

**URBAN ADMINISTRATION: A STUDY OF  
AIZAWL MUNICIPAL COUNCIL, MIZORAM**

**M.Phil.  
DISSERTATION**

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**CERTIFICATE**

This is to certify that **Ms. K.Laltlanlawmi** has prepared a Dissertation under my Supervision on the topic *Urban Administration: A Study of Aizawl Municipal Council, Mizoram*, in partial fulfillment for the award of the Degree of Master of Philosophy (M.Phil) in the Department of Public Administration, Mizoram University, Aizawl.

This Dissertation has been the outcome of her original research work and it does not form a part of any other dissertations submitted for the award of any other degrees.

She is duly permitted to submit her dissertation for examination.

Dated Aizawl,  
the 12<sup>th</sup> December 2012

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## DECLARATION

I, K. Laltlanlawmi hereby declare that the dissertation entitled **Urban Administration: A Study of Aizawl Municipal Council, Mizoram** is a record of work carried out by me under the supervision and guidance of Dr. Lalrintluanga, Professor, Head, Department of Public Administration, Mizoram University, Aizawl and this dissertation did not form basis of the award of any previous degree to me or to the best of my knowledge, to anybody else, and that the dissertation has not been submitted by me for any research degree in any other University/Institute.

This is being submitted to the Mizoram University for the degree of Master of Philosophy in Public Administration.

Dated: \_\_\_\_\_

(K. LALTLANLAWMI)

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Dated Aizawl the \_\_\_\_\_

(K. LALTLANLAWMI)

## **CONTENTS**

	<b>Pages</b>
<b>CHAPTER-I</b>	
<b>Introduction</b>	<b>1 - 12</b>
<b>CHAPTER-II</b>	
<b>Evolution, Organisation and     Structure of Aizawl Municipal Council</b>	<b>13 - 32</b>
<b>CHAPTER-III</b>	
<b>Powers, Functions and     Responsibility Aizawl Municipal Council</b>	<b>33 - 51</b>
<b>CHAPTER-IV</b>	
<b>Aizawl Municipal Council: Issues and Challenges</b>	<b>52 - 69</b>
<b>CHAPTER-V</b>	
<b>Conclusion</b>	<b>70 - 76</b>
<b>BIBLOGRAPHY</b>	<b>77 - 81</b>
<b>APPENDIX</b>	<b>82 - 83</b>
<b>ABBREVIATIONS</b>	<b>84</b>
<b>GLOSSARY</b>	<b>85 - 86</b>

## **CHAPTER –I**

### **INTRODUCTION**

A study of Municipal Council has become an important subject for academics as well as practitioners as urbanisation has been creating serious problems for the provision of services, housing and infrastructure in town and cities in India. From the times of Indus Civilisation, dating back as far as 3000 BC, there had been some sorts of rural and urban agencies at work in India for providing in varying degrees the basic civic services like streets, street lighting, water supply, drainage, sewage disposal etc. However, the agency pattern for these functions had not been uniform throughout the country.<sup>1</sup> During the early Post-independent period, urbanisation had grown at a faster growth rate due to the fast growing population, rapid industrialisation and rural to urban migration. Therefore, the Government of India had created Municipal Institutions in many of the hitherto urban centres by way of redressing the problems of urbanisation. With the passage of time, even Aizawl, the Capital Headquarter of Mizoram had begun to experience the problems of urbanisation. It was against this background that Aizawl Municipal Council (AMC) was established in Aizawl. The present research is, therefore, an attempt towards the study of urban administration dealing with Municipal Council with a view to improving the working of Municipal Council in the society. The introductory Chapter has conveniently been divided into two parts- the first part dealing with the conceptual framework for the present study and the second part dealing with the Profile of Mizoram.

#### **I. Concept of Urbanisation**

Urbanisation is a phenomenon which is, in most cases, the result of economic development in the country of a particular State. Urbanisation refers

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<sup>1</sup> Bijoyini Mohanty, *Municipal System in India: Citizens' Involvement*, New Delhi: Ashish Publishing House, 1993, p-37.

to the process of population concentration entailing an increase in population living in urban areas.<sup>2</sup> In the history of mankind, the growth of urban life has given rise to striking developments. Unquestionably, urbanisation is overtaking the entire world. The pace of urbanisation and the technological changes following it have brought transformations in the way of living of the people, especially in urban areas.<sup>3</sup>

Urbanisation is a continuous process. Although India is not a highly urbanised country, there has been a rapid growth of towns and cities during the last 40 years<sup>4</sup> due to pressure of fast population growth in towns and cities, rapid industrialization and rural to urban migration.

According to Mitchell, “Urbanisation is the process of becoming urban, moving to cities, changing from agriculture to other pursuits common to cities and corresponding change in behaviour pattern.”<sup>5</sup>

Urban areas have now attained significant attention. Large segments of the people wish to settle down in urban areas because of fewer avenues in rural settlement and more promising living in cities and towns. Urban Government, having the responsibility of managing the urban affairs, have been the conservative and traditional arena for the play of urban politics in India.<sup>6</sup>

The outflow of population in urban areas has resulted in the huge backlog of urban services and the condition is deteriorating every day. The living environments are also declining fast due to shortage of the essential civic amenities like roads, water supply, sewerage, housing, public health, and so on, which need to be looked after by the Urban Local Bodies.

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<sup>2</sup> A.K. Agarwal, “Urbanisation in Mizoram: Issues to be resolved”, in R.N. Prasad (Ed.) *Urban Local Self Government in India*, New Delhi: A Mittal Publication, 2006, p-137.

<sup>3</sup> Apurba Kumar Basiston, *Urban Local Administration: Growth and development*, Delhi: B.R. Publishing Corporation, 1986, p-1.

<sup>4</sup> S.S. Dhaliwal, *Municipal Administration*, New Delhi: Deep & Deep Publications Pvt.Ltd., 2006, p-1.

<sup>5</sup> Apurba Kumar Basiston, *Op.cit.*, p-1.

<sup>6</sup> Pardeep Sahni and E. Vayunanda, “Challenges to Urban Governments in India” in Pardeep Sachdeva (Ed.) *Revamping Urban Governments in India*, New Delhi: Kitab Mahal, 1995, p-1.

The development of urban areas in India has been in an unplanned manner and the growing size of population in big urban centres without any corresponding increase in industrialisation or other productive employment opportunities have been posing a serious problem for the government planners and the administrators not to speak the growing sufferings of the urbanites.<sup>7</sup>

Thus, urbanisation in India, poses certain special types of problems unknown to other countries of the World. The increase in urbanisation and its projected dimensions indicate that a rapid progress of urbanisation will create problem of optional distribution of population over the space and be a potential treat to man-made environment.<sup>8</sup>

An Urban Government Institution with a representative character and adequate autonomy of jurisdiction and power is essential to carry out the task of governing Municipalities and towns. Growing demands for a better life put pressure upon the Municipal Governments. The Urban Government has to cover multifarious local problems such as health, housing, education, water-supply, drainage and so on. Urban Local Government is an institutional arrangement through which grass-root democracy becomes a part and parcel of democratic political system.<sup>9</sup>

## **Review of Literature**

Urban Administration is one of the core functions of government, so relevant information and data from the available literature like books, articles and government documents have been collected. Some of these materials have been presented below-

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<sup>7</sup> A.K. Agarwal, "Urbanisation in Mizoram: Issues to be Resolved" in RN Prasad (Ed.) *Op.cit.*, p-139.

<sup>8</sup> Apurba Kumar Basiston, *Op.cit.*, p- 23.

<sup>9</sup> Girin Phukon, "Politics of Urbanisation and Democratic Decentralisation in North-East India: A frame-work in understanding" in R.N. Prasad (Ed.) *Op.cit.*, p-8.



Bijoyini Mohanty (1993) **Municipal System in India: Citizens' Involvement** discussed the origin of Local Self-Government. It also presents a detailed study of Municipal Administration as well as the needs for women representation in Municipal Council. The book also contains the functional limits of Municipal authorities and the problems faced by Municipal Administration in India.

J.K. Chopra (2004) **Local Self-Government and Municipal Administration** has identified the origin and functioning of local self governments in India and also highlights the problems faced by this local institution. The book also analyses the Municipal Administrative system functioning in different states in India.

R.N. Prasad and A.K. Agarwal (2003) **Modernization of the Mizo Society** discuss the theoretical concept of modernization and various issues connected with it. It also highlights the challenges and problems concerning the modernization of Mizo society and suggested remedial measures to resolve the degrading socio-economic situations adversely affecting the poor tribesmen, who are the victims of poverty and unemployment owing to unequal production and property relation.

R.N. Prasad (2006) **Urban Local Self Government in India** deals with the theoretical concept of Local Self Governance, it also points out various issues, problems, challenges and constraints concerning a set-up of the Municipal Administration in the growing urban areas of Mizoram, Meghalaya, Nagaland and Arunachal Pradesh. The book also discussed the needs of People's Empowerment, Democratic Decentralisation and Participative Civic Governance.

P.C. Gupta, Babita Vedic and Ajay Kumar (2000) **Management in Municipal Bodies** deals with the history and the existing organizational framework of municipal bodies. The book suggests about the effective

performance of municipal bodies and about the management of these bodies. It also covers a comprehensive analysis of various heads of income and expenditure of municipal bodies with an analytical review of their borrowing operations.

P.N. Parashar (2003) **History and problems of Municipal Administration in India** traces the historical background of Municipal Administration in India. It analyses the problems faced by the Municipal Administration in India and suggest remedial solution. The study also reveals the comparative perspective in Municipal Administration and Municipal Administration development in India.

S.S. Dhaliwal (2006) **Municipal Administration** discussed both theoretical and practical aspects of the Municipal Administration along with duties of the municipal employees. It also discussed the need of citizen participation in the Urban Local Bodies and reveals how the involvement of citizens can lead to the improvement in the functioning of Urban Local Bodies. It also highlights the problems being faced by the employees from bureaucracy, politicians and the citizens.

Even though, the above works under review have presented different aspects of Urban Local Self-Government in India, no significant works on Aizawl Municipal Council has been come across. Therefore, the present study has been taken up to study Urban Administration in Mizoram with special reference to Aizawl Municipal Council.

### **Objectives of the Study**

The objectives of the study are to-

- (1) examine the factors responsible for the establishment of Aizawl Municipal Council.

- (2) study the organizational structure, functions and responsibilities of Aizawl Municipal Council.
- (3) examine the process of decentralisation of powers to Aizawl Municipal Council by the State Government.
- (4) to find out the problems faced by Aizawl Municipal Council and suggest remedial measures.

### **Scope of the Study**

The Aizawl Municipal Council administration in Mizoram has been facing many problems regarding facilities, delegation of powers by the State Government, size of staff, finance, and people's participation. Since no researcher has done any work on the problems of Aizawl Municipal Council, a need has been felt to take up the present study with the objective of suggesting positive measures for improving the administration of AMC. The present study shall concentrate on the Aizawl Municipal Council in Mizoram. It covered the organisational structure and functional aspect of Aizawl Municipal Council within the conceptual framework of the constitution of India and the Mizoram Municipalities Act, 2007 (as amended in 2009).

### **Research Questions**

The present study has attempted to answer the following research questions:

- What are the reasons behind the establishment of Aizawl Municipal Council?
- Does the Aizawl Municipal Council effectively manage and perform its objectives for which it has been established?

- How could the functions and operations of Aizawl Municipal Council be more relevant and useful for the people of Aizawl?

### **Methods of Data Collection**

For the present study, both primary and secondary sources of data are used. Primary data have been collected through personal interview from the leaders and employees of Aizawl Municipal Council and concerned Non-Governmental Organisations (NGOs) like Mizoram Municipal Steering Committee (MMSC) and Constitutional Rights Group.

Secondary data have also been collected through books, magazines, articles, newspaper reports and journals, published and unpublished documents of the State Government.

### **Organisation of the Study**

The whole work is divided into five chapters.

The **first Chapter** is an introductory chapter which deals with the Concept of Urbanisation with a view to understanding the purpose for which Aizawl Municipal Council has been established and the Profile of Mizoram. It has carried out review of literature and highlighted the Objectives of the Study, Scope of the Study, Research Questions and lastly Method of Data Collection.

The **second chapter** has investigated into the origin of Municipal Administration in India and then focussed on Aizawl Municipal Council, Mizoram.

The **third chapter** has examined the powers and functions of Aizawl Municipal Council as per the 74<sup>th</sup> Constitutional Amendment Act and then studied the powers and functions practically assigned to the Aizawl Municipal Council by the State Government.

In the **fourth chapter**, the researcher has pointed out the limitations of AMC and made suggestions for its solutions.

The **fifth Chapter** is the concluding chapter which has brought out the summary and major findings of this research and suggested measures to enable AMC to provide urban amenities to the urban dwellers in Aizawl.

## **II. Profile of Mizoram**

Mizoram is a mountainous State situated in the corner of North-East India bounded by Myanmar in the east and south and the states of Tripura and Assam, and Bangladesh in the west and the state of Manipur in the north. The geographical area is 21087 sq. Km.<sup>10</sup> The exact location of Mizoram is between 21.58' to 24. 35' N latitudes and 92.15' to 93.29' E longitude; the Tropic of Cancer passes through the middle of the State at a place called Thenzawl.<sup>11</sup> The climate is influenced by South West and North East Monsoon providing moderate climate throughout the year.<sup>12</sup>

The State has been divided into 8 Districts, 26 Rural Development Blocks, 23 Sub-Divisions and 3 Autonomous District Councils. There are 830 villages and 23 notified town in Mizoram as per 2011 census.

Mizoram is one of the thinly populated States in India. According to 2011 census, the population of Mizoram is 10, 91,014. The density of population is 52 persons per sq. km. Among all the 8 districts in Mizoram, Aizawl District occupies the highest density of population with 113 persons per sq.km. The lowest density is Mamit district with 28 per sq.km.

