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## Chapter - III

### **A. INTRODUCTION.**

The concept of local self-government is based on the assumption that there are certain basic human needs having direct bearing on the lives of the individuals and the community as a whole that can be better fulfilled by a government to which the individuals and the local community have direct and easy access. Urban local government is of primary importance to the urbanities, as it's the closest, most accessible and most amenable to them. Municipal institutions not only provide for the basic civic amenities for the safety and convenience of the citizens, but also mobilize local support and public cooperation for implementation of various social welfare programmes.

Local government works at the grass-root level close to the people touching their everyday life. Historically it is older than the other levels of government because governance began with the organization of peoples into small communities in limited areas. The jurisdiction of a local government is limited to a specific area and its functions relate to the provision of civic amenities to the people living within that area. Thus John J. Clarke maintains that a "Local government appears to be that part of the government of a nation or state which deals mainly with such matters as concern the inhabitants of particular district or place." <sup>1</sup>

The definition given by Venkatarangaiya and Pattabhiram is simple but more appropriate. They say a local government is the "administration of a locality, a village, a town, a city or any other area smaller than the state by a body representing local inhabitants, possessing a fairly large amount of authority, raising at least a part of its revenue through local taxation and spending its income on services which are regarded as local and therefore, as distinct from state and central services." <sup>2</sup>

Simply it may be stated that a local government is a statutory authority in a specified local area having the power to raise revenue through taxes for the performance of local services like sanitation, education, water supply, etc. It is constituted by the elected representatives of the local people and enjoys autonomy from state or central control sufficient to enable it to perform its services adequately.

## **B. LOCAL SELF GOVERNMENT IN ANCIENT INDIA**

Local government has deep roots in the history of India. The earliest period in Indian history belongs to Indus Valley civilization which was essentially urban in character. The excavations done at Mohenjodaro, and Harappa and other places in Punjab, Haryana and Rajasthan are authentic proofs of the organized urban life during the ancient period. "They were laid out with wide streets, market places, public offices, community baths and drainage and sewage system. The people of the Indus civilization had the proud distinction of giving to the world its earliest cities, its first urban civilization, its first town planning, its first drainage system and its earliest example of city government."<sup>3</sup> Although the Indian local experience may be incompatible with the city-state of ancient Greece or Sparta, the municipal government which flourished in ancient and medieval India and the Panchayat system in the rural areas had their own status. The local bodies offered a stable basis of organized life at the local levels. The grass-roots system had shown a peculiar identity and stability despite frequent changes of power at the super structural levels.

In contrary, the *Aryans* were mostly rural people and the village has been the pivot of the administration in India since earliest times. Its importance was naturally very great in an age when communications were slow and industrialization unknown. Town played a relatively unimportant part in ancient Indian life.

So far as local government in ancient India is concerned, the *Vedic civilization* was essentially rural. But the towns and cities had developed later.

References of several cities are found in Mahabharata. The urban local government was well developed during the Nanda, Maurya, and Gupta periods. There were several cities in Punjab at the time of Alexander's invasion. Most of them were autonomous to a great extent, being governed by their own councils. The chief officer of the town was called *Sarvarthachintaka* by this time.<sup>4</sup>

During the **Gupta period** this officer was usually called *purapala*. Sometimes he was a district officer as well and very often *purapalas* were military captains also. Sometimes these *purapalas* were selected from among the scholars. The *purapala* or governor was assisted by *chaukadika*, a committee, in different parts of the country. All classes and interests were represented in this committee.

Sometimes the towns were divided into wards and these wards elected their representatives for the speedy and convenient dealing of business. In Rajaputana and central India the town executive was called *Vara*. Its duty was to look after all the executive works, the collection of taxes, the investment and recovery of public funds, the administration of trust funds etc. The *Varikas* were assisted in their work by a permanent office and staff. A permanent secretary was in charge of the records and correspondence of the committee.<sup>5</sup>

*Patiliputra* had a well-organized and efficient city administration during the 4<sup>th</sup> and 3<sup>rd</sup> centuries B. C. It consisted of a body of 30 members divided into five sub-committees which dealt with different matters: (a) foreigners; (b) statistics and registration of birth and deaths; (c) manufacture of articles or goods; (d) fixation of fair wages (e) supervision of the market, the supply of pure and unadulterated goods and the collection of different dues and taxes from the merchants.<sup>6</sup>

The evident from Megasthenes's description of town administration can easily be made it clear about the efficiency of the municipal or urban government in ancient time. "Those who have charge of the city are divided into six bodies of each. The members' of the **first** class look after everything relating to the industrial arts. Those of the **second** class attend to the entertainment of foreigners. To those, they assign lodgings and they keep watch over their modes of life by means

of those people whom they give to them for assistance. They escort them on the way when they leave the country, or in the event of their dying, forward their property to their relatives. They take care of them when they are sick and if they die, bury them. The ***third*** body consists of those who inquire when and how births and deaths occur, with the view not only of levying a tax, but also in order that births and deaths among both high and low may not escape the cognizance of government. The ***fourth*** class superintendents' trade and commerce. Its members have charge of weights and measures, and see that the products in their reason are sold by public notice. No one is allowed to deal in more than one kind of commodity unless he pays a double tax. The ***fifth*** class supervises manufactured articles, which they sell by public notice. What is new is sold separately from what is old, and there is a fine for mixing the two together. The ***Sixth*** and last class consists of those who collect the tenths of the prices of the articles sold."<sup>7</sup>

The cities had their councils with elected bodies. Havell opines: "The administrative council of the city was modeled upon that of village communities and it may be assumed that like the latter, it was an elected body though certain matters were reserved for the control of imperial officials."<sup>8</sup> During the Mughal rule too the system of local government existed. Abul Fazl's ***Ain-i-Akbari*** has described about town administration headed by an officer, known as *kotwal*.

### **C. LOCAL SELF GOVT. UNDER COLONIAL RULE**

The modern system of local government was introduced by the British with the setting up of a town council on British lines at Madras. The Municipal Corporation set up in 1687 in Madras had one Mayor, 12 Aldermen and 60 Burgesses. The body was empowered to levy taxes for constructing a guildhall (a jail) and a building for a school for such further ornaments and edifices as should be thought convenient for the honors, interest, decoration, security and for the payment of salaries of the municipal personnel including a schoolmaster.<sup>9</sup>

People opposed the taxation and as a result, the Municipal Corporation was replaced by a Mayor's Court which had more judicial power. With the enactment of the **Charter Act of 1793**, a statutory backing was given to municipal administration. Subsequently justices of peace in the three presidency towns of Madras, Calcutta and Bombay were appointed to look after the municipal administration. The Governor-General-in-Council was empowered to appoint justices of peace for the Presidency towns from amongst the covenanted civilians and the British subjects, who were given the authority to impose taxes on houses and lands to provide for the sanitation of the towns. The legislation enacted in 1842, provided for the extension of civic amenities through the setting up of the town committee.

But the people did not accept it because it had provision for direct taxation. "The Act of 1842 was far in advance of the times. Based upon the voluntary principle, it could take effect in no place except on the application of two-thirds of the householders, and as the taxation enforceable under it was of a direct character, the law nowhere met with popular acceptance. It was only introduced into one town, and there the inhabitants, when called on to pay the tax, not only refused, but prosecuted the Collector for trespass when he attempted to levy it."<sup>10</sup>

Another Act involving provisions of indirect taxes was passed in 1850 for the whole country. Under the Act, the local government system got an impetus in Bombay and U. P. States only. But the Municipal Committees were established under the Act, had to function under many limitations and the scope for self-government was more illusory than real. Further, the financial resources of these bodies were too inadequate to meet the basic needs of civic amenities. In 1863 Provincial governments were empowered to constitute municipal committees to be made responsible for sanitation, street lighting and water supply.

In 1870, Lord Mayo introduced the scheme of financial settlements with the provinces and emphasized on bringing about some changes in the framework of the local self-government. In his resolution, he said, "Local interest, supervision and care are necessary for success in the management of funds devoted to

education, medical charity and local public works. The operation of this resolution in its full meaning and integrity will afford opportunities for the development of self-government, for strengthening municipal institutions and for the association of natives and Europeans to a greater extent than before in the administration of affairs.”<sup>11</sup>

In this way, the rural areas were ignored and the Acts passed, affected the urban areas. The development of local government institutions was basically to provide relief to him for imperial finances and serve the British interests. Moreover, the elective principle was confined to the old Central Provinces only and in 1881 four out of every five municipalities were wholly nominated bodies.<sup>12</sup>

**Lord Mayo’s Resolution of 1870** provided for decentralization from centre to the provinces. It called for increased association of Indians in the administration, and this could be achieved through the extension of municipal self-government. It encouraged the general application of the principle of election in the municipal government. Pursuant to this Resolution, Municipal Acts were passed which enlarged the municipal powers, extended the election system and made a beginning of the system of local finance.

