

CHAPTER I

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In West Bengal, there are 125 Urban Local Bodies (ULBs) under the administrative control of Urban Development and Municipal Affairs Department (UD&MAD), Government of West Bengal. There are several other parastatals and agencies working in the sphere of urban governance. This Chapter discusses the profile of ULBs in the State and their structure, the trend of urbanisation and the organisational structure of the UD&MAD.

1.1 Brief History of Municipal Governance in West Bengal

The history of municipal governance in West Bengal dates back to the eighteenth century, when the Calcutta Corporation was formed by the Charter of 1726. Later, the Calcutta Municipal Corporation (presently *Kolkata* Municipal Corporation) was established by the Calcutta Municipal Consolidation Act of 1876. Apart from that, a number of municipal establishments came up in West Bengal during the second half of nineteenth century¹. Since 1850, there were a number of Acts relating to municipal administration², at different points of time. Prior to the introduction of the 74th Constitutional Amendment, all Municipalities in West Bengal were governed by the Bengal Municipal Act, 1932, while the *Kolkata* Municipal Corporation was governed by the Kolkata Municipal Corporation Act, 1980; *Howrah* Municipal Corporation by the Howrah Municipal Corporation Act, 1980; and *Chandernagore* Municipal Corporation by the Chandernagore Municipal Corporation Act, 1955³.

1.2 74th Constitutional Amendment

The Seventy-Fourth Constitutional Amendment Act, 1992 (74th CAA), which came into effect on 1 June 1993, introduced Part IX A (concerning the Municipalities), which deals with issues relating to Municipalities. The Act provided for grant of Constitutional status to Urban Local Bodies. Article 243W of the 74th CAA authorised the State Legislatures to enact laws to endow local bodies with powers and authority, as may be necessary to enable them to function as institutions of Self-Government and make provisions for devolution of powers and responsibilities. The 74th CAA, *inter alia*, provided for constitution of three types of ULBs viz. (i) Municipal Corporations, for large urban areas (ii) Municipal Councils, for small urban areas and (iii) Nagar Panchayats, for areas in transition from a rural area to urban area.

¹ *Source: Municipal Statistics of West Bengal (2013-14), Bureau of Applied Economic and Statistics, Department of Statistics and Programme Implementation, Government of West Bengal.*

² *Act XXVI of 1850, Act XX of 1856, Bengal Municipal Act 1884, the Calcutta Municipal Act, 1951 etc.*

³ *Chandernagore Municipal Corporation Act, 1990 was published on 22 September 1993 and repealed the Chandernagore Municipal Act, 1955; Asansol Municipal Corporation Act, 1990 and Siliguri Municipal Corporation Act, 1990, relating to constitution of the Asansol and Siliguri Municipal Corporations, respectively, were published on 15 September 1993; Durgapur Municipal Corporation Act, 1994 was published on 1 October 1996. Bidhannagar Municipal Corporation was constituted with effect from 18 June 2015.*

The Twelfth Schedule of the Constitution specified 18 functions to be devolved to ULBs, as listed in **Appendix-1**. Out of the 18 functions listed in the 12th Schedule, except for fire services, the remaining 17 functions were devolved to ULBs by the State Acts governing ULBs.

1.3 Trend of Urbanisation in West Bengal

As per Census 2011, out of the total population of West Bengal (9.13 crore), 2.91 crore (31.87 *per cent*) was residing in urban areas. The growth rate of urban population, in the decade 2001-2011, was 29.72 *per cent*. The projected total population of West Bengal in 2021 is 9.81 crore and the projected urban population is 3.53 crore (35.98 *per cent*)⁴. The decadal growth rate of urban population of West Bengal, for the period 2011 to 2021, is 21.31 *per cent*. As per Census 2011, the actual population residing in the areas under the jurisdiction of ULBs, was 1.66 crore⁵.

Urban areas in West Bengal face multiple challenges, ranging from waste management, sanitation, public health issues, poverty alleviation *etc.* In this scenario, the ULBs have an important role to play, as most of these issues can be handled best at the local level.

1.4 Profile of the Urban Local Bodies in West Bengal

As on 31 March 2021, there were 125 ULBs in West Bengal, located in 23 districts (including *Kolkata*). Among these 125 ULBs, there were 7 Municipal Corporations (MC), 115 Municipalities and 3 Notified Area Authorities (NAA)⁶. There were, in total, 2,947 Wards, in the 125 ULBs. The basis of classification of the ULBs in the State is shown in **Table 1.1**.

