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ROLE OF URBAN LOCAL BODIES

~ *Arshmeet Kaur*

ABSTRACT

As India transforms into a developed country, rapid urbanisation has taken place, making cities the hub of employment and economic development. As a result, there has been an increase in demand for improved infrastructure, housing, transport, sanitation, and other services. Urban Local Bodies (ULB) have been the primary governing units for planning and development in cities. The 74th Constitutional Amendment Act, 1992, gave constitutional status to urban local bodies. The act provided for the election of municipal bodies, giving them the responsibility of planning, development, and providing basic amenities to citizens. ULBs are now the nodal agencies for achieving Viksit Bharat 2047, where every citizen should be able to lead a developed and dignified life.

INTRODUCTION

As India progresses to become a developed country, its cities are growing both in size and population. Cities have become the employment hubs that cater to the needs of the growing population. Rapid urbanisation, industrialisation, and the development of non-agricultural sectors have contributed to the rising importance of cities in India's economic, social, and political development. But it has put enormous strain on the urban infrastructure, thus making it necessary for improving planning and management of urban areas. Urban Local Bodies got constitutional status by 74th Constitutional Amendment Act, 1992, which is very much needed for development of democracy and optimum development of cities.

As per the census, urban area means the area which fulfills the following conditions:

1. It has a population of more than five thousand people.

2. It has a density of more than four hundred people per square km.
3. At least seventy-five percent of the male main working age population is engaged in non-agricultural work.

In this way, it is possible to classify the urban areas and plan the development accordingly.

URBAN LOCAL BODIES

The word 'urban' is applied to those areas within towns and cities that have a relatively large population, considerable development in respect of density of population, and a wide variety of non-agricultural occupations and means of communication. An urban local body therefore may be defined as a local administrative agency or a local self-government body which has been established for the purpose of administering an urban area, that is, a city or a town.

A. TYPES OF URBAN LOCAL BODIES

Constitutional provisions provide for three types of Municipalities as mentioned in Article 243Q of the Indian Constitution.

1. Municipal Corporation

It is the highest form of urban local government. It is set up in big cities and towns to cater to the needs of a large population. The body is led by a Mayor, who is the political head of the Municipal Corporation, and Municipal Commissioner, who is the chief executive officer and is appointed by the State Government. Municipal Corporation is an organization that provides civic facilities like water supply, sanitation, health care, roads, air and noise pollution control, solid waste management and other such services.

2. Municipal Council

The second type of Municipal Body has less administrative arrangement as compared to Municipal Corporation. The work done is same as that of the Municipal Corporation but the body is small in size hence less powers. The body is headed by the Chairperson or President who is elected either by the members of council or directly by people. The duties of this body include local infrastructure development, sanitation, water supply, street lighting, markets and welfare activities.

3. Nagar Panchayat

This is the third kind of Municipal Body, which is responsible for the areas that are in transition from being rural to urban and vice versa. The duties of the body include planning and provision of services like sanitation, water supply, roads and infrastructure development. The body

implements schemes of the government for the development of the area and also provides basic facilities like housing, education and health facilities.

B. ROLE OF URBAN LOCAL BODIES

The roles performed by Municipal Corporations, Municipal Councils, and Nagar Panchayats are as follows:

1. To prepare plans for the development of towns and cities.
2. To regulate land use and build control.
3. To provide water for domestic, commercial, and industrial uses.
4. To construct and maintain roads, bridges, and other roadways, including street lights.
5. To provide sanitation, sewerage, and solid waste management services.
6. To undertake measures to promote public health and construct and maintain hospitals and dispensaries.
7. To undertake afforestation work, control pollution, and take measures to conserve the ecological balance.
8. To implement schemes for promoting slum development and poverty alleviation.
9. To promote and regulate markets and trade in the area.
10. To maintain records of births and deaths.
11. To construct and maintain public parks, gardens, playgrounds, and other recreational places.
12. To construct and maintain cemeteries, burial grounds, and cremation grounds.
13. To collect taxes from the residents.
14. To promote and maintain disaster management plans.
15. To involve the citizens in the development activities by setting up Ward Committees and Resident Welfare Associations.
16. To encourage transparency and accountability.

17. To undertake and promote decentralised governance, particularly the administrative and financial devolution to urban local bodies.
18. To mobilise resources for the development of urban areas, including interaction with the State Governments and other agencies at the Centre for meeting the needs of the local area.
19. To undertake and promote urban infrastructure development, slum improvement, and poverty alleviation programmes.

