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Indian Municipalities and Its Functions - A Special Focus on Karnataka State

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ABSTRACT: ***The 1884 Act was further modified in some important aspects by the Act of 1930. It eliminated the provision of nomination of Members to the Council and laid down that every Municipal Councillor should be elected. It however provided the reservation of seats for the Muslims, Indian Christians, Europeans, and Anglo Indians and for Women. It also removed the disqualification of women to contest election. Owing to wars, the elections postponed during the war period, however were held in 1947.***

KEYWORDS: ***Infrastructure Development, Public Health and Welfare, Education and Sports, Registration and Record Keeping, Economic Development, Social Justice, Financial Management, Act of 1865, 1884 Act, Councillors, Royal Commission, District Municipality, 74th Constitutional Amendment, Non agricultural sector, Urban Bodies, every 10,000 population, Town Panchayat, Street lights.***

I. INTRODUCTION

Indian municipalities, or Urban Local Bodies, are categorized into three types based on population: Municipal Corporations (Nagar Nigam) for large cities, Municipal Councils (Nagar Palika) for medium towns, and Nagar Panchayats for smaller towns. These bodies function as institutions of self-government, administering urban areas and providing essential services, with their structure and powers determined by state governments and the 74th Constitutional Amendment Act of 1992. A municipality is usually a single administrative division having corporate status and powers of self-government or jurisdiction as granted by national and regional laws to which it is subordinate. The term municipality may also mean the governing body of a given municipality. A municipality is a general-purpose administrative subdivision, as opposed to a special-purpose district.

The English word is derived from French municipalité, which in turn derives from the Latin municipalis, based on the word for social contract , referring originally to the Latin communities that supplied Rome with troops in exchange for their own incorporation into the Roman state (granting Roman citizenship to the inhabitants) while permitting the communities to retain their own local governments a limited autonomy.

The Re-organisation of the State 1956, the then undivided Karnataka under the administrative control of old Madras Presidency, where in the Municipal Administration made its beginning in 1865 as per Madras Towns Improvement Act. Towns Improvement Act of 1865 With the passing of the Madras Town Improvement Act of 1865, Interalia, the cost of maintaining a local police force for the protection of the residents were to be shared by residents, but was eventually resolved, that the funds compulsorily raised in this manner should be made applicable not only to the expenses of police but also for construction, repair of roads and doing such other works, as may be necessary for the preservation of public health. The five Councilors inhabitants of the town were appointed by the Government for a period of one year subject to reappointment. The Council also comprised of ex-officio members like District Magistrate, Local Magistrate and Range Officer of the Public Works Department. Town Improvement Act of 1871: Under the provisions of Town Improvement Act of 1871, it was mandatory on Municipalities to make suitable arrangements for providing lighting, Water Supply, Medical and Educational facilities, Registration of Births and Deaths, and Vaccination. The term of office of the Councilors was increased from one to three years. The number of Ex–officio members was reduced from three to two, and the Collector of the District was substituted for District Magistrate as President of the Civic Body. Provision was also made for election of councilors and the Vice-President, by the tax payers. The result of 1871 Act, was that it placed the Councilors in a more responsible position and reduced the intervention of the Government. Madras Municipalities Act of 1884 and 1920: In 1882, a Committee was constituted by the Government to reform the Local Self Government Bodies. On the recommendations made by the Committee, the Madras District Municipalities Act of 1884 was passed superseding the Act of 1871, and for the first time introduced the term “Municipality”. Under the provisions of this Act, the Council was increased to 12 members for a term of three years. The Revenue officer incharge of the division of the District in which Municipality was situated, was to be an Ex–officio Councillor. All other Councillors were elected or appointed by the Government.

