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Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

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URBAN LOCAL GOVERNMENT IN INDIA **CHALLENGES AND PROSPECTS**

AUTHORED BY - SHIVANI PATEL

STUDENT

LLM II Sem

INSTITUTE OF LAW AND LEGAL STUDIES

SAGE UNIVERSITY, INDORE

Abstract

Democratization and decentralization are the reliant cycles. Spread of force from one focus helps in engaging individuals and can likewise considered the public authority responsible for practicing political power. In India, as the majority rule organizations began developing, the inclination towards centralization of force is being progressively addressed and the endeavors of decentralization and cooperation of the resident in the administration of their neighborhood, being supported. Scarcity of assets, absence of arranging, unnecessary state control, and so forth are some of the fascinating issues which brought about wasteful and unsatisfactory administration. The recently perceived nearby self government (from this time forward, the term 'neighborhood government' would be utilized) is still in the temporary stage which is expected to obtain another shape even with innovative help and the vote based change.

Keywords: - Urbanization, Local self-Government, Municipality, Census towns, People's participation.

Introduction

India has been among the quickest developing economies on the planet for near twenty years. Quicker development has clear ramifications for the speed and nature of urbanization. The blend of rising goals and developing working classes from one perspective and insufficient anticipating the inescapable expansion in urbanization on the other is causing what is happening that is socially, monetarily, and earth impractical. The test confronting India's organizers furthermore, policymakers is the means by which to fundamentally work on the personal satisfaction in urban areas with the goal that they can proceed to oblige future development while guaranteeing better everyday environments for their inhabitants and

synergetic improvement of the provincial area. This article contends that change in the foundations of metropolitan administration is essential in tending to this test.

Urbanization is a movement from traditional to modernity. It is a transformation from agrarian to industrial society. It leads to a change in lifestyle from informal to a formal life, which signifies the material wellbeing in forms of physical comfort. Urbanization creates a change in the human relations from intimate and personal to a highly segmental and impersonal relation. It also brings about a change in the use of tools of production from manual to mechanical. Thus, it stands for a change in opportunity, in employment and cultural settings.

What is an urban area?

An urban area is one which is formally so declared through the statutory establishment of that area of a municipal body, a notified area or a cantonment by a definite legislation. Thus there are Municipal Acts in different states under which municipal bodies are set up by the state governments in specific areas. There can be other Areas also that can be declared as 'urban' by the Census authorities. In order to be considered as An urban unit, as per census definition, a specific Geographical area must fulfill the following three Conditions simultaneously;

- a) A population of at least 5000;
- b) A density of population of at least 400per sq. Km; and
- c) At least 75% of the working population in that Area engaged in non-agricultural pursuits.

Causes of urbanization

As mentioned above the agriculture fosters village, and the industrialization builds up towns. Thus the agrarian society transforms itself in an industrialist society. The migration of people from rural to urban areas is the result of two phenomena-push factors and pull factors. Though it seems that these two phenomena are different but they cannot be segregated from one another.

The push factors are:

- a) as the population increases on agricultural land, many of them find it difficult to survive on that. limited land resource, so they look for some other non agricultural alternative for survival;
- b) limited employment opportunities available in rural areas;

c) excessive supply of people to be engaged in rural works leads to decrease in the income of the people;

(d) closed village life creates various difficulties For certain section of the society: they aspire For security of life and property, greater Employment opportunities, better amenities of Comfortable life, more independence and Freedom, educational ,cultural and medical Facilities etc.-in other words better prospects Of life;

(e) militant activity in rural areas also causes an Exodus of population from rural to urban areas.

The pull factors are:

- a) Attractive civic amenities in the form of Educational institutions, roads, water supply, Electricity facilities, recreation centers etc.;
- b) Better transport facilities in urban areas;
- c) Religious centers in India is also urban centric;
- d) Arrangement for the rehabilitation of the Refugees are done near the urban areas:
- e) Consumerist culture attracts the people towards Towns and cities;
- f) Career advancement opportunities are mostly Urban centric;
- g) Belonging to an urban area adds personal Glamour to ones personality;
- h) A city postulates an open society where, every Person can have its own way without being Interfered by others.

