CHAPTER - II

The Evolution of Local Self-government in India -
Historical Perspectives
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THE EVOLUTION OF LOCAL SELF-GOVERNMENT IN INDIA - HISTORICAL PERSPECTIVES

Local Self-government in India has a long and chequered history. Although the form in which it exists today is much different from the system which prevailed in the ancient and medieval periods, Local Self-government was more real and substantial in the past than in the days of the British rule. If every village had then a self-governing body, it meant that almost all people enjoyed the advantages of Local Self-government, 'Panchayat has an ancient flavour; it is a good word. It literally means an assembly of five elected by the villagers. It represents the system, by which the innumerable village republics in India were governed'.1

Thus the conception of Local Self-government is not foreign to the genius of the people of India. Dynasties and empires have risen and fallen, but Local Self-governments have survived. In the stability and continuity of Indian village life and organization is to be sought the secret of the good things achieved by India in the past.2

The village assemblies mentioned in the ancient classics like the Sangam literature dealt with common matters of the village. A plethora of literary and epigraphical evidence is available to bear witness to the existence and working of the rural institutions of those

days in South India.³ Similarly, units of Local Self-government such as Sabhas, Urs, Nagarams, Nadus and Mandalams existed under the Chola, Pallava, Pandya and Vijayanagara kingdoms.

The Panchayats exercised power in various spheres of life like the industrial, commercial, administrative and social including education and religious functions. They have been extolled as 'Separate little States in themselves, which have contributed more than any other cause to the preservation of the people of India through all the revolutions and changes, which they have suffered and, also to their happiness and the enjoyment of freedom'.⁴

The genesis of the Local Self-government in India can be traced to the Vedic Age, when peoples' assemblies called the 'Sabha' had existed.⁵ Coming to historical times one can witness models of Local Self-government both in the rural and urban set up. The authority of the State was accepted only in certain spheres, while other spheres were left to be regulated by other organisations in society like, guilds of merchants, and other groups. This principle was applied to village communities and they consequently enjoyed a large amount of autonomy.⁶

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5. A.L. Basham: The Wonder that was India, Delhi, 1981, p.34.
6. M. Venkatarangaiya and M.Pattabhiram: (Editors), Local Government in India, Calcutta, 1956. p.3
The largest number of villages in South India had an assembly called Ur. But the Brahmadeya villages, namely those bestowed as royal gifts on Brahmins, had their own assemblies known as Sabha or Mahasabha. The Uttaramerur inscriptions of A.D 919 and 921 picture vividly the administration of a Brahmadeya village in the days of the Chola emperor, Parantaka I. These inscriptions are in the form of regulations by the king.

In them we find details as to how members of a Sabha have to be selected in a democratic way, although the method adopted for the purpose might not be democratic in the modern sense. The selection was through picking up by lot. Membership went by rotation so that the same persons or their relations might not continuously sit on the committees. The regulations also prescribed the qualifications and disqualifications in respect of the membership on the various committees.

The functions of Ur and Sabha were of a wide and varied nature. Management of temple, its properties, the tanks, gardens and charitable institutions in the temple as well as the settlement of disputes among the people were some of their important duties.

maintenance of public health, protection against robberies, offering relief to the needy, maintenance of water-supply, irrigation, public roads and also providing education to the young were other services performed by the assemblies. Certain rural industries like weaving also were taken care of by them.\textsuperscript{10}

Strangely enough, there was little interference in the working of the village assemblies from the Central Government. The members and officials were donated with free land in lieu of the discharge of their functions. Sometimes their meetings were attended by even the Officers of the Central Government. Their administration and constitutional arrangements were supervised by the central official.\textsuperscript{11} The autonomy of the villages is seen in the matter of exemption from local taxes, granting remissions and assignments of incomes from dues.\textsuperscript{12}

