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Delays in Urban Local Government Elections in India: Analysis and Reform Pathways



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Introduction



India's Urban Future Demands Effective Local Governance

The Scale and Stakes

By 2050, India could be **60%** urban with **~800 million** citizens living in urban centres.¹

According to Census 2011, **31%** of the country is **urban** with **318 million citizens governed by 4,041 Urban Local Governments (ULGs)**. Nearly 1,000 new ULGs declared since 2011.²

Persistent Urban Challenges Signal Deeper Governance Issues

Despite massive investments, **59%** of urban residents **face water scarcity**, **80%**³ are **exposed to unhealthy air quality**, **36.4 crore**⁴ urban residents faced **very strong heat stress (>38°C)**,⁵ and recurring urban floods across major cities — Hyderabad, Ahmedabad, Delhi, Bengaluru, Chennai, and Mumbai — result in significant losses with the 2015 Chennai floods alone costing ₹15,000⁶ crores.

The Investment Context

India has committed unprecedented resources: **932% increase in budgets** of the Ministry of Housing and Urban Affairs, Government of India from 2009–10 to 2024–25. State governments have similarly scaled up urban investments.⁷

Economic Potential vs. Reality

Indian **cities contribute 60%** of GDP but our urbanisation delivers only a 1.7% increase in per capita GDP for every 1% increase in urbanisation — well below the global average of 3.9%.⁸

Globally, there are no examples of cities that developed well without strong urban local governments — making timely elections essential for India's urban future.

1. "Cities are going to be central in achieving global goals related to sustainability and climate resilience," Minister Hardeep S Puri. (n.d.). <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2010349>.

2. www.CityFinance.in 3. He et al, Future global urban water scarcity and potential solutions 2021, 4. NIUA, Air quality management in Indian cities and challenges, 17 Feb 2021 5. OP Agarwal, Jaya Dhindaw, and Raj Bhagat Palanichamy, Climate change: How can India's concretised, dangerously hot cities be cooled down sustainably? Scroll, 22 Jun 2022. 6. Thangavelu, D. (3 Dec 2015). Chennai floods may cause financial losses of over Rs. 15,000 crore: Assocham. Mint. <https://www.livemint.com/Politics/qvGl9LAhTbgnOzitBskhSN/Chennai-floods-may-cause-financial-losses-of-over-Rs15000-c.html> 7. Indiabudget, MoHUA 8. Om Prakash Mathur et al, State of the Cities, 2021

Strong Local Governance Requires Timely Elections

Local elections enable responsive local governance which in turn improves quality of life.



Responsibility

Cities without elected councils suffer from poor public service delivery (vital decision-making) and lack institutional accountability from local leaders.



Representation

ULGs are democracy at the grassroots, enabling citizens to elect first-mile leaders who understand their local needs and priorities. India has achieved 46% women's representation in ULGs, with 17 states legislating 50% reservation — exceeding the constitutional mandate of 33%.¹



Timelines

Delays in Lok Sabha or Vidhan Sabha elections are unthinkable — the same standard must apply to local elections.

Research Methodology

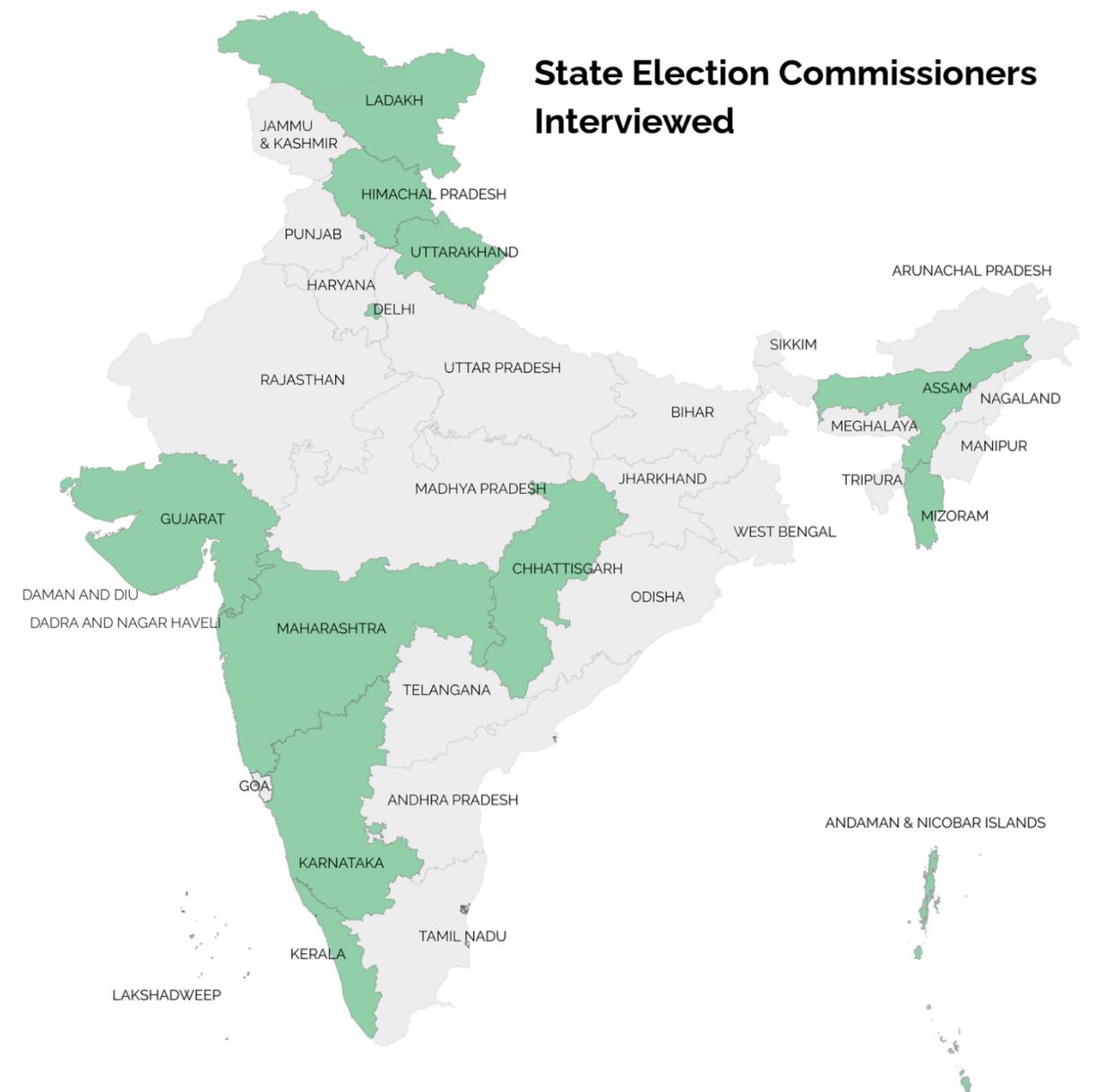
Objective

To study the causes of delay in elections to Urban Local Governments (ULGs) across Indian states and identify reform pathways to ensure timely elections.

Sources

- The Constitution of India, 1950
- The Model Municipal Law, 2003
- Interviews with 12 present and former State Election Commissioners
- 82 municipal legislations across states/UTs
- 13 Supreme Court and High Court judgements
- Reports of the Comptroller and Auditor General of India
- Reports and websites of State Election Commissions (SECs)
- Deliberations from the National Urban Reforms Roundtable: Urban Local Government Elections in India, held on 8 July 2025 in New Delhi
- Media articles