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<sup>10</sup> A.K. Agarwal, "Development in Mizoram: Issues and Perspectives." In R.N.Prasad and A.K.Agarwal (Ed.) *Modernisation of The Mizo Society*, New Delhi: A Mittal Publication, 2003, p-101.

<sup>11</sup> L.B. Thanga, *The Mizos: A Study in Racial Personality*, (United Publishers, Gauhati, 1978), p.xiii.

<sup>12</sup> B. Thangdailova, "Modernisation of Health Care Services in Mizoram" in R.N. Prasad and A.K.Agarwal (Ed.) *Op.cit.*, p-29.

The people inhabiting Mizoram were known as Mizos to the outside world as well as to the insiders. The word 'Mizo' is a generic term meaning Hillman or Highlanders<sup>13</sup>. According to the Mizo traditional beliefs, the Mizos came from 'Chhinlung' meaning a covering rock. The legend goes to say that the Mizo people belonging to various clans came out of the earth below the stone. In the opinion of some people, Chhinlung is, in fact, a place called Silung which is situated in China bordering the Shan State of Burma. This led to the theory that originally, the Mizos were the residents of Silung. Later on they migrated to India via Burma.<sup>14</sup>

The tribes/sub-tribes and clan inhabiting Mizoram are Lushai, Ralte, Hmar, Paite, Pawi, Khawlhring, Kiangte, Chawngthu, Pachuau, Pautu, Hrahsel, Tochwawng, Vanchhia, Chhakchhuak Zawngte, Fanai, Renthlei, Lakher, Chakma, Pangs and Riang<sup>15</sup>.

The system of Chieftainship among the Mizos began with Zahmuaka, the first chief. The Lushai clans lived separately without any coordinating agency. None would like to become a chief due to fear of attack by the Pawis as the chief would be the first target in such event. The people, however, wanted a chief and they persuaded a very unwilling and poor man Zahmuaka to become their chief. He became a success and his rule brought about solidarity and prosperity among the Mizos.<sup>16</sup>

Each chief had territorial jurisdiction of his own, consisting of one or more villages. In fact, the chief owned all that was in the village. The chief, before the annexation of the Lushai Hills exercised life and death powers, though these powers and functions were precise and definite. He was, at the same time, the supreme administrator, the chief justice, the protector and

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<sup>13</sup> P. Lalnithanga, *Emergence of Mizoram*, Aizawl: Lengchhawn Press, 2005, p-1.

<sup>14</sup> P. Lalnithanga, *Op.cit.*, p-2.

<sup>15</sup> R.N. Prasad, *Government and Politics in Mizoram*, New Delhi: Northern Book Centre, 1987, p-4.

<sup>16</sup> P. Lalnithanga, *Op.cit.*,p.2.

guardian of his villagers. In dealing with village administration, he was assisted and advised by a council of village elders called Upas in the Mizo language. The elders were generally men of the chief's choice, often nominated or selected without considering the opinion of the villagers.<sup>17</sup>

In 1892, when Mizoram, previously known as the Lushai Hills or Mizo Hills, was annexed to British India by the colonial power of British , administration was put under Local British Officers designated as Superintendent in the name of the Governor. Throughout the British period in Mizoram (1890-1947) the Mizos were isolated from the mainstream of India and administered as an excluded area.<sup>18</sup>

Mizoram was one of the Districts of Assam till 21<sup>st</sup> January, 1972 when it was declared as a Union Territory. Subsequently it attained Statehood on 20<sup>th</sup> February, 1987.<sup>19</sup>

Mizoram is one of the most urbanised States in the country with a population of 51.51 as per 2011 census living in the urban areas. The capital of Mizoram is Aizawl. Because of the hilly terrain of the State, the haphazard growth of towns has given rise to many new urban problems related to town planning, housing, water supply, sanitation, urban transport, pollution, provision of socio-economic overheads and employment opportunities.<sup>20</sup>

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<sup>17</sup> R.N.Prasad, *Public Administration in North-East India*, New Delhi: Vikas Publishing House Pvt.Ltd, 2005, p-3.

<sup>18</sup> B. Thangdailova, "Modernisation of Health Care Services in Mizoram" in R.N. Prasad and A.K.Agarwal (Ed.) *Op.cit.*, p-28.

<sup>19</sup> A.K.Agarwal, "Changing Socio-Economic Dimensions in Mizoram" in R.N.Prasad and A.K.Agarwal (Ed.) *Op.cit.*, P-178.

<sup>20</sup> A.K. Agarwal, "Urbanisation in Mizoram: Issues to be Resolved" in RN Prasad (Ed.) *Op.cit.*, p-141.

**TABLE - 1.1****Urbanisation in Mizoram<sup>21</sup>**

<b>Year</b>	<b>No. of Town</b>	<b>Total Population</b>	<b>Urban Population</b>	<b>Decade Variation</b>	<b>% of Urban Population</b>
1951	1	1,96,202	6,959		3.54
1961	1	2,66,063	14,257	+7298	5.34
1971	2	3,32,390	37,759	+23,502	11.36
1981	6	4,93,757	1,21,814	+84055	24.67
1991	22	6,89,756	3,17,946	+1,96,132	46.20
2001	22	8,88,573	4,41,006	+1,23,060	49.63
2011	23	10,91,014	5,61,977	+1,20971	51.51

The city of Aizawl is now faced with many urbanisation problems due to increase in population of the city. With this regards, the State Government take steps by introducing the Municipal Council as per the provisions of the 74<sup>th</sup> Constitutional Amendment Act, 1992 relating to Municipalities in Aizawl for the urban people to administer their own local affairs.

The term ‘Municipality’ means the Board of Councillors charged with the authority of the municipal government. The authority of the municipal government shall consist of elected councillors of the wards within the municipal area and the member of the House of the People and the members of the Legislative Assembly of the State representing the constituencies comprising wholly or partly of the Municipal area. However, it was provided that the member of the House of the People and the members of the Legislative Assembly of the State shall not have the right to vote in the meeting of the Municipality. All the executive actions of the Executive Council shall be expressed to be taken in the name of the Municipality.

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<sup>21</sup> Lalhmachhuana Zofa, *Mizoram General Knowledge: Eight Edition*, (Diktawn Press, Aizawl, Mizoram, 2012), p.40



Under sub-section (2) of section 12 of the Mizoram Municipal Act, 2007 (As amended in 2009),<sup>22</sup> the Municipality shall be a body corporate by its name having perpetual succession and common seal and shall subject to any restriction and qualification imposed by or under this Act or any other law for the time being in force, have the power to acquire, hold, administer or dispose of properties and to enter into contracts and to do all other things necessary, proper or expedient for the purpose of this Act, and may sue and be sued in its corporate manner.

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<sup>22</sup> Government of Mizoram, *the Mizoram Municipalities Act 2007 (as amended in 2009)*.

## CHAPTER-II

### EVOLUTION, ORGANISATION AND STRUCTURE OF AIZAWL MUNICIPAL COUNCIL

This chapter examines the process of evolution of Municipal Government in India and then focuses on the evolution of Aizawl Municipal Council in Mizoram. It has also been an attempt to examine the organisational structure of AMC in its entirety.

#### I. Evolution of Municipal Government in India

A beginning of Local Self-Government in modern India may be said to have been made in 1687 when for the first time a Local Self-Government body was set up for the city of Madras.<sup>23</sup> The evolution of Local Self-Government in India had to wait until 1793 when it acquired a statutory base. The Charter Act of 1793 established Municipal Administration in the three Presidency towns of Madras, Calcutta and Bombay by authorising the Governor-General of India to appoint Justice of the Peace in these three towns. The Justice of Peace in these three towns were authorised to levy taxes on houses and lands to provide for scavenging, police and maintenance of roads.<sup>24</sup>

The evolution of Municipal Government in our country from the pre-historic times to the present day may be divided into three phases in chronological order.

- (a) Pre-British period from pre-historic times to the British annexation of Punjab in 1849,

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<sup>23</sup> U.B.Singh, *Urban Administration in India*, New Delhi: Serials Publications, 2004, p-4

<sup>24</sup> S.L.Goel, *Urban Local Self-Government (Administration and Management in the 21<sup>st</sup> Century)*, New Delhi: Deep & Deep Publication Pvt.Ltd.,2011, p-8

- (b) British period from the advent of the British rule to its end in 1947 and
- (c) Post-British (Independence) period from 1947 to the present day.

**PHASE-I (Pre-British period from pre-historic times to the British annexation of Punjab in 1849)**

Municipal government is deeply rooted in Indian history. The excavations in Mohenjodaro and Harappa of Indus Valleys civilisation (3000 BC) speak volumes of the organised urban life in ancient times and reveal that they were amongst some of the oldest planned cities of the world.<sup>25</sup>

The local self-government continued during the succeeding period of Hindu rule in the form of town committees, which were known as ‘Gosthis’ and ‘Mahajan Samitees’. The representative character of these Samitees was respected by the rulers. In the Mauryan period followed by the Gupta era and subsequently in the medieval period, the system of local self-government continued to be more or less the same. However, the system was quite different in the Mughal period. The representative character was abolished and the whole administration of a city was placed in the charge of nominated government official known as the ‘Kotwal’, who not only controlled the various municipal activities, but also performed certain magisterial functions, including the control over police and intelligence<sup>26</sup>. In this period, structure of the society was predominantly feudal and, therefore, vast powers and various functions of the state were centred in an individual or institution.<sup>27</sup>

Although, Local Self-Government existed in India in ancient times, in its present structure and style of functioning it owes existence to the British

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<sup>25</sup> Pardeep Sachdeva, *Dynamic of municipal government and politics in India*, Allahabad: Kitab Mahal, 1991, p-19.

<sup>26</sup> UB Singh, *Op.cit.*, p-3

<sup>27</sup> Pardeep Sachdeva, *Op.cit.*, P-20

rule in India. Neither the system of village self-government that prevailed in earlier times nor the method of town government, which was then in existence, visualised the type of periodically elected representative government responsible to the electorate that had evolved in the west and was planted in India by the British Government.<sup>28</sup>

## **PHASE-II (British period from the advent of the British rule to its end in 1947)**

The origin of municipal administration in India dates back to 1687 when a Municipal Corporation was set up at Madras under a Charter granted by James II, the then British monarch. This was done with a view to transfer the financial burden of local administration to the local city council.<sup>29</sup> The Charter Act of 1793 established municipal administration in the three presidency towns of Madras, Calcutta and Bombay.<sup>30</sup>

In 1870, Lord Mayo, Viceroy of India, issued an order in the form of a resolution of financial decentralisation. The main object of the Lord Mayo's resolution was to promote education, public health, sanitation, medical relief and local civic works and also give facilities to self-government for strengthening municipal institutions. To make success of Lord Mayo's resolution, several new municipal laws were passed in various provinces.<sup>31</sup>

In 1882, Lord Ripon paid his personal attention by providing better opportunities of participation in the management of the public affairs. He laid down the principles for organising the working of local self-government on the basis of non-official majority by reducing the official element of one-third.<sup>32</sup> A significant development since Ripon's Resolution came up in 1907 when the

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<sup>28</sup> UB Singh, *Op.cit.*, p-4.

<sup>29</sup> Pardeep Sachdeva, *Op.cit.*, p-21.

<sup>30</sup> S.L.Goel, *Op.cit.*, p-8.

<sup>31</sup> UB Singh, *Op.cit.*, p-8.

<sup>32</sup> P.N. Parashar, *History and problems of Municipal Administration in India*, Volume-I, New Delhi: Sarup & Sons, 2003, p-3.

rising discontent among the Indian masses led to the appointment of the Royal Commission on Decentralisation.<sup>33</sup>

The Government of India Act 1935 came into force in 1936, which replaced the dyarchical system of government and system of provincial autonomy was introduced<sup>34</sup>

### **PHASE – III (Post-Independence Period)**

In the post-Independence period, problems of urban local government did not receive especially in earlier years the same attention as rural local government did.<sup>35</sup> No attention was paid to urban local bodies in the first two Five Year Plans. It was only in the Third Five Year Plan that a definite proposal for a co-ordinated urban development was made. Under this plan, a regional approach to problems of industrialisation and urbanisation was made. The plan also provided for the preparation with central assistance of city and regional plans.<sup>36</sup>

Keeping in view the growing importance of urban local bodies the Union Government introduced in Lok Sabha the Constitution (73<sup>rd</sup>) Amendment bill, in 1992, which was ratified by the majority of States and after the Presidential assent came into force with effect from April 24, 1993 as the Constitution 74<sup>th</sup> Amendment Act, 1992.

### **Seventy Fourth Constitutional Amendment Act, 1992**

The 74<sup>th</sup> Amendment to the Constitution is a landmark in the history of Urban Local Government in the country. The Act provides for a constitutional status to urban local government institutions. It contains two types of

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<sup>33</sup> Pardeep Sachdeva, *Op.cit.*, p-26.

<sup>34</sup> UB Singh, *Op.cit.*, p.14-15.

