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## The working of urban local bodies in Andhra Pradesh with special reference to Ananthapuramu district

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### Abstract

Till the enactment of the Andhra Pradesh Municipalities Act, 1965, there was no uniform law governing the municipalities in the State. Historical developments in the eleven districts of the former Madras State were different from those of the nine districts of the erstwhile Hyderabad State. The students of local government know that Madras city was the first town in India to have a municipal body. The Court of Directors of the East India Company set-up a Municipal Corporation for Madras in 1687. This was revised in 1726 and 1793. In 1841 attempts were made to provide a suitable machinery to direct civic affairs when the ratepayers were entrusted with the assessment and collection of taxes in their divisions. The Acts of 1856 and 1857 further widened the scope of the corporation; the latter Act introduced a larger non-official element into the corporation.

**Keywords:** Urban local bodies, Andhra Pradesh municipalities, East India Company

### Introduction

The Andhra Pradesh Municipalities Act, 1964 was brought into force from 2nd April, 1965. The Act was passed with the object of securing uniformity in the laws relating to Municipalities in the Andhra and the Telangana regions of the State. The new Act provided greater scope for elected representatives on 'the Municipal Councils to play an effective role in administration and reduced the degree of control exercised by Government over Municipalities. The salient features of the new Act are the fixation of the term of office of the Councillors at five years; the constitution of an Executive Committee with the Chairman and Vice- Chairman of the Council and some elected Councillors as members to discharge some of the executive functions hitherto performed by the Commissioner or the Executive Officer; the change of the designation of Commissioner to that of Secretary; provision for M.L.As. and M.L.Cs. who are voters in the municipality concerned to become ex-officio Councillors; provision for electing an Alderman for each Council; payment of honorarium to Chairman and sitting fees to Councillors; levy of property tax on capital instead of rental value; levy of advertisement tax; levy of yearly instead of half yearly taxes; and the constitution of Water Boards for the construction and maintenance of water works.

### Classification of Municipalities in Andhra Pradesh

On the basis of revenue accrued every year; the municipalities in Andhra Pradesh have been classified into five categories, namely, selection grade, special grade, first Grade, second Grade and Third Grade. The following table gives latest details of classification:

**Table 1:** Classification of Municipalities in AP

S. No.	Grade	Income unit
1.	Third Grade Municipality	Income of more than one crore or less than two crores.
2.	Second Grade Municipality	Income more than two crores and less than four crores.
3.	First Grade Municipality	Income more than four crores and less than six crores.
4.	Special Grade Municipality	Income more than six crores and less than the Eight crores.
5.	Selection Grade Municipality	An annual more than eight crores and above.

**Source:** G.O.Ms.No.208 issued on 15-06-2001.

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The main aim behind the gradation of municipalities is for the appointment of specialized officers. To quote an example, it is only of the distinction that specialist officers like public health officer, municipal engineer, Town planning officer exist in all the municipalities but they are called for special names. Revenue officers are employed in special and first Grade Municipalities. In the smaller Municipalities, their counter parts are the sanitary inspector, Municipal

supervisor and others who discharge the same duties as that order in bigger municipalities. The amended act in Andhra Pradesh provides for all the three types of Municipal bodies: Nagarpanchayats, Municipalities, and Municipal corporations.

The following criteria have been fixed to constitute different categories of municipal bodies:

**Table 2:** Criteria for classification of Municipalities

S. No	Criteria	Nagar Panchayat	Municipal council	Municipal corporation
1.	Population	25,000 to 40,000	Above 40,000	4 lakhs and above
2.	Density of population (in Sq. Kms.)	1000 and above	1000 and above	10,000 and above
3.	Percentage of Employment in non-agricultural activities	50% and above	60% and above	85% and above
4.	Economic Importance	Availability of market facilities	Availability of market facilities and potential for industrial	Availability of markets, civic infrastructure etc.
5.	Revenue of local body	Rs. 40 lakhs and above	Rs. 60 lakhs and above	Rs. 4 crores and above

**Source:** G.O.MS.No.39. M.A; Municipal Administration and Urban Development (Ellet-II) Department of Municipal Administration dated 03-02-1995.

Continuance of existing number of members elected in respect of each council until government revises such number.

