti as its members. There were 3600 households and only 4 tax collectors and tahsildars in the town. The town was first municipalised in 1865 when Medinipur Municipality was established. The municipal jurisdiction consisted of five wards covering an area of 10.36 sq. km. The first census of the town, taken in 1871, accounted for a population of 31,491 persons. Some eminent personalities and nationalist leaders in the district -- Deshapran Birendra Sasmal, Bipin Behan Ghosh, Upendra Nath Maity, Kishoripati Roy and others – served this municipality as its members. During this time, the habitation in the town was mainly concentrated to its southern side. The other areas were full of forests and agricultural lands. During the post-independence period the town grew rapidly engulfing further areas within the municipal jurisdiction. At present, the municipality comprises of 21 wards covering an area of 18.13 sq. km. with a population of around 1,50,000 people.

As we have discussed earlier in this chapter, the municipal bodies in West Bengal passed through a sorry state of affairs in the post-independence period due to lack of effective decentralisation of power, apathy of the state government towards urban local bodies, excessive state control and supervision and non-holding of municipal elections since mid-60s for about a period of fifteen years. Medinipur municipality experienced the same plight. Due to fragmented structure
and splintering of authority, as envisaged by the Bengal Municipal Act (1932), the needs of the town as a whole, its planning for development, attention to mobilisation of resources and enlisting of active popular support for civic development seemed to be nobody's concern. Since the constitution of the municipal board in Medinipur in 1969, there was no fresh municipal election till 1981. In 1981, the municipal elections were held in Medinipur town and also in 86 other municipalities in the state. For reasons more than one, this municipal poll was quite significant for West Bengal as well as the town of Medinipur.

**Municipal Election 1981**

Never before in West Bengal had municipal elections been held simultaneously in so many towns as in 1981 — elections were conducted in as many as 87 out of 96 municipalities in the state. Of the municipalities left out of this poll some were newly established where no election was due in 1981. In some other, election could not be held owing to pending court cases and other local problems. Up to 1964, municipal elections in West Bengal were held on the basis of restricted franchise. In 1981, for the first time, universal adult suffrage was introduced in municipal polls and the qualifying voting age was reduced from 21 years to 18 years. This municipal poll in 1981 was held on the principle of formal recognition of political parties under the West Bengal Municipal Election Rules. The ideology of 'partyless democracy' at the local level, advocated by some veteran politicians of the state, was thus rejected as a matter of policy by the state government run by the Left Front. This largely contributed in making this municipal poll a political event.7 The ruling Left Front and its allies were primarily opposed in this poll by a combination of small political parties led by the Janata Party and also separately by the Bharatiya Janata Party (BJP) and the Socialist United Centre (SUC). The Congress (I), the then major opposition party in West Bengal, boycotted the municipal election on grounds of alleged manipulations in the electoral roll. However, some of its members and supporters contested in their individual

capacity in a number of constituencies as 'Independent' candidates. The contesting political parties were enthusiastic enough to take this opportunity of state-wide municipal poll primarily for two reasons: first, capturing the seats of urban government would help build up the party base in urban areas, and secondly, contesting the municipal elections in mid-1981 would provide an opportunity of some sort of an electoral rehearsal for the next State Assembly election which was due in 1982. The Left Front and its allies were in clear majority in 68 out of 87 municipalities. They won in 925 seats as against 564 captured by the non-left parties. The Front performed much better in the state's industrial urban belt, whereas the non-left combination scored well in non-industrial urban areas such as Medinipur, Krishnanagar, Malda, Arambagh and others.

In the municipal election in Medinipur town in 1981, no political party could get single majority and form the municipal board on its own right. A mixed board was constituted comprising a number of political parties. It could not function effectively due to conflicts and rivalry between the constituent elements. Uncertainty, instability and anarchy continued. Ultimately, the state government dissolved the Municipal Board on 1 August 1985 and the then Sub-Divisional Officer (SDO) of the District was appointed as Administrator. Subsequent elections in Medinipur Municipality were held in 1988, 1993 and 1998.

The Legal Framework

As referred to earlier in this chapter, the legal-constitutional structure of Medinipur Municipality conforms to the general pattern of municipal administration in West Bengal. The Bengal Municipal Act (1932) governed all the municipalities till recently, when it was replaced by the West Bengal Municipal Act (1993). Since 1980 till the formation of the last Municipal Board in Medinipur