<sup>35</sup> Apurba Kumar Basiston, *Op.cit.*, p-35

<sup>36</sup> Apurba Kumar Basiston, *Op.cit.*, p-36.

provisions-mandatory as well as discretionary. Mandatory provisions were those which were compulsorily to be adopted throughout the country. Such provisions included the uniform structuring, definite term, stability, reservation of seats for different segments of society, constituting the wards committees, District Planning and Metropolitan Planning Committees, Finance Commission and Election Commission, etc. The local government being the State Subject, the discretionary provision were left to the state to enact according to their needs and local situations.<sup>37</sup>

## **II. Mizoram Local Administrative System**

During the Pre-British Period in the then Lushai Hills/Aizawl District (Now Mizoram) each village had a traditional institution of autocratic chiefships to manage village affairs with a Council of Elders called ‘Upas’ in Mizo language. These ‘Upas’ were men of the chief’s choice, nominated/selected without the villagers’ opinion. The chief, thus, tried to give his rule the semblance of people’s rule in the governance of his village through the Council of Elders.<sup>38</sup>

A new scheme of the administration of the tribesmen of certain hills districts of the then State of Assam, based on the recommendations of the North-East Frontier Tribal and Excluded Areas Sub-Committee of the Constituent Assembly known as the Bordoloi Sub-Committee was incorporated in the Sixth Schedule to the Constitution of India. This provided for the constitution of the Autonomous District Councils (ADC’s) for major tribesmen and Autonomous Regional Council for minor tribesmen other than the major tribal people within a district. As a result, the Autonomous Mizo District

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<sup>37</sup> UB Singh, *Op.cit.*, p-21

<sup>38</sup> R.N. Prasad and Marie Zodinpuui, “the seventy-Fourth Constitutional Amendment Act, 1992 and Urban Local Government Perspectives in Mizoram” in RN Prasad and A.K. Agarwal(Ed.) *Op.cit.*, p-259

Council for the Mizos and the Pawi Lakher Regional Council (PLRC) for the Pawi, Lakher, and Chakma tribes were set up in 1952 and 1953 respectively.<sup>39</sup>

The Mizo Hills District according to the provisions of the North-Eastern Areas (Re-Organisation) Act, 1971 was elevated to the status of Union Territory of Mizoram in 1972. It was envisaged in the Act that the Mizo Hills District Council would cease to exist from the date on which the Legislative Assembly of the Union Territory of Mizoram was constituted. The Pawi-Lakher Regional Council was also trifurcated into three District Councils such as the Mara District Council, the Lai District Councils such as the Mara District Council, the Lai District Council and the Chakma District Council. In February, 1987, Mizoram was inaugurated as the 23<sup>rd</sup> state of the Indian Union.<sup>40</sup>

### **III. Origin of Aizawl Municipal Council**

Although Aizawl became an urban settlement after post-Independence period, it practised the Village Council system of administration in different localities without evolving any proper authority to coordinate relations among them. It is relevant to narrate that the authority to established Town Committee or Council for the urban centres had already been given to the erstwhile Autonomous District Council of the Mizo (Lushai Hills) by the Sixth Scheduled to the Constitution of India. However, it was unfortunate for the people of Aizawl, the Capital Headquarter of the district that the first District Council formed by the Mizo Union was said to overlooked the need for Setting up of proper urban governance structure for Aizawl. What the District

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<sup>39</sup> R.N. Prasad, "Urban Administration-Democratic Decentralized Governance Perspectives in Mizoram-Municipalities" in RN Prasad (Ed.) *Op.cit.*, p-14.

<sup>40</sup> R.N Prasad, *Public Administration in North East India*, New Delhi: Vikas Publishing House Pvt.Ltd, 2005, p-75.

Authority had done in this regard was only Passing of ‘The Town Committee Act, 1955’ for the establishment of Town Committee.<sup>41</sup>

Since a set up of the Mizo Hills District Council in 1952, elevation of the District to the status of Union Territory of Mizoram in 1971 and subsequent to Statehood of Mizoram in 1986. The government of Mizoram has created and notified 23 towns such as Aizawl, Champhai, Serchhip, Kolasib, Saitual, Khawzawl, Vairengte, N. Kawnpui, Thenzawl, Darlawn, Mamit, Sairang, Zawlnuam, N. Vanlaiphai, Biate, Khawhai, Lengpui, Lunglei, Hnahthial, Tlabung, Lawngtlai and Saiha, but has not so far provided for the pattern/structure of urban governance administration except in Aizawl. Briefly, the governance of these towns has been in the operation without urban structures even after fifty three years of Independence which contradicts the provisions of the Constitution (Seventy Fourth Amendment) Act, 1992 relating to municipalities. This Act, no doubt, provides democratic decentralised governance for the urban people of the notified urban areas of the State which enable the most active political participation of all people of the urban areas.<sup>42</sup>

Keeping in view the fundamentals of Municipal government and democratic decentralised people’s participation in urban development administration, there is an imperative need to set up or constitute Municipal Government in the twenty three notified towns including Aizawl City by the Government of Mizoram under the provisions of the Constitution (Seventy Fourth Amendment) Act 1992 relating to Municipalities, which are to be more democratic, decentralised and pro-people based on pro-people policies, accessibility of all sections of society specially the disadvantaged and women, affordability the main criteria for various services to be user oriented,

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<sup>41</sup> Lalrintluanga, “Aizawl Municipal Council (AMC): A beginning of New Era in Mizoram,” in *Urban Panorama*, Lucknow: Regional Centre for Urban & Environmental Studies, Lucknow University, Vol-X, No.1, January-June, p-82.

<sup>42</sup> R.N. Prasad and Marie Zodinpuui, “the seventy-Fourth Constitutional Amendment Act, 1992 and Urban Local Government Perspectives in Mizoram” in RN Prasad and A.K. Agarwal (Ed.) *Op.cit.*, p-261.



accountability to people the main responsibility of administration to be fulfilled by informing the people, motivating their cooperation, redressing their grievances, catering to their needs more satisfactorily and above all developing a clean and transparent administration that can win their constant appreciation and confidence. These are the invaluable virtues for any urban administration to cherish.<sup>43</sup>

The new millennium had fortunately ushered in a good sign of awakening among a small group of right-thinking citizens of the State who advocated the introduction of urban governance structures for all the Urban Centres in Mizoram. Within a decade from the date of passing of the 74<sup>th</sup> Constitutional Amendment Act by the Parliament, this enlightened group of citizens had organised themselves into a cohesive group to launch an awareness campaign to let the urban dwellers understand the imperative need for setting up of urban governance structure like Municipal Corporations, Municipal Councils and Municipal Boards in all urban centres of the State. At the end of the day, these right-thinking citizens had formed a voluntary organisation called ‘The Mizoram Municipal Steering Committee (MMSC) at Aizawl on 29<sup>th</sup> March 1999 (Monday).<sup>44</sup>

The leaders of the Steering Committee had submitted a Memorandum to President of India on 23<sup>rd</sup> September, 2005. In addition, they had posted copies of this memorandum to the Prime Minister of India and other Central Ministers in charge of relevant Ministries. This Memorandum was believed to have drawn the attention of the President of India who, in turn, sent an Official Letter to the Chief Secretary of Mizoram asking him to prepare the groundwork for the establishment of Municipal Councils in urban centres of the State as demanded by the Steering Committee. As anticipated by the Steering

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<sup>43</sup> RN Prasad, “Urban Administration-Democratic Decentralised Governance Perspectives in Mizoram-Municipalities”, in R.N. Prasad(Ed.,) *Op.cit.*, P-13.

<sup>44</sup> Lalrintluanga, *Op.cit.*, p-84.

Committee, the State Government had set up a new department, called Urban Development & Poverty Alleviation (UD&PA) Department on 24<sup>th</sup> August 2006.<sup>45</sup>

The Government of India launched a city modernisation scheme called JnNURM by the Prime Minister Dr.Mammohan Singh, under Ministry of Urban Development.<sup>46</sup> The programme meant for improving the quality of life and infrastructure in the cities. Its main aim is to create the city economically productive, efficient, equitable and responsive by a strategy of upgrading the existing social and economic infrastructure in cities, provision of Basic Service to Urban Poor (BSUP) and wide-ranging urban sector reforms to strengthen Municipal Governance in accordance with the 74<sup>th</sup> Constitutional Amendment Act, 1992.

It is pertinent to note that Aizawl was one of the urban Centres in India selected by the concerned Ministry of the Central Government to receive, under some condition, the benefits of Jawaharlal Nehru National Urban Renewal Mission (JnNURM).<sup>47</sup>

On June 12, 2007 the State Government of Mizoram, Urban Development & Poverty Alleviation Department of Mizoram and the Union Ministry of Urban Development signed a tripartite Memorandum of Agreement (MoA). The MoA explicitly binds the State Government to implement reform agenda under the JnNURM (such as establishment of Urban Local Bodies under 74<sup>th</sup> Amendment), failure to do so would entail withholding subsequent instalments of grants given by the Centre to the State of Mizoram.<sup>48</sup> In view of the opportunity brought about by JnNURM for upgrading urban infrastructures,

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<sup>45</sup> Lalrintluanga, *Op.cit.*, P- 87

<sup>46</sup> Interview with Nghaklianmawia, Chief Executive Officer, AMC on 24<sup>th</sup> May 2012

<sup>47</sup> Lalrintluanga, *Op.cit.*, p-88

<sup>48</sup> LH Chhuanawma, *Aizawl Municipal Council*, vide [www.trcollege.net](http://www.trcollege.net), dt 10/06/2012

the Government of Mizoram had felt it necessary to enact The Mizoram Municipalities Act, 2007 which was notified on April 20, 2007.

The office of Aizawl Municipal Council was inaugurated by the former Minister, H. Vanlalauva which started functioning from July 1, 2008 at its rented office building at Aizawl. Ultimately, the first ever AMC election was held across the 19 (nineteen) Aizawl Municipal Wards on the 3<sup>rd</sup> November 2010.

#### **IV. Structure of Aizawl Municipal Council Area**

The State Government determine the number of wards in any municipal area, having regards to population, dwelling pattern, geographical condition and economic consideration of the area. It has been provided that the Municipal Council should have not less than eleven but not more than twenty three. In regards to Aizawl Municipal Council, the city is divided into nineteen wards. The local area covered by Wards are shown in the table

#### **Local Area Covered by Ward<sup>49</sup>**

**TABLE: 2.1**

SL.NO	WARD NO	LOCAL AREA COVERED BY WARD	NO. OF ELIGIBLE VOTERS
1.	I	Selesih, Durtlang North, Durtlang, Durtlang Leitan, Zuangtui, Muanna Veng.	8,899
2.	II	Chaltlang, Bawngkawn, Bawngkawn South.	11,957
3.	III	Ramhlun North, Ramhlun	9,506

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<sup>49</sup> Letter acquired from CEO, Aizawl Municipal Council on 24<sup>th</sup> May, 2012

		Venglai, Ramhlun Vengthar, Ramhlun Sport Complex, Laipuitlang.	
4.	IV	Ramhlun South, Ramthar, Ramthar North, Aizawl Venglai.	9,853
5.	V	Electric Veng, Chanmary, Zarkawt	8,216
6.	VI	Chanmari West, Edenthar, Hunthar.	6,100
7.	VII	Zemabawk North, Zemabawk, Falkland, Thuampui.	9,560
8.	VIII	Armed Veng, Armed Veng South, Chite.	6,123
9.	IX	Dawrpui, Saron Veng, Chhinga Veng, Tuithiang Veng.	8,614
10.	X	Chawnpui, Zotlang, Zonuam, Gov't Complex	6,566
11.	XI	Luangmual, Chawlhmun, Tanhril, Sakawrtuichhun, Rangvamual, Phunchawng, PTC Lungverh, Tuivamit	8,640
12.	XII	Tuikual North, Tuikual South, Dinthar.	10,336
13.	XIII	Dawrpui Vengthar, Vaivakawn, Kanan.	6,504
14	XIV	Khatla, Khatla South, Mission Vengthlang	9,148
15	XV	Bungkawn Venthlar, Bungkawn, Maubawk, Lawipu, Nursery.	8,791
16	XVI	Bethlehem, Bethlehem	9,346

		Vengthlang, College Veng.	
17.	XVII	Venghlui, Republic, Upper Republic, Republic Vengthlang	8,699
18.	XVIII	Mission Veng, Salem Veng, Dam Veng, Venghnuai, Thakthing, ITI.	13,291
19.	XIX	Kulikawn, Tlangnuam, Saikhamakawn, Melthum, South Hlimen.	8,499
TOTAL NO. OF ELIGIBLE VOTERS			1,68,648

The Aizawl Municipal Council which is formed in 2010 is in charge of Civic Administration of Aizawl City. The AMC consists of 19 elected members representing 19 Wards of the Aizawl city and others members are appointed by the Governor of Mizoram. The tenure of the elected Councillors is five years. One-thirds of the total membership of the Council is reserved for women and these six seats shall be rotated after every five years. Moreover, there is a Ward Committee in every Ward. The elected Councillor from that Ward shall be the Chairman, and two members each from all the Local Councils within the Ward.

#### **Election of Municipal Members:**

The members of AMC are elected on the basis of adult franchise through secret ballot. The city is divided into 19 wards keeping in view the population of the city. A person is qualified for the election as a member if his or her name is included in the electoral rolls for the election of councillors of a municipal area. Moreover, a person who has been convicted by a criminal court of an offence, punishable with imprisonment for a period of not less than two years shall not be eligible for election as a councillor for five years from the date of expiration of the sentences.

### **Oath taking<sup>50</sup>**

The first meeting of the Board of Councillors after the general election of the Councillors to the Municipality shall be convened by the District Magistrate (whose jurisdiction the Municipality is situated) within thirty days from the date of publication of the name of elected Councillors in the Official Gazette. In this meeting every person elected or appointed to be a Councillor shall subscribe and make oath before a District Magistrate (whose jurisdiction the Municipality is situated)

### **Removal of a member**

A Councillor shall hold office for a period of five years from the date of the first meeting of the Board of Councillors. Any person who is found physically or mentally incapable can be removed by the Government and a member who intentionally abuses his position or is responsible for misappropriation or loss to any money or property of the Council or absence from the meeting of the Council for three successive months without prior permission of the Chairman can be removed from his office. But the removal is only done by the Government on the recommendation of the Chairman of the Council. The Chairman can also be removed if he loses the confidence of the members of the Council

### **Ward Committee<sup>51</sup>**

There is a Ward Committee in every Ward. As regard the Ward Committee, Aizawl Municipal Council is divided into 19 Wards. It is the duty of the Municipality to form a ward Committee for every ward at its first meeting after the election of the Councillors.