**Table 3:** Strength of Municipal Councils

S. No.	Population range at the last census i.e. 2011	Number of elected members
1.	Less than 40,000	21
2.	40,000 to 1,00,000	21 plus one additional member, for every 10,000 population above 40,000
3.	1,00,000 to 2,00,000	27 plus one additional member for every 15,000 population above 1,00,000
4.	More than 2,00,000	33 plus one additional member for every 20,000 population above 2,00,000 maximum strengths, lower is 45

**Source:** Office records of Directorate of Municipal Administration, Hyderabad,

Local bodies are segregated into wards for the sake of electing councilors to represent them in the municipal bodies according to the Municipal Act. Formed by the Government, every urban local body with a population of 40,000 or less will have a membership of 21 in the municipal council, all of whom are elected by the people of their respective wards. The provision has been made for increasing the membership of the municipal council with every increase in population. If the population of an urban body is between 40,000 and 1 lakh, there would be 21 members for 40,000 populations and with increase by 10,000 people, one additional member will be given; similarly, cities with more than 2 lakhs population will have 33 members plus one additional member for every 20,000 population above 2 lakhs, subject to a maximum of 50 members.

As per the changes brought about in the Municipal Act of A.P, the strength of a municipal council is marginally changed based upon strength of the councils, excluding the ex-officio and co-opted members MLAs / MPs representing the constituencies of which municipality or a portion thereof shall be ex-officio members of municipalities with voting rights. Rajya Sabha members registered as electors within the municipality shall be ex-officio members with voting rights. Persons having special knowledge or experience in Municipal Administration will be co-opted by municipal council. Their number shall be one, in the case of Nagar Panchayats, two, in the case of municipalities with the three lakhs or more population. One person belonging to the minorities in municipalities is to be co-opted by the municipality with voting rights. The method of electing the chairman of the Municipality is left to the state government's direction. At present, in Andhra Pradesh people directly elect the Municipal Chairman.

**Table 4:** Details of Reservation system at State level

S. No.	Category	No.
1.	General category	38
2.	Women general category	19
3.	BC General category	24
4.	BC Women category	11
5.	SC General category	6
6.	SC Women category	4
7.	ST Male category	1
8.	ST Women category	1

**Source:** Office records of Directorate of Municipal Administration, Hyderabad,

From the above table, we can analyze that people representing different categories and different sections have been provided reservation and they have become Municipal chairpersons. The table reveals that representation for the SC's and ST's is meager where as representation for the BC's and women has increased considerably.

Provision also has been made as per 74<sup>th</sup> Amendment to dissolve the municipalities which are erring. However the dissolved Municipalities must be reconstituted within six months. Personal hearing is to be given to chairperson of the Municipality before dissolution. The constituted body after dissolution will continue for the remaining period only. The legislation stresses and aspires for the democratic functioning of urban local bodies. Nevertheless, it also stresses the importance of bureaucratic element in the local bodies leading to government's interference and control over the local bodies. Some of the powers of the chairpersons have been withdrawn and they are bestowed upon commissioners who happened to be government officials. The following changes brought about through the

Act of 1994 undermined the importance and role of chairpersons in Municipality.

### **Urban Local Bodies in Ananthapuramu District**

The passing of the India Act XXVI of 1850 marked the first attempt at the creation of Municipalities in the districts. The Act authorized the Government to constitute any town into a municipality if its inhabitants were desirous of making better provision for public health and other amenities. The Executive authority was vested in Commissions consisting of the Magistrate and a certain number of persons appointed by the Governor-in-Council. Government contributed a sum equal to that raised by the inhabitants for this purpose. Ananthapuramu was one of the few places in the Presidency to which the act was applied.

In pursuance of the report of the Royal Army Sanitary Commission of 1863 which made several recommendations for the improvement of conditions of health in towns, Government undertook more extensive measures for the betterment of municipalities. The Madras Towns Improvement Act X of 1865 was consequently passed and applied to all towns with a population of 5,000 and more. According to this Act, Commissioners were appointed to manage municipal affairs and were authorized to levy certain taxes for meeting the charges on 'police' establishments, the construction of roads and the improvement of sanitation. The Commissioners were empowered to raise further funds for purposes such as lighting and water supply. Provision was made for the appointment of not less than 5 inhabitants as Commissioners with the District Magistrate as the President. The District Magistrate, the Local Magistrate and the P.W.O. Officer were Ex-Officio Commissioners. The Act was extended to Gooty in 1869.