Note: Please find more information on each category in the annexures



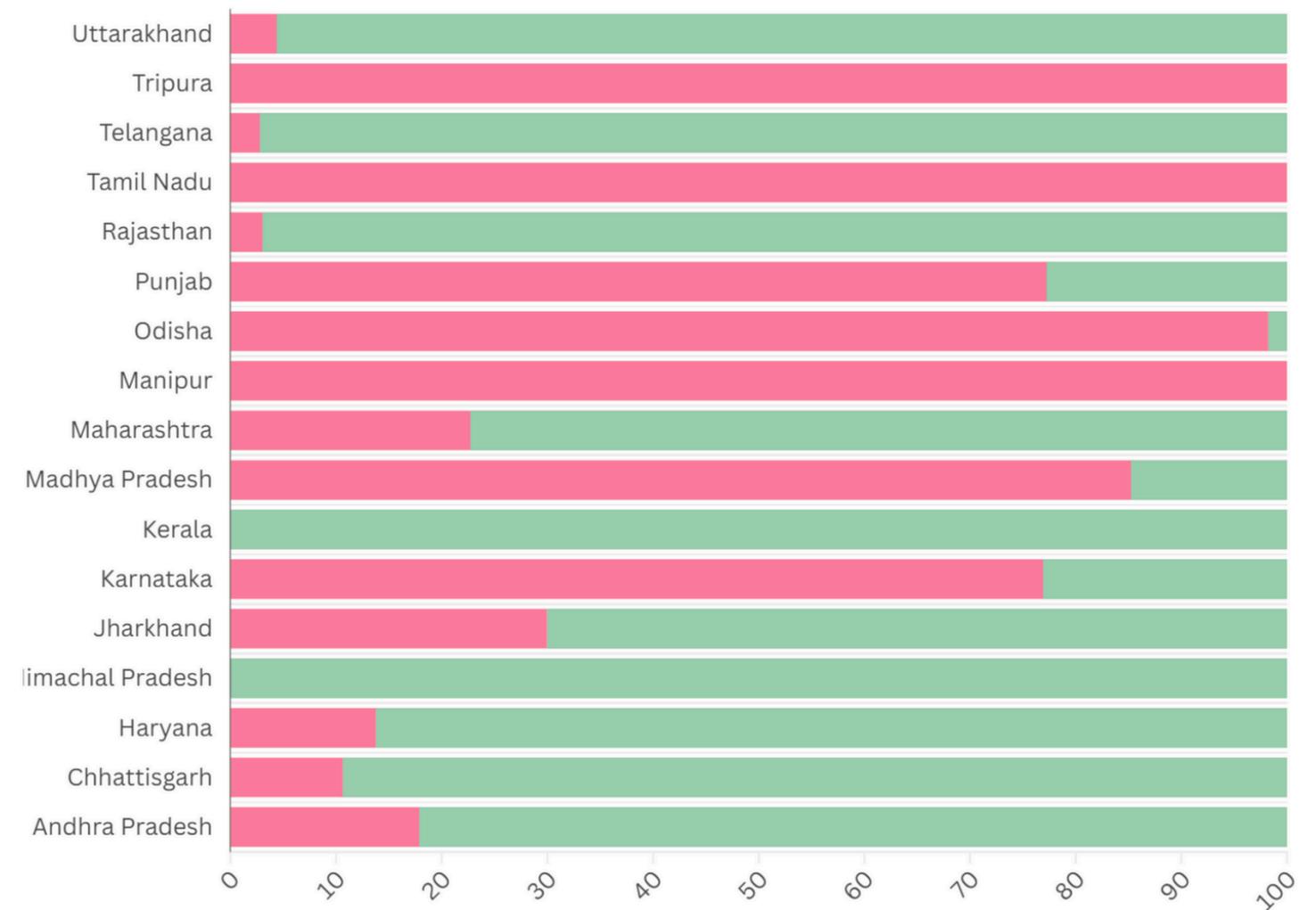
Status of Urban Local Government Elections



61% of ULGs across 17 States Experienced Election Delays

- In several cities, council elections are not held before the expiry of the council term.¹
- According to the CAG, delays range from 7 months (Delhi) to 24 months (Gurugram) to 55 months (Bengaluru).²
- Even large cities saw elected councils replaced by the direct rule of state governments.

Inactive councils in 15 out of 17 states (% of ULGs)



Source:

1. Roadmap for India's City-Systems Reforms – Janaagraha. (n.d.). Janaagraha.

<https://www.janaagraha.org/resources/a-roadmap-for-indias-city-systems-reforms/>

2. Compendium of Performance Audits on the Implementation of the 74th Constitutional Amendment Act, 1992: Landscape across India (Volume 1), CAG of India, 2024.

Percentage of ULGs without elected council

Percentage of ULGs with elected council

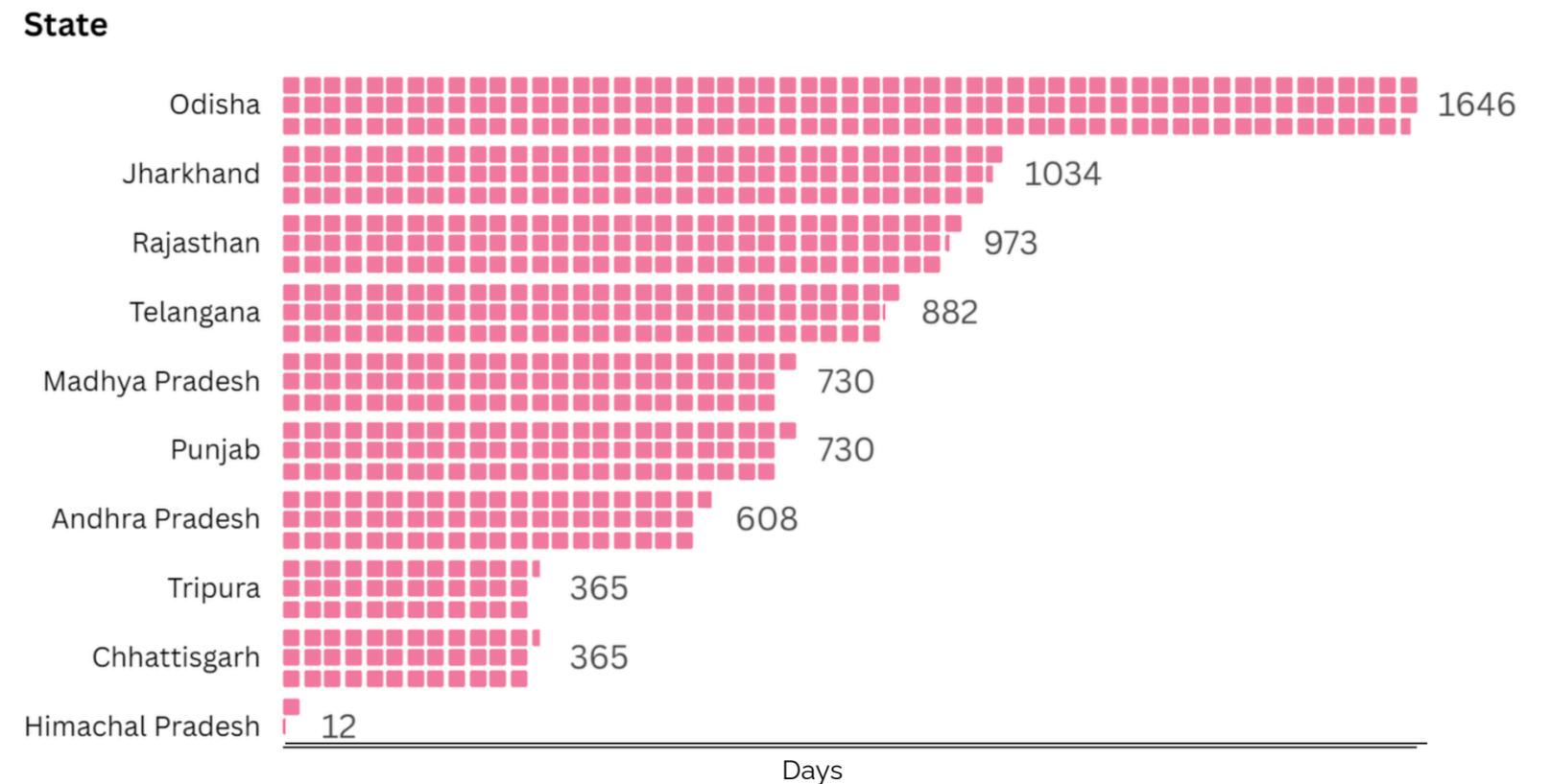
Elected Councils/Councillors Wait for Months to Take Charge

In many states, there is no legal deadline to convene the first council meeting — delaying the start of the municipality's 5-year constitutional term under Article 243U. This creates delays in both council formation and mayoral elections.

22-month average delay in conducting municipal elections after the expiry of the councils as of September 2020/2021.¹

11-month average delay in electing mayors and forming councils across city corporations in Karnataka, as of August 2024.²

Delay in the formation of elected councils



Data source: Janaagraha's analysis of CAG performance audit reports on the implementation of the 74th CAA across 10 states for which data is available.