C. NEED FOR URBAN LOCAL BODIES

The need for ULBs arises due to increasing pressure on urban infrastructure due to rapid urbanisation and the growing demand for housing, transport, and other services. Municipal Corporations and Councils, therefore, play a key role in ensuring proper planning and development of urban areas as well as providing civic amenities to urban residents. Some of the reasons for establishing these bodies are:

1. Decentralisation of power: This has ensured that the power to plan and govern is brought closer to the people it serves. It assists in making decisions in the lower tiers related to the requirements of the local community members.
2. Services provided: The municipal corporation and the council provides various kinds of services like water supply, sanitation, and health services, transportation and infrastructure development. The local government body performs an important function of tackling issues related to traffic jams, pollution, and climate change that are significant to the urban area.
3. Participation of citizens in governance: The citizens perform an important function in the democracy by exercising their right to choose the representatives who govern them. The citizens can participate in the decision-making process through different kinds of democratic institutions like Ward Committee, Resident Welfare Associations, social audit, and grievance redressal forum.
4. Local economic development: ULBs contribute to economic development by promoting and regulating markets and trading activities and by promoting self-employment and business activities. Through various welfare schemes, they help the vulnerable sections of society to improve their living standards. ULBs work in conjunction with the State Governments and other agencies for economic development.

Therefore, Municipal Councils and Corporations have become critical pillars of support for achieving sustainable development and democratic decentralised governance in urban India.

HISTORY OF URBAN LOCAL BODIES IN INDIA

India has a long-standing history of municipal governance that dates back to the ancient period. The management of cities and towns used to be the responsibility of local authorities. References in Kautilya's Arthashastra indicate the existence of a city administration that was headed by the Nagarika, who was in charge of maintaining order, commerce, public infrastructure, and sanitation inside the city. However, the modern municipal system was established during the British rule. The Municipal Corporations in India were established from 1687 to 1726, where the first one was founded in Madras (today's Chennai) in 1687, followed by Bombay (present-day Mumbai) and Calcutta (today's Kolkata) in 1726.

The Resolution of Lord Ripon on Local Self-Government in 1882, commonly referred to as the "Magna Carta of Local Self-Government in India," led to the enactment of a series of laws for the promotion of local self-government in India. Lord Ripon advocated decentralisation throughout all levels of administration, including local government, and proposed significant municipal reforms to promote representative government and popular participation in municipal administration.

During the twentieth century, a variety of legislative measures were implemented to bolster municipal administration and governance. The Government of India Act of 1919 introduced the system of dyarchy, which signified the beginning of decentralisation. Local self-government was placed under the purview of the provinces, which allowed them to enact appropriate laws for the regulation of municipal administration. The Government of India Act, 1935, on the other hand, gave the provinces greater autonomy to legislate on matters related to municipal administration. Since independence, local government has been included in the State List (Entry 5, List II, 7th Schedule, Indian Constitution), indicating that only the state legislature has jurisdiction over municipal administration.

A number of committees and commissions have recommended changes to the municipal administration, including the National Commission on Urbanisation, 1988. Consequently, by adopting the 74th Constitutional Amendment Act, 1992, which took effect on 1 June 1993, the Constitution of India granted constitutional status to the municipal corporations. The Act made several significant modifications to the Indian Constitution, notably the addition of Part IX-A

(Articles 243P to 243ZG) to the Constitution, which contains the municipal administration rules and procedures, as well as the 12th Schedule which contains the 18 functions of the municipal authorities.

To summarise, Municipal Corporations have evolved into the city planning and development bodies in India. They play an essential role in ensuring sustainable development while balancing economic growth, social inclusion, and environmental protection. Municipal corporations are the third tier of government, with the state governments acting as their administrative heads.

CONSTITUTIONAL & LEGAL FRAMEWORK

A detailed Constitution dealing with the urban local bodies was framed by the 74 th Amendment Act, 1992. The act gave constitutional status to urban local bodies for the first time and thus recognised the need for them to address the growing concerns of migration to urban areas. Part IX A of the Constitution (from Article 243P to 243ZG) was added to the Indian Constitution by the 74 th Constitutional Amendment Act, 1992. It describes the various aspects of municipal governance, starting with a definition. The Twelfth Schedule contains the eighteenth functions of urban local bodies prescribed by the Constitution of India.