It may be noted that towns and cities in ancient India had institutions in the form of assemblies, committees and boards though the chief administrator appointed by the State — the Nagaraka or the Purapala — held vast powers. The ancient Tamilaham had urban organisation known as Nagarams.\textsuperscript{13} Megasthenes’ description of the government of Pataliputra by a committee of thirty members divided into six sub-committees comes close to a model of urban administration.\textsuperscript{14}

\begin{enumerate}
\item See \textit{Epigraphica Indica}, Vol. IV, p.135.
\item V.Venkata Rao and Niru Hazarika: \textit{op.cit.}, p.2
\item \textit{The Madras Epigraphists’ Report}, No.41, 1898 and also No.321 of 1910.
\item N.V. Swaminatha Iyer (Ed), \textit{The Madurai Kanchi}, 1889, 11: 351-52.
\item \textit{Imperial Gazetteer of India}: Vol. IV, 1909. p.282.
\end{enumerate}
Urban organisations seem to have had a much less uninterrupted history than that of the villages, which have survived the onslaughts of Muslim and Vijayanagara invasions in the South. The Muslim rulers in medieval India accepted the principle of local autonomy and village authorities continued to enjoy their traditional freedom.\(^\text{15}\)

In evaluating the significance of these time-honoured rural institutions, some enthusiastic writers had a tendency to present an overdrawn picture about them. More often, the background of the social and political conditions under which these institutions flourished have been ignored. The absence of efficient means of transport brought about the isolation of villages. Isolation compelled each village to become completely self-sufficient. It should be admitted, however, that the indigenous system had served the needs of the people in a rough and ready manner and had become thoroughly harmonized with their way of life.\(^\text{16}\)

A few observations on the real nature and success of the Local Self-government as they existed in ancient and medieval India, may not be out of place here. First of all, the local government of those days was not universal in nature. The Sabhas of the Chola period were mere communal organizations consisting of only Brahmins, even though there were members of other communities living in the Brahmadeya villages.\(^\text{17}\)

\(^{15}\) N.Venkataramanayya: *Early Muslim Expansion in South India*, Madras, 1921, p.120.


\(^{17}\) K.A.N. Sastry: *op.cit.*, pp 107-117
Again, the Naaarm and similar terms occurring in the Tamil classics were only guilds whose membership was restricted. To describe these as democratic and territorial may be misleading.¹⁸

Villages continued to be self-governing till about the middle of the 18th century and they continued to maintain their Virile Corporate existence. Several factors have directly and indirectly contributed to bring about their disintegration in due course. Under the British rule, a well organised and administered strong Provincial Government penetrated even the remotest villages.¹⁹ Various departments of administration hitherto carried on by the village assemblies were taken over by British Officials. The new courts of Justice struck a blow at one of the most important functions of village assemblies. Rapid development of communication, spread of western education, migration of village intelligentsia to the towns and the introduction of the Ryotwari Settlement also paved the way for the slow collapse of the village system.²⁰

**LOCAL SELF-GOVERNMENT UNDER THE BRITISH RULE**

Following the fall of the Mughal empire and the establishment and consolidation of the British Rule in India, the Local Self-government underwent a sea change. With the growth of new and quicker means of communications, villages established closer contacts with the outside

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18. V. Venkata Rao and Niru Hazarika: *op.cit.*, p.5
As customs and traditions broke down under the impact of these changes, individualism began to crush the elements of corporate life in the villages. British rule established a closer and more direct connection between the Central and Provincial Governments on the one side and the individual inhabitants of the village on the other.22

A Psychological change overtook the villagers in the wake of the new system of Government and administration at all levels. People began to increasingly depend on the Central and Provincial Governments for more help. Local Self-government ceased to exist in the village and the villagers ceased to feel the need for it to the same extent as they did in the past. Time-honoured institutions were swept away on the ground of "the good of the governed."23

LOCAL SELF-GOVERNMENT UNDER BRITISH RULE

In tracing the development of Local Self-government under the British Rule it is to be noticed that until about 1858, the Government was mainly engaged in wars of conquest and taking measures for the consolidation of its authority in the conquered territories.24 It was in the period following the establishment of the direct rule of the British Crown that attention was paid, though in a smaller degree, to the organization of public services. The reforming zeal of the British administration did not ignore the reconstitution of the Local Self-

government institutions in India.

Consequently, "Local Self-government in India" as a representative organization, responsible to a body of electors, enjoying wide powers of administration and taxation, and functioning as a school for training in responsibility and a vital link in the chain of the organism that make up the government of the country is a British creation."

The first statutory enactment relating to Municipal administration in India is Section 158 of the Charter Act of 1793, which established municipal corporations in the three Presidency towns. Provision was made for the appointment of Justices of Peace and the levy and collection of taxes on houses and lands to augment sanitary services.