Source:

1. Roadmap for India's City-Systems Reforms – Janaagraha. (n.d.). Janaagraha. <https://www.janaagraha.org/resources/a-roadmap-for-indias-city-systems-reforms/>
2. Critical Review of Decentralised Participatory Governance in Cities of Karnataka. (2024). Janaagraha Centre for Citizenship and Democracy. https://www.janaagraha.org/wp-content/uploads/2024/09/A-critical-review-of-decentralised-participatory-governance-in-cities-of-Karnataka_Janaagraha_10092024.pdf

Constitutional Vision Exists, but Implementation Varies across States

The 74th Constitutional Amendment Act, 1992 (Part IX/IX-A)¹

- Article 243U** mandates the completion of elections before the expiry of the municipal council's term. It also lays down that the term of the council shall be 5 years from the date of its first meeting.
- Article 243ZA** vests State Election Commissions with the superintendence, direction, and control of the preparation of the electoral rolls for, and the conduct of, all elections to the municipalities.
- Article 243K** mandates the Governor of a state to appoint the State Election Commissioner and to make available to the Commission such staff as may be necessary for the discharge of the functions, when so requested. It also provides security against removal from office to the State Election Commissioners on par with High Court judges.

Provision	Municipal Laws ²	Model Municipal Law, 2003 (not automatically enforceable) ³
Delimitation of wards	As prescribed by the state government or the SEC	No mention of delimitation of wards
Reservation of seats of councillors/chairperson	As prescribed by the state government or the SEC	As prescribed by the concerned authority (Section 29)
Timeline to convene first council meeting from date of gazette notification	Differs from state to state – from 7 to 30 days or to convene 'as early as possible' (See Annexure 6 for state-wise status)	Must be convened within 30 days (Section 35 (1))
Authority to convene the first meeting	Differs from state to state. Municipal corporations: Municipal Commissioner/Deputy Commissioner/Regional Commissioner Municipalities/Nagar Panchayats: District Collector	Municipal Corporations: Secretary to the state government in charge of municipal affairs or any officer not below the rank of Deputy Secretary Municipalities/Nagar Panchayats: District Magistrate or an Executive Magistrate authorised by them (Section 35 (3) & (4))

1. The Constitution (Seventy-fourth Amendment) Act, 1992, India.

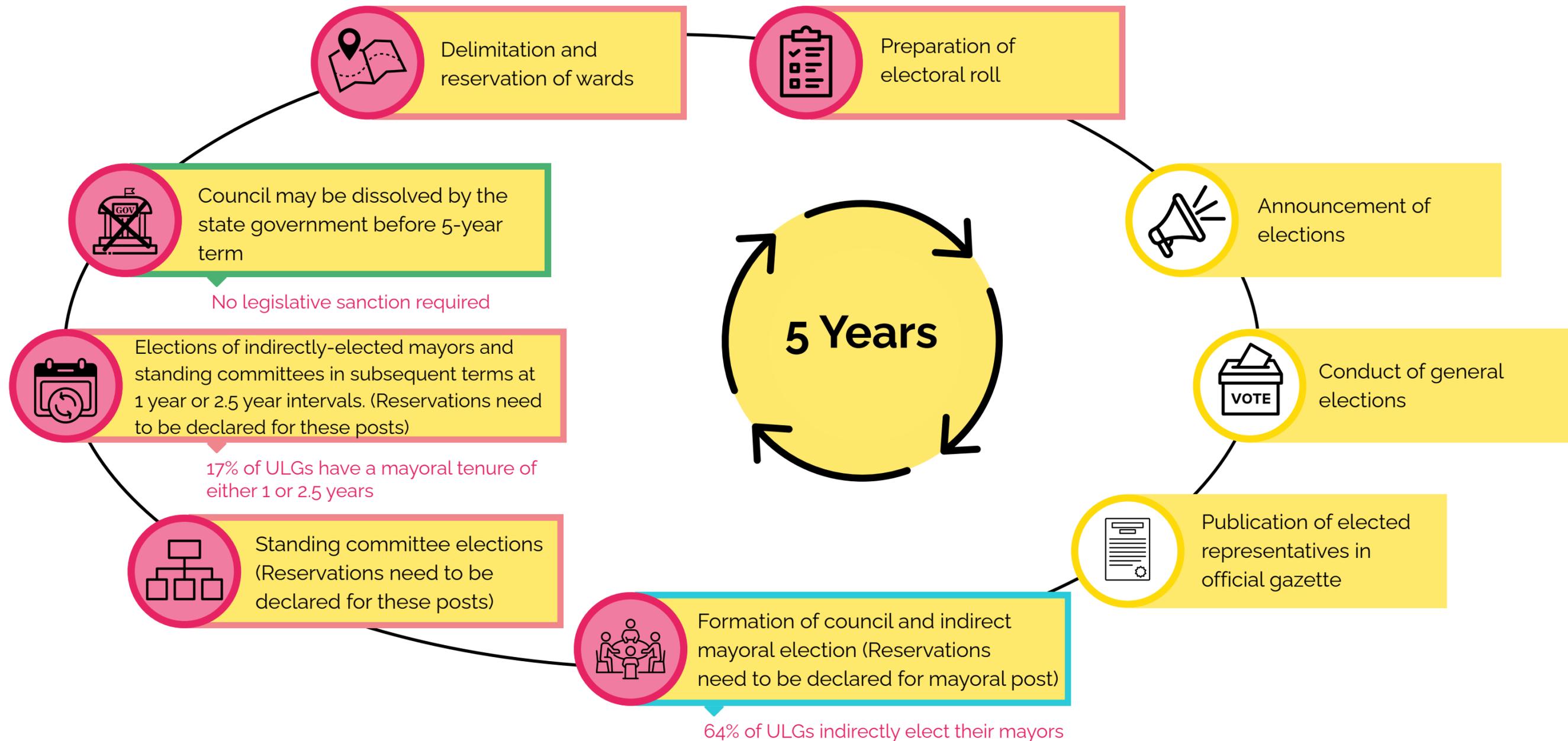
2. Based on the assessment of the municipal laws of 35 states/UTs, excluding Lakshadweep. For a complete list of all the laws analysed, see Annexure 1.

3. [Government of India, Ministry of Housing and Urban Affairs]. (2003). Model Municipal Law

Challenges to Timely ULG and Mayoral Elections, and Council and Standing Committee Formation



Delay Hotspots in ULG Term Lifecycle



● Delay Hotspot
 Timelines not defined
 Timeline: 7 to 30 days or not defined
 Elections must be conducted in 6 months (Art. 243U)

Cause of Delay: SECs are Disempowered Over Delimitation and Reservation

Only 8 out of 34 SECs have powers over both **ward delimitation and reservation**, while **2 SECs have powers over delimitation only**.

Some states where elections were delayed due to delimitation and reservation issues: **Gujarat, Goa, Haryana, Madhya Pradesh, Odisha, Karnataka, and Uttarakhand.**¹

Some state governments have withdrawn delimitation and/or reservation powers from SECs, including Maharashtra and Karnataka.

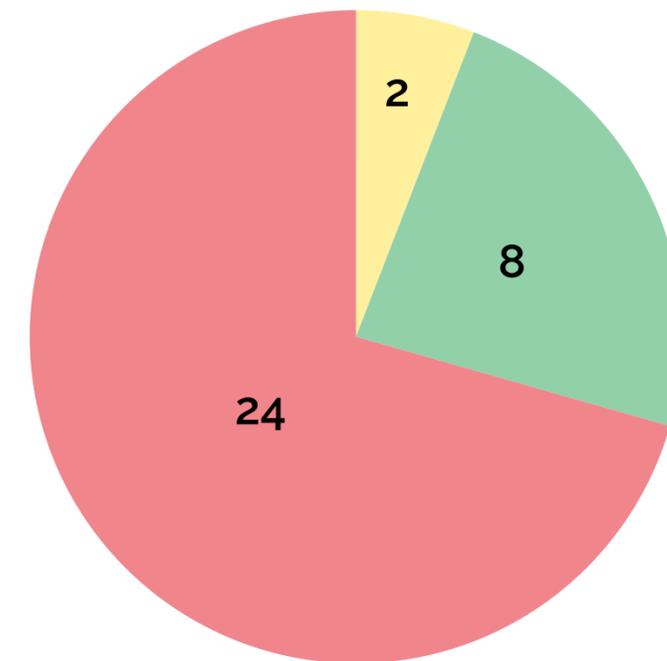
“

The process of delimitation and reservation takes more time when the state government does it,"

