

CHAPTER-V

Human resources of Urban Local Bodies

5.1 Limited powers over manpower

The status of exercising power in respect of executive functionaries provided to the ULBs in the State is given in the **Table 5.1**. The details in respect of the powers of executive functionaries are discussed in subsequent paragraphs.

Table 5.1: Status of exercising power in respect of executive functionaries provided to the ULBs in the State

Activities relating to functionaries	Authorities exercising the power in respect of functionaries	Remarks
Creation of municipal services	State Government	The Haryana Municipal Corporation Employees (Recruitment and Conditions) Services Rules, 1998 and the Haryana Municipal Services (Integration, Recruitment and Conditions of Service) Rules, 2010 list out the municipal services created for the municipalities and provisions regulating thereof.
Making rules relating to recruitment, pay, transfer and other conditions of service of persons appointed to the municipal Services and revision thereof		
Grouping of municipal services in order to define rank and responsibilities	State Government	No clear classification of the post of municipal services as Group A, B and C except that the employees working in municipal corporations having grade pay of ₹ 6,000 (Pay band 15,600-39,100) or above as group 'A'.
Providing sanctioned strength to the posts of municipal services	Administrative Secretary, ULB Department	Sanctioned strength for the newly/upgraded municipalities as well as already existed is decided by Administrative Secretary, ULB Department.
Selection and Recruitment to the posts of municipal services	Haryana Public Service Commission (HPSC) and Haryana Staff Selection Commission (HSSC)	Municipalities send vacancies positions to the ULB Department who makes requisition to HSSC and HPSC for selection. Appointing authorities make recruitment on the basis of recommendation by HPSC and HSSC.
Deployment of executive head and staffs including engaging through outsourcing	State Government, Administrative Secretary and DULB	Municipalities are required to get prior sanction for engagement and extension of staff on outsourcing from the DULB. This power has been delegated to District Municipal Commissioner for engaging lower level staff against the vacancies from September 2020.
Power to impose penalty and an appeal against any order imposing penalty on any officer or employee	State Government, Administrative Secretary, Director, Commissioner, District Municipal Commissioner	The concerned appointing authorities to the posts of municipal services are empowered to impose penalty. Appointing authorities for some important posts are discussed in subsequent paragraphs.
Power to transfer any officer or employee within/outside municipalities	State Government and Appointing authorities	Appointing Authority to the posts of municipal services are State Government, Administrative Secretary, Director, ULB Department, Municipal Commissioner and District Municipal Commissioner.

Activities relating to functionaries	Authorities exercising the power in respect of functionaries	Remarks
Annual Performance Appraisal Report (APAR) of Executive Head of Municipalities	Administrative Secretary, ULB Department and District Municipal Commissioner	APAR of the Commissioner of the Municipal Corporation is reported by Administrative Secretary in consultation with Mayor of Municipal Corporation. APAR of the District Municipal Commissioner (Newly created post with delegation of some powers of Deputy Commissioner of District in respect of affairs of Councils & Committee from August 2020) is reported by Administrative Secretary in consultation with DULB. APAR of the Executive Officer/Secretary of the Municipal Council/Committee is reported by District Municipal Commissioner in consultation with Sub-Divisional Officer of the District.
Provisions for capacity building in Acts/Rules	State Government	Both the State Municipal Acts and Rules mentioned above are silent about Capacity Building.
Budgetary provisions for capacity building	DULB and ULBs	No such budgetary provision except for elected women councilors during 2015-20. State Government has issued instruction for making budgetary provision of 2.5 <i>per cent</i> of salary budget from 2021-22 in compliance of Haryana State Training Policy 2020, which was in process till completion of audit.
Training policy and modules	DULB and ULBs	No training policy and modules have been framed.
Induction Training/ Job-oriented Training	DULB and ULBs	No such system exists.

Adequate and qualified manpower is a pre-requisite for the empowerment of ULBs. The broad framework of functions carried out by ULBs is depicted in **Table 5.2**.

Table 5.2: Broad framework of functions carried out by ULBs

Sr. No.	Wing/sections	Functions
1.	Administration	General administration, including meetings of council and committees
2.	Taxation	Assessment and collection of various taxes, rent, advertisements and other property related activities
3.	Accounts	Preparation and maintenance of accounts, preparation of budget, etc.
4.	Sanitation	Sanitation, street sweeping, solid waste management and other public health related activities
5.	Engineering/Technical	Construction/O & M of roads, drains, buildings, parks, play grounds, water supply and street lighting, etc.
6.	Town Planning	Town planning activities such as issue of building licences, etc.