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<sup>50</sup> Section 49 of *The Mizoram Municipalities Act 2007 (as amended in 2009)*

<sup>51</sup> Section 23 of *The Mizoram Municipalities Act 2007 (as amended in 2009)*

### **Composition of Ward Committee<sup>52</sup>**

The Ward Committee shall consist of the elected Councillor, two members each from the Local Councils within the Ward and three other members who shall be appointed by the Municipality on the recommendation of the Councillor from amongst the prominent citizens residing in the ward of which one shall be a woman. It also provided that not more than one person shall be appointed from one locality. The elected Councillor of the ward shall be the Chairman of the Committee, and shall preside over the meeting of the Committee. In his absence, the members present shall elect a Chairman from amongst themselves to preside over the meeting.

### **Tenures of Ward Committee<sup>53</sup>**

The tenure of the Ward Committee shall be co-terminus with that of the Councillor. All members of the Ward Committee shall hold office during the life of the Committee. It also provided that in the case of fresh appointment due to dissolution of the Committee, the member so appointed shall hold office during the remaining term of the Committee. Moreover, if a member fails to attend five consecutive meetings of the Committee without permission, the Committee may declare his seat vacant after giving him an opportunity of hearing. In case of any casual vacancy in the membership of the Ward Committee cause by the death of a member or shifting of residence by a member from the ward to another ward or otherwise, the Municipality on the recommendation of the Councillor may appoint prominent person residing in the ward to fill the vacancy.

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<sup>52</sup> Government of Mizoram, *Notification*, Urban Development and Poverty Alleviation Department. 2<sup>nd</sup> November 2010.

<sup>53</sup> Government of Mizoram, *Notification*, Urban Development and Poverty Alleviation Department. 2<sup>nd</sup> November 2010.

## **First meeting of the Ward Committee<sup>54</sup>**

The first meeting of the Committee shall be convened by the Chairman of the Committee within fifteen days from the date of constitution of the Committee. Apart from normal business, the Committee shall, at its first meeting elect a Member-Secretary for the Committee from amongst the members. The Committee shall meet at least once in every three months. The Chairman shall fix the date, place and time of the meeting, and the Secretary shall issue notice of the meeting specifying the date, place and time of the meeting and the business to be transacted there three days ahead of the meeting. Quorum for a meeting shall be one-third of the total number of members including Chairman.

### **A. Organisational Structure of Aizawl Municipal Council**

Aizawl Municipal Council is divided into two: Executive Council and the Administrative Wing.

#### **I. Executive Council**

The organisational structures of the Executive Council are filled by the elected Councillors of AMC. The Executive Council of AMC consists of the Chairman, Vice Chairman and three Executive Members. To assist them in their day-to-day routine works, the Members of the Executive Council have their own personnel branch. Each Executive Member is provided with one Personnel Assistant, one LDC, one Peon and one driver each.

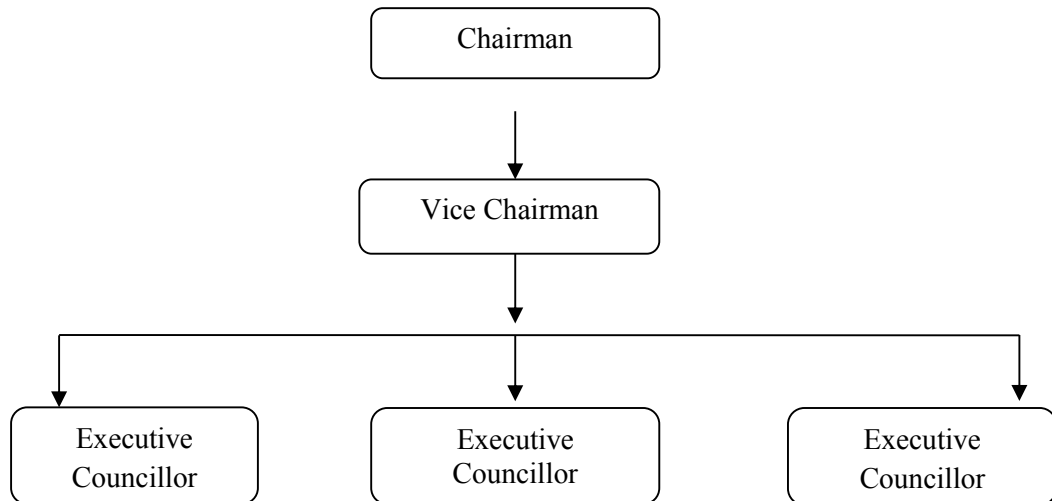
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<sup>54</sup> Government of Mizoram, *Notification*, Urban Development and Poverty Alleviation Department. 2<sup>nd</sup> November 2010.



## Chart- 1

### Structure of the Executive Council of AMC



#### (a) Chairman

The Chairman is the executive head of the Municipal administration and exercise control over all officers and employees. He is elected by the elected councillors from amongst themselves according to the provision of sub-section 1 of section 16 of the Mizoram Municipalities Act, 2007 (as amended in 2009).<sup>55</sup> The term of the Chairman is 5 years. However, he can be removed from his office before the expiry of his term by a resolution expressing vote of no confidence in him in writing by not less than one-third of the total number of elected councillors.

It is the duty of the chairman to allocate the business among the members of the Executive Council. He convenes and presides over the meetings of the Council and gives his ruling on all matters and decides any point raised by the members. He has the power to suspend or adjourn any meeting. All matters which are placed before the Council need his approval. He

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<sup>55</sup> Government of Mizoram, *The Mizoram Municipalities Act 2007 (as amended in 2009)*

keeps himself in touch with the day-to-day working of the Municipal administration.

**(b) Vice Chairman**

The Vice Chairman is elected by the elected councillors from amongst themselves according to the provision of sub-section 1 of section 16 of the Mizoram Municipalities Act, 2007 (as amended in 2009).<sup>56</sup> The term of the Vice Chairman is 5 years. It is the duty of the Vice President to preside over the meeting of the Executive Council and the Board of Councillors in the absence of the Chairman. He performs all those duties and exercise powers delegated to him by the provision of the Mizoram Municipalities Act, 2007.

**(c) Executive Councillors**

Apart from the Chairman and Vice Chairman, there are three member of executive council nominated by the Chairman amongst the Councillors. The member of the executive council shall exercise and perform such powers and functions assign to them by the Chairman. Their term of office is 5 years and shall hold office as long as they attain the confidence of the Chairman. The Executive Council are collectively responsible to the Municipality and all the executive powers of the Municipality are vested in the hand of the Executive Council.

**B. Administrative Structure of Aizawl Municipal Council (AMC)**

The organisational structure of Administrative Wing is filled by number of administrative personnel recruited by the Municipal Council with the prior sanction of the State Government.

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<sup>56</sup> Government of Mizoram, *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

The Administrative wing of Aizawl Municipal Council is divided into four wings namely: Sanitation Wing, General & Establishment Wing, Building Regulation Wing and Engineering Wing. The Administrative Wing is headed by the Chief Executive Officer who is assisted by the Secretary.

**(a) Chief Executive Officer**

The Chief Executive Officer has a term period of one year. He is from the civil service cadre, i.e. MCS Rtd. He can be re-employed after expiration of his term. He is at the top of the administrative hierarchy and is the king pin of municipal administration, all officers and other employees of the Municipality are subordinate to him. He is responsible for exercising control and supervision over the municipal staff and the municipal employees can be transferred by him from one branch to another branch. The Chief Executive Officer mainly deals with the implementation of various plans and policies which are framed by the Executive wing.

**(b) Secretary**

The post of Secretary is also filled by the civil service cadre, i.e. MCS. Civil servants from outside the Municipal Council are appointed as Secretary on deputation normally for a period of one year. He is to assist the Chief Executive Officer (CEO) in fulfilling its duties and responsibilities. His main duty is to prepare the meetings' agenda and submit thereof to the Chairman, record the minutes of the meetings and the Council's recommendations. He manages, organises and processes all official records of the city and performs related work as required. It is his duty to coordinate public meetings of the staff as well as the Council.

Following are the different Administrative Wings of Aizawl Municipal Council (AMC).

## **1. Sanitation Wing**

The Sanitation Wing has been placed under the Aizawl Municipal Council following the transfer of the subject 'Solid Waste Management and Sanitation within Aizawl city' from Urban Development & Poverty Alleviation (UD & PA) to the Aizawl Municipal Council. The Sanitation Wing is headed by a Sanitation Officer, who is assisted by Asst. Sanitation Officer, Sanitation Inspector, Sweepers and Lorry Attendants. The Sanitation Wing looks after the overall sanitation and cleanliness of the capital city of Aizawl, and is primarily responsible for street sweeping and collection and disposal of municipal solid wastes. On the other hand, it is not responsible for disposal of Market wastes, which is falling under the purview of Trade & Commerce Department.

## **2. General and Establishment Wing**

General and Establishment Wing of the Aizawl Municipal Council has three main officials namely the Executive Secretary, Finance Account Officer and Superintendent. The Executive Secretary is responsible for the management of property tax for which he is assisted by a Revenue Assistant. Also, under the Executive Secretary, there are several officials with the posts of UDC and LDC. The Accounts Section headed by the Finance Account Officer falls under the General and Establishment Wing; Finance Account Officer is assisted by the Account Officer, Accountant and several LDC. Under the Superintendent too, there are several officials namely, the Assistant, UDC and LDC. The Account branch prepares and maintains all the accounts of the Municipal Council.

## **3. Building Regulation Wing**

The Building Regulation Wing is headed by a Town Planner who works on a contract basis. He is assisted by an Asst. Town Planner, Assistant Architect, Junior Engineer and Planning Assistant. Town Planner is involved in

making long and short-term decisions about the management and development of the Municipal area. The Building Regulation Wing aims to balance the conflicting demands of housing, industrial development, agriculture, recreation, transport and the environment, in order to allow appropriate development to take place.

#### **4. Engineering Wing**

The Aizawl Municipal Council has to carry out a number of public works related to the city development. To perform all these functions, the Municipal Council has a separate wing called Engineering Wing. The Engineering Wing has to carry out gigantic tasks of inspecting a number of new buildings constructed in the different localities of Aizawl. This wing is headed by Executive Engineer, who is assisted by Assistant Engineer and Junior Engineer.

## **CHAPTER-III**

### **POWERS, FUNCTIONS AND RESPONSIBILITIES OF AIZAWL MUNICIPAL COUNCIL**

This chapter has examines the powers and functions of Aizawl Municipal Council as per the 74<sup>th</sup> Constitutional Amendment Act and then studied the powers and functions practically assigned to the Aizawl Municipal Council by the State Government.

#### **I. Functions of the Municipalities enlisted in the Twelfth Schedule of the Constitution**

The functions which may be entrusted to the Municipalities have been enlisted in the Twelfth Schedule of the Constitution. The State Legislature is free to choose from the listed functions or add to this list while deciding the functions to be carried out by the municipalities. The enlisted functions of the Twelfth Schedule<sup>57</sup> of our Constitution Article 243 W are as under

1. Urban planning including town planning.
2. Regulation of land-use and construction of buildings.
3. Planning for economic and social development.
4. Road and bridges.
5. Water supply for domestic, industrial and, commercial purposes.
6. Public health, sanitation conservancy and solid waste management.
7. Fire services.
8. Urban forestry protection of the environment and promotion of ecological aspects.

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<sup>57</sup> Article 243 W of the Indian Constitution.

9. Safeguarding the interests of weaker section of society, including the handicapped and mentally retarded.
10. Slum improvement and up gradation.
11. Urban poverty alleviation.
12. Provision of urban amenities and facilities such as parks, gardens, playgrounds.
13. Promotion of cultural, educational and aesthetic aspects.
14. Burials and burial grounds; cremations, cremation ground and electric crematoriums.
15. Cattle ponds; prevention of cruelty to animals.
16. Vital statistics including registration of births and deaths.
17. Public amenities including street light, parking lots, bus stop and public conveniences.
18. Regulation of slaughter and tanneries.

## **II. Functions of Aizawl Municipal Council**

As per the Seventy Fourth Constitutional Amendment Act, 1992, the Municipalities is empowers to function as an effective institution of self government. The State Legislature specifies by law what powers and responsibilities will be entrusted to the Municipalities in respect of the preparation of plans for economic development and social justice and the implementation of schemes as may be entrusted to them.

The powers and functions of Aizawl Municipal Council is mention in Chapter VI of The Mizoram Municipalities Act, 2007 (As amended in 2009).<sup>58</sup>

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<sup>58</sup> Government of Mizoram, *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

## Functions of Municipality<sup>59</sup>

- (1) Every Municipality shall-
  - (a) Provide on its own or arrange to provide through any agency the following core municipal services:
    - (i) water supply for domestic, industrial, and commercial purposes,
    - (ii) drainage and sewerage.
    - (iii) solid waste management,
    - (iv) preparation of plan-for economic development and social justice,
    - (v) communication systems including construction and maintenance of roads, footpaths, pedestrian pathway, transportation terminals, both for passengers and good, bridges, over-bridges, subway, ferries and inland water transport system,
    - (vi) transport system accessories including traffic engineering schemes, street furniture, street lighting, parking areas and bus stops,
    - (vii) community health and protection of environment including planting and caring of trees on road sides and elsewhere,
    - (viii) markets and slaughter house.
    - (ix) promotion of educational, sport and cultural activities, and
    - (x) aesthetic environment, and

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<sup>59</sup> Section 57 of the *Mizoram Municipalities Act, 2007 (as amended in 2009)*



- (b) perform such other statutory or regulatory functions as may be provided by or under this Act or under any other law for the time being in force.
- (2) The Municipality may, having regard to its managerial, technical, financial and organizational capacity, and the actual condition obtaining in the municipal area, decides not to take up, or postpone the performance of, any of the function as aforesaid.
- (3) The State Government may direct a Municipality to perform any of the functions as aforesaid, if such function is not taken up, or is postponed, by the Municipality.
- (4) The Municipality may plan, build, operate, maintain or manage the infrastructure required for the discharge of any of the functions, as aforesaid, either by itself or by agency under any concession agreement referred to in 58 -A.