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The main sources of municipal revenues were, tax on profession, tax on lands and buildings not exceeding 7.5 % of their annual rental value, water tax imposed at the rate of 4 % on annual rental value of a house and lands, tax on vehicles, tolls on vehicles and animals entering the municipal limits and licences for prohibited or dangerous trades. In 1920, based on the recommendations the Royal Commission on Decentralisation, Madras District Municipality Act 1920 was enacted repealing the earlier

Karnataka Municipalities Act 1964: During the decades of post reorganisation of the State,the importance to have a more comprehensive and unified Municipal Act as applicable to the entire state,became necessary. Since the introduction of Karnataka Municipalities Act of 1964, which came into effect from 1st April 1964, the earlier existing Municipal Acts of Madras, Bombay Karnataka, and Hyderabad- Karnataka areas were repealed. Karnataka was the first State in the country to reduce the voting age for adult franchise from 21 to 18 and was made applicable to rural local bodies, Under the Act, Municipalities are entrusted with the task of carrying out various poverty elimination programmes within their jurisdiction. Every Municipal Body is expected to spend 18 % of its annual budget exclusively for ameliorative measures of SC/ ST communities. The important functions entrusted to the civic body include matters relating to sanitation; health, civic amenities like roads, parks, markets, bus stands, and keeping hotels clean, etc. Under the centrally sponsored scheme of Integrated Development of Small and Medium size towns IDSMT launched during the seventh Five Year Plan 1978-83, applicable to towns with less than one lakh population,was mainly meant for the benefit of employment generation due to urban development and aims at providing residential sites and services of roads, water and industrial estates etc.

II. LOCAL BODIES AT URBAN AREA

Accordingly, in 1994, suitable amendments have been incorporated in section 36 of the Karnataka Municipalities Act of 1964, and also to the Karnataka City Municipal Corporation Act of 1976, as a result of this, vast changes have been effected in the functioning of Town/City Municipalities and Municipal Corporations. On the basis of the amended provisions, the Urban Local Bodies in the state are classified as Bigger Urban Bodies, Smaller Urban Bodies and Transition Areas. This classification has been made on the criteria of size and density of the population in the local area; income of the urban body; employment ratio in the non agricultural sector economic conditions and number of tax payers, etc. In accordance with the provisions of section 3 of the (1976) City Corporation Act, a place can be considered as Mega City Corporation if the following conditions are satisfied-the population of the place should exceed three lakhs and density should not be Less than 3000 per Square Km, the income of the local body in the previous census year should not be less than `3 Crores or per capita income of the area should not be less than `200, of these two factors, whichever is highest shall be considered, the employment potentiality in the non–farming sector should be more than 50 percent. Taking into consideration the above factors and in consultation with the authority concerned, the Governor shall declare such a mega city and it shall be designated as Mahanagara Palike or City Municipal Corporation. Similarly, a smaller place will be classified as City/ Town Municipality wherein the minimum and maximum population shall be 20,000 and 3 lakhs respectively, with the density of population not less than 1,500 per sq.km, and total income in the year of previous census shall not be less than `9 lakhs or percapita income should not be less than `45 whichever is more, and employment opportunities in the non agricultural sector shall not be less than 50 percent of the population. If the population exceeds 50,000 such a place is called City Municipality or if it is less than that,it is called Town Municipality. Karnataka Municipal Act of 1964, Section 349, mentions that a place can be classified as transition area where the population is more than 10,000 and less than 20,000, with a density of the population being more than 400 per sqk.m., with job opportunities being more than 50 percent in the non-agricultural sector, such places can be declared as Town Panchayats. In the case of Taluk Centres, with a population of less than 10,000, such a place can be declared as Town Panchayat. Town Municipality Elections: In accordance with the provisions of section 243 of the Constitution of India, it is the responsibility of the State Election Commission to arrange for the smooth conduct of elections to Municipal Bodies. State Election Commission prepares the eligible voters list and arranges for the conduction of smooth, free and fair elections to urban bodies, before the expiry of the existing term of office of five years, which commences from the appointed date of the first meeting of the newly elected bodies. Reservation of Seats: Provision has been made in the subsidiary rules of Municipal Administration for reservation of seats for Scheduled Castes, Scheduled Tribes and Women and such reservation shall be applicable to different municipal wards by rotation. The Municipal President and Vice President shall be elected from among the elected Councillors. There is reservation for posts of Presidents and Vice Presidents. Municipal functions or Duties: The functional aspects of the Local Bodies are broadly classified into two groups.