The constitution of municipal services and assessment of manpower should be based on the functions undertaken by ULBs with a view that majority of the functions which are service oriented have to be discharged within a reasonable time period. This assessment could be done best by ULBs themselves considering various criteria such as the extent of geographical area to be

covered, the extent of population, the number of properties existing, etc. As per recommendation of Second Administrative Reform Commission, Local Government should have the power to appoint all officials and to hold them accountable.

Audit observed that ULBs did not have powers to constitute municipal services, to determine the strength of the Municipal Services so constituted or to recruit the required staff. These powers are vested with the State Government under Sections 38, 39 and 40 of the HM Act and Section 67 of the HMC Act. The State Government has the power to make rules relating to recruitment, pay, transfer and other conditions of service of persons appointed to the said Services. Further, Rules¹ framed under State Municipal Acts allow the State Government/appointing authority to transfer any officer of a municipality to another municipality or local authority or any Government department. Performance appraisal of key functionaries of Municipal Bodies is vested with the State Level administrative authorities.

5.1.1 Recruitment of staff

In accordance with the Acts and the Rules governing municipal services, the State Government regulates the method of recruitment, conditions of service, pay and allowance, discipline and conduct of staff and officers of ULBs. The Haryana Municipal Corporation Employees (Recruitment and Conditions) Services Rules, 1998 and the Haryana Municipal Services (Integration, Recruitment and Conditions of Service) Rules, 2010, list out the Appointing Authorities for various municipal posts as indicated in **Table 5.3**.

Table 5.3: Statement showing the appointing authorities for recruitment

Various posts	Authority
Executive Officer, Secretary, Chief Engineer, Superintending Engineer, Executive Engineer, Municipal Engineer/Assistant Engineer, Senior Town Planner, Dy. Town Planner, Assistant Town Planner, Chief Accounts Officer, Accounts Officer, Assistant Account Officer, Senior Architect, Medical Officer, Zonal Taxation Officer, Circle Heads Draftsman, Tehsildar.	Government of Haryana/Administrative Secretary of Urban Local Bodies Department
Office Superintendent, Tax Superintendent, Accountant, Chief Sanitary Inspector, Head Draftsman, Junior Engineer, Accountant	Director of Urban Local Bodies (DULB)
Fire Station Officer, Assistant Fire Station Officer, Building Inspector, Naib Tehsildar, Patwari, Land Officer, Draftsman, Light/Tax/Sanitary Inspector, Assistant, Stenographer, Clerk, Electricians, Garden Supervisor, Librarian, Mali, Chowkidar, Driver, Peon, etc.	Commissioner of Municipal Corporation and DC of the concerned District in case of Municipal Councils and Committees

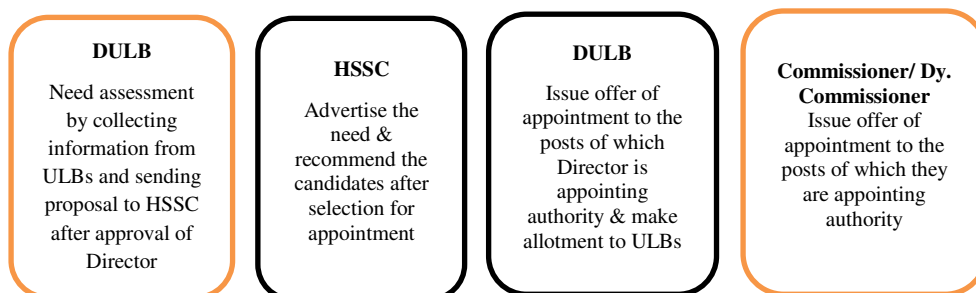
There was no classification of the post of municipal services as Group A, B and C which broadly corresponded to the rank, status and the degree of the level of responsibility attached to the posts.

¹ Haryana Municipal Corporation Employees (Recruitment and Conditions) Services Rules, 1998 and Haryana Municipal Services (Integration, Recruitment and Conditions of Service) Rules, 2010.