**Discretionary functions of the Municipality:<sup>60</sup>**

A Municipality may, having regard to the satisfactory performance of its core functions which shall constitute the first charge on the Municipal Fund, and subject to its managerial, technical and financial capabilities, undertake or perform, or promote the performance of any of the following functions:-

- (1) in the sphere of town planning, urban development and development of commercial infrastructure,
  - (a) Planned Development of new areas for human settlement.

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<sup>60</sup> Section 58 of *The Mizoram Municipalities Act 2007 (as amended in 2009)*

- (b) Measures for beautification of the municipal area by setting up parks and fountains, providing recreational area, improving river banks, and landscaping.
- (c) Collection of statistics and data, significant to the community, and
- (d) Integration of the development plans and schemes of the municipal area with the district or regional development plan, if any.

(2) in the sphere of protection of environment:-

- (a) Reclamation of wastelands, promotion of social forestry and maintenance of open spaces.
- (b) Establishment and maintenance of nurseries for plants, vegetables and trees and promotion of greenery through mass participation.
- (c) Organization of flower-show and promotion of flower-growing as a civic culture, and.
- (d) Promotion of measures for abatement of all forms of pollution;

(3) in the sphere of public health and sanitation:-

- (a) Mass inoculation campaigns for eradication of infectious diseases.
- (b) Construction and maintenance of municipal markets and slaughterhouse and regulation of all markets and slaughterhouses.
- (c) Reclamation of unhealthy localities, removal of noxious vegetation and abatement of all nuisances.
- (d) Maintenance of all public tanks and regulating the re-excavation, repair and up-keep of all private tanks, wells and other sources of water-supply on such terms and conditions as the Municipality may deem proper,
- (e) Construction and maintenance of cattle pounds,
- (f) Provision for unfiltered water supply for non-domestic uses,
- (g) Advancement of civic consciousness of public health and general welfare by organizing discourses, seminars and conferences, and

(h) Measures for eradication of addiction of all kinds including addiction to drug and liquor.

(4) in the sphere of education and culture,

- (a) promotion of civic education, adult education, social education and on-formal education,
- (b) promotion of culture activities including music, physical education, sport and theatres and infrastructure therefore,
- (c) advancement of science and technology in urban life,
- (d) publication of municipal journals, periodicals and souvenirs, purchase of book, and subscription to journal, magazines and newspapers,
- (e) installation of statues, portraits and pictures in appropriate manner,
- (f) organization, establishment and maintenance of art galleries and botanical or zoological collections, and
- (g) maintenance of monuments and places of historical, artistic and other importance.

### **Transfer of functions of State Government<sup>61</sup>**

1. Notwithstanding anything contained in this Act or in any other law for the time being in force, the State Government may, subject to such conditions as it may think fit to impose, transfer, by an order published in the Official Gazette, to a Municipality any such functions and duties relating to Government under any law which the State Legislature is competent to enact, or which is otherwise within the executive power of the State, and appear to relate to matters arising within a municipal area being of an administrative character, and shall, on such transfer, allot to the

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<sup>61</sup> Section 59 of *The Mizoram Municipalities Act 2007 (as amended in 2009)*

Municipality such fund and personnel as may be necessary to enable the Municipality to discharge the functions and duties transferred.

2. Without prejudice to the generality of the provisions of sub-section(1), the State Government may transfer to the Municipality such functions and duties as are performed by the departments of the State Government on any of the following matters:
  - (a) town and country planning;
  - (b) urban development;
  - (c) water supply and sanitation;
  - (d) transport system including regulation of traffic terminus;
  - (e) employment schemes and programmes;
  - (f) health and family welfare;
  - (g) relief and social welfare including social security schemes and programmes;
  - (h) public works including road construction and housing;
  - (i) cottage and small-scale industries, business and services including programme for skill development;
  - (j) education including primary education, adult education, vocational education, social education, non formal education, audiovisual education and library services;
  - (k) food and supplies including rationing and distribution;
  - (l) civil defence;
  - (m) fire protection and fire-fighting;
  - (n) sports and youth services;
  - (o) Welfare of the Scheduled Castes and the Scheduled Tribes;
  - (p) environmental safety and improvement;
  - (q) social forestry and plantation programme.

3. Where any function or duty under any law is so transferred. such law shall have effect as if this section has formed a part of such law, and thereupon such law shall be deemed to have been amended accordingly

### **Power to transfer any function of Municipality under the Act to the State Government or to any organisation<sup>62</sup>**

Notwithstanding anything contained in this Act or in any other law for the time being in force, the Municipality may, if it is of opinion that it is necessary so to do in the public interest, transfer, with the prior approval of the State Government, any function or functions of the Municipality under the Act to the State Government or to organisation, including a Government organisation, in such manner, and on such terms and conditions, as may be prescribed.

### **III. Functions transferred to Aizawl Municipal Council by the State Government**

The first ever actual transfer of powers to Aizawl Municipal Council by the State Government is the management of Ch.Chhunga Bus Terminal at Thuampui Veng and Ch.Saprawnga Truck Terminal at Rangvamual Veng.<sup>63</sup>

Apart from the transfer of the management of Ch. Chhunga Bus Terminal and Ch. Saprawnga Truck Terminal, at present, only 5 subjects are transferred to Aizawl Municipal Council by the State Government such as:

1. Solid Waste Management
2. Parking and Parking Fees
3. Regulation of Construction of buildings
4. Collection of property tax

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<sup>62</sup> Section 60 of *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

<sup>63</sup> Government's *Notification* No. B.11028/8/2006-UD&PA Dt. 27/5/2009.

5. Construction of Public Amenities such as Footpath, Steps, Side drains, Bridges etc

## 1. **Solid Waste Management**

Solid Waste Management is no more a function of the State Government as it falls under the control of the Aizawl Municipal Council.<sup>64</sup>

Solid waste management is one of the basic essential services provided by Municipal authorities in the country to keep urban centres clean. In Aizawl city, the Municipal Council has to maintain solid waste management in view of the public health and also to prevent epidemics. Solid Waste Management includes-

- (a) Collection and removal of sewerage, rubbish, filth, offensive matters from all public latrines, urinals and drains, night soil and rubbish treatment and provide some suitable places dumping pits and dumping grounds for final disposal thereof.
- (b) Scavenging and clearing of all public streets, public road, public places, and other property vested in the Municipality.
- (c) Construction and maintenance of drainage, sewers, drainage or sewage outfall, sewage treatment plants or devices, drainage and pumping station.

## 2. **Parking and Parking Fees**

It is the duty of the Aizawl Municipal Council to manage the parking lots and collect the parking fees within the Aizawl City.<sup>65</sup>

- (a) The Municipal Council has the power to specify places or parking of different kinds of Vehicles by notification in the Official Gazette or

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<sup>64</sup> Government's *Notification* No. B. 13017/40/2011-UD&PA (M) dt.: 20/9/2011.

<sup>65</sup> Government's *Notification* No. B. 13017/40/2010-UD&PA/Loose-I dt: 11/5/2012

local newspaper and no owner or driver shall park his vehicle on any place within the limit of municipal area other than the place of parking.

- (b) All the parking fees of the vehicles, except fire brigade, ambulance, police, armed force and civil defence organisation are collected by the municipal council. The municipal council can increase or reduce the parking fees of any vehicles within the municipal area from time to time.
- (c) It also has the power to declare any part of public street, road side, footpath or any open space for using as parking place of vehicles of different kinds in consideration of need of shopping centre, public office, bus stand etc for free movement of vehicular traffic, pedestrians etc.
- (d) The municipal council may take action by making fine, if any owner or driver parks any vehicles on the side or on the street, road, lane, bye-lane, or public place instead of their place or garage.
- (e) The Aizawl Municipal Council shall issue Identity Card to the officers or agent or agents who are duly authorised to collect parking fee for each parking place wherein names and designations of the officer shall be stated clearly and officer-in-charge of the parking place is liable to produce his identity card when demanded.

### **3. Regulation of Construction of buildings**

Regulation of Land Use and Construction of Building falls under the subject transferred to AMC.<sup>66</sup>

- (a) Securing and removing dangerous buildings, filthy buildings, deserted and offensive building and places;
- (b) Regulating building activity through formulation and implementation of building bye-laws.

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<sup>66</sup> Government's *Notification* No. B. 13017/29/2009-UD&PA Dt.:19/9/2011.

- (c) Construction and maintenance of public markets and slaughter houses and regulation of all market and slaughter houses;

The municipal Council has the power to enter and inspect buildings. If any person intend to construct or reconstruct a building shall get permission from the AMC. No person is permitted to construct or reconstruct a building without the prior approval of the municipal authority.

#### **4. Collection of property tax**

The Collection of Property tax became a transfer subject to AMC by the State Government.<sup>67</sup> Property tax comprises<sup>68</sup>

- (a) A tax for general purposes ;
- (b) Water and drainage tax to provide for expenses connected with the construction, maintenance, repair, extension or improvement of water or drainage works heretofore provided or hereafter to be provided;
- (c) Lighting tax to provide for expenses connected with the lighting of the municipality by gas or electricity; and
- (d) Scavenging tax to provide for expenses connected with the removal of rubbish, filth or the carcasses of animals from private premises.

Property tax is one of the main sources of revenue for the Municipal Council. The AMC levied tax on buildings and lands on the basis of their annual rental value. When the water and drainage tax is levied, the Municipal Council declare what proportion of the tax is levied in respect of water-works and drainage works. The AMC has the power to impose, suspend, reduce or abolish the tax.

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<sup>67</sup> Government of Mizoram, *Notification* No. B. 13017/45/2012-UD&PA/LOOSE  
<sup>68</sup> Section 214 of *The Mizoram Municipalities Act, 2007 (as amended in 2009)*



**5. Construction of Public Amenities such as Footpath, Steps, Side drains, Bridges etc**

Construction of public amenities such as footpath, steps, side drains, bridges etc are another functions transferred to the AMC by the State Government. The municipal council has taken certain steps regarding the construction of public amenities and operation, management or maintenance of footpath, steps, side drains, bridges etc within the municipal area.

**6. Local Authority for Street Vendors**

Local Authority for Street Vendors<sup>69</sup> is entrusted to Aizawl Municipal Council by the State Government.

**IV. Powers and Responsibility of Councillors under the Mizoram Municipalities Act 2007 (as amended in 2009)**

The powers and responsibility of the Councillors of Aizawl Municipal Council is mentioned in chapter XI - XXII of the Mizoram Municipalities Act 2007 (as amended in 2009). They are as follows:

- (a) The Municipality is responsible for managing public streets, public places and private streets. It has the power to acquire land and buildings for public streets, public parking places and transportation terminals and can prohibit use of public streets for certain kind of traffic. It also has the power to access over Private Street for the purpose of extending civic services or providing civic amenities.
- (b) The Executive Council is entrusted with regulation of buildings. It may grant or refuse permission for the construction or reconstruction of a building. It also has the power to enter and inspect buildings, removed ruinous or dangerous buildings, filthy buildings, deserted and offensive buildings, demolition or alteration of buildings under construction.

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<sup>69</sup> Government of Mizoram, *Notification* No. B. 13017/40/2010-UD&PA/Loose-1 dt:11/5/2012

However, any aggrieved person can appeal to the Board of Councillors against the order of Executive Council within thirty days.

- (c) The Board of Councillors is responsible for public conservancy and private conservancy. The Board has the power to require any owner or occupier of any premises to sweep and clean, collect all rubbish and offensive matters and prohibits against improper disposal of carcasses, rubbish and filth. Any person who fails to comply with the notice of the Council is punishable.
- (d) The Executive Council has the responsibility of taking precaution in the menace of nuisance like dangerous structure, dangerous quarrying, fire, well and tanks which may cause nuisance to the public. It also the power to clear pools, and can ask the owner to clean unsanitary private tank or well used for drinking. The Council is also empowered to get rid of dangerous or nuisance animal and may use or sell materials of dangerous structure taken down from tree, hedge, shrub, fruit etc, when there is no owner or occupier.
- (e) The council is authorised to issue licenses for places in which animals are kept like stables, cattle-shed, pig-shed and cow houses. It also has the power to grant or refuse licenses for setting up of industries and factories. Any person who is to establish a factory or industries has to make an application to the Council for construction, installation of factory, workshop or work place in which steam or other power is to be employed and can make restriction on the limit of workers to be employed as per the Factory Act, 1948. It can also issue licenses for opening of public and private market and close the markets which are not running as per the provision of the Act. Licenses for construction of slaughter houses should be obtained from the Council.
- (f) The municipal council is authorised to collect taxes like property tax, a profession tax, a tax on carriages and animal, a tax on carts, and advertisement tax other than advertisements published in newspaper as

per the direction of the State Government. Besides, with the direction of the State Government, the Council can also collect new taxes within the municipal area.

- (g) The municipality is responsible for providing water supply. It has the power to grant permission to person to take water or cut off the connection of water-supply to any premises. No building or private street shall be constructed over any municipal water-main or service-main passes, and no new well, tube well, tank, pond, cistern or fountain shall be dug or constructed without the permission of the executive council. It is the duty of the Council to ensure that water is not being wasted.
- (h) It is the responsibility of the council to provide proper and systematic drainage system and for disposal of sewerage within the municipal area. The Board of Councillor has the authority to survey and control all drains, sewers, privies, water-closets, toilets, house-gullies, gutters and cesspools within their area. No persons shall make, alter, any drain leading to any of the municipal sewers or drains or into any water course vested in the municipality without the permission of the Municipality. The council has been authorised to make new rules and regulations in this regard.
- (i) The Board of councillors is empowered to take necessary measures for preventing or checking the spread of any dangerous disease in the municipal area as well as destruction of building, tank, pool or well which may cause spread of such diseases. It also has the power to close lodging and eating houses for preventing infection in the interest of general public. In the case of any municipal area or any part thereof being a threat by an outbreak of epidemic among the inhabitants, the council, is authorised to take necessary measures.
- (j) The Board of Councillors also has responsibility of maintaining and updating of vital statistics in their area such as registration of birth and death as per the Registration of Birth and Death Act, 1969.