- A State Election Commissioner

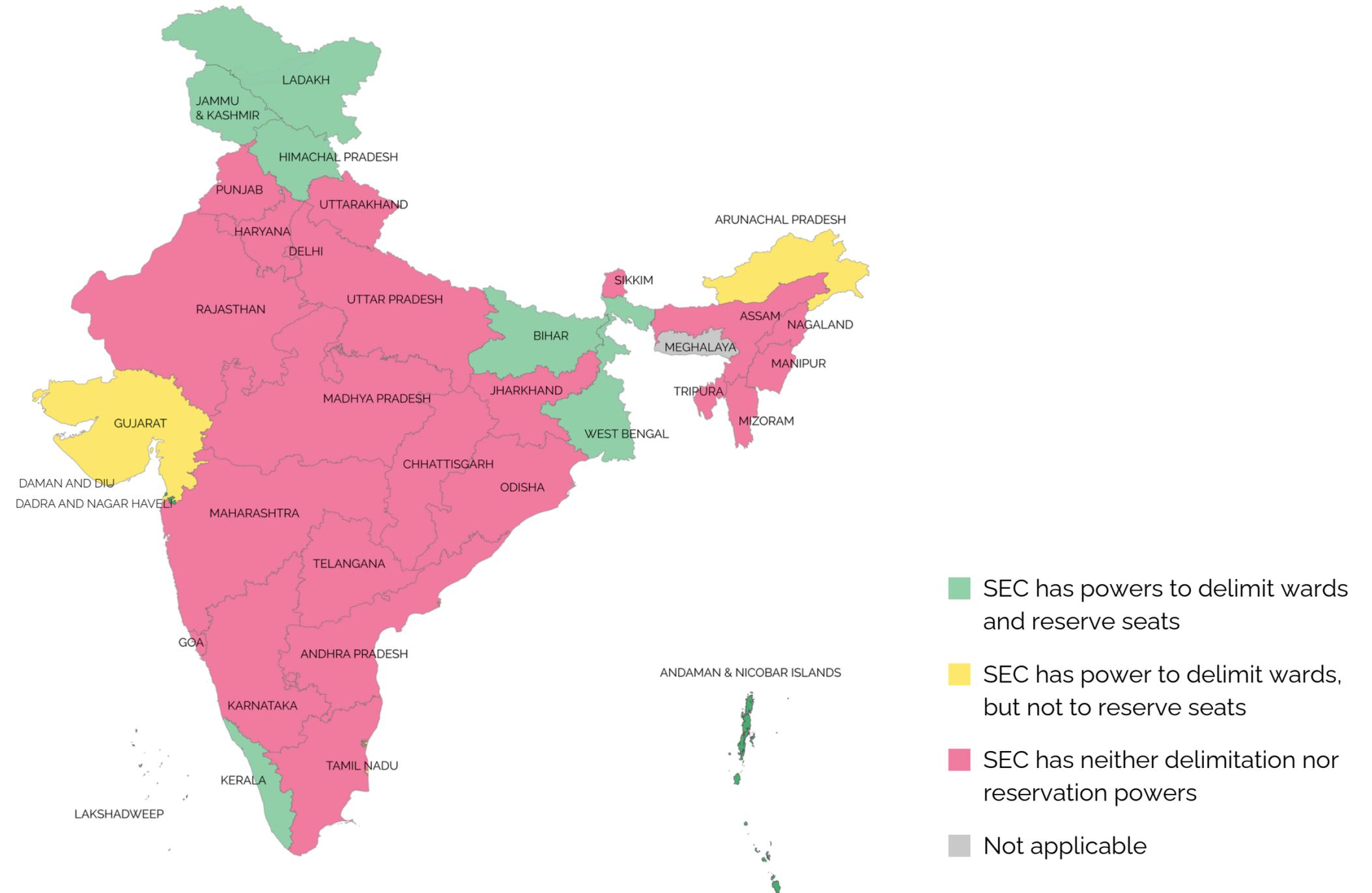
Current and former State Election Commissioners recommend a minimum 6 months to prepare for municipal elections before council terms end.

Role of SECs in delimitation and reservation of wards



- Power to delimit and reserve
- Power to only delimit
- No powers

Role of SECs in Delimitation and Reservation of Wards in ULGs



Source: Assessment of 82 Municipal Acts across 35 states and union territories

Note:

1. Lakshadweep is not covered as a part of the assessment as the union territory does not have a city government.

Cause of Delay: Missing Timelines and Poor Compliance (1/2)



Constitutional Violations

- The constitutional **requirement of conducting elections before council term expiry** or within six months after dissolution is **often violated**.

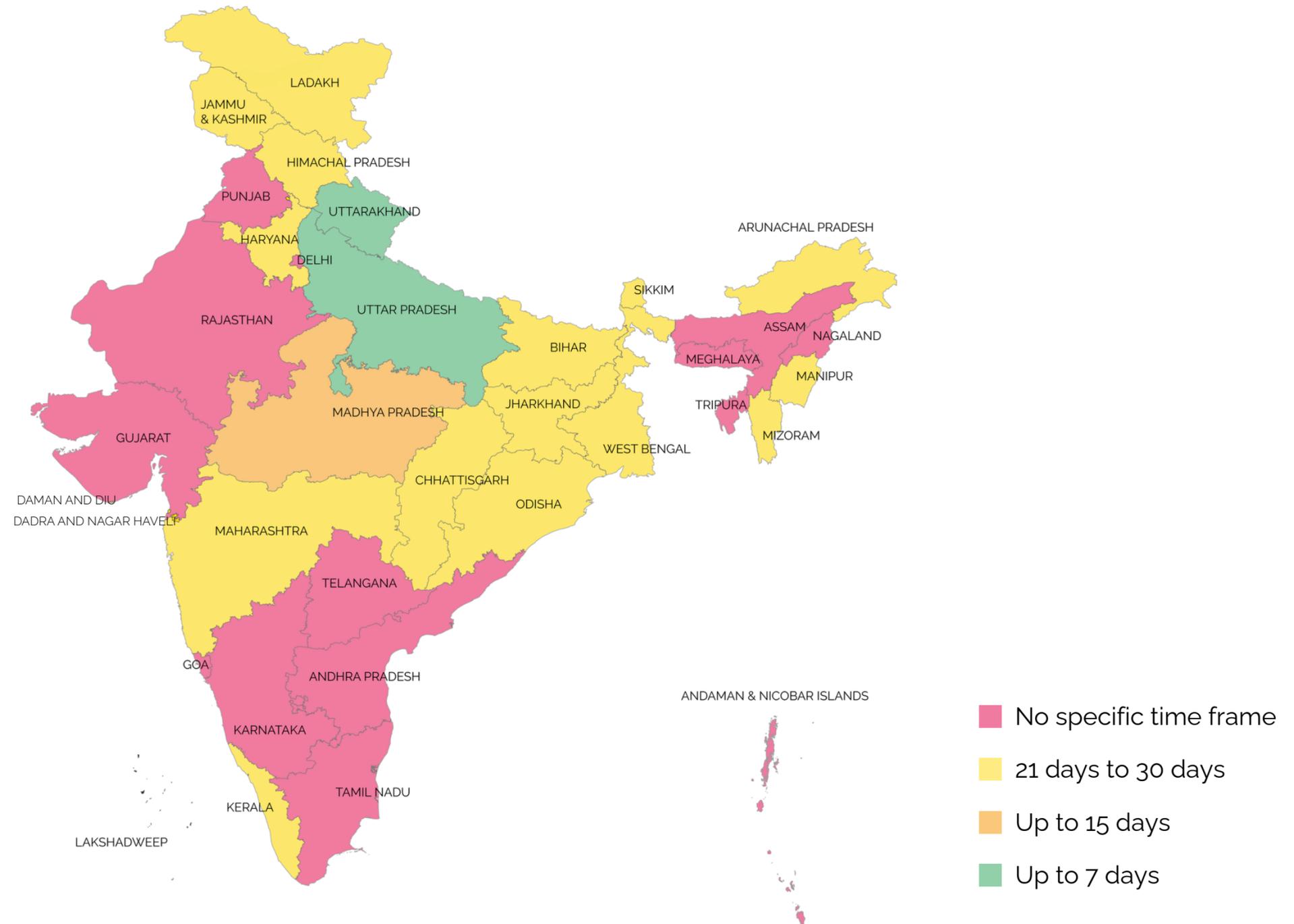


Undefined Timelines

No constitutional or statutory mandate regarding:

- **Delimitation and seat reservation frequency** - for regular ward delimitation and reservation cycles (such as once every 10 years).
- **Pre-election preparation** - to complete delimitation and reservation well before the 6-month pre-expiry period of the council.
- **Council formation and elections to first terms of offices** - standardised timeline across states for scheduling the first council meeting after election results to elect mayors and standing committee members for the first term.
- **Subsequent elections** - standardised timeline for announcing reservations or scheduling elections to second and subsequent mayoral and standing committee terms.

