CHAPTER 3

DEVELOPMENT OF LOCAL GOVERNMENTAL INSTITUTION IN INDIA
Chapter – 3

DEVELOPMENT OF LOCAL GOVERNMENTAL INSTITUTION IN INDIA

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Chapter – 3
Development of Local Governmental Institution in India

3.1 Introduction:

The present research is based on the political participation of women in the Urban Local Government area; so it becomes essential to understand the meaning and the development of Local Government. Therefore, in present chapter the study of Local Government institutions in India will be done. While reviewing the Indian Local government Institutions the discussion will be done about their meaning, definition, Local Self Government in ancient times and British era. It will also discuss on development steps of Local Government Institutions in India after independence.

3.2.1 Meaning of Local Self Government Institutions:

Local Self Government Institutions are referred by different names in different countries. In France they are called as ‘Local Administration’ and in America they are known as ‘Municipal Administration.’ In India, before freedom mean in British rule Local Self Government Institutions were called as ‘Local Self Government’, but after independence in India it called as ‘Local Government’. “Acharya Harshvardhan and Varma Ravi (2001) mentioned it as a Local Government and Municipal Administration in Lok Prashsan Kosh.”

Local Government Institutions are established in the country for the specific area of villages, Talukas, districts and cities. These are established on the basis of national or state government laws. An urban and rural Local government is established through these institutions. The main role of these Local Government institutions is to provide a needy things and facilities to the people in that particular area as well as to develop that area. In these institutions a direct and active involvement is created by public. To solve the problem of society efficiently at local level, to emergence of local leadership and to bring out more and more participation of people in the government are the main purposes behind the establishment of such local government institutions. “Such Local Government
Institutions are established on the basis of the principles of the decentralization of the power.\(^{(2)}\)

Though these local government institutions are established on the principle of democratic decentralization, but they have to govern as per the laws made by state legislative assembly. “They don’t have any constitutional status and dignity. So state government can dissolve them at any time or can give the responsibility of this institution to the officer appointed by government, if necessary these institutions can also suspended.”\(^{(3)}\)

**3.2.2 Definition of Local Government Institutions:**

While defining the local government institution, L.Goulding says that “Local Government means to manage the local issues related to local public by themselves.”\(^{(4)}\)

According to I. Jeening “In general local government is not only for the local level, but it is also responsible for the upper government.”\(^{(5)}\)

Dr.Ashrivadam says that “Local Government Institution is one such a government institute which is established by the laws of Central Government where the representatives elected by the people from a particular area who works for the welfare of public within the threshold of the power given to them.”\(^{(6)}\)

According to Carl Fredrick “Autonomous Government is such an administrative management on a local society which is regulated by the rules of management and it is active until it is representing the government.”\(^{(7)}\)

Besides these John clerk defines the local government institutions as “Local Government is the part of a Central Government or State Government which is established as per the needs of the local citizens by giving the work responsibilities on the local representatives if necessary. But this local government is controlled by central government.”\(^{(8)}\)

From all the above definitions, it is observed that, local government institutions are for the local people and for their development. “It is the government which is limited to the particular village or Taluka or city or any specific area in the same nation.”\(^{(9)}\) And the “”Origin of these institutions is as per the desire of the state government which is expressed in the form of laws.”\(^{(10)}\)
3.2.3 Importance and Characteristics of Local Government Institutions:

It is seen that, the decentralization of power is getting more importance for reinforce and mature democracy in modern era. It is also observed that, for achieving the all-round development of all and to reduce the stress, liabilities from state and central government decentralization gets more importance in many nations. Local Government Institutions are getting more importance in this process of decentralization, because through decentralization; of power it is the responsibility of local government institutions to achieve the complete development of the local society and that particular area. Central Government and state government also implement different schemes through these local government institutions. Besides this, the political participation of people gets increased because they got the opportunity to involve in local government. Consequently a mentality like ‘It is our government and we are responsible for it’ is developed among the people and this tendency is extremely necessary to develop and to make the democracy strong, mature and stable. For this Huxley says, “It is necessary to decentralize the power and to establish a responsible local administration to build up a politically matured society.”(11)

If the liable local government is raised, democracy is developed as well as it increases the political participation of people. Besides it’s accelerates the speed of all-round development of that particular area and ultimately to the development of the nation. Due to this local government the central government gets more time to solve the state and national level problems rather than local problem. Thus, we can say that, local governments have played more importance role in local development as well as national development and the development of democracy. In accordance to all these points, the following characteristics of local government institutions can be featured out –

(1) Local Government Institutions are established by the laws of state government.
(2) These Local Government Institutions have to work within the limitations of the laws of state government. The state government has the right to make any changes in these laws if necessary.
(3) These local government institutions have rights to decide the policies within specific limit.
(4) These local government institutions provide the public facilities to that particular area by considering the needs of the people in that particular area.

(5) It is the responsibility of local government institution to make the complete development of that particular area.

(6) These local government institutes motivates for the development of local political leadership.

(7) Local public and downtrodden public participation in the government increases due to local government institutes.

