CHAPTER II

PANCHAYATI RAJ: HISTORICAL PERSPECTIVE
This chapter has been divided into three parts. In the first part the evolution of panchayati raj institutions in ancient India is discussed. It also examines this system in ancient India and shows that local autonomy prevailed throughout that period. The second part is devoted to the analysis of panchayati raj system in the medieval period, dominated by Mughals. In the third part, we have examined this system during the British period and also the contribution made by Mahatma Gandhi in this direction before independence.

India has the distinction of having the longest saga of village self-government in the world. As a matter of fact, India has been the cradle of rural local government which continued to flourish from the time of vedic civilisation to the advent of British rule. The institution of local government was developed earliest and preserved longest in India among all the countries of the world. In the Indian history, the village was the basic unit of government whether the central authority was monarchical or republican. The rural local government is the very foundation stone on which every empire in India has been reared. The rise and fall of the empires or the external aggressions were not able to abolish this system.¹

India is essentially a land of villages and scattered small hamlets. A village² in India can be seen either as a unit of territorial organisation in social or political alignment, as a symbolic grouping of castes, high and low, or as a cultural background of familial relationship. An Indian village includes the inhabited site with its cluster of houses, buildings and the surrounding land. This land may be cultivatable or pasturage or waste land.

---


The village in India has been considered as the basic unit of local selfadministration since the vedic times. The village has been the mainstay of rural India throughout the centuries. The term for the village was the "grama" which is an Immemorial unit. It has also been called the "ksetra" and "urvara" which form the Rig Vadic denoted plough land. The villages were prosperous. The "Gramik" or "Gramini" and other village elders were responsible for village defence. There was little interference by the state in their activities. The village communities were always self-sufficient, self-reliant and independent. The autonomous village is best described by Sir Charles Metcalfe:

"The village communities are little republics, having nearly everything they can want within themselves. Dynasty after dynasty tumbles down; revolution succeed revolution, but the village community remains the same. This union of village communities, each one forming a separate little state in itself, has contributed more than any other to the cause of the preservation of the people of India and the enjoyment of freedom and independence. This is very true about ancient Indian villages."

Local government flourished in ancient India in villages, towns and cities. These institutions of local government in India were not the creations of a central government, but they were having an independent origin. They were the most democratic institutions in the world. Local government in ancient India was more genuine, more successful and for more wide spread than in the days of British Raj or even at present.

---

3 Prof. Apte, Prof. Zimmer and other scholars have come to this conclusion that people continue to play an important part in ancient Indian politics, and that the vedic polity was limited everywhere by the will of the people. Prof. Apte, The vedic Age: Bharatiya Itihas Samiti, p. 430. Quoted in B.L. Tak, Sociological Dimensions of Gram Raj, Vimal Prakashasan, Ghaziabad, 1973, p. 3.

4 B.A. Saletora, Ancient Indian Political Thought and Institutions, Asia Publishing House, Bombay, 1963, pp. 417-418.


References to such a highly organised system of local government can also be found in the Vedas, in the Epics of Ramayana and Mahabharata, Manu Samriti, in the literature of Buddhists and Jains and in Kautilya’s Arthashastra. The Vedas (Rig Vedas in particular) reveal that the ancient Indians used to lead a corporate life. They used to live in small traditional guilds, which were generally commercial in character. The life in these guilds was controlled and regulated by popular institutions. K.P. Jayaswal has found from the Vedas that “the national life and activities in the earliest times on record was expressed through popular assemblies and institutions. The greatest institution of this nature was the Samiti of vedic times.”

The nature and composition of these assemblies and institutions as also their functions and designations, are a point of controversy. H.D. Malviya remarks that the task of presenting a connected, complete and comprehensive account of these bodies, especially with regard to their functions at the village level, bristles with difficulties. Radhakumud Mookerji also finds some difficulties arising from a marked divergence of opinion among the authoritative commentators as to the proper scope and meaning of the various terms employed in the original texts to indicate these popular local bodies.

Prof. A.S. Altekar refers to the popular assemblies of the villages by three different names, Sabha, Samiti and Vidatha. The Sabha was primarily the village social club but the few items of the simple village were also transacted there by its members, like the steps for communal safety and decisions in the matter of village disputes. In some localities or states, however the sabha was associated with the king and was more a political than a social gathering. The balance of available evidence shows that the sabha was usually the village assembly meeting for social as well as political

7 S.Bhatnagar, Rural Local Government In India, Light and Life Publications, New Delhi, 1978, p.18.
9 H.D.Malviya, Village Panchayats In Ancient India, All India Congress Committee, New Delhi, 1956, p.44.
10 Radhakumud Mookerji, Local Government In Ancient India, Motilal Banarsidass, Delhi, 1958, p. 29.
purposes.\textsuperscript{11} Jayaswal also refers to the village assemblies of the vedic period as Sabha, Samiti and Vidatha. He argues at great length that Sabha, Samiti and Vidatha of the vedic age did not disappear without leaving their successor in the body politics of the later period. They were known as Pauras and Janapadas in the post vedic period.\textsuperscript{12}

The frequent mention of the village assembly in the inscription of the 9th, 10th and 11th centuries A.D. indicates that the village assembly was the supreme authority in the village and it was highly developed organisation. In some places it consisted of young and old, i.e. all the adults of the village, whereas in some other places, it was a select body consisting of the learned and other distinguished men of the village and it was the absolute proprietor of the village land, including amount of revenue to the government.\textsuperscript{13}

In the vedic period, vedic state was essentially a country state with villages as the basic unit of administration by respected official, advised by a council of elders. The villagers themselves used to manage their local affairs. The "Gramini" or Grampal was the headman and leader of the villagers.\textsuperscript{14} The Villages were free from central control. The Gramini and other village officials were appointed by the community and were accountable to them.\textsuperscript{15}

The Gramini had a very high status during vedic times and was a linch pin of village administration. The village government was usually carried under his supervision and direction. Normally speaking, there was only one headman for each village. Later, his post became hereditary, government having the right to nominate another member of the family in case the hereditary incumbent

\textsuperscript{11} A.S.Altkar, \textit{State and Government In Ancient India}, Motilal Banarsidass, Delhi, 1958, p. 140.