Timeline for First Council Meeting in ULGs



Source: Assessment of 82 Municipal Acts across 35 states and union territories.

Note:

1. Lakshadweep is not covered as part of the assessment as the union territory does not have a city government.

Cause of Delay: Missing Timelines and Poor Compliance (2/2)



Weak Compliance

- Some states provide 3-6 months for delimitation processes, but these timelines are not strictly implemented.

It is widely felt that elections to local governments and council formation face delays due to political considerations. In situations where parties in power may fear an adverse mandate, state governments have been observed to:

- announce municipal reorganisations
- initiate delimitation processes
- withhold or revise reservations
- or delay scheduling the first council meetings and the standing committee elections

Ward delimitation and reservations conducted by state governments are often viewed with suspicion by other parties. These developments often lead to litigation, which further delay elections and council formation.

Timeline to Conduct Delimitation and Reservation of Wards Before the Expiry of the Council

9 out of 19 states studied by the SEC of Maharashtra¹ have specified timelines to undertake delimitation and reservation before the expiry of the council.

Sl. No.	State	Timeline for Delimitation of Wards	Timeline for Reservation of Seats
1	Bihar	3-6 months	3-6 months
2	Goa	3 months	3 months
3	Haryana	6 months	6 months
4	Himachal Pradesh	6 months	6 months
5	Jharkhand	6-9 months	3-6 months
6	Karnataka	3-6 months	3-6 months
7	Madhya Pradesh	6 months	6 months
8	Maharashtra	3-6 months	3-6 months
9	Mizoram	3-6 months	3-6 months

Note: The information source for each state is not mentioned in the report referred

¹. State Election Commission, Maharashtra. (2019). Independence of State Election Commissions.

Cause of Delay: Dependencies and Coordination Issues Add to Electoral Uncertainty



- **Unscheduled or delayed actions by state governments** which may affect the election schedule adversely:
 - Amending election rules
 - Altering ULG boundaries through mergers, splits, or additions of Gram Panchayats
 - Identifying the quantum of reservations and their distribution across ULGs.



- States obtain electoral rolls from the Election Commission of India and adapt for ULGs — a process that takes considerable time and creates scheduling bottlenecks according to some State Election Commissioners.

SECs in Haryana, Madhya Pradesh, and Uttar Pradesh have proposed legal amendments to prevent state governments from changing ULG boundaries or election rules that affect electoral schedules adversely within 6 months of council expiry. Maharashtra's SEC has reportedly issued a similar order.¹

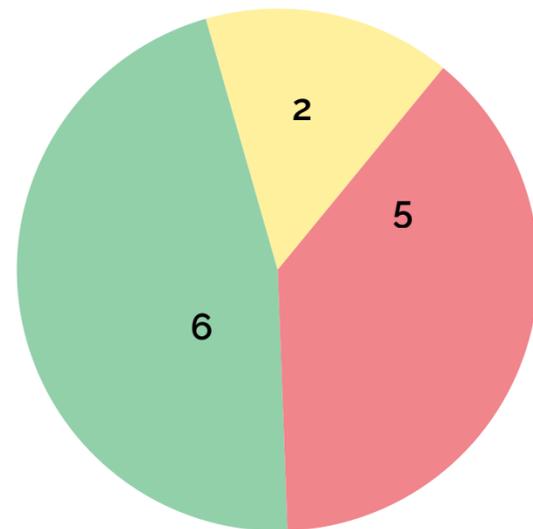
Select Important Observations by Supreme Court and High Courts



Timeline of cases:
1996-2025



Types of petitioners:



- Individual citizens
- Elected Representatives
- State Election Commissions



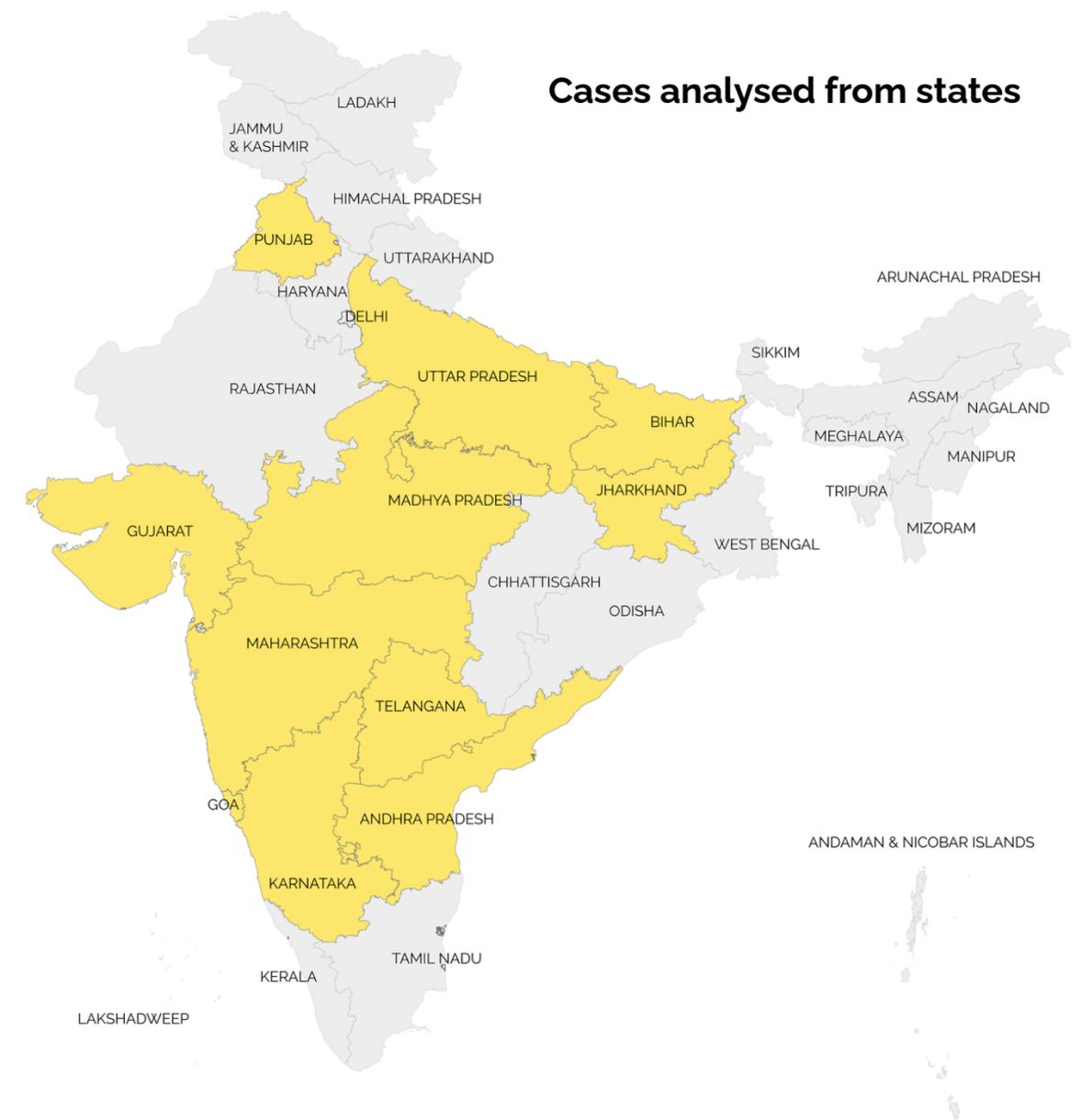
Number of cases analysed: 13
(see Annexure 2 for a complete list of judgments)



- Major constitutional violations observed:**
- **Article 243U**
Failure to hold elections before the term expires
 - **Article 243ZA**
Powers of SECs in superintendence, direction, and control of municipal elections not respected



Number of instances where court intervention has led to conduct of elections: 6
(see Annexure 3 for more details)



Select Important Directions by the Supreme Court of India

- Elections must be held before the expiry of the 5-year term of local governments (*Anugrah Narain Singh and Anr v State of Uttar Pradesh, and Kishan Singh Tomar v Municipal Corporation of the City of Ahmedabad and Ors*).
- State Election Commissions must function independent of the state governments concerned. SECs enjoy powers on par with the Election Commission of India in their respective domains. SECs may approach the High Courts and the Supreme Court if they do not receive the cooperation of the state government concerned in discharging their constitutional obligation of holding the elections to the panchayats or municipalities within the time mandated in the Constitution (*Kishan Singh Tomar v Municipal Corporation of the City of Ahmedabad and Ors*).
- State Election Commissions must conduct elections based on existing delimitation of wards if new delimitation is not completed in time (*Suresh Mahajan v State of Madhya Pradesh and Ors*).
- SECs must conduct elections treating seats reserved for OBCs as General category seats if the 'triple test' as advised by the Supreme Court in reserving seats for OBCs is not followed by the respective state governments (*Rahul Ramesh Wagh v State of Maharashtra*).
- SECs must complete revision of electoral rolls well before the expiry of the term of local governments; if the revisions are not completed in time, elections must be conducted based on available electoral rolls (*Anugrah Narain Singh and Anr v State of Uttar Pradesh and Ors, and Kishan Singh Tomar v Municipal Corporation of the City of Ahmedabad and Ors*).

