THE CONCEPTUAL FRAMEWORK

1.1. Introduction:

In the present world today, local Government may be said to be a part of the four-tier system of Government. At the apex is the supranational agency like the United Nations which is purely voluntary in character and which lays down a code of conduct and behaviour in regard to relations between the sovereign members. This agency does not interfere in the internal affairs of its members and its actions cannot infringe members' sovereign rights. The second tier comprises individual national government's functioning in accordance with their national constitutions with their national borders. The constituent units which are called states or provinces form the third tier. The fourth and the bottom tier is the Local Government which until 1993 was created by national and state enactments and functioned within a limited jurisdiction as provided by various statutes.

1.2. Classification of Local Government:

Local governments in India are broadly divided into two classes – Rural and Urban. Urban Local authorities are created keeping in view the local needs and importance of local area. Since Panchayati Raj covers the entire rural area, giving the status of an urban local authority to a certain area means only a
change in the form of local administration. At present there are five types of Urban Local authorities:

a) Municipal Corporations;

b) Municipalities

c) Notified Area Committees;

d) Town area committee; and
e) Cantonment boards.

The first four are created under state Municipal laws while the cantonment boards owe their origin to a Central Act called the Cantonments Act, 1924. There are wide variations in the pattern of the urban local authorities, sometimes even within the same state. All the five types are not found in every state. Municipalities are found everywhere. The study area Hailakandi town has a Municipal Board.

1.3. Urban Area:

Urban areas may be defined according to different criteria such as size, population density and type of local government etc. It is related to a town or a city with large nucleated settlement in which the majority of the employed inhabitants engaged in secondary and tertiary activities. However, "it is customary in every country to classify the population as rural and urban." In general, a town is defined as a compact settlement with inhabitants engaged chiefly in non-agricultural activities. There is no universally agreed definition of a town in terms of population size as to distinguish it from a city or village. It is essentially an urban settlement with a business centre that serves its own inhabitants and others who live outside its boundaries. In India the definition of an urban area was fixed first of all in 1961, according to which the term included all municipalities with 5,000 or more inhabitants. Under a uniform criterion adopted for distinguishing urban and rural settlements, the Census of India 1991 refers to a settlement as an urban area if (a) it has a municipality, corporation, cantonment board or a notified town area committee or (b) it has (i) a minimum
population of 5000; (ii) at least 75% of its male population is engaged in activities other than agricultural; and (iii) a population density of at least 400 persons per sq. km. Besides, some other places like major project or railway colonies important tourist centre etc. may also be accorded urban status by the relevant authorities even if they do not strictly satisfy all the criteria mentioned above.

1.4. Classification of Urban Area:

The urban areas are divided into six classes on the basis of their population: Class-I with a population of 1,00,000 and above; class-II with a population of 50,000 – 99,999; Class-III having between 20,000 and 49,999; Class-IV between 10,000 and 19,999; Class-V between 5,000 and 9,999 and Class-VI having less than 5,000 (only those settlements given a special status as towns as mentioned earlier). The study area Hailakandi town, with population of 29,634 as per 2001 census is categorized as Class-IV town.

Prior to the 1961 census, the definition of urban area was somewhat liberal and a lot was left to the discretion of local authorities. At 1971 census the census authorities in the states were also given discretion in marginal cases to include, in consolation with the state Government a place that had distinct urban characteristics or to exclude a deserving place from being treated as urban.

1.5. Urban Agglomeration:

Apart from a town or city with a population of one lakh and above, the 1971 census adopted the concept of urban agglomeration which was also followed for 1981 census. Very often large railway colonies, university Campus, port-areas, military camps, etc. come up outside the statutory limits of the city or town but adjoining it. Such area may not themselves qualify to be treated as town as they are outgrowths of the town and deserve to be treated as urban. Such towns, together with their outgrowth, have been treated as one urban unit and called “Urban agglomaration”. There are 51 such areas exist in Assam which are enumerated in Appendix.