5.1.2 Recruitment process for Human resources of ULBs

The recruitment to various posts of ULBs was done through the Haryana Public Service Commission (HPSC) and Haryana Staff Selection Commission (HSSC). The various stages of recruitment through HSSC are depicted in *Chart 5.1*.

Chart 5.1: Flow chart of recruitment process through HSSC



Analysis of the records of recruitment made by DULB for Class IV- post (i.e. peon, mali, chowkidar, etc.) and accountants during the period 2015-20 showed the following:

- The total time taken commencing from forwarding the proposals to HSSC till final appointment of persons was 1905 days in case of 822 posts of peon, mali, chowkidar, etc. and 2471 days in case of 35 posts of accountant as detailed in *Appendix 5.1*.
- DULB sent proposal to HSSC for recruitment of 822 posts of peon, mali, chowkidar, etc. while need for 967 posts was sent by various ULBs. The reason for not sending proposal of 145 posts was not available on records.
- DULB took 1,720 days in case of posts of peon, mali, chowkidar, etc. and 1,520 days in case of post of accountant in making need assessment, sending proposal, attending queries of HSSC in respect of proposals and deciding recruitment agency. The State Government also put on hold the recruitment process for 155 days.
- HSSC took 161 days in case of posts of peon, mali, chowkidar, etc. and 930 days in case of posts of accountant for completion of selection process from receiving proposal to sending final list of selected candidates.

Thus, it is evident from above that the time taken by State Government/HSSC for recruitment of staff for ULBs was two to six years in the above case which is abnormally high and affected the proper functioning of ULBs.

5.1.3 Administrative powers over staff

ULBs have no power to impose penalty or to appeal against any order imposing penalty on any officer or employee and the same rests with the State Government/Administrative Secretary/Director/Dy. Commissioner/Municipal Commissioner. Municipal Councils and Committees are required to get prior sanction for engagement of staff on outsourcing from the DULB.

During exit conference, the department stated the necessary steps would be taken to avoid unnecessary delay in recruitment of staff in future. Further, necessary action would be taken for deciding grouping of the staff as category 'A', 'B' & 'C' with defined role and responsibilities attached to the posts.

Recommendation: Adequate powers over manpower resources should be delegated to ULBs in matters such as assessment and recruitment of required staff to ensure availability of qualified manpower for discharging functions.

5.2 Sufficiency and functioning of staff

State Government fixed (February 2018) standard sanctioned strength for different posts to be provided for newly constituted/upgraded municipality based on the type of municipalities (Municipal Corporation/Council/Committee). The basis for determining the standard sanctioned strength for each type of municipality was not furnished to audit.

Audit observed that not only sanctioned strength of various posts in the ULBs in the State was not in consonance with standard sanctioned strength decided by the State Government also there was shortage in availability of manpower with respect to the sanctioned posts among the various categories leading to vacancy position ranging from 31.58 to 65.87 per cent as shown in **Table 5.4**.

Table 5.4: Statement showing the staff position in ULBs in the State.

Particulars	No. of ULBs	Human Resource (as on January 2020)			
		Sanctioned	Vacant	Vacancy position (per cent)	Outsourced staff
M. Corporations	10	14,323	4,523	31.58	2,608
M. Councils	19	2,772	1,343	48.45	642
M. Committees	53	2,312	1,523	65.87	995

Source: Information provided by DULB, out of 87, data for 82 ULBs were provided.

Audit observed that the State Government took more than two years in sanctioning (December 2020) the various posts for four² newly created municipal committees since constitution (October to December 2018) of these ULBs. Functions of these municipalities were being performed with outsourced staff and by giving additional charge to the officials of nearby municipalities.

² (i) Kundli, (ii) Sadhaura, (iii) Ismailabad and (iv) Bass.

Non-provision of adequate specialised manpower required for delivery of the selected functions and other core functions is discussed in the following paragraph:

5.2.1 Executive head of ULBs

Audit observed that there was no sanctioned post for Executive Officer in Municipal Council, Jhajar. Further, post of Municipal Commissioner was vacant in two Municipal Corporations³ and post of Executive Officer was vacant in 23 ULBs (four⁴ Municipal Councils and 19⁵ Municipal Committees). Functions of these municipalities were being supervised by additional charge held given to executive head of nearby municipalities. However, no information in respect of the additional charges held during the audit period was available with the DULB. The State Government introduced (February 2020) a system of link officers of executive head of ULBs where the post is vacant to ensure smooth functioning of the ULBs.

