

## INSTITUTIONAL STRUCTURE OF MUNICIPAL BODIES IN HARYANA : A STUDY

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### ABSTRACT

Local Government has been a part of the system of government in every country. The nature of local government depends upon the political philosophy of the country. In an Institution, organisation is the structuring of individuals and functions into productive relationships. Thus, organisation is an essential feature of work among persons and groups when many people get together to achieve some objectives. An analysis to the existing municipal urban government reveals that municipal governments in India had not been able to perform their expected role. They had failed to function as democratic institutions at the grass roots level and provide minimum basic amenities and services to the urban people.

Municipal government is deeply rooted in Indian history. The excavations in Mohenjodaro and Harappa of Indian Valleys Civilization (3000 BC) speak volumes of the organised urban life in ancient times. It reveals that they were amongst some of the oldest planned cities of the world.

Municipal Corporation's Council served as a legislature of the Corporation. Mayor served as a constitutional head of the Corporation. The most important statutory function of the Mayor was to preside over the meeting of the Council of the Municipal Corporation and guide its deliberations. He had been empowered to have access to all records. Mayor as a civic chief represented the city on ceremonial occasions. He was the ex-officio member of all the standing committee of the Corporation. In some Corporations, he was also given some financial powers.

Municipal Commissioner was the head of the executive wing. He was appointed by the State government (in case of Delhi by the Govt. of India) for a period of three years. However, Municipal Acts of Delhi, MP, Calcutta and Patna gave him a term of 5 years.

The various Municipal Acts envisaged not only a complete dichotomy between the legislature and executive functions but also made executive very strong. The Municipal Commissioner was more powerful and was quite independent of elected body of the Corporation. Though Municipal Commissioner was to be removed by the Council but such a resolution of removal was not mandatory at all in majority of Corporations. Government had discretion to give effect to such resolution. Thus the relations between the Municipal Commissioner and Mayor appeared to be complex. Although the Mayor was a layman but he was considered to be a shrewd judge of human nature, experienced politician and an expert in human relations but on the other side, Municipal Commissioner, being a senior IAS, possessed professional expertise and wide administrative experiences.

## MUNICIPAL ADMINISTRATION IN HARYANA

At the government level, the Municipal Administration is headed by a Minister incharge of Local Self Government who is assisted by a senior level IAS officer. At the departmental level, it is also headed by a senior IAS officer as a Director. Down below at the district level, the Deputy Commissioner assisted by a Local Fund Assistant, oversees the functioning of Municipal Administration. At the Municipality level, the administration is headed by President of the Municipality assisted by an Executive Officer of a Municipal Council and by a Secretary in case of a Municipal Committee.

Under the Haryana Municipal Act, 1994 a large number of powers are vested in the State government. For example, the authority for very constitution of Committee, deciding its jurisdiction, nomination of councillors, removal of President/Members, constitution of Municipal Services etc. vest in the State Government. The Directorate of Local Bodies started functioning effectively only in the year, 1982. The Director who is a senior IAS officer is assisted in his work by two Deputy Directors, a Fire Officer, an Accounts Officer and staff consisting of about 128 class II, III and IV officials Section 38 of the Haryana Municipal Act, 1994, empowers the State Government to constitute municipal services including those of Executive Officers, Municipal Engineers, Health Officers, and Secretaries at State level and one or more other municipal services at the district level, in connection with the affairs of the municipalities, recruitment to which may be made by either the State Government or the Director Local Bodies or the Deputy Commissioner as provided in the rules.

**Key Words :** Municipal , Commissioner , HIPA, Commissioner, Directorate, Personnel, Act, Bodies, E-Governance, Information technology, Operational, ICT, Innovations, Transformation, Initiatives, Reducing, Transaction, Electronic-commerce, HARIS, Software EWA, Ideological, Orientation, Citizen Centric.

## Introduction

It is beyond doubt that the organisation is essential for efficient and smooth working of any institution. In Municipal Government in India there are three types of municipal bodies namely, Municipal Corporations, Municipal Councils and Municipal Committees. Before focussing on the existing pattern of Institutional structure of Municipalities in Haryana, it would be in the fitness of things to have a view on the historical perspective of the institutions of Municipal Government in India in general and in Haryana in particular.