II
1.6. Urbanisation:

Urbanisation is associated with the concentration of population into towns and cities. It is a process through which a society gets transformed from an agrarian economy to an industrial economy and from a small homogeneous society to a large heterogeneous masses. In terms of percentage of population living in urban places, India is not highly urbanized. However, the growth of urbanization in India been quite rapid in the last few decades. It was only 10.85% during 1901, remained almost stagnant till 1941 (13.86%) but galloped to 17.30% in 1951, to 19.91% in 1971 to 23.32% in 1981 and it reached 25.75% in 1991 and 27.78% in 2001. In volume of total urban population, it was only 25.85 million in 1901, jumped to 33.45 million in 1931, became almost double (62.44 million) in 1951 and increased by 74.74% in 1971 (109.11 million) and in the next decade, it increased by another 46.39% and reached 159.72 million in 1981. During 1991 census, the urban population of the country increased by another 35.97% and recorded 217.17 million. This volume of urban population is even more than the total population of all the countries in the world except China and the U.S.A. Further, the urban areas are experiencing a faster demographic growth compared to the rural areas. In the 1981-91 decade, the total population of the country increased by 23.82% rural population by 19.85% and urban population by 35.97%. Against this background, in Assam 2.34% were living in towns in 1901, 2.73% in 1921, 4.29% in 1951, 8.81% in 1971, 9.87% in 1981, 11.10% in 1991 and 12.72% in 2001. The growth of population in Assam (both rural and urban) in relation to the country is shown in Table -1.1.

TABLE- 1.1

Growth of Population in Assam in Relation to India (In Thousand)

<table>
<thead>
<tr>
<th>Census Year</th>
<th>Total Population</th>
<th>Rural Population</th>
<th>% of Rural Population to Total Population</th>
<th>Urban Population</th>
<th>% of Urban Population to Total Population</th>
<th>Total Population</th>
<th>Rural Population</th>
<th>% of Rural Population to Total Population</th>
<th>Urban Population</th>
<th>% of Urban Population to Total Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>1901</td>
<td>3290</td>
<td>3213</td>
<td>97.66</td>
<td>77</td>
<td>2.34</td>
<td>238,396</td>
<td>212,544</td>
<td>89.15</td>
<td>25,852</td>
<td>10.85</td>
</tr>
<tr>
<td>1911</td>
<td>3849</td>
<td>3756</td>
<td>97.59</td>
<td>93</td>
<td>2.41</td>
<td>252,093</td>
<td>226,151</td>
<td>89.97</td>
<td>25,942</td>
<td>10.03</td>
</tr>
</tbody>
</table>
Thus, urban population has increased manifold. The urban population growth outstrips the growth of infrastructure. As a result, no city or town in India finds itself in a position to cope up with the existing numbers. Its population exceeds its carrying capacity inevitably; the quality of life in urban areas has deteriorated enormously. Cities and towns are marked by the proliferation of slums, illegal encroachment of public places, maddening growth of vehicular traffic, causing overloaded and choking of roads, soaring land rents and rates. Pollution problem has acquired endemic proportions and even basic civic amenities like availability of drinking water, sanitation and housing are not available to the bulk of population. Urban poverty is posing serious problems.

Urbanisation has become a world-wide phenomenon in the 20th century. Modernisation and Urbanisation are closely correlated hence they are in forefront of research in social sciences. Most of the nations of the world have energized their effort for industrial development and it has a power to attract more and more
money, man and materials to urban areas. This has also given impetus for over-crowding in urban centres thereby leading to population explosion.

In modern India, urbanisation was greatly facilitated by the British government. The East India Company selected sites, which had both commercial and strategic importance. In Assam too, the East India Company looked for such sites, which should serve both their commercial and strategic purpose.

