

# STATUTORY GRAM-PANCHAYATS

(Village Local Self-Government)

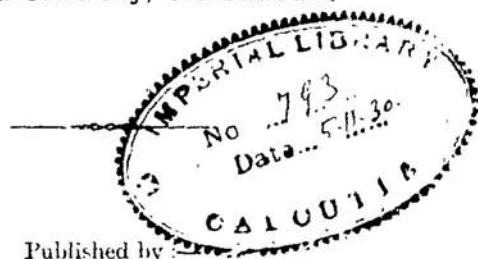
IN

BRITISH INDIA.

By

M. K. MUNNISWAMY AIYAR, M.A., B.L.

Annamalai University, Chidambaram,



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## PREFACE.

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The Indian Chamber of Commerce, Calcutta, invited competitive prize essays on "Village Local Self-Government in British India" in the month of November, 1927, a resolution to that effect having been passed at a meeting of the Committee held on 16th September 1927. The purpose of inviting the essays was to stimulate a study of the subject,—authoritative, extensive, comparative and inter-Provincial—so as to secure a sound basis for "village reconstruction" on which depends the national progress of India. Graduates of all Universities or Vidyapiths in India were eligible to compete for the prize. The final date of the submission of the competitive prize essays was fixed for the 31st March, 1928, but in view of the requests made by some of the intending competitors for the extension of the period, it was extended to 31st July, 1928. The "general directions" for the competitive prize essays on "Village Local Self-Government in British India" were published on 1st November, 1927, and are re-printed here to indicate the scope of the essays invited by the Chamber. Six essays were received from competitors. In the month of August 1928, the Chamber appointed a Board of three Examiners to adjudge the essays received in response to the Chamber's announcement. In the course of their Report on the merits of the essays received in competition for the prize, the Examiners stated that the object of the Chamber in inviting the essays was amply fulfilled as very creditable studies were received for the

competition. They unanimously recommended that the essay submitted by Mr. M. K. Munniswamy Iyer, M.A., B.L. Vakil, Poonnamalli, Madras, was the best, and that it should be given the First Prize of Rs. 500/-. The Examiners made a further recommendation that the essay submitted by Mr. P. Bhaumik, Moulmein, was of sufficiently good merit to deserve recognition by the Chamber, if possible. Pursuant to these recommendations, the Chamber awarded on the 8th September, 1928 the First Prize of Rs. 500/- only to Mr. M. K. Munniswamy Iyer, M.A., B.L., Vakil, Poonnamalli, Madras, and a second Prize of Rs. 100/- only to Mr. P. Bhaumik, Secretary, Moulmein Municipality, Moulmein.

The Committee take this opportunity of expressing their thankfulness to the Board of Examiners who were good enough to accede to their request to adjudge the essays. A mention must also be made here of the useful services rendered by Mr. Jnananjan Pal, M.A., in going through the manuscript and assisting in bringing it to the present form.

It may perhaps appear to some that looking to the size and the form of the present book, the price of Rs. 2/- is a bit high. To them it may be explained here that the object in putting the price at that figure is to provide, if possible, after defraying the expenses in connection with the printing of this book, a small fund for facilitating further studies, when opportunity occurs, on subjects analogous to the present one, *e.g.*, a comparison between the Village Self-Government-working in the continents of India and Europe.

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# Statutory Gram-Panchayats.

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**GENERAL DIRECTIONS**  
**FOR**  
**COMPETITIVE PRIZE ESSAYS**  
**ON**  
**Village Local Self-Government in British India.**

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1. The value of the prize will be not less than Rs. 500/- to be given in cash, medal or books (at the winner's option). The collection of fund for the prize being still in progress, it may be possible to award two prizes and/or to increase the value of the prize.

2. The essays should be written in the English language and should be typewritten or written in a neat, legible hand, and should not exceed 50 pages, foolscap size.

3. It is recommended that not less than half the space of the essay should be devoted to giving detailed information, with facts and figures, for the years from 1920-21, to 1925-26, both inclusive. The other portion of the essay should be devoted to making suggestions for the future practical programme of progress in village Self-Government, with reasons therefor.

4. Due regard should be given to mark the attitude and activities towards the spread of village Self-Government from the following quarters, *viz.*, (1) Executive

Government, (2) Legislative Government, (3) Press and Platform and (4) Village people, under different heads.

5. A careful study of the following literature bearing on the subject is recommended :—

- A. Government of India Resolution No. 41 of 1918, on Local Self-Government Policy. (To be had of Government of India Book Depot, Calcutta).
- B. Annual Reviews by the various Provincial Governments on the working of Boards and Village authorities, for the specified six years under examination. (To be had from Provincial Government Printing Presses).
- C. "India" for the various years compiled by Rushbrook Williams.
- D. Any other unofficial literature available, ancient and modern.