(8) Local government institutes are important for the decentralization of the power and the development of democracy.

3.3 The Development of Local Government Institutes:

Due to nation state concept in modern period and variety in physical nature, terrain and population of states it is difficult to control the whole state from one single place. Therefore it is seen that the concept of decentralization is getting more and more popular in this modern times. A new thought is seen to be emerging that to establish a prosperous state, the power should be decentralized instead of by involving the downtrodden people in the government. Local Government Institute is seen to be originated from the same concept of decentralization. The implementation of the national programs, and policies and the development of local public are attained through these local government institutes. But these institutes are not the gifts of modern period; these are existed since ancient periods in India. The review of them can be taken on the basis of different steps.

3.3.1 Ancient Period:

It is seen that from the ancient period of the social and national history of India ‘Gram Panchayat’ is integral factor of social life. The concept – to run the administration of the village by local public is observed in India from Vedic period. The most aged persons and Virtuous; dignified villager had held the veins of Gram Panchayat. “The Chief of village was called as ‘Gramini.’”

From the excavation of Mohenjodaro and
Haddappa, it is observed that a civil culture and civil government management was existed in India. “The structure of urban committee (civil council) was as per the model of Gram Sabha as well as it was elected.”(13) It is also seen that the democratic government system is originated from this system. It is found that some small autonomous democratic states like Shakya, Videh, Bicchavi, Malmurna were present in India in 6th Century before Christ. These states were nothing but the local self government institutes.

In the period of Bouddha, villages were the centre of power. These villages were self sufficient and self governed. “The administration of village was run by ‘Panchayat.’”(14) In Mourya period, urban governing system was well developed. In this period these local government institute were well equipped with armaments and keep the army on the boundaries to protect the area and fort. “In Mourya period there was one big village among the 800 small villages, which was called as ‘Sthaniya’. In that time a Panch leveled village system (Panch Stariya) was utilized so the local governing institutes were well developed.”(15) In this ‘Panch Stariya’ village system there were six committees of 5 members each. These committees were classified as sculpture, foreign affairs, population, commerce and trade, inspection and tax. All these committees constitute a town board (town council). There were total 30 members in these town boards. They had the responsibility of governing the town. Chief Administrative Officer of the town was called as ‘Nagark’. To assist the Nagark, divisional officers were there. In this way there was a well developed urban government system for the local public in Mourya period.

All these urban organization or panchayats were the part of Monarchy system. “They never appear like today’s elected democratic organization. Still they had definitely done the work of the protection and cultivation of the culture and also set up a self sufficient, self governed society.”(16)
3.3.2 British Period:

The local self governing organizations which were declined in Moughal period were completely destroyed in this British period. In this period the intellectuals and labors from villages started to rush toward the city due to many reasons like extreme imperialism, industrial revolution, to get the jobs, governmental offices in cities, for education and for trade etc. Consequently the condition of villages became deplorable. Rural industries also got destroyed. So, British government had taken the decision to review the local self government institutions. “In 1687 Madras Corporation was established.”(17) In India first written act about the urban administration came into existence in the form of charter in 1793.”(18) The contribution of British in the development of local self government in India can be divided into four divisions as shown in the following tree diagram.

Figure No-3.1

Sequential development of Local Self Government in British Period

First Period
(1687 to 1881)
Local Institutions were as like the sub-branches of the beneficits of imperialism

Second Period
(1882 to 1919)
Local self Govt. Institutions were accepted as self governing institutions.

Third Period
(1919 to 1937)
Opportunity was provided to public for involvement in Local Self Government Institutes

Fourth Period
(1938 to 1947)
Local Self Government Institutes were approved hence they got the stability


1] The Period of 1687 to 1881:

In this period, in 1687 Madras Corporation, in 1726 Mumbai and Calcutta Corporation were established. According to the Act of 1773, the Justice of peace were appointed in every presidency and the responsibility of the cleanliness of the city, roads, health and judicial tasks was given to them. “British Government established a local district fund in 1869.”(19) For seeking the purpose that local people should do the local work. The period of 1810 to 1881 was the revolutionary period for Indian local self
government institutions. In this period Lord Meyo had given a special encouragement to the establishment of local self government institutes. He had emphasized on decentralization and due to municipal act was passed in many presidencies the powers of municipalities are seen to be extended.

2] The period of 1882 to 1919:

This period is considered as very important period in the history of India with reference to the local self government institutes. In 1882, according to the resolution done by Lord Ripen, local government institutes had given the right of self governing. It is seen that the suggestion is also given to these local self government institutes that it should be used “as a tool to give political and democratic education.”(20) This resolution has the importance in the history of India as equal as the importance of ‘Magna – chart’ in the history of England. Therefore “Lord Ripen is considered as the ‘Father of local self government institutes’ in India.”(21) In 1907 the decentralization commission appointed for the local self government institutes. It had recommended to give these institutes more local rights and to increase their autonomy by focusing on rural administration. This commission also pointing out the faults of these institutes about execution and election method etc. Some strategic decisions about local self government institutes were taken by Lord Hoarding in 1915. In 1917 British government announced “The responsible government will be established for the gradual development of Local Self Government Institutes in India.”(22) According to the reformation Act, 1919 the topic of Local Self Government. Institutes was deputed to the presidency or state government in each presidency government, a new department was started and thus the dominance of central government was terminated; and presidencies or state government got freedom about local governance.