1) Formation of residential extensions, maintenance of public parks, schools, libraries and hospitals etc.and any other suitable works or services under the discretions of the Council. Resources: According to the Municipal Act, Section 94, Municipalities Capital Funds are consolidated as follows

2) Maintenance of roads and street lights, sanitation, water supply, registration of births and deaths, control of epidemics, construction of buildings and regularisation.
3) Tax on vehicles other than motor vehicles,
4) Tax on buildings and vacant lands,
5) Street lights,
6) Tax on water supply,
7) Tax on advertisement and
8) Additional Tax on registration and transfer of properties.

III. URBAN LOCAL BODIES AND FINANCIAL RESOURCES

Function of Urban Local Bodies It is a common practice to divide the organisation of a corporation or a municipality into two parts: a, the deliberative, and b, the executive part. The corporation, council or municipal board or council consisting of the elected representatives of the people constitutes the deliberative part. It acts like a legislature. It discusses and debates on general municipal policies and performance, passes the budget of the urban local body, frames broad policies relating to taxation, raising of resources, pricing of services and other aspects of municipal administration. It keeps an eye on municipal administration and holds the executive accountable for what is done or not done. For instance, if water supply is not being properly managed, or there is an outbreak of epidemic, the deliberative wing criticises the role of the administration and suggests measures for improvement. The executive part of municipal administration is looked after by the municipal officers and other permanent employees.

Municipal corporations and municipalities own revenue sources are income from taxes, fees and fines, and earning from municipal enterprises like land, tanks, markets, shops, etc. Besides these bodies receive grants from the State. Property tax on land and buildings is the most important source of income of most urban local bodies. Other taxes levied by them are advertisement tax, professional tax etc. Now, the trend is toward abolishing this tax as it obstructs the free flow of traffic on highways. They also charge fines for breach of municipal rules and regulations. From municipal shops and markets and rest houses, municipalities often earn considerable sum of revenue. It is a general practice for States to give grants to their municipal bodies to improve their revenue position. State grants-in-aid may be on ad hoc basis; or, it can be on the basis of certain principles like size of population, slums concentration, location of town, etc. Some of the taxes and rates collected by urban bodies are Property Tax; Water tax for water supplied Seweraging Tax, Fire Tax; Taxes on animals and vehicles; Theatre Tax; Duty on transfer of Property; Octroi Duty on certain items brought into the city; Education Cess Tax and Professional Tax. Some other sources of income are fines and fees such as Fees on Tehbazari on takhats and chabutras licence fees on cycle rickshaw, bicycles etc. rent from municipal shops and fines imposed for violation of municipal by law

In the corporations, the Municipal Commissioner is the executive head, and all otherdepartmental officers like engineers, finance officers, health officers etc. function under Structure of Government his/her control and supervision. In a large corporation such as Delhi or Mumbai Municipal Corporation the Commissioner is usually a senior IAS officer. In the municipalities, the executive officer holds a similar position and looks after the overall administration of a municipality. Municipal functions are generally classified into obligatory and discretionary types. The obligatory functions are those that the municipal body must perform. In this category fall such functions as water supply; construction and maintenance of roads, streets, bridges, subways and other public works, street lighting; drainage and sewerage; garbage collection and disposal; prevention and control of epidemics. Some other obligatory functions are public vaccination and inoculation; maintenance of hospitals and dispensaries including maternity and child welfare centres; checking food adulteration; removal of slums; supply of electricity; maintenance of cremation and burial grounds; and town planning. In some States some of these functions may be taken over by State Government. The discretionary functions are those that a municipal body may take up if funds permit. These are given less priority. Some of the discretionary functions are construction and maintenance of rescue homes and orphanages, housing for low income groups, organising public receptions, provision of treatment facilities, etc. Municipal Corporations take up more functions than municipalities. There are corporations like Delhi, Mumbai, Vadodara, Pune, Ahmedabad which are known for their various city development activities in such areas as public transport, public parks and open spaces including municipal zoo, and even milk and electricity supply. In 1687, the first municipal corporation in India was set up at Madras during the British rule period. The Chennai Municipal Corporation (officially the Corporation of Chennai), formerly known as the Corporation of Madras, is the civic body that governs the city of Chennai (formerly Madras), India.Accordingly, at present there are 10 City Corporations, 59 City Municipal Councils, 116 Town Municipal Councils and 97 Town / Pattana Panchayats in Karnataka.