At the same time there were voluntary association in all the provinces including Madras for the purpose of local improvement.

A small attempt was made regarding the introduction of Statutory Municipal Boards in Act 26 of 1850. This allowed the establishment of Municipal institutions in any town of British India. If the inhabitants of a town were keen on having a Municipal organisation, the Provincial Governments were empowered to bring the Statute into operation. This Act permitted the levy of town duties, but it was left to the people themselves to decide the mode of taxation.

The Town Improvement Bill of 1864 contemplated compulsory taxation to defray the cost of police administration, while taxation for other services had to be voluntary. Other purposes for which the raising of funds was authorised were lighting, prevention of fire and water supply. The Resolution of 1864 passed by the Government of India related to the administration of police and incidentally to Municipal government. Accordingly, the principle of Local Self-government was easily applicable to the population resident in the towns than to those scattered over the rural side of the country.30

Reforms in the field of Local Self-government in India in the two decades between 1850 and 1870 were rather slow. The main reason for this tardiness was the strong conviction held by many contemporary British administrators and politicians that Indians were unsuited for the working of democratic institutions. It was for this reason perhaps, that the elective element was introduced in local administration at a slow pace.31

The low level of education, the prevalence of superstitions, and the existence of numerous castes, creeds and religions - all stood in the way of the successful working of responsible institutions in India.

But there is also the other side of the picture. It was increasingly felt that the people of India should cease to be helplessly dependent upon the Government for everything and they should learn by the example and aid of their English subjects, to raise and spend their money on Public Utility services and promote every other object of local interest.  

**TRENDS TOWARDS DECENTRALIZATION**

The year 1870 marks a further stage in the evolution of Local Self-government in India. In that year Lord Mayo’s famous resolution on Decentralization, emphasizing the desirability of associating Indians in administration, and indicating the Municipal government as the most promising field for that purpose, was issued. Mayo exhorted upon all the Provincial authorities to enlist the active assistance of educated Indians in organizing and working the institutions of local government. The progress achieved in the period following the Resolution of 1870 was not upto the expectation.

Be that as it may, a large income from local rates and cesses had been secured and in some provinces the management of such incomes had been entrusted to local bodies. The number of Municipalities had

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increased. District Boards had been created to look after rural sanitation, communication and education. The principle of election had been extended to various Provinces.35

This period also witnessed the emergence of Improvement Trusts, Port Trusts, District and Taluk Committees and the Local Fund Boards. But, the local government institutions were nominated by the British and thus most of the Indian population remained deprived of participation in their functioning. The dominant motive behind the institution of local government in India was to give relief to the imperial finances.36 Lord Mayo's Resolution of 1870 led to the first step in Local Self-government not only in urban but also in rural areas. It is this which gave significance to the Resolution in the evolution of Local Self-government in the country.37

Lord Ripon's Historic Resolution of 1882 on Local Self-government is a landmark in the emergence of Local Self-government in India. Till now the local government had remained almost wholly non-Indian. Hence, from the Indian point of view, it was to a great extent 'neither local, nor Self-government'. Political consciousness among the Indians coupled with the growing sense of national awareness gave rise to new aspirations.38

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37. M. Venkatarangaiya and M. Pattabhiram, op.cit., pp.96-7
Largely due to his innate liberalism and partly due to his desire to satisfy public opinion, Ripon began a new era in the history of Local Self-government by his celebrated Resolution of 1882, to make local government really self-growing. Ripon, rightly called 'The Father of Local Self-government India', considered the Local Self-government as an 'instrument of political and popular education.'

Ripon's Resolution of 18th May, 1882 is the 'Magna Carta' of Municipal liberties in India. His sincerity to carry it through many difficulties is admirable. The Resolution recommended the extension of Municipal Committees wherever feasible. District Boards in each district consolidating all other bodies into a homogeneous unit was another recommendation. Ancillary subordinate committees in each subdivision of the district were to be created.

Ripon urged the preponderance of non-official members in all local bodies, both urban and rural. He strongly advocated the selection of non-officials by adopting the system of election. The Provincial Governments were requested to adopt the system according to local conditions. As an incentive to the influential Indians to take part in local government, he introduced the Courtesy Titles.