\textsuperscript{12} K.P.Jayaswal, \textit{op. cit.}, p. 15.

\textsuperscript{13} R.C.Majumdar, \textit{Corporate Life In Ancient India}, S.N. Sen, Calcutta, 1969, p.

\textsuperscript{14} S.N.Mishra, \textit{Politics and Society In Rural India}, Inter India Publication, Delhi, 1980, p. 30.

of the family was found incapable. The other village officials were brought under the subordination of the central authority.\textsuperscript{16}

The Gramini or probably some of his representatives participated in the coronation ceremony of the king as a Ratnin meaning one of the jewels in the crown. His consent had to be secured before the king, could be legitimised in his office. In the Shantipath Brahmana he is identified by the term Raja-Kirtar, that is the king maker. The Prithvi Sukta contains references to Samiti and Sabha where discussions took place regarding agrarian life and activities. The king usually used to participate in these meetings and discussions. Another sphere for the exercise of the local self-government functions was the organisation of Sreni (guilds) religious organisations and Jati (caste). The Sreni organisation had direct representation in all the popular bodies of the state and participated in the coronation ceremony of the king as Ratnins, whose consent was required to legitimise the king in his office.\textsuperscript{17}

The king was directly responsible for the administration, protection and management of the village communities in the state. Each occupational group has its own separate panchayat whose chairman was known as the Shreshta (superior).\textsuperscript{18} In the early vedic times, the states were small and there was hardly any distinction between the central and the local government. In course of time it became necessary to have a separate organisation for the management of local affairs. And as the states grew larger in size, the distinction between the two kinds of government activities became more necessary.\textsuperscript{19}

The village Institutions are more explicitly mentioned in the Ramayana and Mahabharata. Both contain references to the assembly of the elders of Ghosh. According to the Valmiki Ramayana and Mahabharata, there were two types of villages -"Ghosh" and "Gram". The former were bigger in size

\begin{itemize}
\item \textsuperscript{16} A.S. Altekar, \textit{op. cit.}, p. 226.
\item \textsuperscript{17} Sugan Chand Jain, \textit{Community Development and Panchayati Raj in India}, Allied Publishers, New Delhi, 1967, pp. 77-78.
\item \textsuperscript{18} B.L.Tak, \textit{op. cit.}, p. 4.
\item \textsuperscript{19} Pramathanath Banerjee, \textit{op. cit.}, p. 289.
\end{itemize}
and the latter smaller. They were administered by an official, called the "Gramini". He was generally appointed by the king and enjoyed a very high status not only in the public life of the village but also at the court of the king. Although he was the nominee of the king, yet he had to work strictly on the advice of the village elders. These village elders were variously called the "gram vridhas", the samiti", the sabha", or the panchayat. The number of members of these village elders also varied from place to place and from time to time. The gram was held in high esteem so much so that when Rama killed Ravana, the happy gods, compared him to a general and a gramini.  

Gramini was probably at the head of the village administration. The post carried considerable prestige and is described to be the object of the highest ambition of a vatsya. The king exercised his power over the village through the Gramini. The Gramini was in charge of defence and he headed the corps of volunteers and guardsmen organised for the purpose. He also collected taxes for the state. A gram vridhas (council of village elders) and the whole village co-operated with him in collecting dues for the state. The gram vridhas was a non-official advisory body. The Gramini and the village scribe (equivalent to the present patwari, patel kulakarni etc.) generally headed the "Gram Vridhas" counsel.  

In Ramayana times, Ram was the ruler servant of Ayodhya. Every village had a similar counterpart ruler servant. He was called Mukhiya or Sarpanch. The sarpanch has the counsellors in the panch and the panch used to be elected in an open meeting of the village by consensus. The good man got chosen as the elder statesman. The people's elect (panch) was considered as para meshwar (the great God of Justice). Including the sarpanch and other panches they were five in number. They were called as Panch Parmeshwar. The king, Sarpanch or the Mukhiya obeyed the dictates of the

21 Quoted in H.D. Malviya, op. cit., p. 45.
22 A.S.Altekar, op. cit., p. 309.
23 H.D. Malviya, op. cit., p. 54.
people. They were prepared to make the highest of sacrifices on the demand of the community. They had no personal politics. Personal politics comes when the demand is more than the supplies available and a few which to have something for nothing. There was neither any competition nor rivalry for the office of sarpanch.  

The king did not interfere in the affairs of the village during the Ramayana and Mahabharata. In Mahabharata, the village is mentioned as the fundamental unit of administration under its head (gramini). The Gramini had to protect the village and its lands. In the Sabha Parva of Mahabharata, Muni Narada puts a number of questions to Dharam Raj Yudhishthir. One of the questions is, "Do the brave and wise panchas of your nation work for the collection of funds and other allied activities of panchayat and thus do they added to the general happiness?"  

This question reveals that the village panchas were responsible for looking after the local affairs and contributing towards the funds of the state. They were wise and brave and they very efficiently carried out the village administration and protection work. One cannot be certain that whether the office of the Gramini was elective or appointive but in the Post - Mahabharata period he was nominated by the king and reported to the Gopa, the next higher official in rank.

