

CHAPTER- 3

EVOLUTION OF ULBs

GENESIS OF URBAN GOVERNANCE IN ASSAM

- 3.1** The seed of local self government for the urban areas in Assam was sown by the British way back in the second quarter of the nineteenth century. Initially the East India Company had made no effort to establish local self government institutions because it was fully preoccupied with the consolidation of its power . However, it was the shockingly bad sanitary condition of Guwahati that really caught the imagination of the District Magistrate (DM), Kamrup, who in collaboration with the Civil Surgeon (CS) had conceived the idea of having a municipal governance for tackling the situation. Accordingly, the Town Improvement Committee in Guwahati was established in 1836, with DM and CS and a few other members. The successful working of the Guwahati Town Improvement Committee had prompted the formation of such committees in the towns of Nagaon , Mangaldai , Dibrugarh , Golaghat , Goalpara , Barpeta , North Lakhimpur , Silchar and Sylhet (now in Bangladesh).
- 3.2** The first attempt at introducing statutory municipal governance in Assam coincided with the enactment of the Town Improvement Act ,1850 . But interestingly Guwahati was the only town that had been administered under the Town Improvement Act, 1850 . The other town improvement committees in the state were only voluntary organizations.
- 3.3** Because of inherent shortcomings of the Acts , urban Assam had experienced continuous reforms in legal provision meant for urban governance . The enactments governing urban institutions that followed in chronological order were the

Town Improvement Act ,1850, the District Town Improvement Act,1864, the District Towns Act ,1868 , the Bengal Municipal Act, 1876, the Municipal Act,1884, the Assam Municipal Act, 1923 and the Assam Municipal Act 1956 .

3.4 The Bengal Municipal Act, 1876 was adopted in Assam in May 1878. Under this Act the urban areas of Assam were classified as first and second class municipalities, stations and unions. Guwahati was the only first class municipality. It was only in 1923 that Assam had its own municipal acts, namely the Assam Municipal Act, 1923. This Act was subsequently replaced by the Assam Municipal Acts ,1956 which was amended in May, 1994 in the light of the 74th Constitution Amendment Act. It is currently in force.

3.5 Until the enactment and enforcement of the 74th Constitution Amendment Act , urban governance in Assam was very often run on adhocism. The urban local bodies (ULBs) had no constitutional sanction behind them. Moreover, frequent suspension and suppression reduced these grass root level democratic institutions into mere nominal existence. For instance, out of 65 ULBs in Assam in 1996, only 19 had elected bodies and the rest were either administered by a civil servant or by a government nominated body. Such downright marginalization of elected bodies and their replacement by government sponsored authorities had virtually undermined the process of democratic decentralization in the state. The inevitable fall out was a poor rating scored by Assam in the index of decentralization compiled by the Eleventh Finance Commission. Assam scored a poor rating of 1.004 compared to 16.436 of Maharashtra, 14.856 of Uttar Pradesh, 10.267 of Tamil Nadu and 10.067 of West Bengal.

3.6 As of now , there are 87 ULBs in Assam consisting of 29 Municipal Boards (MBs) and 58 Town Committees (TCs). Out of these , 71 ULBs consisting of 28 MBs and 43 TCs are within the General Areas . The remaining 16 (1 MB and 15 TCs) are within the jurisdiction of sixth schedule areas. The ULBs falling under the Sixth Schedule Areas are not governed by the provisions of the Assam Municipal Act, 1956 but are governed by the rules framed by the respective Autonomous District Councils. Hence, 16 ULBs falling within the jurisdiction of Sixth schedule areas are not covered by the recommendations of TASFC .The recommendations of TASFC are confined only to 71 ULBs in the general areas of Assam as per list at Annexure- 5.1.

