CHAPTER III

HISTORY OF URBAN GOVERNMENT IN INDIA AND ANDHRA PRADESH
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In the present century the existence of units of Local Government is no longer a debatable issue. The focus has shifted to other dimensions opened up by the challenges of the changing socio-economic environment. The technological revolt in industrial and agricultural production, the growing pace of urbanization and the consequent urban population explosion have given rise to problems of a city-dweller on a scale not seen earlier. The mass illiteracy, the vast unemployment, the poor levels of health, housing and sanitation, inadequate means of transport and other amenities are the common civic problems. Everywhere these pose greater challenges in developing countries of the third world. The need to understand and appreciate the intensity of these problems and find out the way of their solution has become a matter of constant endeavor of thought and action, to see the necessity of urban Government and its involvement in solving urban problems.

Municipal Government has been considered as an institution for promoting social and economic development of the local community as an integral part of the national development. It is expected to provide suitable means to the people for socio-cultural adaptation to the new conditions emerging out of industrialization, urbanization and the growth of town population in a developing economy.

Municipal Governments began to be looked upon the channels which would involve the people in planning process and stimulate popular participation.

Industrialization, urbanization, as well as modernization have resulted in a large influx of rural migrants to the towns and cities creating problems of social adjustment. The fundamental urban need is the creation of conditions for healthy community life for a population of a very composite character the settle-down in cities and towns.

During the last century, Municipal institutions have made such vast strides that it is difficult to reconcile the Municipality of our own times with its crude ancestors of a century ago. From very humble beginnings, the Municipalities have grown until the Municipal Corporation at the present day in some modern cities is able to cater to each and every want of the civilized man.
The Municipality, as we know it to-day may be a recent growth but the soil for it had been prepared hundreds of years ago in the East as well as in the West. In all Aryan communities, Local Governing institutions have been in existence for a very long time. It is almost impossible now to divine the mystery of their existence or ascertain the motive force which first brought them into being. The Mark, the Mir of the Manor in the Tutonic, Slavonic and the Celtic races in Europe corresponds to the village system of India and other Eastern countries as a unit of Local Government. In consciousness and purpose, all these institutions seem to be identical, though in the course of history, and according to the vicissitudes of different races, the actual form of these institutions in the several countries may be different.

Institutions of Local Government have an origin in antiquity. Scholars of ancient Indian history such as A.L. Basham have given us fascinating accounts of the Patura Parishad of Pataliputra of the Mauryan and Gupta Periods and of the vigorous functioning of the town and village Councils of the Chola country.

"The modern town is a result of the desire to produce and distribute most economically the largest aggregate of material goods; economy of work and convenience of life are the objects. Now, the economy of factory cooperation is social only to a very limited extent; anti-social feelings are touched and stimulated at every point by the competition of workers with one another, the antagonism between employers and employed, between sellers and buyers, factory and factory, shop and shop. The town as an industrial structure is at present inadequate to supply a social education which shall be strong enough to defeat the tendencies to anti-social conduct which are liable to take the shape of criminal action."  

This places the civic population at once in a category by itself. Besides, however, the differences in social tendencies and outlook, the city population is of necessity more heterogeneous; and the heterogeneity grows with the growth of the city. While neighborly fellow-feeling is the dominant sentiment in rural areas, class consciousness, with it inevitable conflict of interest, emerges unavoidably in the cities; and it then becomes the supreme task of better education and a higher social ideal to repress these un-welcome tendencies and to carry out works of greater social unity.
The task of co-ordinating all these special problems of a clearly distinct type of population makes the role of Local Governing institutions, particularly in towns, more important than ever to-day. Their help in simplifying the task of national administration, and at the same time in promoting the realization of the social idea, is a further count in their favour.

Local Government Institution in India

For all these reasons, Local institutions are and will be of special interest and importance in this country, and will occupy a most significant place in the general scheme of our Government. Though the Municipalities in their present form, may be the creation of British rule in India, it must not be overlooked, however, that both in the town and in the village, they have existed in this country from times immemorial. The antiquity of the village system has never been questioned. And even as regards the towns, from Vedic times onwards, there is mention of a definite form of Civic Government which reached considerable proportions in the Buddhist period; and which has never lost that importance in the ages succeeding. Megasthenes' description of civic organization is but one indication of several, which could be cited to show the hoary antiquity of Municipal life in India. He speaks of town officials as being divided into six Boards of Five (Panchayat).

"The respective functions were (1) supervision of factories, (2) care of strangers including control of the inns, provision of assistants, taking charge of sick persons, burying the dead, (3) the registration of births and deaths, (4) control of the markets, inspection of weights and measures, (5) the inspection of manufactured things, provision for their scale with accurate distinction of new and second-hand articles, (6) collection of the tax of 10 per cent charged on sales. The six boards acting together (town Council?) exercised a general superintendence over public works, prices, harbor, and temples." 2

Centuries before, the great law-giver Manu and the author of the Arthashastra write in a similar vein; and two thousand years after them the Minister of Akbar, the great Abul Fazel suggests the same course of development with such a history and organization, it would be inaccurate to speak of town life, its ideal and methods as embodied in the Municipal constitution and functions of our days as being the creation exclusively of British rule, as is often suggested by the panegyrists
of the existing regime. British rule has only imposed new or different ideals and suggested different methods from those in vogue among us formerly. In fact, critical students are not wanting who ascribe the relative to cater to local requirements than a distant central Government might be. And though the reservation of exclusive power to the Central Government for regulating the borrowing powers of the Municipalities may be justified on the score of administrative necessity to preserve the financial solidarity and the credit of the Government of India, it can not be denied that the exclusion of such powers is inconsistent with the full development of the Municipal bodies. The Central Government may be able to take a more correct view in proper perspective of the ability and resources of a Municipality. It may also be relatively free from local prejudices than the Provincial Government. But when allowance is made for all these factors, and when account is taken of the necessity to co-ordinate the powers and authority of two co-equal bodies, such as a Municipal Corporation and a Port Trust, it may be admitted that the more appropriate authority for legislating on the Municipal constitution and powers must be pronounced to be the Provincial rather than the Central Government.

The Local Self-Government in India of today owes very little to Local Self-Government that existed in Ancient and Medieval India. At the same time, it must be remembered that the conception of Local Self-Government was not foreign to the genius of the people of India. Generations succeeded generations. Dynasties were over-thrown. Invasions came in quick succession. The map of India changed its color frequently but Local Self-Government survived. Writing about the services rendered by Local Government institutions, Though probably, not comparable with very good forms of Government, they are an excellent remedy for the imperfections of a bad one. They prevent the bad effects of negligence and weaknesses and even present some barriers against its tyranny and rapacity. Again, these communities contain, in miniature, all the materials of a State within themselves and are almost sufficient to project their members. Stability and continuity of Indian village life and organization is to be sought as the secret of the good things achieved by India in the past.

Various types of Local Government institutions existed under the Chola, Pallava, Pandya, and Vijayanagaram kingdoms. They were the Sabhas, Ur, Nagaram, Nadu, and Mandalam. Their meetings were attended by the officers of
the Central Government when they transacted important business. Their administration was supervised by the officers of the Central Government.

The Sabha was an Assembly existing in the Brahmadeya villages granted to the Brahmanains. There, the Sabha was purely a Brahminal Body, existing the Agraharas, localities inhabited by the Brahmanas only.

The Ur existed in the non-Brahminical village.

The Nagaram was an assembly of merchants, that existed during the time of Cholas. It was urban Body.

The Nadu was a rural Local Authority with a wider area.

Above Nadus there were Mandalams.

All the Local Authorities in Ancient and Medieval India were corporate authorities, based on manhood suffrage.

The qualifications prescribed for the members of these bodies particularly to the members of Sabha were; The members should not only be sound scholars, proficient in Vedangas but also must have a healthy body to bear the stress and strain of public life. The responsibility for the administration of the affairs of the body was vested in a small committee assisted by a civil service known as Madhyasthas, neutrals in politics. They were appointed and disciplined by the village assembly. They were paid in cash and kind.

Besides the civil services, the village assembly was assisted by a number of committees. The members of the committees must have the prescribed qualifications. They were elected by the Assembly.

Each village was divided into a number of wards for the purpose of electing members of the village Panchayat.

The powers and functions of the Local Authorities varied from time to time and from one another. Generally however, they were concerned with Municipal functions, such as the acquisition and disposal of lands, grant of lands, collection of taxes payable to the imperial Government, levying of taxes for local purposes, and the remission of taxes levied by the Imperial Government, the administration of justice, the control of the administration of justice, the control of the
administration of temples, the administration of endowments and the conferment of honors on individuals who had rendered meritorious services to the country.

Kautilya' Arthasastra (300 BC) refers to village elders but not to panchayats or Assemblies. Cities were also founded by rulers. Each city was administered by an officer appointed by the Central Government. But Arthasastra does not mention about existence of Municipal Councils.

Megasthenes, the ambassador sent by the Greek Emperor Seleucus to the court of Mauryan Emperor, Chandragupta, (300 BC), describes the administration of Pataliputra, the capital city which was administered by six boards.

The Uttaramerur Inscription of AD 919 and 921 of the Chola Emperor, Prantaka, I, laid down the regulations for the election of persons for the several committees which administered the village. The members of the committees must be proficient in Vedas and Vedangas.

They were selected by lot. They held office for a fixed term and were not eligible for re-election so that all might have an opportunity to serve the village.

The publication of the Uttaramerur Inscription induced some scholars to jump to the conclusion that Local Self-Government in Ancient and Medieval India was far more widespread, more real and more successful than in the days of British rule in India or even at present. They contend that almost every village in the country had a Self-Governing Body of its own. A vast majority of the people live in villages. If every village had a Self-Governing Body, it meant that almost all people enjoyed the advantages of Local Self-Government. But in the days of British rule, Panchayat system was actually introduced in the present century and that too not in all villages but in selected villages or for a group of villages. It is only after 1947 that attempts are being made to extend the panchayat system to all villages. It is said that Local Self Government was more widespread in ancient India.

It was also contended that Local Self-Government was more real and substantial in Ancient India than in British India. That is, the control exercised by the Central Government over village affairs was less. Further the number of functions performed by the village authorities was also greater. Practically, all Governmental work within the village was in their hands. Defence, maintenance
of law and order, the collection of all kinds of taxes, the punishment of criminals, the settlement of disputes, the management of communal lands, the collection of revenue on behalf of the state, the maintenance of roads, the control of irrigation, endowments and trusts, banking, famine relief and such other works were entrusted to them.

Conditions in ancient and medieval India facilitated the assumption of greater number of functions by Panchayats. There were no good roads. The authority of the State did not reach every nook and corner of the State. The villages were therefore left to themselves. Absence of efficient means of communications compelled the villages to look after themselves. Each village was therefore, self-sufficient in almost every respect. They expected from the Central Government not much except defence.

Again, the form of village Government was democratic, village affairs were administered by village assemblies, consisting of either the heads of all households or of all adults. The village assembly was assisted by a number of committees. The members of the committees must be learned as we had already noted. The membership was not confined to a small group of persons.

Further, each panchayat depended upon its own resources for its maintenance, they levied and collected taxes both in cash and in kind. Some village institutions maintained by endowments. There was also compulsory labour for the maintenance of public works like irrigation, channels and tanks. It appears that there was no grant-in-aid to the panchayats from the Central Government.

Again, it is also said that Local Government was a success in ancient and medieval India than at present. There was a community feeling. Tradition and custom strengthened this spirit. As a consequence, there were no group rivalries and the administration of the village went on smoothly. Those in charge of village administration displayed public spirit, honesty and a sense of responsibility.

This belief persisted for two reasons: Firstly, similar views were expressed by eminent British Administrators like Sir Charles Metcalfe, Sir George Birdwood and Eliphinstone. Secondly, India was fighting the British for Independence and the political agitators quoted the British and Indian authorities to prove that the Indians were capable of Governing themselves. But students of political science must adopt a critical attitude towards such statements and view things in their
true perspective. A critical examination of the views expressed by the Indian and British administrators shows that the fulsome praise on the ancient village system is not justifiable and that Local Government was not universal at any time in ancient India. It existed according to insessional evidence only in the 8th and 9th centuries under the Cholas and that too in certain parts of the present Tamil Nadu and not throughout the country. It also existed in the Pandyan Kingdom but the insessional evidence is not complete. Some of the inscriptions of Eastern Gangas reveal the existence of these institutions. But we have to be cautious in accepting this evidence. According to the inscriptions, each village was under the leadership of a village official called Ramkeya or Mutada. He was the village elder and elected as an intermediary between the Government and the village. Royal orders were usually addressed to him. He protected the life and property of the people in his village. But he was not the representative of the people. He was the agent of the Central Government.

The Manram and the Pandiyan, mentioned in the classical Tamil literature of Sangam age, was not a Local Government institution. The word Manram means an open space in the center of the village, where the people met, under the shade of a tree. It was also called podium or poduville in Tamil and Bodduchavidi in Telugu. It was the place where the community festivals were held and where sacrifices to Gods were offered and where Kings transacted serious business.

The Sabbas that existed during the time of Cholas were communal organizations, consisting of only Brahmanas even though there were other communities living in the Brahmadeya village because the qualifications prescribed for the members of the Vairiyam were possessed only by Brahmanas and only they had their privilege of studying the Vedas and Vedangas.

Again, Nagaram, Valinjyar, Manigramam and Mula Parudiyar were not Local Government institutions. They were simply guilds whose membership was restricted. The Nagaram was a mercantile organization. The valinjyar and Manigramam were economic organizations, largely concerning themselves with mercantile interests, while the Mulaparudiyar was not concerned with the protection or promotion of common interest.
Thus, Local Government was not a universal feature in ancient and medieval India. The so called Local Governments were not elective. They were not territorial in character. They were functional.

DEVELOPMENT OF MUNICIPAL GOVERNMENT IN MODERN INDIA

The first statutory enactment relating to Municipal Administration in India is section 158 of the Charter Act, 1793 which established Municipal Corporations in the three Presidency towns. This enactment authorized the appointment of justices of the peace and to levy and collect taxes on houses and lands for the provision of sanitary services. During the period 1793 to 1842 no attempt was made to establish Municipal Boards in the district towns.

Although there were no statutory Municipal bodies, there were voluntary associations in all the provinces. In the Punjab the Board of Administrators established the Chowkidari police system in all towns and villages in 1840. The cost of the establishment was met from house tax. When the house tax proved to be unpopular, it was replaced by town duties. The balance left after meeting the expenditure on police was utilized for the improvement of Municipal services. The administration of the fund was controlled by a committee, consisting of persons elected by the townsmen.

In Madras also there were voluntary associations for the purpose of Local improvement. In Bengal the experiment was tried at Jessore. It was successful. It was extended to Assam. In Assam, there were voluntary associations in several places.

But attempts were made for the introduction of statutory Municipal boards. The first small beginnings of Municipal action in the province is to be found in the introduction of Act 26 of 1850 which amended the provisions of Act X of 1842. The Bengal Act X of 1842 was enacted with a view to enable the inhabitants of any place of public resort or residence under the presidency of Fort William, not within the town of Calcutta, to make better provision for purposes connected with the public health and convenience. But the Act proved to be inoperative because it was based on the voluntary principle and its introduction in any town required the application of two-thirds of the households. Further, the taxation enforceable under it, was of a direct character and for this reason also it met nowhere with the popular approval. It was no doubt introduced in one town in
the Madras Presidency but its inhabitants, not only refused to pay the tax but also prosecuted the collector for trespass when he attempted to collect the tax by force. The authorities were convinced of the futility of direct taxation for local purposes. Accordingly, the Act was repeated by Act 24 of 1850. This Act could be introduced in any town, provided the inhabitants were desirous of making better provision for repairing, cleaning, lighting and for the prevention of nuisance or for improving the town in any manner. This Act also like its predecessor was permissive in nature.

The Act of 1850 determined the composition, powers and functions of the Municipal boards. It would consist of the magistrate and such number of commissioners as were necessary. It would be autonomous and the Government would exercise limited control over it. The Act permitted the levy of town duties but it was left to the people themselves to decide, in every instance, which mode of taxation they would prefer.