The control of the state over the village continued to be maintained in the later days of the Manusmriti in which the king enjoyed to place a company of soldiers, commanded by a trusted official, in the midst of two, five or hundred of villages. The king was instructed to appoint over each village a lord, as well as lord of ten villages (Dashl), lords of twenty (Vishantl), lord of hundred (SHATl), and lords of a thousand villages (Sahstra- Gramadhipati), likewise, a royal superintendent of all affairs appointed by the king. The village headmen were called Gramikas or Graminis in the days of Manu. Manu and Gautma do not subscribe to the widely held view that these elders were drawn from the higher strata of society, namely the Brahmins. But Kashatriyas and Vaishyas were also found representation there.

26 Mahabharat, Sabha Parva, Chapter VI, Sholka 83. Quoted in B.L. Tak, op. cit., p. 8.
27 S.N. Mishra, op. cit., p. 31.
28 B.A. Saletora, op. cit., p. 421.
The Ulteramallur Inscriptions of the south reveal that these elders were elected by all adult residents of the village by means of an electrol process which, in the modern sense is called secret ballot system. There were many sub-committees which were properly constituted. These elders used to function through these sub-committees, each looking after one aspect of the village or the other.29

The Sabha or the Council under the captaincy of the Gramini of the ancient time and the Gramik of the latter period, ran the entire administration of the village, such as the maintenance of the local works to defence against the enemies. Dr. Satyaketu Vidya Lanker states that the Sabha was the center of the multifarious activities of the village where religious and social matters were discussed. It also used to arrange numerous types of entertainments for the village inhabitants. The Sabha also played a very important role in performing the judicial and legislative functions. All the disputes of the villagers were settled and adjudicated by it. Since the village used to be a self-contained unit and framed from time to time all the required rules and regulations and decisions made in the village assemblies even at the courts of higher level.30

During the period of Buddhism and Jainism, the villages were classified according to the size and mode of habitation. The villages were self-sufficient and self-dependent. The village headman was known as 'Bhojak'. His duty was to collect the revenue for the state and to organise the constructive programmes. The pastures and the forests were collectively owned and managed while the arable land was parcelled into individual holdings. The villagers were free to say in the decision-making process and various other local programmes. The village headman was frequently consulted in local affairs but he could not violate the public opinion. No one liked to go to the king for doing unpaid work (begar), because begar was criticised as a menial task.31

The Bhojak was selected by the villagers on the basis of local customs and traditions. The rules were framed by the villagers to govern themselves. The headman was selected by the villagers

30 H.D. Malviya, op. cit., pp. 74-75.
31 Jataka, 1/119, 1,343. Quoted in B.L.Tak, op. cit., p. 9.
but in practice his post was hereditary. At the time of his selection the approval of the villagers was essential. In each village, there was a main gate known as Gram-Dwara. The Gopalka, an important official was there to protect the village cattle heads. During this period, various occupational panchayats were also active. Each group had their own panchayats. The sarpanch of the panchayat was known as Pramukh (Chairman or Pramukh).  

In some Jaina texts, the village panchayats have been described as 'dear to all varnas because of their equitable treatment'. The religious orders founded by Buddha and Mahavira observed highly democratic procedures in arriving at decisions. There was no interference on the part of the central government in the internal affairs of the religious institutions. In the Post-Buddhistic period, the sarpanch or headman was known as Jethak. (elder brother). He was also respected in the king's court.

During the rule of Maurayan Emperors, the process of village administration underminded some changes. Under Chanakya's system, villages were classified according to population. The village administration during this period (324 B.C.-236 B.C.) was closely linked with agriculture. The village size varied from 100 to 500 families. The boundaries were demarcated by river, hills, forests, ditches, tanks, ponds and trees situated at one or two krosha (1 krosha equal to 2 miles) presumably for mutual protection with neighbouring villages. The following officials composed the village administrative staff:

(1) The Headman (Adhyaksha)
(2) The Accountant (Samkhayaka)
(3) The Village Officials of different grades (Sthanikas)
(4) The Village Courtiers (Jamgha Karika)
(5) Veterinary Doctor (Anikastha)
(6) Village Medical Officer (Chikitsaka)

32 Jataka, 3/397, 2/12-52, ibid, p. 9.
33 S.N. Mishra, op. cit., p. 34.
34 Kautiliya's Arthasastra, Book, III, Ch. IX. p. 191. Quoted in S.Bhatnagar, op. cit., p.15.
All these officials were given land free of rent and taxes but they were allowed to sell this land. And these above mentioned officials were wholly responsible for the service of the community in their respective fields. 35

During the centralised administration of the Mauryan emperors, the village assembly lost its power and importance. However, some local matters continued to be decided by this assembly. The assembly consisted of village elders called Gram-Vridhas. The number of members was not fixed. It varied according to the nature of the business that was to be transacted. The members of this assembly were not elected but they were chosen by a sort of natural selection. They were those men who, by their age, character, the attainments acquired the confidence of the villagers, and their opinions were supposed to represent the collective wisdom of the village. The village elders along with administrative matters, formed a court of justice for the decision of small civil suits, such as the boundaries of lands, and for the trial of petty criminal cases. They also looked after public property. 36 As a rule, decisions done by the assembly were unanimous, but when any difference arose there, the matter was decided in accordance with the view of majority consisted of honest persons. 37 Disputes about the boundaries of two villages were decided by the elders of the nearby villages. The headman was the president of the village assembly and its executive official. He was the leader of the nearby villages. The headman was the president of the village assembly and its executive official. He was the leader of the village both for civil purposes and for military operations. 38 The villagers were responsible for helping him in the discharge of his duties. He was paid salary out of the taxes levied (land revenue). He was usually a hereditary officer. Sometimes, he was not paid in cash but he used to get a plot of land free of rent. The person who did not obey the panchayat rules, was externed from the village and his whole property was forfeited.