The Historical perspective of the Municipal Government in India has been divided into two parts namely (a) Pre-Independence, (b) Post Independence, in chronological order.  
Pre-Independence Period:

The evolution of Municipal government in India as traced from the pre-historic times to the present day constitutes though a chequered but a fascinating history. Municipal government is deeply rooted in Indian history. The excavations in Mohenjodaro and Harappa of Indian Valleys Civilization (3000 BC) speak volumes of the organised urban life in ancient times. It reveals that they were amongst some of the oldest planned cities of the world.

The innovations of new technologies in 21<sup>st</sup> century have enhanced the speed of transformation marvelously. Among these technologies, the Information Technology emerges as a powerful tool for delivery of services in the public sector, private sector, education, training and numerous fields of the transport, communication, trade, banking, education and governance. But its effects in the field of governance for improving transparency, efficiency and effectiveness has been ushering a new era. So, it becomes pertinent to understand the meaning and definition of IT.

P.K. Mehrotra defines, "E-governance is the name given to the information technology driven public and development administration system which essentially means delivery of government services and information to the people using electronic means. An analyses of above definitions reveal the E-Governance is a process requiring provision of hardware, networking, software and re-engineering of the procedures for better delivery of services. It is the application of Information Technology to the processes of government functioning in order to bring about Simple, Moral, Accountable, Responsive and Transparent (SMART) governance.

Local self-government institutions had undergone a great change under the British Rule in India. A municipal corporation was set up in 1687 in Madras. It was modeled after similar institutions then in vogue in Britain and clothed with the authority to levy specified taxes. The organisation structure of Municipal Corporation consisted of a Mayor, aldermen, and burgess who were empowered to levy taxes for constructing a guild-hall, a jail and building for a school.

In 1882, Lord Ripon's Resolution stressed that the local bodies be given an autonomous status. Due to Lord Ripon's keen interest several acts were passed during 1883-84. These acts greatly altered the constitution; powers and functions of municipal bodies.

#### INSTITUTION OF MUNICIPAL GOVERNMENT : AN OVERVIEW OF POST- INDEPENDENCE ERA:

After 1947, a new chapter was opened in the growth of municipal government. The new Indian constitution provided that local government was to be a state subject and as such was to be managed by the state government.

Post independence era has witnessed the following types of urban local bodies in India:

(a) Municipal Corporation, Municipal Committee, Notified Areas Committee, Town Areas Committee, Cantonment Board.

Before studying the patterns of Municipal Government after 74th Amendment of Indian Constitution, it will be appropriate to have an idea of organisational pattern of municipal institutions in India. For this purpose, organisational patterns of Municipal Corporation, Municipal Committee, Notified Areas Committee, Town Area Committee and Cantonment Board have been discussed.

#### MUNICIPAL CORPORATION:

Municipal Corporation has been defined by a number of scholars. According to W.B. Munro, "A Municipal Corporation is a subordinate political body established by authority of law, its existence evidenced by a special character, with a corporate name, with defined limits and population and with delegated powers of local government."

Table - 01  
Size of Municipality in Relation to Population

Population	Number of Councillors
20000-50000	15-25
50000-100000	25-35
100000-500000	35-45

The Committee had further recommended that a city with a population of more than five lakhs should be converted into a Corporation. In any organisation, there are two types of authority. One which makes plan and second which implements or executes the plan. So organisation of Municipal Committee before 74th Constitutional Amendment, were divided into two wings - (i) Deliberative wing and Executive Wing.

## **MUNICIPAL GOVERNMENTS BEFORE THE CONSTITUTION (74<sup>th</sup> Amendment) ACT 1992: A CRITICAL EVALUATION:**

An analysis to the existing municipal urban government reveals that municipal governments in India had not been able to perform their expected role. They had failed to function as democratic institutions at the grass roots level and provide minimum basic amenities and services to the urban people. Their dismal failure is attributed to their outdated structure and outmoded administrative organisation, mounting pressure on their slender resources in the wake of industrialisation and massive urbanisation, diminishing of their powers and erosion of their functions by the creation of multiple specific purpose agencies, excessive state control as manifested especially in the spate of their supersessions, indefinite delay in the holding of elections resulting in the denial of fundamental right of the electorate to elect their local representatives to manage their affairs, apathy of citizens, absence of sound and inspiring leadership, inadequate qualified personnel and above all undue and frequent interference by the politicians.

