

X. Wards Committees and Ward Committees

12. *Under clause (1) of article 243S it has been provided that there shall be constituted Wards Committees, consisting of one or more wards, within the territorial area of a Municipality having a population of three lacs or more. The issues in this regard are : whether Wards Committees may be constituted in municipal areas having a population of less than three lacs also, and whether a Ward Committee may be constituted for each ward also in any municipal area at any level of the Municipality, and what should be the membership of such Committees.*

- (1) As regards the Wards Committees for municipal areas having a population of three lacs or more, this being a Constitutional requirement, the State Governments have no choice. However, each State Government may, based on its perceptions for decentralization and for spreading local democracy, consider and decide whether it would like to set up additional Committees under the provisions of clause (5) of article 243S.
- (2) The Calcutta Municipal Corporation Act, under section 14, provides for constitution of “Borough Committees” for a group of wards which are identical to the “Wards Committees” as required under clause (1) of article 243S of the Constitution. However, by an amendment in 1994, it has been provided that the Corporation shall also constitute a Ward Committee for each of the wards in Calcutta.
- (3) Sections 22 and 23 of the West Bengal Municipal Act, 1993, also provide for the constitution of “Borough Committees” for groups of wards (i.e. Wards Committees) and a “Ward Committee” for each ward.
- (4) The Tamil Nadu Urban Local Bodies Act, 1998, also, under section 49, provides for constitution of Wards Committees consisting of elected Councillors only.
- (5) Section 29A as inserted by a Gujarat Amendment Act, 1993 provides that there shall be “Wards Committees” under the Bombay Provincial Municipal Corporations Act, 1949. These Wards Committees shall, in addition to the elected representatives, have other members, not exceeding five, having interest in civic administration as may be nominated by the State Government.
- (6) Section 48A of the Madhya Pradesh Municipal Corporation Act, 1956, as amended in 1994, provides for constitution of “Wards Committees” as per the constitutional provisions which may, besides the elected Councillors, have two persons residing within the territorial area of such Wards Committees and having special knowledge

or experience in municipal administration as its members as nominated on the recommendation of the Chairperson of the Wards Committee.

The number of such Wards Committees would be arrived at by dividing the population of the municipal area by one lakh and rounding off to the next whole number.

Provisions Made in the Municipal Law

- 14.** *The Municipal Law provides for constitution of a Wards Committee for contiguous groups of wards under clause 30 and constitution of a Ward Committee for each Ward, under clause 31.*

However, these clauses define the constitution of the Committees in a different manner. A “Ward Committee” which would be chaired by the elected representative from the particular ward, may have representatives of the civil society as its members, whereas in a “Wards Committee”, only the elected representatives would be the members and would elect a Chairperson from among themselves. Thus, while each Ward Committee would have an advisory role only, the Wards Committees may exercise executive powers for the local level functions as specified in sub-clause (6) of clause 30.