6. The various Provincial Acts and Circulars should be studied with particular attention to (1) facilities for establishment of Panchayats, (2) Proportionate monetary provision from different quarters, (3) allocation of powers and authority, (4) functions allowed to be undertaken, (5) amount of sympathy extended to the Panchayats generally.

7. It is strongly recommended that the candidates should visit some of the Panchayats found working at least in their own province, in order to understand the

above points at first hand. Such knowledge will also enable the candidates to gather the necessary information regarding such institutions in other provinces also.

8. The use of comparative tables for the different provinces is recommended, for the sake of brevity.

9. Ministers of the Government, Directors of Information and specially appointed Officers such as the Registrar-General of Gram-Panchayats, Madras, and the Panchayat Officers, Nagpur, will be found helpful in supplying information. Other public institutions such as Local Self-Government Institute, Poona City, will also be glad to supply information bearing on the subject.

10. It is recommended that the paragraphs in the essay should be numbered, and contents of the essay should be given at the beginning.

11. The essays should be sent by Registered Post to the Secretary, Indian Chamber of Commerce, Calcutta, so as to reach him *on or before the 31st March 1928*.

12. The result of the essay will be published before 31st May 1928, and it will be communicated by post to all the competing candidates.

13. The writer of each essay must give authorities for statements made where the statements are not his own, and a list of all the books consulted, or referred to in the essay, and specific references for all statements which demand verification. Disregard of this rule will be taken into account in adjudging the essays.

14. The Indian Chamber of Commerce, Calcutta, reserves the right to publish the successful prize essays in the name of the writer without any further remuneration.

15. The undersigned will be glad to furnish any other information, if required.

M. P. GANDHI, M.A., F.R.E.S., F.S.S.,

*Secretary,*

Indian Chamber of Commerce, Calcutta

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**Names of Competitors.**

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  2. Rao Sahib K. V. Vaze, L.C.E.,  
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*Extracts from the Examiners' Report.*

1. The object of donors of the prize has been amply fulfilled in the shape of very creditable studies.

2. Unanimously we find that No. 6 (Mr. M. K. Aiyar) is the first, but we also find that Mr. P. Bhaumik deserves honourable mention and some monetary recognition, if possible.

3. That so good is the prize essay that it deserves to be printed and widely circulated. Indeed it might be developed into a book with some encouragement.

4. That when the prize winning essay is published additions should be made to it in the form of footnotes or appendices from suitable extracts from the other essays which would afford them recognition.

J. C. Coyajee.

G. L. Mehta.

N. S. Paranjpe.

Calcutta, 29th August, 1928.

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# Statutory Gram-Panchayats

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## Introductory.

1. It has often been said that institutions of Local Self-Government in India are a creation of British rule, and to this extent are alien to the spirit of the people. But it is not quite so. There are even now fragments of indigenous Self-Government which might, if reconstructed, form a stable basis for Indian rural life. It is also incorrect to say that the ancient institutions were not elective institutions, but based upon hereditary or caste privilege. As Sydney Webb points out, "However potent may have been the Panchayat of a caste, there still are Panchayats of men of different castes, exercising the functions of a Village Council over villagers of different castes. Caste has permitted a great deal of common life and has been compatible with active Village Councils."

2. The fact is that the present process of local Self-Government in India has been the reverse of that which has taken place in Europe. The process has been not the federation of smaller units into a large unit, but the more artificial and difficult one of devolution of powers by the District Boards to smaller bodies. The result is that there is only one local body for every 1494 square miles in India, whereas there is one local body to every 4 square miles in England and to every 6 square miles in France. (Taxation Enquiry Committee's Report, p. 289.)

3. During the pre-British period, the village was practically an autonomous body, since the rulers never interfered with the village organisation. Then came the disintegration of village government, of village affairs, with the establishment of modern civil and criminal courts, the present revenue and police organisation, the increase of communications, the growth of individualism and the operation of the Ryotari system which is extending even in the north of India. (Decentralisation Commission's Report, para 696.)

4. It must not be imagined that in all the areas, noted as villages in the Census Report, there were in existence in the past village communities living a more or less common life or governing their own affairs. Thus even to-day in the North-West Frontier Province, Beluchistan and parts of Sind, society is organised in tribal rather than in village communities.