3] The period of 1920 to 1937:

In this period, the subject of local self government institutes was kept in the category of transferable subjects according to Indian Government Act 1919 or Chames Ford reformation scheme. According to the law of 1935 the provision of autonomy for
presidency or state government was done. Consequently, Local Self Government Institutes got somewhat arguments. According to it, on the basis of creation of local self government institutes the election method was decided and the extension of the election commission was done. The whole power of these institutes was given in the hands of elected organization. Therefore, it happened that more number of members were present for the meeting. Pandit Nehru, when he was the president of Allahabad Municipality, expressing his views about the system that “Every year by government proposals and the newspapers criticizes the municipality and other local institutions. From that criticize it can be concluded that these democratic institutions are not beneficial for India; the failure of these local governance is clearly seen to them but no one can consider the circumstances under which they have to work. The present system is neither completely democratize nor completely dictatorship. It is the combination of both.”\(^{(23)}\) From this statement it can be observed that though local self government was established their progress was not satisfactory.

4] The period of 1937 to 1947:

In this period there was the increase in the grants to these local governments. So these local government institutes became capable to accomplish their responsibilities and got the stability to some extent in this period. But again “the progress was lag behind due to resigns of presidency ministry in 1939 and second world war. This condition of lagging was up to the freedom.”\(^{(24)}\)

3.5 The development of Indian Urban Local Self Governmental Institutes in the Independence Era:

After the freedom India paves a way to well planned economic and social development. To develop a well built democracy, the decentralization of power is done by accepting tri-leveled welfare governing system; the policy about the local self government institutions was already prepared in 1937. But its reformed implementation was done in 1948. “In 1948 central health minister Smt.Amruta Kour encouraged it by arranging the conference of the Local Government Ministers of States at ‘Madhya-Prant’
(Central Province). Mr. D.P. Mishra, local self government minister of Madhya Prant implemented it very effectively so he is said to be the sculptor of local self government institutes.” (25) The bi-leveled system was accepted in the reformation of Local Self Government Institutions. Shown as follows-

![Levels of Local Self Governmental Institutes](image)

Central Government established some important committees to solve local problems on local level, to make the improvement in the power and modus operandi of local government institutes. These committees are as follows –

1. Local Finance Enquiry Committee 1951.
2. Committee on the training of Municipal Employees 1963.

These committees’ made attempts to carry the works of Local Self Government Institutes properly by giving their suggestions time to time.

Up to 1958 the Rural and Urban Local Self Government Institutes were under the control of urban local self government institute ministry of centre government. But in 1958 Rural Local Government Institutes was handed over to joint development ministry. In 1967 this ministry was reformed and the urban local government institutes were
transferred again Health Ministry. In 1977 this Ministry was renamed as Health, Family Welfare and Urban Development Ministry.

In 1954 the establishment of Local Self Government Central Council was formed under the president ship of Central Health Minister. From 1958 this council was working for only urban local government due the increasing in urbanization. Since 1960 it is seen that the attempts were made to establish the co-ordination between the central and state government about the town planning by arranging the conference of rural and urban planning ministers from the states every year.

In a five year planning, planning committee was appointed to pay attention to the urban development and planning by the Planning Ministry. “In 1970 Central Housing and Urban Development Organization was established for the well planned development of increasing towns in India.”[26] It is seen that the attempts of local urban development were made by this organization.

As per recommendation of Central Council of Local Self Government, Maharashtra Government established a joint division of Town Development and Health, through which the works like – to make the laws about urban local self government institutes and their implementation were done. It is found that in Andhra Pradesh and other states also have such division and activated like Maharashtra.

In 1978 in the rule of Janata Party, in the president ship of Ashok Mehta, a committee was appointed to do the improvement in the system of local government institutes. This committee had given some suggestions but these were not implemented, they remained on papers only. Meanwhile after some period “accordingly to recommendations of L.M.Singhavi Committee, Rajiv Gandhi Government made attempt to 64th amendment bill to give the Constitutional status to Local Self Government Institutes in July 1989.”[27] But it could not pass. In 1990 Hon. Prime Minister V.P.Singh was called a meeting of all Chief Minister of all states and agreed to give the constitutional status to the Local Self Government Institutes. In 1992, the Prime Minister P.V.Narsimhrao had taken all the political and opposite parties into confidence, and in December, 1992 he had awarded the constitutional status to Local Self Government Institutions by passing 73rd & 74th amendment bill in constitutions. Then it is observed
that after this there was the increase in participation of Local Public in Government in real sense. Local Government becomes the third level of that the government.