While forwarding the Act to the Provincial Governments, the Government of India observed: "The President-in-Council is desirous of exercising extreme caution in giving effect to the provision of the Act. The law cannot be put into force without the consent of the Local Government and the President-in-Council trusts that consent will never be given except upon the fullest and most careful enquiry which it may be possible to make. Local Officers, with the best of intentions, may frequently be more zealous than prudent. Their recommendation for the introduction of the Act should always, therefore, be received with caution and should not be acted upon, until the statement upon which their recommendations are founded, shall have been carefully and minutely scrutinized."

The Provincial Government circulated the Act among the District Officers with a request whether it could be introduced in their districts. At the same time, the District Officers were warned to be very careful to inform themselves accurately of the real sentiments of the people in respect of the proposed measures and should the general feelings be in its favor, would explain whether it was the wish of the inhabitants that the Act should be brought into force in their town for all purposes specified in the Act or shall be applicable in part only, and in the latter case, to which objects it should be restricted.
Most of the District Officers reported that the people of the towns were against the introduction of the Act. When it was introduced in some towns there were disturbances and military had to be called for to maintain law and order. Further, all those persons who had been nominated as members of the Board resigned and joined the agitation for the abolition of the Board. The Government, therefore, abandoned the idea of establishing a Municipal Board in these places. The inhabitants of big towns continued to show indifference to the benefits aimed at by the Act and the Act was introduced only in one place in the whole of North-East India-Gauhati. It was not welcomed in other places.

Thus, Municipal action produced in two ways. First, by the introduction of the Act of 1850; secondly, by the establishment of voluntary associations in some places. The second was successful, but not the first.

The reasons for the failure of the Municipal Act of 1850 were firstly, the dislike of the people to be ruled or interfered with by those of their own body who were not in the employ of the Government. The native population did not like to govern itself. They had neither faith nor trust in their own community. Secondly, there was notorious suspicion and apathy of the people in regard to everything like improvements suggested for the promotion of common welfare; the absence of public spirit and mutual sympathy; the universal practice of looking up to the Government for all amendments in their condition. Third, sufficient provision was not made in the Act to enable the Executive Officer to act with vigour. Fourth, the board was authorized to determine the persons and property to be taxed and the mode and the amount of taxation to be levied. Finally, the board was also authorized to make regulations relating to conservancy. As a consequence, the Act worked according to local conditions.

The Government was convinced that as long as the introduction of the Act of 1850 depended upon the general consent of the people, all attempts for the provision of Municipal services would meet with failure. Therefore, the Provincial Governments recommended, in 1855, that the Act should be amended and its voluntary basis should be abrogated. The Town Improvement Act, 1865, was enacted.

The circumstances in which the Town Improvements Act, 1865, was enacted rather interesting. About the year 1858, the Inspector-General of Police, Madras,
while submitting to the Government of Madras, a scheme of the organization of the Police Department suggested the imposition of tax for the maintenance of the police in towns. This proposal was again placed before the Government in 1863 and in 1864, he submitted a bill for necessary action. In the meanwhile the Madras Government received a communication from the Government of India suggesting not only the transfer of a portion of a cost of the police to the Municipal funds, but also the raising of funds for purely Municipal purposes. It was further pointed out that the inhabitants of towns, as compared to rural population, did not contribute their quota to the general revenues although more expenditure had to be incurred on police in towns because of the congregation of people in large numbers and the consequent facilities for crime.

There was also the belief that the bill was introduced because of the epidemic of 1863. This was not the only reason. It was one of the reasons. But the main reason was the defects in the Act of 1850.

The Town Improvement Bill, 1864, contemplated compulsory taxation to defray the cost of police administration, while taxation for other services would be voluntary. The Select Committee on the Bill, however, decided that taxation should be compulsory for all Municipal services. Provision was, therefore, made in the Act for compulsory taxation not only for police but also for other services. The Act also contemplated the payment of a grant of 25 per cent of Municipal expenditure to the Municipal boards. The intention in making the grant was to indicate to the Municipal Councils that the Government was not shifting the entire expenditure on police to the Municipal Councils.

The Act also authorized the Municipal Councils to raise funds for other purposes such as lighting, prevention of fire, and water supply. Thus, the Act of 1865 retained in a modified form the optional provisions of the Act of 1850.

But the Municipal Councils under the Act of 1865 lost much of their autonomy. Firstly, they were bound to raise their funds fixed by the Government for police purposes. Should they fail to do so the Magistrate who was the Ex-officio President of the Municipal Board was authorized to set unilaterally.

Introduction of the Act of 1864: The Heads of the Provinces were requested to suggest the places where the Act of 1864 could be introduced. At the same time they were told that its introduction should be gradual, that is, extension
should be limited to the populous towns and that it should not be extended to agricultural villages. They were also told that the Act need not be introduced all at once.

The Resolution of 1864: In the meanwhile, the Government of India issued its Resolution on the Administration of police and incidentally on Municipal Government. The main principles laid down by the Resolution were that the cost of police, maintained expressly for the service of any city or town, should, as far as practicable, be defrayed by its inhabitants; that the inhabitants should raise funds required for this and other Municipal purposes; that this transfer of charge of the Municipal Police from Imperial to Local funds should take place as soon as possible.

"The people of this country", said the Government of India," are perfectly capable of administering their own local affairs. The Municipal feeling is deeply rooted in them. The village communities, each of which is a Republic are one of the most abiding of Indian institutions. They maintained the framework of society while successive swarming invasions swept over the country. In the cities also, the people cluster in their wards, trade guilds and panchayats and show much capacity for corporate action. In making the more important improvements, they will have the aid of the more important Europeans who are settled at the principal places of trade in the interior.

The resolution added that the principle of Local Self-Government was more easily applicable to population collected in towns than to those which were scattered over the country.

The Government of India was not convinced of these arguments and the District Town Improvements Act was introduced in all the Provinces. Unlike the Acts of 1850, this Act did not excite active opposition. The general attitude of the people towards the Act was one of indifference. Wherever the provisions of the Act were intelligently explained and its introduction was made with some caution, it worked well. It was in force in two towns in North-East India.

In 1868, it was found desirable to provide for the administration of small towns which were not ripe for receiving the Act of 1864. Further, some of the provisions of the Act of 1856 (The Chowkidari Panchayat Act) were out of date. Hence the District Towns Act, 1868. The main object of the Act was to improve
the sanitary condition of the towns which were not sufficiently advanced for the introduction of the Governmental system embodied in the District Town Improvements Act, 1864, but which required some special arrangement beyond those which had been found sufficient for the rural tracts.

Almost immediately after the introduction of the Act of 1864, the need for its revision was felt. In the first place, the Act of 1864 contained a restriction which prevented the appointment of persons not residing within the limits of a Municipal Board. It was felt that the occasional presence of a European official as a Member of a Municipal Council was essential for the successful working of the Act. In other words, the Government desired to possess the power to appoint any officer they might think proper as a member of the Council. Further, it was also thought that instead of the Sub-Divisional Engineer, the Revenue Officer in charge of the Division should be an Ex-officio Member of the Council. It was considered necessary that all grades of Revenue Officers should identify themselves with the successful working of Municipal Boards within their jurisdiction. It was also found that the option given to the Municipal Boards to levy taxes for such objects as lighting, sanitation, vaccination and medical relief was practically inoperative and as a consequence, the services thus supposed to be provided for, were either starved or neglected.

Mayo's Reforms: In the meanwhile, the financial position of the Government of India deteriorated. Prior to 1833, all the Provincial Governments were separate clocks with separate mainsprings, working according to their lights. In that year the superintendence, direction and control of the whole the Civil and Military Government of all territories and their revenues were vested in the Government of India. An Imperial system of Government was inevitably followed by an Imperial system of finance. Except in the case of cesses, levied principally for local purposes, the Provincial Governments were absolutely dependent on the Central Government for everything. Such a system of financial arrangement produced disastrous consequences. First, the Provincial Governments were not responsible for augmenting their revenues. On the expenditure side, the Government of India miserably failed to control the Provincial Governments, because it was at a distance and, therefore, lacked knowledge of local circumstances and of local needs which were essential for the successful control of Provincial Finance. But the existence of a common purse with an unknown depth encouraged the Provincial Governments
to secure for themselves the largest possible share of general funds. In these circumstances, deficits in the Imperial budget were inevitable. Between the years 1834 and 1860, as many as ten years had deficit budgets. It was also the case during the period 1860 to 1870. To overcome their financial difficulties, the Government of India adopted several devices. The one which is of interest to us was the partial transfer of charges of local character to local accounts. As early as Lord Amherst's time, an Act was passed by which local funds were established. But since the time of Lord Canning, every year, the Government of India transferred to the local funds various sources of income more or less of local character, to be administered by Local Governments. It was in 1861 that definite proposals were made to overcome the recurring deficits in the Imperial Budget. The Government of India proposed to transfer certain expenditures from the Imperial to Local Fund. But, as the next year was a prosperous one, the scheme was deferred.

In 1866, there was a deficit in the Central budget. To balance the budget Sir William Massey suggested the transfer of expenditures on certain services entirely to the Local Governments but the latter protested. In 1867, he suggested not only the transfer of certain charges but also certain revenues to meet the charges. But Massey at the same time said that any increase in the expenditures on the charges should be met by local taxation. The Local Governments, however, pointed out that financial decentralization must be based on certain definite principles. It was in 1869, that the Government of India took definite steps and transferred certain services and revenues to Local Governments. Since the Central Government threw some burden on the Provincial Governments, the latter threw a part of it on the Local Authorities. In 1870, the Government of India issued a resolution containing the principles of financial decentralization. The Resolution said that certain services together with certain amounts would be transferred to the charge of the Provincial Governments. Two propositions were enunciated in this Resolution. One was that certain services like roads, education and medical relief should be treated as local and funds required for their administration should be raised in the main by local taxation. The other and the most important one was that in the management of these funds, opportunities should be created for the development of Local Self-Government.
In 1870, there were various and confusing systems of Municipal Government with several independent statutes. To consolidate the old laws, a bill was introduced in 1871. But it was vetoed by the Governor-General-in-Council on the ground, that the measure would increase Municipal taxation which was unnecessary and inexpedient and that it made the expenditure on education obligatory. Though the bill was vetoed, the existing law was amended providing for the election of Municipal Commissioners and concentrated real power in the hands of the Chairman who was also the Magistrate. It was also provided that the Vice-Chairman should exercise the powers of the Chairman during his absence. This provision practically made the Vice-Chairman the real Chairman of the Municipal administration in all places except at the district headquarters. Provision was also made for the delegation of powers by the Chairman and Vice-Chairman.

In 1876, another Act consolidating the existing Municipal law was passed and it was adopted by some provinces. Under this Act, the urban Local Authorities were divided into four, the first and Second Grade Municipal Boards, union and stations.

Ripon Reforms: In 1881, the Government of India issued a Resolution containing the principles for the revision of the Agreement, then in force, for the administration of the Provincial Services and establish the Decentralized system of finance on uniform basis. It was then explained that intimately connected with the decentralization of finance was the development of Local Self-Government. Although considerable progress was made in regard to the development of Local Self-Government institutions, services which were admirably suited for Local Self-Government were still retained in the hands of the Central Government. Further, heavy taxation was imposed on the inhabitants of the town for the maintenance of police over which they had no control. So in 1881, the Government of India indicated those items of expenditure which appeared to it most suited for local control. The Government of India also said that the Local Authorities should not consist of persons in the service of the Government; that the strength of non-official members in the board should not exceed one-half or two-half or two-thirds of the total strength and, finally, that Local Authorities should enjoy fullest liberty.

In 1882, the Government of India issued another Resolution on the same subject which gave an important position to Lord Ripon who is deservedly known
as the Father of Modern Local Self-Government in India. To him goes the credit for giving more prominence to the idea of Local Self-Government than to the idea of more local taxes for the services which was the dominant feature in the preceding years. The key-note of the resolution is that Local Self-Government should be made an instrument of political and popular education even at the risk of a temporary period of administrative inefficiency. He, therefore, laid down certain principles. Firstly, the Provincial Government should maintain and extend in every district, where intelligent and non-official agency could be found, a network of Local Authorities, charged with definite duties and entrusted with definite funds. Secondly, the jurisdiction of the Local Bodies should be so limited in areas so as to secure both local knowledge and local interest on the part of each member. Thirdly, the Chief Executive Officer of the District or of the Division should not be the chairman of the Local Authority, if the boards are to be of any use. Ripon said that for the purpose of training the natives, to manage their own affairs, they must not be overshadowed by the constant presence of the Burrasahib. In other words, the District Officer should control the Local Authorities from without. Fourthly, non-officials should act, whenever possible, as chairman of the Local Authorities and the non-official chairman should be elected as far as possible. The Provincial Governments should use their power of appointing an official chairman very sparingly. Fifthly, the strength of the non-official members in the Local Authorities should be substantial. That is, the non-official strength should not be less than two-thirds.

As regards the degree of control to be exercised by the Government over the Local Authorities, the Government of India observed that it should be done from without rather than from within. The District Officer should have three powers of control; the power to sanction certain acts of the Local Authorities, the power to veto certain decisions of theirs and finally to suspend certain others. But at all times the District Officer should watch the proceedings from without, point out their attention to any neglect of duty and remonstrate with them, if they exceed the powers given to them or acted illegally and arbitrarily.

Ripon argued very convincingly that there was growing up, all over the country, an intelligent class of public spirited men and it was not only bad policy but sheer waste of power to fail to utilize them. Ripon said that the task of administration was yearly becoming more onerous as the country progressed in
civilization and material prosperity. Under the circumstances it became imperatively necessary to look round for some means of relief; and the only reasonable plan open to the Government was to induce the people themselves to undertake the management of their own affairs.

The result of Ripon Resolution was the enactment of Municipal Acts by the various Provincial legislatures. The Madras District Municipalities Act and the Bengal Municipal Act were enacted in 1884. But the Acts did not embody all the principles enunciated by Ripon. The Preamble to the Acts made reference to Self-Government but it said that the Act was brought into existence to make better provision for the organization and administration of the District Municipalities in the Province, and to promote public health, comfort and convenience of the inhabitants of the Municipal areas. In Assam, the Chief Commissioner suggested to the Municipal authorities to introduce the elective system, provided the people desired its introduction. The Chief Commissioner went to the extent of suggesting to the District Officers that they should induce the rate-payers to apply for the introduction of the elective system in their areas, because under the Municipal Act, 1876, it could be introduced in any Municipal area only when the ratepayers petitioned for it.

In other respects also the Resolution adopted a liberal attitude. It prescribed moderate qualifications for voters. It suggested the division of each Municipal area into wards for the election of members. It advised the District Officer not to attend the meetings of the Municipal Council, unless he was elected as Chairman of the Council by its non-official Members. If an official was elected Chairman, the Vice-Chairman should be a non-official. Finally, it laid down the principle that the Boards might be permitted to elect their Chairman.

Decentralization Commission: The next landmark in the history of Municipal Administration is the publication of the Report on the Royal Commission on Decentralization. The most important of its recommendations were firstly, the relaxation of Governmental control over the Local Authorities in regard to the preparation and approval of budgets, control over the Local Authorities, and the delegation of functions to committees. Further, the finances of the Local Authorities should be based on sound foundations.
The other recommendations of the commission were, first, outside the Presidency Towns, there should be three different forms of Municipal Government, larger cities with more than one lakh population should have a special form of Government with a full-time paid executive officer; the towns of the moderate size should have the ordinary forms of Government and the semi-urban areas, a town panchayat. In some Provinces all these three forms of Municipal Government existed and, therefore, the recommendation was inapplicable to them.

Secondly, the Government accepted the recommendation of the Commission that the Municipal Boards should be relieved of their financial responsibilities in connection with the maintenance of police, famine, and such other services. They also accepted the recommendation of the Commission that the Municipal Boards should be consulted with regard to the location of liquor shops within their jurisdiction.

Thirdly, the Commission recommended that the Municipal boards should control the services which they maintain from their own resources. If the Government desired to control any service, it should be provincialised.