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1) City Municipal Councils: These councils govern urban areas with populations ranging from 25,000 to 1 million.
2) City Corporations:These are the largest urban local bodies, typically found in major cities with populations exceeding one million.
   Examples include Arasikere, Bagalkote, Basavakalyan, Bhadravathi, and Bidar.
   Examples include Ballari, Belagavi, Davangere, Hubli-Dharwad, Kalaburagi, and Mangaluru.
3) Town/Pattana Panchayats:These are the smallest urban local bodies, typically governing smaller towns and villages with municipal functions
4) Town Municipal Councils: These are smaller urban local bodies that administer towns and larger villages. Examples include Chitradurga, Gadag-Betigeri, Gauribidanur, and Gokak.
5) Government Municipal Bodies of Karnataka:

Alanda Municipality, Afzalpur Town Municipal Council, Annigeri Town Municipal Council, Arasekere Municipality, Bagalkot Municipality, Bangarpet Town Municipal Council, Bantwal Town Municipal Council, Basavakalyana Municipality, BasavanaBagewadi Town Municipal Council, Bhadravathi Municipality, Bellary Metropolitan Policy, Bijapur City Municipal Council, Bilagi Town Panchayat, Bruhat Bengaluru MahanagaraPalike, Bengaluru Bylangola Municipality, Challakere City Municipal Council, Chamarajanagara Municipality, Chikkanayakanahalli Municipality, Chikkaballapur Municipality, Chintamani City Municipal Council, Chittaguppa Town Municipal Council, Chittapura Town Municipal Council, Dandeli Municipality, Davanagere Metropolitan Policy, Devadurga Municipality, Doddaballapur City Municipal Council, Gadag-Betagiri Municipality, Gajendragada Municipality, Gangawati Municipality, Gowribidanur Town Municipal Council, Gulbarga City Corporation, Karnataka Guledagudda Town Municipal Council, Hanagal Town Municipal Council, Harihara Municipality, Hiriyur Municipality, Jamkhandi City Municipal Council, Jog-Kargal Town Panchayat, KR Nagar Municipality, Khanapur Town Panchayat, Kanakapura Municipality, Hospet Municipality, Hubli-Dharwad Municipal Policy, Humnabad Town Municipal Council, HunsurCIty Municipal Council, Ilakkal Municipality, Kolar Municipality, Kollegal City Municipal Council, Koppal Municipality, Kottur Town Panchayat, Krishnarajapet Municipality, Lakshmishwara Municipality, Maddur Town Municipal Council, Madikeri Municipality, Malavalli Town Municipal Council,Malur Town Municipal Council, Mandya Municipality, Marine Municipality, Moodaboodam Municipality, Molakalmuru Town Panchayat, Mulbagal City Municipal Council, Municipality of Anekal, KarnatakaMunicipality of Athani, Municipality of Badami, Municipality of Baghepalli, KarnatakaMunicipality of Bannur, Municipality of Beirut, Municipality of Channarayapatnam, Municipality of Chikkodi, Municipality of Gundlupete, Municipality of Holenarsipura, Municipality of Indy, Municipality of Karawara, Municipality of Karkala, KarnatakaMunicipality of Kumata, Municipality of Kunigal, Municipality of Madhugiri, Municipality of Magadi, Municipality of Moodalagi, Municipality of Mahalingapura, Municipality of Rona, Municipality of Savannahur, Municipality of Shikaripur, KMunicipality of Srirangapatna, Municipality of Talikote, Municipality of Tarikere, Municipality of Teradala, Mysuru City Corporation, Karnataka Nanjangud Municipality, Naregalla Town Panchayat, Nawalgunda Municipality, Ramanagar Municipality, Ranebennur Municipality, Robertsonpet City Municipal Council, Sakaleshpura Town Municipal Council, Sandoor Town Municipal Council, Nippani City Municipal Council, Nelamangala Town Municipal Council, Pavagada Town Municipal Council, Puttur City Municipal Council, Rabakavi - Banahatti Municipality, Shira Municipality, Shiralakoppa Town Panchayat, Sindhanur City Municipal Council, Srinivasapura Town Municipal Council, Tiptur City Municipal Council, Savadatti Municipality, Sankeshwara Town Municipal Council, Shahabad City Municipal Council, Shigamawa Municipality, Shimoga City Municipal Council, Karnataka UdupiMunicipality, Ullal City Municipal Council, Vijayapura Town Municipal Council, Wadi Municipality, Yadagiri Municipality.