35 H.D.Malviya, op. cit., p. 72.
37 Arthasastra, Book III, Ch. 9. Quoted in ibid, p. 292.
Every panchayat was a master of panchayat public land. Panchayats were well organised. There was no interference from any external agency. They enjoyed sufficient power. Every occupational group had organised its own separate panchayat. Even the sanyasis, nuts, (a tribal group)artisans, money lenders and cultivators had their own separate panchayats. Above the village headman, there was a Cirice Officer called Gopa, who was incharge of a number of villages, usually from five to ten in number and his duty was to supervise the work of the headman.

Even during the times of Harsha in the sixth century, these panchayats were active. There were panchayats for different occupational groups and one for the village as a whole. During the Post Mauryan period from 200 B.C. to A.D. 300, known as the “dask period”, the village continued to be the smallest unit of administration. The headman assisted by the council of elders, still played a prominent role in village life. In sum, the village, under the Mauryan period, was efficiently organised. The traditional elders found in the vedic age were still dominant, a feature also of Gupta rule.

The system did not change under the imperial Guptas although it underwent certain changes in nomenclature. The district official was known as Vishayapatl. He was a feudatary Maharaja owing allegiance to the emperor and enjoying autonomy in regard to internal matters. He was advised by guild presidents, chief scribes and leading persons of the locality. The villages were governed by Grampati (headman) assisted by the village assemblies. The assembly consisted of the entire population of war, the male adults and sometimes Mahattaras (a body of selected elders). The assembly appointed a number of committees to look after the various aspects of village administration. The property of Gramdrols (the village traitors) was applied for common purposes. These bodies were responsible for the acquisition and sale of land, preserving common land and pastures. The village

39 B.L.Tak, op. cit., p. 10.
40 Paramathanath Banerjee, op. cit., p. 294.
41 Brahaspatl Smrti; The Smritis record that the village headman had to report serious disputes and cases to the ten village unit, (greater than a village) and even to the larger units. Quoted in B.L.Tak, op. cit., p. 11.
42 A.S. Altekar, op. cit., p. 331.
officers consisted of headman, accountant, watchman, school teacher, priest, supervisor or irrigation works and boundaryman. All of them were paid according to the local customs either in the form of a grant of rent free land or share of crop at the harvesting time. The village had its own funds. The interference of police officials of the mining department was permitted in special cases but they were very rare.  

From the foregoing analysis it is clear that in ancient India, there flourished a well settled and more or less highly developed system of local government. Popularly elected sabha and samitis functioned in the innumerable villages. They enjoyed a state of splendid isolation, having very little to do with the affairs of local government outside their domain. The central government did not bother itself about the local affairs. It had guaranteed perfect autonomy to them. The rural society was leading a peaceful and happy life. Everything was being run on set patterns of customs and traditions. The set values of traditional Indian society were honoured and the political process always shown a adjustability according to the needs of the time. Though the society was running on monarchical pattern, yet the democratic values were respected by the kings and the whole governmental process was based on the assent and dissent of the masses.

In sum, rural local government was omnicompetent, financially viable, practically autonomous and imbued with a gracious civic spirit. It was a frictionless machine and characterized by a high degree of efficiency, impartiality and integrity. The panches had a sense of dedication to the service of the people who had both a sense of involvement and a feeling of independence.

44 S. Bhatnagar, op. cit., p. 20.
45 S.N.Mishra, op. cit., p. 39.
Time and tide rolled on and India came under the sway of the Sultans of Delhi and later under the Mughal emperors. The Sultanate of Delhi was essentially a police or military feudal state. All legislative, judicial, executive and administrative powers were vested in him. There were no representative institutions. Sultan’s will was the law. The ministers were just the servants of the Crown responsible to Sultan. So, within this despotism, there was no place for local self-governing institutions although the rural communities continued to manage their own local affairs to a great extent and preserved the continuity of India’s experience of local autonomy. The policy of Sultanate towards village self-governing communities was one of laissez faire, but it helped to keep alive the traditions of local self-government in the Indian masses.\(^\text{47}\)

A new chapter of Indian history and culture begins with the arrival of Muslims in India. The first Muslims to come to India were Arabs who conquered Sind and Multan in A.D. 712. Since then, frequent invasions coloured the pages of Indian history and ultimately the Muslims established their empire in India.\(^\text{48}\) With the passage of time, the much cherished independence of the village bodies began to diminish. The Muslims, particularly the Mughal rulers were an urban people who succeeded the Hindu Rajas. Their feudalistic bent of mind and their quest for larger finances for the state, made them to centralise the administration. They worked out a new land policy. Under this policy, all land, which comes under their empire, were integrated into one central revenue system. The provinces, districts and villages were put under the charge of the centrally appointed subedars, amalguzars, muqaddams and patwaris.\(^\text{49}\)

The Mughal empire was a despotism resting upon the pillars of a highly centralised bureaucracy and military force. The Mughal emperor was the repository of all powers. The pattern of


\(^{48}\) R.C. Majumdar, et al., Advanced History of India, op. cit., p. 555.