3.5 Laws and History of Establishment of Municipality and Municipal Corporation in India:

The cities are considered as the centers of economic, cultural and social change. The procedure of development starts through the industrialization; due to which the urbanization gets increased. Therefore, small towns are converted into big cities. Urban Local Self Government Institutes are established on the basis of population. In urban area the works of local administration are carried out through Municipal Corporation, Municipality, Cantonment Board, Town Council or Industrial Township Authority.

“There are 5161 towns and cities in the India.”

3.5.1 Municipal Corporation in India:

The establishment of Municipal Corporation is done in big cities and in metropolitan areas. Each municipal corporation is established by separate laws or a same law is made for all municipal corporations in the same state. To establish a municipal corporation in union territory, the parliament has to pass the law. In India Delhi Municipal Corporation was established by such a law.

For administrative purpose British rulers established Local Government Institutes for Madras, Calcutta (Kolkata) and Mumbai as per the charter law 1793; on the basis of ‘Borough’ in England. The very first Municipal Corporation in India was established at Madras in 1687. After some years, in 1726 its reformation is done. Up to 1947 only three Municipal Corporation were present in India namely (I) Madras, (II) Mumbai and (III) Calcutta. These three Municipal Corporations could not be dismissed. But in the laws made after some years includes that these institutions may be dismissed. The rural-urban relation committee said about the established of Municipal Corporation as, “For the establishment of Municipal Corporation, it is necessary that the population of the city must be at least 5 lakhs and the annual income should be at least Rs.1Crore.”
Establishment of each municipal council is done according to the laws sanctioned by legislature. Due to many reasons like education, industrialization, the urbanization is increased and “up to 1965 the number of Municipal Corporation also get increased up to 25; up to 1971 this number again increased up to 32. After the census of 1981, 38 municipal corporations came into existence.”

British East India Company had given separate charters to the municipal corporations of Mumbai, Madras and Calcutta. It is seen that different states had made the laws in later period by keeping most of the provisions as same as it.

It is seen that for some cities municipal corporations are established by separate laws. These cities are Hydrabad in Andhra Pradesh; Patana from Bihar; Ahmadabad, Varodara, Surat, Rajkot in Gujarat; Trivandrum, Kalikat, Cochin in Kerala; Madras in Tamilnadu; Bhopal, Indore, Gwalior, Jaipur, Raipur, Vilaspur in Madhya Pradesh; Mumbai, Pune, Nagpur, Solapur, Kolhapur, Pimpri-Chinchwad, Nasik, Aurangabad, Thane, Kalyan in Maharashtra; Bangalore, Hubli-Dharwar, Belgaum in Karnataka; Kanpur, Agra, Varanasi, Allahhabad, Lucknow in Uttar Pradesh; Calcutta, Howrah, Chandra Nagar in West Bengal and the Union Territory Delhi.

- **Madras Municipal Corporation Act 1687:**

In 1687, Madras Municipal Corporation was established by East India Company by the order of Court directors. This Municipal Corporation was a judicial organization like ‘Borough’ in England. Later British parliament made the provision of ‘Justice of Peace’ by passing a law. “Again in 1856 by changing this system, three town commissioners were appointed instead of the justice of peace.” As per the law of 1867 all these old (previous) laws were cancelled then municipal corporations was reformed and all the powers were given to the government. In 1919, Royal Commission suggested Madras Municipal Corporation Act and passed it, and the control of the government was reduced. In 1936, again the amendment in the law is done and a new method was adopted for the ‘election for elder man and appointment for councilors.’ In 1947 amendment was done in this Act; as per reforming the act in the Municipal Corporation there was some reserve seats for women and some for special creeds. After
independence, in 1961 taking in consideration of decentralization a amendment was done in this law and a standing committees and statutory committee were formed.

- **Calcutta Municipal Corporation Act 1776:**

  The Calcutta Municipality was established in 1776 as per the Royal Charter. “In 1793 the administration of Calcutta was transferred to the Joint Boards of Magistrates. It is seen that in 1803 Lord Wellesley had gave efforts and established a committees for urban development and Health development. In 1836 a ‘fever hospital and municipal improvement committee’ suggested and a new act was passed, but this act could not be executed as there was no co-operation by the public.”

  “Tax payers representative should be included in the Board and for this purpose a new act was passed in 1847”, but this law was not succeeded. In 1863 by making a new law the responsibility of local administration was given to magistrates. Due to the efforts of Richard Temple, accepting the election principles; a new law of 1876 came into existence. Then the ‘representative urban government’ was initiated in Calcutta as per this law. In 1888 the amendment act was passed giving a right of more votes to the rich and prestigious persons of sub-urban area of Calcutta city. This act was in existence up to 1998. “A new act giving a adequate power to the Executive Officers, named – a Calcutta Municipal Act was passed in 1899. Which is known as Mackenzi Act”

  But public opinion goes in opposition to this act with saying this act is regressive and anti-democratic. So Town Commissioner Surendranath Banerji had given a supreme power about urban administration to the municipal corporation by passing a new act in 1923. This act was in existence for 25 years. In 1948 the Calcutta Municipal Corporation was dismissed by the charges of corruption and an enquiry commission is appointed. As per the recommendation of this Committee ‘A Calcutta Municipal Corporation Act’ was sanctioned in 1951. The governing system in this law was based on the Mackenzi Act 1899. Now a day Calcutta Municipal Corporation is working on the base of 1951 Act and the amendments were done in that act from time to time.
• **Delhi Municipal Act 1958:**

In 1966, when Delhi was a Union Territory, the metropolitan council was established by Delhi Administration Act passed in Indian Parliament. But this council didn’t have any statutory rights. Later, Delhi Municipal Corporation was established by the Law ‘Delhi Municipal Act 1958.’