PART IX A – CONSISTS OF THE FOLLOWING ARTICLES

These articles specify the definitions of words like – Committees, District, Municipalities, Metropolitan areas, etc.,

- COMPOSITION OF MUNICIPALITY, CONSTITUTION AND SCOPE OF AUTHORITIES BY ARTICLE – 243R, 243S, 243W respectively,
- SEATS RESERVED FOR SCHEDULED CASTES, SCHEDULED TRIBES, AND WOMEN BY ARTICLE 243T,
- DURATION OF MUNICIPALITY BY ARTICLE 243U,
- DISQUALIFICATION FOR MEMBERSHIP BY ARTICLE 243V,
- POWERS, AUTHORITIES, AND RESPONSIBILITIES OF MUNICIPALITIES BY ARTICLE 243W,
- POWERS TO IMPOSE TAXES AND FUND RAISING BY MUNICIPALITIES BY ARTICLE 243X,
- FINANCE COMMISSION by 243Y, AUDIT OF ACCOUNTS OF MUNICIPALITIES by 243Z,

- ELECTIONS OF MUNICIPALITIES by ARTICLE 243ZA,
- APPLICATION TO UNION TERRITORIES by ARTICLE 243 ZB,
- EXCLUSION OF CERTAIN PROVISIONS BY ARTICLE 243 ZC,
- COMMITTEE FOR DISTRICT PLANNING by ARTICLE ZD,
- COMMITTEE FOR METROPOLITAN PLANNING by ARTICLE ZE,
- CONTINUANCE OF EXISTING LAWS AND MUNICIPALITIES by ARTICLE ZF,
- BAR TO INTERFERENCE BY COURTS IN ELECTORAL MATTERS BY ARTICLE ZG.

SCHEDULE TWELFTH: FUNCTIONS OF MUNICIPALITIES.

1. Urban planning including Town planning
2. Regulation of Land-use and construction of building
3. Planning for Economic and social development
4. Roads and bridges
5. Water supply for Domestic, Industrial and Commercial purpose
6. Public health, sanitation conservancy and solid waste management
7. Fire services
8. Urban forestry, Protection of the environment and promotion of ecological aspects.
9. Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded
10. Slum improvement and upgradation
11. Urban poverty alleviation
12. Provision of urban amenities and facilities such as parks, green gardens, and playgrounds
13. Promotions of cultural, educational and aesthetic aspects
14. Burial and burial grounds; cremations and Cremation ground, and electrical crematoriums.
15. Cattle pounds; prevention of cruelty to animals
16. Vital statistics including registration of Births and Deaths.

17. Public amenities including street lighting, parking lots, bus stop and public conveniences.

18. Regulation of slaughter houses and tanneries.

STRUCTURE AND COMPOSITION

The structure of the municipal corporations is provided in Part IX A of the Constitution, with additional details provided in the respective State Municipal Acts. The following are the main components of an urban local body, although the structure may vary from state to state:

1. Mayor
2. Deputy Mayor
3. Municipal Commissioner
4. Councillors
5. Ward Committees (for those municipalities with a population of three lakh or more as per Article 243S)
6. Standing Committees
7. Tenure (fixed at five years as per Article 243U)
8. Reservation of seats for SCs, STs, and women as per Article 243T and Other Backward Classes in some states.
9. Elections (conducted by the State Election Commission as per the powers provided under Article 243ZA)

GOVERNMENT INITIATIVES TO STRENGTHEN URBAN LOCAL BODIES

Following government schemes have been launched to strengthen the urban local bodies.

1. Smart Cities Mission 2015: It focuses on “smart development” that emphasises infrastructure, governance, service delivery, and technologies centred around people. The mission encourages Area-Based Development and Pan-City development.
2. Swachh Bharat Mission (Urban): It focuses on scientific solid waste management and sanitation. The aim is to achieve a clean and healthy environment free from open defecation. The mission strives to provide the citizens with a scientifically managed sanitation system and conducts the Swachh Survey.

3. Atal Mission for Rejuvenation and Urban Transformation (AMRUT): This scheme, launched in 2015, focuses on water supply, sewerage, storm-water drainage, urban mobility, and green cover.
4. Jawaharlal Nehru National Urban Renewal Mission (JNNURM): It was launched in 2005 to focus on urban infrastructure development and good governance.
5. National Urban Livelihoods Mission (NULM): It focuses on promoting self-employment and skill development for the urban poor and vulnerable sections of society.
6. PM SVANidhi Scheme: This is a collateral-free working capital loan scheme for street vendors, which promotes digital transactions by them.

CITIZEN PARTICIPATION

The institutions and the citizens are the two pillars of democracy. While the former makes laws to govern the latter, the citizens elect their representative institutions to make laws for them. The citizens and their participation are important for the transparency, accountability and empowerment, and inclusiveness of government functions. Citizen participation fosters a sense of ownership, responsibility, and belonging and helps to strengthen democracy. In the context of urban governance, it helps to improve planning, management, and decision-making processes as well as promotes transparency and accountability. As countries strive to attain developed status, the need for citizens to contribute to the development process increases. It requires time and effort, which can be fulfilled only when the citizens are willing and committed to working towards the goal. The institutions can facilitate and promote such participation.

