The functions of a local authority may be classified into four groups - protective, communal, personal and trading. The first group is designed to protect the individual from a variety of dangers e.g. epidemics, and fires. Thus local authorities provide drainage, removal of refuse and licensing of building construction.

Communal services are of direct assistance to those who need them. Education is an expensive item under this category. Example of trading services are the control of markets and supply of water.

Some of the services provided by local authorities are obligatory, while others are optional. Under Assam Municipal Act, 1956, the obligatory functions of the municipality were the payment of salaries to the establishment, the maintenance of office, and the repayment of interest and loans taken from Government. Whereas the list of the optional functions were construction and maintenance of roads, drains, water supply, lighting, hospitals and the administration of vaccination.
Let us now consider some of the important functions performed by the Shillong Municipal Board.

**Education**

Under this head, elementary education, libraries and various cultural activities may be included. The Municipal Board never maintained a single primary school. This was due to the fact that foreign missionaries established a number of educational institutions of all kinds. As regards libraries the Board gave grant to libraries and cultural clubs maintained by voluntary organisations. But no grants are sanctioned to such institutions since 1967-68, due to lack of funds.¹

¹ A critical look into the percentage of expenditure on education clearly indicates a downwards trend. In 1912-13, expenditure on education was 1.03 percent of the total expenditure, whereas in 1924-25 it was only 0.67 percent, 1938-39 it was 4.36 percent; in 1949-50 the percentage was 4.95 percent² whereas in 1959-60 out of a total expenditure of about Rs.9.25 lakhs, a small sum of Rs.38,827 was spent on public instruction by the Board.³ Shillong was

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¹ P.S.M., (Education Committee), 21.2.1968.
² Source - Figures collected from Annual Reports, Municipal, Assam, of the respective years.
probably the lone urban local body in India situated in a State-Capital without a municipal library. But the State Government has established State Central Library and therefore there was no need for a municipal library.

Roads

Development of roads was one of the conventional functions of municipalities. Shillong being the provincial headquarters and a health resort, P.W.D. maintained the most important roads from the early days. However, the Municipality had taken over roads within its limit from April 1912. In 1918 a general principle was adopted by the Government that portion of the provincial roads which lie within the Municipality should be maintained by the P.W.D. In 1925-26, the Municipality spent Rs.15,690 for maintaining 11 miles of metalled and 2 furlong of unmetalled roads. On 1st September 1927 Mawprem Road of 1 mile length was taken over by the Board from the P.W.D. In 1938-39, the total length of municipal roads was 27.59 miles - out of this length, the surface treated with tar was only 4.05 miles. In the same year the Municipality

8. Assam Gazette, Part-II, 3.4.1940.
spent 17.52 percent of its total budgeted expenditure of Rs. 27.7 lakhs mainly on roads. In 1947-48, the Government pointed out the poor condition of municipal roads. However, in 1949-50 the Municipality spent 15.64 percent of the total expenditure of about Rs. 4 lakhs on roads.

In May 1954 the Board resolved that some important roads may be taken over by the P.W.D. and maintained by them from the fund under Article 275 of the Sixth Schedule of the Constitution.

In July 1956, eighteen important roads were handed over to the P.W.D. The Municipality's resolution runs: "In view of the reply of the Union Home Ministry of our representation for funds that it was for the State Government to maintain the Capital properly and in view of the assurance given by the Chief Minister that the important roads of the town will be taken over by the Government it is resolved that the following roads be taken over by the P.W.D."

10. Assam Gazette, Part IIIA, 2.5.1951.
12. P.S.M., 8.5.1954.
In 1973 the Board controlled 26.96 kilometres of roads, 8 kilometres tarred and 1.28 'Katcha' - cement concrete 10 kilometres and metal roads 7.68 kilometres.\textsuperscript{14}

The real reason for the poor condition of the roads is lack of planning, effective supervision and implementation of schemes. It is surprising to note that the Municipal Public Works Department is without a qualified engineer as its head. Another important reason may be insufficient road side drainage. Heavy rains from early June to late September seriously affect the road system. Hence scientific and perspective planning for quick disposal of rain water is absolutely necessary.

Regulation of Building Activity.

Under the Municipal Act, the construction of extension of buildings within municipal area require prior sanction of the Board. But unauthorised construction is a great problem.

According to the Chief Executive Officer the issue is difficult, because the Board has very limited powers to stop construction.\textsuperscript{15} This is a usual answer given by

\textsuperscript{14} Information supplied by Municipal Section Officer, on 24.11.1975.

\textsuperscript{15} Chief Executive Officer; interviewed on 24.11.1975.
all Executive Officers. The Executive Connived at the encroachment on public property by powerful individuals. If the executive officers exercise the power in time, there will be no encroachments. In 1976-77 in all Urban areas, encroachments have been removed.

Public Buildings.

The Municipality did not undertake any such activity. It is only maintaining and letting out about 100 shops in Laitumkhra market. There is a considerable tourist traffic in the town - it is desirable that the Board should give proper attention for construction of the tourist lodges and housing for the Municipal Staff.