The next landmark in the development of local self-government was **Lord Ripon’s Resolution of 1882**. Keeping in view the growth in the number of municipalities, their financial and administrative aspects, the resolution advocated the development of the local self-government institutions to improve their administration. The historic resolution issued on May 18, 1882, consisted of the following main recommendations:

- (i) That a network of local Boards be spread throughout the country and the area of jurisdiction of every local Board should be so small that both local knowledge and local interest on the part of the members of the Board could be secured.
- (ii) The number of non-officials was to be very large. The official element was not to exceed one-third of the whole.

- (iii) As far as practicable, the local governments were to introduce elections for the members of the local governments were to introduce elections for the members of the local Boards.
- (iv) That Board should be entrusted not merely with expenditure of fixed allotment of funds but also with the management of local sources of revenue.
- (v) A non-official Chairman, whose election should be subject to the approval to the provincial government, should be introduced.
- (vi) The District Engineer should help the local bodies in their work of supervision and maintenance of buildings. He should work as their servant and not as their master.
- (vii) The affixation of courtesy titles to the names of non-officials should be fixed with a view to giving them pride in local service and attracting more men with a deep sense of responsibility.
- (viii) The control should be exercised from within rather than from without. The Government should 'revise and check the Acts of the local bodies that dictate them.' The control over bodies was to be exercised in two ways.
- (ix) The power of absolute suppression was to be exercised only with the consent of the Government of India. A general principle of guidance was put in these words: "It should be the general functions of the Executive officers of the government to watch, especially at the outset, the proceedings of the local Boards, to point out to them matters calling for their consideration, to draw their attention to any neglect of duty on their part and to check, by official remonstrance, any attempt to exceed proper functions or to act illegally or in any arbitrary or unreasonable manner."<sup>13</sup>

The resolution enhanced the working of local self-government by including aspects of public health, medical relief and education. This resolution provided the base for the growth of local government for the next thirty-seven years and there was substantial increase in the number of municipalities.

Various provinces passed Acts so as to implement the policy framed in the resolution. These Acts not only helped in setting up more local bodies in rural areas, but also in increasing the number of elected representatives and enhancing the powers and functions of these bodies. However, there was no uniformity among all the provinces. Bombay Municipal Act was passed in 1888. The Madras system was considered quite advanced where large villages or group of villages were organized as unions and these unions were further grouped into subdivisions or *talukas* under general control of the District Board.<sup>14</sup> In Bengal, the establishment of the District Board was made compulsory.

The period of Lord Curzon experienced extreme centralization. After his departure, the British Government appointed the Royal Commission on Decentralization in 1907 to enquire into the financial and administrative relations between the Government of India and the Provincial governments and authorities subordinate to them.

***The Royal Commission on Decentralization*** recommended that Municipalities should “be given increased powers of taxation, complete control over their budgets, substantial elective majority and have their own elected Chairmen. The Commission had in fact, emphasized the strengthening of the executive with the growth of municipal autonomy and it was in keeping with its recommendations that the appointments of a Chief Executive Officer and a Health Officer were made obligatory in cities and large towns at the instance of the Central Government. The Decentralization Report which came out in 1909 did nothing to advance local self-government. The control of the official hierarchy continued. The Government of India Resolution of 1915 attributed its failure to financial inadequacy, want of public spirit, the apathy of respectable Indians towards election, and sectarian animosities. There was no attempt to relax centralized control which stifled the growth of self governing institutions.”<sup>15</sup>

The Commission attributed the failure of the local self-government to (1) excessive official control; (2) meager resources of the local bodies; (3) lack of education and training; (4) narrow franchise; (5) shortage of competent and

committed persons; and (6) inadequate control of local bodies over services. The commission made several recommendations for the devolution of power to the local bodies and their gradual democratization. Punjab incorporated these recommendations in its Municipal Act of 1911. Other provinces also adopted similar measures later.

The progress of strengthening the local bodies was slow and the Government of India passed another resolution in 1918. The Resolution of 1918 states: "The object of local self-government is to train the people in the management of their own local affairs and the political education of this sort must, in the main, take precedence on considerations of departmental efficiency. .... they should not be subjected to unnecessary control should learn by making mistakes and profiting by them."<sup>16</sup>

However the main aspects which were enshrined in the resolution included: i) Revival of Panchayat in the villages; ii) Larger elective majority for local government institutions; iii) For providing broad-based local bodies, requisite extension of franchise; iv) Provision of an elected president of the local body by the public; v) Powers to impose taxes and sanctioning of works as well as budgetary powers should be vested in the local government.

The outbreak of the First World War in 1914 paved the way for the Indian nationalists to exert pressure on the British Government and accordingly the national movement was getting become quite strong. Indians were demanding Swaraj. In response to the demand of the Indians, the Montague-Chelmsford Report for the constitutional reforms in the country came out in 1918. It recommended, "There should be as far as possible, complete popular control on local bodies and the largest possible independence for them from outside control."<sup>17</sup>

Consequently the Government of India in its resolution of May 16, 1918, recommended to the Provinces that municipal board should contain a majority of elected members and the voting qualification should be lowered, chairmen should be non-officials and the board should be free to raise local taxes within

statutory limits, etc. Senior appointments in the local government service were to be approved by the government. Outside control was to be considerably reduced. However the financial positions of the local bodies were not sound enough to render the services smoothly.

**The Government of India Act 1919** established diarchy in the Provinces transferring local government to popular control. Ministers elected by the people and responsible to the Provincial legislature took charge of the portfolio of the local government. The Act laid down a schedule of taxes, which could be levied only by or for the local bodies. Various Provinces amended their Municipal Acts to increase the powers and independence of municipal councils. The voting qualifications were also lowered and elected elements increased.

Lastly, **the Government of India Act 1935**, which emphasized provincial autonomy, again declared local government as a provincial subject. The Act earmarked no taxes for local bodies. The municipal institutions were to be revitalized with the induction of popular ministries. However, due to the outbreak of World War II, little progress could be made in this direction.

So far as the development of urban administration it is observed that the period between 1907 – 1909, the subject of Local Self-Government was considered by the Royal Commission on Decentralization as an aspect of administrative integral part. The principles of Lord Rippon have continued to regulate development of local self-government until 1918.

The recommendations of the Decentralization Commission were not implemented due to some unknown reasons and were implemented at the time when Montague Chelmsford Reforms of 1919 gave a measure of autonomy to the provincial legislature. The administration of local self –government was taken out of the hands of the District Officers and placed under a department which was controlled by a popular minister.

However there was a decline of efficiency in administration of local affairs. “The working of municipal bodies during the period of diarchy presents neither a picture of unrelieved failure nor of unqualified success.”<sup>18</sup> The performance of

these municipal bodies remained unsatisfactory due to various factors. It included political and religious movements, ethnic, cast and language conflicts; influence of radical politicians; lack of guidance and support of the Provincial assemblies and governments; half-hearted support of the bureaucracy, etc.

Pundit Jawaharlal Nehru, the Chairman of the Allahabad Municipal Board during 1924-25 observed: "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 which is neither democratic nor autocratic; it is a cross between the two, and has the disadvantages of both."<sup>19</sup> He further stated: "Whatever the reasons, the fact remains that our local bodies are not, as a rule, shining examples of success and efficiency though they might, even so, compare with some municipalities in advanced democratic countries.

They are not usually corrupt; they are just inefficient and their weak point is nepotism, and their perspectives are all wrong. All this is natural enough; for, democracy to be successful must have a background of informed public opinion and a sense of responsibility. Instead, we have an all-pervading atmosphere of authoritarianism, and the accompaniments of democracy are lacking. There is no mass educational system, no effort to build up public opinion based on knowledge, inevitably public attention turns to personal or communal or other petty issues."<sup>20</sup>

The inauguration of provincial autonomy under the Government of India Act, 1935, was very important in the evolution of Local Self-government in India, particularly in Urban Administration. The Government of India Act 1935 came into force in 1936, which replaced the dyarchical system of government and system of provincial autonomy was introduced. The functions of local self government were enlarged.