5. In this essay we are concerned only with those areas where the ancient staff of functionaries and artisans, by means of which village government was carried on, has survived in a fairly recognizable form, and with those where Statutory Panchayats have been established by legislation.

## **PART I: RURAL BOARDS.**

### **Chapter I.**

#### **GENERAL**

6. The working of the District Boards, as it affects Indian rural life at a number of points, and as nearly

70% of the members of District and Sub-District Boards are elected as rural representatives, must be studied in connection with village Self-Government. We have 19 District and Sub-District Boards in Assam, 108 in Bengal, 65 in Bihar and Orissa, 249 in Bombay, 106 in the Central Provinces, 153 in Madras, while the number of District Boards in the United Provinces and the Punjab respectively are 48 and 29. The principal source of their revenue is provincial cesses on land-revenue, which constitute specially in Bihar and Orissa 63% of their income. The principal heads of their expenditure are education (a great percentage of their income is spent on this in the United Provinces and the Punjab), civil works, medical relief and sanitation (a great proportion of their income is spent on this last in Bengal). Since 1921, the non-official District Boards have had to engage their own staff, and this has entailed considerable expenditure on establishment.

7. In 1921-22, of the members of the District and Sub-District Boards, 59% were elected; the effort of the provincial councils has been to increase the elected members and cut down the number of nominated and official members. Simultaneously there has also been a lowering of the District Boards' franchise, and certain powers of taxation have also been conferred upon them. In Bombay, the Central Provinces and Madras sex disqualification has been removed, and increased powers have been given to Local Boards. The District Boards constitute a natural field of activity for the landowners and men of property. "Local influence has, as a rule, been predominant, but the element of genuine local Self-

Government is not striking." But as Mr. Rushbrook Williams points out, "the mere fact of the candidature of the Non-Co-operation element has lent to District Board elections in certain provinces an atmosphere of liveliness, which has gone some way to dispel the apathy characteristic of rural politics". The question for examination is, whether the interest thus aroused and quickened has provoked results in actual administration, and if any, how such work can be improved. There are two facts which we have to recognise in the recent history of the District Boards.

(a) Other things remaining the same, for years to come the District Boards, to overcome their financial stringency, must remain dependent on provincial grants, whether in aid of general resources or proportionate to their expenditure on certain services. Thus in Madras, Bombay and the Punjab there are substantial grants made by the Local Governments.

(b) A certain amount of inefficiency in administration has been pointed to be due to interference in the details of work by elected members, specially in the United Provinces and Madras, and in the latter province the Government is circulating a Bill which seeks to fetter the powers and responsibilities of non-official Presidents of Boards. There ought to be just the necessary amount of interference in the details of administration and control of the staff exercised by Presidents of Local Boards.

8. The Local Boards Bill in Madras proposes to abolish the Taluk Boards, compel every non-official

President of a District Board to employ an Executive Officer for each district of the cadre of Deputy Collectors, institute direct elections to District Boards, such elections to be conducted in future by the revenue authorities. It has met with a storm of criticism from every District and Taluk Board and the central revolutionary feature of the Bill—abolition of Taluk Boards—has been condemned by more than one publicist. The point to be considered is not whether Taluk Boards should go or District Boards should go, but what would be the best method of avoiding the present duplication of agencies. It is clear that Taluk Boards have too slender resources to admit of their functioning as self-contained, self-supporting units of rural administration, whose powers could be progressively increased. Again they are too numerous to admit of effective co-ordination. But, on the other hand, the unwieldy character and size of the areas administered by District Boards is a hindrance to that close and effective contact between the Board and its electorate, which is of the essence of local Self-Government. It has been pointed out that further decentralisation, by handing over the powers now exercised by the Provincial Government, to elected local bodies, would be possible only with the retention of Taluk Boards. There is, however, more than one solution of this problem, though the expediency of the proposed abolition of Taluk Boards at this particular juncture is open to doubt. The main point in our local administration is to have administrative units fully seized of all the powers now exercised by District Boards whether they be Panchayats, Union Boards or Taluk Boards, it does not matter.

9. In Madras, Bihar and Orissa, and Bengal there are organisations intermediate between the District Board and the Panchayat, called Union Boards. Of these there are more than 1,500 in Bengal. Lord Ronaldshay points out that by the establishment of these many local wants can be cheaply supplied, while the District Boards are left free to concentrate on major works. Their formation is dependent on the propaganda carried on by Circle Officers. These operating in a small area must be sensitive to local opinion, and this places a limit on their tax-raising capacity. It is pointed out in the Administration Report for 1925-26 that for the development of Self-Government in India, it is desirable that duties and works should be transferred to Union Boards as largely as possible and that a judicious grant-in-aid policy in their favour should be followed. Where the resources of any Union Board are slender, it is better that they join together and maintain a better dispensary instead of an inefficient one, as they do at present.