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in 1998 – the period covered in the present study – the town has had four elected municipal governments. Of these, the municipal authorities formed by the elections held in 1981, 1988 and 1993 followed the structural pattern as envisaged in the Bengal Municipal Act (1932). The said Act provided for three 'authorities' in the municipality – (a) the Municipality, i.e. the body of ward commissioners who are popularly elected and constitute the municipal board, (b) the Chairman, who is elected by the commissioners and (c) the Executive Officer. The charge of municipal government was bestowed on the collective body of commissioners and the municipal board was empowered to act as the sole repository of all statutory authority of the municipality. The 1932 Act made the 'commissioners at a meeting' the supreme authority in municipal affairs. This was essentially a policymaking or legislative body, but the intention of the legislation was to see this body also in an executive role on certain occasions. The Chairman normally exercised the executive powers vested in the elected commissioners as a collective body. gave effect to their will and remained accountable to them. The management pattern visualised under the 1932 Act resembled the 'weak mayor-council' pattern of municipal government.9 The West Bengal Municipal Act 1993, passed in the state legislature, came into force in July 1994. The Act essentially ushered in a cabinet form of municipal government in West Bengal by introducing the 'Chairman-in-Council' system of urban governance. The term of Medinipur Municipal Board, which was constituted after the 1993 municipal poll in the town and followed the structural pattern provided in the erstwhile Bengal Municipal Act (1932), expired in 1998. Fresh (and the last till date) election for Medinipur Municipality was held on 12 July 1998 following the provisions of the new municipal legislation (1993 Act) and the municipal body has been constituted accordingly. According to this Act, the municipal authorities for Medinipur town at present are as follows:

a) the Municipality
b) the Chairman-in-Council, and
c) the Chairman.

The Municipality established for the town means the 'Board of Councillors' directly elected by the people in the municipal election from different municipal wards. The present Board of Councillors in Medinipur consists of 24 such elected councillors. Prior to the 1998 civic poll, 3 larger wards out of the existing 21 were further bifurcated for administrative expediency to result in a total of 24 municipal wards in the town and one councillor from each ward was elected to form the Board. Following the provisions of the 1993 Act regarding reservation of seats: 8 out of the total 24 seats in Medinipur Municipality have been reserved for Scheduled Caste/Scheduled Tribe and women candidates. Out of these 24 seats, the Left Front has captured 10. The remaining has been won by a combine of three political parties—the Congress(I), the Bharatiya Janata Party (BJP) and the Trinamul Congress (TMC). These three formed an electoral alliance in the civic poll against the Left Front. The number of seats occupied in the present Board by Cong(I), BJP and TMC individually are seven, one and six respectively.

The present Chairman-in-Council in Medinipur civic body consists of the Chairman, the Vice-Chairman and three other members. The Vice-Chairman and the three members have been nominated by the Chairman from amongst the elected councillors of Medinipur Municipality. Usually the numbers of such members vary from one to five, depending upon the population size category of the municipal area. Medinipur town's present population criterion entitles it to have three such members. All executive powers of Medinipur Municipality vest in the Chairman-in-Council. The Chairman-in-Council is collectively responsible to the Municipality. The Chairman is the executive head of the Municipality. In accordance with the provisions of the 1993 Act, the Board of Councillors in its first meeting has elected one of its elected members to be the Chairman. The Chairman allocates the business among the members of the Chairman-in-Council and presides over the meetings of the Council as well as the Board of Councillors. To further decentralise the working of the municipal government, the Act of 1993 provides for constitution of Ward Committee and Borough Committee. In pursuance of this provision, the Medinipur Municipality has taken the initiative to constitute ward committees in the municipal wards. The composition and
functions of the ward committee shall be such as the state government may determine. In Medinipur, such committees are at present gradually being formed and yet to develop as an essential institutional structure of municipal governance. Every municipality having a population of three lakhs or more may group the wards of the municipality into five Boroughs and constitute a Borough Committee for each of them. As the present population of Medinipur town is much less than three lakhs, it is not entitled to have such Borough Committees.

The Policymakers

The elected representatives in the Board of Councillors constitute the policy-making authority for the city government. Till recently 21 and at present 24 such people's representatives are in charge of the municipal government in Medinipur town. As stated earlier, we would like here to have an overall sketch of the socioeconomic profile of the policy-makers. During 1980-1998, three elected municipal boards functioned in the town of Medinipur. The board formed by the 1981 municipal poll had 19 elected ward commissioners, (as the 'councillors' was then called) one each from the total of 19 wards of the town. The next board constituted in 1988 consisted of two more elected representatives to make the total number 21. This was to accommodate two ward commissioners from the two newly constituted municipal wards which were by then added to the municipal jurisdiction of the town. The 1993 Municipal Board had the same number of commissioners. The present municipal authority formed by the last municipal general election held in the town on 12 July 1998 consists of 24 councillors (the ward commissioners have been such renamed following the West Bengal Municipal Act 1993) — one each from the 24 wards of the town (as two larger wards were further subdivided in 1998 to make the total number of wards into 24).

We, for the purpose of our study, collected background data for 30 such elected representatives spread over all the four municipal boards. Information about their age, occupation and level of education were sought by interviewing the commissioners/councillors. The data so gathered are presented in Table 4.1.