5.2.2 Specialised Manpower

Adequate specialised manpower especially in the field of Taxation, Public Health, Engineering, Accounting and Sanitation is pre-requisite for providing better urban services to the citizen.

Specialised manpower for Taxation, Public Health, Engineering, Accounting and Sanitation across all types of municipalities were inadequate. The overall shortage of specialised manpower, as on January 2020, across the above mentioned cadres with respect to the standard fixed by the State Government in February 2018 was 199 (79 per cent) in Taxation; 95 (98 per cent) in Public Health; 422 (83 per cent) in Sanitation; 178 (38 per cent) in Engineering; and 167 (67 per cent) in Accounting in all the ULBs of the State. The shortages of specialised manpower were acute in municipal councils and committees of the State. The details are indicated in *Appendix 5.2*.

5.2.3 Safai Karamchari

The State Government decided (June 2014) norm of one Safai Karamchari for every 400 inhabitants. As per the norm, shortage in sanctioned post of Safai Karamchari was 4,712 (36 per cent) in Municipal Corporations, 3,150 (64 per cent) in Municipal Councils and 1,546 (50 per cent) in Municipal Committees based on 2011 census. Further, shortage of available manpower with respect to

³ (i) Panipat and (ii) Sonapat.

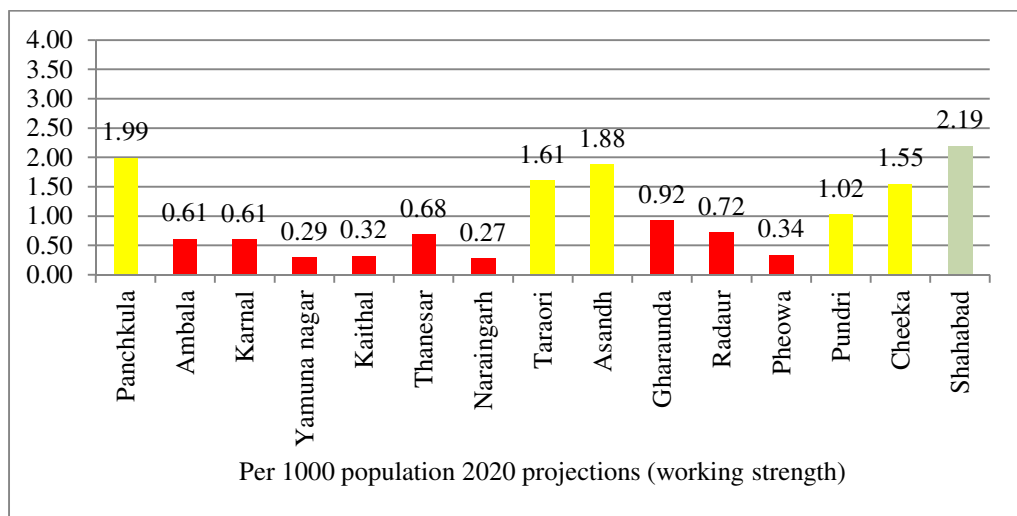
⁴ (i) Narnul, (ii) Gohana Mandi, (iii) Dabwali and (iv) Palwal.

⁵ (i) Naraingarh, (ii) Nilokheri, (iii) Assandh, (iv) Kalayat, (v) Gannaur, (vi) Siwani, (vii) Bawani Khera, (viii) Hathin, (ix) Nuh, (x) Haily Mandi, (xi) Mohindergarh, (xii) Kanina, (xiii) Ateli Mandi, (xiv) Barwala, (xv) Sisai, (xvi) Bhuna, (xvii) Rania, (xviii) Jakhal Mandi and (xix) Julana.

sanctioned post was 489 (six *per cent*) in Corporations, 342 (19 *per cent*) in Council and 458 (30 *per cent*) in Committees. The overall shortage of Safaikaramcharis with respect to norm was 10,697 (50 *per cent*) in all the ULBs of the State. The shortage will further increase with respect to population in 2020.