## CHAPTER II.

### BOARD ADMINISTRATION AND FINANCE.

10. **District Boards in Bengal.**—Their income and expenditure balance each other, being about 127 lakhs in 1923-24. It has been estimated that the incidence of local taxation is only about 2 annas 8 pies per head, and it is pointed out in all the reports that these bodies must increase their resources by introducing some form of taxation which will apply both to agriculturists and non-agriculturists. The expenditure in sanitation and roads

consumes a great percentage of their revenue. In the matter of their expenditure two defects call for notice. It often happens that hospitals are not spread evenly over a district; and more attention is paid to the construction of new roads than the maintenance of old ones. The record of non-official chairmen has, on the whole, been satisfactory, and the latest Administration Report testifies to this fact and remarks that one solution of their financial difficulties lies in the extension of the system of Union Boards.

#### 11. District Boards in the United Provinces.

—Official reports point out a number of defects in the work of the Boards in this province. The expenditure exceeds income by half a lakh and their expenditure on education is needlessly heavy. During the first flush of enthusiasm there has been an increase in the quantity of education at the expense of quality. To avoid fresh taxation they have economized over such important matters, as road repairs and dispensaries. (Administration Report for 1924-25.) The reports of the Auditor of Local Fund Accounts have pointed out irregularities in the maintenance of accounts allowing taxes to become time-barred and other grave financial irregularities. This is rather surprising in the case of the United Provinces for here the numbers are drawn from the most public spirited men of their constituencies (India in 1926-27 p. 301), though similar complaints are explained in the case of provinces like the Central Provinces and Bihar and Orissa, where the local bodies consist almost entirely of agriculturists and traders, who have never been accustomed to maintain proper accounts. Unlike in Bengal, the limit of taxable



capacity has been reached in the United Provinces, and the possibilities of increasing local taxation here seem to be less than in Bengal. (India in 1926-27, p. 301.)

**12. District Boards in the Central Provinces and Berar.**—In the Central Provinces and Berar, District Councils are constituted under the Self-Government Act, 1920, only during 1924-25. Men with no experience of local Self-Government were returned, "but as a body they are reported to be less suspicious of the help and sympathy of Government officers than some of their more politically advanced predecessors". Under the new Act every member of a Local Board is required to reside in his constituency. This is bound to keep the Boards more in touch with local needs and problems than was possible under the old system. Like all elected Councils these Boards have not made use of the increased powers of taxation except in the case of public markets. The efficiency with which vernacular schools are conducted varies greatly in different district, and that is of a low type. As in other provinces, there are financial irregularities and arrears of taxes. In 1924, a Local Government Advisory Board was instituted with the object of bringing members of the Legislative Council and the general public into closer touch with the administration of District Councils, School Boards and Hospital Committees.

**13. District Boards in Bihar and Orissa.**—In Bihar and Orissa the Administration Report lays stress on some disquieting features; (a) the influence of Congress politics on the administration of local bodies; (b) the

prevalence of personal feuds among the members themselves; and points out that this absorption in politics has led to the neglect of administrative business. But the picture is not so dark as it is painted. The administration of District Boards by their non-official chairmen continued, on the whole, to be satisfactory. Things would have been much better if there had been co-operation between the Government Departments and the Local Boards. As it is, the Local Boards certainly display keen interest in education, sanitation and medical relief.

**14. District Boards in Madras.**—In Madras, financial stringency has dominated the whole course of non-official Board administration. Madras was the first among the provinces to inaugurate a Local Self-Government Service, (especially in the Department of Education; in 1927 the District Boards maintained 169 secondary schools and 12,795 elementary schools). As in Bengal and the Central Provinces, the Boards have been reluctant to resort to fresh taxation or delegate their work to committees. Audit-officers have pointed out irregularities both in the maintainance of accounts and disbursing of funds. Complaints have also been heard against the abuse of patronage by the non-official Presidents, and irregularities in the sanctioning and supervision of Public Works, and in the issue of licenses for collecting tolls and plying buses for hire. To remedy this state of affairs the Government set up at the end of 1924 District Committees consisting of the Presidents of District and Taluk Boards, the Collector and the Treasury Officer, who now frame normal budgets for a number of Local Boards in various Districts. This year (1928) the Government has circulated

a Local Boards Bill to remedy the defects noticed in the administration of Boards by non-officials during the last six years, but the Bill though embodying certain desirable reforms, has met with opposition from every quarter because of the centralizing bureaucratic character of the proposals.