Fourthly, the Government did not accept the recommendation of the Commission that the Municipal boards should be relieved of the veterinary charges on the ground that the veterinary assistants were employed solely for Municipal works. Similarly, the Government insisted that the Municipal boards should pay for the destruction of wild animals.

Fifthly, the Government did not accept the recommendation of the Commission that outside sanction for certain works should be done away with on the ground that it would result in extravagant expenditure of funds.

Sixthly, the Commission recommended that a Municipal Board might exempt any person or class of persons from taxation only with the sanction of an outside authority. The Government did accept this recommendation on the ground that it would result in centralization and not in decentralization of authority.

Seventhly, the Commission recommended that the Municipal Boards should have a free hand in the framing of their budgets and in the re-appropriation of allotments to different heads subject to the condition that it maintained a minimum balance. They should not be required to allot certain percentage of their income
to any particular service. The Government did not accept this recommendation on the ground that the time had not come for the grant of such unrestricted freedom to the Municipal Boards.

Eighthly, the commission recommended almost complete freedom to the Boards with regard to personnel administration except with regard to some important ones. The Government did not accept this recommendation on the ground that such freedom would develop a tendency in the Boards to create new posts without warrant.

Ninthly, the Government, however, accepted the recommendation of the Commission that a majority of the members should be elected by the Board, should ordinarily be non-official that an officer should not be the Chairman for more than one Municipal Board; that Standing Committee should be constituted for the administration of certain services and that they should be endowed with real powers and functions; that the board might co-opt outsiders who are experts as members of the committees and that the decisions of the Board should be published in the regional languages. As regards contested elections, they should be decided not by the courts but by magistrates.

Tenthly, the Government rejected the recommendation of the Commission that the Boards should be authorized to levy a special tax for the construction of railways.

Finally, the Government accepted the recommendation of the Commission that Municipal Boards should pay the expenditure on the administration of plague. Thus, most of the recommendations of the Commission were rejected by the Provincial Governments.

Resolution of 1914: In 1914, the position was that besides Municipal Corporations, there were different types of Municipal Boards, Stations, Town Committees and Unions. The Government of India issued Resolution in 1914, suggesting certain reforms. Firstly, small towns should be Governed by a separate state. The Chairman and the Vice-Chairman of the Town Committees should, in the first instance, be appointed but provision should be made for the election of the Chairman, the Vice-Chairman and the members of the committees.
Secondly, Municipal Acts laid down certain conditions for the formation of Municipal Boards, namely, that the total population of the area should not be less than 5,000 and the density of population should not be less than 1,000 per sq. mile, and that three-fourths of the adult population should be non-agriculturists.

These hard and fast rules were found to be undesirable because they prevented the establishment of Municipal Boards in the Sub-Divisional Headquarters of some importance. Similarly, restrictions were not laid down in other provinces. So the Government thought that it should have greater discretion in the determination of administrative areas of Municipal Boards.

Thirdly, the Resolution said, ordinarily the Chairman should be elected and he should be a non-official. A substantial number of Members should be elected. If local conditions warrant, the Government should have the power to nominate the Chairman, and a certain number of Members.

Fourthly, provision should be made for penalizing corrupt practices at elections.

Fifthly, persons who were deeply indebted should not be the Chairman or the Vice-Chairman or Secretary of the Board.

Sixthly, gratuity or pension would be paid to the families of the Municipal employees who die while in service.

Seventhly, legal practitioners who were also members of the Board should not be permitted to appear against the Board, because as Members of the Board they might obtain valuable information and use it against the Board. Further, no pleader who was a Member of the Board could render paid professional advice to the Board. As a consequence, sometimes Municipal Boards were deprived of the services of their members.

Thus, the Resolution of 1914, which tried to give effect to the recommendations of the Royal Commission on Centralization, was a tame affair. It was old wine in new bottle. Real stimulus had to come from some other source. It did some and effectively also, with the publication of the Report on the Indian Constitutional Reforms, popularly known as the Montague-Chelmsford Report. The first World War had aroused new emotions, new ambitions and new ideas among the people of the country. The demand for Home Rule and Swaraj became
more and more insistent and irresistible. The British Government found it absolutely necessary to take steps for the introduction of responsible form of Government. It was in pursuance of this policy, the Joint Report was drawn up. The Report contained the formula that there should be, as far as possible, complete popular control in Local Bodies and the largest possible independence for them from outside control. This was the minimum that was to be done and the Government of India issued a Resolution in 1918, in entire modification of the conservative views which it expressed in 1915.

Resolution of 1918

The Principal points of the Resolution were, firstly, elective majorities in all the Local boards, nomination being retained to secure the representation of the minorities; secondly, a fairly wide franchise; thirdly, elected Chairman as far as possible; fourthly, full liberty to impose or alter taxation within the limits laid down by law; fifthly, full control over their funds; sixthly, a free hand to frame their own budgets; seventhly, elimination of outside control over their establishments and finally, freedom in several other directions.

Accordingly, on the 16th May, 1918, the Government of India issued fresh resolution reiterating Lord Ripon's policy that the object of Local Self-Government was to train the people in the management of their own local affairs and that political education of this sort must, in the main, take precedence of the consideration of departmental efficiency. The aim was "that Local Bodies should be as representative as possible ..... that their authority in the matters entrusted to them should be real and not nominal and that they should not be subjected to unnecessary control but should learn by making mistakes and profiting by them".

The detailed proposals of the Resolution were broadly in harmony with those of Decentralization Commission and in some respects even went beyond them. The Resolution made the following proposals:

Firstly, there should be substantial elective majority both in Municipalities and Rural Boards. The Resolution of 1918 accepted only this principle in respect of Municipalities. It stated that ordinarily three-fourths of the seats should be filled by election; that special representation of minorities should be effected by retaining the practice of nomination rather than by introducing some system of
communal or proportional representation; that for securing official experience nomination of men possessed of such experience be made but without right to vote.\(^4\)

Secondly, as a corollary to the principle of elective majority, the electorate should be increased by lowering the franchise qualifications considerably so as to make the Boards really representative of the body of rate payers.

Thirdly, the Chairman should be elected from among non-officials and if any Board wanted to select an official there must be a majority of non-official votes.\(^5\)

Fourthly, as regards power of taxation it accepted the suggestions of the Decentralization Commission. Municipal Councils, except those which were indebted to the Government, should have the liberty to vary taxation within the limits prescribed by the law. It also gave the Boards a free hand in regard to their budgets. "The only check required should... be the maintenance of a minimum standing balance to be prescribed by the Local Government would exercise over loans and by the power which should be reserved to compel a Municipality to discharge its duties in cases of default".\(^6\) The system of requiring Local Bodies to devote fixed portions of their revenues to particular objects of expenditure should cease.\(^7\)

Fifthly, the Government of India accepted the recommendations of the Decentralization Commission that if a Municipal or Rural Board had to pay for a service, it should control it; and that, where it was expedient that the control should be largely in the hands of Government, the service should be provincial one\(^8\).

Sixthly, the Government of India accepted also the view of Decentralization Commission that the authorities should retain the powers of superseding the resolutions from operation or taking necessary action in default or even dissolving the Local Body in cases of grave and persistent neglect of duty or abuse of power\(^9\).

Seventhly, the resolution favored the establishment of village panchayats on the lines suggested by the Decentralization Commission, mainly with a view to develop corporate life.
Lastly, the Resolution favoured that except with regard to appointment, removal and conditions of service of the principal executive or expert officers, outside control over establishment and over Local Bodies should be eliminated. Local Government should lay down for Municipal Boards general rules in respect of leave, acting and traveling allowances, pensions or provident funds and maximum salaries.\textsuperscript{10}

The resolution thus reflected faithfully the view that "responsible institutions will not be stably rooted until they are board-based and that the best school of political education is the intelligent exercise of the vote and the efficient use of administrative power in the field of Local Self-Government."\textsuperscript{11}

THE PERIOD BETWEEN 1919 AND 1935

After the passage of Government of India Act, 1919, legislation on the basis of the recommendations of 1918 resolution was passed by various provinces during the succeeding years. The Act of 1919 introduced partial autonomy in the provinces commonly known as 'Dyarchy.' Under this system Local Self-Government formed one of the Transferred Departments under the charge of an elected Minister. He now became responsible for the future destinies of Local Bodies. This ushered in a new era in the history of Local Self-Government in India. This period was marked by the newly elected Legislative Councils' clothing the various Local Bodies with greatly enhanced powers, freeing them from official control and making them responsible to a substantially enlarged electorate.

These new enactments made the Local Bodies wholly elective. The Chairmanship of Local Bodies was restricted to non-officials. Greater powers and independence were conferred on them. In many provinces separate representation to minorities was also allowed. Now the Government of India cut off its connections with Local Government Policy and the Provinces were left entirely free in the sphere of Local Government administration. This, no doubt, resulted in diverse enactments in the Provinces, yet all followed a common pattern as far as constitution, function and powers were concerned. The Government of India Act, 1919, laid down schedule of taxes which could be levied only by or for Local Bodies. This not merely enlarged the effective sphere of taxation but enabled the Local Bodies to feel relatively independent.\textsuperscript{12}
In Assam, Municipal Act 1923 was passed which brought the Municipal Administration of the Province in line with that prevailing in other parts of the country. At least four-fifths of the members were to be elected. Elections were based on a limited franchise. Government control was effective.

In Bengal, though no new enactment was passed, yet Local Statutory Rules and Orders of 1924 introduced some additional provisions chiefly relating to elective principles and enlargement of powers of the Council in the General Act II of 1914. Later on, Bengal Municipal Act, 1931, was passed which made provision for the appointment of Executive Officers in a Municipality when required by Government.

In Bombay, a great advance in the constitutional growth of Local Self-Government was made in September 1920, when the Government of the Province took a distinct step in the direction of liberalizing the Constitution of Municipalities so far as it could be effected under the provisions of District Municipal Act, 1901.

The Government of Bombay directed by Executive orders that the following measures should be taken:

In Madras, to improve the administration of Municipalities Madras Act V of 1920 was passed. Franchise was extended to all rate payers including women. The Councils were given perfect freedom in the choice of their Chairmen. Any voter was entitled to be a candidate for elections. Normally Councils were given a free hand in regard to their budgets. Then under the Amendment Act of 1930, system of nomination was abolished and a provision was made for the reservation of seats for minority communities by system of election by all voters in each ward. By the amendment Act XV of 1933 it was made obligatory on the part of the Government to appoint Commissioners as Executive Officers to big Municipalities and empowered them to appoint such Commissioners in all other Municipalities, if found desirable.

In Madhya Pradesh, Central Province and Bar Municipalities Act was passed in 1922. Municipal Committees were constituted under Section 5 of the Act wherein, one-fifths of the Members were to be elected by the rate payers and another one-fifth selected by the elected and nominated Members. Elections were to be held every fifth year. Section 50 and 51 enumerated the obligatory and
discretionary functions to be performed by Municipal Committees. Sources of income were varied and widened. Viewed generally, Municipal Self-Government was considered to have taken root successfully in this province.

In the Punjab, the Municipal Act of 1911 was amended by the Act XXXVIII of 1920 by which franchise was lowered and powers of the Council were increased.

In United provinces, the Municipal Act of 1900 was the basic law by which Municipalities were administered. To give effect to the recommendations of Decentralization Commission and Resolution of Government of India, 1915, Municipalities Act of 1916 was passed which "liberalized the Municipal constitution, made provision for the communal representation... realled the Governmental control over Municipal finances and budgets and made certain minor charges in numerous matters of routine."\(^{14}\)

Thus, on the whole we find that the reformed period was marked by an increased activity of the Provincial Legislatures in the domain of Local Self-Government. This spirit was visible in a large number of official and non-official bills that were introduced in the first year of the reform and a number of questions that were asked on the working of these institutions. In Madras, upto 1925 ten official bills and six non-official bills relating to both rural and urban Local Bodies were introduced. In Bombay, the number for the same year was sixteen and thirteen respectively. In Bengal, the number for the same year was sixteen and thirteen respectively. In Bengal between 1924-26, the Provincial Legislature saw the introduction of four Government Bills and fifteen Non-Official Bills. Other provinces also displayed the same enthusiasm ex. in Madhya Pradesh between 1921 and 1927, 211 questions were asked and 11 resolutions were moved on matters relating to Local Bodies.\(^{15}\)

Working of Municipal Administration during this period shows that great interest was taken by the people both in the election to Local Bodies and in the work performed by them. The percentage of voters who went to the polls was 70 and 52 in Municipal and rural areas, respectively, in Madras in 1925-26, and 65 in Municipal and 61 in rural areas in Bihar and Orissa in 1927. The position in other provinces in this respect was not dissimilar. The keen interest taken by Local Bodies in education, the report of the then Auxiliary Committee bore eloquent testimony to this fact. Large sums were spent by them on the extension
of medical facilities and the improvement of public health. The incidence of taxation per head of population in Municipalities rose in all provinces during the years 1918-19 to 1925-26 some of notable increase being from Rs.3-4-1 to Rs.5-11-6 in Bombay; Rs.2-3-0 to Rs.3-7-7 in the United Provinces; Rs.3-5-6 to Rs. 4-2-7 in Punjab and Rs.1-8-9 to Rs. 2-2-0 in Bihar and Orissa.\textsuperscript{16} All this shows that there was marked progress and was largely due to the initiative of the popular ministries working with the full support of the reformed legislatures.

But it is very difficult to arrive at a correct appreciation of the working of many other sources of information revealed that the operation of the administration of Local Bodies has been greatly affected by various other factors. In every Province while a few Local Bodies have discharged their responsibilities with undoubted success, others have been equally conspicuous failures.

In Madras, "there has certainly been an awakening of the civic consciousness of the people as a result of the reforms and the policy of de-officialisation" but, says the Report on the working of Reformed Constitution (1924) "there has been an unwillingness shown, which is not unnatural to the elected bodies who have had new powers given to them, to face the unpopularity of imposing new taxes or even to collect sufficiently strictly those which they imposed, or to enforce the law in dealing with the appeals for remissions. But with better financial conditions, there is every hope that the policy of giving wider powers to Local Bodies will in the future be justified."\textsuperscript{17} Hence, it is too early yet to estimate the result in the way of civic achievement.

In Bengal, the report on the working of reformed Constitution, 1927, reveals that the incidence of taxation has risen slightly. In Bombay also the incidence of taxation per head of population increased. The transfer of wide powers to Local Bodies, the increase of elective element in them resulted in a considerable growth of civic consciousness both in urban and rural areas. In 1919 only 7 percent of the total Municipal population exercised the Municipal franchise; in 1926 the percentage was 20.\textsuperscript{18} The memorandum presented by the Government of Bombay as the Report on the working of Reformed Constitution, 1927, has summarized thus its review of Municipal Administration:

1. They are of growing interest in Local Self-Government among the people.
2. The interest is apt to be wrapped by communal influences;

3. There are few signs of development of party Government of definite lines on Local Bodies;

4. The electorate is freakish and apt to vote from personal and caste motives, rather than on principles;

5. The success or failure of Local Self-Government bodies is more often than not dependent on the Councils of one man of outstanding influences.

In United Provinces, the working of Municipal institutions in 1924 has been described by a newspaper in an article captioned "A peep into Local Self-Government", which is quoted here in full. "From the numerous communications we have been receiving about the affairs of District and Municipal Boards in these Provinces, it appears that very large number of them have become hot beds of caste; communal or party strife. It is impossible for public interests not to suffer where narrow sectarian feelings run high or personal animosities influence the motives of action. Many correspondents complain about the arbitrary and high-handed proceedings and conduct of Chairman of this District or Municipal Board or draw depressing pictures of the confusion, waste, inefficiency, irresponsibility etc., which in their view characterizes the District Board or Municipal Administration against which they complain. The general impression left on our minds by these communications is that the new Boards contain more discordant and aggressive elements than the old ones did, and that the number of representatives who can approach local questions from a purely public point of view and in a spirit of board-mindedness is very small. There is a prevalent tendency to blame the Government for every ill we suffer from. But we should more clearly realize that much of the cause for our past and present plight lies in our defects.... The more acutely we realize our defects, the better chances there are of a conscious effort to get rid of them."