Evolution of urban government in India

The urban government in India emerged out of a centralized system of governance. Ancient India was a land of village republics but cities were also founded by rulers. Very little information is available about the cities and their administration in the Vedic period. During the Gupta period the towns were governed by a centrally appointed person called 'Purpal'. The Purpal was assisted by a non-official committee, the town committees were a common feature of the ancient Indian administration. In mediaeval times, the rulers at the Centre could not look after the local affairs. They needed a local agency that could manage the local affairs with local collection of funds. Local administration was carried on by the representatives of the rulers. People were not associated with the management.

 Kotwal 'in the Mughal administration managed local affairs without the accountability towards the People.

The centralized administration took the turn during colonial administration at the hand of the East India Company whose interest was trade and commerce, sanitary services for the British people, tax Collection for the maintenance of police and maintaining law and order in the society. The purpose was Not to create local self-government bodies. Local government in India has not grown from below. Even After 1858, Queen's government showed no effort for organizing local government with people's Participation or accountability towards them. Lord Rippon's Resolution of 1882 conceded for the first Time local administration by an elected body with local functions.

The urban government could not strike roots even after hundred year of existence as the western model Was imported from a different society. The freedom fighters also did not involve themselves in Developing civic amenities but utilized local government to agitate for national freedom. Though the Constitution of India after much debate in the Constituent Assembly included Art. 40 in the Directive Principles to leave the provision of organizing panchayats in rural areas did not give any corresponding Duty to the states with regard to the creation of urban bodies.

'The state government followed an ambivalent policy towards municipal rule, while ceding powers on Papers, actually put checks and restraints from exercising power by the local bodies (Bhattacharya 1976). The year 1985 proved to be a land mark year as, during that year, the Ministry of Urban Development was set up at the Union level independently. Earlier it was shifted from one ministry to Another Despite the fast pace of urbanization, there is no well defined and thorough urbanization policy In India. The Constitution 65th 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 self-government.

In 1991, the Central government introduced a Constitutional Amendment Bill pertaining to Municipalities in the Lok Sabha on 16 September. With a few modifications, it was essentially based on The 65th Amendment Bill. The Act introduces 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 Seventy Fourth Amendment Act thus accords constitutional status to municipalities. The provisions of the Act Apply to the states as well as the Union

territories. However, in relation to the latter, the President can Make certain reservations and modifications. The provisions do not apply to the Schedule Areas and Tribal Areas governed by Article 244(1) and (2) of the Constitution. The traditional civic functions of Municipalities are being performed by municipal bodies. However, the 74th Constitutional Amendment Lays down those municipalities would go beyond the mere provisions of civic amenities. Now, they are Expected to play a crucial role in the formulation of plans for local development and implementation of Development projects and programs, including those specially designed for urban poverty alleviation.

Role of urban local government

The metropolitan nearby government fundamentally goes about as a help office. It has been suitably Expounded by the Reference book of the sociologies where it peruse “City Government has ascended to A spot of high significance in current political society not simply because metropolitan tenants currently Structure so enormous an component in the populace but since city organization has formed by its intricacy into an issue of incredible inborn trouble. The rustic region requires almost no administration; its kin are adjusted to get things done for themselves. Be that as it may at the point when extraordinary collections of individuals massed intently together they definitely become more associated. To advance their security, wellbeing and accommodation they steadily decay more obligations upon the public specialists and bigger the local area the more noteworthy is this propensity.

People’s Participation and Development

Participation occupies central place in development thinking and practice. Development cannot be sustainable and long lasting unless people’s participation is made central to the development process. While there is a virtual unanimity about the need for people’s participation in development, there is a wide spectrum of views on the concept of participation and the ways of achieving it. The conventional growth oriented, top down strategy of development did not produce the desired trickledown effect. David Korten, who has worked widely among the poverty population, has distinguished between two contrasting visions: growth –centered development vision and people centered vision. The former vision has its origin in the ideology of neo liberal economics – that has forcefully advanced through institutions such as the World Bank, the IMF and the GATT. In Kurten’s view, —the prevailing growth centered vision of development has not only failed a substantial majority of the world’s people, but is also

systematically depriving human misery and destroying our planet's life support systeml.