\(^{49}\) H.D. Malviya, op. cit., p. 139.
village local government, however continued practically unaltered thus keeping up the tradition of continuity of local government till the advent of British Raj. Hugh Tinker says;

_The Mughals had interfered very little with the ancient customs of village government. They incorporated the village into administration as a unit for revenue and police purposes only. The state dealt through the headman or muqaddam who was held responsible for the maintenance of law and order and the restitution of theft within the area of his authority. The judicial powers of the village council, the panchayat, were considerably curtailed, under the Mughals, otherwise the local affairs remained unregulated from above and the village officers and servants were answerable primarily to the panchayat._

Though the Muslim rulers did not interfere with the working of local Institutions very much, yet due to the strict bureaucratisation, the cultivators had to suffer very much. In the closing years of Shah Jahan’s reign, however, these nobles became more demoralized, the peasants were more harassed by the Provincial Governors, their condition became worse and the evil of pauperism increased.

The villagers lost all powers and the village assembly had no influence. There was no direct relationship between the villagers and the state. For the development of local institutions, no attention was given. So, they were discouraged by many Muslim rulers. But, Akbar the great, was an exception who reorganised the whole revenue system by establishing direct relation of the state with the cultivators. The village headman who was known as Chaudhari, or Mukhiya or Muqaddam, was treated as village servant and responsible for the public works. This Muqaddam was the main link between the government and the village. The government dealt with the peasants through him. So, it may be presumed that the village headman was the most important individual in the general economy of the village.

52 R.C.Majumdar, _op. cit._, p. 556.
One of the important features of the Mughal rule was the growth of a few urban centres. In the newly established towns, the development of the local government was more marked. The office of the kotwal was created and the entire town administration was put under his charge. The rulers had great interest in the development of towns. This was one of the factors that the village remained largely unaffected.\footnote{54}

The village life was not destroyed because the Mughals realized that they had no better alternative to substitute in its place, which could be calculated to serve the interests of the people so well. Hence they gave it a sort of legal standing by their tacit recognition of it and encouraged it to cooperate with the government in its functions.

The Mughal's system of administration was regulatory and they hardly think of welfare activities particularly in the villages. Further the lack of communicatory means made it difficult to have close links everywhere in the country. This is one of the reasons that traditional village system of administration successfully survived during the Mughal rule.

It can thus be inferred that the very spirit and form of the panchayats during the Mauryan and Gupta periods were still present in the Muslim period. There was anarchy or military despotism throughout wide areas of India between the disintegration of the Mughal empire and the advent of the British Raj. In this interregnum, the ties of the social framework were loosened, and in many places local institutions had been perverted before British officials had any opportunity to access their value.\footnote{55}

\footnote{53}{R.P. Tripathi, \textit{Rise and Fall of the Mughal Empire}, Central Book Depot, Allahabad, 1969, pp. 131-132.}

\footnote{54}{S. Bhatnagar, \textit{op. cit.}, p. 21.}

During the Mughal period several traders from the west came to India and started their business in various parts of the country, with the permission of Mughal emperors. At that time, the glory of India was at its zenith. With the fall of Mughal empire a disorder overtook the country and the western traders used this time for their own fortification and establishment. Gradually all the remaining trading companies went out of field and only two; namely, the East India Company of England and the other of France remained in field, one competing the other. But later on the French Company had also to leave the field.\(^{56}\) In this period the panchayats continued to function quite vigorously and were fully respected by the then governments. The panchayats were quite strong and living when the English took over the administration of this country. But this ancient arrangement suffered a crippling blow during the British rule.\(^{57}\) Actuated by their trading interests and boosted by their growing political influence and their final ascendancy to power, the British deliberately strangulated those indigenous industries which had earned for India a name in the markets of west. This policy of economic exploitation of India ultimately shattered the self-sufficient character of the village republics.\(^{58}\)

Therefore, to penetrate into the village life of India and to make it economically dependent on the English markets several means were adopted. First, the British introduced the Zamindari System so that the collectivity of the village life was damaged. Secondly, by passing another legislation recognised the right of separate property in a family and thus disintegrated the strong hold of the joint family. They made a direct attack on the institution of panchayats. The panchayats were ordered not to interfere in the administrative and judicial functions of the state. Then the administrative field was so much extended that every function of panchayat fell within its jurisdiction. With the result that on the slightest possible excuse the panchayats and the panches could be handed up and inflicted inhuman penalities. A feeling of awe overtook the panchayats and in a short time these became paralysed. With the decay and death of these panchayats, the village organisation of autonomous nature in all spheres


\(^{58}\) S.Bhatnagar, op. cit., pp. 21-22.
of life also disappeared. In fact, the whole of the old and ancient structure tumbled down, to the utter misery and poverty of the poor village.  

The British government introduced the system of collection of land revenue in cash instead of foodgrains. They did not want to bear the loss of revenue even at the time of famine. India’s flourishing village industry was made idle by the competition with the machine made commodities of Britain. India became a market place of British goods and a storage of raw materials for the British Industries. They now came to increasingly depend upon the foreign markets for most of their bare needs. In place of the traditional Sabhas and Samitis, the government nominees such as the village headman and patwari began to administer the village. The authority of the panches and sarpanches to deliver justice locally was jealously taken away and was vested in the centrally created imperial courts. The Lambardar was a selected representative from the property holding group. Though the office of the Lambardar was hereditary, yet, in some cases, he could be removed by the villagers. In practice, his office got much power and practically no one dared to oppose or criticise him.

However, a few Presidency Governments still made some attempts here and there to keep these institutions alive. The first local authority created by the British in India was the Municipal Corporation of Madras in 1687. The Corporation was responsible for a number of public services, including the upkeep of a town hall and a school. It was also a judicial body constituting a court of record in Civil and Criminal cases. The inhabitants objected strongly to new direct taxes imposed by the corporation and this municipal institution did not prosper.