- (k) The municipality is responsible for disposal of dead within the municipal area. They have the power to require the owner to close any burning and burial ground which has become offensive or dangerous for health to the people living in the surrounding areas. It also has the power to grant permission for opening new place for disposal of the dead or reopening of place closed for the disposal of the dead.
- (l) The municipality is responsible for Urban Renewal and Regional Development. The council should prepare improvement scheme for the slum area development and may removed any buildings which is unfit for human habitation. Whenever the State Government declares an area to be an Urban Development Region of a Municipality, it is the duty and responsibility of the Municipality to prepare a master plan for up-gradation of human settlement within such region.

## **V. Functions of Councillors with respect to various Standing Committee**

### **(i) Ward Committee**

The Municipalities shall form a Local Council in every locality within the ward for matter of local and internal nature according to the Mizo traditions, customs and practices and such other matters necessary for effective functioning of the local councils.<sup>70</sup> The Councillors from the concerned Ward shall be the Chairman of the Ward Committee.<sup>71</sup> Two members each from the Local Councils within the Ward and three members of the Ward committee shall be appointed by the Municipality on the recommendation of the Councillor from amongst the prominent citizens residing in the ward of which one shall be a woman. In the absence of the councillor of the ward, the

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<sup>70</sup> Sub-Section (3) of Section 23 of *The Mizoram Municipalities Act, 2007(as amended in 2009)*

<sup>71</sup> Rules 4(2) of *The Mizoram Municipalities (Ward Committee and Local Council) Rules, 2010.*

members present shall elect a Chairman from amongst themselves to preside over the meeting.<sup>72</sup>

Municipality shall make available to the Ward Committee the information like (a) decisions or resolutions of the Municipality concerning the ward (b) decisions or resolutions of the Executive Committee concerning the ward etc. (c) general decisions or resolutions of the Municipality or the Executive Committee requiring public attention (d) work of public importance to be executed in the ward with the name and address of the executing agency (e) demand figures of tax and non-tax revenue of the ward including collection figures thereof, and (f) such other information as may be required by the Committee in the discharge of its functions.<sup>73</sup>

(ii) Special Committee<sup>74</sup>

The Board of Councillors may from time to time appoint a special committee to perform such specified functions, or conduct such enquiries, or undertake such studies including report thereon, as may be contained in a resolution. Any person who is not a councillor but possesses special qualifications useful for the purpose of a committee may be associated therewith as its member. The manner of transaction of business in a Special Committee shall be laid down by the Board of the Councillors

(iii) Joint Committee<sup>75</sup>

The State Government may, if it considers necessary so to do, appoint a Joint Committee for more than one Municipality, or for one or more Municipalities with other local authority or authorities for any purpose in which they are jointly interested or for delegating to it any power or function

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<sup>72</sup> Rules 4 of *The Mizoram Municipalities (Ward Committee and Local Council) Rules, 2010*

<sup>73</sup> Rule 13 of *The Mizoram Municipalities (Ward Committee and Local Council) Rules, 2010*

<sup>74</sup> Section 24 of *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

<sup>75</sup> Section 25 of *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

which calls for joint action. Joint committee may be constituted consisting of (i) two nominees of each constituent municipality or local authorities (ii) one nominee of each of the concerned departments of the State Government or of the concerned municipalities or of the concerned local authority (iii) such expert or experts as the State Government may nominate (iv) Director of Local Bodies who shall also act as a convener of the Committee.

(iv) Local Council

The Municipality shall form a Local Council in every locality within the ward for matter of local and internal nature according to the Mizo traditions, customs and practices and such other matters necessary for effective functioning of the local councils.<sup>76</sup>

(v) Urban Development Committee

Whenever the State Government may constitute Urban Development Committee, it shall be incumbent upon the Board of Councillors to consult it in all matters of preparation of any master plan and entrust to it all items of implementation so far as they relate to areas outside the municipal area<sup>77</sup>

## **VI. Powers of the Municipal Council Chairman**

The powers of the chairman of the Municipality are as follows:

- (a) The Chairman is the executive authority in the Municipality. He has the power to exercised the executive power directly
- (b) The Chairman has emergency powers to deal with situation calling for immediate execution of any work. In the case of emergency, the Chairman was authorised to direct the execution of any work which was in his opinion urgently necessary for the service and safety of the public.

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<sup>76</sup> Section 23(3) of *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

<sup>77</sup> Section 342(2) of *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

- (c) He had the power to direct the expense of executing the work to be paid out from the municipal fund. However, he was required to report the action taken in this regard and the reasons thereof to the council at its next meeting
- (d) The chairman has the power to convene the meetings of the Council. These meetings may be ordinary, special or adjourned.
- (e) All matters referred to the Executive Council shall be submitted by the ex Officio Council Secretary to the Chairman for his approval. Only with the approval of the Chairman, it can be placed in the agenda of the meeting of the Executive Council.

## **VII. Powers of Chief Executive Officer**

The Chief Executive Officer of the Municipal Council performs and exercise certain powers and functions notified by the State Government from time to time

- i) The Executive officer is responsible for exercising control and supervision over the municipal staff and the municipal employees can be transferred by him from one municipal council to another branch
- ii) He is the principal executive officer of the Municipality and all officers and other employees of the municipality are subordinate to him.
- iii) In case of emergency, if immediate action is necessary, he may direct the execution of any work necessary for the safety of the public before giving notice or before the period of notice expire.
- iv) He is empowered for collecting all taxes, fees and fines and removal of encroachment.
- v) It is the duty of the executive officer to put before the Council all correspondence done and received from the State Government
- vi) The Executive officer has the power to call information for the purpose of assessing property tax. He may enter into any of the building or land in

order to make any inquiry or inspection after giving twenty-four hours notice to the owner or occupier.

- vii) The executive officer has the power to give notice on failure of payment of tax. If the profession tax due from any company or person is not paid, the Executive officer shall cause a notice to be served on such company or person which shall be treated as confidential.
- viii) He is responsible for the preparation of the budget and its presentation before the Municipal Council.



## CHAPTER – IV

### AIZAWL MUNICIPAL COUNCIL: ISSUES AND CHALLENGES

The problem of urban development and administration are increasing and growing in complexity. Lack of balance in the process of urbanisation is chiefly responsible for the haphazard growth and deplorable state of the affairs in most of the urban areas<sup>78</sup> Although urban local administration is the democratic necessity to nurture people's interests in their community by providing a channel of participation in the management of local affairs, yet urban administration has not been able to cater to the needs of urban dwellers due to lack of adequate public participation and commitment on the part of the urban local leaders and the Government of good life.

In this chapter, an attempt has been made to assess the issues and challenges of Aizawl Municipal Council (AMC) with reference to the Mizoram Municipality Act, 2007 (as amended in 2009). It has been observed that the Aizawl Municipal Council which was introduced to administer the city cannot function effectively due to lack of political will and the State Government has been found as not ready enough to hand over powers to Aizawl Municipal Council.

#### **I. Problems faced by the Aizawl Municipal Council**

In course of the investigation, the following problems have been found as confronting Aizawl Municipal Council (AMC).

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<sup>78</sup> Apurba Kumar Basiston, *Urban Local Administration: Growth and development*, Delhi: B.R. Publishing Corporation, 1986, p-243

**(a) Peoples Participation in Election**

The participation of citizens by casting their votes in elections is of great importance, it gives them an opportunity to highlight their agreement or disagreement with the government's policies. It has to be realised that Municipal government are created by elections and therefore, the participation of the people in the election plays a vital role in selecting the candidates who are found to be fit for the administration of the urban problems. Although participation may create political tension, it can lead to both democratic outcomes and increased acceptance of the system.

**Peoples' Participation in Votes Polled<sup>79</sup>**

**TABLE 3.1**

<b>Ward No.</b>	<b>No. of Eligible voters</b>	<b>No. of Votes polled</b>	<b>Percentage</b>
Ward I	8899	6391	71.82
Ward II	11957	5910	49.43
Ward III	9506	6443	67.78
Ward IV	9853	6353	64.48
Ward V	8216	4934	60.05
Ward VI	6100	4137	67.82
Ward VII	9560	5964	62.35
Ward VIII	6123	3951	64.53
Ward IX	8614	5546	64.38
Ward X	6566	4656	70.91
Ward XI	8640	6112	70.74
Ward XII	10336	5885	56.94

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<sup>79</sup> *Compendium of 1<sup>st</sup> General Election to Aizawl Municipal Council, Mizoram State Election Commission, 2010, p. 409.*

Ward XIII	6504	4079	62.75
Ward XIV	9148	5029	54.97
Ward XV	8791	5582	63.50
Ward XVI	9346	6309	67.50
Ward XVII	8699	5574	64.08
Ward XVIII	13291	8440	63.50
Ward XIX	8499	5966	70.24
TOTAL	168648	107261	63.60

From the above table, it has been found that there are 1, 68,648 eligible voters within the Aizawl Municipal area out of which only 1, 07,261 votes are casted or polled, the percentage of which is only 63.60%. In some Wards, especially in Ward 2, the percentage is only 49.43 % which shows that citizen participation is still very low.

**(b) Transfer of Functions to AMC by the State Government**

Under Sub-section 1 of Section 59 of the Mizoram Municipalities Act, 2007 (as amended in 2009),<sup>80</sup> anything contained in the Act or in any other law for the time being in force, the State Government may, subject to such conditions as it may think fit to impose, transfer, by an order published in the Official Gazette, to a Municipality any such functions and duties relating to Government under any law which the State Legislature is competent to enact, or which is otherwise within the executive power of the State, and appear to relate to matters arising within a municipal area being of an administrative character, and shall, on such transfer, allot to the Municipality such fund and personnel as may be necessary to enable the Municipality to discharge the functions and duties transferred.

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<sup>80</sup> Government of Mizoram, *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

With regards to transferring of functions by different concerned Departments of the State Government, there are only few functions which have been transferred to the Municipal authority. The few functions which have been transferred to AMC are: Solid Waste Management, Parking and Parking Fees, Regulation of Construction of Building, Collection of Property Tax, Construction of Public Amenities such as Footpath, Steps, Side Drains, Bridges etc

**(c) State Government's Control**

The control of State Government over Municipal Council is numerous. The Municipal Council does not have the right to make use of its own powers and run the administration of the Municipalities. The State Government, if it is not satisfied with it, can reject the decision or proposal made by the Municipal Council. If any doubt arises to the Municipal authority, the Chairman shall refer the matter to the State Government and the decision of the State Government shall be final. Moreover, the Council has no power to pass its own resolutions, and every decision has to be approved by the State Government.

**(d) Property tax**

Property tax is one of the main sources of income of urban local bodies. Sub-section 1 of Section 214 of the Act<sup>81</sup> has mentioned that if the Board of Councillors by resolution determines that a property tax shall be levied, such tax shall be levied on all buildings and lands within Municipal limits.

It has been observed that, though Aizawl Municipal Council is given the power to collect property tax, the State Government forbids it to put the collection to use. As the AMC in turn is unwilling to surrender it to the State, the tax received by them is just kept in the Bank Account. The State Government put an order to the Council not to use the tax received for their

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<sup>81</sup> Government of Mizoram, *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

needs, at the same time, the Municipal Council hesitate to give the property tax to the state government<sup>82</sup>. Till date, there is a piling of funds in the account which cannot be used by either side.

**(e) Sources of Municipal Finance**

Urban government are beset today with acute and increasing financial difficulties. A rapidly increasing urban population in Aizawl stretches municipal services, requiring more funds to meet its need. The main sources of income of Aizawl Municipal Council include Grant-in-Aid by the State Government, 13<sup>th</sup> Finance Commission annual grants for the respective 5 years. The year wise recommendation of Grants for Urban Local Bodies by the Thirteenth Finance Commission is for a period of five years i.e., 2010-2011 to 2014-2015 is Rs. 6,130.00 lakhs under General Basic Grant and Rs. 3,251.00 lakhs under General Performance Grant.

**Main Sources of Income of AMC<sup>83</sup>**

**TABLE – 3.2**

Source of Fund	Particulars	Amount	
		2010-2011	2011-2012
Government of India	13 <sup>th</sup> Finance Commission (ULB) Grant	2,11,85,000	11,75,05,000
Government of Mizoram	Salaries & Office Expenses	1,61,50,000	1,94,09,900
	Creation of Capital Assets	Nil	34,40,000
<b>TOTAL</b>		<b>3,73,35,000</b>	<b>14,03,54,900</b>

<sup>82</sup> Interview with the Executive Officer of Aizawl Municipal Council on 18<sup>th</sup> October 2012

<sup>83</sup> *Audit Report, 2012*, Accountant General, Mizoram.

The above table clearly indicates the main sources of revenue, the total fund received by the Aizawl Municipal Council during 2010-2011 is Rs. 3,73,35,000 and Rs. 14,03,54,900 during 2011-2012.

Beside these major sources, the other source of revenue includes Property tax, Building Regulation, Bus Terminal Fees, Truck Terminal Fees, Parking Permit Fees and Sale of Tender.

#### **AMC own Sources of Revenue<sup>84</sup>**

**TABLE – 3.3**

<b>Source of Income</b>	<b>Amount</b>	
	<b>2010-2011</b>	<b>2011-2012</b>
Property Tax	Nil	1,27,41,472
Building Regulation	Nil	8,12,514
Ch.Chhunga Bus Terminal (CCBT) Fees	8,68,384	8,90,390
Ch.Saprawnga Truck Terminal(CSTT) Fees	12,50,000	13,48,850
Parking Permit Fees	Nil	1,00,600
Sale of Tender/Quotation	2,070	2,100
<b>TOTAL</b>	<b>21,20,454</b>	<b>1,58,95,926</b>

The above table shows that the Aizawl Municipal Council has its own sources of income, apart from the fund received from the Government of India and the Government of Mizoram. The total income from its own source during 2010-2011 is Rs. 21,20,454 and Rs. 1,58,95,926 during 2011-2012.