Contrastingly, the people centered vision is being advanced by citizen organizations working to create an alternative world order based on economic justice, environmental sustainability and political inclusiveness.

Constitutional Amendment and Local Urban Government

The innovative idea of adding a third tier to the Indian federal setup was something unprecedented in the world history. It is all the more significant as it has added an extra decentralized dimension of governance to a highly centralized polity. The introduction of panchayati raj system and urban local bodies along with the district administration headed by the collector is an unique experiment wherein the administrative bureaucracy and the popular democracy of elected representatives are working out a new model of democratic governance, somewhat uniform yet highly diversified in different states of the country. Unlike the USA and Germany, the federal model of Indian polity is engaged in evolving a cooperative federalism of centralized variety. The conferring of a constitutional status to panchayati raj and urban local bodies has added newer tensions which put the state and district administrations under conflicting pressures from above as well as from below. Although the local urban and rural government were in practice, before the Amendment to the Constitution moved in 1992, but they were largely controlled and dependent on the central and state governments. Thus the newly conferred constitutional status has not only enhanced their dignity and responsibility but also strengthened the aspiration and expectation as of the common people from _their' government.

The Nagarpalika Bill' passed by Parliament in December, 1992, aimed at rectifying the defects, deficiencies and inadequacies in the structure and organization of urban local bodies and to revitalize and strengthen them. Empowering Election Commission to conduct local bodies 'elections so that these may be held periodically in a fair and impartial way; reserving thirty three percent of the seats for women. The scheduled caste and scheduled tribes have been given representation in proportion to their population in the area concerned; appointing Finance Commission to look into the fiscal needs of the local bodies and empowering the Comptroller and Auditor General to audit the accounts and granting the Constitutional status to the urban local bodies by amending Article 40 of the Constitution.

Challenges and Prospects Areas of Municipal Administration in India

Financial paucity

The most importantly difficult issue confronting the metropolitan neighborhood bodies is the intense Shortage of money. By and large, their kind of revenue is deficient when contrasted with their Capabilities .Their main kinds of revenue are the shifted sorts of duties. Nonetheless, the greater part of The pay producing charges is demanded by the association and state legislatures and, the assessments Gathered by the metropolitan bodies are not adequate to cover the costs of the administrations gave. However they can force specific new expenses, the chosen individuals from these neighborhood bodies Delay in doing as such because of a paranoid fear of disappointing their electorate. The authoritative Hardware, at the removal of these nearby bodies is inadequate and incapable. The staff which is Frequently come up short on enjoys degenerate practices which lead to loss of pay.

Financial stringency has become the biggest hurdle for almost all municipal bodies on account of ever Increasing expenditure on establishment which has gone up to about 60 percent of the income. Virtually No Money is available for development work. Municipal committees of many small towns find it Difficult even to disburse salaries to their employees in time. Many civic bodies have not been able to Provide even the basic civic amenities in the areas which have been included in their jurisdiction during The last couple of decades.

Unplanned urbanization

The civil administrations have fizzled to adapt to the rising necessities of the populace, both Subjectively and quantitatively. The circumstance is deteriorating in light of the fact that the rustic flood Around and urban areas has progressively changed over them in ghettos. The metro urban communities Are protruding and their organization relating to common conveniences like water, sterilization, upkeep Of streets, transport, lodging and so forth, is getting unmanageable with the outcome that criminal Organizations and bad habit caves have made life perilous and sickening. The vast majority of these Issues radiate from sick arranging however the dynamism of city the actual executives presents Remarkable issue of metropolitan turn of events furthermore, metropolitan reestablishment with regards To space, environment, urbanization and science and innovation.

Multiplicity of Agencies

A lot of criticism has been specially leveled against the formation of single purpose agencies.