Table 1.1: Classification of ULBs in West Bengal

Sl. No.	Classification of ULB	Basis of Classification
1.	Municipal Corporations⁷	Any one or more than one municipal area together with, or exclusive of, any railway station, village within the jurisdiction of any Gram Panchayat land, or building, in the vicinity of such area which – (i) contains a population of not less than 5 lakh inhabitants, (ii) has a density of population of not less than 3,000 inhabitants per square kilometre of area, and (iii) has an occupational pattern in which more than three-fourth of the adult population are chiefly engaged in pursuits other than agriculture, and if the income of the Corporation from taxation and other sources is likely to be adequate for the discharge of the functions of the Corporation

⁴ *Source: Report of the Technical Group on Population Projections, July 2020, National Commission on Population, Ministry of Health & Family Welfare, Government of India.*

⁵ *As per Census 2011, the 'urban population' comprises the people living in ULBs, as well as other urban units, such as Cantonment Boards, Town Panchayats etc.*

⁶ *In terms of Section 2(41A) of the West Bengal Municipal Act, 1993, NAA of a notified area means a Nagar Panchayat for a transitional area, that is to say, an area in transition from a rural area to an urban area as defined in Article 243Q of the Constitution of India.*

⁷ *The above criteria for constitution of Municipal Corporation as contained in the West Bengal Municipal Corporation Act, 2006, is applicable to all Corporations except Kolkata Municipal Corporation and Howrah Municipal Corporation, which are governed by their respective acts.*

Sl. No.	Classification of ULB	Basis of Classification
2.	Municipalities	Any town, together with, or exclusive of, any railway station, village, land or building in the vicinity of any such town which- (i) contains a population of not less than 30,000 inhabitants, (ii) has a density of population of not less than 750 inhabitants per square kilometre of area, and (iii) has an occupational pattern in which more than one-half of the adult population are chiefly engaged in pursuits other than agriculture, and if the municipal income from taxation and other sources is likely to be adequate for the discharge of municipal functions. In terms of Section 3 of the West Bengal Municipal Act, 1993, the State Government has power to determine separate conditions, to constitute any area of the hill areas as a municipal area.
3.	Notified Area Authorities (NAAs)	(i) Any urbanised area which does not fulfil the conditions for being immediately constituted a municipal area, or (ii) any area which is comprised in a newly developing town, or (iii) an area where new industries have been or are being established.

(Source: respective Acts)

In terms of Section 7 of the West Bengal Municipal Act, 1993, the Municipalities and NAAs, are classified into the following five groups (Table 1.2), based on the population, as ascertained at the last preceding census.

Table 1.2: Category-wise number of ULBs (Municipalities and NAAs) in West Bengal

Category/Group	Required Criteria	No. of Municipalities and NAAs belonging to the Category/Group
A	Municipal areas having population above 2,15,000	14
B	Municipal areas having population above 1,70,000 but not exceeding 2,15,000	7
C	Municipal areas having population above 85,000 but not exceeding 1,70,000	34
D	Municipal areas having population above 35,000 but not exceeding 85,000	39
E	Municipal areas having population not exceeding 35,000	24
Total		118

(Source: data furnished by UD&MA Department)

North 24 Parganas district has the largest number of ULBs (27 ULBs; one Municipal Corporation and 26 Municipalities), while Alipurduar, Jhargram and Kalimpong districts have one ULB each. Apart from the ULBs, there are also three Industrial Township Authorities, the Nabadiganta Industrial Township Authority (NDITA), Golden City Industrial Township Authority and Sector-VI Industrial Township Authority. The Industrial Township Authorities are also governed by the West Bengal Municipal Act. Out of the three Industrial Township Authorities, only NDITA is audited by the Examiner of Local Accounts (ELA), at present.

The remaining two Industrial Township Authorities are yet to be brought under the purview of audit by ELA. NDITA has the power to levy and collect property tax, deliver services in the sphere of solid waste management, sewerage, water supply *etc.*, but it does not have elected representatives. The Chairman and the Vice-Chairman are appointed by the State Government from among the members of the NDITA.

The Municipalities⁸ located in the hill areas of West Bengal *i.e.*, areas within the region, as specified in clause (o) of Section 2 of the Gorkhaland Territorial Administration (GTA) Act, 2011, are also governed by the West Bengal Municipal Act.