### **RESERVATION OF SEATS:**

The Constitutions (74th Amendment) Act, 1992 makes the following provisions with regard to the reservation of seats:

1. Seats shall be reserved for the Scheduled Castes and Scheduled Tribes in every municipality. Seats so reserved may be allotted by rotation to different constituencies in a municipality.
2. Not less than one-third of the total number of seats reserved for the scheduled castes or scheduled tribes shall be reserved for women belonging to the Scheduled Castes or Scheduled Tribes as the case may be.
3. Not less than one-third of the total number of seats to be filled by direct election in every Municipality shall be reserved for women, and such seats may be allotted by rotation to different constituencies in a municipality.
4. The office of Chairpersons in the municipalities shall be reserved for the scheduled castes, the scheduled tribes and women in such manner as the legislature of a state may, by law, provide.
5. The legislature of a state may make provision for reservation of seats in the municipalities in favour of backward class of citizens.

### **DURATION OF MUNICIPALITIES:**

According to the Act, every municipality shall continue for five years from the date appointed for its first meeting and no longer. A municipality may be dissolved earlier than its normal duration under any law for the time being in force.

### **CONSTITUTION OF A MUNICIPALITY:**

According to the Constitution (74th Amendment) Act, 1992, an election to constitute a municipality shall be completed:

- (a) before the expiry of its duration of five years,
- (b) before the expiration of a period of six months from the date of its dissolution. But if the legislature of the State passes a resolution to the effect that due to drought, flood, earthquake, or any other natural calamity or emergency, the election cannot be held before the expiration of a period of six months from the date of its dissolution, the said election shall be completed within a period of one year from the date of dissolution of the municipality.

### **SUSPENSION OR DISSOLUTION OF A MUNICIPALITY:**

The Act empowers the legislature of a State to make provisions, by law, with respect to the

suspension or dissolution of a municipality. However, before a municipality is suspended or dissolved, it shall be given a reasonable opportunity of being heard by such authority as is constituted by such law.

#### **STATE ELECTION COMMISSION:**

Under the provisions of Seventy-Third-Fourth Constitutional Amendments, each state is required to constitute a State Election Commission for conducting free and fair polls to the panchayats and municipalities to be constituted under the new systems as provided for in the Constitution by the aforesaid amendments. The Commission shall be headed by a State Election Commissioner, to be appointed by the state government. The Governor of the State will determine the rules of office of the State Election Commissioner. The State Election Commissioner shall not be removable from office except in a manner similar to and on grounds similar to those on which a judge of High Court can be removed from his office.

#### **CONSTITUTION OF THE FINANCE COMMISSION:**

The Act has provided for the appointment of Finance Commission to review the financial position of the Municipalities. The Commission shall be appointed by the Governor of a State as soon as may be within one year from the commencement of the Constitution (Seventy-Fourth Amendment) Act, 1992, and thereafter at the expiration of every fifth year. The legislature of the State is empowered to provide for the composition of the Commission and the qualifications which shall be requisite for appointment as members thereof. The manner of the selection of the members of the Commission will also be determined by a law of the state legislature. The Commission shall determine its procedure and shall have such powers in the performance of their functions such as the legislature of the State may, by law, confer on it.

#### **Functions of the Finance Commission:**

The basic function of the Finance Commission is to review the financial position of the municipalities. The Commission is required to make recommendations to the Governor as to the principles, which should govern:

- (i) the distribution between the state and the municipalities of the net proceeds of the taxes, duties, tolls and fees leviable by the state and which may be divided between them;
- (ii) the determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by the municipalities;
- (iii) the grants-in-aid to the municipalities from the Consolidated Fund of the State.

The Commission is also required to make recommendations to the Governor as to:

- a) the measures needed to improve the financial position of the municipalities;
- b) the extent to which the Consolidated Fund of the State needs to be augmented by the assistance from the Government of India to supplement the resources of the municipalities;
- c) any other matter referred to the Finance Commission by the Governor in the interest of sound finances of the municipalities.

The Governor of the State is required to cause every recommendation made by the Commission to be laid before the legislature of the state. The recommendations of the Commission must be accompanied by an explanatory memorandum as to the action taken thereon by the govt.