National Urban Reforms Roundtable: Urban Local Government Elections in India



Roundtable Deliberations

The Roundtable, held on 8 July 2025 in New Delhi, brought together experienced elected representatives, practitioners, and urban governance experts for in-depth discussions on the scope of reforms and optimal implementation pathways (see Annexure 6 for the complete list of participants).

The discussions also mapped specific actions for stakeholders at the union, state, and city levels. Reform proposals for ULG elections were also considered in the context of the union government's initiative on simultaneous elections.



Key Insights: Significance of ULG Elections and the Need for Reforms

- Regular elections to local governments are essential for accountability. As the bridge between citizens and government, elected councillors are key to improving local service delivery. Election delays increase corruption risks by removing democratic oversight.
- Few platforms exist to address challenges to local elections. Union and state governments in general have made negligible efforts to engage with and strengthen the SECs.
- With national electoral reforms underway, including the union government's 'Simultaneous Elections'/'One Nation, One Election' initiative, now is an opportune moment to pursue comprehensive reforms to local electoral processes rather than settling for piecemeal approaches.
- States champion federalism and they should extend the same spirit in ensuring autonomy of local self-governments. Conducting regular elections to ULGs is the essential first step in this direction.
- While the onus of reforms rests mainly with state governments, the union government should tighten the constitutional framework to prevent the discretionary exercise of powers by state governments that lead to undue delays. SECs must also assert the power vested in them by the Constitution and upheld time and again by the courts.
- Civil society and citizens across India's cities must come together to demand timely elections to ULGs and make this a politically salient agenda.

Reform Areas: Constitutional Strengthening of SECs for Role Clarity, Autonomy, and Institutional Capacity

- Articles 243K and 243ZA empower SECs to conduct elections to local governments. However, the **Constitution remains silent on crucial issues such as ward delimitation, reservation, and the timelines for these processes**. This has led to inconsistencies across states and delays in holding elections.
- Article 243U of the Constitution categorically mandates a five-year term for municipalities and requires that elections be held before the expiry of the council's term. The **appointment of administrators in the absence of an elected council is therefore unconstitutional**.
- Conducting elections to local government is challenging and requires strong state government support. Unlike the Election Commission of India, **SECs lack autonomy in practice due to their dependence on state governments** for staff, funds (for EVMs, indelible ink, etc.), and resources — affecting their ability to conduct elections on time.
- Despite a lack of full autonomy, **SECs can assert their constitutional powers to require state government cooperation for timely local elections**. For example, they can proceed with existing ward delimitation and reservations or electoral rolls, rather than waiting indefinitely for updated versions.
- The High Courts and Supreme Court have generally **upheld the constitutional requirement to conduct elections before expiry of the council term** using available electoral rolls, ward delimitation, and reservation. However, there are inconsistencies observed in a few cases, leading to delays until the settlement of the litigations.

Reform Areas: Mandatory Timelines, Clear Procedures, and Defined State Government Powers

- Many **state laws are either silent or only vaguely address** important topics such as ward delimitation, reservation, and election procedures without clear timelines and procedures for conducting elections on time.
- **Disinclination among legislators, ministers, and bureaucracy to share power with councillors/mayors** results in using ward delimitation and reservation as a pretext to delay elections. Delimitations/reservations or ULG boundary reorganisation are often announced or withheld indefinitely just before elections, causing undue delays.
- It is important to **define frequency and clear timelines for ward delimitation, reservation, and municipal boundary reorganisation — allowing SECs sufficient time to conduct elections before council terms expire**, as mandated by the Constitution. These powers should either be formally entrusted to SECs by law or exercised through an independent Delimitation Commission with the SEC as a statutory member. Some states already follow such models, while in some others the SECs have submitted similar proposals to state governments.
- In many states, state governments have overriding powers to dissolve councils and appoint administrators beyond the constitutional mandate and without legislative sanction — unlike the safeguards that exist for state governments under President's Rule. **Incomplete devolution of powers to city governments under the 74th Amendment combined with the dominant role of state government-controlled parastatals** enables states to continue delivery of most civic services nominally even in the absence of elected councils. Constitutional checks are needed to prevent prolonged proxy administration by state governments without elected mandate at the city level.
- A **standardised framework for local elections** — modeled on the Representation of the People Acts, 1950 and 1951 — would streamline electoral processes and incorporate best practices from across states.

Reform Areas: Effective Coordination between SECs and ECI

- SECs depend on the Election Commission of India (ECI) for electoral rolls, which are then adapted to local elections. Challenges in accessing and reformatting these rolls result in avoidable delays and costs. This can be addressed by either adopting common electoral rolls or integrating LGID codes and ULG/panchayat names into ECI rolls to facilitate direct use for local elections.
- Resource sharing in terms of EVMs and electoral consumables can help optimise costs and time for local elections.

Reform Areas: Enhanced Transparency and Accountability

- SECs are not required to publish annual reports or election-related data, such as vacancies in elected positions, delays, etc., resulting in poor transparency and accountability mechanisms. Similarly, unavailability of GIS files of ward boundaries hampers data-driven research at the local level.
- Requiring SECs to submit comprehensive annual reports to the governor and publish ULG election data on their websites would foster accountability, support research, and strengthen oversight in this key area of local democracy.

Reform Recommendations and Implementation Pathways



Reform Recommendations: Union Level (1/3)

Reform measures for the union government, MPs, and political parties to champion in consultation with state governments and drawing from best practices across states, through:

1. Suitable amendments in Part IX-A (74th Amendment) and other relevant provisions of the Constitution.
2. A revamped Model Municipal Law, with incentives for states to adopt.

Among other things, the following provisions must form an integral part of such reform measures:

- 1 A 5-year mayoral tenure across the country.
- 2 A Mayor-in-Council system for 5 years (replacing the Standing Committee system with 1-to-2.5-year terms).
- 3 Defined frequency for ward delimitation and reservation (such as once every 10 years).
- 4 Entrusting SECs with ward delimitation and reservation powers, along with financial support. Or providing for an independent Delimitation Commission for ULGs, with SEC as a major stakeholder in it.

Reform Recommendations: Union Level (2/3)

- 5 Automatic formation of Council after declaration of election results by stipulating a timeline of a maximum of 15 days to convene the first meeting of the Council.
- 6 Tempering the unchecked power of state governments to dissolve elected councils by qualifying it with requirement of legislative sanction.
- 7 Adopting common or easily adaptable electoral rolls for elections at all three levels of government.
- 8 Mandating SECs to submit annual reports to governors, which should be tabled in the respective state legislatures.

Reform Recommendations: Union Level (3/3)

Streamline the electoral process and consolidate and simplify all election-related provisions for ULGs into a single state-level law, modelled on the Representation of the People Acts, 1950 and 1951.

This can be done by adopting Model Local Election Laws at the union level and incentivising states to adopt them.

Among other things, such a law should:

- 1** Lay down tight timelines and procedures for the conduct of different election procedures, including the election of indirectly elected mayor and standing committees following council formation.
- 2** Prohibit state governments from introducing any legislative or administrative changes that adversely affect the election schedule or alter boundaries of municipalities within six months of elections being due.
- 3** Empower SECs with a transparent process for appointment of Election Commissioners (along the lines of the ECI) and provide adequate financial and other powers to deliver on their mandate of conducting ULG elections, and to oversee the election of mayors after general elections.