This state of affairs could not improve even during 1926-27. The Memorandum submitted by the Government to the Indian Statutory Commission 1930, reads, "The conduct of business in the meetings on the whole has not been business like". "While the board now show a more lively interest in the maintenance of a regular water supply, their management has not, generally, speaking, been
sufficiently business like." "Note all the boards have adequately realized the importance of an efficient staff." "The Municipal Boards handling of their educational system has in general been less efficient". "In the matters of collections of taxes, the Boards' record has not been very encouraging."

In other States like the Punjab, Bihar, Orissa, Central Provinces and Assam, the same story can be repeated. In many Municipalities the complaints as to the maladministration had been numerous and various reports indicate a general lowering of the standard of administration. It will not be an exaggeration if we say that Municipal Administration was worse. Severe criticism appeared in local presses of the states regarding the affairs existing in Local Bodies. The root cause of maladministration was due to reluctance of Municipal Boards to impose adequate taxes, lack of control and strict supervision by the Executive over the work of their staff and also the prevalence of party intrigues and factions among the members with personal rivalries. It is really a matter of serious anxiety as regards the future of Local Self-Government, if this state of affairs was to continue.

To estimate the real progress of Municipal Government during this period certain factors which have hampered the progress must be taken into consideration. Some of these have arisen from the change to a new system, other from the nature of the new organization and still others from local or temporary conditions. To sum up the position we must pen here the observations made and conclusions reached by the Indian Central Committee appointed by Government of India in February 1928:

"We find that the working of Local Bodies in recent years has been subjected to adverse criticisms; but it does not appear to be sufficiently realized by the critics that responsibility was suddenly transferred from trained officers, supported by adequate technical staff and with the resources of the Revenue Department generally at their disposal for purpose of inspection and check, to unofficial bodies operating in some cases with inadequate technical staff and in an atmosphere charged with resentment against, and suspicion of, official control. Where, in the first years of the Reformed Constitution, advice from experienced officials might have been of great value to Local Bodies, the conditions were such that the latter were as little likely to ask for it as the former were certain to feel diffident in offering it. Circumstances thus combined to render the task of Local Bodies, in
these first years of emancipation from official control, one of unexampled difficulty. It would be unsafe, as well as unfair, to attempt to draw to definite conclusions as to the future of Local Self-Government from the history of the past nine years. To us, the wonder is not that these bodies should have failed in some instances to maintain their former efficiency but that their general level of working should have remained so high. Many of the defects, in our opinion, were, the inevitable result of the suddenness with which the transition from the official tutelage to complete freedom was made. They do not connect an inability on the part of the people to manage their own affairs through the medium of representative institutions. Certain improvements in the machinery of Local Self-Government are undoubtedly called for; and in particular, the relationship between the Provincial Governments and Local Bodies seems to require investigation. In so far, however, as any inference as to the fitness of the people for responsibility in the political sphere can be legitimately drawn from their conduct of affairs in the sphere of Local Self-Government, we think that the narrative outlined above fully supports and justifies the advance which we are going to recommend.”

This period was also noted for the national movement for outing the foreign rules from the country which colored all the national and local activities. This atmosphere of political bitterness invaded the Municipal field also. Jawaharlal Nehru, who was Chairman of Allahabad Municipal Board in 1924-25, writing about his experiences of the working of Municipal Boards in his 'Autobiography' in 1935, said: “The main interest of Government in Municipal Administration is that 'politics' should be kept out. Any resolution of sympathy with national movement is frowned upon, text books which might have a nationalist flavor are not permitted in the Municipal Schools, even pictures of national leaders are not allowed there. A national flag has to be pulled down on supersession of Municipality. Lately, a concerted attempt has been made by several Provincial Governments to hound out Congressmen from the service of the Municipal Corporations or boards.”

While in the beginning the Government and the British officials made all efforts to foster Municipal Institutions in India, in the latter period this ceased to be the case. Jawaharlal Nehru referred this phase in his 'Autobiography' in the following words: “Year after year Government resolutions and officials and some newspapers criticize Municipalities and Local Boards and point out their many failings. And from this the moral is drawn that democratic institutions are not
suited to India. Their failings are obvious enough, but little attention is paid to the framework within which they have to function. This framework is neither democratic nor autocratic it is a cross between the two, and has the disadvantage of both.\(^{22}\)

The observation made by the Local Self Government Committee appointed by U.P. Government in 1939 to review the working of Municipal Boards from 1916 to 1938 are truly applicable in case of every state:

"Although the comparisons which are so frequently being made between the respective efficiency of Government Departments and Local Bodies are neither fair nor friendly, there can be no two opinions that the existing management of Local Bodies has given rise to very large dissatisfaction in the public mind. We do not deny that the record of non-official Boards in many respects have been comparatively better and more creditable than that of Boards during official regime. At the same time, we have to admit that, owing to the inherent defects of the Constitution under which Local Bodies have been forced to work the latter have not attained the required standard of efficiency, due to intrigue, incompetence and bankruptcy. We have heard it said again and again that the failure of Local Self-Government is due to the people's incapacity to run democratic institutions. This is an entirely mistaken idea with which bureaucracy and its friends have long deluded themselves and the public. The causes which have contributed to the present unsatisfactory conditions of Local Bodies are, indeed, in our opinion quite different. To begin with, we think that the responsibility for Local Self-Government, which was transferred to non-official Boards was only shadowy owing to the wide powers of the agents of bureaucratic Government to interfere in the day-to-day administration of these bodies. Secondly, owing to the restricted franchise, the real representatives of the people, men of public spirit and Selfless character, were generally shut out from the Local Bodies and vested interests held away. Thirdly, the nomination system had a most demoralizing influence. It corrupted people as well as the Government. Lastly, the division of electorate into separate communal water-tight compartments has also stood in the way of healthy development of corporate life and has done the greatest possible harm to the cause of Local Self-Government.\(^{23}\)

More so, the introduction of 'Dyarchy' under the Act of 1919, had also its effect on Local Self-Government. In the words of an eminent statesman, D.P.
Mishra, "The inevitable result of the dyarchical system was the isolation of the Local Self-Government from the general administrative machinery. The Reserved Half watched the functioning of the Local Self-Government with almost calculated indifference and wherever and whenever it failed to give a satisfactory account of itself it was put to the discredit of the people as unfit to Govern themselves. It was a case of practically two Local Governments working in the same area, one under the direction of the Reserved Half with the entire Provincial resources at their command and the other under the loose direction of the Ministry of Local Self-Government with practically no resources at its command."

THE PERIOD BETWEEN 1935 AND 1947

With the introduction of the Government of India Act 1935 and thereby the inauguration of Provincial Autonomy in April, 1937, the Local Self-Government received a new impetus both in urban and rural spheres. With the object of improving the administrative machinery of Municipal Councils many of the Municipal Acts were amended in almost all the Provinces. Many State Governments also appointed Committees to inquire into the working of Municipal Institutions and gave effect to their recommendations by Executive Orders.

The Madhya Pradesh Local Self-Government committee was appointed in 1935. In Bombay a Local Self Government Committee was constituted in 1939 and in United Provinces Committee was appointed in 1939 to examine the whole structure of Local Self-Government in the Province and to make recommendations for its reforms. Subsequently changes were made in the Municipal Law of the various provinces. The following various Amendment Acts were passed in different states by which much improvement was affected in the constitution, functions and finances of Municipal Boards.

In Bengal, the Act of 1884 was substituted by the Bengal Municipal Act 1931. Other Amendment Acts were passed in 1936 and 1947.

Old Bihar and Orissa Municipal Act of 1922 was amended in 1930, 33, 36 and 1939. The 1936 Amendment Act extended the franchise while that of 1939 abolished the system of nomination. The Provincial Government was also empowered to remove the Municipal Commissioner for misconduct in the discharge of their duties.
Bombay District Municipal Act of 1901 was amended by Amendment Acts of 1932, 1933 and 1949. The Bombay Borough Municipalities Act of 1925 was also amended by the Acts of 1938, 39, 44 and 1947. The abolition of nominations, reservation of seats for women and backward classes and giving of option to Muslims to declare themselves in favour of Joint Electorates formed the cardinal features of the Acts.

Madras had already passed two Amendment Acts of 1930 and 1933 by which nominations were abolished and the powers of the Councils were enlarged. Minor amendments were also affected by Amendment Acts of 1945 and 1947.

Madhya Pradesh also saw the passing of Amendment Acts IV and IX of 1934; Acts XI, XII, XXVIII and XIV of 1939; Act IV and VIII of 1941; Act VI of 1945 and Act XIV of 1947. All these resulted in vast changes and improvements. President was elected directly by the people and he became the Chief Executive Officer. Nomination was also abolished.

In United Provinces, many Amendment Acts were passed 33,34,35,36,37,39,40,42,43,45 and 1949. The Act VII of 1949 is very important as it provided for adult franchise, direct election of the President and better representation of minority communities. The Government has also been given powers to enforce the levy of any tax, not already imposed at rate fixed by the Government. No amendment was affected in Assam Municipal Act of 1923.

Owing to the intervention of World War II during 1939 and 1945, and the imposition of Governor's Rule in the Provinces, much of the progress in the sphere of Local Self-Government was retarded until the return of popular Ministries in 1946. This period was, it may be said, a period of piecemeal reconstruction. The democratization of Constitutions by abolition of nominations or by extension of franchise, or by granting more people (in some provinces) have a marked significance in the history of Municipal Institutions in the country.

The period after 1947

With the achievement of Independence, in 1947, the subject of Local Self-Government received attention from another angle. There has been a great awakening in the administrators and also among the people as regards the necessity of Local Self-Government on a firm, uniform and democratic basis. The process
of democratization culminated in the adoption of adult franchise for elections to Local Bodies in almost all the States of Indian Union and the complete elimination of nomination for which co-option was substituted in some instances. The functions of the Local Bodies were also enlarged, especially in urban spheres.

As a consequence of the integration of the former princely states with the rest of the country, the development of Local Self-Government also received a greater attention in those areas. Local Bodies in many of these states were mere subordinate branches of administration. Their transformation into Self-Governing institutions with their own powers, responsibilities and resources was initiated, and in different degrees the process is still in operation in all these areas.

But the reform and reorganization of Municipal Government in the country became overdue if the Municipal Boards and Corporations were to play the vital role in the working of nation-building activities, of which they are capable, as well as help people living in urban areas to run their Local Government efficiently and, at the same time to serve as training grounds for democracy and in the art of Self-Government. It is in this background that our system of Municipal institutions is being reconstructed.

Though the subject of Local Self-Government falls within the purview of Provincial Governments, yet the Central Government took a keen interest in discussing its main problems and for this purpose on the 6th August, 1948, for the first time, a conference, of provincial Local Self-Government ministers was held in New Delhi under the chairmanship of the Minister for Health, Government of India. This conference discussed various matters relating to Local Self-Government such as Constitution, scope of activities, finances, administration of Local bodies as well as the machinery of control over them. It passed many important resolutions for the consideration of State Government.

From 1950 to Present day

As the present constitution came into force in 1950, the Local Government may be said to have entered a new phase in that year. The Constitution has allotted Local Government to the State List of functions and, secondly, in the Directive Principles of State Policy, affirmed, "State shall take steps to organize village Panchayats to do them to function as units of Self-Government."
Identification of one sector of Local Government for the purpose of special attention and development in the Constitution is understandable as rural India represents three fourths of India. In fact, significant changes have taken place in the structure and system of Rural Local Government since the inauguration of the Constitution in 1950. As a result of the Report of the Study Team for Community Development and National Extension Service (1957), a three-tier system of rural Local Government has emerged in most States-Zila Parishad at the district level, Panchayat Samiti at the block level and Panchayat at the village level. They are endowed with sufficiently wide powers over a large range of functions including development.

As compared to the dramatic changes in Rural Local Government, the development of Urban Local Government has been slow to the extent of being unimpressive. It is only of late that the Urban Local Government has attracted the attention of the Government. The Third Five-Year Plans took note of the significance of Urban Local Government and said; "In the next phase of planning, as many towns and cities as possible, at any rate those with a population of one lakh or more, should come into the scheme of planning in an organic way, each State mobilizing its own resources and helping to create conditions for a better life for its citizens". The Third Five-Year Plan recognized that urbanization was gaining momentum in India. It observed:

"The problems to be faced are formidable in size and complexity and solutions for them can be found not only by the State Governments but also by Municipal Administration and by the public generally if an increasing amount of community effort and citizen participation can be called forth within each urban area. There are certain minimum directions in which action should be taken during the third plan so that for the future at any rate, a correct course is set. They are:

i. control of urban land values through public acquisition of land and appropriate fiscal policies;

ii. physical planning of the use of land and the preparation of Master Plans;

iii. defining tolerable minimum standards for housing and other services to be provided for towns according to their requirements and also necessity
iv. strengthening of Municipal Administration for undertaking new developmental responsibilities".26

The central Government has itself set up the following Committees to report on Urban Local Government.

1. Local Finance Enquiry Committee, 1951.
7. The All India Council of Mayors, 1962.

The Municipal Bodies in India are inter-related units of Local Government within the larger Governmental frame-work of the Nation. The Municipal Administration in the country has indirect relation with the State and the Central Government as they have to follow the Policies laid down by them.

The following table gives a State-wise break up of the towns and urban agglomeration in India:

<table>
<thead>
<tr>
<th>States</th>
<th>Towns</th>
<th>Urban Agglomerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andhra Pradesh</td>
<td>203</td>
<td>4</td>
</tr>
<tr>
<td>Assam</td>
<td>75</td>
<td></td>
</tr>
<tr>
<td>Bihar</td>
<td>142</td>
<td>12</td>
</tr>
<tr>
<td>Gujarat</td>
<td>217</td>
<td></td>
</tr>
<tr>
<td>Haryana</td>
<td>65</td>
<td></td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>State/UT</td>
<td>Number</td>
<td>States</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>Jammu &amp; Kashmir</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Kerala</td>
<td>88</td>
<td></td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>238</td>
<td>4</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>289</td>
<td></td>
</tr>
<tr>
<td>Karnataka</td>
<td>277</td>
<td>4</td>
</tr>
<tr>
<td>Nagaland</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Orissa</td>
<td>69</td>
<td>1</td>
</tr>
<tr>
<td>Punjab</td>
<td>108</td>
<td></td>
</tr>
<tr>
<td>Rajasihal</td>
<td>157</td>
<td></td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>443</td>
<td></td>
</tr>
<tr>
<td>Uttar Pradesh</td>
<td>272</td>
<td>21</td>
</tr>
<tr>
<td>West Bengal</td>
<td>126</td>
<td>11</td>
</tr>
<tr>
<td>Union Territories</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Andaman &amp; Nicobar Islands</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Arunachal Pradesh</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Chandigarh</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Delhi</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Goa Daman &amp; Diu</td>
<td>11</td>
<td>2</td>
</tr>
<tr>
<td>Manipur</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Meghalaya</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Pondicherry</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Tripura</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,852</strong></td>
<td><strong>69</strong></td>
</tr>
</tbody>
</table>

Local Government being a subject falling under the jurisdiction of states, the latter have evolved their own standards for setting up various types of Urban Local Government.

**Forms of Urban Local Government:**

The number of urban Local Governments has been increasing as a result of increase in urban and sub-urban population. The following table shows the number and unions forms of urban Governments;
Local Government being a subject falling under jurisdiction of states, the latter have evolved their own standards for setting up various types of Urban Local Government.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Form of Urban Local Govt.</th>
<th>Number in 1968</th>
<th>Number in 1971</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Municipal Corporations</td>
<td>30</td>
<td>34</td>
</tr>
<tr>
<td>2.</td>
<td>Municipal Councils</td>
<td>1,473</td>
<td>1,493</td>
</tr>
<tr>
<td>3.</td>
<td>Notified area committees</td>
<td>115</td>
<td>202</td>
</tr>
<tr>
<td>4.</td>
<td>Town area committees</td>
<td>385</td>
<td>385</td>
</tr>
<tr>
<td>5.</td>
<td>Cantonment boards</td>
<td>59</td>
<td>58</td>
</tr>
<tr>
<td>6.</td>
<td>Townships</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The brunt of urbanization in India has been borne by Municipal Corporation and Municipal Councils. While the total urban population increased by nearly 175 percent during 1921-61, population residing in Class I cities (which have a population of 1 lakh or more) shot up by about 400 per cent. Class I cities, today, number over 100 and are inhabited by 35 million people, which is only slightly, less than half of the total urban population of the country.