#### **COMMITTEE FOR DISTRICT PLANNING:**

The Act has laid down that in every State a District Planning Committee at the district level shall be constituted according to the provisions of the law of the state. The legislature of a state may, by law,

make provision with respect to:

- (a) the composition of the District Planning Committees;
- (b) the manner in which the seats in such committees shall be filled. However, it is essential that not less than 4/5 of the total number of members of such committee shall be elected by the elected members of the Panchayats and the municipalities in the district from amongst themselves. These elected members will be in proportion to the ratio between the population of the population of the rural areas and of the urban areas in the district;
- (c) the functions relating to district planning which may be assigned to such committees;
- (d) the manner in which the chairpersons of such committees shall be chosen.

#### Functions of the Committee for District Planning:

The main function of the Committee for District Planning is to consolidate the plans prepared by the panchayats and the municipalities in the district and to prepare a draft development plan for the district as a whole. Every District Planning Committee shall in preparing the draft development plan, have regard to:

- (i) the matters of common interest between the panchayats and the municipalities. Such matters may include spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation;
- (ii) the extent and type of available resources whether financial or otherwise.

The chairperson of every District Planning Committee is required to forward the development plan, as recommended by such Committee, to the govt. of the State.

#### SCENARIO OF MUNICIPAL LOCAL BODIES IN HARYANA:

The State of Haryana came into existence on November 1, 1966. Prior to that, it was part of the state of Punjab. As such, the development of Municipal Institutions in Haryana is a part of the evolution of Municipal Government in the Punjab as a whole. However, it may be noted that a part of the present State of Haryana had been annexed by the East India Company as early as in 1803. On November 1, 1966, the State of Punjab was bifurcated into two states of Haryana and Punjab. Even after the bifurcation, the government of Haryana did not enact a new municipal law and municipal local bodies in the state continued to be governed by the Punjab Municipal Act of 1911.

The State is divided into four divisions for administration purposes- Ambala division, Rohtak Division, Gurgaon Division and Hisar Division. There are 22 districts, 50 sub divisions, 93 tehsils and 140 blocks. Haryana has a total of 81 cities and town and 6759 villages. In all four divisions of Haryana, Municipal Corporation are established.

There are 11 Municipal corporations in Haryana -

1. Ambala Municipal Corporation, Hisar Municipal Corporation, Gurgaon Municipal Corporation, Karnal Municipal Corporation, Faridabad Municipal Corporation, Panchkula Municipal Corporation, Yamuna Nagar Municipal Corporation, Rohtak Municipal Corporation, Panipat Municipal Corporation and Municipal Corporation Jakhhal Mandi

#### Total Municipal corporations in Haryana (11)

Rank	City	Districts	Population
1	Faridabad	Faridabad	1,054,981
2	Gurgaon	Gurugram	1,514,085
3	Ambala	Ambala	554,990
4	Panchkula	Panchkula	558,890

5	Yamunanagar	Yamunanagar	532,000
6	Rohtak	Rohtak	373,133
7	Hisar	Hisar	301,249
8	Panipat	Panipat	294,150
9	Karnal	Karnal	310,989
10	Sonepat	Sonepat	596,974
11	Jakhal Mandi	Fatehabad	25,325
Sources: Directorate of Local Bodies, Haryana, 2016-17			

The State government in Haryana has constituted municipal services both at state and district level. It determines the strength and their cadres and also the strength and categories of personnel required by each municipal body. During the study, an attempt has been made to examine the recruitment policy and procedure of municipal services in Haryana. The study reveals that there are three methods of recruitment of State level and district level services. Under first method, direct recruitment is made for some services whereas there are some services for which indirect recruitment is made only by promotion on seniority-cum-merit basis. On the other hand in some services fifty per cent is direct recruitment and fifty per cent by promotion. There is also provision for filling the post by deputation. The study further reveals that majority of the sampled officials were found dissatisfied with the existing policy and procedure of recruitment in the municipal bodies in Haryana.

Under Municipal Staff Services Rules, provision has been made of the transfer of the employees to any place in the State or to another municipal body of the same class. In this context, majority of sampled officials were found dissatisfied with the existing transfer policy. Whereas, those who were found satisfied openly admitted that they have well oiled links with the political personalities and get them selves transferred to a place of their liking in the State.

In municipal bodies in Haryana, there are provisions for promotion for some categories of post both State level and district level services. For promotion, seniority is determined separately for every category by the length of their continuous services, whereas in the case of members appointed by direct recruitment, their seniority is determined by the Haryana Public Service Commission or Haryana Subordinate Services Selection Board and other authority as the case may be. Under the present study attempt was made to analyses the perception of the officials about the promotion opportunities available to them. It is clear from the perception of the majority of officials that the promotion opportunities are not adequate.