The Board has provided quarters for a few technical staff. Although there was a strong representation for staff quarters from the Employees' Association in 1965. Of course the Board has no money for the purpose. It may be suggested that it may take loan from the L.I.C. or Nationalised Banks. But then how to pay back the loan with interest. It should raise taxation. But it is an unpopular measure. The Municipality, however, had constructed some houses for Harijans (Sweepers) at Laitumkhra

17. Assistant Secretary, Staff Association, interviewed on 25.11.1975.
with the Government grant of Rs.2 lakhs in 1963. But accommodation was not provided for all sweepers. Shillong Municipality should prepare a time-bound plan for providing accommodation to the Sweepers. Grants from the Government of India may be obtained, for the purpose. A new housing scheme for Harijans in Barabazar has been recently implemented.

Street Lighting.

The Municipality began to receive electric energy from the Shillong Hydro Electric Co, from 1923 onwards. The original contract was for 31 years; but the contract was renewed from time to time and the agreement is still in force. The Unit rate for municipal lights is one anna (six paise) less than the rate charged from the private consumers. The company provided bulbs and tubes for the electric posts on public roads. The condition of street lighting in the town was so poor in 1930 that the Government had to warn the company for the improvement of voltage immediately.

19. Ibid.
22. Letter No.2050 KLe, 13.9.1930, from the Secretary, P.W.D.
The expenditure on lighting has shown a downward trend. In 1938-39, it was 15.78 percent of the total expenditure, in 1949-50 it was 12.20 percent, in 1959-60 it was 6 percent, and in 1971-72 it was only 3.5 percent. But there is improvement in street lighting. The downward trend is due to the fact that there is increase in expenditure on other items and therefore there is downward trend in expenditure in street lighting. Formerly the company charged a higher rate. At present energy is supplied from Umiam Project.

Low voltage in certain localities like New Colony, Kench's Trace and Rilbong, particularly during peak hours is somewhat ridiculous and the matter should be rectified immediately for the benefit of rate payers. The Board is keeping no technical staff for the maintenance of street lights - as a result it is helplessly dependent on the Hydro Electric Company for any petty work. The Municipality should take over street lighting and improve it further.

23. A.R. Municipal for the years concerned, PP. 30-32.
24. Ibid.
25. Shillong Municipal Budget for the years concerned.
26. Ibid.
Medical.

The Municipality is running only one staff dispensary in its office. The part-time Health Office, is looking after the dispensary, a whole-time dispenser and a chowkidar constitute the staff of the dispensary. But to a critical eye it is an apology for a dispensary. There is no need for a municipal dispensary. There is an excellent Civil Hospital and Mission Hospital. There is also an army hospital and some private dispensaries. There is also a maternity and child welfare centre.

Drainage.

A sewerage system scheme for Shillong at a cost of about Rs.9 lakhs was prepared by the Sanitary Engineer in 1912; but it was kept pending until the completion of water supply scheme. However in the same year tiled drains were constructed in some parts of the town. The Director of Public Health in his report in 1929 observed that the surface drainage of the town was unsatisfactory. He recommended that they should be made pucca. The Governor L. Hammond pointed out the defects of earthenware

27. Head Clerk, interviewed on 26.11.1975.
pipe drains. He also said that any single sewerage system would be very expensive. But in 1931-32, the Municipality constructed tiled drains and spent over Rs. 50,000 in the preceding 5 years on drainage despite Governor's doubt in this system.

The Assistant Director of Public Health observed in 1935 that all drains were mostly sullage drains. That during winter the Unsohsun drainage was a source of nuisance. He also observed that main drain of Laitumkhra, the drain at Malki, Laban and Raitsamthia required improvement. This is true even today. In 1937 the commissioner said the sewerage scheme received approval of Government. The total estimated cost was Rs. 2.4 lakhs, out of which Rs. 45,000 was received from the Government as its contribution, and that balance would be met by a loan from Government. The length of municipal pucca drains was 9.98 miles.

The Deputy Commissioner, K & J Hills said in 1940 that drainage was neglected by the Board. He further

31. No.36-64, L.S.G.- A. June, 1931.
33. No.470-476, L.S.G. - B. September, 1937.
34. No.637-661, L.S.G.- B. December, 1940.
pointed out that the small sewage scheme, intended to be a basis for a larger one, was rejected by the Board.\(^35\)

In 1938-39 the expenditure on drainage was 3.36 percent of the total expenditure whereas the figure for 1949-50 was 6.27 percent.\(^36\) On an average the expenditure on drainage was 5 percent of the total expenditure of the Board. In 1973, total length of municipal drains was 50 kilometres, out of which 30 kilometres was pucca and 20 kilometre 'Katcha'.\(^37\)

Underground sewerage is absolutely necessary for solving the sanitation problem once for all. During heavy rains sewers are choked at many places. Effective supervision & supervision and immediate action are essential on such occasion. The Municipal Board may approach the Government for a special grant for the development of the drainage system. It may also impose a drainage tax or improvement cess for this purpose.

**Conservancy.**

At present the Municipality has a moderately big dumping cum trenching ground at Mawlai in the outskirts of the town.


36. A.R. Municipal for the years, PP.30-32.

37. Figures supplied by the section officer; on 25.11.1975.
The board is spending a substantial amount every year on the removal and disposal of rubbish and night-soil from the town. The percentage of expenditure rose from 25 percent of the total expenditure in 1917-18 to 30 percent in 1918-19.\(^3\) Whereas the figures for 1938-39 was 25 percent of the total expenditure, the percentage again rose to 36 percent of the total expenditure in 1949-50.\(^3\) Inspite of heavy expenditure the position is far from satisfactory. At present, there are only one refuse truck, six tractors, six trailers and twelve night soil tankers for carrying rubbish and night soil to the dumping ground. Approximately, twelve truck loads of refuse are to be removed per day. According to the Chief Executive Officer due to high price of petrol two petrol driven trucks had to be disposed of. We think that twelve night soil tankers are not sufficient for a town of about one lakh population. The number should at least be doubled immediately.