No doubt, the democratization could be achieved through reducing nomination, extending franchisees and relaxing Governmental control over local government institutions. Generally, the financial positions of the local body in big

cities were comparatively better than those of towns and the latter were handicapped in providing elementary services.

The popular ministries in the Congress-ruled Provinces resigned in 1939 as a protest against the new British Policy introduced in urban administration. Hence, the period was too short for any significant progress in the areas of local government. It can be said that the local bodies in pre-independence India were shackled with an extensive network of supervision and control and catered to the needs of the imperialist rulers.

#### **D. POST INDEPENDENT ERA: FIVE YEAR PLANS & URBAN DEVELOPMENT**

The advent of Independence opened a new chapter in the socio-economic reforms embodied in the Directive Principles of State Policy mentioned in Part IV of the Constitution, which resulted in a federal system of administration, adult suffrage and the acceptance of the objective of a Welfare state to secure to all the citizens social, economic, political equality and opportunity. With the establishment of the democratic set up the basic emphasis of the Government changed from the maintenance of law and order to the promotion of the welfare of the community.

Post independence era has witnessed development in the field of Local Government. Amended legislations were passed in all the states for widening the powers of local bodies to raise funds. With the coming of the Constitution into force in 1950, the local government entered into a new phase. The urban local self-governing institutions in the country owe their genesis to Lord Rippon's Resolution of 1882, where for the first time; an organized system of urban local bodies was introduced.

Besides, the Constitution of India, in Article 40 states that "the State shall take steps to organize village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-governments."<sup>21</sup> There is Entry 5 in the List II (State List) of Seventh Schedule in the Constitution which states "Local government, that is to say, the constitution and

powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration.”<sup>22</sup> By virtue of this entry the subject of local government, both urban and rural falls under the jurisdiction of the states, to be dealt with by them. Local government is a subject included in the state list, yet the Union Government has played very significant role as initiator, guide and coordinator of several measures in the field of local government.

The First Five Year Plan (1950-51 to 1955-56) could not visualize the role of cities in raising the ‘production potential’. The Planning Commission’s exhortation for broad-based city development plans did not produce much result. But the idea of preparation of master plans appeared to have clicked. During the Third Plan period and afterwards, the town planners turned out a series of beautiful blue prints of city master plans.

The Third Plan marked a water-shed in urban planning thought one at the practical level and another at the theoretical level. A series of specific functional programmes on water supply and sewerage, urban housing and related functions are being sedulously pursued. The Third Plan had rightly placed emphasis on strengthening of multi-purpose municipal government to lend institutional support to the concept of comprehensive and integrative planning.

Seventh Five Year Plan observed, “Urbanization is a phenomenon which is part and parcel of economic development in general. Planning of urban development should essentially be supportive of the economic development in the country, state or sub-region, be it in agriculture, extractive industry, manufacturing industry or in the tertiary sector. The provision of urban services such as transport, communication, water, sanitation and shelter alone is usually unlikely to stimulate large-scale urban development. Therefore, a proper urban development approach must consist of two constituents. The first is the interaction between physical and investment planning and the second is the preparation of regional and sub-regional urban development plans to make the first possible”<sup>23</sup>.

### **Urban development in different five year plans:-**

In the **First Five Year (1951-56)** Plan, there is no reference to urban policy. Consequently it did not include urban development as a sector of economic growth. It had a chapter on housing that contains a section on 'Town and Country Planning'. The Plan observed, "Most of the towns in India have grown up haphazardly. They have a large proportion of sub-standard houses and slums containing unsanitary mud-huts of flimsy construction poorly ventilated, over-congested and often lacking in essential amenities such as water and light<sup>24</sup>. This is specially so in the large industrial cities. These conditions have developed because of insufficient control over building activity by the State or municipal authorities. Local authorities have been generally indifferent to enforcing such bye-laws regarding building and sanitation as have existed.

The **Second Plan (1956-61)** recognized the need for planned development of cities and towns and also for an integrated approach to urban planning in regional framework. These aspects were kept in view by the Central Government in evolving a new scheme for slum clearance and sweepers' housing for which a total provision of Rs 20 crores was made in the second five year plan<sup>25</sup>.

The **Third Five Year Plan (1961-66)** made a financial provision for the preparation of master plan for cities and towns in the states. Nearly 400 master plans were prepared as a result of this step.<sup>26</sup> The Third plan also initiated urban community development schemes in selected cities as an experimental scheme to solve the social and human problems associated with urban people.

The **Fourth Five Year Plan (1969-74)** indicted a closer look at the problem and observed that slum clearance led to the creation of new slums and deterioration of conditions in some of the older slums.<sup>27</sup> Besides, this plan also paid attention about solving the problems of sewerage, road and such related urban development plans.

In the **Fifth Five Year Plan (1974-79)** a total outlay of Rs. 578 Crore was proposed for the urban development sector.<sup>28</sup> The existing scheme of

environmental improvement in urban areas was proposed and it would be extended to all towns with a population of three lakh and above and in addition to one town in each state where no such town exists.

In the **Sixth Five Year Plan (1980-85)** the major emphasis was given on the environmental improvement of slums for which substantially increased investment was made. Besides, attention was also given in the areas like water supply, storm water drainage, paving streets, street lighting and provisions of community latrines. The total outlay for the Sixth Five year plan was Rs. 997.53 Crore, out of which Rs. 96.00 Crore was allotted to integrated development of small and medium towns from central sector.<sup>29</sup>

In the **Seventh Plan (1985-90)** the Environmental Improvement Programme was planned to be continued with greater vigor and steps should be taken to provide security of tenure to the urban dwellers so that they might develop a stake in maintaining and improving their habitat. The Central sector's outlay for integrated development of small and medium towns was Rs. 88.00 Crore and Rs. 5.00 Crore was for urban community development.<sup>30</sup>

During the **Eight Plan (1992-97)** the Scope of EIUS was being widened to ensure that the EIUS, the Urban Basic Services Programme, the NRY and the Scheme of Liberation of Scavengers form a co-ordinate whole. The Urban Basic Services Scheme (UBSS) was initiated which aimed at child survival and child and community organization for urban population<sup>31</sup>. The services, meant to be delivered, included environmental sanitation, primary health care, pre-school learning, vocational training and convergence of other social services at the slum levels.

The **Ninth plan (1997-2002)** would focus on development of urban fringes, urban renewal, Sanitation sewerage and drainage, ring roads while other activates in the illustrative guidelines will have to be taken up through other financial strategies. EIUS scheme is a high priority programme to provide seven basic amenities, namely, water supply, storm water drains, community baths and

latrines, widening and paving of existing pathways and street lighting and other community facilities.<sup>32</sup>

During the **Tenth Five Year Plan (2002-2007)** the focus was on upgrading these services and on convergence for achieving synergy. By convergence of services, it included water supply drainage, solid waste management as well as for healthcare, family welfare, education, and urban poverty alleviation.<sup>33</sup> Out lays on water supply and sanitation should, in particular, focus on the needs of the urban people.

At the local level the **11<sup>th</sup> Five Year Plan (2007 – 12)** proposed facilitator role for both the central and state governments and as a corollary, increased private participation. It also proposes dismantling public sector monopoly over urban infrastructure and creating conducive atmosphere for the private sector to invest<sup>34</sup>. It is necessary to pay equal attention to both demand and supply side of the housing market. The demand relates to income, space – transport trade-offs, and availability of housing finance. The supply relates availability of land and infrastructure, availability of building materials and construction finance.

With the beginning of the process of planned development in 1952 in the country, the need was felt to involve people in the process of development. Various Five-Year Plans emphasized the importance of role which local governments would play securing the participation of people in this process. The Community Development Programme (CDP) and its shorter version the National Extension Service assumed the involvement of people in their implementation. Therefore the Planning Commission in 1956 appointed a Team for the study of National Extension Service (Balwant Rai Mehta Committee).

However number of committees and commissions were appointed in order to establish improvised urban bodies to serve the people best. The most important ones and their contributions are:

- (1) **The Local Finance Enquiry Committee** (1949-51) – It chiefly suggested the widening of the sphere of taxation of urban bodies.

- (2) **The Taxation Enquiry Commission** (1953-54) – It recommended the segregation of certain taxes for exclusive utilization by or for local government.
- (3) **The Committee on the Training of Municipal Employee** (1963) – It emphasized that training institutes be set up both at the central and the state levels to train municipal personnel.
- (4) **The Rural – Urban Relationship Committee** (1963-66) – It submitted a most comprehensive report on the subject and enquired into all aspects of municipal administration such as personnel, planning and taxation and dwelt upon inter dependence between the town and its surrounding villages.