41. ibid., p.33
42. Among such titles were those of Rao Bahadur and Khan Bahadur. See K.K.Pillay: op.cit., p.35.
The degree of official control to be exercised over the self-government local institutions was clearly defined. Official domination and interference with the working of wise self-governing bodies was discouraged. Control was to be exercised from without rather than from within. The pivot of the entire Resolution rested on the emphasis laid on political training. Ripon was convinced that the experiment of Local Self-government had not been properly tried before.43

Following the Resolution of 1882, a series of Acts were passed laying down the constitutions and functions of municipal and rural boards. These Acts embodied in large measure the general principles of organisation, directed by the previous Resolution. The Resolutions of 1896 and 1897 reviewed the progress achieved and outlined further ways of improvement. These two Resolutions give us an insight into the evolution of practice as distinguished from the evolution of policy.44

The next important stage in the evolution of Local Self-government in India, was the publication in 1909 of the Report of the Royal Commission on Decentralization set up in 1906. Though the village was the basic unit of Local Self-government in ancient and medieval India, its importance had suffered a setback in the days of the British Raj. The Commission pleaded for the resuscitation of the village community.

43. Proceedings of the Government of India (Home Department Public), Simla, dated 18th May 1882.
44. M.M. Report, 1896-97 - Appendix, I.
More powers to Taluk or Sub-District Boards and other Municipal bodies were recommended. The creation of Village Panchayats for the administration of certain local affairs was the core of the commission's direction.

Progress in the functioning of the Self-government was slow. The Government of India's Resolution dated 28th April, 1915 focussed attention on the factors preventing speedy success. The meagernesses and rigid nature of local revenues, restricted sources of taxation, lack of enthusiasm of the local people to participate in public life, sectarian rivalries were identified as the main road blocks. Changes in the Constitution and functions of the Municipal Boards, Rural and Panchayat Boards were suggested. However things still moved slowly till the passing of the Montford Report on Local Self-government in 1918.

The First World War witnessed momentenous changes in the political scenario of India. The Government called for the cooperation of the Indian people to make the world safe for democracy. Indian leaders on their part side expected substantial efforts by the Government towards the establishment of democratic rule in the country. It was in

46. The Gazette of India, dated 1st May, 1925, pp.1175-91.
response to this that Edwin Montague, Secretary of State for India, made in the House of Commons, on 20th August 1917, the renowned declaration about the introduction of responsible government in India.⁴⁸

The August Declaration covered the domain of Local Self-government, the village or rural board and the town or Municipal council. It was envisaged in the declaration that urban and rural self-government was the great training ground from which political progress and a sense of responsibility could begin. It was felt that the need of the hour was to quicken the advance, accelerate the rate of progress thereby stimulating the sense of responsibility in the average citizen who could enlarge his experience.⁴⁹

The policy of the Government of India relating to the progressive growth of Local Self-government was embodied in a new Resolution of 1918. This document insisted on making the local bodies as representative of the people as possible whom they served. The need to devolve real power to the local bodies without any outside interference was urged.⁵⁰ The said Resolution was a corollary to the Montague-Chelmsford Report on Constitutional reforms. Implementation of the new policy was not left to the discretion of the Provincial Government.⁵¹

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⁵⁰. The Gazette of India, dated 25th May, 1918. pp. 981-93
⁵¹. ibid.
The new changes introduced were extension of franchise to the whole body of rate-payers, the appointment of non-officials as chairman for urban councils and District Boards and of separate Executive officers in large towns and in District Boards. More freedom in matters of taxation to local bodies was emphasised. Outside control was to be restricted. Widening the base of Village Panchayats was urged so that they might become the natural expression of the corporate life of individual villages. This Resolution assumed greater significance in the light of the proposed Dyarchy.52

The Government of India Act of 1919 thus inaugurated an era of new interest and activity in the field of local government. This period witnessed the passing of a series of Amending Acts on Local Government in every Province.53 The practice of having a civil servant as the President disappeared from all Municipal bodies and from a few District or Local Boards; franchise was further democratised; the local bodies were freed from many restrictions in respect of the budget. above all, the executive direction passed into the hands of the elected members from the public.54 Local Government was thus set to move in the direction of democracy.

