CHAPTER VII

MEETINGS AND THE COMMITTEE SYSTEM

A newly elected board must meet to be sworn into office. The date of the first meeting is fixed by Government. Thereafter regular meetings are held according to the provisions of the Act. The Municipal Board should meet once a month and as often as necessary. There is also provision for requisitioned meetings. If a requisition signed by a minimum of three members is handed over to the Chairman or vice-chairman he should call for a meeting. The Assam Municipal Act, 1923, and 1956, laid down that in case of failure on the part of the chairman to call a meeting requisitioned by the members within a fortnight, the members who requisitioned the meeting could call for a meeting.

In actual practice, the number of meetings held differed from time to time. The Shillong Municipal Board did not meet every month during the period 1885 to 1905. But after 1930, the Board met more or less regularly every month. Again it did not meet regularly in 1945-46 and 1946-47.

Quorum.

No business can be transacted by a local body unless a minimum number of members is present. According to Assam Municipal Act 1923 and 1956 the quorum was one third of the total strength. But there is a special quorum for the disposal of certain important matters; such as, determination of scales of pay for employees, framing of bye-laws, approval of the budget, appointment in the officers' cadre and for floating loans. The special quorum was one half of the total strength. The meeting should be adjourned if there is no quorum. The Shillong Municipal Board adjourned three times for want of quorum during the years 1940-50. At the adjourned meetings, any number of members present, provided it is not less than two excluding the chairman formed the quorum.

Minutes.

The minutes of the proceedings have to be recorded in a register maintained specifically for the purpose. The Government framed rules in this regard from time to time. For example in 1938 the Local Self Government Department had maintained that the minutes of the proceedings of the Board at a meeting shall contain the motions placed before the board on each item of the agenda, with the names of the

proposer and seconder for each motion or amendment. If the President of the meeting rules that a motion or amendment is out of order he shall record his reasons briefly in the minutes. The explanatory abstract of the discussion on each item shall be very brief. When any resolution which involves expenditure from the Board's funds is put to vote and adopted, the names of the members voting in favour shall be recorded. A copy of the minutes had to be sent to the Deputy Commissioner.

Voting.

Voting is by show of hands. Voting by proxy was permitted under extraordinary circumstances in the past. But at present voting by proxy is not permitted at all.

Attendance.

The names of members attending municipal meetings must be recorded. The average percentage of attendance of members of Shillong Municipal Board varied from 72.72 in 1909-10 to 60.27 in 1949-50. The percentage of attendance was as follows:

4. No.84-143 L.S.G. - A September, 1938.
5. Sources : Municipal Reports for respective years.
6. Ibid.
It is clear from the above that percentage of attendance of official members reached the zenith in 1935-36 - after that year there was a great fall and it reached its lowest ebb in 1944-45. Average percentage of attendance of non-official members was more or less steady up to 1935-36, but after the passage of the Government of India Act, 1935, it was increasing by leaps and bounds and reached the optimum point in 1949-50. The main factor might be more popular participation in self Government after mid 1930s.

The reasons for the decline in official attendance was due to lack of interest on the part of European officials.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Total meetings held</th>
<th>Average percentage of official present</th>
<th>Average percentage of non-official present</th>
<th>Average percentage of all present</th>
</tr>
</thead>
<tbody>
<tr>
<td>1914-15</td>
<td>10</td>
<td>72.00</td>
<td>49.00</td>
<td>56.66</td>
</tr>
<tr>
<td>1920-21</td>
<td>10</td>
<td>66.00</td>
<td>48.00</td>
<td>54.00</td>
</tr>
<tr>
<td>1935-36</td>
<td>16</td>
<td>95.31</td>
<td>52.08</td>
<td>62.89</td>
</tr>
<tr>
<td>1944-45</td>
<td>16</td>
<td>3.12</td>
<td>69.14</td>
<td>61.80</td>
</tr>
<tr>
<td>1949-50</td>
<td>18</td>
<td>15.27</td>
<td>71.52</td>
<td>60.27</td>
</tr>
</tbody>
</table>
In spite of periodical sermons from the Government for effective discharge of duties by the members of municipal boards - how far did the members of the Municipality displayed a sense of responsibility and patriotic spirit? It may be observed in this connection that the Board was never divided into hostile fractions of patriotic and pro-establishment groups. For example during Viceroy's visit to Shillong in the 1st week of January 1926, the Municipality unanimously resolved to present a welcome address.  

By and large, the ward commissioners were men of public spirit.

The Committee System.

Committees are a vital part of the Local Government. They perform multifarious functions such as supervision, control, and administration. Therefore it is essential to note the working of the committee system in the Shillong Municipal Board.

A committee is a device to study in depth any problem, it is meant to be a mechanism for a multilateral dialogue and for a reasonable accommodation of different viewpoints and interests. Sometimes, it serves as a pretext for

inaction and delay. Committees also provide a valuable 
forum for gathering consensus and for finding out ways 
and means for arriving at a decision after a careful scru-
tiny of the pros and cons of a proposal. Therefore, comm-
ittees may be appointed for two purposes - to examine a 
particular issue and make recommendations so that the Board 
may make a quick decision. The second purpose is for the 
administration of particular services with delegated powers 
by the Board. Here they function as the agents of the Board.

Local Government committees may be broadly divided into 
two categories, statutory and non-statutory. Statutory Comm-
ittees are those which local bodies are compelled to appoint. 
All subjects relating to the Department for which a committ-
ee is constituted should be referred to the Committee concern-
med, the entire Board will decide the issue finally on the 
basis of the report of the committee. Non-statutory commit-
tees are those constituted by a local authority.

Almost all the Municipal Acts provided for the appoint-
tment of committees. Assam Municipal Act, 1923, and 1956, 
authorised the municipal board to appoint and delegate func-
tions to them.