• **Bombay / Mumbai Municipal Corporation Act:**

Mumbai Local Self Government Institute is the most particular having some specific characteristics among all the local self government institutes in India. In 1669 the charge of Mumbai was transferred to East India Company. From this time up to 1793 the urban administration was conducted by the governor and five senior members who were called as ‘justice of peace.’ Some more new laws were passed time to time in the period 1807 to 1833 for the improvement in administration. In 1845 the urban administration is handed over to the ‘Board of Conservancy.’ In 1865 the municipality act was sanctioned and the post of municipal commissioner is generated. In the same period Sir Firozshah Mehata provoked the movement for the demand that the members of the corporation should be selected through the direct election. The movement was succeeded and in 1872, Mumbai Municipal Corporation Act was passed. “In 1888 as per Lord Ripen improvement resolution a Mumbai Municipal Corporation Act 1888 came in existence.”

Many changes were done in this act time to time and thus it is seen that, the improvement is done in the administration of local self government institutes.

3.5.2 **Municipalities in India:**

It is observed that the municipalities are existed in India since British era. The control of the municipalities is done by the acts passed by states because the responsibility of local administration was on state government. Bombay municipality is the oldest municipality in India. The establishment of this municipality was done by the
‘Mumbai District Municipality Act 1901.’ Out later, it was converted in Municipal Corporation. After the independence the situation in India got changed extremely due to urbanization. So the practical utility of the laws made in British period was almost finished. Besides it, there was the reformation of states in 1956, so many states made the changes in their laws of municipalities. “The changes in Municipality Acts were done in Rajasthan in 1959, in Assam 1964, in Andhra Pradesh and Madhya Pradesh in 1961, in Mysore in 1964 and in Maharashtra in 1965.”(36)

The establishment of Municipality is based on the criterion of the population. The variation is observed about the limitation of the population because each state decides it as per the situation in the state. In some places the municipality may be established if the income is more and even if the population is less. It is also observed that in Bihar and in Orissa, the condition of the population is 5000 which is the least than other states and in Gujarat the condition of population is 30000 which is the more than other states.

3.6 Laws in Maharashtra related about Municipalities and Municipal Corporation:

It is seen that the urban administration in Maharashtra was beginning from British period. It is also observed that this begins with the establishment of Mayor’s Court for Bombay City in the Bombay province in that period. After this, the urban administration work was carried out through the officers of East India Company. In the later period it was done by Justice of Peace. It is seen that in 1865, the post of municipal commissioner was created by the stimulated act. The Bombay Municipal Corporation Act came into existence in 1888.

3.6.1 Municipalities in Maharashtra:

Urban Laws began to form in Bombay Presidency by the Act XVI of 1850. Town Committee and Municipal Committee were established in the cities other than Mumbai. It seems that in duration of from 1891 to 1974 many urban acts were formed in India by British Government. By taking the advantages of this, Mumbai Government changed the old laws. “The Act VI of 1873 was created in 1873. This law made the difference as
‘Town Municipality’ and ‘City Municipality.’ City Municipality was established for the cities having the population more than 10,000 and the town municipality for those cities where population is more than 2000 but less than 10,000.**(37)**

The Bombay District Municipality Act was created in 1901. The provision of to elect the Mayor of Municipality by government committee is made through this law. In 1925 the establishment of Borough Municipalities was done as per Bombay City Municipality Act XVIII of 1925. After independence, in 1960 the establishment of a separate Maharashtra was formed due to restructuring of states. It is observed that in Maharashtra, at that time Bombay District Municipality Act 1901, Bombay Borough Municipality Act 1925; Central Province and Varhad Municipality Act 1922 for Vidarbha and Hyderabad District Municipality Act 1956 for Marathwada were in existence “By integrating all these laws Maharashtra Municipality Act 1965 was released (Published) on 10th September, 1965.”**(38)** It is seen that through this act a co-ordination is brought all over the Maharashtra and the municipalities are classified by applying the simple rule based on the population and the tenure of the members is determined. Before the law the situation was that “no one could change the decision of municipality, then the amendment in the law is done and the rights of reconsideration of the decision were given to the government.”**(39)** By this law the classification of municipalities in Maharashtra are as follows:

**Table 3.1: Classification of Municipalities Based on Maharashtra Municipality Act, 1965.**

<table>
<thead>
<tr>
<th>Class</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>More than 75,000</td>
</tr>
<tr>
<td>B</td>
<td>More than 30,000 but less than 75,000</td>
</tr>
<tr>
<td>C</td>
<td>Less than 30,000</td>
</tr>
</tbody>
</table>