The National Movement for independence coincided with the process of the democratisation of the local bodies. The great leaders of modern India such as Pandit Jawaharlal Nehru, Sardar Patel, Subhash

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52. Government of India Resolution No. 41, dated 16th May, 1918.
Chandra Bose, Purushottam Das Tandon, Rajaji, E.V. Ramasamy Naicker, Kamaraj and a host of leaders, all of them men of calibre, capability and dedication, entered the Municipal Councils and inaugurated their training for political careers through their participation in the local administration. Subsequently, the Government of India act of 1935 did away with Dyarchy and ushered in provincial autonomy. Local Self-government by now began to acquire a new stable base. The Independence of India in 1947 heralded a new period.

AN REVIEW OF THE CHANGING CONTOURS OF LOCAL SELF-GOVERNMENT

The preceding survey of the principal stages in the genesis and growth of the Local Self-government in India from the ancient times up to the first half of the present century brings to focus some important trends in the development of the Local Self-government in our country. The Local Self-government as it exists today is vastly different from the Local Self-government of the ancient and medieval India. From times immemorial institutions of Local Self-government have flourished both in urban and rural areas in various parts of India.

Conditions in ancient and medieval India were conducive to fostering the assumption of greater number of functions by local self-government. With a meagre and inefficient means of communication the villages became closely knit communities of producers and consumers dependent on each other and with no contact with outsiders. The village communities were largely democratic in their composition and

55. ibid., p.20

functions. These units of local authority were self-reliant in financial resources. Tradition and custom strengthened the public spirit so much as to make these institutions work successfully and responsibly.\textsuperscript{57}

Despite the merits of our ancient local institutions it cannot be claimed that they were ideal or satisfied the accepted canons of real Local Self-government. They were not wholly universal at anytime. They functioned only in certain parts of India. They were not elective in the true sense of the term, neither were they territorial in character. However, scholars have adduced enough evidence to warrant the conclusion that Local Self-government in the past was more widespread, real and more of a success than in modern times\.\textsuperscript{58}

The present structure and style of functioning of the Local Self-government owes its existence to the British Rule in India. A beginning of Local Self-government may be said to have originated with the foundation of the Corporation of Madras in 1687, Thus, the history of modern Local Self-government is three Centuries-old.

Between 1687 and 1882 British authorities viewed the Local Self-government largely as a means to ease central and provincial financial constraints and thus subserve the imperial needs. It acquired a statutory basis in the Charter Act of 1793, when Municipal administration was inaugurated in the three Presidential towns. In 1842 the

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57. M. Venkatarangaiya and M. Pattabhiram: \textit{op.cit.}, p.8
58. \textit{ibid.}, p.5
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Bengal Act X enabled the inhabitants of Fort William to make better provisions for public health. In 1850, Act 26 was passed for the entire country which provided for direct taxation.59

Till 1870 several Acts were passed extending Municipal administration to various parts of the country. Provincial government were empowered to constitute Municipal Committees to look after sanitation, lighting and water supply. Lord Mayo's Reforms of 1870 and Lord Ripon's Resolution of 1882 constitute two significant landmarks in the history of Local Self-government in British India, which ushered in a new era of decentralization and democratisation.60

During the period between 1882 and 1920 Local Self-government began to be viewed as Self-government as a means by which the Indians can serve the government by serving themselves. Growing Political awareness among the Indians was a powerful force facilitating this change. Rightly did Ripon call Local Self-government as an instrument of political and popular education.61

The Decentralisation Commission of 1906, stood for the relaxation of Governmental control on the local authorities in regard to the budgets and the delegation of functions to the Committees. Development of Post World War I favoured the granting of real Self-government to the local bodies. The Resolution of 1918 gave effect to these policy measures.

directions, Legislation was enacted on these lines in 1919 in most of the Provinces and with the constitutional changes brought by the Montague Chelmsford Reforms introducing Dyarchy in the Provinces, Local Self-government became a Transferred Subject under a responsible Minister. The gaps left unfilled were filled in due course.\textsuperscript{62}

Above we have briefly surveyed in relief, the various stages of the development of Local Self-government in India from ancient times up to the Post World War I period. The British in India followed a cautious and pragmatic policy of making the local Self-governments responsible gradually. An obvious lack of public spirit among enlightened Indians and the gross ignorance of the Indian populace made the progress inevitably slow. By the end of the period of our study Local Self-government became a reality in India. How this process was inaugurated in the Presidency of Madras in general and the District of Anantapur in particular will be seen in the following chapter.