It is a three volume report. The main report of this committee discussed at length urban development and planning machinery, the structure of urban local bodies, public municipal personnel, finances of urban local bodies, public participation in urban community development, and relation between the state government and local levels administration. The second volume contains a number of notes on urban local government practices in various states in India and also gives a list of Municipal Acts and state-wise lists of different types of urban local bodies.

It also provides some details about local governments in different countries of the world. Volume III of the Report is concerned with the analysis of replies given to the questionnaires issued by the Committee by various persons and organizations throughout the country. As such these three volumes constitute an important source material for the study of the administration of urban areas.

- (5) **The Committee of Ministers on Augmentation of Financial Resources of Urban Local Bodies** (1963) – It pointed out that the urban bodies were not levying even in the fields earmarked for them and urged the local bodies to set up Statutory Urban Development Boards to undertake town planning.

- (6) **The Committee on Service Conditions of Municipal Employees** (1965-68) – It recommended the constitution of a statewide cadre of municipal employees.
- (7) **The Administrative Reform Commission** (1967) – In its report the Commission had appointed a number of task forces on the subject of reforms of municipal administration.
- (8) **The Committee on Budgetary Reform in Municipal Administration** (1974) – This Committee vividly analyzed the functionary of municipal bodies and their financial resources and necessary requirement of the funds. It also suggested the necessity of allocation of more fund by both the central and the state governments.
- (9) **The National Commission on Urbanization** (1988) – The Commission gave wide-ranging suggestions for revitalizing the urban government. In August 1988, the Commission was set up under the Chairmanship of C. M. Correa, with the purpose of reviewing and analyzing the urbanization process and formulating policies for integrated urban development. The Commission examined several issues and problems relating to urban government. Some of these related to urban, management, spatial planning, resource allocation, urban housing, conservation, urban poverty, legal frame work, information system etc. Some of the recommendations of the commission are:
- (a) The Ministry of Urban Development be restructured to make it the nodal ministry to deal with urbanization;
  - (b) A National Urbanization Council (NUC) be set up to formulate urbanization policies and monitor and evaluate the implementation of policies;
  - (c) An Indian Council for Citizen's Action (ICCA) be created to encourage citizens through organized voluntary effort;

- (d) Every town, with a population of more than 50,000, is provided with an urban community development department, through which development programmes be implemented. Its “New Deal for the Urban Poor”

In addition, there were some other task forces, committees and commissions appointed by the Government of India for examining the problems of urban development. The Central Council of Local Self-Government was established in 1954. Presently it is an advisory body dealing with the urban local government on policy, coordination. The Task Force on Planning and Development of Small and Medium Towns and Cities (1975); the Study Group on Strategy of Urban Development (1982); Report of the Working Group of Reorganization of Family Welfare and Primary Health Care Services in Urban Areas (1982); Report of the West Bengal Municipal Finance Commission (1982) etc. have made a comprehensive effort to shape the urban administration in its modern structure.

Despite all the steps taken by the Union and State Governments the urban local governments continue to suffer from various ailments. Since Municipal government is a state subject, these bodies suffered from indifference, neglect and excessive control of State Governments. The basic frame work of the municipal bodies continued to be that of the British-days with very little change since independence. Functions of the municipal governments increased with the advent of welfare state and planned development but their financial resources remained hopelessly restricted. Consequently they were unable to perform their functions effectively. The State Governments were always reluctant to devolve adequate powers on them.

Most of them were bankrupt and could not perform their functions properly in the fields of housing, transport, health, education, planned development of cities etc. The State Governments superseded municipal authorities on political and extraneous grounds and kept them suspended for years together postponing their elections on one or the other grounds. The result was that demand was made from time to time for bringing about municipal

reform. The raising demand for bringing about reform in the municipal authorities forced to incorporate the constitution (Seventy-fourth Amendment) Act in 1992 which came into force in April 1993.

#### **E. STRUCTURE AND FUNCTIONING OF URBAN GOVT. IN INDIA.**

In India, for the administration of urban areas, several types of municipal bodies are created for the towns and cities, depending on their size, population, industrial or other importance etc. By and large in India we have the following types of municipal organization:

- (i) Municipal Corporation;
- (ii) Municipal Council;
- (iii) Notified Area Committee;
- (iv) Town Area Committee;
- (v) Township;
- (vi) Cantonment Board.

These local bodies do not exist in all the states and union territories strictly in order of hierarchy. For instance, Rajasthan until very recently did not have any municipal corporation. Only in 1992, the state government through legislation, provided for the creation of municipal corporations for Jaipur, Jodhpur, Kota election for which are yet to be held. Delhi already has a municipal corporation. Similarly, several variations regarding these bodies may exist.

**Municipal Corporation:** Municipal Corporation is the topmost form of urban local government in the sense that the Municipal Corporation as an institution is more respectable and enjoys greater measure of autonomy than other forms of local government. A Municipal Corporation is set up under a special statute passed by the State Legislature and has generally a considerable measure of autonomy. The Corporation form of urban government is meant especially for bigger towns where civic problems acquire a high degree of

complexity. As expected, Corporations vary considerably both in terms of population and the resources.

**The Rural Urban Relationship Committee** (1966) recommended “a corporation form of government only for cities that have a population of not less than 5 lacs and annual income of not less than one crore of rupees”. It includes: (i) existence of a thickly populated area; (ii) Existing development of the municipality and scope for its future development; (iii) Financial position of the municipality present and prospective; (iv) Ability and willingness of the people to bear the burden of increased taxation; (v) public opinion in favor of a Corporation.

### **Municipal Council**

The most characteristic form of the urban government body is a Municipal Council. Such Councils are set up for medium sized towns in the States. The number of such cities being greater than the big cities, the number of Municipal Councils is correspondingly much larger than the number of Municipal Corporations. Unlike the Corporations, a Municipal Councils are founded on a fusion of the deliberative and executive functions. The president of a Municipal Council is much more powerful than the Mayor of a Corporation, although the latter appears to have greater ‘pomp and glory’. The Municipal councils are set up under the Municipal Acts which also make provision for the conduct of their business.

### **Notified Area Committee**

The Municipal Council has two younger half-sisters known as Notified Area Committee and Town Area Committee. A Notified area is created for an area which does not yet fulfill all the conditions laid down as necessary for the constitution of a municipality but which otherwise is considered important. It is also constituted for a newly developing town. The committee functions within the framework of the Municipal Act of the State but only such provisions of the Municipal Act apply to it as are notified in the government gazette. The government may also entrust to it powers exercisable under any other Act. The Notified Area Committee enjoys all the powers of the Municipal Council but unlike

the Council, its members including its Chairman are nominated by the state government. It is thus an entirely nominated body.

### **Town Area Committee**

The town area committees are governed by separate Acts passed by the state governments. The District Collector has been given greater control and power of surveillance over a Town Area Committee. Members of the Town Area Committee are elected or nominated by the government or partly elected and partly nominated. The committee is assigned with a limited number of functions such as street lighting, drainage conservancy. The fate of Town Area Committee form of urban government is today in the state of flux, consequent on the establishment of Panchayati Raj Institutions in the rural areas.

### **Township**

Township is administered by the Municipal Corporation or council within whose boundary they fall. For administering them, the corporation or council appoints a Town Administrator, who is assisted by a few engineers and technicians. The townships are well planned and contain facilities like water, electricity, roads drainage, markets parks etc. The expenditure on these services is shared by the industry concerned. The facilities existing in the townships are generally of a high standard. Among the well-known examples are the township of Jugsalai and Adityapur near Jamshedpur.

### **Cantonment Board**

This form of urban local government is also a British legacy. Cantonment board was first set up under the Cantonments Act in 1924 which was administered by the Defence ministry. When a military station is established in an area, the military personnel move in and, to provide them with facilities of everyday life, a sizable civilian population also joins the developing area. The board performs obligatory functions such as lighting, streets, drainage, cleaning of streets, markets, planting of trees supply of water, public vaccination etc.

However, the basic objective of an urban local government has changed from the maintenance of law and order in the early years to the promotion of the welfare of the community in recent times. The State municipal Acts provide an exhaustive list of functions, which are classified into obligatory and optional or discretionary functions. The former have to be necessarily performed by the local government and for which sufficient provision in the budget has to be made. Failure to perform any of these functions may compel the State government to supersede a municipality. Discretionary functions may be taken up depending upon the availability of funds. Municipal functions listed in the State municipal Acts generally fall in the following broad categories: (a) public health and sanitation; (b) medical relief; (c) public works; (d) education; (e) development; and (f) administrative.