1.6.1. The Scenario of Urban Assam:

The recent trend of urbanisation in India has been achieved during the last 50 years. In 1901 only 10.9% population resided in urban centres, which has gone to 26% in 1991 and 30% in 2001. Assam, a predominantly agrarian society with low level of urbanisation has an urban population of about 34 lakhs living in 221 urban centres. These urban centres are found along the river Brahmaputra and Barak, which have highly contributed to the cultural and commercial development of Assam. Railway has favoured the growth of towns as Lumding, Rangia, Jogigopa, Furkating, Mariani, Badarpur. Towns like Duliajan, Namrup, Moran, Naharkatia, Margherita, Rangapara, Dibrugarh etc. have grown with the exploration of oil. Some of the important commercial centres are Jorhat, Nagaon, Tezpur, Dhubri and Panchgram. Most of the towns are small having population size 5000-50,000.

Out of the total population of Assam accumulated provisionally during census 2001, 23,248,994 and 3,389,413 souls reside in rural and urban areas of Assam respectively. The percentage of rural population to the total population of the state is 87.28% as against 12.72% in urban. A very meagre percentage of the people of the state is living in the urban centres of Assam. It is a clear indication of slow growth of urbanisation in the State. The decadal growth rate (+16.67) in the rural areas has all along been lower than the urban growth rate, (+36.24) during the last decade. Still the urban population can occupy only 12.72% of total population of the state and the above growth rate is much more lower than that of some preceeding decades shown in the Table -1.2.
TABLE – 1.2
Percentage of rural/urban population and its decadal variation in Assam.

<table>
<thead>
<tr>
<th>Year</th>
<th>P.C of rural population</th>
<th>Decadal growth rate</th>
<th>P.C. of urban Population</th>
<th>Decadal growth rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>1901</td>
<td>97.66</td>
<td>-</td>
<td>2.34</td>
<td>-</td>
</tr>
<tr>
<td>1911</td>
<td>97.59</td>
<td>+16.91</td>
<td>2.41</td>
<td>+20.55</td>
</tr>
<tr>
<td>1921</td>
<td>97.26</td>
<td>+20.08</td>
<td>2.74</td>
<td>+36.80</td>
</tr>
<tr>
<td>1931</td>
<td>97.08</td>
<td>+19.70</td>
<td>2.92</td>
<td>+27.58</td>
</tr>
<tr>
<td>1941</td>
<td>96.89</td>
<td>+20.16</td>
<td>3.11</td>
<td>+28.30</td>
</tr>
<tr>
<td>1951</td>
<td>95.71</td>
<td>+18.45</td>
<td>4.29</td>
<td>+65.73</td>
</tr>
<tr>
<td>1961</td>
<td>92.79</td>
<td>+30.87</td>
<td>7.21</td>
<td>+126.57</td>
</tr>
<tr>
<td>1971</td>
<td>91.18</td>
<td>+32.62</td>
<td>8.82</td>
<td>+65.01</td>
</tr>
<tr>
<td>1981</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1991</td>
<td>88.90</td>
<td>+49.42</td>
<td>11.10</td>
<td>+92.97</td>
</tr>
<tr>
<td>2001</td>
<td>87.28</td>
<td>+16.67</td>
<td>12.72</td>
<td>+36.24</td>
</tr>
</tbody>
</table>

From the Table-1.2 it is evident that the proportion of urban population in Assam up to 1951 was thrived from 2.34% to 4.29%. The proportional increase of urban people in each decade up to 1941-51 were negligible. After independence, the momentum of urbanisation had geared up to a considerable extent and a gradual increase in subsequent decades are observed. Having an increase of 44 folds, the urban population in Assam has gone up from 77 thousands in 1901 to 34 lakhs in 2001.

As per the report of the State Action Plan for children of 1999 Assam has created a record of sorts by registering an unprecedented 258% growth in the period from 1941 to 1991 as against a national average of just 85%. Interestingly enough, only about 12.72% of the total population actually live in Urban Centres as a whole.