6) Municipalities and Functions:

Municipalities include providing essential services like water supply, sanitation, and waste management, as well as managing infrastructure like roads and public transportation. Municipalities play a vital role in local governance, focusing on the well-being and development of urban areas through various functions. They also play a crucial role in urban planning, public health, and social development, ensuring a better quality of life for residents.

- Development of Community: Municipalities work towards the overall development of the community, including social and cultural upliftment.
- Social Welfare: They provide services like public health, education, and recreational facilities, contributing to the social well-being of the community.
- Public Safety: Municipalities often provide fire services, police protection, and emergency services, ensuring the safety and security of residents.

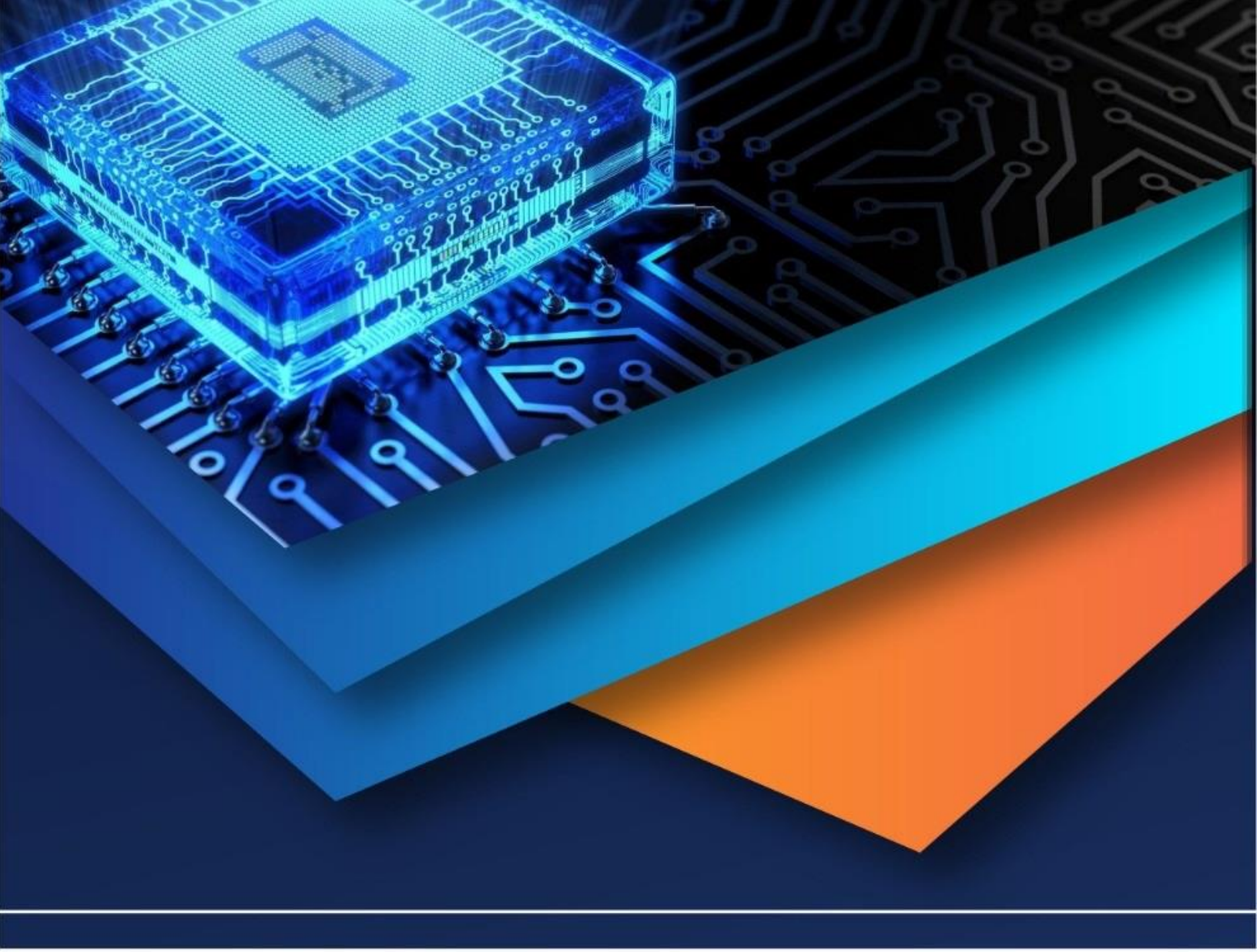
- Public Health and Sanitation: They ensure proper sanitation, waste management, and public health services, contributing to a healthy environment.
- Urban Planning: Municipalities are responsible for planning the development of their areas, including land use, housing, and infrastructure.
- Economic Development: They play a role in promoting local economic development through planning and regulations.
- Infrastructure Management: Municipalities maintain and develop essential infrastructure such as roads, public transportation, and water supply systems.
- Regulation: They regulate various aspects of urban life, including building approvals, trade licensing, and street vending.
- Tax Collection: Municipalities collect local taxes to fund their activities and manage the municipal budget.
- Environment Management:They play a role in maintaining the environment, including waste management and promoting green spaces.
- Local Projects: Municipalities have the power to initiate and implement local projects for the welfare of society. In essence, municipalities are the cornerstone of urban governance, working to ensure the efficient functioning of cities and towns and the well-being of their residents. They are responsible for a wide range of services and activities that directly impact the daily lives of people living in urban areas.