#### **F. THE CONSTITUTIONAL AMENDMENT ACTS**

##### **The Constitution 65<sup>th</sup> Amendment Bill, 1989:-**

The Constitution 65<sup>th</sup> Amendment Bill brought by the then Prime Minister, Rajiv Gandhi, sought to ensure municipal bodies being vested with necessary powers and removing their financial constraints to enable them to function effectively as units of local government. Three types of Nagar Palikas were envisaged; Nagar Panchayat for a population between 10,000 and 20,000, municipal council for urban areas with a population between 20,000 and 3, 00,000 and municipal corporation for urban areas with a population exceeding 3, 00,000. It made provisions for elected Ward Committee, adequate representation for women and SC/ST in the urban bodies, conduct of elections by the Central Election Commission, setting up Finance Commission in the states to ensure soundness of local body finances, audit of accounts by the Comptroller and Auditor General of India and creation of district level committees to co-ordinate the plans of Nagar Palikas and Panchayats. It also envisaged granting of urban bodies with a constitutional status. Though passed in the Lok Sabha, the bill was defeated in the Rajya Sabha in October 1989.

### **The Constitution (Seventy-fourth Amendment) Act, 1992:-**

The Prime Minister Mr. Rajiv Gandhi initiated the bill especially for bringing about reform in municipal administration in 1984. Unfortunately the bill was not passed in the Lok Sabha of the Parliament. However, Narasimha Rao government could able to get approval the Parliament in April 1993.

This amendment introduced a new part (Part IX-A) in constitution relating to Municipalities. It contains provisions from Article 243-P to Article 247-ZG<sup>35</sup>. This part deals with issues relating to municipalities such as their structure and composition, reservation of seats, elections, powers and functions, finances and some miscellaneous provisions. The 74<sup>th</sup> Amendment Act thus gives a constitutional status to the municipalities. The provisions of the Act apply to the states as well as the union territories.

The Act also provides for setting up of ward committees in order to provide the citizens ready access to their elected representatives. The composition, territorial jurisdiction and the manner in which seats in ward committees shall be filled has been left to the state legislature to be specified by law. Hence, regarding the formation of ward committee, it has been made mandatory that the municipal area having more than three lakes is needed to form the ward committee. Besides, the reservation of seats for Scheduled castes and Scheduled Tribes along with women representation must have to be ensured in accordance with the constitutional provision.

The State Legislature has been empowered to confer such power and authority on the Municipalities as may be necessary to function as institutions of self-government. Such a law will provide for the devolution of powers and responsibilities with regard to preparation of plans for economic development and social justice; and the performance of functions and implementation of schemes as may be entrusted to them. It includes those functions or matters listed in the Twelfth Schedule. Article 243-W or the Twelfth Schedule lists 18 functions which

the states are called upon to assign to the Municipalities along with other functions. These are:

(1) Urban planning including town planning; (2) Regulation of land use and construction of buildings; (3) Planning for economic and social development; (4) Road and bridges; (5) Water supply for domestic, industrial and commercial purposes; (6) Public health, sanitation conservancy and solid waste management; (7) Fire services; (8) Urban forestry, protection of the environment and promotion of ecological aspects; (9) Safeguarding the interest of weaker sections of society, including the handicapped and mentally retarded; (10) Slum improvement and up gradation; (11) Urban poverty alleviation; (12) Provision of urban amenities and facilities such as parks, gardens, playgrounds; (13) Promotion of cultural, educational and aesthetic aspects; (14) Burials and burial grounds, cremation grounds and electric crematoriums; (15) Cattle pounds, prevention of cruelty against animals; (16) Vital statistics including registration of births and deaths; (17) Public amenities including street lighting, parking lots, bus stops and public conveniences; (18) Regulation of slaughter houses and tanneries.<sup>36</sup>

This Act also ensures that the Finance Commission would review the performance and financial position of the Municipalities and make recommendations to the Governor regarding the grant – in – Aid, taxes duties tolls and fees which may assigned to the municipalities appropriated by them.<sup>37</sup> Moreover, the Commission shall consider any other matter referred to them by the Governor in the interests of sound finance of the municipalities.

#### **Committee for District Planning**

Article 243-ZD<sup>38</sup> of the Indian Constitution provides for a committee for district planning in order to have an integrated planning for the rural as well as urban areas. The State Legislature will decide the functions relating to district planning which may be assigned to this committee, and the manner in which the chairperson of this committee shall be elected.

The manner of forming the District Planning Committee has to be provided by the State Legislature. However, not less than four-fifths of the members of this

committee shall be elected by and from amongst the elected members of the Panchayats and the Municipalities at the district level. The number of the members of the Panchayats and the Municipalities shall be in proportion to the rural and urban populations in the district.

While preparing the draft development plan the District Planning Committee shall have regard to the matters of common interest between the Panchayat and the Municipalities like spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental-conservation. The committee will also have regard to the extent and type of financial or other available resources. The committee shall consult such institutions and organizations as specified by the Governor. The Chairperson of this committee shall forward the development plan as recommended by the committee to the State Government.

Article 243-ZE makes it mandatory to constitute a Metropolitan Planning Committee in every metropolitan area, for preparing a draft development plan for the metropolitan area as a whole. The constitution and the manner of its composition shall be laid down by law of the State Legislature.

The 74<sup>th</sup> Amendment to the Constitution is a land mark in the history of Urban Local Government in the country. The Act provides for a constitutional status to urban local government institution. It contains two types of provisions – mandatory as well as discretionary.<sup>39</sup> Mandatory provisions were those which were compulsory to be adopted throughout the country. Such provisions included the uniform structuring, definite terms, stability, reservation of seats for different segments of society, constituting of the ward committees, District Planning and Metropolitan Planning Committees, Finance Commission and Election Commission. The local government being the state subject, the discretionary provisions were left to the states to enact according to their needs and local situations.

Thus, it is revealed that the 74<sup>th</sup> Constitutional Amendment Act introduced a new part, namely Part IXA, in the constitution. This part deals with issues

relating to municipalities such as their structure and composition, reservation of seats, elections, powers and functions, finances, and some miscellaneous provisions. The 74<sup>th</sup> Constitutional Amendment Act gives a constitutional status to the municipalities.<sup>40</sup> The provisions of the Act apply to the states as well as the union territories. Hence, in relation to the latter, the President can make certain reservations and modification.

However, after a long process of its evolutionary phases, the present structure of the administration of urban areas are of several types, depending upon their size, population, industrial or other importance. These bodies are: Municipal corporation; Municipal Council / Committee / Municipality.; Notified Area Committee. Town area Committee. Township. Cantonment Board, and Special Purpose Agency / Authority.

These local bodies do not exist in all the states and union territories strictly in order of hierarchy. For instance, Rajasthan until very recently did not have any municipal corporation. Only in 1992, the state government, through legislation, provided for the creation of municipal corporations for Jaipur, Jodhpur and Kota, elections for which are yet to be held. Delhi already has a municipal corporation. Similarly, several other variations regarding these bodies may exist.

## **G. EVOLUTION OF URBAN GOVT. IN WEST BENGAL**

West Bengal, however, is treated to be a pioneer or torch bearer in the field of local self government right from the beginning. Since the British administration, the Bengal possesses a special importance. The foundation of urban local self government in India as well as Bengal was laid down by the colonial rulers. While urban centers sprang from industrial revolution in the West, they emerged out of the needs of colonial commerce in modern India. "The Charter Act of 1793" established the municipal administration in the three Presidency Towns of Madras, Bombay and Calcutta by authorizing the Governor-General of India to appoint justices of the peace in these three towns.<sup>41</sup>

The Municipal administration was extended to the district towns in Bengal in 1842 when the 'Bengal Act' was passed. The Bengal Act of 1842 provided the first formal measure for municipal organization. It applied only to the Bengal Presidency.<sup>42</sup> A Town Committee could be set up for sanitary purposes upon application by two-third of the householders.<sup>43</sup> The Act was practically inoperative in Bengal. It was introduced in Serampur and there the town people not only protested, but prosecuted the District Magistrate in the Supreme Court.