The Charter Act of 1793 was the first statutory enactment regulating municipal administration for the Presidency towns. Outside the Presidency Towns, the first attempt to introduce municipal administration...
government was made through the Bengal Act of 1842, enabling the inhabitants of any locality to make better provisions for public health, for which they were asked to pay the taxes levied for the purpose. The Act of 1850 allowed the government to create municipalities into those towns where the inhabitants desired them. Indirect tax like Octroi was introduced.  

Following this Act of 1850, the local government system got a boost in Bombay and U.P. state only while in other provinces, voluntary committees continued looking after the sanitation etc. However, the immediate stimulus to the development of local institutions arose out of the Post-Mutiny financial embarrassment of the Indian government. Indian finance had been in an uneasy condition throughout the century. The transfer of power from the East India Company to the Crown in 1858, marked the beginning for instituting local self-government as a matter of financial necessity specially in the context of imperial financial strains and stresses in the wake of the Mutiny. It was felt that the involvement of local people in public revenue and expenditure would alone serve as a stimulus to avoid waste and thereby improve public economy. The Finance Member suggested as a matter of policy that local services like public health, sanitation, education, etc., should be financed through local taxation - by levying taxes on the local inhabitants who derive the benefit from such services.  

As a result of proposals of financial decentralization and the creation of provincial legislatures, a resolution was issued in 1862 by Lt. Governor of Punjab Sir Robert Montgomery for the creation of Municipal Committees to be composed of citizens chosen by trade panchayats or selected for their public spirit. In 1864 out of the 49 municipal committees in Punjab, twenty eight were elected by Trade or Caste panchayats.  

The policy of financial decentralization was declared by Lord Mayo in 1870. This famous resolution stressed the need of associating Indians in administration, decentralization of certain

65 Hugh Tinker, op. cit., p. 35.
responsibilities to the provinces and strengthening of municipal government for this purpose. The motive, which figures largest in Mayo’s resolution was, again that of finance. The proposed remedy was to share the revenue with provinces and to make them responsible for education, roads, and medical services. In turn, local authorities were to be liberalised and to accept enlarged responsibilities. The period upto 1882, marked with the development of local government Institutions with the prime motive of giving relief to the imperial finances and serving the British interests rather than promoting self-government bodies in the country. It is also evident from another fact that almost all the local government Institutions consisted of all the nominated members.  

Rural government reform stemmed from the Ideas of Lord Ripon. He was the Viceroy of India and declared in the famous resolution of 18th May, 1882 that local government in India must be revived as an Instrument of political and popular education and as an outlet for the ambitions and aspirations engendered by western ideas. The mechanical objects of the policy laid down in the resolution were two fold. Firstly, it was desired that provincial governments should apply to their financial relations with the local bodies, under them, the principle of decentralization which Lord Mayo had introduced and which had worked satisfactorily between the government of India and provinces. Secondly, in addition to the financial objective, it became necessary to consider what steps were necessary to render the existing local bodies of all kinds, more efficient and better suited to discharge the duties with which it was proposed to entrust them. But the main object was to make local self-government an instrument of political and popular education. The resolution was an important component of the policy of association of Indians with the administration. It was also an instrument of political and popular education, which was considered greater than administrative efficiency. He also intended to give all local bodies, elected non-official majorities and greater internal autonomy.  

The most remarkable innovation proposed by Lord Ripon in 1882 was the establishment of a network of rural local bodies. It created a two-tier system with district boards and sub-district boards based either upon the sub-division or the tehsil. These district boards composed of official and elected members, and encouraged the establishment of elective village panchayats. But the innovation did not bear much fruit. It had organization and control but lacked the vital spirit of democracy. The boards came under the control of the district officers of the provinces and the panchayats received only lukewarm support from the Indians themselves. The villagers had been separated from the antagonistic to the government. Non-cooperation in implementation killed the Rippon proposals and the great intentions of the originator remained ineffective for a long time to come. The future developments largely depended on the provincial authorities and varied from province to province depending on their own interpretation and emphasis. Thus the official domination of the local government persisted.

The main object of the Britishers in India was the exploitation of the country. Keeping in view this object, the panchayats were dissolved and completely suppressed. With the abolition of these panchayats there was no institution through which a strong link between the government and villages could be established. With some such objective the government appointed a Royal Commission of Decentralization in the year 1907.

The Commission was presided over by C.E.H. Hobhouse, as its chairman. The Commission was set up by the Liberal Government to enquire into the financial and administrative relations of the Government of India and the provincial government and of authorities subordinate to them and to report whether by measure of decentralization or otherwise, the system of government might be simplified and improved. The committee submitted its Report in 1909 and with this begins again a new era of local self-government under the British regime in India. After giving a description of a typical Indian

70 Hugh Tinker, op. cit., p. 52.
71 Harold F. Alderfer, op. cit., p. 72.
73 Vidya Sagar Sharma, op. cit., p. 24.
village the Report gives its two kinds—Raiyatwari and land lord villages and deplores the disappearance of village autonomy under the British rule, which the old villages long enjoyed. After this the Commission stressed in its Report the desirability of reconstituting village panchayats for the purpose of administering local village affairs. Panchayat system must be extended and developed under the supervision of district authorities and these must not be left at the mercy of Registrars of co-operative societies.

