



## Evolution of Municipalities

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The Municipal Corporation in India, like its counterpart the countryborough in England, is the highest form of municipal government designed for the administration of civic affairs of the top class cities in the country. Municipal government in India has been in existence since the year 1687 with the formation of Madras Municipal Corporation and then Calcutta and Bombay Municipal Corporations in 1726. In 1850, the improvement in Towns Act was passed by the government of India that established a system of councilor and gave them administrative authority. Subsequently, Lord Mayo's Resolution of 1870 instituted the system of city municipalities and called for the introduction of an elected president to lead them. In 1882, Lord Ripon's Resolution of Local Self Government created the outline and structure of Municipal Governance in India. In 1935 another Government of India Act brought local government under the purview of the state or provincial government and specific powers were given. Municipal Corporation is the top and highest form of urban local government as it enjoys comparatively more powers and autonomy in day-to-day administration. Unlike rural local government, urban local government in India is not hierarchical. The municipal corporation as an institution is more respectable and enjoys a greater measure of autonomy than other forms of local government.

In addition, in order to identify the impacts of the reform in all their complexity, a multi-dimensional approach has been used that reviews not only the local democratic aspects but also the more technical and financial processes being implemented. Thus, how do municipal institutions in small towns set themselves up and develop within a decentralized environment?

Finally, by seeking to determine the specific features of the political economy within these towns, the aim of this book is also to examine how these municipalities are constructed and, looking ahead, how they are likely to develop: on the fringes of urbanization, what will the future towns created by the devolution of powers look like? As the country embarks on this reorganization, this research analysis will help build a better understanding of the processes underlying the emergence of municipal institutions in India and, more generally, of the future facing rapidly changing small towns in the global South.

The Institutions of Local Government have flourished in India since time immemorial. The Panchayats or village governments as they were called were ancient institutions and were themselves small republics. They exercised power in various spheres such as industrial, commercial, administrative and social including civic education and religious functions.<sup>1</sup> It has been rightly pointed out that “Neither ancient nor modern history of Europe can show a system of local self-government more effective safeguards against abuses than that one which was worked out by Aryan Philosophers as the social and political basis of Indo-Aryan religion.<sup>2</sup> References to such a highly organized systems of local government can also be found in the Vedas, in the Epics of Ramayana and Mahabharata, in the Upanishads and in Kautilya’s ‘Arthashastra’. Another prominent writing about the life in the ideal village includes the description by Sir Charles Metcalfe who referred to them as the ‘little republic’. He stated: -“They seem to last where nothing else lasts. Dynasty after dynasty tumbles down, revolution, succeeds revolution, Hindu, Pathan, Mughal, Maratha, Sikh, English, are all masters in turn, but the village communities remain the same. In times of trouble they array and fortify themselves, a hostile army passes through the country; the village communities collect their cattle within their walls, and let the enemy pass unprovoked. This union of the village communities, each one forming a separate little state in itself has contributed more than any other cause to the preservation of the people of India through all the revolution and changes which they have suffered and is in a high degree conducive to their happiness and to the enjoyment of a great portion of freedom and independence.”

The Urban local government had also existed during ancient period. Megasthenes gave a description of the administration of a town in the third century before Christ. He wrote: -

“Those who have charge of the city are divided into six bodies offive each. The members of the first look after everything relating to theindustrial arts. Those of the second attend to the entertainment offoreigners. The third body consists of those who inquire when and howbirths and deaths occur, with the view not only of levying a tax, butalso in order that births and deaths among both high and low may notescape the cognizance of government. The fourth class super intendstrade and commerce. The fifth class supervises manufactured articles,which they sell by public notice. The sixth and last class consists ofthose who collect the tenths of the prices of the articles sold.

Local government existed in India in ancient times, in itspresent structure and style offunctioning; it owes existence to theBritish rule in India. Neither the system of village self-government thatprevailed in earlier times nor the method of town government whichwas then in existence visualized the type of periodically electedrepresentative government responsible to the electorate that hadevolved in the west and was planted in India by the Britishgovernment. “Local self-government, in India, in the sense ofrepresentative organization, responsible to a body of electors, enjoyingwide powers of administration and taxation and functioning both as aschool for training in responsibility and as a vital link in the chain oforganisms that make up the government of the country is a BritishCreation.” During the early period of British rule, the companyadministration undertook the construction and maintenance ofirrigation works, the relief of people in the time of famine, thecontruction of roads, the sanctioning of grant-in-aid to schools,allowing the villages to cut fuel in the forest and the provision of theagricultural credit. The ancient village communities were constitutedon a narrow basis of hereditary privilege or caste closely restricted inthe scope of their duties-collection of revenue and protection of lifeand property were their main functions and were neither conscious instruments of political education nor important parts of the administrative systems.