Training plays an important role in enhancing the personnel capability and capacity. Therefore, training programmes are designed for imparting training to the municipal personnel. In Haryana, it is disheartening to know that no training institute is available for municipal personnel except the HIPA. In HIPA only limited number of training courses have been organised for municipal personnel over the years and those too only for the top level officials. The sampled official under the present study, openly reacted in terms of dissatisfaction about the existing training programmes.

Salary and fringe benefits play an important role in enhancing the economic status of the personnel in every organisation. But in Municipal bodies in Haryana majority of the sampled personnel were dissatisfied with the existing pattern of salary and fringe benefits - these dissatisfied officials further revealed that for months they have to wait for the salary, specially after the abolition of octroi in Haryana. Thus financial position of municipal bodies has cast a shadow on the regularities on the salary payment by the municipal bodies in Haryana. The study further highlighted that the existing disciplinary action procedure has not entirely been to the satisfaction of the officials. Study confirms that majority of the sampled officials were not satisfied with the existing pattern of disciplinary action procedure due to constant political interference and favouritism prevailing in the municipal bodies in Haryana.

In addition to the above, lack of effective system of rewards, excessive work load, inadequate staff,

lack of opportunities for improving knowledge and skill, lack of delegation of powers to officials as well as lack of people's co-operation to the officials, have further demotivated the officials and resulted into inefficiency of the municipal bodies in Haryana.

The study reveals that no steps were taken to make municipal local bodies self reliant and useful organs of local government. Haryana Municipal Act, 1973 also.

Now there are 82 municipalities in Haryana which have been categorized in the following table:

**Table - 02**  
**Types of Municipalities in Haryana**

Sl.	Type	Number	Act governing their constitution
1.	Municipal Committees	52	Haryana Municipal (Amendment) Act, 1994
2.	Municipal Councils	18	- do -
3.	Municipal Corporation	11	Haryana Municipal Corporation Act, 1994.

Source: Report of State Election Commission, Haryana, 2016-17.

As revealed under the above table, Haryana government has set up Municipal Corporation 11, Municipal Councils 18 and 52 Municipal Committees.

#### **Administrative Structure Of Municipal Corporation:**

Municipal Corporation is the top most of municipal local institutions. A Municipal Corporation is set up under special statute which is passed by the State legislature. The Haryana Municipal Corporation Act (1994) is an Act to provide for the establishment of Municipal Corporation in Haryana for certain municipal area in the State.

The Haryana Municipal Corporation Ordinance was promulgated on 30.5.1994. The State council of Ministers approved the Ordinance in its meeting held on 19.5.1994. The Faridabad Municipal Corporation was established/constituted on 31.5.1994. After promulgation of the ordinance, it was noticed that 22 villages which were part of the Faridabad complex administration could not be included in the first schedule of the Ordinance. Accordingly, amended Ordinance was promulgated on 11.8.1994. There is provision under Section 3(2) of the Municipal Corporation Act 1994 that the State government can declare the municipality as Corporation by notification of the area with population exceeding 5 lakhs. It may be mentioned here that the wardbandi is required to be done under section 6 of the Haryana Municipal Corporation Ordinance, 1994 and the Haryana Municipal Corporation delimitation of ward Rules, 1994. As provided in the Ordinance and the Constitution of India, the basis for the fixation of seats is the population as ascertained at the last preceding population census.

The population of the Faridabad Corporation area according to last population Census (1991) was 6,25,085 (which has since increased to 21.93 lacs as per Census 2001). The number of Wards in Faridabad is 25 out of which three are rural wards to give representation to the villages falling in the Corporation area. In 1994, population of Faridabad Corporation area was 8.31 lakhs and all the eligible voters who had attained the age of 18 years and above, had cast their vote in the corporation election held on 29.11.94. It may be pointed out that these elections were the first after a period 22 years since the inception of the Corporation.