15. **District Boards in Bombay.**—Their income in 1924-25 was about 161 lakhs, and rose to 170 lakhs in 1925-26; while expenditure rose from 192 lakhs in 1924-25 to 203 lakhs in 1925-26. The result of the working of the first years of non-official regime cannot be said to be satisfactory. This is not in any way due to the incompetence of or want of intelligence in the non-officials. As in the Punjab, the Boards are dependent largely on provincial grants for purely local expenditure; but unlike in the Punjab no attempts are made by the members to impose fresh taxation. Compared with other provinces the work of the Local Boards in Bombay is small. It was only recently that two Committees were appointed to consider the question of the transference of provincial roads and buildings and of medical vaccination and veterinary staffs to the District Boards. In Bombay all the Local Boards have non-official presidents.

16. **District Boards in the Punjab.**—In the Punjab far more than either in Madras or Bombay, the Provincial Government places large funds at the disposal of the District Boards. Education attracts greater attention than any other service. The recent Government grants have enabled the Boards to make better provision for medical relief and for roads.

17. **District Boards in Assam.**—There were no Local Boards in Assam till the beginning of 1926. The Assam Local Self-Government Act of 1926 has set up a number of Local Boards and does also provide that the chairman shall be elected by the Boards themselves. The Act empowers the Boards to levy taxation on an extended scale and increases their authority to deal with infectious and contagious diseases. Official control has been reduced to the lowest possible extent. It is premature to pass any verdict on the working of these Boards. (India in 1926-27, p. 297.)

18. Mr. Coatman reviewing the work of the de-officialised Boards for the years 1922-23, and 24 quotes: "No Board has had the courage to enhance the local rate and only a few have taken the preliminary step of imposing a tax on circumstances and property the yield of which is too small to make an appreciable improvement in the Boards' position." But it must be remembered that the period of three years is too short to judge the activities of non-officials, who often were not able to secure the co-operation of the Government Department officers and that larger experience will bring greater wisdom. The incidence of local taxation is very low, and there is still scope for rural taxation, provided the objects of expenditure are clearly beneficial, and the cultivators' burden of land-revenue reduced.

### CHAPTER III.

#### Board Education

19. In Bombay, District Board Primary Schools greatly outnumber private schools. Bengal and Burma

have a large number of village and monastic schools respectively. In Madras, the United Provinces and the Punjab, unaided schools are fast disappearing and there has been a rapid increase in Board schools. There are two serious disadvantages from which village education suffers in India. The assistance of woman teachers is not generally available and educated classes do not come back to villages to influence the masses. Committees of village elders cannot be formed except in some parts of Bengal and Madras, as the personal "interest of the landed and educated classes, who throughout the West have done so much to increase the efficiency of educational institutions" is not available in India. (R. Williams—India in 1924-25, p. 279.)

20. As a whole the record of the Local Boards in the matter of education is not quite satisfactory. There is a certain amount of timidity apparent in their activities. For one thing, the introduction of the compulsory system has been handicapped by the financial condition of the Boards. Thus both in Madras and Bombay the principle is now at least recognized that the programme of elementary instruction must be prepared and carried through under the direct orders of the Government (*Vide* Madras Elementary Education Bill of 1927). In the United Provinces though the number of schools has increased, it has been at the expense of quality in instruction. Conditions are no better in the Central Provinces and Bihar and Orissa. It is, therefore, that we find in Madras and Bengal, the tendency is to distrust the local bodies. Thus in Bengal the new Bill recognizes that expansion of elementary education must not be left to local bodies but

that the Provincial Government itself should undertake such responsibility.

21. The following is the percentage of literacy among the total population of twenty years of age and over. (From the Report of the Royal Commission on Agriculture).

Province			Males.	Females.
Assam	...	...	15	1·3%
Bengal	...	...	22·5	2·1%
Bihar and Orissa	...	...	12·6	0·7
Bombay	...	...	18·4	2·4
Central Provinces	...	...	10·4	·9
Madras	...	...	21·4	2·2
Punjab	...	...	9·4	·9
United Provinces	...	...	8·9	·7
British India	...	...	18·3	1·9

Apart from Burma, where monastic education is traditional, (males 62%, females 11·8%), we may note the high standard of literacy round the coastal tracts of Eastern, Southern and Western India, as compared with the mass of illiteracy in the agricultural population of Northern and Central India.

22. The following table gives an idea of the comparative expenditure from Government and Local Bodies' funds. (Figures for 1926-27, quoted from the Report of the Royal Commission on Agriculture.)