It is seen that, by this time, Many amendments are done in this law. Now a days name of this law is changed as ‘Maharashtra Nagar Parishada, Nagar Panchayati Va
Audyokig Nagari Adhiniyam, 1965’ (Maharashtra Municipality, Nagarpanchayati, Industrial Town Act 1965). Nagar Palika is renamed as Nagar Parishad. Previously the village councils having the population more than 5000 were converted into municipality then it was for the population of 10,000 and since 1974 the village council (Gram Panchayat) having the population 15,000 can be converted into municipality. At that time at the mountainous places or at the hill station the establishment of municipalities was done by relaxing the condition of population. But from 1994 this special class of municipalities was cancelled. Instead of that a broad classification as like Nagar Parishad, Nagar Panchayat and Industrial Nagar Parishad is done. As per the Gazette of Maharashtra Government published on 6\textsuperscript{th} December, 1996 the Nagar Parishad are classified as follows as shown in table.

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|}
\hline
Class & Minimum Population & Maximum Population \\
\hline
A & 1 Lakh & Onwards \\
\hline
B & 40,000 & 1 Lakh \\
\hline
C & 25,000 & 40,000 \\
\hline
\end{tabular}
\caption{Classification of Nagar Parishad as per Gazette of 6\textsuperscript{th} December, 1996.}
\end{table}


After 1994 many amendments in the laws about municipalities are done in Maharashtra. The prominent changes are as follows:

(I) To conduct the function of election independently by appointing a state election commission (article 10A)

(II) To establish a ward committee for the municipalities in which the population is about 3 lakh. (article 66A)

(III) The provision for the reservation of women including women in scheduled caste and scheduled tribes, for the post of Mayor of municipalities – A 30% reservation for women is increased up to ratio 1/3).
(IV) Reservation to the citizens of backward classes and the reservation to the woman of citizens of backward classes for the post of Councilor and Mayor.

(V) The policy of nominated councilor instead of accepted councilor.

(VI) The tenure for a Mayor was for 1 year after 1994 which was changed as 2½ years.

(VII) Wards were made for election of councilors. Formerly, one Councilor could be elected from one ward. After it multi councilor ward system was accepted. Again single councilor ward representative system was accepted.

(VIII) Since 2001, the system of to elect a Mayor directly from public instead of electing by elected councilors was existed. But soon in next five year election this method was changed and the old one election method of Mayor was executed.

(IX) Reservation for women was increased up to 50% from 2011.

3.6.2 Municipal Corporation in Maharashtra:

For the establishment of a Municipal Corporation for any city, a provision is done under the ‘Bombay Provincial Municipal Act’ by the Government of Maharashtra. After independence up to 1950; only Bombay Municipal Corporation was in existence in former Bombay Province. In 1949 after Bombay Provincial Municipal Corporation Act, “Pune Municipal Corporation in 15th February, 1950 and Nagpur Municipal Corporation on 2nd March, 1951 were established. In 1952 the Solapur Municipal Corporation was established, it was given the form of Borough Municipality, but in 1964 it was given the status of Municipal Corporation. Kolhapur Municipality which was established in 1854 was converted into Municipal Corporation on 15th December, 1972.”

“In August, 2001 the total number of Municipal Corporation in Maharashtra was 16 and it becomes 22 up to the end of December, 2003.”

In Maharashtra there are three acts in existence for the administration of Municipal Corporation.

1) Bombay / Mumbai Municipal Corporation Act, 1888.
For Mumbai and Nagpur Municipal Corporation there are separate laws, but the administration of all the remaining Municipal Corporation is conducted by ‘Bombay Provincial Municipal Corporation Act, 1949.’ As per the 74th amendments it founds that, where the cities having population more than 3 lakhs there were ward committees established for the urban development. To give the comprehensive and executive rights to the Mayor “in 1997 Mumbai Mayor Council and in 1998 Nagpur Mayor Council was established” (42). But many drawbacks of it came to notice and so this council was cancelled.

At present, the number of urban local self government institutes at the end of 31st March, 2009 are shown as follows-

**Table 3.3: No. of Urban Self Government Institutes in Maharashtra**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Types of Urban Local Govt. Institutes</th>
<th>Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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Source: Dastane Santosh, Maharashtra 2011, Dastane Ramchandra and co., Pune p.p.170

In Dhule District – which is selected for this present research, at present one Municipal Corporation and two Municipalities are in existence. So it becomes necessary to study the history of the Municipal Corporation and Municipalities. Also it requires studying the laws related to them. For this reason it becomes relevant to discuss on the Municipal Corporation and Municipalities in Dhule District.

3.7 **The History and Laws Related to Municipalities and Municipal Corporation in Dhule District:**

In early times Dhule District was included in West Khandesh. “In 1878-79, the Khandesh had 18 municipalities. From those, in Dhule district municipalities were
existed at Shindkheda, Betawad and Songir. Those were administrated as per the Bombay District Municipality Act (VIth of 1873)” (43) later these municipalities are destroyed, afterword in British era the Dhule and Shirpur municipalities were established. Thereafter, the municipality is established at Dondaicha after independence.