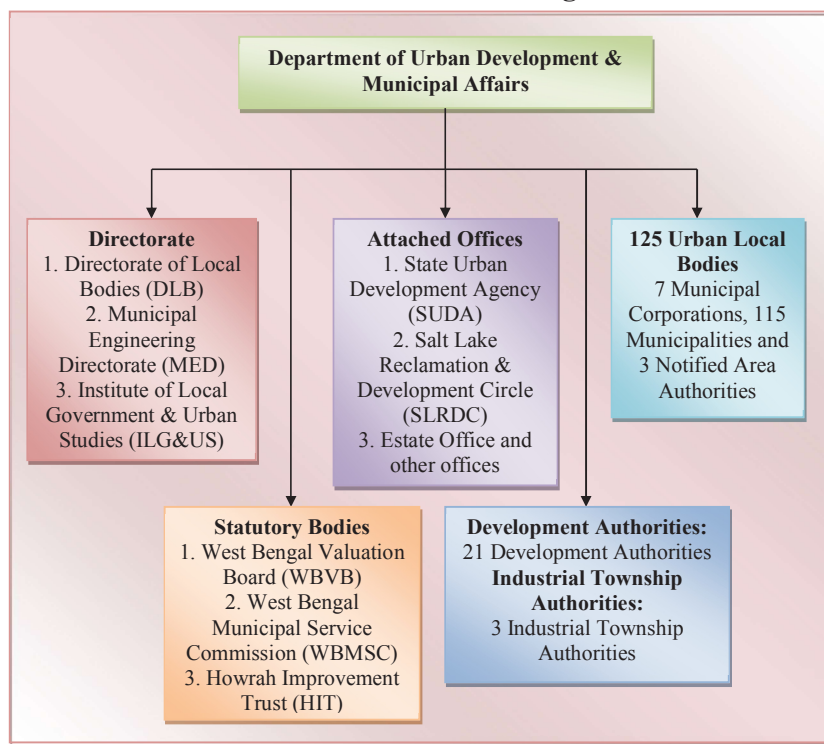
1.5 Organisational Structure of Urban Administration in West Bengal

1.5.1 Organisational Structure for the Administration of Urban areas in West Bengal

The UD&MA Department is entrusted with the responsibility of providing administrative support to all the ULBs in West Bengal. It is headed by an officer in the rank of Principal Secretary, who looks after the various functions of the Department, as also the Directorate of Local Bodies (DLB), Municipal Engineering Directorate (MED), West Bengal Valuation Board (WBVB), State Urban Development Agency (SUDA) and other organisations of the Department.

The organisational structure of the UD&MA is given in **Chart 1.1**.

Chart 1.1: Organisational Structure of the UD&MA Department, Government of West Bengal



⁸ Four ULBs-Darjeeling Municipality, Kurseong Municipality, Kalimpong Municipality and Mirik NAA.

The role of the directorates, statutory bodies, attached offices and other developmental authorities, which act as parastatals in urban governance, are discussed in the succeeding Chapters.

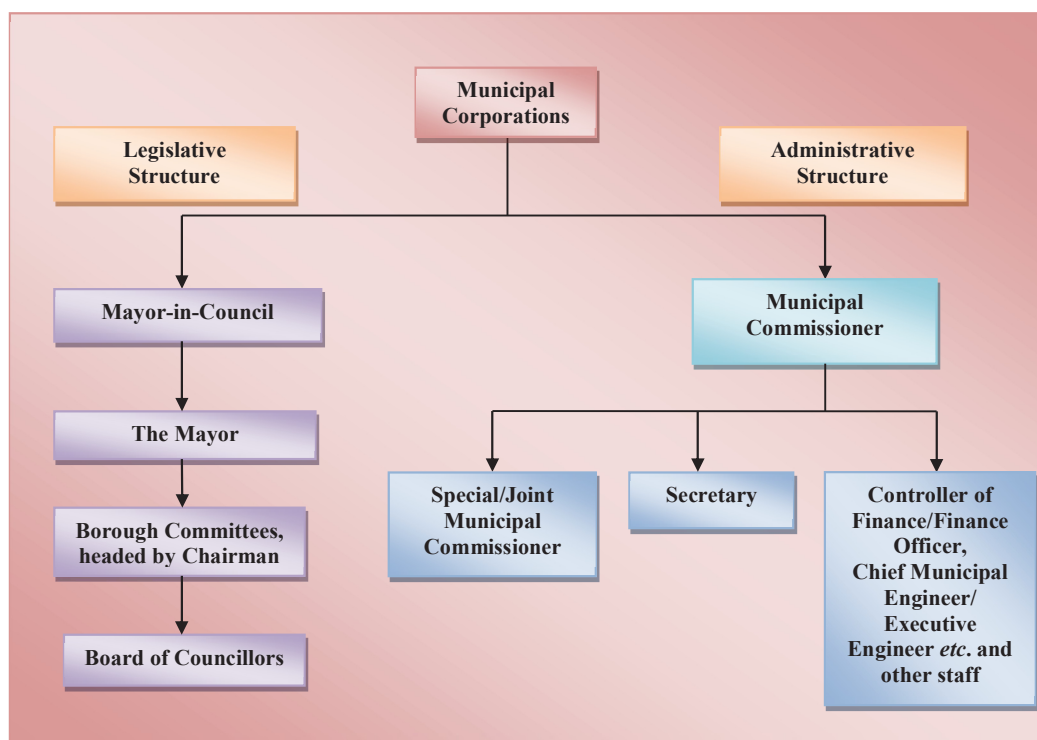
1.5.2 Organisational Structure of Urban Local Bodies

In the ULBs, the Chairman (in the case of Municipality and NAA)/Mayor (in the case of Municipal Corporation), elected by the majority of the Board of Councillors (BoC)⁹, is the executive head. The Chairman/Mayor presides over the meetings of the Chairman-in-Council¹⁰/Mayor-in-Council¹¹, responsible for governance of the ULB. All executive powers of the Municipality vest in the Chairman-in-Council/Mayor-in-Council.