A beginning of local government may be said to have been made in 1687 when, for the first time, a local governing body – a municipal corporation was set up for the city of Madras. Local government is thus slightly less than three centuries old in India. Its history since 1687 is rather chequered and even exotic. Broadly it may be divided into be following five periods, each period characterized by a definite aim and purpose.

Historical records provide evidence of the existence of organized urban life in India since ancient times. An officer was appointed to perform various functions related to city administration. Subsequently, local institutions were constituted. As centers of prominence grew, their management became difficult. A number of problems confronting local governments began to emerge, such as excessive official control, narrow franchise, meager resources, lack of education and training, shortage of capable and committed persons and inadequate control of local bodies over services. Since the enactment of the Act, most state governments in India have carried out the legislative reforms at local government level. In recent times, several attempts have been made to assess the impact of the 74<sup>th</sup> amendment Act provisions.

Table 1

Evolution of municipalities in India	
Time period	Developments
2300–1750 BC (Indus Valley Civilization) Post-Mauryan	<ul style="list-style-type: none"> <li>Evidence of organized urban life – wide streets, market places, public offices, community baths, drainage and sewerage system</li> <li>Appointment of a chief executive officer to perform various functions related to city administration; responsible for city's sanitation, which included maintenance of drainage system and cleanliness of roads</li> </ul>
320–540 AD (Gupta) 1526–1707 AD (Mughal)	<ul style="list-style-type: none"> <li>Towns administered by a council</li> <li>Provision of having elected administrative officers</li> <li>Municipal administration vested in <i>kotwal</i>, a city governor possessing powers and duties of the chief of city police, magistrate and prefect of municipal administration</li> </ul>
Between disintegration of Mughal Empire and advent of the British 1642	<ul style="list-style-type: none"> <li>Anarchy and military feudalism in most parts of the country</li> <li>Local institutions perverted or weakened</li> <li>Sir Josia Child obtains a Charter from the British monarch, James II, to set up a corporation at Madras</li> </ul>
1720	<ul style="list-style-type: none"> <li>A royal Charter issued for establishing a mayor's court in each of the three presidency towns of Madras, Bombay and Calcutta</li> </ul>
1793	<ul style="list-style-type: none"> <li>Governor-General in council empowered to appoint justices of peace from among civilians and the British subjects, who were vested with the authority to impose taxes on houses and lands to provide for sanitation</li> <li>By a Charter Act, the British establish local institutions in Bombay, Calcutta and Madras</li> </ul>
1850	<ul style="list-style-type: none"> <li>Act passed which permitted formation of local committees to make better provisions for public health and convenience; Act provided for levy of indirect taxes to which people were accustomed</li> </ul>
Up to 1863	<ul style="list-style-type: none"> <li>Local institutions in urban areas did not make much progress and were confined to about 20 towns</li> <li>People had no opportunity to participate in the functioning of these institutions</li> <li>Royal Army Sanitation Commission points out the deteriorating sanitary condition of towns all over the country</li> <li>Government of India passes several municipal Acts authorizing governors to order the formation of a municipality in any urban area</li> </ul>
1870	<ul style="list-style-type: none"> <li>Lord Mayo's resolution released; provided for decentralization of administration from the center to the provinces; emphasized the idea of increased association of Indians in administration; indicated extension of municipal self-government; encouraged the general application of the principle of election</li> <li>Municipal Acts passed to enlarge municipal powers, extend election system and introduce the system of local finance, but the provision was little applied in practice as the district officers in those days were not sympathetic to the idea of extension of the elective principle</li> <li>Municipalities established in every town of importance. However, these municipal bodies were completely under the control of the district magistrate and the town people were associated only for raising funds for the maintenance of police, conservancy and road repairs</li> </ul>

Source: Form of Urban Local Government (2008), Pp-133

Table 1 (Continued)