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<sup>84</sup> *Audit Report, 2012, Accountant General, Mizoram*

**(f) Lack of Experience in Urban Administration**

The urban local government was created by election to run the administration of the urban areas, but in case of Mizoram, It can be said that the state government does not respond to the needs and requirements of development and has lacked understanding of the civic problems. Most of the Councillors as well as the personnel bureaucrats of the AMC do not have experience in the affairs of urban administration and neither has received the sustained and wise guidance from higher authority. Since, the AMC is a new council with inexperienced members, it is incapable of understanding urban needs, and even if it does, it is not capable of solving it which hinders the development of the urban area.

**(g) Recruitment**

Effective recruitment and selection methods is one of the most importance step for the success of any organizations. Regarding recruitment of personnel in Aizawl Municipal Council, The Municipalities have no direct power to recruit officers and other employees. All recruitment details are done only with the prior approval of the State Government. The Board of Councillors at a meeting may, subject to the norms regulating the size of the municipal establishment for each Municipality and the categories or designations of officers and other employees of each Municipality with their scales of pay as may be fixed by the State Government from time to time, determine what officers and other employees are necessary for a Municipality, create posts of such officers and other employees, and fix the salaries and allowances to be paid and granted to such officers and other employees.<sup>85</sup> No post of an officer or other employees shall be created under by the Board of Councillors of a Municipality without the prior sanction of the State

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<sup>85</sup> Sub-section (4) of Section 61 of *the Mizoram Municipalities Act, 2007 (as amended in 2009)*

Government.<sup>86</sup> The appointment of the officers and employees shall be made by the Municipality with the prior approval of the State Government.

**(h) Problem in calling Ward Committee**

**TABLE-3.4**

<b>Type of response</b>	<b>Number</b>	<b>Percentage</b>
Regular	11	22
Average	15	30
Poor	24	48

From the above table, it shows that only 22 percent of the respondent claimed that they have regular Ward Committee. 30 percent told that they have attended the Ward Committee now and then, and 48 percent claimed that they have difficulties in calling Ward Committee.

**II. Office Administration**

The management of the employees within the office is one of the core tasks associated with office administration. The office administrators are responsible for supervising the office staff and have to make sure that each employee has resources to carry out his or her assigned duties to run the organisation smoothly.

**(a) Office Administration of AMC**

**TABLE-3.5**

<b>Type of Response</b>	<b>No.</b>	<b>Percentage %</b>
Good	14	16.47
Acceptable	23	27.06

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<sup>86</sup> Sub-section (7) of section 61 of *the Mizoram Municipalities Act, 2007 (as amended in 2009)*



Poor	48	56.47
Total	85	100

From the above table, it shows that 16.47 percent of the respondent claimed that the administration of office of AMC is good enough to carry out the urban administration of the city, 27.06 percent of respondent said, the office administration is acceptable and the rest 56.47 percent of the respondent are not satisfied with the administration of office of AMC

**(b) AMC Office Building**

The office of Aizawl Municipal Council which is currently located at Thuampui is a makeshift office set up in a rented room.

**TABLE-3.6**

<b>Type of Respond</b>	<b>Number</b>	<b>Percentage</b>
Good	25	29.41
Acceptable	37	43.53
Poor	23	27.06
Total	85	100

While making investigation, it shows from the above table that 29.41 percent of respondent are satisfied with the building condition of the AMC, and 43.53 percent of the respondent claimed that the AMC building could be better and 27.06 percent of the respondent are not satisfied with the office building.

From the response given by the respondents, the office functioning of AMC is occasionally hampered by leakage in the ceiling. This leakage problem is escalated during rainy seasons when the floor is swamped with water, which is likely to hinder the chore of the workers.

### III. Background of Councillors of AMC

#### (a) Educational Background of the Elected Councillor<sup>87</sup>

The educational backgrounds of the elected councillors are:

**TABLE-3.7**

<b>Educational Level</b>	<b>No.</b>	<b>Percentage %</b>
Higher Primary	2	10.53
Matriculation	4	21.05
Intermediate	2	10.53
Graduate	6	31.58
Post Graduate	5	26.31
<b>TOTAL</b>	<b>19</b>	<b>100</b>

While investigating into the educational qualifications of the first Aizawl Municipal Councillors, it has been found that 10.53 percent of the Councillors have read up to Higher Primary, 21.05 percent have completed Matriculation, 10.53 are educated up to Intermediate standard, 31.58 percent are Graduates and 26.31 percent have completed Post Graduate. In other States, a good number of educated and intelligent people from different sections of the society use to run urban administration. On the other hand, the standard of the Councillors of AMC is not that much high to effectively run urban and deal the urban problems.

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<sup>87</sup> Aizawl Municipal Council, *Bio-Data of First Elected Councillor*

**(b) Age Group of Councillors<sup>88</sup>**

**TABLE- 3.8**

<b>Age Group</b>	<b>No.</b>	<b>Percentage %</b>
30 – 40	3	15.79
41 – 50	6	31.58
51 – 60	9	47.37
60 Above	1	5.26
Total	19	100

Most of the Councillors of AMC are between the age of fifty (50) to sixty (60). From the above table, it shows that 15.79 percent of the councillors come from the age group of 30 to 40 years. Under the age group of 41 to 50, there are 31.58 percent of Councillors. Next comes the age group of 51 to 60 years. This includes 47.36 percent of the Councillors. In the age group of 60 and above, only 5.26 percent are elected as the Councillor.

**(c) Undecided Status of Councillors<sup>89</sup>**

In high-level meetings, the question of diplomatic protocol remains very important. The order of precedence determines the hierarchy of importance and is applied to diplomatic representatives as well as other high-ranking representatives of States and international institutions. With regards to AMC Councillors, it has been found that the Councillors have not been included in the order of precedence of high officials under the Government of Mizoram. The Councillors are still in the dark as they do not understand their actual status or position in order of precedence. Due to this, the exact rank of the Councillors becomes very obscure and undecided by the State Government.

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<sup>88</sup> Aizawl Municipal Council, *Bio-Data of First Elected Councillor*.

<sup>89</sup> Interview with Executive Officer, Aizawl Municipal Council on 25<sup>th</sup> May 2012.

#### **IV. Administrative Staff of AMC**

##### **(a) Size of Employee/Staff**

**TABLE-3.9**

<b>Size of Office Staff</b>	<b>Number</b>	<b>Percentage</b>
Establishment Wing	46	13.33
Building Regulation	43	12.46
Sanitation Wing	248	71.89
Engineering Wing	8	2.32
<b>TOTAL</b>	<b>345</b>	<b>100</b>

From the above table, it shows that most of the employees in the Aizawl Municipal Council are works under the Sanitation Wings with 71.89 percent of employees. There are 13.33 percent of the employees in the Establishment Wing. 12.46 percent of the employees are under the Building Regulation and 2.32 percent are the Engineering Wing Staff.

It is also evident that the Engineering Wing of the Aizawl Municipal Council has only 8 Staff, which is only 2.32 percent of the total staff of the Council. It is pertinent to point out that, with the enforcement of Building By-laws by AMC, its Engineering Wing has to carry out gigantic tasks of inspecting a number of new buildings constructed in the different localities of Aizawl. It is estimated that, on an average, there are 40 files of work for each staff, and this pile often results in numerous pending of files. Inevitably, this hinders the efficiency of the office in the fast paced culmination of work.

##### **(b) Duration of the Municipal Personnel**

The State Government may appoint an officer of that Government possessing such qualifications as may be determined by it for a Municipality or group of Municipalities as Executive Officer, Health Officer, Engineer,

Finance Officer, Town Planner and Secretary with such designation as the State Government may consider necessary, in such manner, and on such terms and conditions of service, as may be determined by the State Government in this behalf.<sup>90</sup> While making investigation, it has been learned that, most of the Municipal personnel, who hold an important position in the Municipal Council, are appointed and employed to their post only for a period of one year.

**(c) Secretary**

The job of the Municipal Secretary plays a vital role in the administration of urban affairs, their duty is to prepare the meetings' agenda, record the minutes of the meetings and the Council's recommendations. He manages, organises and processes all official records of the city and performs related work as required. It is his duty to coordinates public meetings of staff as well as the Council.

**TABLE 3.10**

<b>Presence of Secretary</b>	<b>Number</b>	<b>Percentage</b>
Yes	Nil	Nil
No	85	100

From the above table, it is observed that, the entire respondent claimed that the post of Secretary in Aizawl Municipal Council is vacant at present due to the expiry of term of the previous Secretary. The Municipal Council which only started functioning in 2010 has already had three officials who hold the post of Secretary.

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<sup>90</sup> Section 68 of the Mizoram Municipalities Act, 2007 (as amended in 2009)

**(d) Health Officer Post**

**TABLE 3.11**

Presence of Health Officer	Number	Percentage
YES	Nil	Nil
NO	85	100

From the above table, the entire respondent claimed that the Council has no Health Officer at present. This is against the regulation of the Mizoram Municipalities Act 2007, which states that there should be a post of Health officer duly filled by a qualified person. But till today no Health Officer has occupied its post at the Aizawl Municipal Council.

**(e) Finance Officer**

The situation is more or less the same with regards to the post of Finance officer. Despite the Act mentioning the order of a Finance Officer, there is no proper Finance Officer in the Municipal Council. At present, the Deputy Director (Account) of the department of Urban Development & Poverty Alleviation acts as an absentee official for the post of Finance Officer.

**(f) Lack of Controlling Power over Personnel by the AMC**

It is to be noted that the Executive Officer, Health Officer, Engineer, Finance Officer, Town Planner and Secretary who have been recruited by the State Government as its officers are provisionally engaged in AMC. Section 70 of the Act,<sup>91</sup> has mentioned that, no disciplinary action shall be taken by a municipality against any officer borne in cadre of common municipal service for the State constituted or any other officer of the State Government appointed for a Municipality. It is true to state that all these officers remain outside the

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<sup>91</sup> Government of Mizoram, *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

direct jurisdiction of the Council. Hence, the Council has no power to take disciplinary action against such employees; his control over the municipal employees is quite remote. The present situation is that the Council has no control over its own employees whose main function is to assist the Council in the performance of its multifarious functions of Urban Administration.

**(g) Salaries and Allowances**

Under Section 64 of the Act,<sup>92</sup> all officers and employees of a Municipality must receive salaries and allowances out of the Municipal Fund and provided that the State Government may make such contribution towards the salaries and allowances as it may, from time to time, determine by an order. It also mentioned that, the Municipality may also provide for pension, gratuity, provident fund, incentive, bonus, reward or penalty for its officers and employees in accordance with such rules, norms, scales and conditions as may be prescribed.

While making investigation, it has been observed that, all the salaries and allowances of the employees, including the officers, are paid by the State Government.<sup>93</sup> This is mainly due to the inefficiency of fund in the Aizawl Municipal Council. Moreover, the Council has no proper pension plan and rules of benefits for its employees.

**(h) Training and Education**

The objective of training is to provide an individual with the knowledge of the environment or ecology under which he is to function; the knowledge of administrative management to achieve optimum performance and cultivation of necessary attitude.<sup>94</sup>

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<sup>92</sup> Government of Mizoram, *The Mizoram Municipalities Act, 2007 (as amended in 2009)*

<sup>93</sup> Interview with the Executive Officer of Aizawl Municipal Council on 25<sup>th</sup> May 2012

<sup>94</sup> S.S. Dhaliwal, *Municipal Administration*, New Delhi: Deep & Deep Publications Pvt.Ltd., 2006, p-87

**TABLE- 3.12**

<b>Type of staff</b>	<b>No. of staff question</b>	<b>Response to training</b>
Group A	10	Yes
Group B	30	Nil
Group C	45	Nil

The researcher has found that proper training programme has not yet been made by Aizawl Municipal Council for its employees who are new to their works. Though, from the above table, it shows that the Group ‘A’ officers have occasional training, which too is irregular, the rest of the employees whose posts are lower do not receive any training since the establishment of the council. There is no regular, systematic and planned arrangement of imparting training to the employees.

#### **V. Problems faced by the Aizawl city**

Mizoram, as compared to other state of India, become one of the most urbanised state with 51.51 percent (as per 2011 censuses) of the people living in urban areas. This tremendous growth of urbanisation in Mizoram has created problems within the city of Aizawl. Some of the major problems faced by the Aizawl city are as follows:

##### **(a) Road Congestion Problem**

The rapid growth of population in the city has resulted in an explosion of vehicle numbers, irrelevant to the road condition. The improper and low quality construction of roads is one of the contributing factors to why our roads do not last long. Besides the roads being narrow, illegal vehicle parking along the roadsides has created a major problem for the passing of vehicles leading to traffic jam. The government has taken initiatives to control the growth of undesirable motor vehicles along the roadsides through inspection of a garage



for every vehicle before registration. However, this effort seems to be in vain with the citizens pointing at their neighbour's garage and parking them as usual. AMC too wanted to relieve the public of this burden but little authority do they have in controlling the parking except collection of parking fees.

**(b) Shortage of Water**

There is an acute shortage of water in Aizawl city, which causes serious health and sanitary problems. Due to the inadequacy of water supply by the concerned Department and lack of proper water harvesting, it does not meet the basic needs of the people living in this city. The state government's efforts to provide drinking water to the people of the city through various programmes have met with limited success, meanwhile the localities of Aizawl on hill tops has further created the problem, the availability of pure and safe water on the ridge tops and adjacent slope is very limited in this terrain. As the population of the city is growing at a faster rate, the problem of water becomes a serious problem especially during the winter and summer times where the rainfall is less in this time of year. Most of the people living in Aizawl have faced this water problem which affects their daily living.