The Towns Improvement Act III of 1871 replaced the Act of 1865. Under this Act, Municipalities were no longer required to contribute to 'police' charges. On the other hand they were authorized to devote municipal funds for the promotion of education and the establishment of hospitals and dispensaries and other institutions of a local character not covered by the earlier Act. Some relaxation was made in the qualifications prescribed for the members of the Municipal Commission and their term of office was extended from one to three years. Under the Act, the Commission consisted of not less than three non-official members with the Collector and the Revenue Divisional Officer as ex-officio members. The Government was empowered to appoint any official in the district as Commissioner on the condition that the number of such official members did not exceed one-half of the total strength.

The Madras District Municipalities Act IV of 1884 was passed on the recommendations of the Local Self-Government Committee constituted in accordance with Lord Rippon's resolution of 1882. This Act superseded the Towns Improvement Act of 1871. It introduced the term 'Municipality' for the first time and also the word 'Council' and 'Councillors' for 'Commission' and 'Commissioners' respectively. The Municipal Council was to consist of not less than 12 members whose term of office was to be three years. The Revenue Divisional Officer was to be an ex-officio Councillor. All other Councillors might be wholly appointed or partly elected at the discretion of the Governor-in-Council and the elected members should normally be three-fourths of the total strength of the Council. Not more than one-fourth of the total number of Councillors, unless

elected were to be Government officials. Each Council was to have a Chairman appointed by Government or elected by the Councillors and an elected Vice-Chairman. The Chairman was responsible for carrying out the purposes of the Act. The main sources of revenue of the municipalities consisted of a. tax on lands and buildings levied at 7½ percent of their rental value, water tax at 2 percent, a tax on vehicles and animals, tolls as prescribed in the schedule of the Act and licence fee on offensive or dangerous trades. Other sources consisted of rents for the use of- choultries, markets, slaughter-houses and cart-stands; fines and forfeitures\*, payments for municipal services; and grant-in-aid from State funds. The revenue so raised was to be spent on the maintenance and repair of streets and bridges; construction and maintenance of hospitals and dispensaries, choultries, markets, tanks, wells, drains, sewers, *etc.*; training and employment of medical practitioners, vaccinators and sanitary Inspectors; registration of births and deaths; lighting and cleaning of streets; expansion of education; construction, repair and maintenance of school buildings; and inspection of educational institutions and training of teachers. The only municipality then constituted under the Act was Ananthapuramu. Hindupur and Tadpatri were constituted into municipalities in 1920 under a new Act.

The pattern of municipal administration remained unchanged till 1920. The Madras District Municipalities Act V passed that year provided for a larger proportion of elected members and an increase in the powers and resources of municipalities. An Inspector of Local Boards and Municipal Councils were appointed to supervise their working. The strength of a Municipal Council was fixed on the basis of population at a maximum of 36 and a minimum of 16 and the term of Councillors were three years. The Chairman was to be elected unless Government directed otherwise, but the Vice-Chairman was to be invariably elected from among the members. Not less than three-fourths of its members were to be elected and adequate representation was to be afforded to minority communities by means of nomination. The Revenue Divisional Officer ceased to be an ex-officio member. A paid executive authority known as 'Commissioner' could be appointed for a municipality at the discretion of Government. The Act provided for the levy of the Education tax for the expansion of elementary education.

The term of the Councils was extended under the transitory provisions of the District Municipalities Act (Amendment) of 1930. This Act modified the earlier Act of 1920 by dispensing with nominations and providing for the election of all the Municipal Councillors. It also removed the disqualification of women to stand for elections and extended the franchise to every tax payer. It provided for the reservation of seats for women and for minority communities such as Muslims, Indian Christians, Scheduled Castes, Europeans and Anglo-Indians. It made the offices of the Chairman and of the Vice-Chairman elective and provided for the provincialization of municipal services. There was also provision for the passing of a vote of no-confidence against the Chairman and the Vice-Chairman and for the adjudication of disputes between various local bodies by Government. The Municipal Chairman and Vice-Chairman who might be removed from office were debarred from standing for election for a period of six months.