The Executive Officer (in case of Municipality and NAA)/Commissioner (in case of Municipal Corporation), subject to the supervision and control of the Chairman/Mayor, functions as the Principal Executive Officer of the ULB. The Executive Officer/Commissioner exercises such powers and performs such functions, as are notified by the State Government, from time to time.

The organisational structure of the Municipal Corporations varies among Corporations. An illustrative structure is given in **Chart 1.2**.

Chart 1.2: Organisational Structure of a Municipal Corporation



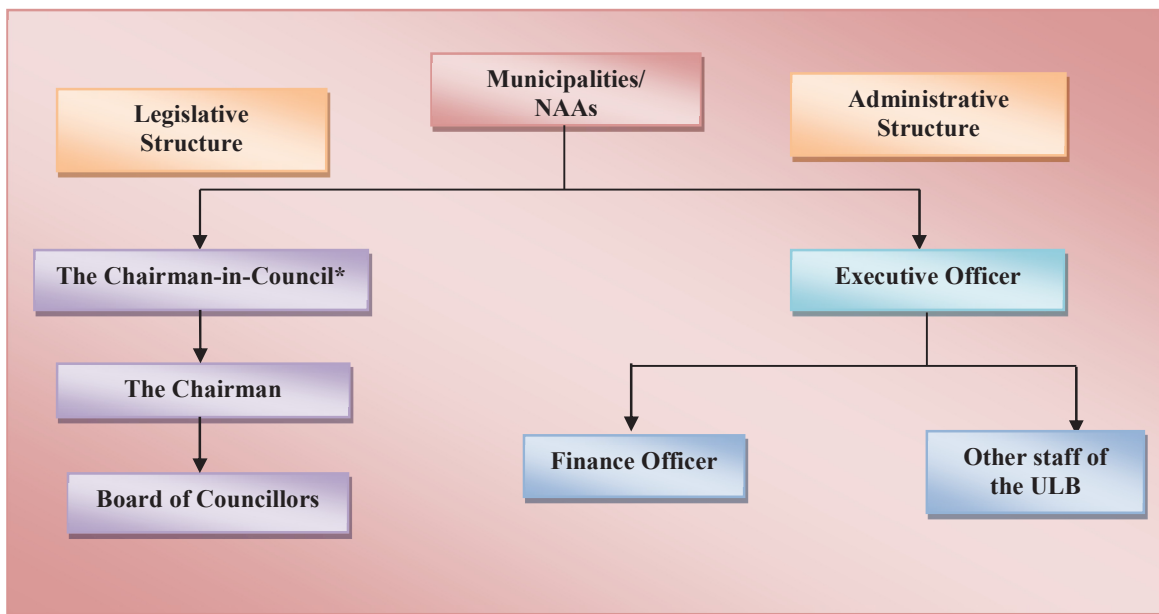
⁹ 'Board of Councillors' consists of all the Councillors representing Wards of the Municipality/ Municipal Corporation.

¹⁰ 'Chairman-in-Council' consists of the Chairman, the Vice-Chairman and other members selected by the Chairman.

¹¹ 'Mayor-in-Council' consists of the Mayor, the Deputy Mayor and other members selected by the Mayor.

The organisational structure of Municipalities/NAAs is as follows-

Chart 1.3: Organisational Structure of Municipalities/NAAs



* In terms of Section 15 of the West Bengal Municipal Act, 1993; in respect of the municipal areas included in Group D and Group E, all the powers and functions vested with the Chairman-in-Council are examined or performed by the Chairman.

Further, in terms of Section 22 of the West Bengal Municipal Act, every Municipality, with a population of three lakh or more, may group the Wards into a maximum of five Boroughs. A Borough is constituted with not less than six contiguous Wards. Section 11 of the Kolkata Municipal Corporation Act, Section 11 of the Howrah Municipal Corporation Act and Section 22 of the West Bengal Municipal Corporation Act, also mandate the formation of Boroughs. As per the Acts *ibid*, a Borough Committee is constituted for each Borough. The Councillors of the respective Wards are the members of the Borough Committees and elect the Chairman (not being a member of Chairman-in-Council/Mayor-in-Council) from among themselves. The Borough Committees discharge the functions assigned by the concerned ULBs. At the Ward level, the ULBs constitute Ward Committees, under the chairmanship of the Ward Councillors.