The commission wanted that the panchayats should be kept under a separate department. An average panchayat may have five members with village headman as ex-officio Chairman. Panches must be elected by the village people. As regards functions, the panchayat must be endowed gradually with civil and criminal jurisdiction in petty cases. They must be made responsible for village sanitation and some minor development works, such as construction and maintenance of village schools. The commission also dealt with the sources of income of panchayats. Ultimately, the commission wanted that the panchayats should enjoy autonomy subject to control by district authorities and should not be placed under district or sub-district boards.75

The Royal Commission (1909) after reviewing the working of the local and district boards in the various provinces of the country come to the conclusion that due to their unrepresentative character and inadequate powers, these bodies have not been a success. To remove the defects of the boards, the commission recommended the creation of a genuine electorate consisting of the members of the village panchayats, the provision for an elective majority on all the boards and a due representation of minorities through nomination.76

During the next few years not much was done for strengthening the local government institutions. Because there was a outbreak of First World War. In August, 20,1917, Montague, the

74 Hugh Tinker, op. cit., p. 64.
76 Surat Singh, op. cit., p. 69.
Secretary of State for India, enunciating the future policy the British government promised the gradual
development of self-governing institutions with a view to the progressive realization of responsible
government in India. The period following the World War, and to give a practical shape to this promise,
another resolution namely, Government of India Resolution of May, 1918 was issued. This resolution
was like that of Ripon's in its character and contents. 77

In the resolution it was made clear that the local bodies should not be subjected to unnecessary
control. The officials should be nominated to give expert advice and should be given the right to vote.
There should be elected Chairman for all rural bodies. The Executive officers of larger cities should be
appointed by the corporations with the approval of the Government. It was proposed to establish the
Department of Local self-Government in provinces to look after the affairs of local bodies. The rural
bodies were empowered to levy special taxes. They were to receive a part of the land cess. 78

The Report on the Indian Constitutional Reforms (1918) accorded its general approval to the
policy enunciated in the resolution. The Report remarked, "There should be, as far as possible
complete popular control in local and largest possible independence for them of outside control." It
further said that, "The Government of India propose to direct attention to the development of panchayat
system in villages." 79

The immediate action taken by the government on these recommendations was that the
official chairmen were relieved of their duties as chairmen of local councils except in Punjab. Everything
else was left to be decided by the next reforms in the government which was affected in 1919. 80

Following the First World War and with the passing of Government of India Act, 1919, local
self-government was transferred to Indian ministers who were anxious to make the pattern of local

77 Sahib Singh and Swinder Singh, Local Government in India, New Academic Publishing Co.,
78 M.A. Muttalib and Akbar Alikhan, op. cit., p. 72.
80 Sahib Singh and Swinder Singh, op. cit., p. 85.
A number of Acts were passed by the provincial legislative councils between 1921-26. Panchayat Acts were passed in Assam, Bengal, Madras, Bombay, the Central Province, Bihar, Punjab and United Provinces. These acts aimed at lowering the franchise, at increasing the elected element in local bodies and at passing executive direction into non-official hands. The composition of the boards was changed to that of being fully representative and the chairmanship became non-official. As regard to the efficiency of their operation, the most serious handicap was that no proper local government service was established, no executive officers were there to guide the working of the bodies, the responsibility of the senior district officers were not defined and the chairman had to assume the role of executive officer.

The panchayats were suitably reshaped to make their composition and functioning more democratic. Where the panchayats did not exist at all, there the effective steps were taken to establish them. In this way, the panchayats, came to be recognised as the basic unit of the rural local self-government. Vast tracts of land in the country side were to be covered by the network of panchayat and the institution itself needed to be radically restructured on the democratic lines. Anyhow, the traditional institution staged a comeback. The work of popularising the panchayat during this period had also been taken up by the Indian National Congress. In early twenties (1920-1924), the Congress had started the historic non-cooperation movement which was to boycott the government courts and to organise in their place the village panchayats and settle their disputes through them. The voluntary efforts by Congress workers resulted into the springing up of numerous panchayats in various parts of the country.

The overall growth of local self-government up to 1935 was not much encouraging. This period present a mixed picture of failures and success. All the local government institutions were democratised.

---

84 S.Bhatnagar, op. cit., p. 86.
and the involvement of official element in these bodies were on the decline, while the financial auto
and the control over the personnel was on the increase.

The inauguration of provincial autonomy under the Government of India Act, 1935, ushered in
the next phase of evolution of local government in India. Under this Act, fully responsible government
of British Parliamentary type was provided for each province subject to certain restrictions. It replaced
the dyarchy system in the provincial government by provincial autonomy. All provinces enacted
legislations for further democratization of local self-government. The element of nomination was
completely done away with. The financial position of local bodies was strengthened.85 This Act
provided more opportunities for the development of local institutions but the Village panchayats served
as small Durbar and petty courts.86 Describing the role of panchayats during the British period, S.K7
Dey remarks;

Sarpanch was the top representative of the village. He was to be the liason with the British
government then ruling. He was to maintain law and order through the village chowkidar. If things
went beyond his capacity, he was to report to thana. He was to marshal the village people for special
programmes of the government including the durbar for the visiting dignitary.87

There were no democratic institutions for co-ordination. Most of the panchayats were weak
but at times tyrannical.

The Act of 1935 resulted in nothing more than minor improvements so far as the local
government is concerned. Thus the last opportunity offered by the Government of India Act, 1935 was
too short lived. The subsequent years were wholly devoted to a keen struggle for freedom and during
that period the problem of local government naturally paled into insignificance before the questions
of national and international importance.88 But, whatever efforts were being made towards the growth

85 R.L.Khanna, op. cit., p. 33.
86 B.Maheswari, op. cit., p. 6.
87 S.K.Dey, op. cit., p.9.
of local government institutions, it came to a halt with the outbreak of second World War and the resignation of popular ministeries in all the Congress dominated provinces. The Governors assumed entire responsibility for the administration of their provinces and continued to do so till 1946.