In 1929, the Governor thought that unless a water-borne sewerage was introduced for the whole town, there would be little saving on the present cost of conservancy.\(^4\) This view is still true.

\(^3\) A.R.Municipal 1918-19, P.2.
\(^3\) A.R.Municipal for respective years, PP.30-32.
\(^4\) No.36-64, L.S.G. - A. June, 1931.
More lands should be acquired by the Board for sewerage disposal. The present 'Katcha' depots should be gradually replaced by pucca depots. As the soil condition of Shillong is quite bad for good trenching the Municipality should try to have a master plan for water borne sewerage. The present lone dumping ground should be removed to some other place - when one approaches Shillong by the National Highway No. 40 very near the signboard 'Shillong welcomes you', the visitor is greeted not by the sweet smell of the flowers but by the odour of Mawlai trenching ground.

Scavenging.

The Assistant Director of Public Health, in his inspection report of June 1935 observed that there are 43 public latrines in the town. In the absence of a latrine register he could not furnish the number of private privies. He was also shocked by the total absence of public Urinals. The total number of sweepers was 158. The corresponding figures for 1975 was 10 public latrines and one public Urinal and 230 sweepers. Regarding the number of private privies we do not have figures.

Since scavenging is entirely dependent on the sweepers, in case of a strike the entire conservancy system

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42. Figures obtained from the Conservancy Deptt., on 3.12.1975.
comes to a halt. The Municipal Board may have to modernise the removal and disposal of night soil. The public latrine system should be abolished since most of the houses have private latrines.

The Board may construct a number of sanitary latrines and entrust them to a caretaker. Every user should pay a service fee. This may be levied on an experimental basis at some important places.

Thus the sanitary condition of Shillong is deteriorating year after year because of the inefficiency of the conservancy staff - menial and supervisory, shortage of water, lack of adequate supervision, low morale of employees due to poor working condition, defective sewerage and drainage, lack of co-operation between P.H.E. Department and to some extent callousness on the part of residents of the town. There should be one sweeper for every 300 people. As the population of Shillong is about one lakh - there should be about 300 sweepers - whereas the present strength is 230 only.

About the shortage of supervisory staff, it has been pointed out that there is need for having one Assistant Health Officer and two more Assistant Sanitary Inspectors. The present writer thinks that the present Health Officer
should be given a non-practicing allowance and he should be immediately absorbed as a whole timer.

As mentioned earlier the scarcity of water also agg­ravates the sanitation problem. The Board has been preven­ted from curtailing the available expenditures on conservancy by way of conversion of service latrines into sanitary latrines for non-availability of adequate supply of water and thereby the expenditure required for clearance of service latrines and removal of the nightsoil cannot be reduced.\textsuperscript{43}

The outdated surface drainage system is another dan­ger to public health. 'Katcha' and broken pucca drainage are a constant source of irritation. As mentioned ear­lier underground drainage system alone can solve this pro­blem.

**Bye-laws.**

The Board has power to frame bye laws under all Acts. Under Assam Municipal Act, 1956, the municipalities can frame bye-laws on thirty subjects.

The first set of bye-laws consisting of 50 clauses was confirmed by the Government in November 1912.\textsuperscript{44}

\textsuperscript{43} P.S.M., 5.1.1968.

\textsuperscript{44} No.37-48, L.S.G.- A. March, 1913.
second series of bye-laws consisting of 74 clauses came into force from July 1928.\footnote{45} The last list of bye-laws of the Municipality consisting of 165 clauses was confirmed by the Government in May, 1961.\footnote{46} The model bye-laws published in the Gazette of September, 1959 were adopted.\footnote{47} It will be of interest to note here that due to topographical reasons Shillong never had Rickshaws driven by men. But in the Shillong Municipal bye-laws of 1961, clauses 140-164 are devoted for Rickshaws.

**Vaccination.**

Vaccination was introduced in Shillong from March, 1895.\footnote{48}

Expenditure on vaccination has shown a slight upward trend. In 1937-38, it was 0.13 percent of the total expenditure;\footnote{49} whereas in 1949-50 it was 0.37 percent.\footnote{50} To a simple observer the expenditure on vaccination was insignificant. The total number of vaccinators was reduced from 11 to 7 for reasons of economy. Therefore the vaccinators are not visiting houses and people had to stand in a long queue for vaccination. Hence primary

\footnote{45} Shillong Municipal Bye-laws, 1928.
\footnote{46} Letter No.LML.226/58/75, Shillong, 31.5.1961 from Government.
\footnote{47} Assam Gazette, Part-IIA, 30.9.1959.
\footnote{48} No.20-24, Home - A. February, 1895.
\footnote{49} A.R. Municipal 1937-38.
\footnote{50} A.R. Municipal 1949-50.
vaccination is poor. The Director of Health Services had to draw the attention of the Municipality frequently to this.\textsuperscript{51} But the Board did not take any action in this regard.