Citizen participation involves collection of views, opinions and suggestions from the citizens on matters affecting them or of community interest, such as matters concerning governance and development initiatives. It therefore, includes the expression of people's views by the participants through election processes, ward committee meetings, residents' association meetings, social auditing, giving comments on policies put forward for public comments and other related activities.

CHALLENGES FACED BY URBAN LOCAL BODIES

The ULBs are the key to urban governance and delivery of urban services. However, despite constitutional recognition through 74th Constitutional Amendment Act, 1992, the ULBs in

India are facing various challenges which hinder their ability to deliver efficient urban governance to the mushrooming cities and the growing urban population.

The first and foremost problem is the fiscal and financial constraints faced by the ULBs. The ULBs in India are highly dependent on the state governments for funds and finances. Although, they have been granted powers to levy taxes and charges for services rendered, they face great challenges in collecting and managing the revenues, which in turn affect their ability to provide essential services to the urban population. The delayed releases of grants by the state governments affect the projects progress of the ULBs as well as their ability to provide municipal services.

Another inherent problem facing ULBs in India is lack of administrative and functional autonomy. In several states, the powers and responsibilities have not been devolved to the municipal bodies but rather retained in the hands of the state governments. This leads to overlapping functions, lack of coordination, and poor governance and control of the municipalities.

Due to the rapid urbanization and mushrooming nature of the cities today, the demands of houses, roads, drainage, public health, and other social services have increased tremendously. This creates a great challenge to the ULBs because of their limited resources, especially in terms of finances to provide these services. The proliferation of slums in urban areas, traffic jams, pollution, and destruction of the environment creates challenges to the ULBs in trying to deliver efficient urban governance and meet the rising demands of an urbanized society.

The ULBs also face the challenge of lack of skilled manpower in diverse fields such as town planning, governance, finances, environment, and information technology. Lack of adequate and qualified personnel affects the delivery of efficient urban governance services to the tune of the expectations of the urban population.

Another great challenge facing the ULBs in India is the political and bureaucratic setup. The State governments interfere with the functions and responsibilities of the ULBs thus creating tension and impeding the smooth operation of the municipalities. Delay in election of municipal bodies causes derailing of the functions of the ULBs. The administrative authorities in the states also do not allow free operation of the ULBs which hinders good governance and urban development.

Despite the constitutional mandate that provides for citizen participation, the citizens do not seem to understand the concept of urban governance which causes impediment to successful implementation of development initiatives. The general population is not aware of their rights and roles in urban governance initiatives such as social auditing, deliberative forums, and wards committee discussions. This causes poor decision making process and lack of accountability in urban governance. Therefore, there is a need to create awareness on the issues of municipal governance so that the citizen can deliberate freely through the established forums and channels to make urban governance more transparent and accountable.

The ULBs face the challenge of climatic and environmental changes such as pollution, floods, and climate change, which have adverse effect on the provision of urban services. These problems destroy the environment and public health, which in turn affect most of the activities of the urban local bodies thus hindering urban development.

To overcome these challenges, the ULBs need financial empowerment, administrative autonomy, and citizen participation to enable them carry out their mandate of providing efficient urban governance.

CONCLUSION

The ULBs are the backbone of urban governance in India. The 74th Constitutional Amendment Act 1992 provided constitutional status to the municipalities. However, urban governance requires transparency and accountability in the system of governance. The ULBs need to have citizens participation, inter alia; transparency and accountability, citizen participation and cooperation, inter institutional coordination, and responsiveness to the changing needs of the society. Therefore, to enable efficient governance, the ULBs need technical empowerment, administrative autonomy, financial empowerment, and citizen participation. Effective urban governance will promote equity, responsiveness and accountability in delivering urban services. With proper empowerment, the ULBs will be able to achieve the goal of Viksit Bharat 2047, not only by delivering efficient urban governance, but also by making urban areas, the hub of India's growth and development.

References

- 1.The Constitution of India, 1950.
- 2.The Constitution (Seventy-Fourth Amendment) Act, 1992.
- 3.Census of India 2011, Office of the Registrar General & Census Commissioner, Government of India.
- 4.Raco, M. (2020). Urban Governance. (Course Reading, Dr. B. R. Ambedkar University Delhi).
- 5.Taylor, N. (2002). Governance. (Course Reading, Dr. B. R. Ambedkar University Delhi).