#### **Composition of Faridabad Municipal Corporation:**

Municipal Corporation like any other Corporation in the country is a corporate body having perpetual succession and a common seal with powers, subject to the provision of Municipal Corporation Act, 1994. All the seats in 25 Wards of the Corporation are filled by persons chosen by direct election from the territorial constituencies in the municipal area. The Faridabad Municipal Corporation has a council

which is the legislature of the Corporation. Its members are called councillors. The council elects its Chairman and two Vice-Chairmen who are popularly known as Mayor, Sr. Deputy Mayor and Deputy Mayor. The Council passes the laws and budget and exercise control over the functions of the Corporation. The following are the provisions about the reservation of seats in Municipal Corporation:

- (i) Out of total seats 1/3rd seats are reserved for women. Such seats may be allotted by rotation to different wards.
- (ii) Seats are reserved for SCs' & STs' in proportion of their population. Seats so reserved may be allotted by rotation to different wards.
- (iii) No less than 1/3rd of the total number of seats reserved for SCs or STs are reserved for women belonging to SCs and STs as the case may be.

In addition to the elected members, the government may nominate the following categories of persons as members of the Municipal Corporation:

- a) Three persons having special knowledge or experience in municipal administration;
- b) Members of the House of the People and the members of the State Legislative Assembly representing constituencies which compose wholly or partly the municipal area;
- c) Members of the Council of states registered as electors within the municipal areas.

It may be pointed here that the persons mentioned above do not enjoy the right to vote in the meetings of the Corporation. The term of the Corporation is 5 years from the date of its first meeting.

#### **Qualifications of Members of Municipal Corporation:**

A person shall not be qualified to be chosen as a member unless - (a) he has attained 21 years of age, (ii) His name is registered as an elector in electoral roll of a ward in the municipal area.

A person may be disqualified for being chosen as, and for being a member of the Corporation - (a) if he is so disqualified by or under any law for the time being in force for the purpose of election to the legislature of the State, (b) if he is of unsound mind and stands so declared by a competent court and any corrupt practice under section 22 of Haryana Municipal Corporation Act, 1994, (c) any offence punishable under 171 (E & F) of IPC, 1860 or any offence punishable under Section 30 or clause (a) of sub-section (2) of Section 31 of the Haryana Municipal Corporation Act, 1994, (d) he has been sentenced or convicted by a criminal court to imprisonment for an offence involving moral turpitude and he holds any office of profit under the Corporation.

#### **Mayor & Deputy Mayor:**

Mayor is the Chairman of the Corporation. He calls and presides over the meeting of the Council. He fixes the time for discussing the various issues. He is the custodian of the dignity of the House. He can adjourn the meetings of the House in case of disorder. The Mayor is known as "First Citizen" of the city. He receives the distinguished foreign guests who visit the city.

The Council of Municipal Corporation has elected a Mayor and a senior Deputy Mayor and a Deputy Mayor from amongst the members of the Council for a term of five years. The office of the Mayor is filled up from amongst the members belonging to general category, SCs and women by rotation.

The Mayor has access to the records of the Corporation and can issue directions to the Commissioner and call for reports from him with a view to ensure proper implementation of the decision of the Corporation. Mayor, Senior Deputy Mayor and Deputy Mayor can be removed from office by a resolution of the Corporation passed by 2/3rd majority of the total members of the Corporation. When the office of the Mayor is vacant, the Senior Deputy Mayor and in his absence, the Deputy Mayor acts as a Mayor until a new Mayor is elected.

#### **Municipal Commissioner :**

Municipal Commissioner is the Chief Executive Officer of the Municipal Corporation. He is the kingpin of the municipal administration and as such is at the apex of the municipal administrative hierarchy. He is entrusted with the responsibility of keeping the entire administrative machinery under his control giving it necessary guidance and direction. The government appoints an IAS officer, having a minimum service of five years as the Commissioner of the Corporation. There is a provision in Act that the Commissioner so appointed holds office for a term of three years in the first instance, the term may be renewed for a period not exceeding three years. However, no officer who has attained the age of superannuation is appointed or allowed to continue as Commissioner. The government can recall the Commissioner if at a special meeting of the corporation called for the purpose, a resolution for such recall has been passed by a 2/3rd majority of the total number of members.

The powers and functions of the Municipal Commissioner are many and varied. He is one of the statutory municipal authorities to carry out the provisions of the Corporation Act. His most important statutory function is to exercise general supervision and control of the Corporation. He has extraordinary power also. He can take immediate action on the occurrence or threatened occurrence of any sudden accident or any unforeseen event or natural calamity involving or likely to involve extensive damage to any property of the Corporation, or danger to human life. Thus multi-dimensional nature of the activities of the Commissioner makes him the pivot of municipal administration.