**Local State Relationships:**

The Local State relationship may be analyzed under three broad heads: Statutory, Administrative and Financial.

**Statutory:** Local Government derives its existence from a desire of the State Government as articulated in a statute. By enacting a Statute, however, the State Government does not entirely absolve itself of responsibilities in the field of urban development. Subjects like housing, public health, transport and communications, education etc., are the concern of both the State Government and the Municipal Government. The state Government, indeed, maintains its own Departments dealing with these subjects, and what is more, itself steps in whenever it feels there is a failure on the part of the Local Government to perform these services at an acceptable standard of efficiency.
A large number of Municipal Acts in India date back to the twenties and thirties of the present century when urbanization was hardly an identifiable force, much less a force to be reckoned with. Uttar Pradesh (in respect of Municipal Councils). West Bengal, Bihar, and Punjab still retain these old laws. Many States like Assam (1960), Orissa, Andhra (1965), Kerala (1956), Karnataka (1964) and Uttar Pradesh (1959) have, however, updated their Municipal statutes. Two factors account for the legislative renewal. First, consequent on re-drawing of boundaries of States, the Urban Government in several States came to be Governed by three, four, even five different sets of laws and consequently, the need for unification was urgently felt.

To cite an example, Municipalities in the reorganized State of Mysore (now Karnataka) were Governed under laws enacted in the old princely state of Karnataka and Hyderabad and Madras and Bombay. Secondly, some States considered Municipal Laws framed several decades ago as inadequate to respond to the changed requirements and therefore, set out to modernize urban laws a better awareness of the need for planned and regulated urban development. This however, has not yet manifested itself in many States. The Maharashtra Municipalities Act of 1965 and, to some extent, the Uttar Pradesh Nagar, Mahapalika Adhiniyam, 1959 appear to be the only Statutes which may be considered progressive and forwards looking.

The states have lagged believed in their urban consciousness is evinced by their not entrusting the function of town development to the Municipal Government. Instead, separate Improvement Trusts have been constituted to plan improvement and expansion of towns. Such an attempt at creating plurality of centers at the Municipal level has had a debilitating effect on Municipal Bodies and, also has kept Improvement Trusts deprived of perspective and imagination. Some States like Uttar Pradesh have learnt the lesson and have put this function squarely on Urban Government. Improvement and expansion of a town is as much a Municipal function as any other and it is but one of the many other equally important functions which a Municipal Government is under an obligation to perform. The existence of two Local Bodies operating side by side causes avoidable waste of tax-payers money by resultant civic dyarchy. It generates unhealthy rivalry and a tendency to evade responsibility.
Administrative:

Administrative incompetence of Urban Government being proverbial, the latter's utter dependence on the State Government both for framing of schemes of urban development and their actual implementation exists everywhere. In addition to the conventional power of framing rules and by-laws, issuing orders and according necessary sanctions, the State Government has in most cases chosen to keep itself allotted with the authority to prepare the blue print and also put it into execution. As the Urban Government generally lacks qualified technical personnel in the field of engineering, architecture and town planning it necessarily looks to the State Government for assistance and advice in the preparation of development schemes.

The Municipal laws in all the States cajoin upon the Urban Government to send all its schemes of development to the state Government for the latter's approval. In the case of Municipal Corporations, however, only schemes whose estimated costs exceed a certain specified sum (Rs.10/- lakhs in Uttar Pradesh) are required to obtain the sanction of the State Government. A scheme of development is required to be accompanied by:

a. a description with full particulars of the scheme and complete plans and estimates of the cost of executing the scheme;

b. a statement of reasons for any modifications made in the scheme;

c. a statement specifying the land proposed to be acquired; and

d. a statement of objections or representations made by residents of the place.

The provision making it obligatory to get the sanction of the State Government before implementing a scheme of development aims at ensuring that it meets with a minimum level of technical requirements as well as financial discipline and prosperity. But the procedure evolved over years by the States for scrutiny and sanction of a scheme is cumbersome, dilatory, vexatious and inhibitive.

Financial:

The present Constitution divides the taxation powers only between the Central Government and the States, and does not enumerate or provide any taxes for
exclusive use of the Local Government. What is worse still, the financial powers, made available to it, have suffered reduction over a period of time. The terminal tax on goods handled by Railways now vests in the Central Government; the Central Government properties enjoy immunity from local taxation and the Tax on Professions has the minimum limit of Rs. 250/- imposed by Article 276 of the Constitution. While the taxation powers of Local Government have suffered reduction, functions and responsibilities entrusted to it are constantly on the increase. The main sources of revenue assigned by States to Urban Governments are property tax, octroi and terminal tax which are all inelastic in contrast with the elasticity of Central and State revenues.

Absence of a list for local taxation in the Constitution, encroachment of the State Government on areas traditionally earmarked for Local Government, an inefficient tax administration, inelasticity of whatever taxes have been made available to it, and increasing Local expenditure in response to both rising costs and rising expectations have made the financial position of Local Government desperate.

The Grants-in-Aid Code Committee for Municipalities constituted by Gujarat (1962-64) reported: "Looking to the existing financial situation of the Municipalities and somewhat inelastic sources of revenue at their disposal coupled with a great back log of services and works, like water supply, drainage, sanitation, medical relief, public health measures, primary education and improvement of communications, the Committee feels that the State Government should continue to play a positive and large role by way of financial assistance to the Municipalities in the field of essential services and obligatory duties in order to develop and expand their sources. As the finances are correlated with the functions it would be all the more necessary to augment the financial resources of the Municipalities sufficiently, if increased responsibilities and more duties and functions are to be assigned to Municipalities."

The Urban Local Bodies derive 66 percent of their total revenue from taxes, 21 percent from non-tax sources and 13 percent from grants-in-aid by the State. Reliance on tax is highest in case of Corporations, less in the case of Municipalities and least in the case of Notified Town Area Committees. The higher the form of Local Government, the greater is the yield from taxes. Coming to the share of grants-in-aid one finds that Corporations derive ten percent and Notified Area
Committees twenty-four percent. The higher the form of Local Government, the lesser is its dependence on grants.

Center-State Relationship

Urban Government and urban development constitute the charge of the Ministry of works and Housing, at the Union level. Ministries of Health, Transport and Communications, and of Railways are also directly and significantly concerned with urban development. Need for integrated planning and action on the part of these Ministries in the sphere of urban development is crucial but appears to have not been fully realized so far. An Inter-Ministerial Standing Committee comprising representatives of these Ministries should be set up to evolve integrated thinking on schemes, problems and issues of urban development.

Although Local Government falls within the States' responsibility and further many aspects of urban development also figure, by and large, in the State list of subjects in the constitution, the Central Government continues to have an important role in providing leadership, setting up standards, and acting as a clearing house for exchange of information and experience in the field of Local Government and urban development. Surely in a Welfare State the Central Government can not remain as an idle spectator, merely looking at things without extending its helping hand. The Central Government has a clear and definite role to play and there are also clear boundaries set to it.

The Central Government has launched, since the advent of planning a number of schemes in the field of urban development. These cover water supply and sanitation; sewage and drainage, housing and slum clearance, land acquisition and development, town and regional planning, and urban community development. Unlike the Federal Government in U.S.A. the Central Government in India does not as a rule come in direct contact with the Urban Government, the Central assistance in India is invariably routed through States. As Central assistance is passed to States for transmission to the Urban Government; it has also happened in the past that the State concerned chose to utilize it for an entirely different purpose.

The National Water Supply and Sanitation Programme launched in 1954 by the Ministry of Health, which has been rightly considered to be a landmark in the history of Public Health Engineering in the country, highlights a few points
worth-noting. The programme has been marked by a consistent under-utilization of resources and accumulation of unfinished spell-over projects. This largely on account of detailed technical scrutiny of each scheme insisted on by the Central Public Health Engineering Organization (CPHEO), an attached office which operates under the Ministry of Health. The Central finances are released only on technical clearances of schemes by CPHEO. Further, even schemes financed from loans are required to be subjected to the scrutiny, and approval of the Central Public Health Engineering Organization. Also, because of the financial pattern set for the scheme, poorer Municipalities, which obviously need such services most, have not reaped benefits of this programme. Again the procedure that has been laid down for processing of the schemes is both cumbersome and time-consuming. A scheme has almost invariably to wait for two or three years before it can hope to be taken up for implementation. "Even after the necessary preliminaries have been settled with the Local Bodies concerned, the actual investigation, design and preparation of the concerned scheme and its processing through State and Central Governmental Agencies entail an unduly long period of time under the existing procedure." 28

A scrutiny of this nature, by the Central Government of a project is questionable validity and is rightly resented by the States. By evolving such a role for itself and imposing it on the States the Central Government has encroached on an area which is evidently that of the States. It has gone to the extent of even laying down the staffing pattern and scales of pay in certain schemes which States are obliged to observe rigorously (for examples, in the case of preparation of Master Plan Schemes). The Central Government, it seems, has missed the wood, because it has got itself involved too intensively in individual tree. It must learn what to avoid and what to cherish and strive for. It must limit its role to the extent necessary.

The Central Government must now progressively divest itself of this role and emerge as a leader standard-setter, trouble shooter and purveyor of information and know-how in the field of Urban Government and its development. It would be conducive to it, if it follows a policy of selection in relation of scrutiny, and to begin with, obliges schemes from only less well-administered States to be subjected to scrutiny and approval. On the style of the Model Town Planning Act, it should enact model legislation on ingredients of urban development like
housing, water supply sanitation, air pollution, etc., which may be adopted by the States. It should also undertake research on technical, administrative and sociological aspects of urbanization and urban administration and organize suitable training courses for Municipal, administrative, professional and technical personnel. It should collect and compile information, statistical and otherwise, on Urban Government and urban development and undertake publication of reports, guide books, periodicals etc., in collaboration with the States and Urban Governments. It should convene as at present periodic meetings of State officials in charge of Urban Government and development. Such forums bring together the necessary knowledge and experience available in the country, and the resultant pooling of knowledge and experience helps the State to solve problems better. Besides, such conferences serve the other useful purpose of introducing representation of one State to opposite numbers in other States, and thereby help in furthering a cause as well as stimulating generally the cumulative spirit in the autonomous States. The standard-setting role of such conferences in subjects within the States sphere of functions is of special significance in smoothing over the rigidities inherent in federalism. The Central Government should extend this kind of role and seek an extensive participation of Local Governments, professional associations of Local Government personnel as well as the citizens in the formulation of standards, policies and programmes in the field of Urban Government and development. In fact it should strive for the diversification and development of such forums and encourage them to assume leadership in setting up standards of services and in seeking solutions to the problems facing urban Government and urban development.

Eventhough, the Urban Government includes Municipal Corporations, Municipalities, Town Area Committees, Notified Area Committees, Cantonment Boards and Townships, our present study is about Municipalities, especially in Chitter District of Andhra Pradesh.

Now we are going to study the historical background, structure and function, execution and political parties involved in Municipal Election etc., Recently, it is to be noted that the Andhra Pradesh Municipalities (Reservation of Seats in Municipal Councils) Rules, 1986, the A.P. Municipalities (Supply of Identity Cards to voters) Rules, 1986, and A.P. Municipalities (Reservation of offices of Chairman of Municipality) Rules 1986, came into existence.
Historical Background of Urban Government in Andhra Pradesh:

The State of Andhra Pradesh came into existence on 1st November, 1956, with the merger of nine districts of Telengana area, which was a part of the former Hyderabad state, with the 16 districts of erstwhile Madras State. The State has an area of over 2,75,209 square kilometers with a population of 4,33,94,951 according to 1971 census. The State is the fifth largest and the fourth populous state in the country. It is situated between $13^\circ$ and $20^\circ$ north latitude and $77^\circ$ and $85^\circ$ east longitude. The State is situated in a tropical region and is bounded on the east by the Bay of Bengal, on the north-east by Orissa and Madhya Pradesh, on the north by Maharashtra, on the west by Mysore and on the south by Tamil Nadu. It has a long coastline of about 600 miles and seven working ports. There are many rivers in the State, the biggest and well-known being the Godavari and Krishna on the basis of historical factors, economic development and geographical features, the State is divided into three district regions viz., (1) coastal Andhra; (2) Rayalaseema; and (3) Telangana. The coastal Andhra region covers one third area of the State. This area is enriched by the fertile delta areas formed by the Godavari and Krishna. The Rayalaseema and Telangana are dry tracts and are most vulnerable to drought and famine. Industrially, Telangana is better off than the other two regions, but most of the industries are located around the twin cities of Hyderabad and Secunderabad.

Prior to the enactment of the Andhra Pradesh Municipalities Act, 1965, there was no uniform law Governing the Municipalities in the State. It is clear that Madras city was the first town in India to have a Municipal Body. The court of Directors of the East India Company set-up a Municipal Corporation for Madras in 1687. In 1726 the Royal Charter established Mayors' Courts in the Cities of Madras, Bombay and Calcutta. These courts were judicial in nature and hence the Municipal legislation did not find mention until the Regulating Act of 1773 was passed empowering the Governor-General-in-Council to appoint Justices of Peace for the Presidency Towns represented by the civilians and British subjects living in India to look after the sanitation and protection of the cities. In 1841 attempts were made to provide a suitable machinery to direct civic affairs when the rate payers were entrusted with the assessment and collection of taxes in their divisions. The Acts of 1856 and 1857 further widened the scope of the Corporation; the latter Act introduced a larger non-official element into the Corporation. These
developments also influenced the Municipalities in Andhra. The developments in the City of Madras had become the pace-setters for Municipalities. The Municipalities in Andhra Region were very much influenced by the course of even in the Madras Presidency. Upto 1864 there existed rudiments of Municipal administration in the shape of commissioners. Improvements were made and the scope of Municipal Administration widened a little by the Government of India Resolution of 1864 and in accordance with this the Government of Madras passed an Act in 1865 in which the Municipal Council consisted of the Magistrate, the officer of Public works Department, and five other inhabitants appointed by Governor-in-Council. The Council's ex-officio President was District Magistrate. Many of the important towns had this Act in operation. Subsequently, the Reforms of Mayo came into being and the main concern of the Reforms, was to give relief to the Imperial finances. Lord Mayo's resolution proposed to assign certain share of revenues to the Provinces, and Local Authorities had to accept enlarged responsibilities in such matters as education and sanitation. In continuation of this Resolution, the Madras Government passed the 1871 Act, which made the election of the Commissioners by the rate payers possible. Really, it was Lord Ripon who gave a tremendous push to the Local Bodies in the country. He also became the Indian Viceroy and introduced a number of reforms. One among those was District Municipalities Act. As a result, the Government of Madras passed the District Municipalities Act of 1884 which permitted the elections of three-fourths of the Councillors by rate-payers and reduced the number of ex-officio members to one, namely, the Revenue Divisional officer. The Governor-in-Council Court permitted the election of Chairman. The Council was authorized to levy taxes also.