Audit observed that percentage of vacancy in 15 test-checked ULBs ranged between 21.79 and 93.54 *per cent*, as detailed in **Appendix 5.3**. Further, analysis of the working strength in the test-checked ULBs, in terms of the number of employees per 1,000 population as per 2020 projected population, showed that it ranged between 0.27 and 2.19 as indicated in **Chart 5.2**.

Chart 5.2: Working strength of ULBs in terms of employees per 1,000 population in test-checked ULBs



Nine ULBs (indicated in red colour) had less than one employee for every 1,000 people, five ULBs (yellow colour) had between one and two employees and only one ULB (Green colour) had between two and three employees.

5th SFC in their report observed (September 2017) that the sanctioned staffs in the ULBs at all levels are based on 2001 census and since then size and distribution of populations, the context of policy making, technology and other instruments available, and state priorities have changed. Thus, it recommended that a professional assessment of the staff required for the DULB and for the ULBs to perform in a manner, which produces desired outcomes be undertaken in order to focus on functions (and not individual activities) including the function of coordination and planning. It further recommended to conduct an analysis as to what kind of functions can be outsourced and to what extent for guiding the ULBs in outsourcing activities and hiring contractual staff.

Audit observed that no such assessment had been conducted and implemented except fixation of Standard Sanctioned posts to be provided at the time of constitution of a new ULB or upgradation of existing ULBs. Further, number of various sanctioned posts had not been reviewed and provided as per the standard mentioned in above paragraph.

During exit conference, the department assured that it would take necessary steps for the newly created ULBs and avoid delay in sanctioning of the posts. Further, the department stated that assessment of requirement of manpower at Directorate level had been made recently and the assessment of requirement of manpower for the ULBs would be carried out as recommended by the 5th SFC.

Recommendation: A professional assessment of the staff required for the ULBs to perform in a manner, which produces desired outcomes may be undertaken in order to focus on functions including the function of coordination and planning as recommended by 5th SFC. Accordingly, manpower needs to be provided to the ULBs so that ULBs are enabled to provide urban services to the citizen.

5.3 Capacity building for human resources of ULBs

Second Administrative Reform Commission recommended (October 2007) that the capacity building efforts in rural and urban local self-governing institutions must attend to the professional and skills up-gradation of individuals associated with these bodies, whether elected or appointed. Relevant Panchayat and Municipal Legislations and manuals framed thereunder must contain clear enabling provisions in this respect. Training of elected representatives and personnel should be regarded as a continuing activity. There should be special capacity building programmes for women members. As an aid to capacity building, suitable schemes need to be drawn up under State Plans for Rural and Urban Development for documentations of case studies, best practices and evaluation with reference to the performance of the prescribed duties and responsibilities of such bodies. The 5th SFC suggested that a more outcome and effectiveness-oriented system of training of ULB officials, both administrative and elected, merits serious considerations.

GoI while realising the need for development of human resources in view of the changed environment in all spheres of governance, which inter alia include 73rd and 74th CAA, issued National Training Policy in January 2012. The policy *inter alia* recommended that each state would formulate a training policy based on National Training Policy. The State Government framed its Training Policy in July 2020. The following shortcomings in respect of capacity building for human resources of ULBs were noticed:

- Both the State Municipal Acts are silent about the Capacity Building for Human Resources of ULBs. There is no enabling provision available in this respect in the Haryana Municipal Services (Integration, Recruitment and Conditions of Service) Rules, 2010 and the Haryana Municipal Corporation Employees (Recruitment and Conditions) Services Rules, 1998 made there under.

- The State Government did not draw any plan as an aid to capacity building except 'Training plan for elected women councillors during 2015-20. An amount of ₹ 32.30 lakh was incurred on elected women members during 2016-19.
- DULB has not adopted any mechanism to prepare training need analysis to assess training requirement for various cadre/employees of ULBs. During 2015-2020, DULB nominated only 31 personnel (six from ULBs and 25 from DULB) for attending the training under seven training programmes (relating to accounts, pay fixation and elimination of bonded labour). Audit observed that DULB did not arrange any training programme relating to urban governance for employees of ULBs during 2015-20.

During exit conference, the department stated that the ULBs have been instructed for making budgetary provision of 2.5 *per cent* of salary budget from 2021-22 for capacity building in compliance of Haryana State Training Policy, 2020. Further, guidance from the Haryana Institute of Public Administration has been sought in order to develop a sound training system for staff and elected members of the ULBs.