Law provided for the cooption of outsiders. There is 
also provision for the formation of joint committees, cons-
isting of members of more than one local body. The Acts also
provided for the appointment of an obligatory committee the Assessment Reviewing Committee by every municipal board.

The Shillong Municipal Board never appointed a joint committee although on several occasions a representative of the Shillong Cantonment Board was invited to attend the meeting of the Board. For example, Major Wilson, Officer Commanding of the Gurkha Rifles attended the general meeting of the Station Committee held on 23rd August, 1910, as a visitor from Cantonment. 8

As regards the size of the committee the Board had complete freedom to determine the strength of the non-statutory committees. The strength of the non-statutory committees varied from time to time. The strength of the statutory committee was fixed up by the Act itself. The Board had no discretion to vary the strength. The Municipal Act, 1956, laid down that the Assessment Committee should consist of the chairman and the vice-chairman as ex-officio members and four others. All committees should consist of representatives of the minority and backward communities. If the minorities are not adequately represented Government could interfere with the decision of the Board. But normally the Board had sufficient discretion to determine the composition

of the committees.

The membership of the committee was limited to members of the Board, but in order to secure the benefit of expert advice, the Board was empowered to include outsiders in the committees. For instance, Shillong Municipality coopted the Assistant Director of Public Health in the site selection committee for segregation camp. But the cooption of outsiders as members of a committee may be criticised on the ground that it is undemocratic. Democracy surely does not require every person in public life to be elected. To safeguard democracy certain conditions may be imposed. The proportion of coopted members should not exceed one-third and they should not be entitled to be the chairman of the committees. Cooption was however, not compulsory. And Shillong Municipal Board very seldom coopted members on its committees.

Term of Office.

A member of a committee usually holds office so long as he is the member of the board. As a matter of tradition the Board appointed members in its various committees for a year only. But there are instances where the same members were appointed for a second term.

Meetings of the Committees.

The number of meetings that should be held by each committee is entirely left to the discretion of the Board. In general committee meetings are not held regularly. For example the Education and Lighting committee did not meet regularly.

Quorum.

No business can be transacted by a committee unless a minimum number of members is present. The quorum for Assessment Review Committee is three including the chairman.

Powers and Functions.

The powers and functions of the committees are boardly divided into two categories, statutory and non-statutory. Statutory functions are clearly spelled out in the Acts. Assam Municipal Act, 1923 and 1956 laid down that the Assessment Review Committee should dispose of the petitions for the revision of the assessments fixed by the chairman or his staff. Its decision cannot be challenged by the Board. So far as non-statutory functions are concerned it is left to the discretion of the Board.

As regards the functions of the non-statutory committees - all the Acts authorised the Board to delegate some of their powers to committees. The public works committee has power to accept tenders and quotations whose value was below Rs. 500.
In 1968 the following committees existed in the Shillong Municipal Board:

<table>
<thead>
<tr>
<th>Committee</th>
<th>Strength</th>
<th>No. of meetings held</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Public Health and Conservancy Committee</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>2. Public Works Committee</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>3. Services Committee</td>
<td>7</td>
<td>11</td>
</tr>
<tr>
<td>4. Education &amp; Lighting Committee</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>5. Finance &amp; Assessment Committee</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>6. Collection Committee</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>7. Special Committee</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

The powers and functions of committees are subject to certain restrictions. The Board may delegate to a committee any of its powers, with the exception of the levying of a rate or the raising of a loan. But the Board is expressly prohibited from delegating any of its financial and taxation powers to the committees. The general body or the Board is the final authority to accept or reject the recommendations of committees, but committees must report all their findings to the Board.

The Committee system in the Shillong Municipality did

not function effectively because of several factors. In 1955, the committees were dominated by party-spirit and party factions. The factional spirit was so great that as many as six members resigned the membership of the committee.

Further, there was no co-ordination of the activities of various committees. This was felt by the Board in 1962. So on 6th November, 1962, it appointed a special committee of three members for amending the existing byelaws and to frame subsidiary rules for this purpose.

As mentioned earlier joint committee system did not exist in the Board. For the development of certain services like water supply, roads and burial grounds joint committee system should have been used.

Sometimes the committees were entrusted with unrelated functions. For example, the Shillong Municipal Board constituted a committee known as "Education and Lighting committee". They were not related to one another. As a result the committee looked after street lighting and totally neglected education.

It is suggested that besides the Assessment Review Committee there should be a standing Finance Committee not only for the preparation and presentation of the Budget to the Board but also for suggesting the augmentation of the revenues of the Board.

It is suggested that the members of the committees be given some allowance to enable them to attend the meetings of the committees. The Members of the State Legislative Assembly are given travelling and daily allowances for attending committee meetings. Payment of allowance will improve attendance of members at the committee meeting.

Usually the business dealt with by a committee consists of major matters of policy - prepared in detail by the Municipal staff. The Municipal officials generally outline the advantages or disadvantages of a particular issue and leave it to the committee to take a decision. The members of the committee are mostly senior officials like the C.E.O., and the Head Assistant - who are experienced persons. But how far a committee depends upon officials in reaching a decision again depends on the nature of issue which is being considered. When a committee is dealing with some non-technical human problem requiring human touch and understanding, the committee's decision may be in conflict with the advice given by the
Municipal Bureaucracy. This writer feels that if the matter under consideration is of complex technical nature, the tendency is for the committee to accept the suggestion of the expert officials, without question.

Finally, Shillong Municipal Board did not delegate powers to the Committees. Often the proposals of the committee were nullified by the Board. No committee will function responsibly if powers are not delegated to it. Nor will it function with a sense of responsibility if the Board interferes with its decisions.