3.7.1 Dhule Municipality and Dhule Municipal Corporation:

Dhule city was previously a village. “It’s found that Dhule Town was situated about 1000 years ago.” (44) After the cancellation of the municipality establishment act of 1842 of British period; the act was passed in 1850. This act had a provision that no any municipality will be established unless the citizens of the city will demand it spontaneously and unanimously. “On the basis of same law of 1850 “Dhule Municipality was established in 1860; but it took 2 years for the actual implementation execution of it.” (45) There is one peculiarity of Dhule Municipality that in 1862 the former Bombay Government had passed a new act. The provision was done in that act, if the municipality will not do the works ordered by the government, then the government will do these tasks but expenditure on these works should be given by the said municipality. The peculiarity of Dhule municipality is that no chance was given to government to implement this act.

According to the law of 1870, Bombay Government divided the municipalities in the province on the basis of population in 1873. “So Dhule Municipality recognized as Town Municipality according to the resolution No.-G.D.2547, dated on 04/09/1874” (46) “As per the urban administration act 1882 the general election of Dhule Municipality were held and 12 councilors were elected” (47) and started to conduct the workings. Again in 1884 the law was changed. The provision was made that; the Mayor of Municipality should be elected from the public elected councilors instead of the collector (ex officio). “According to this provision on 3/2/1909 Ramchandra Narsimha Ransingh was appointed as a President and Yadavrao Vyenkatash Niphadkar as a vice President.” (48) There were many amendments in the Municipality Act occurred in British as well as after independence period. The tenure of councilor of municipality was changed from 3 years to 4 years according to the Act, 1954. Meanwhile the Dhule city was in process of
developing position. The population was also increasing, due to industrialization and the facilities of education etc. “On 10th October, 2001 the Ministry of Maharashtra taken the decision to convert the ‘A’ class municipalities of state into municipal corporation”\(^{(49)}\)
Due to this decision “From 30th June, 2003, the Dhule Municipality was converted into Municipal Corporation”\(^{(50)}\)

“The first general election of Dhule Municipal Corporation was held on 14/12/2003 and Bhagawan Karankal was elected as the first Mayor of the city in new Municipal Corporation.”\(^{(51)}\) The Municipal Corporation is the first and the only one Municipal Corporation in the district. Besides it, two municipalities are seen to be existing at present.

3.7.2 Shirpur-Warwade Municipality:

“Shirpur Municipality was established on 19th October, 1869 and Sakharam Waman Joshi was the first president of it who was appointed from public elected members. His tenure was from 15/2/1909 to 27/4/1916.”\(^{(52)}\) It is observed that, presently this municipality is governing as per the ‘Maharashtra Municipalities, Nagar Panchayat and Industrial Urban Act 1945.” Shirpur-Warwade Municipality is ‘B’ class municipality as per the circular of Maharashtra Government dated 6th December, 1996. Previously, in the election of this municipality, a ward system was in existence but in 2001 a ‘Prabhag’ system came in existence and the president was elected directly through public. But later again by cancelling this system, in the general election of 2006 ward system is brought up into execution and 27 wards were formed. “Again in the election of 2011 ‘Prabhag’ system implemented and 7 ‘Prabhag’ came into existence, from which 27 councilors were elected” \(^{(53)}\) This municipality was awarded “State Level first rank in Saint Gadagebaba Urban Cleanliness Campaign of Maharashtra Government”\(^{(54)}\). It is seen that this municipality has also won the ‘Vanrai-Mitra’ awarded and also the first rank awarded by Central Government for the best record keeping of registration of birth and death. “The Shirpur Municipality awarded the first rank award for urban cleanliness campaign in 2005-06 and this is the ISO 9001-2000 certified municipality.”\(^{(55)}\)
3.7.3 **Dondaicha-Warwade Municipality:**

“This municipality was established on 2/6/1952 and the first president of it was Ratilal Karani. His tenure was from 4/7/1952 to 31/10/1954.”

Dondaicha municipality is included in the ‘C’ class. “In 2001 as per ‘Prabhag’ system 7 Prabhag were in this municipality, in 2006 ward system came into existence and 23 wards were formed. Again in 2011 ‘Prabhag’ system was developed and presently 6 Prabhag are in existence in the municipality.”

3.8 **74th Amendment in the Constitution of India:**

For decentralization of power in democracy the 73rd and 74th constitutional amendments were the historical and beginning of extremely important chapter in India democracy. Many amendments were done in the Indian Constitution as per the demand of the time; but these two amendments are more (noteworthy) dazzling. These two amendments are considered as extremely important to fulfill the dream of downtrodden public to the reality for the local developments of particular area, by establishing local self government institutions. It is seen as a admirable attempt to increase the political participation of women. The provision related to the urban local self government institutions are included in 74th constitutional amendment, and the provision related to the rural self governing institutes is included in 73rd amendment. It is observed that through these constitutional amendments the article 243 is added through the Part 9C in the Indian Constitution. The 12th appendix is seen to be added in the constitution, related to this. “This 74th constitutional Amendment was come into execution from 1st June, 1993 by the name ‘Constitutional Act 1992.’”