\textbf{Registration of Births.}

The registration of births and deaths was introduced in the later part of the nineteenth century. Registration of vital statistics is compulsory. The registration of vital statistics was entrusted to vaccinator. There was no Birth and Death Register as in other places. Therefore the registration of vital statistics was very bad. It was so bad that it was unreliable. Therefore the Government had to depute one clerk from the Civil Surgeon's Office to function in the municipal office for this purpose. A considerable number of cases of births and deaths were not reported at all. The major sources of information were hospitals. No register was maintained at various burial and burning grounds. Prior to Independence the recording of vital statistics was somewhat accurate.\textsuperscript{52} But later on there was deterioration. Vital statistics are vital for several purposes, such as planning, which includes family

\begin{footnotesize}
\begin{itemize}
\item 51. Shillong Municipal Office records - Letter Nos. could not be divulged on the ground of official secret.
\item 52. Rao - \textit{A Hundred Years of Local Self Government In Assam}, 1967, P. 308.
\end{itemize}
\end{footnotesize}
planning and provision of essential services. It is, therefore, imperative that there should be a separate officer for the collection of vital statistics.

Markets.

At present there are five municipal markets - of them only one, the Laitumkhra market is properly organised. In this market the Municipality owns 77 stalls and one two-storeyed building - apart from this there were 45 stalls constructed by individual parties. The average rent from the stall is low - only Rs. 12 per month per 30 square feet. The Municipality should revised the rates fixed about 20 years ago. The second market is in Polo Bazar. Here the Board is collecting rent at the above rates from the owners of 56 private shops. Third one is at Mawlong hat and sweepers' line market. There are new shops constructed by private individuals, the Municipality is collecting rent at Rs. 5 per month per 30 square feet. The fourth market is Betlenut market near Barabazar and the last one is the Jail Road Market. The last two are open markets and the Board collects from each individual vendor 0.25 paise per day. 53

It will be interesting to note that the biggest market in Meghalaya i.e. Barabasa situated in the heart

of the town yielding an annual revenue of about Rs. 2 lakhs. It is owned and managed by the Syiem of Mylliem, and the Municipality had no jurisdiction over it. We think that this market is very badly maintained. It is feared that this market may be a source of epidemic diseases. There is urgent need to reform, control and maintain this market in good condition.

A Scheme of Rs. 14 lakhs for a model market at Polo Bazar is pending sanction with the Government. If this scheme materialises the town will have a modern market. This scheme has been completed in July 1977.

Water Supply.

On June 17, 1882, the Shillong station committee resolved to have a pure water supply project for Shillong and approved the scheme prepared by Major Williams, Executive Engineer, Shillong, (a) and the chairman was requested to communicate with the Chief Commissioner for financial assistance. Accordingly Col. W.S. Clarke the official Chairman moved the Government for a loan of Rs. 15,000 for this

54. Deputy Secretary, (Revenue), Khasi Hills District Council interviewed on 5.9.1975.
55. The District Council, Khasi Hills and another VS Ka Drepsila Lyngdoh and others C.A. 1475 & 1476 of 1969.
57. P.S.S.C., 17.6.1882, Memori (a) There is an in memory of Major Williams in the compound of the Shillong Club.
project. The Secretary, while addressing the Government of India for the sanction of the loan, pleaded that the work was of great urgency, since the whole population of Shillong, including the Head of the administration were undergoing a course of slow poisoning by the consumption of contaminated open aqueduct water.\textsuperscript{58} The Governor General sanctioned the loan as a special case.\textsuperscript{59}

Major Williams executed the scheme and the project was put into operation at the end of 1883 and the Station Committee was permitted to levy a water rate with effect from 1st October 1883.\textsuperscript{60} The scheme was calculated to supply about 50,000 gallons a day. The Umjasai river, the stream Ka Wah Maulong and Crinoline falls was the major sources of water.\textsuperscript{61} The total cost of the entire scheme was Rs.19,000 including cantonment water supply scheme of Rs.2,996.\textsuperscript{62} The Chairman proposed that the water works should be taken over from the P.W.D. But the Committee was in favour of keeping the water works under the P.W.D., for efficient management. It, however, agreed that the maintenance of the water works should be borne by the Station Committee.\textsuperscript{63} Therefore, water works was

\textsuperscript{58} File No.149G.- of 1883.
\textsuperscript{59} Ibid.
\textsuperscript{60} File No.146G - of 1883.
\textsuperscript{61} File No.165G - of 1882.
\textsuperscript{62} File No.94G - of 1884.
\textsuperscript{63} P.S.S.C., 28.5.1887.
After the earthquake of June, 1897, a sum of Rs.10,000 was placed by the Government at the disposal of the Executive Engineer for the repair of connections as the water works was completely destroyed. But the settling tanks and filter-bed were not restored. As a result Shillong was without filtered water up to March, 1898.  

The Sanitary Commissioner of Assam was shocked at the outbreak of dysentery at Laban and Mawkhar due to polluted water supply and recommended that improvement of water supply should be carried out without any delay.  

But up to 1911 no significant improvement was done. On October 1911 the Government of Eastern Bengal and Assam sanctioned a grant of Rs.81,000 to the Shillong Municipal Board to cover the cost of a scheme for remodelling water works prepared by the Sanitary Engineer. The work could be carried out by the P.W.D., under the supervision of the Sanitary Engineer. The Municipality should bear the maintenance charges.  