This act proved to be an abortive attempt. "The Act of 1842 was far advance of the times. Based upon the voluntary principles, it could take effect in no place except on the application of two thirds of the house-holders, and the taxation enforceable under it was of a direct charter, the law nowhere met with popular acceptance. It was only introduced into one town, and there the inhabitants, when called on to pay the tax, not only refused, but prosecuted the collector for trespass when he attempted to levy it."<sup>44</sup>

After 1858 the Governor General and his staffs spent almost all their time on wars of conquest and on the consolidation of the territories conquered. They showed little or no interests in the promotion of civic as national welfare except in the Presidency towns like Calcutta where municipal corporations were dully established. Local magistrates, however, set up informal committees here and there to collect funds for being spent on conservancy, police and roads. The great war of 1858 had resulted the empty of the treasury of the government. The government felt it difficult to spare money to spend for roads, education, health, sanitation and other services which the people were in need.

A fresh impetus to the growth of local government came in 1863 when Royal Army Sanitary Commission expressed its concern, among others, over the filthy conditions of towns in India. As a result, series of Acts were passed, which extended municipal (corporation) administration to various parts of the country. Voluntarism which was hitherto the basic principle in setting up local governments in India was now abandoned when the provincial governments were empowered

to constitute municipal committees charged with the responsibility for sanitation, lightning and water supply etc.

The year of 1870 marks a further stage in the evolution of local government in India as well as Bengal. Lord Mayo brought about a revolution in setting up o local self government in Bengal province. Mayo's financial decentralization visualized the development of local government institutions.

In Bengal the progress of local self government suffered considerably due to the resistance made primarily by the Bengal Zamindars as also by the newly awakened intelligentsia against Campbell's Municipal Bill of 1872. That Bill passed by the provincial Legislature was vetted by the Governor General Lord Northbrook. It may be mentioned here that in spite of being a 'Municipal Bill', it covered the interest of the rural areas also and provided a class of municipalities termed as Panchayat in the Bill. In the Bill it was further proposed that village funds in the 'third class municipalities' should be applicable to the payment of Chowkidars, to the maintenance of rural schools and to the supply of drinking water. The Bill further provided elected executive both in the cases of municipalities and Panchayats.

It was seen that within a span of twenty years from 1864 to 1884 there was considerable progress of 'municipalisation' in the country. It cannot be denied that relieved of 'official control', the municipalities had a fresh & free outlook. Also judging from the extension of purposes for which municipal fund could be applied, it might be assumed that there was expansion of 'urban life'. It has been observed that in the post-Ripon period municipal legislations were undertaken in different provinces. In Bengal prior to 'Bengal Municipal Act of 1932' also several amendments were made supporting to extend the scope & activities of the Municipal authorities.

It is noticed that till the Montague Chelmsford Reforms there were a few amendments to the Bengal Municipal Act of 1884 & the salient features<sup>45</sup> of these amending Acts are as follows:

**Bengal Act III of 1886:** This Act empowered the Municipal Commissioners to inspect in shops in municipal towns where the sale of unwholesome food was extended as the sale of unwholesome food was prohibited in municipal towns.

**Bengal Act I of 1893:** The Commissioners of the municipalities were empowered to issue licenses for building up warehouses & for maintaining licenses for building up warehouses & for maintaining Fire Brigade under this Act.

**Bengal Act IV of 1894:** The Commissioners were authorised under this Act for the establishment of 'Sanitary Boards' & also for making provisions for preparation & also carrying out schemes of water-supply & drainage under their close supervision. This Act also empowered the Government for appointment of 'Assessors' in the towns in which assessment was found to be unsatisfactory. The Act granted also sufficient powers to the Commissioners to make Rules & Bye-laws for the purpose of conducting meetings, for maintaining municipal records, for electing committees & for other purposes.

**Bengal Act II of 1896:** This Act sufficiently extended the powers of municipalities as to the purposes for which Municipal Fund could be spent. There were vaccination, grant-in-aid for schools & the maintenance of hospitals. These were ordinary object of municipal expenditure. This Act also made extension in the matter of franchise.

The Act set up three classes of local authorities – the District Board, the Local Board and the Union Committee. The District Board had jurisdiction over a whole district. The Local Board was meant for each sub-division and union Committee for selected areas within the sub-division.

The resolution of Lord Ripon led to the passage of new acts in various provisions. But the bureaucracy was too strong and well entrenched and it succeeded admirably in frustrating Ripon's intentions. Ripon was succeeded by Viceroys who lacked his liberalism and who were not prepared to put political education above administrative efficiency.

It may also be observed that in spite of Ripon's declaration that the control should be from without and not from within and that 'non-official' should be

posted as 'Chairman', the local officials did not agree to transfer effective authority and control to the local people. Surendranath Banerjee observed, "that its (local self government) growth was dwarfed by official neglect and apathy. It really meant the withdrawal of power from the bureaucracy; and bureaucracy all over the world is so enamored of power that it presents its curtailment. As Lord Morley pointed out in one of his dispatches that as there were little of real power vested in the popular members of the local Bodies, they felt little or no interest in their work."<sup>46</sup>

However, the main object and purposes of the Act were to introduce the system of the local self-government in Bengal. But experiment at the village and district levels showed the complete dominance and the district authorities. There was little power given to local boards or village unions. Even at the level of district boards, it is the officials and appointed members who actually used to exercise power and authority.

In terms of power and authority the rural boards also compared unfavorably with the municipal boards that were created under the Bengal Municipal Act, 1884. This Act tried to solve the general social problems in which the general people had no part to play. The constituted unions were totally under the control of the British Government and the headman of the Panchayat too was a selected person.

The significant stage in the history of local self-government was the publication in 1909 of the report of "Royal Commission upon Decentralization, of 1907". It put forward a powerful plea for the administrative changes in municipal bodies. It stated that the additional power should be given to the District Board for improving of water supply, drainage, regulation of buildings and conservancy and prevention of public nuisances within their jurisdiction.

It has already been indicated that the main object of the Bengal Local self-Government Act of 1885 was partly frustrated since it could not create an effective organization in the urban areas. Owing to their restricted scope and activities people took very little interest in them. Considering such a situation The Royal

Commission of 1908 made some recommendations in order to remedy the situation. It included:

(a) Municipalities should be constituted in urban areas and it should be regarded as the unit of local self government institutions. (b) There should be substantial majority of elected members in the local bodies. (c) The municipality should elect its own President, but the District Collector should continue to be the President of the district local boards. (d) Municipalities should be given the necessary authority to determine taxes and to prepare their budgets after keeping a minimum reserve fund. The government should give grants for public works like water supply, drainage schemes etc.<sup>47</sup>

The political situation in the country, particularly in Bengal province was highly explosive. Curzon's partition of Bengal created an unprecedented "Swadeshi Movement" in the country. Many eminent personalities and national leaders and social reformers made submissions before the Royal Commission. Sri Gopal Krishna Gokhale, for example, observed that, the spread of education, the influence of new ideas and the steady growing powers of the vernacular press made a benevolent autocracy of the collator of old times impossible.<sup>48</sup> The only remedy lay in carrying a substantial measure of decentralization down to villages and in building up local self-government from there. Local and municipal boards must be made really popular bodies and larger resources than they commanded at present must be made available to them.

The district administrative committee appointed by the Government of Bengal in 1913 recommended a reorganization of the system of local self government both at the village and the urban areas to deal with the problems like roads, water-supply and sanitation etc. The recommendations of the decentralization commission were reviewed by the Harding's Government late in 1915 and the main proposals were accepted.

But no immediate reform was made in the structure of the local government. Edwin Montague, Secretary for India, made the famous declaration about the introduction of responsible government in India. Lord Chelmsford and

Edwin Montague jointly issued the report on the Indian Constitution reform in 1918. The report recommended the liberalization of local self government in accordance with a number of general principles it enunciated.

The objective of the new Resolution of local government was to train the people in the management of their own local affairs and the political education of this sort must in the main take precedence on consideration of departmental efficiency.<sup>49</sup> To them, local bodies must be as representative as possible of the people whose affairs they were called upon to administer. It pleaded for the appointment of non-officials as Chairman for Urban Councils. It stood for the grant for more freedom to local bodies in matters of taxation provided that they maintained a minimum balance.

The Government of India Act 1919 was passed with a view to transfer a lot of powers to local self government. The new note of urgency in the 1918 Government of India resolutions stimulated all the provinces to prepare for radical changes in local government and the changes have been incorporated in this Act. This period witnessed a series of amending acts on local government in every province. The practice of having a civil servant as the president was disappeared from all municipal bodies. Local bodies were freed from many restrictions in respect of preparation of budget etc. Prominent leaders like Jawaharlal Nehru, Sardar Vallabhbhai Patel etc entered the municipal council and gained insight into the functioning of democratic institutions.