It is seen that the local self government institutions have got the constitutional status from this amendment.

The main objectives of these constitutional amendments are to create constitutional base for local self government Institutes; to gave the adequate representation for Schedule Castes and Schedule Tribes, women and other backward classes in Local Self Government Institutes; to convey the benefits of democratic planning’s to the common public; to remove the irregularity in the election of Local Self Government Institutes ; to execute the laws to conduct the elections in every five years;
to gave the constitutional protection by providing reservations to the women and feeble
society; to decrease the diversity of Local Self Government Institutes and to bring the co-
ordination in the works of all these institutes in India. It is seen that the provision of 33%
reservation for women is done by this Act.

In this constitutional Amendments, it includes “Provisions about reserved seats
[Article 243(T)], provision of the tenure [Article 243 (V)], Provision about rights and
powers [Article 243 (W)], Provision about the sources of income [Article 243 (X)],
Provisions of State Finance Commission [Article (Y)], Provisions about Audit [Article
243(Z)], Provision s of State Election Commission [Article 243(Z-A)], Provisions about
the Local Self Government Institutes in Union Territories [Article 243 (Z-B)], Provisions
about the prohibition of Judicial intervention [Article 243 (Z-C)].”

The 74th Constitutional Amendments has given the opportunity to women to
participate directly in Local Self Government Institutes. So it is seen that due to this, it
became possible to bring them at the central position of the local developments.

**Article 243(T) of Constitution Amendment (1992)** - this article states about the
reservation of woman as -

1. “Seats shall be reserved for the Schedule Caste and Scheduled Tribes in every
Municipality and the number of seats so reserved shall bear, as nearly as may be,
the same proportion to the total number of seats to be filled by direct election in
that municipality as the population of the S.C. in the municipality area of the S.T.
in the municipal area bears to the total population of that area and such seats may
be allotted by rotation to different constituencies in a municipality.

2. Not less than one-third of the total number of seats reserved under clause (1) shall
be reserved for women belonging to the S.C. or as the case may be the S.T.

3. Not less than one-third (including the number of seats reserved for woken
belonging to the S.C. and the S.T.) of the total number of seats to be filled by
direct election in every municipality shall be reserved for women and such seats
may be allotted by rotation of different constituencies in a municipality.
(4) The office of Chairpersons in the municipalities shall be reserved for the S.C., the S.T. and common in such manner as the Legislature of the state may by law provide.

(5) The reservation of seats under clauses (1) and (2) and the reservation of office of chair person (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this part shall prevent the legislature of a state from making any provision for reservation of seats in any municipality or office of chair person in the municipalities in favor of Backward Class of citizens.

It seems that the above Constitutions Amendments is made for the noble purpose of to increase in the political participation of women; to take their involvement in decision making process; to get the determined partnership of women in the development of India by increasing their political empowerment; to try to solve the problems of women by themselves.

3.9 Epilogue:

It is observed that, the concept of local government was present in India from the ancient era and there is the development in local government with the development in villages or towns. It is also found that in India in ancient times, the urban government was in existence and urban governing system was in execution in Vedic period, Ramayan Period, Mahabharat period, Boudhdha period, Mourya period and Mughal period. It is observed that the protection of lives as well as wealth of public was done by this governing system.

A decline in local government system is seen in Mughal period. But in British period, British had initiated this self governing system, beneficial to them due to their administrative needs. They had done the beginning of it, by establishing Madras Municipal Corporation in 1687. After independence the efforts were done for the development of local self government by making the amendment in the Act of 1937 and to create the new governing system. Besides this, different committees were established for the development of local self government institutions and through these, their development is achieved.

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British were established Urban Local Self Government Institutes in Madras, Calcutta (Kolkata), Bombay (Mumbai) on the basis of ‘Borough’ in England. Difference laws and Acts were done with related to the local self government institutes. By the 74th Constitutional Amendment, Local Self Government Institutes have given the constitutional status and the reservation for women in these institutions bestowed upon them. So women got the encouragement to participate in politics. Women gets share in power. This helped to increase in participation of women in politics; it improves the political empowerment of women also.
References


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17) Ibid 16.

18) Ibid 5 p.p.128

19) Ibid 16 p.p.355


33) Ibid 5 p.p.188.

34) Ibid 11 p.p.63


44) Nashikkar K.V; Chief Executive Officer, Dhule Municipality, Dhule Municipality, (1962), Dhule Municipality Shatswari Mohostav Granth, Dhule p.p.3
45) Ibid 44 11
46) Ibid 44 13
47) Ibid 44 14
48) Dhule Municipal Corporation, Dhule Letter No. शुभरत्ना(सुश्वर) /२०१३/ dt. 24/3/2013, Dhule
50) Govt. of Maharashtra (2003), Maharashra Gazette published on 30/06/2003, Govt. of Maharashtra Mumbai, p.p.61-64.
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