Reform Recommendations: State Level (1/2)

Reform measures for state governments in their respective States, in consultations with the SECs. These should include amendments in state municipal laws providing for:

- 1 A 5-year mayoral tenure, with a Mayor-in-Council system (replacing the Standing Committee system with 1-to-2.5-year terms, if it exists in a particular state).
- 2 Defined frequency for ward delimitation and reservation (such as once every 10 years).
- 3 Empowering SECs with ward delimitation and reservation powers, along with financial support. Or providing for an independent Delimitation Commission for ULGs, with SEC as a major stakeholder in it.
- 4 Automatic formation of the council after declaration of election results by stipulating a timeline of a maximum of 15 days to convene the first meeting of the council.
- 5 Timelines for conduct of different election procedures including prohibition on making any legislative or administrative change that adversely affects the election schedule or altering boundaries of municipalities six months before elections are due.

Reform Recommendations: State Level (2/2)

- 6 Mandating legislative sanction to dissolve elected councils or for continuing administration of ULGs without elected councils.
- 7 Empowering SECs with a transparent process for appointment of Election Commissioners (along the lines of the ECI), adequate financial and other powers to deliver on their mandate of conducting ULG elections, and to oversee the election of mayors after general elections
- 8 Mandating SECs to submit annual reports to governors which should be tabled in the respective state legislatures.

Reform Recommendations: State Election Commissions

SECs can initiate certain proactive measures along with their respective state governments:

- 1 Submit annual reports to governors, which should also be published on the SEC websites.
- 2 Publish election-related data on SEC websites in an accessible and user-friendly format.
- 3 Propose laws/SOPs to:
 - Outline electoral processes, laying down timelines and schedules for various processes and clearly demarcating powers and responsibilities
 - Strengthen the administrative and financial capabilities of SECs

Such laws/SOPs could either be adopted at the SEC level or submitted to the respective state governments for enactment where necessary.

Annexures



Annexure 1: Municipal Legislations Referred (1/2)

Sl. No	Municipal Legislations
1	Andaman and Nicobar Islands (Municipal) Regulation, 1994
2	Arunachal Pradesh Municipal Act, 2007
3	Arunachal Pradesh Municipal Corporation Act, 2019
4	Andhra Pradesh Municipalities Act, 1965
5	Andhra Pradesh Municipal Corporation Act, 1994
6	Vijayawada Municipal Corporation Act, 1981
7	Visakhapatnam Municipal Corporation Act, 1979
8	Assam Municipal Act, 1956
9	Assam Municipal Corporation Act, 2022
10	Guwahati Municipal Corporation Act, 1971
11	Bihar Municipal Act, 2007
12	Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994
13	Chhattisgarh Municipalities Act, 1961
14	Chhattisgarh Municipal Corporation Act, 1956
15	Dadra and Nagar Haveli and Daman and Diu Municipal Council Regulation, 2004
16	Delhi Municipal Corporation Act, 1957
17	New Delhi Municipal Council Act, 1994
18	Goa Municipalities Act, 1968
19	City of Panaji Corporation Act, 2002
20	Gujarat Municipalities Act, 1963

Sl. No	Municipal Legislations
21	Gujarat Provincial Municipal Corporations Act, 1949
22	Haryana Municipal Act, 1973
23	Haryana Municipal Corporation Act, 1994
24	Himachal Pradesh Municipal Act, 1994
25	Himachal Pradesh Municipal Corporation Act, 1994
26	Jharkhand Municipal Act, 2011
27	Jammu and Kashmir Municipal Corporation Act, 2000
28	Jammu and Kashmir Municipal Act
29	Karnataka Municipalities Act, 1964
30	Karnataka Municipal Corporation Act, 1976
31	Bruhat Bengaluru Mahanagar Palike Act, 2020
32	Kerala Municipality Act, 1994
33	Jammu and Kashmir Municipal Act, 2000
34	Madhya Pradesh Municipalities Act, 1961
35	Madhya Pradesh Municipal Corporation Act, 2005
36	Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships
37	Maharashtra Municipal Corporation Act, 1949
38	Mumbai Municipal Corporation Act, 1888
39	Manipur Municipalities Act, 1994
40	Meghalaya Municipal Act, 1973

Annexure 1: Municipal Legislations Referred (2/2)

Sl. No	Municipal Legislations
41	Mizoram Municipalities Act, 2007
42	Nagaland Municipal Act, 2001
43	Odisha Municipal Act, 1950
44	Odisha Municipal Corporation Act, 2003
45	Puducherry Municipality Act, 1973
46	Punjab Municipal Act, 1911
47	Punjab Municipal Corporation Act, 1976
48	Rajasthan Municipalities Act, 2009
49	Sikkim Municipalities Act, 2007
50	Telangana Municipalities Act, 2019
51	Telangana Municipal Corporation Act, 1994
52	Tamil Nadu District Municipalities Act, 1920
53	Tamil Nadu Municipal Corporation Act, 1919
54	Tamil Nadu City Municipal Corporation Act, 2019
55	Coimbatore City Municipal Corporation Act, 1981
56	Avadi City Municipal Corporation Act, 2019
57	Tiruchirappalli City Municipal Corporation Act, 1994
58	Vellore City Municipal Corporation Act, 2008
59	Thanjavur City Municipal Corporation Act, 2013
60	Tirunelveli City Municipal Corporation Act, 1994
61	Salem City Municipal Corporation Act, 1994

Sl. No	Municipal Legislations
62	Tiruppur City Municipal Corporation Act, 2008
63	Erode City Municipal Corporation Act, 2008
64	Thoothukudi City Municipal Corporation Act, 2008
65	Dindigul City Municipal Corporation Act, 2013
66	Hosur City Municipal Corporation Act, 2019
67	Nagercoil City Municipal Corporation Act, 2019
68	Kumbakonam City Municipal Corporation Act, 2021
69	Karur City Municipal Corporation Act, 2021
70	Kancheepuram City Municipal Corporation Act, 2021
71	Sivakasi City Municipal Corporation Act, 2021
72	Cuddalore City Municipal Corporation Act, 2021
73	Tambaram City Municipal Corporation Act, 2021
74	Tripura Municipal Act, 1994
75	Uttar Pradesh Municipalities Act, 1916
76	Uttar Pradesh Municipal Corporation Act, 1959
77	Uttar Pradesh Municipalities Act, 1916
78	Uttar Pradesh Municipal Corporation Act, 1959
79	West Bengal Municipal Act, 1993
80	West Bengal Municipal Corporation Act, 2006
81	Kolkata Municipal Corporation Act, 1980
82	Howrah Municipal Corporation Act, 1980

Annexure 2: Select Supreme Court and High Court Judgements referred (1/2)

Anugrah Narain Singh and Anr v State of Uttar Pradesh and Ors, (1996) AIR ONLINE SCC 1178



State Election Commission v State of Andhra Pradesh and Anr, (2000) 3 ALD 456



Babubhai Karsanbhai Raika and 2 Ors. v Gujarat State Election Commissioner, (2005) Gujarat High Court



Kishan Singh Tomar v Municipal Corporation of City of Ahmedabad and Ors, (2006) SCC



S.K. Pushpalatha w/o K.Prakash Shridhar v the State of Andhra Pradesh, (2016) Andhra Pradesh High Court



K. Anjukumar Reddy v State of Telangana, (2019) Telangana High Court



Annexure 2: Select Supreme Court and High Court Judgements referred (2/2)

Vikas Kishanrao Gawali v State of Maharashtra and Ors, (2021) AIR ONLINE SCC 125



State of Goa and Anr v Fauziya Imtiaz Shaikh and Anr, (2021) AIR ONLINE SCC 166



Suresh Mahajan v State of Madhya Pradesh and Anr, (2022) SCC



Harinarayan Sharma v the State of Bihar and Ors, (2024) Patna High Court



Beant Kumar Alias Beant Kinger v State of Punjab and Ors, (2024) Punjab-Haryana High Court



Rahul Ramesh Wagh v State of Maharashtra and Ors, (2025) SCC



State Election Commission Karnataka v Uma Mahadevan and Anr, (2025) Karnataka High Court