3.7 Each ULB- both MB and TC - is a body corporate having perpetual succession and common seal. Each MB is comprised of not less than 10 but not more than 30 elected members. Each TC comprise of not less than 4 but not more than 10 elected members. Besides, there is provision to appoint members, without voting right, having special knowledge or experience in municipal administration and local MP/MLA as ex –officio members. There is also provision for reservation of seats for women and SC/ST as stipulated in the Constitution Amendment Act .

3.8 The elected commissioners of each ULB, elect from amongst themselves one Chairman and one Vice-Chairman. There is provision for constitution of committees in each MB / TC to assist the Board in discharging its duties . Besides, there is provision for constitution of Ward Committees in such ULBs where the population within the territorial limit of the ULBs is 3 lakhs and beyond . There is also provision for

appointment of an Executive Officer in each ULB to assist the Board in day to day administration.

- 3.9** Gauhati, the capital of Assam, had been the capital of many ancient kingdoms in the past. It was then better known as Pragjyotispur – the light of the east. It was also known as Panch Tirtha being the converging points of seats of pilgrimages encompassing of Kamakhya, Umananda, Navagraha, Ugratara and Aswaklanta. The city of Guwahati is linked with the north bank of the Brahmaputra by a magnificent bridge named Saraighat bridge. Saraighat is the place where the great general of Assam Lachit Barphukan had repulsed the massive attack of the Mughals.
- 3.10** Guwahati is not only the gateway of north –east but is also the stepping stone to south – East Asia as well. Tourists are attracted here because of its commanding position on the bank of Brahmaputra and its direct linkage with the rest of the country. The places of tourist attraction are Gandhi Mandap, Geeta Mandir, Oil Refinery, Planetarium, Nehru Stadium, State Capital, Tea Auction Center, State Zoo, Museum, Sankardev Kalakshetra, Basistha and Balaji temples, beside the five tirthas mentioned above.

GUWAHATI MUNICIPAL CORPORATION

- 3.11** Guwahati Municipal Corporation (GMC), the premier municipal body in the entire north-east is not governed by the provision of the Assam Municipal Act, 1956 ever since it was transformed into a corporation. GMC was constituted under the Gauhati Municipal Corporation Act, 1971. It started functioning with effect from the 15th February, 1974.
- 3.12** The total area of GMC is 216 sq km. It is bounded by the mighty river Brahmaputra in the north, the seat of pilgrimage

Basistha to the south , Bagharbori and the Cantonment area to the east , and the sprawling Boragaon and Jalukbari areas to the west . The total population covered by GMC is 8,09,895, the male population being 4,40,288 and the female 3,69,607. The gender ratio is 831 females per thousands males. The growth of population in Guwahati has been remarkably rapid. It was merely 8394 in 1891 and rose to 584342 in 1991 and further to 808021 in 2001. The decadal growth rate in 1991-2001 was 38.28 percent.

3.13 As per GMC Act, the total number of wards of GMC shall not exceed 60. One representative is elected directly by the people from each of the 60 wards into which the city has been divided. In case there are no representatives from among the Scheduled Tribes and Schedule Castes, the state government has the power to nominate two members from among these two communities. Besides, there is provision for nominated members appointed by the state government from persons having special knowledge in municipal affairs. Those apart, local MPs/MLAs are ex-officio members. With a view to ensuring smooth conduct of municipal administration, five standing committees can be constituted. The committees are as follows: (i) Finance Committee, (ii) Education and Development Committee, (iii) Public Health and Water Supply Committee, (iv) Taxation, Market and Business Committee and (v) Judicial Committee.

3.14 GMC is headed by a Mayor elected by the Councilors from amongst themselves. Councilors also elect a Deputy Mayor and the members of the standing committees from amongst themselves. The Chairman and the Deputy Chairman of the standing committee are again elected by the members of the respective standing committees. The executive head of GMC is the

Commissioner, a senior civil servant, appointed by the state government.

Source:

- 1. Status Paper on Municipal Governance by Dr. Binayak Choudhury, HUDCO Professor, Assam Administrative Staff College.**
- 2. Materials received from Directorate of Municipal Administration, Assam.**