A majority of the total number of councillors belonged to the middle-age group. Those in the sixty plus age group are the lowest in number. It seems that the
middle aged are more involved in active politics than the younger and the elderly ones.

Table 4.1 Age-group Classification of Councillors in Medinipur Municipality

<table>
<thead>
<tr>
<th>Age Group</th>
<th>No. of Councillors</th>
<th>cent of Total Number (N=30)</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 yrs.-39 yrs.</td>
<td>6</td>
<td>20.0%</td>
</tr>
<tr>
<td>40 yrs.-49 yrs.</td>
<td>10</td>
<td>33.3%</td>
</tr>
<tr>
<td>50 yrs.-59 yrs.</td>
<td>9</td>
<td>30.0%</td>
</tr>
<tr>
<td>60 yrs. and above</td>
<td>5</td>
<td>16.6%</td>
</tr>
</tbody>
</table>

Source: Data gathered from personal interview of the Councillors.

The elected officials in the municipality have generally represented a cross-section of the city people. The occupational variations of the councillors, as presented in table no. 4.2, clearly reveals that.

Table 4.2 Classification of Councillors according to Occupation

<table>
<thead>
<tr>
<th>Occupation</th>
<th>No. of Councillors</th>
<th>Per cent of Total Number (N=30)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Businessmen</td>
<td>8</td>
<td>26.61%</td>
</tr>
<tr>
<td>Full-time party workers</td>
<td>10</td>
<td>33.30%</td>
</tr>
<tr>
<td>Teachers</td>
<td>6</td>
<td>20.00%</td>
</tr>
<tr>
<td>Doctors</td>
<td>2</td>
<td>6.60%</td>
</tr>
<tr>
<td>Retired Government Employees</td>
<td>4</td>
<td>13.30%</td>
</tr>
</tbody>
</table>

Source: Data gathered from personal interview of the Councillors.

It is found that 10 out of 30 Councillors (amounting to 33.3%) are political partymen who have taken up politics as a full-time vocation. Those in the business sector make up for the second major component (26.6%). The rest of the councillors comprise of teachers, doctors and superannuated government employees. The town of Medinipur has always been a centre of active politics since the pre-independence period. Electoral politics today essentially involves
political parties. Since the late 70s West Bengal has done away with party-less democracy at the local level — both urban and rural. Municipal polls in the state have since been largely occasions for competing political parties to test their strengths. And Medinipur town is no exception. Political parties today get directly involved in municipal elections with the aim of capturing the seat of power in the city hall. No wonder then that in a particular city or town (as we see in case of Medinipur) full time political party workers would take active interest in local politics and comprise a large section of the elected people’s representatives. Medinipur town is primarily an administrative-cum-trading centre. The business community comprises a major share of the town’s population. Perhaps the urge for representing the business interest in city administration is one vital reason why the businessmen — both big and medium — have been taking active parts as policy-makers in the municipal authority.

As regards the educational background of the city managers in Medinipur, fifty per cent of them (15 out of 30) are graduates, while around twenty-seven per cent (8 out of 30) have post-graduation degrees. The rest have passed just the secondary school examination. Thus, 23 out of the 30 councillors are reasonably educated and are expected to be quite knowledgeable in matters of city governance. The data regarding the level of education of the councillors is presented below in a tabular form.

**Table 4.3 Level of Education of the Councillors**

<table>
<thead>
<tr>
<th>Educational Background</th>
<th>No. of Councillors</th>
<th>Per cent of Total Number (N=30)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secondary Passed</td>
<td>7</td>
<td>23.3%</td>
</tr>
<tr>
<td>Graduates</td>
<td>15</td>
<td>50.0%</td>
</tr>
<tr>
<td>Post Graduates</td>
<td>8</td>
<td>26.0%</td>
</tr>
</tbody>
</table>

Source: Data gathered from personal interview of the Councillors.

This socio-economic profile of the councillors in Medinipur Municipality gives us a general idea about who the policy-makers are in the city government of Medinipur. The social composition of the four municipal boards in the town since
1981 has remained more or less the same. The city fathers have generally been with a middle class social background, educated and mostly having party political affiliations. As we have stated earlier in this chapter, the nature of functioning of a city government depends, among other things, to a large extent on the legal-institutional structure of governance and the quality and efficiency of those in charge of policy-making. The local government in a city or town is to look after the day-to-day basic civic needs of the people and also to work for overall development of the urban area aimed at promotion of good life. To comprehend how a particular elected urban local government — a municipal corporation or a municipality — performs this task, one must also analyse the way it responds to people’s demands and interests and allocates their values through its policy-decisions. But before that, we should first try to locate what these demands and interests are — in short, what constitute the major issues of urban policy-making in a particular town or city. In the next chapter we, therefore, attempt to find out the major issue-areas of urban governance in Medinipur town.