#### **BASIC SERVICES OF MUNICIPAL CORPORATION IN HARYANA:**

##### **GIS Services:**

The Geographical Information System of Haryana (GISH) is an on-line web enabled application released by Chief Secretary Haryana on Internet on September 17, 2001. The users can make on-line queries on administrative framework of Haryana (state boundaries, district boundaries, block boundaries, village boundaries), infrastructure (road network, rail network), rivers, dynamic roadmap of Haryana that show road distance between two cities just on a single click. User can query a particular district for village wise socio-economic aspects like literacy, population, workers, voter's etc.

##### **Video Conferencing Studio:**

The Video Conferencing Studio has been established to facilitate Video Conferencing with DCs, other State Governments, central ministries / departments and other countries. The VC facility has also been established at Kurukshetra, Gurgaon, Hisar, Haryana Bhawan and Rohtak.

Further, as per the provisions of IT Policy 2000, the following flagship applications have also been introduced in the state.

##### **Haryana Registration Information System (HARIS) :**

The HARIS provide registration of documents, right at the Tehsil/ Sub-Tehsil premises. HARIS features include various security checks, on-line capturing and storing of photos of buyer, seller and witnesses, information of registration fee, printing of registration certificate and various statistical reports. The software provides maintenance of database and on-line query facilities. The system is being implemented at 88 Tehsils/Sub-Tehsils. The HARIS website is also being developed to provide rates, procedures and other information to public. The efforts are being made to extend the implementation of the HARIS in all tehsils and sub-tehsils.

##### **Land Records Computerization Project (LRCP) :**

The Land Records computerization system involves different sub-systems like Jamabandi creation, Mutation, Khasra Girdavari, Generation of New Jamabandi, On-line query on Land Records Information, Nakal (Record-of-Right) general and distribution services to public. The project is being

implemented in all 19 districts of Haryana. Some of the districts have completed 100% entry and verification of Jamabandi. Above 95% of data entry of Jamabandi has been completed. Creation of New Jamabandi using semi-automatic Jamabandi generation system and Nakal services started at select district. The Land Records Query System (LRQS) has been developed with the objective of providing a Query Service to Farmers, revenue Officials, and Town Planners. LRQS has been designed and developed using user-friendly Window based Hindi technology keeping future trends and requirements in view. The linkages of various independent sub-systems have been initiated to have an integrated Land Information System.

#### **House Tax Assessment and Collection System:**

The Performa for House TAX survey were designed. Based on new House Tax Formula of Haryana Government, the software for generating of house Tax notices, House Tax bills for collection of tax and issue of receipts, various forms, registers, reports and analysis has been developed. The survey has been carried out, data entry completed at all the 53 Municipalities, and detail analysis on house tax assessment has been carried out. The notices of House Tax have been issued, in all 53 Municipalities. The Fire Tax also added where ever applicable. The collection of Tax at various Municipalities started.

#### **On-Line Billing System of Uhbvn/dhbvn:**

The on-line billing system of UHBVN/DHBVN has been planned through out-sourcing. Currently, the billing is being processed off-line. The tender for on-line billing system has been prepared and approved by IT -PRISM. The project involves complete solution on BOOT basis.

Impact of 74<sup>th</sup> Constitutional Amendment Act on Municipal Administration 74<sup>th</sup> amendment Act 1992 is a landmark initiative of government of India to strengthen local self government in cities and town. The 74<sup>th</sup> amendment act aims transformation in the structure of Urban Service delivery.

#### **CONCLUSION & SUGGESTIONS:**

An important technique of organisational analysis is that of systematic checking of present and proposed arrangement against expected principles of organisation. This provides a fairly comprehensive audit of organisational arrangement. A perusal of existing organisational and administrative structure of municipalities in Haryana reveals that there are two types of wings in the municipalities, one is the deliberative wing which is composed of councillors headed by the elected Chairman/President, who is popularly known as Mayor in Municipal Corporation. The deliberative wing of the municipality presents democratic functioning of the municipal institutions in the state of Haryana. The deliberative wing of the municipalities in Haryana meets at a regular interval but it is ironical that majority of the councillors of the municipalities under study lacked the expertise and backgrounds needed for effective management of municipal institutions in Haryana. During the course of the study, attempt has been made to evaluate the quality of deliberations in the meetings of the selected municipalities in Haryana. It is painful to point out that meetings of the committee did not serve as a platform to vouchsafe the effective functioning of the municipalities on a democratic basis, because only few councillors participated in the discussions. There have not been constructive and concrete suggestions from the councillors. Most of the councillors come unprepared to attend the meeting and even do not take pain to go through the agenda before hand. That is why, the deliberations of the municipalities are considered as of very low standard.