However, labour troubles in England

64. A.R. Municipal 1897-98.
65. No.1-6, Home - A. September, 1897.
66. No.5-10, Sanitation - A. March, 1912.
seriously interfered with its progress. After the successful implementation of the scheme in 1913-14, there was a great improvement in the supply position in the Jail Road and Police Bazar areas.

The Municipal Board resolved to take over the water works from the P.W.D. The Government approval was communicated in February, 1922. But the actual transfer took place in June 1923. In 1926 Board entered a 30 years agreement with the Cantonment authority for the supply of not less than 30,000 and not more than 60,000 gallons per day free of cost. Water supplied in excess of 60,000 gallons a day shall be made at the rate of 4 annas (0.25 paisa) per 1000 gallons. The Government approved the agreement. The agreement was slightly modified in July, 1927 and an annual payment of Rs.300 by the Cantonment Board towards the cost of maintenance of municipal mains was incorporated. On 25th January 1957, the Municipality resolved that hence forward the agreement with the cantonment board be made annually provided they agree to pay Rs.7,000 per annum in advance. If the Cantonment

67. No.5-6, Munpl (sanit), B. June, 1912.
68. A.R.Municipal 1913-14, P.2.
70. No.14-26, Rev. - B. June, 1924.
71. No.228-238, L.S.G. - B. December, 1926.
Board fails to execute the agreement then they have to make their own arrangement for the supply of water in their area. However, the Municipality approved the draft agreement with the cantonment authority for 1966-67, in its meeting held in January, 1967. The Municipality had taken a very stern attitude towards the agreement in the meeting on March, 1968; in view of the unprecedented scarcity of water in the Municipal Area, it resolved to stop the supply of water to the Cantonment Board with effect from 1st October, 1968.

Let us now consider the Shillong water supply system. The Director of Public Health in his report in 1926 and 1928 mentioned about the urgent need of a chlorinating plant for water purification at Shillong. The Governor L. Hammond in his inspection note of June 1929 mentioned about the scheme prepared for the reorganisation of the water works costing Rs.75,000 by the Executive Engineer G.R. Shaw. The Board in its meeting held on 10th December 1929, decided to apply for a loan of Rs.75,000 from the Government. The Government sanctioned the loan in October, 1930.

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75. P.S.M., 28.3.1968.
76. No.154-159, L.S.G.- A.September, 1929.
77. No.121-169, L.S.G.- A.June, 1931.
78. Ibid.
79. Ibid.
But the Municipal Board did not make use of the amount and therefore the amount was refunded.

In 1932 the Commissioner observed that the Board had decided to take up a scheme for remodelling the water supply system piecemeal; that it would apply for a loan of Rs.30,000 to buy larger pipes to be laid down as far as Barabazar, the old pipes being used for a second line in Jaiaw, that a new source of water supply was discovered at the Wahdiengling spring for Laitumkhra area; and that there would be a better supply of water for Mawkhar, Jaiaw and Mawprem where the supply at present was insufficient.

In 1934, a 60,000 gallons reservoir was erected at Barabazar to check wastage from the mains. The Vice-Chairman informed the Deputy Commissioner, K & J Hills, in 1935 that the proposal to reopen the Intake at Madan Laoan to augment the supply was sanctioned by the Government and that a loan of Rs.30,000 was sanctioned for the purpose. The replacement of old tanks and pipes was undertaken as far as funds would permit.

81. No.1280-1290, L.S.G.- B. March, 1933.
83. No.470-476, L.S.G.- B. September, 1937.
The Commissioner observed in May 1937 that water supply in Goalapatty and Garikhana was carried out in 1936-37. A new 3,200 gallon tank was erected at Nongrimbah and replacement of old pipes in European ward, replacement of smaller pipes by bigger ones, extension of water supply to Lumparing, Laban and Mawprem were also made.

The position after Independence was not satisfactory. In 1951 Shillong Municipality resolved to take a loan of Rs.3 lakhs for the improvement of water supply. But this did not materialise. However, in January 1954 the Board appointed Jewell Filters Company of Calcutta to undertake survey and preparation of a scheme for the improvement of water supply. In February, 1956 the Board accepted the schemes of the German expert Dr. R. Hohme of Jewell Filter Company, and resolved that the Government be requested to sanction a loan of Rs.7.32 lakhs before the end of the year 1955-56 for the execution of the scheme. But Government did not sanction the amount.

84, No.637-661, L.S.G.- B. December, 1940.
The Government, on the other hand, prepared a scheme of Rs. 30.5 lakhs which would supply 20 lakhs gallons water per day from the Upper Shillong source. In 1959 it was found that the project would yield only 10 lakhs gallons. In 1960-61 it was again found that it would supply hardly 4 lakhs in the driest period. The 4 lakhs gallons of water from the Upper Shillong source would be distributed as follows:

- Barabazar tank: 2,00,000 gallons
- Mawprem: 50,000 gallons
- Lachammiere: 80,000 gallons

In 1960 the position was as follows. There was dual control over water supply, the Municipal Board and the Public Health Department. Therefore there was conflict between the two. The Board in its meeting in February 1965 censored the P.H.E. Department for the supply of impure water. The affair was so shockingly bad that the Board submitted a memorandum to the Public Accounts Committee of the State Legislature making serious allegations of corruption and use of sub-standard pipes by the P.H.E. Department as a result of

89. P.S.M., 5.3.1963.
which there were innumerable leakages and water got contaminated and that water supplied by the P.H.E. was not treated for the removal of impurities. Therefore, the Board refused to take over the administration of water supply scheme executed by the P.H.E. Department.