With a measure of democratization of local government there occurred a gradual but unmistakable decline in efficiency in administration of local affairs. Corruption was increased; favoritism and nepotism became rather rampant. The local civil service came under the influence of the local politicians and even started working for them and as a consequence, jobbery in municipal appointments increased. As a Chairman of the Allahabad Municipal Board in 1924-25 Jawaharlal Nehru opined the following about the working of local government in India:

“Year after year government resolutions and official and some newspapers criticize municipalities and local boards and point out their many failing and from

this the moral is drawn that democratic institutions are not suited in India. Their failing 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 disadvantages of both..... Whatever the reasons, the fact remains that our local bodies are not as a rule shining example of success and efficiency though they might, even so, compare with some municipalities in advanced democratic countries. They are not usually corrupt; they are just inefficient, and their weak point is nepotism, and their perspectives were wrong....”<sup>50</sup>

#### H. **EVOLUTION OF BALURGHAT MUNICIPAL ADMINISTRATION**

The Headquarter of the sub-division of the same name, situated on the banks of the river Atrayee had a population of 3220 as reported by F. W. Strong in 1912<sup>51</sup>. It lies 51 km to the South of the Dinajpur town (Presently in Bangladesh). It contains the sub-divisional office, civil and criminal courts, a registration office and a high school. There is a large and well found hospital-dispensary maintained principally by private subscriptions, the local Zamindar, Babu Rajendra Nath Sanyal, being a liberal subscriber. This gentleman, who lives in immediate vicinity, was remain no longer since a ward under the court of wards and still maintains the former European Manager’s Bungalow as a guest house, at which Government officials on tour were made welcome.

F.W. Strong in 1912 described Balurghat town, as “there is worth describing in the village of Balurghat itself. It is very ordinary Bengali village in appearance, though, being situated on high banks of a fairly large river, it is well drained and healthier than many of the villages in the district. The view from both banks of the river is picturesque enough especially in the rains.”<sup>52</sup>

F.W. Strong mentions that in 1912 its population was 3220. The village was connected with Dinajpur town 32 miles away by a main road. Balurghat is basically important market centre in the vast rural hinterland. In pre-independence period

also, it was an important grain market on the bank of river Atrayee. The trade of agriculture products was conducted mainly through the water way of river Atrayee and there was very little transport communication network by road except the most important 16 miles long Balurghat Hilli bus route that connected Hilli railway station now in Bogra District of Bangladesh.

The Municipality of Balurghat was constituted in 1951 by Notification No. M1M-40/50(1) dt. 24<sup>th</sup> May 1951, with the mauzas of Dakshin Chak Bhabani, Bangi, Balurghat and Khadimpur with an approximate area of 6.37 sq. km.<sup>53</sup> In 1962, there was 29 km road in Balurghat Municipality out of which only 3.22 was pucca. However, development of connectivity was found much faster during the subsequent years. There was neither underground drain nor even pucca open drains. For the purpose of drinking water supply, the municipality maintains 152 tube wells located at various part of the town.

**Location:**

The Dakshin Dinajpur district lies between 26°35'15" and 25°10'55" north latitudes and between 89°0'30" and 87°48'37" east longitudes in the Jalpaiguri division of West Bengal.<sup>54</sup>

**Origin:**

West Dinajpur District was created out of the erstwhile Dinajpur district in 1947 at the time of partition of India. The rest of Dinajpur district is now in Bangladesh. The West Dinajpur district was enlarged in 1956 at the time of reorganization of the state with the addition of some areas of Bihar.

The district of West Dinajpur came into existence in August 1947, with the partition of Bengal. The British at the time they withdrew from India ordered the partition of India one part being known as India and the other as Pakistan. The province of Bengal came to be dividing line passed through district of Dinajpur, the portion lying to the west of the line being named West Dinajpur. There is no local tradition regarding the origin of the name Dinajpur, and it is also rather difficult to advance any satisfactory theory about the origin of the name.

It is, however, not unreasonable to conjecture that the name Dinajpur is derived from the name of some local Chieftain or King. It is well known that Raja Ganesh, the Hindu Chieftain of North Bengal, became the king of Gour in the early part of the 15<sup>th</sup> century A.D. He assumed the title of *Danujamardana deva*, and it is unlikely that the name Dinajpur is derived from the title of Raja Ganesh. The greater portion of the district of West Dinajpur formed a part of the Khalji kingdom in Bengal. Devkot was the capital till 1220 A.D.<sup>55</sup> after which it remained a military post. During Akbar's reign West Dinajpur probably formed a part of the Sarkar of Tajpur. In 1769 Mr. H. Cottrell was appointed as Supervisor for supervising the collection of revenue in the district. Dinajpur was headquartering of the five provincial councils which were set up in 1773<sup>56</sup>.

The district West Dinajpur was formally constituted by Notification No. 548 G.A., dated 23.02.1948 and is constituted of the police station of Balurghat, Kumarganj, Gangarampur, Tapan, Raiganj, Hemtabad, Banshihari, Kushumundi, Kaliaganj and Itahar. The District was bifurcated into Uttar Dinajpur and Dakshin Dinajpur on 01.04.1992.<sup>57</sup> The erstwhile Balurghat sub division along with Banshihari and Kushumundi blocks comprises the new district with its headquarters Balurghat.

#### **A brief historical importance of Balurghat:-**

Balurghat is the district Headquarters of the Dakshin Dinajpur district. Balurghat town played an important role in the August movement in 1942<sup>58</sup> against the British and occupies a place of pride in the history of freedom movement of India. There is a small municipal town surrounded by green trees and is free from pollution. One km away from Balurghat, there is a small forest at Reghunathpur. The Balurghat museum, though a small one, is worth seeing. Many antique collections including coins, inscriptions, sculptures, terracotta, ornamental stones etc. of ancient ages are preserved here. Two inscriptions have been deciphered by Prof. A. K. Goswami which has thrown new light on the religious belief of Pala period.

### **Contribution to freedom struggle:-**

During the 1942 Quit India Movement, the people of Balurghat Sub-division acted in a noteworthy manner. On the 14<sup>th</sup> September<sup>59</sup> night about eight thousand people from the rural areas assembled at Dangighat on the western bank of river Atreyee and three miles from Balurghat town. Under the leadership of local congress leader Saroj Ranjan Chatterjee, they formed a procession in the next morning and proceeded to Balurghat and besieged the town. The Sub-Registrar's office was completely burnt down. The civil court and co-operative Bank building were also burnt. Telegraphic wires were cut and telegraphic apparatus were dismantled. Almost all the official institutions were attacked. Ganja and liquor shops were also raided.

The processions were in virtual control of the town, but their control was rather short lived as the movement was crushed the very next day by the District Magistrate who arrived from Dinajpur with a strong forces. The armed police contingent under the District Magistrate opened fire in Tapan police station on a mob of 200 villagers proceeding towards Telighata to prevent the export of paddy from the district. Meeting and processions were prohibited in the whole subdivision, there were large scale arrests and a reward of one thousand rupees was declared for the arrest of Saroj Ranjan Chatterjee.<sup>60</sup> His house was sealed. The local Congress office at Balurghat was sealed. Police raided many houses and punitive fine of seventy five thousand rupees was imposed on the Hindu residents of a section of Balurghat town.

From the writings of Ranjit Bose,<sup>61</sup> the vice chairman of the 1<sup>st</sup> nominated board and the Chairman of the 3<sup>rd</sup> elected Municipal Board revealed that the influx of a mass population after independence brought about a number of social problems particularly in health and hygienic field. They started to develop settlements and shops elsewhere. Wherever they found vacant land, they vested the same and developed in accordance with their desire and capacity. Such problems necessitated to establish a orderly and responsible urban local self government administrative set up.

In order to resolve multi diversified problems and to provide better civic amenities, Balurghat Municipality came into being in 1951<sup>62</sup>. It started its journey with 9 nominated councilors among them 5 members remained government nominee and 4 of them belonged to local inhabitants.