Province.	Government funds.	Board funds.
Assam ... ..	57%	13%
Bengal ... ..	37%	6%
Bihar and Orissa ...	41%	28%
Bombay ... ..	52%	19%
Central Provinces ...	63%	18½%
Madras ... ..	45%	15%
Punjab ... ..	53%	14%
United Provinces ...	58%	13%
British India including minor administrations.	48%	14%

23. The desire for expansion of education is reflected in the increased expenditure on primary education in recent years by local bodies as well as by local Governments. But on the whole it may be said that Dyarchy has not solved the problem of primary instruction to any appreciable degree. It is only in the Punjab that success

may be said to have been achieved. As the Royal Commission on Agriculture points out: "Provincial Governments should bring the local authorities to realize that expenditure on primary instruction is largely wasted and the waste can only be effectively stopped by the introduction of compulsion. Compulsion should be used more to keep at school boys already set there, than to bring in the last boy in the village."

## CHAPTER IV.

### Board Improvement.

24. There is one fact of supreme importance to bear in mind in considering the problem of the improvement of Rural Boards, District, Sub-District or Local or Taluk; and it is this that these bodies are not at present, as they were until very recently, the only units of rural local Self-Government. Statutory Gram-Panchayats or Union Boards, as they are called in Bengal, are now the lowest units of rural Self-Government; and it is through these bodies that the villagers are to work for the general advancement of their corporate life as well as for training themselves in the arts of democratic self-rule. Village education, village sanitation and medical relief, the work of policing the village as well as deciding petty cases and other works of public utility, which have so long been in the charge and care of District and other Boards will pass in increasing measure to the Gram-Panchayats, as the bodies in direct touch with the villagers and therefore better able to look after the needs of village life. The main function of the Boards gradually will be, as regional institutions rather than real local bodies, to co-ordinate the



work of the different Panchayats in the district, as well as to help these by expert service and general guidance. Only those works which cannot be done by the Gram-Panchayats or Union Boards or those which can be better done by the superior resources of District or Taluk or Local Boards will left to be carried out directly by these bodies. The District Boards will also serve as a link between the Central Department of Local Self-Government in the province and the Panchayats and Union Boards. This is the line in which rural local Self-Government must develop if village institutions are to be anything like a success either as training ground for the villagers in responsible government or as efficient agencies for the management of village affairs.

25. It is also worthy of note in this connection that two sets of Acts, one for Rural Boards, (that is for indirect and regional Self-Government) and another for Gram-Panchayats (that is for direct and village Self-Government) are working in each province in the name and on behalf of rural areas. The one, that deals with Boards, came into existence during the Viceroyalty of Lord Ripon; the other, which treats of Panchayats, were mostly created recently in pursuance of the new policy of the Government of India directed by the Reforms proposals. And for some years to come one of the aims of the reformer in this line will be to have the relations of the District and Subordinate Boards and the Panchayats so adjusted as to make them useful instruments for establishing real rural Self-Government. The development of Self-Government in the villages really consists very largely of the number and efficiency of the Gram-Pancha-

yats, which come into existence under the prevailing provincial Acts, and these, under present conditions can only grow to their full height with the sympathy and support of the Provincial Governments, executive and legislative, and the District Boards.

26. The following suggestions, if worked upon in the spirit of the above paragraph, will, it is hoped, bring about not only an improvement in the condition of our Rural Boards but will also infuse a new life into the whole movement of village local Self-Government.

(i) There should be Advisory Standing Committees in each province to co-ordinate the work of the District and Local Boards, as already established in the Central Provinces. These Committees should be elected mainly from among the elected members of the legislature.

(ii) A special officer may be appointed by the Ministry of Local Self-Government in each province to help the rural agencies in the proper carrying out of their works. Both in Madras and the Central Provinces such officers have been appointed, and have proved of considerable help to the Local Bodies.

(iii) Budget grants, as in Bengal, should be earmarked.

(iv) More functional freedom should be granted to the Local Bodies, as is already done in the Madras Presidency.

(v) Periodic commissions of enquiry into the working of Panchayats and Boards should be instituted; the

other provinces may follow Bombay and the Central Provinces with profit in this matter.

(vi) Regular conferences of Local Bodies may be held under the presidency of the Minister of Local Self-Government as in Bengal, Bihar and Orissa and the United Provinces.

(vii) The services of honorary workers may be enlisted for propaganda work. Considerable helpful work has been done in Madras by means of free voluntary service.