The Municipal Board informed the Executive Engineer, the P.H.E. that until existing defects were removed, such as, frequent bursting of pipes, no arrangement for a chlorinating plant and no proper plant for the deposit of sediment, and many others, the Board would not take over the scheme. In the same resolution the Chief Secretary was also requested to appoint independent technical experts to hold an enquiry into the matter. But this tug of war between the Board and the Public Health Engineering Department was an open one in 1968. The Municipal Board in 1968, resolved that the dual control over the distribution of water was most unsatisfactory, and it would take over the supply of water from the Public Health Engineering Department subject to the condition that the pipes were replaced.

by standard pipes. But nothing had happened.

The situation was so desperate when Meghalaya became a full-fledged state in January 1972 – that the Government had to take up three schemes under the P.H.B., on a priority basis. These schemes have been put into operation in May 1974. They are supplying 6.5 lakh gallons of water daily. Among the three schemes the work of the Umkhen scheme was completed at a total cost of Rs.6.79 lakhs in November, 1972; with a supply capacity of 80,000 gallons daily. The Crinoline scheme was completed at an expenditure of Rs.1.27 lakhs and it supplied 1.75 lakhs gallons water daily to Mawkhar, Jaiaw, Riatsmthia, Umsohsun and other areas. The Mawlai scheme, for outside municipal area, completed at a total cost of Rs.22.04 lakhs supplied 3.50 lakhs gallons daily.94

In a modern community, maximum water consumption may be 50 gallons per capita per day and the minimum supply hours should be at least 8 hours95 whereas the Municipality was supplying only 16 gallons at present, and during dry months it is only 9 gallons. As regards supply hours it is

about five hours daily. But from our personal observation over a decade we think that the supply hours in some localities like Rilbong or some portion of Jail Road is less than 3 hours per day during the dry season. The Board supplied 30 gallons per capita in 1929. At present it supplies only 16 gallons, fifty percent less than in 1930. This is due to the fact that there has been increase in population and increase in the jurisdiction of the Board.

There are 231 public hydrants, 3,985 domestic and 35 non-domestic connections at present. Water was supplied by gravity. There is no meter system. There are a number of wells, springs, and streams in the town. But these sources are not reliable.

So far as the expenditure on water supply was concerned it shows that the expenditure was not keeping pace with the increase in population and rise in prices. In 1938-39 expenditure on water supply was 14.87 per cent of the total expenditure of the Board whereas the figure was 6.35 percent in 1949-50. Expenditure in 1967-68 was about Rs. 2.02 lakhs - the figure of 1971-72 was about

98. Figures supplied by the water works Superintendent, on 29.8.1975.
99. A.R. Municipal for the years concerned, PP.30 & 32.
Rs.2.03 lakhs. The reason for comparative low expenditure may be due to low income from water rate.

Every year during dry season the residents of Shillong face acute scarcity of water, in addition the town was also subject to outbreaks of fires. The present sources which feed Shillong town, viz., Wah Jalinoh, Wah Risa, Madan Laban and Umjasai can hardly supply even 40 percent of the total requirements. Accordingly the Public Health Engineering Department has drawn up the Greater Shillong water supply scheme costing Rs.3.36 crores to cover all the Municipal wards of Shillong including the contiguous urban and rural areas. The scheme envisages the construction of a 60 feet high Dam across river Umiew at Laitlyngkot and pumping a maximum 77 lakhs gallons of water daily in the dry season. The scheme is expected to take 4 years for completion.

We suggest the sources of water at Shillong may be developed. Intensive survey for their development both for short and long period should be conducted.

Second, no new reservoirs have been built. At present the distribution of water within municipal limit

is controlled by the Municipal Board whereas important sources of supply and equipments are under the P.H.E. This dual control must go. Government should handover all its installations to the Board as early as possible. The Municipal Board should take a positive stand in this matter.

The Shillong Municipal Board should have a qualified engineer to control and direct the water works.

The supply of water by gravity should be replaced by electric pumping system for speed and uniformity in the supply of water.

There should not be any discrimination in the quantity of water supplied and supply hours.

Finally, the development of water resources should be a matter of 'National Policy'. The Government of Meghalaya may create a separate body for scientific study of water resources in the State.

We also suggest that there should be an enhancement of water rate and localities where water public hydrants exist should be subject to water rate.

Conclusion.
Sanitation of Shillong is not satisfactory; modern water-borne sewerage does not exist; the number of public
latrines is insufficient and only one urinal in a town of about one lakh population is a cruel joke. The water supply is much below the national and international standards. Therefore there is urgent need to improve the sanitary condition of Shillong.

**Functions of the Khasi Hills District Council.**

The powers and functions of the District Council are, mainly four - Legislative, Executive, Financial and Judicial.