The first Chairman was Mr. Amal Krishna Gupta, S. D. O. Balurghat sub-division. He remained in Office from 18.06.1951 to 21.12.1951.<sup>63</sup> After his official transfer Mr. R. N. Roy became the S. D. O. and accordingly took the charge of Ex-officio Chairman. The other members of this board were Ranjit Bose, Vice Chairman, Dr. Shankar Bhattacharjee, Jitendra Nath Poddar (S.D.H.O), Nemai Chand Murmu, Nalini Kanta Adhikari, Sr. Sushil Ranjan Chatterjee, S. K. Majumder (Principal, Balurghat College), Braja Bihari Roy Choudhury were the Councilors.<sup>64</sup>

The first nominated board acted for the period of 18.06.1951 and 01.03.1954. Hence R. N. Roy (SDO) was again transferred on 10.07.1953 and Soumendra Mohan Mukherjee took the charge of SDO as well as honorary chairperson of the Balurghat Municipality.

The first Balurghat Municipal board (Nominated) started its function on the small veranda of local 1928 Club.<sup>65</sup> Gradually this 1928 Club became the office of this municipality and all the necessary official works and correspondence were being discharged from here. But official meetings and important discussions were conducted at the outer veranda of the house of Late Nalinee Kanta Adhikari so that his valuable opinions and guidelines could be taken since, the premises of 1928 Club was not sufficient enough to conduct any meeting or public gathering.

In March 1954, the inhabitants of Balurghat witnessed first municipal election where Kalidas Sanyal became the Chairman and Kalipada Ghosh was made Vice-Chairman.<sup>66</sup> The entire municipal area was divided into 9 wards. The rest of the elected Councilors were Maharaja Bose, Dr. Ameresh Chandra Roy, Bhabagopal Majumder, Shishu Ranjan Das Gupta, Nani Gopal Sen., Binoy Bhusan Das and Anil Chandra Roy.

These members formed first elected Balurghat Municipal Board and took the oath on 01.03.1954 and remained in office till 23.04.1958. Hence on

14.01.1955, no confidence motion was moved against the Chairman Kalidas Sanyal and Maharaja Bose was made the Chairman<sup>67</sup>. Again on 22.01.1956 no confidence motion was moved against the Chairman and Maharaja Bose was replaced by Shishu Ranjan Das Gupta.

It is to be noted that the government of West Bengal decided to shift the subdivision office from Balurghat to elsewhere and accordingly number of people raised protest against the same through non violent means. Unfortunately police carried out lathi charge and blast tear gas. In order to protest against such uncivilized and barbaric activities of the government officials, the Balurghat Municipal board resigned on 23.04.1958.<sup>68</sup> But they were advised to carry out their function until the fresh election took place.

In absence of administrative infrastructure and office building, the Balurghat Municipality carried out its activities in the 1928 Club premises. In 1964, Late Shushil Ranjan Chatterjee, the then M. P. became the Sabhadhipati of West Dinajpur Zila Parishad. He took the initiative to allot from Zila Parishad. But it was found difficulties regarding such allocation of land for the municipal building. In order to resolve such administrative difficulties, the then famous lawyer Late Sri Nilkanta Bagchi came forward and helped to get the settlement record officially and established that the land would be treated being the official property of Balurghat Municipality since now. Gradually through the initiatives from different quarters administrative building was set up for municipality.

The population of town has grown very rapidly particularly in two phases, first immediately after partition and second during liberation war in Bangladesh. The international border did not deter the human movement across the border. Instability in socio-political condition of East Pakistan (presently Bangladesh) resulted into migration of thousands from that country.

Migration from erstwhile East Pakistan started around 1947 and increased in 1950. Again during the 1970s a large number of refugees came and settled in and around Balurghat. It is true that upper caste people migrated from Eastern Bengal, mostly from the districts of Dhaka, Mymensingh and Rajshahi long before

the partition. The probable cause of their migration was at push at origin due to fragmentation of lands. Approximately 2000 people from the districts of Pabna, Khulna and Jessore of then East Pakistan poured in.

Balurghat town experienced phases of unplanned development as it grew from a village. The urban area is criss-crossed by numerous lanes by lanes. As it is not spread out along same road, the neighborhood units are never too far off. This along with lack of rapid urban transport facility has been able to maintain primary social relationship intact. The only modes of transport within the town are cycles and cycle-rickshaws. The location of Balurghat near the international boundary is a factor that accounts for its speedy urban growth.

Since the liberation of Bangladesh in 1971, the international border could be freely crossed over either way. This created the problem of socio-economic insecurity in the rural areas across the border, making it impossible to retrieve the property. The landed people started moving into the town with a house in the town and another in the village, their occupation remaining agriculture away from the field or from the store of the agriculturists. Agriculture thus became a non-lucrative occupation. Next comes a gradual shift to other occupation. The available avenues being: Trade and commerce; Teaching in schools; Job at government establishments.

According to the Census 2001, the population of Balurghat Municipality was 135737 persons living in 26417 households. Distribution of population is found highly uneven as also the density. Most of the offices, residential, commercial and business houses were *kutcha* house with tin or thatched roofs. Roads were very narrow and non-metal.

There were no drainage system and sewerage was traditional and unhygienic. With the passage of time Balurghat grew very rapidly not only in terms of population but also in its urban fabric. Introduction of road communication with the rest of the country brought economic and socio-political prosperity of the town. The dramatic transformation of land use pattern of Balurghat town has taken place during the second half of the last century.



**Table – III. I**

**Ward-wise population of Balurghat Municipality 2001**

Word No.	Total Population	Area /Sq. Km.	Male	Female	SC	ST	No. of Households	Population Density
1	5534	0.42	2819	2715	585	9	877	13176
2	7677	0.53	3979	3698	3968	82	1291	14485
3	5160	0.48	2677	2483	1158	122	992	10750
4	7167	0.47	7167	3507	2114	265	1371	15249
5	8054	0.48	4101	3953	367	405	1645	16779
6	6875	0.36	3466	3409	184	38	1336	19097
7	5132	0.41	2658	2478	333	00	911	12517
8	3993	0.38	1974	2019	48	00	835	10508
9	7635	0.45	3977	3658	176	26	1388	16967
10	4545	0.48	2328	2217	272	24	914	9469
11	5910	0.34	3038	2872	108	78	1230	17382
12	6178	0.52	3089	3089	694	492	1202	11881
13	6383	0.46	3296	3087	920	82	1112	13876
14	7612	0.48	3838	3774	535	68	1560	15858
15	7366	0.53	3637	3727	773	357	1314	13898
16	4030	0.44	2042	1988	229	23	827	9159
17	7003	0.43	3557	3446	1167	106	1412	16281
18	4562	0.46	2309	2253	317	33	1061	9917
19	4431	0.45	2259	2172	561	19	960	9847
20	4842	0.43	2320	2522	234	34	1033	11260
21	5048	0.52	2538	2511	800	165	997	9710
22	5951	0.51	2972	2979	357	228	1170	11669
23	4648	0.53	2337	2311	421	250	979	8770
Total	1,35,737	10.56	72,378	63,358	1632 1	290 6	26417	12854

Source: Balurghat Municipality, 2001 Census report.

**Table – III. II**

**Census Report of 2011 of Balurghat Municipality**

<b>Ward No.</b>	<b>Area /Sq. Km.</b>	<b>Total Population</b>	<b>Male</b>	<b>Female</b>	<b>Others</b>
1	0.42	6024	3036	2988	0
2	0.53	7819	4019	3800	0
2	0.48	5265	2666	2599	0
4	0.47	9752	4857	4877	18
5	0.48	6671	3357	3314	0
6	0.36	7505	3760	3745	0
7	0.41	5516	2820	2696	0
8	0.38	5176	2503	2673	0
9	0.45	7685	3780	3908	0
10	0.48	5681	2829	2852	0
11	0.34	5534	2746	2788	0
12	0.52	8522	4368	4154	0
13	0.46	6251	3108	3143	0
14	0.48	8856	4454	4402	0
15	0.53	6926	3520	3406	0
16	0.44	6259	3161	3098	0
17	0.43	7669	3780	3889	0
18	0.46	4986	2515	2471	0
19	0.45	6181	3059	3121	1
20	0.43	2567	2585	2682	0
21	0.52	6183	3143	3040	0
22	0.51	6392	3121	3271	0
23	0.53	5179	2564	2615	0
Total	10.56	151299	75751	75529	19

Huge migration vis-à-vis influx of population compelled the people to settle in the former water bodies in the sub-urban areas. During and after the independence of Bangladesh, the trans-border migration, this is still continuing, is a prime factor for the gradual expansion of this town. It is certainly exhorting challenge to the urban body. The upcoming time will answer about the strategy to mitigate this problem politically as well as by maintaining socio- economic balance.

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