

## CHAPTER-I

### Introduction

#### 1.1 74<sup>th</sup> Constitutional Amendment Act

The 74<sup>th</sup> Constitutional Amendment Act, 1992 (74th CAA) came into effect on 1 June 1993, introduced Part IX A (the Municipalities) which deals with the issues relating to municipalities. The Act provided constitutional status to the Urban Local Bodies (ULBs). Article 243W of the 74<sup>th</sup> CAA authorised the State Legislatures to enact laws to endow local bodies with powers and authority as necessary to enable them to function as institutions of Self-Government and make provisions for devolution of powers and responsibilities.

The 12<sup>th</sup> Schedule of the Constitution enumerates 18 specific functions to be devolved to ULBs as listed in *Table 4.1*.

#### 1.2 Trend in Urbanisation in Haryana

As per census 2011, 88.42 lakh (34.88 *per cent*) out of the total population of 253.51 lakh reside in urban areas. The growth rate of urban population in the decades 2001-2011 and 2011-2020 was 44.59 *per cent*<sup>1</sup> and 29.41 *per cent*<sup>2</sup> respectively.

Urban Haryana faces multiple challenges, ranging from public health issues, poverty alleviation, waste management, depletion of natural resources, increasing pressure of urban population and inadequate infrastructure. In this scenario, ULBs have an important role to play, as most of these issues are handled best at the local level.

#### 1.3 Profile of Urban Local Bodies

In Haryana, ULBs are categorised on the basis of population<sup>3</sup> in accordance with Section 2(a) of the Haryana Municipal Act, 1973. This Section also authorises the State Government to define municipal bodies on other factors in addition to population such as density of the population, local revenue generation and level of employment in non-agriculture activities within their jurisdiction. There are 87 ULBs as on August 2020 as detailed in *Table 1.1*.

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<sup>1</sup> Statistical Abstract of Haryana 2019-20.

<sup>2</sup> Report of the Technical Group on Population Projections constituted by the National Commission on Population (May 2006).

<sup>3</sup> Population of 3,00,000 or more is Municipal Corporation, Population of 50,000 or more but less than 3,00,000 is Municipal Council, Population of not more than 50,000 is Municipal Committee.

**Table1.1 Category-wise ULBs in Haryana**

Type of ULB	Number of ULBs
Municipal Corporations	10
Municipal Councils	20
Municipal Committees	57
<b>Total</b>	<b>87<sup>4</sup></b>

Source: Information provided by DULB

The Municipal Corporations are governed by the Haryana Municipal Corporation Act, 1994 (HMC Act) and Municipal Councils & Municipal Committees are governed by the Haryana Municipal Act, 1973 (HM Act). Each Corporation/Council/Committee area has been divided into territorial constituencies i.e. wards, which are determined and notified by the State Government for the purpose of election of members. All ULBs consist of elected members from each ward and members nominated by the State Government.

#### **1.4 Organisational structure of Urban Governance in Haryana**

The Urban Local Bodies Department, headed by the Additional Chief Secretary to the Government of Haryana (GoH), is the nodal department for the governance of all ULBs. The Directorate of Urban Local Bodies (DULB) functions as an interface between the State Government and ULBs. In accordance with the powers conferred under the HM Act, 1973 and HMC Act, 1994, the DULB administers, facilitates, co-ordinates and monitors the ULBs. The organisational structure with respect to functioning of ULBs in the State is indicated in *Appendix 1.1*.

In addition to ULBs, the DULB has a number of key parastatal agencies for undertaking part of the functions expected to be performed by the municipal bodies under the 74<sup>th</sup> CAA. The key parastatal entities under its control are Haryana Urban Infrastructure Development Board (HUIDB), Haryana Slum Clearance Board (HSCB), State Urban Development Authority Haryana (SUDA) and Kurukshetra Development Board (KDB). Besides there are other parastatals like Haryana Shehari Vikas Pradhikaran (HSVP), Gurugram Metropolitan Development Authority (GMDA) and Faridabad Metropolitan Development Authority (FMDA), which are under Town and Country Planning Department and also perform a part of functions required to be performed by the municipal bodies under 74<sup>th</sup> CAA. These parastatals deliver urban services like urban planning, development of slum areas, urban development, promotion of cultural events and urban poverty alleviation. The details of parastatals and their functions are in *Appendix 1.2*.

<sup>4</sup> As on August 2021, there were 92 ULBs (Municipal Corporations: 11, Municipal Councils: 22 and Municipal Committees: 59).