**Legislative Powers.**

Under para 3 of the Sixth Schedule the District Council has power to make laws on the allotment, occupation and use of land, the regulation of jhumming, management and control of forests under the Council, the use of water courses for agriculture, the establishment of town committees, matters connected with the administration of village police, the appointment and succession of Chief or Headman, the inheritance of property, marriage and divorce, social customs, money-lending and trading by persons other than the scheduled tribes. During the 25 years of its existence the council has enacted more than a dozen important acts. Some of these acts were challenged before the High Court and the Supreme Court. The District Council enacted the Land Transfer Act in 1953. This
Act was struck down by the Supreme Court as beyond the scope of the law-making power conferred on the District Council by the Constitution. 102

Vaghaiwalla Committee has pointed out in its report about the legislative activities of the Council that the District Council has enacted laws regarding land transfer, forests and marriage among Christians. The Council has not enacted any law for the regulation of jhumming or shifting cultivation, on inheritance of property, on marriage among tribes other than those who have become Christians, and on social customs.103 We think that the above observations are still valid.

Executive Powers.

As regards the executive powers, the Council has the power to establish, construct or manage primary schools, dispensaries, markets, cattle pounds, roads and waterways. It has also power to determine the language and the manner in which primary education should be imparted in the primary schools within its jurisdiction.104

102. District Council And others Vs Miss Sitimon Sawian, C.A. 1546, 1971.
104. Para IV of the Sixth Schedule of the Constitution of India.
In 1962 the Government of Assam handed over all the primary schools to the District Council. The Council's expenditure on education is impressive. Actual expenditure on education in 1973-74 is more than half of the total expenditure of the council. We think that the sole factor for high expenditure on education is due to generous Government grants.

**Taxation Powers.**

The District Council has also powers of taxation. The Council has power to assess and collect land revenue, levy a house tax, taxes on professions, trades, callings and employment, tax on the entry of goods into the market for sale, taxes on maintenance of schools, roads, taxes on vehicles, licences or leases for the purpose of prospecting or extracting minerals.

The District Council has also the right to a share in the royalties derived by the State Government from licences or leases, granted for the purpose of extraction of minerals. At present royalties on minerals is shared between the Government and the Council on an agreed rate of 60 percent for the District Council.

Let us now consider the extent to which the powers of taxation were exercised by the council. The Council has not levied a tax for the maintenance of schools and roads. Thus the Council did not make full use of its power of taxation.

Moreover, the District Council was not able to exercise any control over the Syiemship markets, as there was no machinery to know the actual amount derived by the Syiem from their markets. Although there were many markets, the council derived only a small amount. 108

It is very unusual that long after the establishment of the District Council, the Chiefs in the Khasi Hills continued to levy and collect taxes which is the basic function of the District Council. 109 Thus the District Council forfeited its right to levy and collect taxes.

Judicial Powers.

For the administration of Justice Courts were set up and there are three classes of courts - First, District Council court, Second, Subordinate District Council Court and Additional Subordinate District Council Courts, and third, village courts. It may appoint suitable persons

109. Ibid.
to be the members of the village courts. It may also appoint such officers as may be necessary for the execution of laws made by the Council.  

The Jurisdiction of all the Courts is limited to cases in which both the parties are tribals.

The District Council Court is a court of Appeal in respect of all the cases triable by lower courts. No other court except the High Court and the Supreme Court of India has jurisdiction over such cases. All these courts have been functioning from 7 January 1954.

We think that there is no need for the establishment of a separate system of courts for the District Council for obvious reasons. First, there is not enough work. Second, the District Council Courts adopted the same procedure adopted in the courts in the plains. Third, the District Council Court did not observe the local customary law. Finally, the Courts in the Plains have at least one advantage that justice is administered by trained judicial officers. But the subordinate and Additional Subordinate

112. Ibid.
District Council Courts were more or less placed under the control of untrained presiding officers.

**Rule Making Power.**

Formerly the District Council has the power to make rules. The council may, with the prior approval of the Government make rules on the constitution of village councils, village courts and powers to be exercised by them.

At present, the District Council has no such power. The Governor has been authorised to make rules on the subjects mentioned above. 114

The Council also exercises certain delegated functions. For instance, the Governor may authorise the District Council or any court constituted by it to try cases punishable with death or life imprisonment under the I.P.C. 115

**Committee System.**

The District Council has power to constitute committees, both adhoc and standing. But the composition, powers and functions and other matters are determined by the District Council itself.

Rule 81 of the District Council Rules 1951, provides for the formation of a select committee for the scrutiny

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of bills. Unlike the State Legislature, there is no provision for standing committees in the Council.

In 1960, there were a number of committees, but in 1970 they were abolished. At present, apart from a select committee, there is no other committee. 116

We think that the absence of an effective committee system in the council is undesirable. Modern democracies can function very effectively only through the Committee System. Further, the argument put forward for abolition of committees on the ground of economy was not convincing.

We think that the Government should revise the Rules of 1951, making the formation of Finance Committee obligatory on the part of the Council.

District Council Finances.

The District Council derives its income from various sources, land revenue, forests, administration of justice, taxes on vehicles, professions, trades, calling and employment, grants-in-aid from the Government, loans and subsidies from the Government, market taxes and miscellaneous receipts.

Royalties on timber from forest is the greatest source of revenue of the Council. Actual receipts from this source in 1973-74 is about Rs.8 lakhs. 117

The revenue from taxes on vehicles is shared at 25 percent for the council - on the basis of percentage of vehicles garaged in the District. 118

It may be noted here that the entire Khasi Hills is not assessed for any land revenue or house tax. We think that the entire Autonomous District should be assessed for land revenue and house tax. Regarding taxes on professions, trades and callings these taxes are collected by the State Government on behalf of the Council.

Grants were given for specific purposes such as for primary education and for development of roads, development of rural water supply, sanitation, improvement of transport facilities, and maintenance of forest development schemes and so on.