Time period	Developments
After 1870 and up to 1880	<ul style="list-style-type: none"> <li>Educated Indians demand more political rights and greater share in administration and public services</li> <li>Principle of local self-government put into practice only in the cities of Calcutta and Bombay and in a few of the towns of Central Provinces and North Western Provinces. Elsewhere, although a framework of local administration and local taxation existed, control was firmly in the hands of the servants of the government</li> </ul>
1882	<ul style="list-style-type: none"> <li>Lord Ripon's resolution released; advocated for establishment of a network of local self-government institutions; reduction of the official element of no more than a third of the total membership; a large measure of financial decentralization; adoption of election as a means of constituting local bodies</li> <li>Municipal Acts passed; however, Lord Ripon's reforms achieved little success, since they were considered too radical</li> </ul>
1888	<ul style="list-style-type: none"> <li>Functioning of local governments for several years show positive results. Presidency towns attain a system of responsible government. Under the Bombay City Municipal Corporation Act, 1888, the city council of Bombay was constituted of a majority of elected and nominated members. A 'standing committee' of the council, which had an elected chairman, was also formed to undertake the major portion of the work of the council</li> </ul>
1907	<ul style="list-style-type: none"> <li>Royal Commission on Decentralization set up to enquire into the financial and administrative relations of the government of India and the provincial governments and subordinate authorities</li> <li>Commission recommendations similar to Lord Ripon's proposals</li> <li>Municipal Acts of several provinces amended, but no real progress achieved</li> <li>Local self-government continued to be one of the functions of the district officer</li> </ul>
1914–1919	<ul style="list-style-type: none"> <li>National movement for independence gains momentum</li> <li>1917 Declaration released: associate Indians in every branch of administration; gradual development of self-governing institutions</li> <li>Montague-Chelmsford reforms introduced to make local self-government representative and responsible</li> <li>Government of India Act, 1919 enacted; responsibility for local government transferred from the hands of the district officers to a department controlled by a popular minister; franchise for election to local bodies substantially widened. In some provinces, the municipal bodies were given the power to raise or lower rates of taxes within the statutory limits. The popular ministers of provincial governments proceeded to establish elected councils and gave executive authority to the elected chairman</li> </ul>
Up to 1947	<ul style="list-style-type: none"> <li>Laws governing local bodies enacted during the period 1917 to 1937 fail to prescribe an effective system for day-to-day management of municipal affairs; hardly any attention paid to the question of administrative efficiency and fixation of responsibility for the proper performance of municipal functions</li> <li>Transfer of power from official hands resulted in inefficiency</li> <li>Several municipalities superseded on the charges of corruption and inefficiency</li> <li>India attains independence (1947)</li> </ul>
1950	<ul style="list-style-type: none"> <li>New constitution prepared; contained provisions for rural settlements only; a reference to urban local government observed only in two entries: <ul style="list-style-type: none"> <li>(a) Entry 5<sup>b</sup> List II of the Seventh Schedule (the State List); and</li> <li>(b) Entry 20<sup>c</sup> of List III (Concurrent List)</li> </ul> </li> </ul>

Source: Form of Urban Local Government (2008), Pp-134

**Table 1 (Continued)**

Time period	Developments
Since 1949	Constitution places local government, including urban local government, within the legislative competence of the states. In the absence of constitutional recognition and clear statutory delineation of their powers, functions and resources, urban local governments remain neglected; only few changes made in their structure and functioning. Numerous committees and commissions appointed by the central and state governments to study the functioning of urban local governments and to give recommendations for their improvement. <ul style="list-style-type: none"> <li>• Numerous seminars and conferences convened on various topics concerning urban local governments</li> <li>• Central Council of Local Self-government set up in 1954 to examine the problems of urban local governments</li> <li>• Responsibility of urban local government transferred from one ministry to the other, namely Ministry of Health, Ministry of Works, Housing and Urban Development (1966); Ministry of Health, Family Planning, Works, Housing and Urban Development (1967); Ministry of Works and Housing (1973)</li> </ul>
1985	<ul style="list-style-type: none"> <li>• Ministry of Urban Development established; assisted by several departments</li> <li>• National Commission on Urbanization set up to assess problems caused by urbanization and to suggest measures to combat this phenomenon</li> </ul>
1989	<ul style="list-style-type: none"> <li>• Attempt to introduce the Constitution (63rd Amendment) Bill; also known as <i>Nagarpalika</i> (Municipality) Bill; contained provisions for strengthening of urban local governments</li> <li>• Bill defeated in the parliament by a narrow margin of three votes</li> </ul>
1991	<ul style="list-style-type: none"> <li>• Bill (renamed Constitution (73rd Amendment) Bill) introduced again by the Government</li> <li>• Bill rejected and described as an encroachment on the rights of state governments</li> </ul>
1992	<ul style="list-style-type: none"> <li>• Constitution (74th Amendment) Act finally accepted and enacted; contains provisions for:                         <ol style="list-style-type: none"> <li>(a) constitution of three types of municipalities;</li> <li>(b) composition of municipalities;</li> <li>(c) constitution and composition of wards committees;</li> </ol> </li> </ul>

Source: Form of Urban Local Government (2008), Pp-135