They are All dominated by bureaucrats, which goes against the basic philosophy of local government. The People's representatives have a secondary role to play. The illustrations are- state transport corporation, State electricity board, water supply department etc. have been taken out of the jurisdiction of the urban Local government and they function under the direct supervision of the state government and without Any accountability towards urban local government. The functions that have been assigned to them Belong really to the elected urban bodies. They lower the prestige and significance of the local bodies. The municipal bodies have to contribute to the budget to these agencies while having no control over Them. Their functions are often overlapping. For instance, in some states, the function of water supply Has been entrusted to the improvement trusts as well as municipal bodies.

Low level of People's Participation

It is very ironical to find that, despite a relatively higher level of literacy and educational standard, city Dwellers do not take adequate interest in the functioning of the urban government bodies. The Population of the cities consists of heterogeneous groups and they are alienated from one another. Most of the city dwellers were once rural and, even now, it looks at the city merely as a place to earn livelihood, and has little attachment with it. People's apathy towards participating in the governance system pushes such institutions into a state of complacency and irresponsibility. In India, people experience a lot of disappointment and inconvenience in obtaining the civic amenities. As it is, most of them are so used to facing water, electricity and sanitation problems, that they feel that it is futile to look up to the urban bodies for any solution. Add to that, the multiplicity of special purpose agencies and other urban bodies confuses the public about their role boundaries.

Local self-government in the second sense with a full status of autonomy does not exist so far anywhere in the world. Generally it is the local government running with people's participation is regarded as the local self government. The relationship between the local government and the state government is based on two antithetical ideas, first it is paternalistic idea, where the state would control, supervise guide and even punish occasionally for the good of the urban local government. In this sense the local government is transformed into a local unit of administration.

Local self government, on the other hand, is based on a populist idea where local government functions on democratic principles, run by the popular representatives. There would be no state

interference in the affairs of the local self government. Such an isolated local self government is an illusion and does not exist anywhere in the world.

Providing greater access to government information, Promoting civic engagement by enabling the public to interact with government officials. Making government more accountable by making its operations more transparent, thus reducing the opportunities for corruption.

Excessive State Control

Although the Act ensures more autonomy than the pre- 1992 situation, but the actual relationship-control over urban local bodies has not changed substantively except in case of corporations. The state director of local bodies and the department of local government of every state have not taken much initiative for devolution of powers or relaxation of control in this regard. This state control which is legislative, administrative, judicial and financial keeps urban municipal government quiet subservient units of local administration rather than functioning as institution of self-governance. As creatures of state laws, the statutes and notifications prescribe their composition and functioning. The state governments have the power to supersede and dissolve municipal bodies under certain circumstances. The judiciary under the Indian Constitution is the guardian of citizen's rights and various kinds of writs can be issued to keep the local administration within their bounds. The state governments approve municipal budget (except that of corporation). Even the modified local tax structure needs government's prior approval and later ratification. The loans, borrowings and grants- in-aid even when monitored and regulated by state finance commission, the procedures regarding resource mobilization and public expenditure confer little autonomy on the elected bodies. The accounting and audit system gives enormous powers to the government to exercise control through rules and regulations for audit and maintenance of accounts apart from regulation of income and expenditure.

Conclusion

The Constitution thus empowers the Municipalities to function as institution of self government in respect to preparation of plans for economic development and performance of functions which are eighteen in numbers mentioned in the twelfth schedule of the Constitution. These two areas of autonomous functions of the municipalities are subjected to the legislative control of the state government over the urban local governments has not been relaxed. The urban local

government thus still functions under the strict supervision and control of the state government. The cities, towns and metros will experience the travails of technological and information revolution. The twenty first century is viewed as the century of Asia wherein Japan, China and India will be partners in a venture of unprecedented consequences. A more awakened and a more affluent people will reproduce at a lower rate and once the rural population touches the minimum level of semi urbanization the rural urban divide may get blurred. The management pattern of local governance will cease to be rural and urban anymore. The diarchy at the state level to self-government may acquire varied forms and even setbacks that once the takeoff comes and the speed becomes a little faster the transitional diarchy will yield place to parliamentary institutions and their working will be more than welcome at the lower levels of district and below. This may bring a situation when urban Centre of local government may need manager patter of government. The speed of change in India is so fast that the past is no indicator of the future.

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