**(c) Housing Problem**

Mizoram being located on an unfavourable geographical terrain, even a minor improper planning and construction of building pose a threat to the citizens. Due to the population growth in the city, many of the building are constructed without proper planning. An unplanned building along the side of the main road is one of the major contributing factors for traffic jam today. Houses are constructed wall to wall that even a proper sewage drainage system does not exist. This not only provides unhygienic environment to the household members but even to the neighbouring society as well.

**(e) Inefficient power supply**

In a modern world like today, a day without a power supply has made a life almost impossible to live even in a small city like Aizawl. Our lives depend entirely on the usage of electricity. In Aizawl city, there is acute shortage of power supply to meet the total requirement of the city. The demand for electricity in Aizawl is increasing every second with an increase in the population size due to migrate from the villages nearby seeking a livelihood. This imbalance of supply and demand is the stumbling block for urban development as planned.

With the ever expanding population, so is the service of the AMC for providing a better, safe and affordable livelihood. Unfortunately the AMC could not stretch its arm to every nook and corner of the city to fulfil its responsibility due to lack of funds, external political pressures and lack of cooperation from the society itself. In order to reach its zenith of its administration it has to be political free, Independent and self sufficient.

## **CHAPTER – V CONCLUSION**

Urbanization is the rapid growth of population in the urban areas and economic activities which bring about more progress of towns and cities. Migration from rural to urban areas is an important factor for urbanization. Generally, there are better facilities for health, education, employment and higher standard of living in the urban areas in comparison with rural areas.

Urbanisation is a worldwide phenomenon in the twentieth century. Industrial revolution leads to rapid urban transformation to the developed countries earlier than the post colonial countries. In India, there has been a rapid growth of towns and cities during the Post-Independent period because of fast growing population in the urban areas.

Municipal Self-Government in India, in its present form was introduced during British rule. A beginning of Local Self-Government in modern India has been made in 1687 when the first Local Self-Government body was set up for the city of Madras. In the three presidency towns of Madras, Calcutta and Bombay, The Charter Act of 1793 was established for Municipal Administration by authorizing the Governor-General of India to appoint Justice of the Peace in these three towns to levy taxes on houses and lands to provide for scavenging, police and maintenance of roads.

Keeping in view the growing importance of Urban Local Bodies, the Union Government introduced the Constitution (74<sup>rd</sup>Amendment) Bill in 1991 for urban administration and was passed in 1992. It was ratified by the majority of States and, after the Presidential assent, came into force with effect from April 24, 1993 as the Constitution 74<sup>th</sup> Amendment Act, 1992. The 74<sup>th</sup> Amendment to the Constitution is a landmark in the history of Urban Local Government in the country.

The whole work is divided into five chapters.

The **first Chapter** is an introductory chapter which deals with the Profile of Mizoram, Concept of Urbanisation with a view to understanding the purpose for which Aizawl Municipal Council has been established, and also a review of literature. It also highlighted the Objectives of the Study, Scope of the Study, Research Questions and lastly Method of Data Collection.

The **second chapter** has investigated the origin of Municipal Administration in India and then focussed on Aizawl Municipal Council, Mizoram.

The **third chapter** has examined the powers and functions of Aizawl Municipal Council as per the 74<sup>th</sup> Constitutional Amendment Act and then studied the powers and functions practically assigned to the Aizawl Municipal Council by the State Government.

In the **fourth chapter**, the researcher has pointed out limitations of the AMC and made suggestions for its solutions.

The **fifth Chapter** is the concluding chapter which has brought out the summary and major findings of this research and suggested measures to enable AMC to provide urban amenities to the urban dwellers in Aizawl.

### **Summary and Findings**

Mizoram is one of the most urbanised States in the country with a population of 51.51 as per 2011 census living in the urban areas. The growth of urbanisation is totally uncontrolled. In order to cope with the urbanisation problems, the State Government take steps by introducing the Municipal Council as per the provisions of the 74<sup>th</sup> Constitutional Amendment Act, 1992 relating to Municipalities in Aizawl for the urban people to administer their own local affairs.

In spite of people's demand for establishing Municipal Council for Aizawl, it can be said that Aizawl Municipal Council indirectly owes its origin to the Jawaharlal Nehru National Urban Renewal Mission (JnNURM). In view of the opportunity brought about by JnNURM for upgrading urban infrastructures, the Government of Mizoram had felt it imperative to enact *The Mizoram Municipalities Act, 2007* which was notified on April 20, 2007.

The first election of Aizawl Municipal Council was held on the 3<sup>rd</sup> November 2010. It consists of 19 elected members representing 19 Wards of the city of Aizawl and others appointed by the Governor of Mizoram. 63.60 percent of the eligible voters cast their vote in the election. One-thirds of the total membership is reserved for women and the six seats occupied by women shall be rotated after every five years.

There is an Executive Council consisting of the Chairman and Vice Chairman both elected by the elected Councillors of AMC and other three Executive Members appointed by the Chairman himself. The Chairman is the Executive Head of the Aizawl Municipal Council. C.T. Zakhuma became the first Chairman of Aizawl Municipal Council.

The study finds that the office of Aizawl Municipal Council, currently located at Thuampui, is a makeshift office set up in a rented room, whose functioning is occasionally hampered due to leakage in the ceiling. This leakage problem is escalated during rainy seasons when the floor is swamped with water, which is likely to hinder the chore of the workers.

The study has revealed that the period of engagement of Secretary for the Municipal Council is too brief for ensuring effective administration. At present, civil servants from outside the Municipal Council are appointed as Secretary on deputation normally for a period of one year. This extremely short tenure causes depreciation for the post which results in inefficient work ethics. Evidently, the tenure is not on par with the importance of the post.

An important observation is that, the Council has no Health Officer at present. This is against the regulation of the Mizoram Municipalities Act 2007, which states that there should be a post of Health officer duly filled by a qualified person. Similarly, the post of Finance officer has not yet been filled up although the Municipalities Act 2007 provides for the post of Finance Officer. At present, the Deputy Director (Account) of UD&PA Department acts as an absentee official for this post.

Regarding recruitment of personnel, the Municipalities have no direct power to recruit officers and other employees. All recruitment details are done only with the prior approval of the State Government. This has created difficulty in recruiting their personnel.

It is to be noted that the Chief Executive Officer, Health Officer, Engineer, Finance Officer, Town Planner and Secretary who have been recruited by the State Government as its officers are provisionally engaged in AMC. It is true to state that all these officers remain outside the direct jurisdiction of the Council. The present situation is that the Council has no control over its own employees whose main function is to assist the Council in the performance of its multifarious functions of Urban Administration.

Under Section 64 of the Mizoram Municipalities Act, 2007 (as amended in 2009), the Chief Executive Officer, Health Officer, Engineer, Finance Officer, Town Planner and Secretary must receive salaries and allowances out of the Municipal Fund. But in practice, all the salaries and allowances of the employees and officers are paid by the State Government. Moreover, the Council has no proper pension plan and rules of benefits for its employees.

It has been found that the short tenure of the Municipal personnel has created problem regarding the administration of the Council as the bureaucrats that hold the post are constantly changing from time to time. Moreover, as the officials are concerned to give basic services to the urban population as well as

the development of the area, they are expected to have a well knowledge in their work. Just when they are acquainted with their work, they get replaced, and this becomes a problem in bringing development for the city.

The researcher has found that proper training programme has not yet been made by Aizawl Municipal Council for its employees who are new to their works. Though the Group 'A' officers have occasional training, which too is irregular, the rest of the employees whose posts are lower do not receive any training since the establishment of the council.

With regards to transferring of functions by different concerned Departments of the State Government, there are only few functions which have been transferred to the Municipal authority. It has been observed that, this slow process of transfer of functions by the State Government is mainly due to reluctance of certain Departments to do so. The reason for this reluctance emanates from their reluctance to part with those funds which have previously received from that State Government.

Further, it has been observed that the Aizawl Municipal Councillors are still in the dark as they do not understand their actual status or position in order to precedence. The Councillors have not been included in the order of precedence of high officials under Government of Mizoram. Due to this, the exact rank of the Councillors becomes very obscure and undetermined.

The study has also found that, the office of Aizawl Municipal Council cannot function effectively due to shortage of employees. It has been observed that the Engineering Wing of the Aizawl Municipal Council has only 8 Staff. It is estimated that, on an average, there are 40 files of work for each staff, and this pile often results in numerous pending of files. Inevitably, this hinders the efficiency of the office in the fast paced culmination of work.

Another glaring problem faced by the Council is lack of cooperation and participation on the part of the common citizens. One incident which reflects this is the parking fee problem on taxi. The AMC proposes to increase the rate of parking fee to be collected from the taxis from 10 to 20 rupees per day. This has been blatantly refused by the taxi drivers and they have not cooperated with the AMC so far.

### **Suggestions**

On the basis of her findings, the researcher has come out with the following suggestions:

1. AMC has never taken loans for infrastructural developments which they are entitled to. Making use of this opportunity could alleviate the funds for urban development.
2. AMC has taken over the sanitation of domestic solid waste, however, those of the market area are still under other departments, several garbage sites are seen left unattended for many days and need to be kept clean for public health. If this falls in the hand of the AMC it would be better administered and make Aizawl a clean and friendly city.
3. Aizawl being a congested city, parking has always been a problem. It would be very efficient and effective if most of the houses at the road level are constructed in such a way to accommodate at least two vehicles under the supervision of AMC. Besides these, more of public parking lot should be created near public institutions like offices, Schools and hospitals.
4. AMC being one of the most important institutions for urban development, it needs to maintain its dignity and security by having its own building.



5. Awareness of Urban development projects and schemes should be projected more to the general public. They should be made aware of their rights and duties regarding urban development.

6. An employee should be given regular intensive training in order to have an understanding of the legal framework under which they are to operate and to make them aware of the complexities and how to tackle them, to be more advanced meet the need of the hour. Otherwise, it can create lack of institutional and internal coordination.

7. All the vacant post mentioned by section 61 of the Mizoram municipalities Act, 2007 (as amended in 2009) should be filled as soon as possible by a qualified and efficient person. Moreover, the post of Chief Executive Officer should be filled in by an IAS cadre. This would highly boost the pace of the development projects.

8. At present, due to the slowness of transferring of functions, the Council has not yet fulfilled the purpose for which it has been established. The state government should transfer the authority enlisted on the 12<sup>th</sup> scheduled (74<sup>th</sup> Constitutional Amendment Act, 1993) and mention in the Mizoram Municipalities Act, 2007 ( as amended in 2009) to stop the encroachment of its autonomy. This would greatly increase the power and authority of the Municipal Council, and will enable them to take up most of the works related to Urban Administration, further leading to rapid development as a whole.

To conclude, Aizawl Municipal Council which has been introduced to administer the city cannot function effectively due to lack of political will to hand over some of its powers to Aizawl Municipal Council. However, the State Government should not hesitate to do the same as long as it does not hesitate to receive any urban development funds from the centre.

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[www.trcollege.net](http://www.trcollege.net)

**APPENDIX**  
**AIZAWL MUNICIPAL COUNCIL,**  
**MIZORAM**

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**QUESTIONNAIRE**

**(This data given by the respondents will be used for research purpose  
only)**

**PART – A**

**Response from the Ward Committee Members of AMC**

1. How often do you conduct ward committee
  - (i) Regular
  - (ii) Average
  - (iii) Poor

**PART – B**

**Response from the AMC Staff**

2. How do you find the administration in your office
  - (i) Good
  - (ii) Acceptable

(iii) Poor

3. What is the condition of your office building

(i) Good

(ii) Acceptable

(iii) Poor

4. Is the post of Secretary occupied

(i) Yes

(ii) No

5. Do you have Health Officer

(i) Yes

(ii) No

6. Do you receive training programme

(a) For Group 'A' Officer

(i) Yes

(ii) No

(b) For Group 'B' Officer

(i) Yes

(ii) No

(c) For Group 'C'

(i) Yes

(ii) No



## ABBREVIATIONS

A.M.C	:	Aizawl Municipal Council
N.G.O	:	Non Government Organisation
A.D.C	:	Autonomous District Councils
P.L.R.C	:	Pawi Lakher Regional Council
M.M.S.C	:	The Mizoram Municipal Steering Committee
UD&PA	:	Urban Development & Poverty Alleviation
JnNURM	:	Jawaharlal Nehru National Urban Renewal Mission
B.S.U.P	:	Basic Service to Urban Poor
MoA	:	Memorandum of Agreement
C.E.O	:	Chief Executive Officer
M.C.S	:	Mizoram Civil Service
U.D.C	:	Upper Division Clerk
L.D.C	:	Lower Division Clerk
Y.M.A	:	Young Mizo Association

## Glossary

Lushai, Ralte, Hmar, Paite, Pawi, Khawhring, Kiangte, Chawngthu, Pachuau, Pautu, Hrahse, Tochwang, Vanchhia, Chhakchhuak Zawngte, Fanai, Renthlei, Lakher, Chakma, Pawi, Pangs and Riang	}	Mizo tribes or sub tribes
Champhai, Serchhip, Kolasib, Saitual, Khawzawl, Vairengte, N. Kawnpui, Thenzawl, Darlawn, Mamit, Sairang, Zawlnuam, N. Vanlaiphai, Biate, Khawhai, Lengpui, Lunglei, Hnahthial, Tlabung, Lawngtlai and Saiha	}	Name of towns in Mizoram
Aizawl	:	Capital of Mizoram
Zahmuaka	:	Name of a person

Upa	:	Mizo Council of Village Elders
H. Vanlalaiva	:	Name of a person
Thenzawl	:	Name of Village
Thuampui	:	Name of a locality in Aizawl City
Veng	:	Locality
Rangvamual	:	Name of a locality in Aizawl City
C.T. Zakhuma	:	Name of a person
Ch.Chhunga Bus Terminal	:	Name of terminal
Ch.Saprawnga Truck Terminal	:	Name of terminal