Next, it is to be noted that the Royal Decentralization Commission which was set up in 1906 for giving the directions to the Local Bodies. The Commission at once had, agreed to the directions of Lord Ripon and, on the other hand it gave some direction regarding the structure of Council, nomination of the Chairman, election method, services, Government's control and some directions relating to the frame-work of the planning. This report of this Commission was published in 1909. But the Government did not take any decision on the Report. In the mean time, the First World War started and the development of Local Bodies were stopped. However, after this World War the Government of India Act came into existence. In pursuance of this, the Local Government has been widened and also changed from the control of Central Government to that of State Governments.
The Royal Commission on Decentralization had proposed several new measures and, in accordance with its recommendations, the District Municipalities Act 1920 was enacted by the Government of Madras. According to this Act, every rate-payer was given the right to vote and was also made eligible for election to the Council. The elective strength of the Council was not to be less than three-fourths of the total strength, the rest were to be nominated by the Government. The Chairmen were to be elected by the Councils and the power to budget framing was given to them. The rate of tax was to be fixed by each Council independently. In fact, the Act introduced several democratic measures which were in consonance with the spirit of the times. However, the Municipal authorities did not use these measures properly. Consequently, several Municipalities were superseded and in some other cases Chairmen were removed from office by the Government. In 1933, the Government introduced an amendment for improving the Municipal Administration. In this amendment, the office of the Commissioner was created to look after the administration of Municipalities. And also, this led to the sharing of executive authority by the Chairman as well as the Municipal Commissioner. As a result, all the officers and servants of the Council were to work under the Commissioner, and he was also made responsible for implementing the resolutions of the Council. This system was in vogue, with few amendments, especially during the War and till 1965.

Unlike the Andhra Districts, the Telangana Districts did not breathe the air of liberalism for a long time in Municipal Government. As it was in the feudal rule, attempts were not made to develop democratic Municipal Institutions. The City of Hyderabad only saw some elements of Municipal Administration in the nineteenth century in the form of city 'Kotwals' and nominated Councillors. The Hyderabad Municipal Act was passed in 1932. In this Act several far-reaching changes were introduced in the City Administration. The Municipality was given the right to elect its representatives. Out of the total of 36 members, 13 were to be elected and 13 nominated to represent Paigah Zahir, and the remaining 10 were to be nominated by the Government. The right to exercise the franchise was restricted to the graduates and property owners. The Corporation got the powers in the administrative and financial matters and the Government's control deteriorated. In fact, this did not, however, improve the administration of the City and later an Administrator was appointed to take up the Municipal Administration. The District Municipalities in Hyderabad State were Governed by
separate legislations right from the beginning. It was the Local Cess Act of 1900 that Governed the Municipalities of the towns and also which was amended several times later. Subsequently, in 1941 another act came into existence under which the Government could constitute Municipalities for towns with a population of 50,000 or more and town committees for towns with a population of 5,000. It created a scope for the elections of Councillors though nominated members were also there. And the district Municipality was presided over by Tahasildar and others by Senior Revenue Officer. Till 1951, the Municipal Administration in this area was under the control of Revenue Officers. Thus, the Act brought many changes the most significant being the election, of a non-official as President to the Council. An Executive Officer appointed for the purpose at the instance of the Council has carried the entire administration. Taxation powers were extended to the Local Bodies. This continued till 1965 when the Act came into force in the State.

On the 2nd April 1965, the Andhra Pradesh Municipalities Act came into existence and this was applicable to the entire State having 91 Municipalities at that time. The Act has seven parts and three hundred and ninety one sections. The Act has statutory recognition.

The Government is empowered to declare a local area as a Municipality with a population of not less than 25,000 which was mentioned in section 3(1) of the Andhra Pradesh Municipalities Act, 1965. However, it may also constitute a Municipality for any other local area possessing the characteristics fixed by the Government. The State Government laid down the following criteria for the conversion of Panchayats into Municipalities;

1. A Panchayat should have a population of not less than 20,000;
2. its income should be at least Rs.1 lakh per annum; and
3. the village must have urban characteristics.

The following table shows the classification of Municipalities, which were classified in five grades by the Government as per the 1965 Andhra Pradesh Municipality act. Recently, the Municipalities were increased and now the State has 93 Municipalities. On the basis of revenue, their number increased. The
The following table shows the grades income and the number of Municipalities, as per the Municipality Act of 1986; Andhra Pradesh:

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Grade</th>
<th>Income</th>
<th>No of Municipalities in A.P.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Selection Grade Municipality</td>
<td>An annual income of Rs. 80 lakh and above</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Special Grade Municipality</td>
<td>An annual income of Rs. 50 lakh and above</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td></td>
<td>but less than Rs. 80 lakh</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>First Grade Municipality</td>
<td>An annual income of Rs. more than 30 lakhs</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td></td>
<td>but less than Rs. 50 lakhs</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Second Grade Municipality</td>
<td>An annual income of Rs. more than 15 lakhs</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td></td>
<td>but not more than 30 lakhs</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Third Grade Municipality</td>
<td>An annual income of Rs. not more than 15 lakhs</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td>93</td>
</tr>
</tbody>
</table>

According to the latest data, at present there are 3 Corporations and 122 Municipalities in Andhra Pradesh.

In fact, Municipalities or Municipal Boards are second most important organizations of the Local Self-Government working in the urban sector of India. In most of the States, it is the Municipalities that look after the civic amenities and the Municipal facilities of the citizens. There are only 30 or so cities in the whole of India that have Municipal Corporations. The remaining cities have Municipalities or Municipal boards. Normally, all the cities that have a population exceeding 10,000 have a Municipal Board or a Municipality.
At present there are about 1,500 Municipalities in India. The minimum limit of the population for the establishment of Municipality in different states is different in structure. It shall be clear from the following table.

<table>
<thead>
<tr>
<th>Name of the State</th>
<th>Minimum Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bihar</td>
<td>5,000</td>
</tr>
<tr>
<td>Orissa</td>
<td>5,000</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>10,000</td>
</tr>
<tr>
<td>Punjab</td>
<td>10,000</td>
</tr>
<tr>
<td>Haryana</td>
<td>10,000</td>
</tr>
<tr>
<td>West Bengal</td>
<td>20,000</td>
</tr>
<tr>
<td>Uttar Pradesh</td>
<td>20,000</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>20,000</td>
</tr>
<tr>
<td>Andhra Pradesh</td>
<td>25,000</td>
</tr>
<tr>
<td>Gujarat</td>
<td>30,000</td>
</tr>
</tbody>
</table>

But civic amenities cannot be had merely for the asking; people living in the city shall have to provide for resources necessary to establish and maintain them. That is, ability and willingness of the people to raise adequate resources is another important factor in the grant of the Council form of Urban Government in a town. Some states have, indeed, laid down a population-cum income criterion. In Uttar Pradesh, for instance, a Municipal Council can be established in a city having a population of 20,000 with an annual income of Rs. 40,000.

The income criterion assumes significance only when a locality having a small population has been permitted to get a Municipality. When population exceeds a particular size, it automatically assures a certain income. The income criterion is thus not of primary importance in the granting of a Municipal status but is decisive in determining the class or grade in which a city may be placed. A high income generating town naturally expects and is also to be ensured a higher level of civic services and facilities than a low income generating one. According to the Rural-urban Relationship committee, a categorization of Municipal Bodies into suitable grades is inescapable, if any homogeneity in administrative services, civic facilities, tax resources, grants and the like within each grade is to be introduced.
FUNCTIONS:

One feature of the Municipal form of Government is the prescription of a long list of functions expected of a Municipality matched equally by the non-fulfillment of even (some) essential functions. Functions are generally classified as obligatory and discretionary. The former include functions which must be performed by the Municipal Council and failure to perform any of these functions will ultimately result in its dissolution. The discretionary functions are those which are not compulsory but may be taken up depending upon its financial resources. It may be noted that the functions of a Municipality and of a Municipal Corporation are more or less identical. The following is a representative enumeration of Obligatory functions.

1. Supply of pure and wholesome water.
2. Construction and maintenance of public streets.
3. Lighting and watering public streets.
4. Cleaning public streets, places and sewers.
5. Regulation of offensive, dangerous or obnoxious trades, callings or practices.
6. Maintenance or support of public hospitals.
7. Establishment and maintenance of primary schools.
8. Registration of births and deaths.
9. Removing obstructions and projections in public streets.
10. Naming streets and numbering houses.

Discretionary functions

1. Laying out of area.
2. Securing or removing dangerous buildings or places.
3. Construction and maintenance of public parks, gardens, libraries, museums, rest houses, leper homes, orphanages and rescue homes for women etc.
4. Planting and maintenance of roadside and other trees.
5. Housing for low income groups.


7. Organizing public receptions, public exhibitions, public entertainment etc.

8. Provision of transport facilities within the Municipality.

9. Promotion of welfare of Municipal Employees; and


The prescription of functions labeled 'discretionary' is indefensible. The dilemma that faces every Municipality is paucity of funds at its disposal. When this is the situation, most Municipalities have been finding it difficult to perform even 'obligatory' functions. No useful purpose is thus served by compiling a second list of discretionary functions. There is indeed a positive harm flowing from the maintenance of two classes in distorting priorities in spending. While some obligatory functions may remain unperformed a Municipality may be tempted to earmark funds for non-essential items. Such augmentation of funds is not the intention of the Statute. Conditions of living in Municipal Areas would be much better if Municipalities perform their obligatory functions without default. A Municipality must, first of all, ensure the following civic amenities before taking up other activities even in the obligatory list, these being evidently more imperative than others;

1. Potable water supply

2. Street lighting

3. Drainage

4. Surfaced roads and streets

5. Sanitation and conservancy

6. Prevention and control of epidemics.
Sources of Income

Sources of Municipal revenue are (i) Municipal taxes, (ii) fees and rates (iii) income from Municipal enterprises and property, and (iv) grants and contributions from the State and Central Governments. The principal sources are:

1. Property tax
2. Profession tax
3. Octroi
4. Animal and Vehicle tax
5. Entertainment tax
6. Water tax
7. Lighting tax
8. Latrines and drainage tax

Like a Corporation a Municipal Council also lends itself to two meanings. It stands for the whole complex comprising the Local Legislature as well as the executive. The term is also used for the Legislative Body itself.

COUNCIL:

The Municipal Council is the people's Assembly and makes laws, which are called bye-laws within of course, the framework of the Municipal Act, for the civic Governance of the city or town. It comprises Councillors elected on adult suffrage. There is generally a provision for reservation of seats for scheduled castes and also, for women. The usual provision is: "The number of seats for Scheduled Castes shall bear, as nearly as may be, the same proportion to the total number of seats in the Municipal Council as the population of the Scheduled Castes in the Municipality bears to the total population in the Municipality.

The size of the Council varies from State to State and as it is primarily related to the population of the city, it differs from city to city within the same state. The Municipal Act prescribes both the minimum and maximum numbers of
Councillors. In Karnataka, for example, the Act relates the number of Councillors to the population in this way:

<table>
<thead>
<tr>
<th>Population of Municipality</th>
<th>Number of Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. For a Municipality with a population not exceeding 20,000</td>
<td>15</td>
</tr>
<tr>
<td>2. for a Municipality with a population 20,000 but not exceeding 30,000</td>
<td>19</td>
</tr>
<tr>
<td>3. for a Municipality with a population 30,000 but not exceeding 40,000</td>
<td>23</td>
</tr>
<tr>
<td>4. for a Municipality with a population 40,000 but not exceeding 50,000</td>
<td>27</td>
</tr>
<tr>
<td>5. for a Municipality with a population exceeding 50,000 but not exceeding one lakh</td>
<td>31</td>
</tr>
<tr>
<td>6. for a Municipality with a population exceeding one lakh</td>
<td>35</td>
</tr>
</tbody>
</table>

Tenure of the Council

The tenure of the Municipal Council varies from three to five years, although the recent trend is in favor of a term of four or even five years. The Rural Urban Relationship Committee considered three years, 'to be too short a period' and recommended a term of five years. This recommendation is however, open to two objections. First, a prescription of any standard tenure is not in keeping with the spirit prevailing Local Government. A Local Government must respond to the local requirements and the fixation of a tenure to be valid for all the Local Bodies in the country is hardly wise. Secondly, their term of five years is long enough to induce a feeling of indolence and complacency in a body which is certainly not noted for its efficiency. That the State and Central legislature has a term of five years and so, we should plump for a five year term even at the local level is totally untenable. Healthy variation should inform the Local Governmental system. Let not rigid uniformity arrest its growth and development. There is a craze in our country for one best way of doing things.
Chairman:

The Council elects from among the Councillors a Chairman, whose term is co-terminous with that of the Council. The Chairman presides over the meetings of the Municipal Council and regulates the conduct of business at such meetings. He keeps a watch over financial and executive administration of the Municipality. He performs all duties and exercises all the powers imposed or conferred on him by the Municipal Act. He has access to all the records of the Municipality and may ask for any information relating to the Municipal Administration.

There have been two methods of electing the Chairmen. He may either be elected by the Councillors or by the people at large. The direct election of the Chairmen which was tried in Uttar Pradesh and Madhya Pradesh did not, however, lead to harmony in relationship between the Councillors and the Chairmen and was, therefore, replaced. To-day, there is an overwhelming consensus in favour of the Councillors themselves electing the Chairman.

Committees:

The Municipal Act provides for the setting up of a Standing Committee and other Committees to assist the parent body in efficient performance of its tasks. What has been said about the Committees of Corporations holds good in the case of the Committees of the Municipal Councils as well. There is also a provision for the Council appointing as members of any Committee, persons who are not Councillors but who possess special qualifications for serving on such committees, or who represent an authority or interest. Although the Committee system in Local Government has had a long history, no uniform pattern has been in evidence. Impressed with the need for systematization, the Rural-Urban relationship committee made the following recommendations:

1. Every Council should set up a Co-ordination and Finance Committee consisting of the Chairman, and Vice-Chairman, Chairman of four functional committees (described below) and two members to be elected by the Council by single transferable vote.

2. Municipalities having a population of one lakh more should be set up the following four Functional Committees.

   i) Planning and Development
ii) Housing and works, including land development

iii) Health and Sanitation

iv) Education

Smaller Municipalities having a population of less than a lakh may and shall, when so directed by the State Government, set up one or more of these Committees

3. Every Municipality may and when the Government so direct shall establish one or more Functional Committees to deal with

i) Roads and communication

ii) Electricity and water works

iii) Transport

iv) Milk supply

v) Sewerage and sewage disposal

vi) Recreation facilities

4. In addition there should be a Tender Committee consisting of the Chairman and Vice-Chairman of the relevant functional committee, which shall call for and accept tenders.

5. The term of the Functional Committee should be co-terminous with that of the Council. It should be empowered to approve estimates of projects and take a final decision on questions falling within its jurisdiction. The Municipal Council may also refer any matter for advice to the Committee. Its membership should range between six and nine, two-thirds being elected by the Council from among prominent citizens, experts, women and representatives of special interests. If the Chairman or Vice-chairman happens to be a member of any Functional Committee, he shall act as its Chairman.

EXECUTIVE :

The Corporation form of Local Government is based on the philosophy of separation of deliberative and executive functions. The Municipal Council form of
Government was modelled differently and was founded on the fusion of these two tasks. This arrangement is the outcome of an evolutionary process and dates back to the pre-1919 period when the all-powerful District Collector used to be the president of the Municipality also, and thus, wielded executive authority. This practice of the executive authority being vested in the President of the Municipal Council continued even after the Government Official ceased to hold the office of the President. With the inauguration of the Montagu Chelmsford Reforms, the Local Government including the Municipal Council was, to a degree, de-officialised and democratized. The elected President of the Council, particularly when his survival depends on the majority vote of the Council, was increasingly prone to a wide variety of pressures and influences in the exercise of executive authority. This amenability is expressed through "meddling with day-to-day administration, by taking sides and intriguing even with the officials who are their employees." The remedial action lies in the appointment of a full-time career officer to be in charge of the executive and in giving him independence of action in day-to-day administration. In most states the Executive Officer is appointed by the Council but independence has been conferred on him by making his removal from office difficult—generally dependent on a three-fourths majority vote. In Tamil Nadu, Karnataka and Orissa the Executive Officer is appointed by the State Government but can be removed from office by a resolution of the Municipal Council passed by a majority of three-fourth vote of the total number of Councillors. There is a general consensus in favor of separating, as far as possible, deliberative or policy-making functions from the executive functions and further, of vesting the appointing power of the Executive Officer in the State Government. The Taxation Enquiry commission (1953) recommended: "We are of the opinion that the appointing of an independent Executive Officer is both desirable and necessary. The appointment of an independent executive already functions smoothly and efficiently in Municipal Corporations. We believe that it may with every prospect of similar success be extended to Municipalities also. We accordingly recommend that Municipalities should have Executive Officers and the Executive Officers should be selected and appointed by Government or by an independent statutory board." The Conference of Local Self-Government Ministers (1954), the Punjab Local Government (Urban) Enquiry Committee (1957) and the Rural Urban Relationship Committee (1966) have each lent support to the Executive Officer in the Municipality being appointed by the State Government.
In sharp contrast to the ceremonial office of the Mayor, that of the President of the Municipal Council is vested with the executive authority, although the precise powers vested in him differ from State to State. He is Head of the deliberative as well as the executive wings of the Municipality and as such presides over, and regulates the meetings of the Council, exercises control over the financial, administrative and personnel matters, and addresses the State Government on Municipal matters. In many states he is empowered, in case of emergency, to direct or suspend the execution of any work. In Orissa, he is authorized to take disciplinary action (which includes the right to dismiss) against Municipal personnel. In Gujarat he acts as the Appellate Authority hearing appeals against the orders of the Executive Officer pertaining to disciplinary action against the employees. In West Bengal, he exercises supervisory control over all Municipal matters, except those expressly delegated to the Executive Officer. In many states (such as Uttar Pradesh, Jammu-Kashmir, Andhra Pradesh, Orissa and Rajasthan) the Chairmen and the Executive Officer both share the power of appointing the staff.