- Muncipalities functions 1993 act's: The 74th Constitutional Amendment Act of 1992, which came into effect on June 1, 1993, significantly expanded the functions of municipalities in India. It aimed to empower these urban local bodies by providing a framework for their self-governance and enhancing their role in urban planning and development.
- Functions of Municipalities 1993 Act:
- Education and Sports: They establish and manage primary and secondary schools and promote sports and other recreational activities.
- Infrastructure Development: They manage and provide essential services like water supply, sanitation, solid waste management, and maintain public amenities like roads, community centers, and street lighting.
- Public Health and Welfare: Municipalities are tasked with maintaining hospitals, ensuring safe drinking water and food quality, and promoting public health initiatives.
- Urban Planning and Development: Municipalities are now responsible for town planning, economic development, and social justice planning within their respective areas.
- Registration and Record Keeping: Municipalities are responsible for maintaining records of births and deaths within their jurisdiction.
- Social Justice: They are also responsible for ensuring social justice within their communities.
- Economic Development: They play a crucial role in preparing and implementing plans for the economic development of their areas.
- Financial Management: The state legislature empowers municipalities to levy taxes, receive funds, and manage their finances, including audits.
- Constitutional Framework:The 74th Amendment added Part IXA to the Constitution, specifically dealing with municipalities.

The Act also introduced provisions for reservation of seats for Scheduled Castes, Scheduled Tribes, and women in municipalities. It authorized State Legislatures to devolve powers and responsibilities to municipalities to enable them to function as effective self-governing institutions. In essence, the 74th Amendment transformed municipalities from mere administrative bodies to institutions of self-governance, empowering them to play a more comprehensive role in urban development and the welfare of their citizens.
Karnataka's budget outlay crossed ₹4 lakh crore for the first time this year. Here are the main takeaways. Karnataka Chief Minister presented the State budget for 2025-26 in the legislature outlining how his government plans to spend around ₹4.09 lakh crore in the coming year.

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