(viii) Circulars and pamphlets should be issued as often as desirable or possible. A magazine devoted to rural Self-Government, published under the auspices of the Ministry in charge of this department in the province will be a helpful instrument to rouse public interest in the work of local bodies. Madras which is ahead of the other provinces in organising Self-Governing village units in her own area, already runs a journal specially devoted to Village Local Self-Government.

(iv) Elections of Local Boards, may be preferably left to the Revenue authorities, and literacy and residence ought to be imposed as qualifications for members, apart from property, so that greater number of educated men, may be returned as members of the Local Boards, especially in provinces, like Madras, Central Provinces and Bihar and Orissa.

(x) There must be organized in every province, a Local Self-Government Service. The recent reports of

Provincial Governments on the working of Reforms in their provinces, attribute the failure of Local Self-Government to the absence of a contented and efficient staff at the disposal of local bodies

(xi) The term of three years is too short and the period of membership of the District Boards must be extended.

(xii) The District Staff must co-operate with, and guide non-official members. Notably in the United Provinces and in Madras friction between Government Officers and District Boards, has led to a certain amount of delay in all necessary work. As Mr. Brayne, I.C.S., in his evidence before the Royal Commission on Agriculture pertinently remarks "Government is so centralized that the few officers, with actual fresh rural experience, have a very small chance of being able to get a proper hearing. Local schemes are turned down with monotonous regularity. The Government authorities responsible for sanctioning or modifying local uplift schemes are rarely seen, either in the villages or even at district head quarters."

27. The following principles are laid down by the Taxation Enquiry Officer, Mysore, for the administration of grants made by the Mysore Government to its Local Boards. They are general principles, which, subject to certain modifications, may be of use to local bodies in British India.

(a) There must be a clear statement of the classes of expenditure, in aid of which a grant would be made.

(b) That grants should not be fixed, but variable.

(c) That they should be made on the Certificate of Government Department, interested in that particular service, which it is intended to subsidize.

(d) Grants should aim at effecting an equalization of local burden between different areas.

(e) Grants should come, as a rule, only after the taxing power in these local bodies has been used.

The Taxation Enquiry Committee point out, that the incidence of local taxation in India is very low, being only 1/24 of that in Britain, and suggest that the local rates should be raised. But it must be remembered that the grinding poverty of rural areas precludes local taxation on any considerable scale and that Local Self-Government requires that it should not be associated with excessive taxation and that the heads of such taxation should be carefully selected and ought not to trench on the necessities of life. The non-agriculturists in villages, who now escape lightly, may be brought within the field of taxation.

Our verdict then, on the administration of Local Boards, is that where they have been vested with considerable administrative and taxing powers, they have discharged the duties fairly satisfactorily and that with certain amendments in law, dictated by provincial conditions, they can function satisfactorily. But an essential condition of their progress would seem to be that they must delegate further powers to Sub-District Boards, and

they in turn to Panchayats. There must be both de-officialization and de-centralization in the local bodies, with the expert knowledge of the State readily available. There ought not to be too much formalism and the working of these bodies must be made considerably elastic.

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## PART II: GRAM-PANCHAYATS.

### CHAPTER V

#### GENERAL

28. The Resolution of the Government of India, dated 16th May, 1918, pointed out that "of the possible functions to be assigned to Village Panchayats, the most important are village sanitation and village education and jurisdiction in petty civil and criminal cases. Where such Panchayats are called into existence, the legislation enacted should be as simple and elastic as possible with the fullest scope for details. And if ~~the~~ the Government of any province, where there is still some real village life, should think that their recommendations are unsuited to local circumstances, it will be open to such a Government to put forward alternative proposals." The Government of India further pointed out that where geographical, historical and cultural factors make it impossible or premature to establish a Village Panchayat Fund or system, the existing artificial Unions or Circles, like the Local Fund Unions in Madras, the Chowkidari Unions in Bengal, and the Sanitary Committees of the United Provinces, Bombay and the Central

Provinces, should be retained and fostered as useful adjuncts to District and Sub-District Boards. (Indian Constitutional Documents, Vol. 1, p. 713).

29. Even before the Reforms, attempts were made in some provinces to invest the Panchayat with certain powers. Thus in Madras, even in 1918, there were a number of informal Panchayats for general purposes, constituted on a voluntary basis and without legislative sanction, in the smaller villages. There were also Forest Panchayats created as a result of the recommendations of the Forest Committee (1913). In 1918, there were 1010 such Panchayats of which 319 were looking after village sanitation, water-supply, etc. It was to provide a legal sanction for the levy of taxes that the Madras Village Panchayats Act of 1920 was passed. It is, however, only after the Reforms (Local Self-Government becoming a Transferred subject) that attempts were made in most provinces to start to revive Village Panchayats.