Annexure 3: Instances of Elections Conducted after Court Intervention

Case Title	Name of ULGs	Date of Judgement	Date of Election
<u>Kishan Singh Tomar v Municipal Corporation of City of Ahmedabad and Ors, (2006) SCC</u>	Ahmedabad Municipal Corporation	October 2006	April 2008
<u>S.K. Pushpalatha w/o K.Prakash Shridhar v the State of Andhra Pradesh, (2016) Andhra Pradesh High Court</u>	Chittoor Municipal Corporation	December 2016	April 2017
<u>K. Anjukumar Reddy v State of Telangana, (2019) Telangana High Court</u>	All municipalities and three municipal corporations in Telangana	October 2019	January 2020
<u>State of Goa and Anr v Fauziya Imtiaz Shaikh and Anr (2021) AIR ONLINE SCC 166</u>	Municipal Councils of Margao, Mapusa, Mormugao, Sanguem, and Quepem	March 2021	April 2021
<u>Suresh Mahajan v State of Madhya Pradesh and Anr, (2022) SCC</u>	All ULGs in Madhya Pradesh	May 2022	July 2022
<u>Beant Kumar Alias Beant Kinger v State of Punjab and Ors, (2024) Punjab-Haryana High Court</u>	5 municipal corporations, 44 municipal councils, and nagar panchayats	October 2024	December 2024

Annexure 4: Select Media Articles

Ganguly, A. (2021, November 8). PIL in high court questions delay in holding Bengal civic elections. Telegraph. <https://www.telegraphindia.com/west-bengal/pil-in-high-court-questions-delay-in-holding-bengal-civic-elections/cid/1837897>



Nandakumar, P. (2024, December 28). Delay in local body elections weakens grassroots democracy. The Week. <https://www.theweek.in/theweek/statescan/2024/12/28/delay-in-local-body-elections-weakens-grassroots-democracy-and-affects-governance.html>



Rishvanjas Raghavan. (2024, January 6). Nowhere to turn: No elections for city corps. Deccan Herald. <https://www.deccanherald.com/india/nowhere-to-turn-no-elections-for-city-corps-2838450>



Talwar, G. (2024, January 4). High court raps govt over local polls delay. *The Times of India*. <https://timesofindia.indiatimes.com/city/dehradun/high-court-raps-govt-over-local-polls-delay/articleshow/106530360.cms>



Tewary, A. (n.d.). Bihar Reservation hike: State government moves SC against Patna HC decision to 'set aside' reservation hike. *The Hindu*. <https://www.thehindu.com/news/national/bihar/bihar-government-moves-supreme-court-against-patna-hc-decision-to-set-aside-reservation-hike/article68359512.ece?>



Annexure 5: Select Excerpts from Supreme Court Judgements (1/2)

Anugrah Narain Singh v State of Uttar Pradesh, (1996) SCC 1178

“No election to a municipality can be questioned except by an election petition. Moreover, it is well settled by now that if the election is immanent or well underway, the Court should not intervene to stop the election process. If this is allowed to be done, no election will ever take place because someone or the other will always find some excuse to move the Court and stall the elections.”

"The election has to be held on the basis of the electoral roll which is in force on the last date for making nominations" - Reference to Lakshmi Charan Sen v A.K.M. Hassan Uzzaman, (1985) 4 SCC 689 at 703

Suresh Mahajan v State of Madhya Pradesh & Anr, (2022) SCC

“The ongoing activity of delimitation or formation of ward cannot be a legitimate ground to be set forth by any authority much less the State Election Commission — to not discharge its constitutional obligation in notifying the election programme at the opportune time and to ensure that the elected body is installed before the expiry of 5 years term of the outgoing elected body. If there is need to undertake delimitation — which indeed is a continuous exercise to be undertaken by the concerned authority — it ought to be commenced well in advance to ensure that the elections of the concerned local body are notified in time so that the elected body would be able to take over the reigns of its administration without any disruption and continuity of governance (thereby upholding the tenet of government of the people, by the people and for the people). In other words, the amendment effected to the stated enactments cannot be reckoned as a legitimate ground for protracting the issue of election programme of the concerned local bodies.”

"We also make it clear that this order and directions given are not limited to the Madhya Pradesh State Election Commission/State of Madhya Pradesh; and Maharashtra State Election Commission/State of Maharashtra in terms of a similar order passed on 04.05.2022, but to all the states/union territories and the respective Election Commission to abide by the same without fail to uphold the constitutional mandate."

Rahul Ramesh Wagh v State of Maharashtra and Ors, (2025) SCC

“In case, the state or the union territory is not in a position to fulfil the triple test requirement and the election to any of its local body cannot be postponed beyond the statutory period, the concerned (State) Election Commission ought to notify proportionate seats as open category seats and proceed with the elections of the local bodies.”

Annexure 5: Select Excerpts from Supreme Court Judgements (2/2)

Kishan Singh Tomar v Municipal Corporation of City of Ahmedabad and Ors, (2006) SCC

“ The duration of the municipality is fixed as five years from the date of its first meeting and no longer. It is incumbent upon the Election Commission and other authorities to carry out the mandate of the Constitution and to see that a new municipality is constituted in time and elections to the municipality are conducted before the expiry of its duration of five years as specified in Clause (1) of Article 243-U.”

“The Election Commission shall try to complete the election before the expiration of the duration of five years' period as stipulated in Clause (5). Any revision of electoral rolls shall be carried out in time and if it cannot be carried out within a reasonable time, the election has to be conducted on the basis of the then existing electoral rolls.”

“...it is clear that the powers of the State Election Commission in respect of conduct of elections is no less than that of the Election Commission of India in their respective domains. These powers are, of course, subject to the law made by Parliament or by State Legislatures, provided the same do not encroach upon the plenary powers of the said Election Commissions.

The State Election Commissions are to function independent of the concerned state governments in the matter of their powers of superintendence, direction and control of all elections and preparation of electoral rolls for, and the conduct of, all elections to the Panchayats and Municipalities.”

“...the concerned government shall have to render full assistance and co-operation to the State Election Commission and respect the latter's assessment of the needs in order to ensure that free and fair elections are conducted.”

“...where it feels that it is not receiving the cooperation of the concerned state government in discharging its constitutional obligation of holding the elections to the panchayats or municipalities within the time mandated in the Constitution, it will be open to the State Election Commission to approach the High Courts, in the first instance, and thereafter the Supreme Court for a writ of mandamus or such other appropriate writ directing the concerned state government to provide all necessary cooperation and assistance to the State Election Commission to enable the latter to fulfill the constitutional mandate.”

Annexure 6: List of Roundtable Participants

Name	Designation
Shri Magunta Sreenivasulu Reddy (Chair of the Roundtable)	Member of Parliament, Lok Sabha and Chairman, Parliament Standing Committee on Housing and Urban Affairs
Shri Alok Kumar (Co-Chair of the Roundtable)	Former State Election Commissioner, Assam and Former Chairman, Standing Committee, All India State Election Commissioners
Shri Srikanth Viswanathan	CEO, Janaagraha
Shri Dinesh T Waghmare	State Election Commissioner, Maharashtra
Smt. Nilam Sawhney	State Election Commissioner, Andhra Pradesh
Shri Madhusudan Padhi	State Election Commissioner, Odisha
Dr B Basavaraju	Former State Election Commissioner, Karnataka
Prof. MV Rajeev Gowda	Former Member of Parliament, Rajya Sabha
Dr Talwar Sabanna	Member of Legislative Council, Karnataka
Shri Pushyamitra Bhargav	Mayor, Indore Municipal Corporation
Dr Debolina Kundu	Director, National Institute of Urban Affairs, Ministry of Housing and Urban Affairs
Dr Rahul Verma	Fellow, Centre for Policy Research
Dr MR Madhavan	President, PRS Legislative Research
Shri Milind Mhaske	CEO, Praja Foundation
Observers	
Shri Mahesh Babu	Deputy Legislative Council, Ministry of Law and Justice
Shri Girdhar Gopal	Assistant Legislative Council, Ministry of Law and Justice
Shri Anish Gawande	National Spokesperson, Nationalist Congress Party (Sharadchandra Pawar)

About Janaagraha

Janaagraha is a Bengaluru-based not-for-profit institution working to transform the quality of life in India's cities and towns. It defines quality of life as comprising quality of infrastructure and services, and quality of citizenship. To achieve its mission, Janaagraha works with councillors and citizens to catalyse active citizenship in city neighbourhoods, and with governments to institute reforms to city-systems. Janaagraha has worked extensively on urban policy and governance reforms for over two decades, including on JnNURM, and with the XIII, XIV, XV Finance Commissions, and the Comptroller and Auditor General of India. Janaagraha's current portfolio of work includes engagements with the XVI Finance Commission, Ministry of Housing and Urban Affairs, NITI Aayog, Capacity Building Commission, state governments of Odisha, Assam, and Uttar Pradesh, and the 5th State Finance Commission of Karnataka.

Find out more at www.janaagraha.org



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