In-depth study of records supplemented by informal interview and a qualitative appraisal of organisational functioning and the minutes of the proceeding of municipalities in selected municipalities under study reveal that there have been very few instances where initiative for formulation of the local policies had emanated from the councillors of these municipalities.

The role of women councillors and scheduled caste councillors in deliberation has been found wanting. This was partly due to the fact that they are not having adequate knowledge about the functioning of the municipalities.

The administrative hierarchy of municipalities has not been built and modified from time to time to cope up with the desired function differentiation. As a result municipalities have failed to conceive development framework in judicious manner.

The analysis of the organisational chart of Faridabad Municipal Corporation, Municipal Council Thanesar and Municipal Committee, Gharaunda reveals that they have numerous drawbacks. They do not present reality of the structure. They do not also provide important information such as name and the number of personnel, the position of incumbents, and some other important relevant information. They do not serve as useful short guide to understand the general arrangements, allocation of responsibilities and functional relationship.

Municipalities under study have also not prepared different types of manuals for effective and efficient functioning of local urban institutions. This has resulted in confusion and conflicts leading to poor organisational performance. Lack of proper placement of personnel and irrationality of staffing pattern are also visible in the selected municipalities under study. The systematic control mechanism has not been introduced so far. The principle of unity of command is a misnomer in these municipalities. All important decisions are taken by the political head and administrative head of these bodies. Co-ordination and co-operation between various cells of these bodies has been found wanting. The present communication in these municipal bodies tends to promote an authoritative atmospheric which may be detrimental to morale of the employees. It also places a heavy burden on the subordinate staff. Most of the time, decisions are taken just to satisfy only the immediate needs and are not concerned with long range policy of the municipal bodies. The lack of effective concrete monitoring and supervision system in these municipal bodies is one of the main constraints in the way of their development. Unless effective system of the kind is not introduced the remedial action cannot be taken in time.

Administrative and political leadership in municipal bodies has not been found to be dynamic. By and large administrative personnel have not been well equipped with modern techniques. Lack of co-ordination, co-operation and clear lines of responsibilities of the personnel, inadequate delegation of authority, etc. are the main hindrances in the smooth and effective functioning of these municipal bodies.

The municipal areas under the jurisdiction of the selected municipalities under the present study have been afflicted by slums and squatter settlements where the people live a degraded life, devoid of basic services and amenities. These municipal bodies have failed to provide measures to mitigate the never ending problems of these cities. This has been mainly due to the lack of dynamic, progressive and unified leadership of these municipal bodies in solving the ever-increasing complex urban problems. There is desirability and urgency of public participating in local affairs as that would not only enhance the dignity of the citizens but also contribute to the responsiveness and efficiency of the municipal bodies by enabling the citizens to be partner in decision making and execution of policy and acting as watch dog of local municipal administration. The municipal bodies under study, have revealed that they have failed to enlist the people's participation in local affairs. The relationship between councillors and the employees has also failed to be based on better understanding.

No doubt, 74th Constitutional Amendment Act, has given the constitutional status to the municipal local bodies but state government has not given these municipal bodies desired organisational administrative functional and financial autonomy. State government exercises absolute control over the municipal bodies in Haryana and they have therefore been reduced to government's agencies. It is evident from the fact that Haryana government decided to abolish 29 municipal committees on the pretext that they were non-viable. The State government felt that these municipalities were financially

weak even when the system of octroi collection was in force. They were sustained only on the grants of the state government and had failed to even pay the salaries of their staff and meet other statutory requirements.

State government exercises its control over municipal local bodies through the Deputy Commissioner of the district. He can check the accounts of municipal bodies. Even he can declare any resolution of these bodies invalid in public interest. This provides the state government an ample opportunity for intervention and erosion of functional autonomy of these municipal local bodies. An in-depth organisational and administrative analysis of the municipal government in Haryana reveals that 74th Constitutional Amendment Act has not been able to revamp and rejuvenate the municipal government in Haryana to the desired extent.

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