The council has received about Rs.32½ lakhs for the primary education in 1973-74. During same period it has received about Rs.9½ lakhs for development purposes. 119

Let us now consider the expenditures. Since the audit reports were not published and not made available to research scholars, it is difficult to assess the extravagant expenditures. But a close examination of the budget of the District Council enables us to know about some wasteful expenditures. One of such items of expenditure is the administration of justice. For instance 1973-74, the total receipts from the department is about Rs.9,000 only, whereas the total expenditure for the administration of justice is about Rs.2 lakhs. The judges have no work and the entire expenditure is an absolute waste of money. Similarly the amount allotted in the budget towards the travelling allowance of the members of the Executive Committee is enormous. Similarly the salaries attached to the office of Executive Committee was also great.

The receipts of the Council and the expenditure for three consecutive years are:

<table>
<thead>
<tr>
<th>Year</th>
<th>Receipts</th>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971-72</td>
<td>48,99,927</td>
<td>53,07,054</td>
</tr>
<tr>
<td>1972-73</td>
<td>49,98,392</td>
<td>52,69,883</td>
</tr>
<tr>
<td>1973-74</td>
<td>57,48,954</td>
<td>64,99,257</td>
</tr>
</tbody>
</table>

120. Budget Abstract for the year ending 31.3.1975.
It is clear from the above that the Council is always in the red or chronic deficit. In other words, finances of the council is unsatisfactory. The principal reasons assigned are the gradual drying up of revenue sources like forests and the State Government's delay in disbursing the Council's share of mineral and forest royalty. Further, up to 1967 the unsettled share of the Council as royalty on minerals amounts to Rs.34 lakhs. Further the District Council did not find out additional sources of revenue to be self-sufficient.

The State Government had pleaded before the Sixth Finance Commission the necessity for increased assistance for meeting the normal revenue gaps of the District Councils. But the commission has rejected this demand.

We suggest the following measures for augmenting the income of the Council.

The District Council may levy fees for distribution of jhum and for the use of water course for agriculture.

The Chiefs appropriate a handsome market revenue and paying a share of one-eighth only to the Council. This may be changed for a progressive ratio of 50:50 basis.

123. R.Chandra, Development Commissioner, Tour Notes, June, 1975, P.2.
As suggested by the conference of Chief Executive Members in the recent past, the council's share of royalty on mineral and forest exploits may be revised.

The backdated notion that "A Khasi never pays any tax at all" is an idle saying - as observed by Rev. J. J. M. Nichols Roy 19 years back. But the District Council is still suffering from the same obsession; there should not be any discriminatory levy of taxes.

In fine, to balance the budget the council should exploit all sources of revenue and eliminate extravagance.

Adequate powers, functions and finance were placed at the disposal of the District Council. But due to some reason or other the council did not undertake all the functions assigned to them. As a result the State Government continued to carry on the functions which were clearly those of the District Council. Finally, functions were not classified into two - mandatory and optional.

Functions of the village council or village Durbar.
The functions of the village Durbar are mainly three administrative, municipal, and financial.

124. Resolution, the conference of C.E.Ms; at Tura, June, 1975.
(2) Discussion with the Deputy Secretary, H.W. Nongbet on several occasions.
Administrative and Municipal Functions.

The first and foremost duty of the Durbar is to enforce law and order in the village. If any household wants to shift to the village, it is the duty of the Durbar to find out the past records of the household and to give permission to it for moving to the village. On the other hand the Durbar has also the power to order any household to leave the village if it is found to endanger the whole village and its inhabitants.

The Durbar lays down the policy for the activities of the village and make rules in accordance with the local tradition which the village has to observe and follow.

It is also the responsibility of the village Durbar to look after the common properties of the village such as the grazing land and the village community forest 'ka law shnong'.

Moreover, their conventional municipal functions are the maintenance and repair of village roads and footpaths, drinking water sources and sanitation. Generally, once or twice in a year, the Durbar organises social service working parties to clean and repair the village roads, drinking water holes and springs.

Financial Functions.

The fund of the village 'Ka Synniang Shnong' is raised
by subscriptions; fines are also credited to the village fund. Durbar is the custodian of village fund. Any expenditure from the fund is subject to prior approval of the village Durbar.

It may be mentioned here that formerly the village Durbar was responsible for the settlement of disputes between the villagers. But since 1953, village court came into existence and the judicial functions of the Durbar is being entrusted to the village court. 128

Let us now consider the extent to which the functions of village Durbar is effective.

Although the village council or Durbar is entrusted with a number of functions in the village level, but in the absence of any well-defined statutory powers the village Durbar is far from a vigorous body. To a critical observer it is more or less an association of villagers rather than a self government institution.

In general, the people in the Khasi Hills did not pay land revenue or house tax. The income of the village council is very limited. It had no power of taxation. Hence it is mostly performing its functions on the self-

help basis.

In view of the above, the village council will never be in a position to provide modern services like water supply and library.

We think that the village council should be given independent municipal functions relating to construction and upkeep of village roads, sanitation, lighting and provision of recreational facilities. In the second place, agency function like regulation of Jhuming or shifting cultivation may be entrusted to village council by the District Council. Finally, the village Durbar should be given the power of taxation. With this end in view, the District Council may come out with some Legislative measures to spell out the obligatory functions of the village Council.