When the first census was conducted in India in 1872, there were 8 towns in Assam and the number has been enhanced to 80 statutory towns in 2001. In 1872, the population of Guwahati and Barpeta towns were 11,492 and 10,606
being 1st and 2nd largest towns in size of population in Assam respectively. During 2001, the increase of population of Barpeta town is less than 4 fold whereas more than 71 fold increase has been achieved in the population of Guwahati city. Out of 8 towns, only 3 towns excluding Guwahati have been able to cross the level of less than 2 lakhs population in 2001. At present, Assam has six towns having more than one lakh population. Guwahati is the only city in Assam where the total population has exceeded slightly more than 8 lakhs in 2001.

1.6.2. The Hailakandi Scenario:

Hailakandi was one of the oldest sub-divisions of Assam which was constituted as Civil Sub-division on 1st June 1869. Till 30th September 1989, it was a civil sub-division of Cachar District and on 1st October 1989 it emerged as a Civil District with the same name and territorial jurisdiction. The district has only two towns - Hailakandi and Lala. Recently Panchgram has emerged as industrial town with a township in the HPC campus. Lala Bazar is a class IV town with a population of 10,345 as per 2001 census. The town has a town committee with 4 wards.

The study area Hailakandi has recorded a rapid growth of its population during the past decades. The first census of Assam was taken in 1872, Hailakandi at that time was little more than a village. The census reports of India gives an idea of the increase in its population from 1462 in 1911 to 29,634 in 2001 as shown in the Table-1.3.

**TABLE – 1.3**

<table>
<thead>
<tr>
<th>Census years</th>
<th>Male population</th>
<th>Decadal variation</th>
<th>Female population</th>
<th>Decadal variation</th>
<th>Total population</th>
<th>Decadal Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1911</td>
<td>988</td>
<td>-</td>
<td>474</td>
<td>-</td>
<td>1462</td>
<td>-</td>
</tr>
<tr>
<td>1921</td>
<td>1595</td>
<td>607</td>
<td>633</td>
<td>159</td>
<td>2228</td>
<td>766</td>
</tr>
<tr>
<td>1931</td>
<td>1290</td>
<td>305</td>
<td>712</td>
<td>79</td>
<td>2002</td>
<td>226</td>
</tr>
<tr>
<td>1941</td>
<td>1884</td>
<td>594</td>
<td>1200</td>
<td>488</td>
<td>3084</td>
<td>1082</td>
</tr>
</tbody>
</table>
Source: *Census of India.*

From Table-1.3, it appears that the trend has been towards an increase in population constantly since 1911 except 1931. There is remarkable increase of population in 1951. It is due to the partition of India and flow of influx from East Pakistan (now Bangladesh). The massive scale migration mostly from rural to urban as a consequence of pull and push factors and the fundamental right of the people to settle in any part of the country and population explosion led to the increase of town population.

This alarming level of growth of urbanisation has already created a lot of problems for the state. For example, the Action Plan of 1999 in-forms that even way back in 1990 there was an estimated shortage of 3,00,000 units of houses which was expected to swell to massive 7.5 lakhs units by 2000. This in addition to the 1.96 lakhs houses requiring urgent up-gradation in the urban places\(^\text{10}\). Consequently, the sanitation system in urban localities in the state is extremely in a bad shape with only a small percentage of population actually using septic tanks for houses. Except areas falling under armed forces' cantonments, railways, oil and other townships no urban settlement has sewage disposal system at all.

Significantly, not a single municipal body has adequate garbage disposal facilities and most of the towns do not have vehicles for dumping solid wastes or garbage disposal.
In the field of water supply, the position is still more alarming as just 25.59% of urban households have access to piped water and the rest depend upon community taps, hand pumps, open ponds, wells or streams.

Though in the health care sector, curative facilities are available through a number of government and private hospitals the urban poor section still do not have access to them and have to depend upon costly health care institutions.

The action Plan envisages development and addressing of these problems by institutional strengthening of the urban local bodies and empowerment of the urban poor communities, in several of their fields in collaboration with the UNICEF through its intervention schemes.