The provision of the Executive Officer is weak in most states. The Rural-Urban Relationship Committee has the following to say on this aspect:

Theoretically, the staff is subordinate to the Executive Officer, but in practice the Chairman has a big say in the promotion and control of the subordinate officials. The Committee is definitely of the opinion over the staff and substantial independence in dealing with the executive matters. Nevertheless, in view of the limited resources of the Municipal Councils and the scarcity of efficient personnel, the Committee does not recommend the separation of deliberative and executive functions as in the case of Corporation. The Committee recommends that the Municipal laws should embody a mandatory provision that the Executive Officer shall have full power to appoint, supervise, control and dismiss the subordinate staff and the Chairman's power shall be confined only to the hearing of appeals against orders of punishment passed by the Executive Officer. The Executive Officer should also have the right to enter remarks in the character rolls of all the employees of the Municipal Councils. The Committee is aware that the relationship between the Chairman and the Executive Officer is a matter of delicate adjustment and harmonious working. The Executive Officer must accept the chairman as his leader and the chairman must give full scope to the Executive Officer to work with freedom. The Committee, therefore, refrains from making
any recommendation in regard to the division of executive functions between the Chairman and the Executive Officer other than the control of the staff. The two principal functionaries, i.e., the chairman and the Executive Officer, must be guided by the spirit of accommodation and avoid occasion of friction. In this lies the key to the successful working of the Municipal Council.\textsuperscript{36}

The following terms, generally, comes under the study of a Municipality, (especially with special reference to Andhra Pradesh).

1. Structure and composition of Municipality

2. Committee system

3. Political Executive (chairman)

4. Official Executive (commissioner)

5. Municipal personnel

6. Finances

7. Supervision and control

8. Political parties


10. Conclusion.

I. STRUCTURE AND COMPOSITION OF MUNICIPALITY:

Municipal Council

The structural organization of the Municipal board is the same in almost all the states of India. There are only a few Municipalities where the services have been provincialised. It is so in Bombay as well as in Uttar Pradesh. Because of this provision, certain changes have taken place in the organizational structure of the Municipalities. Some changes have also taken place in the appointment and service conditions of the employees. Municipalities with better status and belonging to higher classes have more powers about appointment of their employees and such other matters. Mainly population is the basis of the establishment of
Municipalities or Municipal Boards. Normally, all the towns of India have a Municipality of one form or the other.

Every member of the Legislative Assembly of the State representing the constituency of which a Municipality is a part, is the ex-officio Councillor of that Municipality. Every member of the Parliament within that Jurisdiction whose name is entered in the electoral roll of a Municipality is also the ex-officio member of the Municipal Council. There is provision for reservation of seats for Scheduled Castes and Scheduled Tribes and women, and the number of such seats is determined from time to time by the State Government. There is also a provision for the election of aldermen. There will be one alderman in every second or third grade Municipality, two in every First Grade Municipality, and three in the special grade or selection grade Municipalities. Alderman are elected by the elected Councillors and ex-officio Councillors. The following are eligible to become aldermen: persons who retired from Government Service after holding a gazetted post or persons having practical experience in the administration of any Local Authority. The aldermen are not eligible to become Chairman, Vice-Chairman or Members of Executive Committee. The idea of having aldermen in Municipalities seems to be based on the ground that they would be able to guide Municipalities in the deliberations and the latter can draw upon their experiences. There is a controversy regarding the Membership of the MLAs it is argued that since they are elected to a higher body, they need not be made members of the Local Body. Moreover, only those who have successfully contested elections should be members of a Municipal Council. It is opposed mainly on the ground that no persons should be a member of more than one elected body. The framers of the Act, however, seem to have felt that the association of the legislators with Municipalities would be in the interest of Municipalities themselves. If Municipalities have any problems, they can represent through the MLA to the State Government. A similar controversy is going on with regard to the Membership of MLAs and MPs in the Panchayati Raj Bodies. Their membership of the Local Bodies can be justified on the basis of their utility to these institutions. Only a closer examination would show to what extent the Membership of the legislators has helped Local Bodies. If they have not been attending the meetings of these Bodies regularly and have not been of much use to these institutions, the ex-officio membership of the legislators of Local Bodies becomes indefensible.
II. COMMITTEE SYSTEM:

The work of Local Self Government is increasing day-by-day and so at all levels the Committee System is adopted. Different types of Committees are formed to perform the different types of functions. These Committees are also essential for the participation of more and more persons in the works of Local Self-Government. The Committee System in Urban Local Body in this part of the country has undergone a change from time to time. In the 19th century under the Town Improvement Act of 1871 and the District Municipalities Act of 1884, the Local Authorities were authorized to constitute vertical types of Committees - Committees for particular subjects - such as, Committees for "the management of schools, dispensaries, and other institutions maintained or aided by local funds". These provisions of the Act were not made use of by many Local Authorities. It is pointed out that this failure was mainly because of the unsympathetic attitude of the officials towards Committee.38

The Act of 1920, attempted to rectify the defects and made provision of the Constitution of Standing Committees. These Committees were required to discharge such functions and duties as were delegated to them by the Councils.39 There was also a provision for the appointment of adhoc and joint Committees.

The Hyderabad District Municipalities Act of 1956 also provided for the appointment of Subject Committees and Joint Committees. Subject Committees were appointed for discharging such functions as were delegated to it by the Council. Subject Committee was also authorized to co-opt members who were not members of the Council. The Co-opted Members who were not members of the Council, however, were not given any right to vote. One of the Members of the Subject Committee was elected as its Chairman. However, if the President or vice-president of the Municipality happened to be members of the subject Committee, they functioned as chairman of Subject Committees. There was also a provision for appointment of the Joint Committees.

The 1965 Act has done away with the multiple Committee System. Instead it has created one Committee, the Executive Committee, for every Municipality. The Executive Committee is one of the statutory authorities along with the Council, the Chairman and the Secretary.40 It is elected within 15 days from the date of election of the Chairman from among the elected Councillors. The size of the
Executive Committee varies from one grade of Municipality to the other. There will be three members in the Executive Committee in the case of a third or second grade Municipality; five in the case of first grade Municipality; and seven in the case of special selection grade Municipality. The Members of the Executive Committee are elected in accordance with the system of proportional representation by means of a single transferable vote. The tenure of the Executive Committee is one year and the retiring members are eligible for re-election. The aldermen and the ex-officio Councillors are not entitled to participate in this election.

The executive Committee has been accorded a very prominent role in the administration of the Municipality. Its function is to carry out the resolutions of the Council except in matters of collection of taxes, removal of encroachments, maintenance of the Municipal Office and the custody of Municipal Records. The Committee is required to furnish to the Council the periodical returns regarding the progress made in carrying out the resolutions of the Council. The Committee has the power to appoint one or more of its members to enquire into and report on any specific matter which it may refer. The Committee has the power to appoint employees up to a certain salary limit. It can also enter into contracts not exceeding Rs.10,000 in value, and grant licenses. It has quasi-judicial power to ask any person to appear before it and give evidence. It has also the appellate power of hearing appeals against grant or refusing of licenses, drainage, water-supply connections, etc.,

The Act intended that the Executive Committee would supervise the administration of the Municipality. In several places the Committee has failed to co-ordinate the administration of various branches of Municipality, like engineering, health, and town planning, whose Heads are directly responsible to it. In the absence of the Secretary's control over them, responsibility to coordinate the activities of various heads of Departments falls on the Executive Committee.

While creating the Executive Committee for Municipalities, the authors of the Act intended that the concentration of Committee would facilitate the work of Municipalities. They felt that this Committee would concentrate on advice, guidance and control. But it is now felt that the concentration of authority in one Committee is likely to be misused. There is a feeling that the earlier arrangements existing under the Madras Municipalities Act, where there were number of Committees to deal with several subjects was better than the present arrangement.
The Rural Urban Relationship Committee also favors the constitution of more than one Committee. In fact it says that every Corporation and bigger Municipality should compulsorily set up the following Functional Committees: planning and development, housing and works, health and sanitation, and education, it therefore appears that there is a strong case for having more than one Committee. The Executive Committee can be retained but it should be more of a co-ordinating body, and should consist of besides the Chairman and Deputy Chairman of the Municipality, the Chairman of other Functional Committees. Other Committees should be concerned with main items of work of the Municipality. Such a system would give less scope for monopoly of power and patronage. 41

III POLITICAL EXECUTIVE

There are different systems of exercising executive power by the Municipalities. In some of the Municipalities, the executive power is vested in a number of individuals while in others, it is vested in one particular individual only. Like the Committee system the institution of Chairman has also been undergoing a change in the Municipalities. In the earlier stages of development of the Urban Local Bodies, the District Collector was the ex-officio Chairman or President of the Municipal Committees. In this capacity, he was also its Chief Executive Officer. The two offices were thus combined and it became the established tradition for a long time and was approved statutory enactments. 42 No protest was made either against the Collector being the Chairman or against the combination of the two offices of chairman and Executive Officer in the same person. This was because there were certain advantages in this arrangement. For instance, it was easier for the Collector Chairman to get the co-operation of District Engineer, the Medical Officer, etc., 43. This arrangement continued for a long time. The Decentralization Commission recommended that Government officers should not be permitted to stand for the Chairmanship of a Municipal Council. The Government did not accept the recommendation. After 1920, however, this power was sparingly used and mostly non-officials were appointed Chairmen. Only in 1930, the Government was divested of this power and since then the Councils have been given the power to elect their Chairmen,

With the elected Chairman, the battle for one aspect of democracy was won. But there were no separate executives to perform political and administrative functions. Therefore, the Chairman himself was given the executive authority for
about a period of 13 years (1920-33). The Chairman was both the political and administrative Head of the Municipality and he was given extensive executive powers. As the Chairman, he was to implement the resolutions of the Council. Though this arrangement suited political leaders, it was found that the chairman as Executive Officer was not very successful. Owing to the local pressures, he was unable to perform his executive functions satisfactorily. "Elected Chairmen invariably belonged to some political party or the other. In the discharge of their executive functions, they were naturally influenced by party considerations. They could not afford to incur the displeasure of the party men to whom they owed their election and who even after election could remove them from office by passing a vote of no-confidence against them. Apart from this, elected Chairmen had little experience of administration and had little time to spare for their executive work. This resulted in administrative inefficiency, in falling into arrears, in taxes not being collected in time, and in laxity of control over the office staff." This resulted in 1933, in the appointment of a Commissioner, in whom the executive authority was vested. Under this arrangement, the Chairman was divested of his executive powers and was made the Presiding Officer of the Council. His powers were greatly curtailed. In the Telangana area, under the Act, of 1956, the President was elected by the Council and he was made a presiding officer of the Council. He was made Head of the Municipal Executive and it was his duty to watch the financial and executive administration of the Municipality. He was given control over all the office-bearers and servants of the Committee in matters of executive administration and in matters concerning the accounts and records of the Municipality. He was to furnish to the Government periodical reports and returns as prescribed by the Government. In emergencies, he could direct the execution or stoppage of any work. There was under the Hyderabad Act, a provision for an Executive Officer. His function was to put into effect the decision and the resolutions of the Committee. There was, therefore, a separation of executive powers from the political executive.

The 1965 Act, continues some of the provisions of the two old acts and abolishes others. Under this Act, the Chairman is elected from among the Members of the Council. The aldermen and the ex-officio Councillors are not entitled to participate in the meeting convened for the election of Chairman and the Vice-Chairman. The Chairman holds office for a period of five years. It is the duty of the Chairman to convene the meetings of the Council and of the Executive
Committee. He has the power to refer any resolution of the Council for its reconsideration. The correspondence between the Council and the State Government is conducted in the name of the Chairman. He has the power to incur contingent expenditure incidental to Municipal Administration. The quantum of this power varies according to the grade of the Municipality. In emergency, the Chairman can direct the execution of any work, which would ordinarily require the sanction of the Council. As the Chairman of the meetings of the Council and of the Executive Committee, he conducts their deliberations.

The Chairman of the Municipality under the new Act enjoys a peculiar position. He shares the Executive power with the Executive Committee, as its Chairman. He enjoys most of his powers as the Chairman of this Committee. But in actual practice, the Chairman being the leader of the majority party in the Council, wields enormous authority and prestige. As the head of the Municipality he speaks to the State Government and outside authorities as its spokesman, since his term of office is longer than that of the Executive Committee and also being the leader of the major group, he is in a stronger position Vis-a-Vis the Executive Council. Although in law he is not endowed with many Executive powers, unlike his counterpart prior to 1933, in actual practice, the Chairman has a decisive voice in the affairs of Municipal Administration.

In the performance of his role as the Head of the Municipal Administration, several criticisms are made against the Chairman. The most usual one being the political bickerings between the Chairman and Executive Committee and between him and the secretary. There are instances of Municipal Chairman behaving in a high-handed manner and refusing to convene meetings of the Council, even though there was requisition for such meetings.

IV. OFFICIAL EXECUTIVE

The main pillar of Municipal Administration is the Secretary (formerly known as the Commissioner. In the evolution of this office there have been ups and downs. There was no provision for an Executive Officer under the Madras District Municipalities 1920, and the Executive functions were performed by the Chairman himself. Later on, under the 1933 Act, the Chairman was divested of his executive functions and commissioner was appointed by the Government. The entire executive
authority of the Municipality was vested in the Government-appointed Commissioner.\textsuperscript{46} The commissioner had the right to attend meetings of the Council or any Committee and take part in their discussions. But he did not have the right to move any resolution or to vote. He was duty bound to attend any meetings of the Council or of any Committee, if the Chairman required him to do so. Subject to certain restrictions the commissioner was given the power to delegate his functions to any officer or servant of the Council. The commissioner also exercised administrative control over the subordinate officers. Under the 1933 Act, the commissioners enjoyed enormous executive authority.

The new Act has downgraded the position of the Executive Officer in view of the criticism leveled against Municipal commissioners. It is true that, even under the new Act, he is one of the four Municipal Authorities, but he is an a much weaker position than his counterpart. Under the old Act,\textsuperscript{47} The Secretary is appointed by the Government for every Municipality. Where there is a necessity, the Government may also appoint a deputy Secretary to assist the Secretary. The term and conditions of service of the Secretary are prescribed by the Government. His salary and allowances are paid by the Government out of the consolidated fund of the State. He is charged with the responsibilities of exercising all powers in relation to the collection of taxes, fees and licenses and removal of encroachments. He is in charge of the office of the Municipality and has custody of Municipal records, subject to the control of the Chairman. He has the power to inspect entertainment houses for purposes of verifications of the sale of tickets, the Secretary can requisition the services of any officer or employee of the Municipality for discharging his duties under the Act. The Secretary can attend and has the right to speak in the meetings of the Council or an Executive Committee. But he has no right to move any resolution or to vote.