Though the progress of local self-government suffered a setback during this period, but certain positive developments also took place. Among the progressive steps can be included the enlargement of the functions and powers of the local bodies, separation of executive and legislative functions in larger urban local bodies, abolishing the systems of nominations, widening the franchise and diagnosing the hurdles in the way of the development of local self-governing institutions. On the credit side the local government had provided the educated Indian classes with a valuable experience of the working of the representative principle as well as the techniques of committee work and law making. Long familiarity with civic government created a democratic tradition before the dawn of independence. The pattern of local government which was set up by the provincial autonomy, continued with some changes till India attained independence on August 15, 1947. At the time of independence, India had three Municipal Corporations, at Madras, Calcutta and Bombay, in addition to this, there were also municipalities, town area committees, notified area committees, and cantonment boards for cities and district boards for rural areas.

Mahatma Gandhi On Panchayats

Mahatma Gandhi arrived from South Africa in January, 1915. Mahatma Gandhi for the first time made mention of the panchayats on February 14, 1946, in a Madras Missionary Conference: “Following the Swadeshi Spirit, I observe, the Indigenous institutions and the village panchayats hold me”. Congress concern for Swaraj (self rule) and the non-enforcement of Decentralization Commission’s

88 Iqbal Narain et al., Panchayati Raj Administration- Old Controls and New Challenges, Indian Institute of Public Administration, New Delhi, 1970, p. 3.

89 Sahib Singh and Swinder Singh, op. cit., p. 87.

90 R.L. Khanna, op. cit., p. 32.

91 Shri Ram Maheswari, State Government in India, The MacMillan Company of India Limited, Delhi, 1979, p. 245.
recommendations relegated the panchayat to the background for some time.\textsuperscript{92} The plea for greater autonomy to rural local bodies received conceptual strength with the advent of Mahatma Gandhi on national scene and his enunciation of the doctrine of national development through autonomous rural organisation which he desired to model on the lines of panchayat system as it prevailed in ancient India. Mahatma Gandhi, was careful to state that his concept of “Ramrajya” of which panchayat autonomy was an integral component, was not derived from any specific historical period but it was an ideal construct based on the best features of different periods of ancient Indian history.\textsuperscript{93}

Gandhi claimed that India lived in its villages and pleaded for the distribution of power among rural masses in India. He believed in the supremacy of the people and insisted in the people’s democracy and sovereignty at the grass roots level which he called Panchayati Raj. For Gandhiji, panchayati raj, was a kind of commonwealth of reformed and reconstructed village communities. The object to be achieved was human happiness with full mental, moral and spiritual development. He wanted to establish such a society where every individual got maximum freedom and opportunity to develop his personality and character to the fullest extent. He thought that decentralization was essential for ideal democracy, in which every one can participate in the decision making and implementation process. His concept of decentralization implies the basic principle of self-sufficiency in respect of the basic needs of men and the absence of exploitation. In his vision, village was a pivot in the Indian polity and future of India depended upon the future of its villages.\textsuperscript{94}

Gandhiji was in favour of a broad-based structure of decentralised power - with numerous village panchayats at the bottom as the vibrating source of power and a national panchayat at the apex elected by the intermediary levels of district and state panchayats with the ultimate central vesting in the hands of the village panchayat. His idea of village government was a panchayat of five persons, male and female- annually elected by the villagers having the required authority and jurisdiction. This

\textsuperscript{92} Quoted in Mario D.Zamora, \textit{op. cit.}, pp. 21-22.

\textsuperscript{93} Iqbal Narain, \textit{et al.}, \textit{op. cit.}, p. 4.

panchayat was to have the legislature, judiciary and executive a perfect village government where perfect democracy would be found based on individual freedom. His emphasis on the up-lift of the Indian masses through improvement of agriculture, village and cottage industries, khadi, handlooms, etc., was ridiculed as out-moded and feudal by those who were exposed to European industrial economic based on large scale production through machinery and culture of urban elites. But Gandhi's dream of village republics visualised full literacy, employment, nutritious food, well ventilated dwellings and sufficient khadi for covering the body. He emphasised swaraj from below saying, "Independence must begin at bottom, thus every village will be a republic".

Gandhiji, played a key role in attaining the national freedom. He taught to his countrymen a new philosophy of ruralism. He attributed all the evils of modern civilization to the twin processes of industrialization and urbanization. For him, India being a land of villages, the only effective antidote to them was the revival of self-sufficient village in matters of food, clothing and other essentials needed by the people. His concept of self-sufficient village, both economically and politically, inspired most of the political leaders. Much of the legislation of village panchayats enacted after independence indicate an imprint of the tremendous influence of his philosophy. Thus, panchayats were developed by non-official agencies under the constructive programme of Gandhiji, and these bodies became units of national movement.

To sum up, during the British regime, the panchayats lost most of their autonomy. The Britishers undoubtedly gave these bodies a new political touch, a western blend of electoral system, though their love for these bodies was not natural but was the outcome of political necessity. The British attempts to revive and reform them in the early part of the twentieth century failed. It was only after


98 M.A. Muttalib and Akbar Alikhan, op. cit., p. 73.
Independence in 1947 that the panchayats partly regained their prestige and power. But local self-government in India in the sense of a representative organisation responsible to a body of electors, enjoying wide powers of administration and taxation, and functioning both as a school for training in responsibility and vital link in the chain of organism that makes the government of the country, is a British creation. This philosophy later on activated the minds of wise founding fathers of our constitution.

*****

99 Sahib Singh and Swinder Singh, op. cit., p. 77.