1.7. Urban Self-Government:

Urban self-government means local self-government of urban area. The term "Urban" means ‘town’ or ‘city’, ‘local’ as distinct from ‘national’ refers to a particular locality or small area; ‘self’ means by ‘one’ or for ‘one’s own interest’ and ‘government’ implies a system of governing or administration. Thus, ‘urban self-government’ refers to that system of Government created by and for the inhabitants themselves who reside in a particular urban area. Such institutions are created under the authority of law of the central or state government and enjoy substantial amount of autonomy in their own sphere.

In our Constitution, the Directive Principles of State Policy (Art. 40) asked the state to constitute Panchayats in their areas. Article 243 of the Constitution speaks of the Panchayats and municipalities as the institutions of self-government in the rural and urban areas respectively. Since April 1993, local government in India, both rural and urban, has become constitutionalised in the sense that it is enshrined in the Constitution of India like the two upper levels of government. In 1992 the Parliament passed the 73rd and 74th Constitution Amendment Bill which came into force on 24th April 1993. The 74th Constitutional Amendment Act, popularly known as Nagarpalika Act, provides for three types of urban self-Government in every state.

These are:
a) A *Nagar Panchayat* (by whatever name called) for a transitional area, that is to say, an area in transition from a rural to an urban area;

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

c) A *Municipal Corporation* for a larger urban area.

There are three types of urban self-governments in Assam:

a) *Municipal Corporation* for the urban area having a population of more than one lakh;

b) *Municipal Board* for urban area having a population of more than ten thousands and not more than one lakh; and

c) *Town Committee* for urban area, having a population of less than ten thousands. Guwahati Municipal Corporation, the only corporation of that kind in Assam, was established in 1974 under the Gauhati Municipal Corporation Act, 1969 while the other two types of urban self-government have been in existence since British days.

The urban or municipal governments as a concept has its roots in Roman Civilisation.

Etymologically the term 'Municipal' is derived from the Roman concept of 'mu-ni-cip-i-um' referring to the local unit of Roman government. The municipal or city administration comprehends within its fold urban self-government of various types and sizes.

1.7.1. Municipality:

Municipality, in the United States, is urban unit of local government. A municipality is a political sub-division of a state within which a municipal corporation has been established to provide general local government for a specific population concentrated in a defined area. A municipality may be designated as a city, borough, village, or town, except in the New England states, New York and Wisconsin, where the name town signifies a sub-division of the country or state by area.
In many European countries the law provides for types of local government units to which the term municipality may be applied – as in France (Commune), Italy (Commune), the Low Countries (gemeente), and most of the Scandinavian countries. In Great Britain the term Municipality is in general used only for the large boroughs (Municipal Corporation).

‘Municipality’ as per Article 243(P)(e) means an institution of self-government constituted under Art. 243(Q) of the Constitution.\(^1\)

According to Sec.29 of the Assam Municipal Act, 1956, ‘Municipality’ means any local area declared by or under this Act to be a municipality.

1.7.2. Municipal Council:

Every municipality has a municipal council. In some states is called ‘Municipal Board’, ‘Commissioners at meeting’ ‘Municipal Committee’, municipal borough and so on.

According to Sec27 of the Assam Municipal Act, 1956, ‘Municipal Board’ means the Body of persons for the time being elected or appointed to conduct the affairs of any municipality under this Act.

1.7.3. Nagar Panchayat:

According to Sec 45 of the Assam Municipal Act, 1956, ‘Nagar Panchayat’ or ‘Town Committee’ means a Local Self-governing Body constituted for a transitional area as defined in Article 243Q (2) of the constitution\(^1\).