V MUNICIPAL PERSONNEL

For effectiveness of Local Government or any other level of Government depends, ultimately, on how efficient its Civil Services are. In India Municipal Government has become a by-word for inefficiency, corruption, nepotism and favouritism, indeed, for all known administrative deficiencies. In efficient personnel is the root of all these ills. Tax-administration is weak; whatever money collected is also not well spent. This is so largely because of the inadequacy and incompetence of the Municipal personnel. An efficient administrative, professional and technical
staff at the Municipal level is the sine quo non of a vigorous and efficient Municipal Government.

In the past one of the main reasons for the failure of urban Local Government in this country was to build up a good image of itself and its liability to attract suitable personnel. In efficient personnel and inadequate finances were mainly responsible for crumbling the structures of many a Local Body Committees and commissions have invited the attention of authorities to the problem of personnel from time to time. On the basis of the recommendations of various Committees, personnel policies are being evolved by State Governments. There are three types of Personal Systems in the country today, sometimes, one in combination with the others.

Space does not permit us to go into the details of this vital issue of inadequacy of finances of urban Local Bodies. However, it can be said by way of a general comment that while the responsibilities of Local Bodies are increasing enormously, their sources of revenue are shrinking. The cream of taxable resources are with the central and the State Governments and the Local Bodies are left with inelastic and unproductive resources. Consequently, the latter are placed at the tender mercies of the State Governments for financial assistance which does not adopt any principles, and mostly it is ad hoc. If Local Bodies are to meet their swelling responsibilities, it is necessary that an assessment is made of their requirements and resources from time to time. Such an assessment cannot be left to the State Government whose moods are liable to frequent changes. An independent body like the Finance Commission be charged with the responsibility of allocating finances to Local Bodies. This reform is urgently called for in order to avoid the functional insecurity and some times insolvency of these institutions.

VI Supervision and Control

Local Government is creature of the State Government having been ushered into existence by an Act passed by the State Legislature.

Also as in the case of Local Authorities in various countries, there exist control over Local Authorities in Andhra Pradesh. First, there is the Legislative control. Municipalities are created by an Act of the Legislature. Municipal affairs are discussed in the Legislature from time to time. The Legislature, therefore exercises control over the Local Bodies though the Minister for Municipal
Administration. The courts also exercise control over the urban Local Bodies. They figure prominently in the election disputes and dissolution cases. However, courts come into the picture only when certain laws are violated.

The State Government has the power to remove the erring Chairman of a Municipality from office. The State Government has also the power to dissolve the Executive Committee and can reconstitute it either on its own decision or on the resolution of a Council. The Government may dissolve the Council for persistent defaults in performing its duties or for excess or abuse of power. The Government has power to call for documents, plans, estimates and statements of the Municipalities.

The effective controls over the Local Bodies are exercised by the administrative authorities. At the State level there is a Secretariat Department (Health, Housing and Municipal administration) with a minister as head and a hierarchy mainly with the formulation of policies and accountability to the Legislature. On the general pattern of State Administration there is a Directorate (Directorate of Municipal administration) to deal with the implementation of policies. Earlier there was a Directorate of Local Administration concerned both with Urban and Rural Local Bodies. But with the introduction of Panchayat Raj it was bifurcated and a separate Directorate is headed by an officer of the Indian Administrative Service who is assisted by a Deputy Director. In addition, there are two Regional Directors posted in two regions, North and South, into which the State has been divided.

The Directorate exercises extensive powers over the Municipalities in the State. These powers, broadly speaking, deal with organization and personnel administration. The Director has the power of sanctioning most of the Municipal posts and transferring employees from one Municipality to another. In financial matters, his sanction is necessary to incur extraordinary expenditure and to pay grants-in-aid to any institution. He is the sanctioning authority for the payment of traveling allowances to Chairman and Councillors and for payment of fee to the Standing Counsils. Further he has the power to inspect not only the Municipalities but also the Municipal Corporation of Hyderabad. He is the authority to adjudicate the disputes between Local Authorities. Regional Directors are mainly concerned with inspection.
At the local levels, the District Collector is given enormous power to control the Municipalities. The District Collector may enter and inspect any immovable property or any work in progress under the control of any Municipality in his district. He can call for any documents of the Municipality. The Collector is given emergency power over the Municipalities. In the case of emergency, he can direct the execution of any policy which in his opinion is necessary for the safety of the public. He can direct the Municipality to pay the expenditure incurred on such works. The Collector also has the power to suspend the resolution and order a license.

The foregoing account reveals that the control over the Urban Local Bodies in this State follows the traditional pattern of State control. It is true, that in the new Act certain improvements have been made for instance, the obnoxious system of suppression has been done away with. Still a study of the provisions of the Act would reveal that the attitude of the State Government towards Local Bodies is characterized by suspicion and distrust. The general observations of the Rural-Urban Relationship Committee are relevant to this State also.\textsuperscript{51} It said: the State Government's supervision and control is at present mainly directed towards securing the proper performance of the function handed down by the British days and still blindly followed by the State level administration.

It is not disputed by any one that there is a case for retaining the State control over Local Bodies particularly in the light of dismal performance and abuse of authority by the latter. But what is objected to is the tone and tenor and quantum of the State's authority over Local Bodies. Observers and Committees, therefore plead that this kind of rigid, authoritarian and over bearing attitude should give way to more positive and helpful atmosphere. Instead of super-subordinate relationship, there should be partnership. "The State-Local Government relationship is, therefore, no longer to be considered from the antithetic angle of Local Autonomy versus State Powers but rather from one of partnership and co-operation aiming to secure the best possible and most efficient service for the people.\textsuperscript{52} There is a need for looking at the powers of the State Government afresh so that they are in tune with the prevailing ideas on State-Local relationship. In this connection, the Directorate of Municipal Administration has a vital role to play. It is not proposed to go into the points raised by Mohit Bhattacharya regarding the efficiency of having two institutions - the Secretariat Department
dealing with Municipal Administration and the Directorate of Municipal Administration at the State level dealing with Municipalities. All that one would like to argue is that, granting that the Secretariat Department lays down policies and performs general supervision of the Local Bodies, the role of the Directorate should be conceived differently. It should not only function as an Executive wing of the Government, which role it is performing at present, but the Directorate should also be the main spokesman of the Local Bodies from within. One should not, however, expect that constituted as it is today, the Directorate would be able to perform this role. Its set-up should be changed to provide for fresh air and new ideas. This can be done only by associating a few forward-looking Political Executives of Municipalities and outsiders having familiarity with these problems in an advisory capacity. Further, the Directorate should equip itself properly to give advice and guidance to the Local Bodies. Much of the decision-making and most of the policies of Government today are not based on any properly collected data and expert knowledge. The knowledge of scientific and technological Governance and the bureaucrat sitting at headquarters are as ignorant in the problems connected with urbanizations as the Local Bodies themselves; it is like the blind leading the blind. The research and technical sides of Municipal Administration have to be strengthened.

URBAN PARTY POLITICS

The two words, 'politics' and 'parties', when used in the context of Local Government lose all their significance and respectability and in fact have acquired "something of a pejorative sense and a disagreeable odor. The place of political parties in Local Bodies has given rise to fierce controversy and enough has been written on the subject both in India and abroad. Broadly speaking, there are two schools of thought—one advocating that parties should remain aloof from Local Elections and the other saying that it is not only impossible to prevent parties from interfering in Local affairs but it is desirable that they take active part at that level. Here we do not propose to join issues with either of them but to concentrate only on the situation in Andhra Pradesh.

The practice with regard to the participation of political parties in Urban Local Bodies varies; some parties like the Congress do not formally set up candidates in Municipal Elections; others like the Communist Party, the Jana Sangh, etc., however, fight elections on a party basis. In practice, it is observed
that even though the Congress Party does not sponsor candidates, it does seem to extend its support unofficially. At least the voter is aware of the party affiliations of all the contestants. After the elections, in the Council meetings also, the party affiliations of the Councillors are well known to everybody.

It is to be noted that not much empirical research has been done to find out the reactions of people to party politics and also their working. The only study conducted on this problem was by the Department of Public administration in the District of Warangal. Although generalizations should not be made on the basis of this single study, some of its conclusions are interesting to note. In this study 54 out of a total of 137 contestants were interviewed. Majority of the contestants are of the opinion that parties should not contest as parties. The interference of parties results in particularity and favoritism. The next important undesirable result seems to be that it inhibits the capacity to take decisions. Majority of the respondents felt that the main considerations in the choice of candidates by parties should be their record of social service. As regards the actual selection of candidates by parties, there was a divergence of opinion. Some felt caste loyalty was a divergence of opinion. Some felt caste loyalty was the basis of selection while others mentioned money, influence and social power as factors governing the choice. The general feeling seems to be that quite a number of undesirable elements contest the elections. It is interesting to observe that many candidates were not aware of their party programmes. Municipal leadership, it is felt, is not giving representation to younger men. It is also believed that most of the candidates are drawn from the middle classes. One has to await adequate empirical literature on the subject before any valid conclusions are drawn about the nature of party politics in Municipal bodies. Official-dominated Councils have become elected Councils; in the place of overbearing District Magistrates as Chairmen, there are now elected Chairmen; powers of the Councils are widened; attempts have been made to streamline the Committee System; executive responsibilities are now shared by the Chairman and the secretary; change has been made in the position of the Secretary to suit the new mood; personal system is made more rational changes are made in State Control over Local Bodies. These changes have, by and large, satisfied the urge for democracy at Local levels but they have not solved the problems confronting the Urban Local Bodies. Such chronic problems as the inadequacy of finances and negative and suspicious attitude of the State Government towards them still continue. On their part, the
Municipalities with their democratic leaderships have not done much to better the urban life. They continue to be as inefficient and inattentive to the civic needs as before. Even such basic amenities like protected water supply, drainage, and roads have not been provided by many Municipalities. It is not always because finances are inadequate, but there does not appear to be any conscious effort on the part of local leadership to modernize the civic life. It is partly due to the fact that our cities “have grown by additions and agglomerations of small and large villages, and by inclusion of rural migrants pushed out of the villages by economic pressure. The migrants continued to retain rural outlook and would not sever their ties with their ancestral homes. This has resulted not only in social and cultural maladjustment of migrants but also in a lack of interest in civic activities. To many of the civic leaders the town is only an expanded village without, of course, the advantages of village life.

So far, reforms in the Municipal Administration of Andhra Pradesh has taken the path of streamlining the structure which, no doubt, is essential for efficient functioning. But the institutional changes have not been able to achieve the desired goals in Local Government. It was for example, felt that too many Committees worked at cross-purposes and a single Committee would be able to do the work better. But the experience of the Executive Committee believed this hope. Similarly the commissioner is now designated as Secretary without much power to co-ordinate the work of various departments of the Council. Here again experience seems to favor the old set-up. Such experiments are necessary in order to be in true with changes in social and political order. But the basic task is to make the reorganized institutions work. The student of Local Government in India is struck by the fact that the organizational improvements have not been matched by improvements in the standards of civic life. We may, and we should, no doubt, try to rationalize the machine but more important than that is to make it function. Here the organization is in head-on collision with the social and political environment in which it operates. In other words, there is a conflict of values between the social and the administrative values which immobilize the administrative machinery of the Local Body. The bad operation of American Municipal Government, it is said, is due not to defect in popular character, but to defects in the organization of the Governments. In our country the opposite seems to be true. “The lost world of Municipal Government,” therefore, calls for systematic studies by social scientists in this country to rouse the conscience not only for the people who
inhabit this world but also of the men in authority. Strong climate of opinion in support of better urban life has to be created which alone can goad our lethargic civic bodies to do what they are legally expected to do.


At present there are 3 Corporations and 112 Municipalities in Andhra Pradesh. The Hyderabad Corporation came into being in accordance with the Hyderabad Municipal Corporation Act, 1955. The Corporation of Vishakhapatnam and Vijayawada were created in the years 1979 and 1980, respectively. These two Corporations work under the Hyderabad Municipal Corporation Act, 1955. Generally, all Municipalities are functioning in accordance with the Andhra Pradesh Municipalities Act, 1965. The Act was amended many times. The Amendments made many changes and some new procedures were taken into account for election methods also.

According to the latest amendment, the direct election method to the Mayor, Deputy Mayor and Municipal Chairman was introduced and the Government could terminate the offices of Mayor, Deputy Mayor and Municipal Chairman, if they misuse their powers. The Government also could dissolve, if it found fault with the Corporation or Standing Committee in their functions. Powers were given to Commissioners to deal with the works of financial disbursement which they could sanction up to two lakhs. In Municipal Bodies, nearly 50% of seats were reserved. Reservations were provided for Scheduled Castes, Scheduled Tribe, Backward Classes and women candidates. In Municipal elections Photo Identity Cards System was introduced for the first time in the country. Under the Article 23 of the Andhra Pradesh Municipalities Act, 1965, the following seats were allocated to the Municipal Councils; 15% for Scheduled Castes, 6% for Scheduled Tribe, 20% for Backward Classes and 9% for women.

Elections were conducted to 95 Municipalities on March 8, 1987. Also, the reservation was followed for the 95 Chairman elections. In view of this, 14% for Scheduled Castes, 6% for Scheduled Tribes, 18% for Backward Classes, 9% for women were allotted. In these Municipalities, there are 2,772 Wards which were also allocated on the basis of reservation.
The Election Results of 1987:

11,121 nominations were filed for 2,771 Municipal Councillors seats and 574 nomination were filed for 95 Municipal Chairman seats. The main rivalry parties were Congress (I) and Telugu Desam. BJP also contested for some seats and CPM, Independent and others were also in the contest.

There are more than 46 lakhs of voters in these 95 Municipalities areas. Nearly 70% to 75% of voters exercised their franchise to elect 95 Chairmen and 2,772 Councillors.

The following Table shows the Municipal Chairmen of various parties in the Elections held on March, 8, 1987.

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Candidate</th>
<th>No. of seats won</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Congress (I)</td>
<td>49</td>
</tr>
<tr>
<td>2.</td>
<td>Telugu Desam</td>
<td>40</td>
</tr>
<tr>
<td>3.</td>
<td>CPM</td>
<td>2</td>
</tr>
<tr>
<td>4.</td>
<td>BJP</td>
<td>2</td>
</tr>
<tr>
<td>5.</td>
<td>Independents</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>95</td>
</tr>
</tbody>
</table>

In these elections, the CPI(M) joined hands with Telugu Desam Party. It is to be noted that the Telugu Desam Party got a large majority of seats in Zilla Praja Parishad and Mandal Praja Parishad, and in Municipal Elections the Congress (I) party got majority.

Elected members were sworn in as Municipal Chairmen on 30th March, 1987.

In 95 Municipalities including two Corporations i.e. Vijayawada and Vishakhapatnam, total voters were 56,63,000, Of them, 40,39,000 got the Photo Identity Cards. In this election more than 70% voters exercised their franchise.

Elections would be conducted to the Municipalities which got Court Stay Orders to the Municipalities which were created in the nearby area of Hyderabad.
The Municipal Bodies in India are inter-related units of Local Governments within the large Government frame work of the Nation. The Local Bodies would work in all such common matters which are concern of urban population throughout the nation. It is a common principle that the Local Authorities are members of community or the whole nation in order to solve their local problems which are common in nature. In this consideration the Municipalities are doing great service not only in the interest of the civic bodies alone but also for providing amenities to the inhabitants who are the constituents of democratic country.

The Municipal Administration in the country has indirect relationship with the State and the Central Government as they have to follow the policies laid down by the Government.
REFERENCES


4. Ibid para 5.

5. Ibid para 7.


8. Ibid para 12.


10. Ibid para 16.


22. Ibid p. 144.


34. Rural Urban relationship committee, 1966, para 4-12.


39. The Madras Municipalities Act Vol. 1920 (as applicable to Andhra), section. 23.


43. Ibid p. 341.

44. Ibid p. 342.

45. The Andhra Pradesh Municipalities Act 1965, Section, 23.

46. Venkata Rao. V. op.cit, p. 339 and also see Venkatarangaiya op.cit, p. 342.


54. Ibid, pp. 69 70.


56. The papers of second orientation course in Urban Administration, Leadership in Municipalities study of Warangal Municipal elections. 1967, in Andhra Pradesh.

