

Municipal Governance in India

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Abstract: *The role of urban local governments in India has become extremely challenging to ensure that demands of the urban population are addressed properly the Indian government has initiated various policy reforms to strengthen local governments This article describes the forms of urban local government in India in the context of recent municipal reforms Evolution of municipalities, their typology and constitution, legislation duties composition, management and finance practices are some aspects covered. It is concluded that municipalities in India are being empowered in various ways with the intention that they would emerge as viable units of governance at the local level.*

Keywords: Municipal Governance, Urban Local Governments, India, Municipal Reforms, Local Administration

1. Introduction

Municipal Governance in India in its current form has existed since the year 1665 in 1664 fort Kochi municipality was established by Dutch, making it the first municipality in India subcontinent, which got dissolved when Dutch authority got weaker in the 18th Century. British followed with the formation of Madras Municipal Corporation in 1687 and then Calcutta and Bombay Municipal Corporation in 1726. In the early part of the nineteenth century almost all towns in India had experienced some form of municipal.

74th Constitutional Amendment Act: -

It was the 74th amendment to the constitution of India in 1992 that brought constitution validity to municipal or local governments. Until amendments were made in respective state municipal legislations as well, municipal authorities were organised on an ultra vires (beyond the authority) basis and the state governments were free to extend or control the functional sphere through executive decisions without an amendment to the legislative provisions.

State Municipal Acts

State municipal acts are legislations enacted by state government to establish municipal governments, administer them, and provide a framework of governance for cities within the state. Every state has its own municipal act and some states have more than one municipal act, governing larger and smaller municipalities under different acts. Various processes including rules for elections, recruitment of staff, and demarcation of urban areas derive from the state

municipal acts. Most derive from the state municipal acts. Most municipal acts are enforced across all statutory urban areas in the respective states except the cantonment acts. Most municipal acts are enforced across all statutory urban areas in the respective states except the cantonment areas. Government law in 2003 which aimed to consolidate and amend the laws relating to the municipal governments in the various states and bring them into conformity with the provisions of the 74th CAA.

Responsibilities of Urban local bodies: -

The municipal bodies of India are vested with a long list of functions delegated to them by the state governments under their respective municipal legislations.

The Twelfth schedule of constitution (Article 243 W) provides an illustrative list of eighteen functions, that may be entrusted to the municipalities.

Public Health includes water supply, sewerage and sanitation, eradication of communicable diseases etc Welfare includes public facilities such as education, recreation etc. Regulatory such as education recreation etc regulatory functions related to prescribing and enforcing building regulations, encroachments on public land.

Suggested municipal Functions: -

The Suggested functions to municipal corporations, municipalities and nagar panchayat are listed in the table below: -

Essentially municipal Functions	Municipal Corporation	Municipal Council	Nagar Panchayat
Urban Planning including town planning	Yes	Yes	Yes
Regulation of Land - use and construction of Buildings	Yes	Yes	Yes
Planning for economic and social development	Yes	Yes	Yes
Roads and bridge	Yes	Yes	Yes
Water supply domestic water supply domestic, industrial and commercial purposes.	Yes	Yes	Yes
Public health, sanitation, conservancy and solid waste management	Yes	Yes	Yes
Fire services	Yes	Yes	Yes
Urban forestry	Yes	Yes	Yes
Preventive Health Care	Yes	Yes	Yes
Provision of Urban amenities and facilities such as parks, gardens, playgrounds	Yes	Yes	Yes
Burials and burial grounds, Cremations	Yes	Yes	Yes
Cremations cremation ghats / grounds and electric crematoria	Yes	Yes	Yes
Cattle Pounds prevention of cruelty to animals	Yes	Yes	Yes

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Vital statistics including registration of births and deaths	Yes	Yes	Yes
Street Lightning	Yes	Yes	Yes
Parking lots, bus stops and public conveniences	Yes	Yes	Yes
Regulation of slaughter houses and tanneries	Yes	Yes	Yes
slum improvement and up gradation	Yes	Yes	Yes

Municipal Council (Nagar Palika)

In India a Nagar Palika or municipality is an urban local body that administers a city of minimum population of 100,000 but less than 1,000,000. However, there are exceptions to that as previously nagar palikas were constituted in urban centers with population over 20000 so all the urban bodies which were previously classified as nagar palika were reclassified as nagar palika even if their population was under 100000 Under the Panchayati Raj System, it interacts directly with the state government though it is administratively part of the district it is located in.

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