Subsequent legislation, particularly relating to the sphere of municipal finances, followed a pattern similar to that of Local Boards. The Motor Vehicles Taxation Act, 1931

abolished the levy of tolls. The tax on motor vehicles was provincialized and Municipalities were compensated for the loss of revenue. Municipal Councils, which levied a low rate of property tax, could be directed to increase it. In 1945, they were also permitted to levy a surcharge on stamp duty payable under the Indian Stamp Act in respect of the instruments of sale, gift and mortgage registered in municipal areas. In 1950, the surcharge was extended to transfers by way of exchange and lease in perpetuity. In 1946, all military and other roads in the municipal areas were transferred to the Highways Department. In 1950, reservation of seats was restricted only to Anglo-Indians, members of the Scheduled Castes and women.

Owing to the conditions of emergency created by the Second World War, elections to municipalities were postponed from time to time till 1947. The new elected Councils came into office in October, 1947. The first elections to Municipalities on the basis of adult franchise were conducted in 1952. The Madras District Municipalities (Andhra Amendment) Act, 1955 constituted the Municipal Commissioners into a separate cadre of the State Service. A

similar Act in 1956 authorized the Municipal Councils to levy rent for the use of drainage and for the discharge of sullage water into municipal drains. It also classified the supply of water into that for commercial establishments and for purposes of non-domestic consumption. The Andhra Pradesh (Andhra Area) District Municipalities (Second Amendment) Act, 1962 extended the term of office of the Municipal Councils due to expire on 1st July, 1962 from three to five years with retrospective effect from 1st July, 1959, so as to make it conform to the proposed integrated legislation for District Municipalities in the State. The term of the existing councils in the district has expired in 1964 but, pending their reconstitution, Commissioners have been appointed to function as Special Officers of Municipalities.

#### Current Position in Ananthapuramu District

At present there are 11 urban local bodies in the district apart from Ananthapuramu Municipal Corporation. Table 5 gives the party wise councillors elected to urban local bodies in 2014 ordinary elections in Ananthapuramu district.

**Table 5:** Party Wise Councillors Elected to Urban Local Bodies in 2014 Ordinary Elections in Ananthapuramu District

Name of the ULB	No. of Wards	CPI	INC	TDP	YSRCP	Other Parties	Independents	Total
Hindupur	38	1		19	16		2	38
Guntakal	37	2		22	12		1	37
Tadipatri	34			32	2			34
Dharmavaram	40	1		26	11		2	40
Kadiri	36			22	14			36
Rayadurg	31			27	3		1	31
Madakasira	20		2	16	1		1	20
Puttaparthi	20		1	15	4			20
Gooty	24			8	11		5	24
Paamidi	20			10	5		5	20
Kalyandurgam	23		1	20	1		1	23
Total	323	4	4	217	80	0	18	323

**Source:** State Election Commission, Andhra Pradesh, 4<sup>th</sup> Ordinary Elections to Municipal Bodies, 2014, Detailed Election Results of Municipal Bodies in Andhra Pradesh State.

As per table 5 the Telugu Desam Party has clear margin over its nearest rival Yuvajana Sramika Rhythu Congress (YSRCP) Party in all 11 urban bodies in the Ananthapuramu District in the 4<sup>th</sup> Ordinary elections held to urban local bodies in 2014. In Tadipatri Municipality the Telugu Desam Party bagged 94.12 percent of seats, which is highest of all urban local bodies in the district. In Kalyandurgam Municipality the TDP candidates emerged victorious in 20 out of 23 municipal wards constituting 86.96 percent. In Madakasira the TDP bagged 80 percent of seats in 2014 urban local body elections. In the remaining 7 urban bodies also the TDP bagged majority of seats. In Gooty urban body the YSRCP party maintained its paramouncy by winning 11 out of 24 seats. But here also it failed to bag required number of seats to win Chairperson seat in elections. Here the independents, played crucial role in deciding the Chairman of local body. BJP, BSP and CPM failed to open their account in any urban local body in the district.

#### Conclusion

The study presents the brief history of urban local bodies in Andhra Pradesh. The chapter also presents a brief history of urban government in the district and present status of urban local bodies in the district. Statistical information with regard to party wise councillors elected in the municipalities in Ananthapuramu district as on 07-10-2014.

The political profile of urban bodies in Ananthapuramu district, party wise wards won in 2014 urban body elections in Ananthapuramu district were also presented.

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