1.8. Town or Urban Development:

Urban development signifies the carrying out of buildings, engineering, mining or other operations in, on, over or under land, or any buildings or other land on the urban landscape\(^1\). There has been a rapid growth of urban population all over the world. Hence, it requires resetting for improvement and better quality of life in the urban scene. It is also a fact that urban land is scarce and a key factor in urban development.\(^1\)
But unfortunately, urban development has long been rooted in convention and dogmas of physical landuse planning. Moreover, urban development should be concerned not only with the physical improvement of the urban area, but also improvement of the quality of life, both from individualistic and community points of view. At the local level urban administration can also undertake satisfactorily the developmental activities of the town concerned. The municipal administration should be sufficiently strengthened by increasing their resources and skilled personnel and by enlarging their jurisdiction and functions.16

In the light of the above analysis we may consider that urban growth does not necessarily mean urban development. The former merely refers to quantitative growth in the scales and parameters of development, i.e. its population, area and activity pattern. On the other hand, urban development refers to qualitative changes in their scales and parameters of development. Urban development is said to have taken place when population increase is combined with changes in the percentage of literacy, economically active population, and overall efficiency of human resources which in turn changes income and levels of living and the quality of environment with an improved urban infrastructure.

Thus, urban development takes into account planned development action with concerted efforts at land acquisition, development and disposal of land for various uses, slum clearances and rehabilitation of inhabitants provision of social and economic infrastructure with a quality of working and living environment in the urbanized area. Thus, social change is a significant consequent of urban development.

1.9. Importance of Urban Studies:

When people begin to live together in a locality, certain civic problems arise. The presence of so many people in one place demand certain civic amenities like supply of drinking water, removal of garbage, proper drainage, facilities of sanitation sufficient lighting, internal road system, prevention of epidemics health care and so on. All these civic amenities which make living
better physically, economically socially and culturally, constitute the responsibility of the urban self-government. Urban government today is much more important in the daily life of citizens than the Central or State government.

Early urban governments evolved to meet the limited demands of small serving rural population. The Industrial Revolution converted the urban centers to workshops. The accompanying revolution in communications made them the commercial, cultural and intellectual centers of their respective countries. Thus, economic drawing power combined with the attractions of more sophisticated urban culture to bring about a worldwide migration from rural areas into urban areas.

With the urban migration came a need for new public services. Crime, fire, poverty and pestilence grew in seriousness with the size of the city. Polluted wells yielded to public water supply, open sewers gave way to sanitary waste disposal, contagious diseases came under Public Health Regulations; industrial unemployment required new form of public assistance; fire and health hazards dictated more stringent building regulations; growing congestion impelled attention to better planning of streets and open spaces. The services provided by urban government became increasing the important to the urban citizens. But each step required new legal powers, more specialists and additional funds. The pressure began to crack the shell of outmoded institutions.

Since April 1993, Local Self-government in India, both rural and urban, has become constitutionalised, in the sense that it is enshrined in the Constitution of India like the two upper levels of government. In 1992 the Parliament passed the 73rd and 74th Constitutional Amendment Bills, which came into force on 24th April 1993. In India, Local Self-Government is the third stratum of Government, the first two being the Central and the State governments.

It is in this context that a stock taking situation has emerged after the passing of 74th Constitutional Amendment Act 1992. Let there be an exercise of introspection on behalf of the Urban Local Authorities – their achievements and failures – or atleast their mode, and trends. How far they are ready to embrace
the incoming role they expected to play. Because now they are backed by constitutional sanctions and their powers have been increased considerably theoretically. No more whimsical dissolution or suspension, no more ad-hoc bodies and no more postponement of timely elections. The women folk are destined to play more effective roles so also Scheduled Castes and Scheduled Tribes. But as is well recognized the past is the determinant of the future – the recent past of the urban self-government will have definite bearing on its future mode of working. Hence, a stock taking is extremely important at this transitional stage.

REFERENCES


12. Article 243 (Q) of the Constitution of India (*Nagarpalika Act*) provides for the constitution of (a) Nagar Panchayat, (b) Municipal Council and (c) Municipal Corporation.
13. Article 243 (Q2) of the Constitution of India provides for the constitution of Nagar Panchayat for transitional area.