30. Each province has its own peculiar problems, though there are some common problems affecting the rural economy of India as a whole. Thus Bengal with her water-logging and floods and the Deccan with her precarious rainfall, each call for different types of activity. The term village has for the most part an arbitrary connotation, which differs enormously in various parts of India. There is no rough homogenous unit which can be described as a village. "In large parts of Bengal, where owing to the peculiar configuration of the country, the houses are scattered without any reference to civic unity or corporate life, there is nothing which corresponds to a

village in the ordinary sense of the word and the village is merely a unit demarcated for revenue purposes. In North and Western India, however, there is more correspondence between the unit of area and the unit of residence. The village here has a distinct residential aspect." "The village in Bombay proper, though consisting in fact of several hamlets, does in most tracts possess an almost indefinable sense of solidarity. In Sind, on the other hand, the survey was working on more pliant material and new villages were created as occasion demanded." (Bombay Census Report, 1921) In South India, subject to local variations, the village resembles the residential unit of North and Central India. On the West Coast, however, the corporate unity of the Tamil districts is absent. (Census of India 1921, p. 79) In Assam there are three distinct village units, one based on the cadastral survey, one on the ancient *gram*, and one in the hills, which usually consists of a collection of houses.

31. As regards Panchayats or Village Committees, if they are to function efficiently as of old, apart from the encouragement given by the Executive or the Legislature, we attach importance to two factors, one socio-economic, and the other moral.

## CHAPTER VI

### **Panchayats Administration.**

32. Compared with the other provinces, the Panchayat system has achieved the best results in Madras, though even here pessimists are not wanting. Here they are independent and elective



entities, independent of, and not standing in any subordinate relationship to, the District or Taluk Boards. Whether this is the best system for all provinces is open to question, especially as it is antagonistic to the main recommendation of the Decentralization Commission on this point. The Panchayats would furnish an electorate, which should certainly not be overlooked by Local Governments, in dealing with the methods by which Sub-District Boards could be constituted.

33. Under the Madras Act XV of 1920, the functions which a Panchayat may exercise are divided into five classes :—

- (a) Functions which it may exercise on its own initiative.
- (b) Functions which it may exercise when authorized by Local Boards. The revenues from markets, cart-stands and slaughter-houses cannot be foregone by a Local Board. In the case of fairs and festivals, education and medical relief, clause 16 lays down that a Panchayat may exercise functions in respect of them only when authorized to do so by the Local Board.
- (c) Village forests.
- (d) Management of any institution, execution of any work which may be entrusted to it by any body, with its consent.
- (e) Whatever functions Government may devolve on them.

4. Official reports on the working of these bodies are optimistic about their future, and plead for an extension of clerical, administrative and field staff. to look after them. The Registrar-General of Gram-Panchayats, Madras, points out that a two-fold policy of scattering and of intensely developing them in a few selected places, is being simultaneously pursued and advocates that coercive measures be introduced to compel recalcitrant Panchayats to function. But we may have our own doubts about the wisdom of the measure. The numerous Forest Panchayats must cease to exist and their powers be conferred on the ordinary Panchayat. The anomaly that Forest is a Transferred subject, while Forest Panchayats and Irrigation are classed as Reserved and are under the portfolio of the Revenue Member, is apparent to anybody.

The comparative success of the Panchayats in Madras was in a large measure due to the fact that the departmentalism of the Revenue Department was not an obstacle to its growth, but recently, however, under the guise of paternal supervision, a new policy has been inaugurated by the Madras Government.

(a) The village is being drained of its ablest members. As far as possible, suitable opportunities must be offered in the village itself for the utilization of its capacity. The force of educated middle-class unemployment, coupled with the growing recognition of agriculture as a profession, and its reformation on the American lines, is now beginning to assert itself as against rural depopulation, which has proceeded for decades in India.

(b) Though all must co-operate in works of public utility, there must always be persons to supervise, guide and control. In ancient days, the village elders were instinctively revered and obeyed. "They therefore came to be entrusted with the powers with which the community was endowed. There ought to be a revival of the ancient instinct of reverence for elders amongst the minds of the villagers. To use a simile, in a joint Hindu family the authority of the elders is unquestioned, they are instinctively revered and obeyed, similar must be the case, with the village elders." (*Altekar*, "Village Communities", 130.)

To achieve this however, comprehensive adult education would be necessary. Such adult education, as is carried on, is inadequate and useless, and confined to Bengal and the Punjab. The vernacular press has a solemn duty, and it can do a good deal towards fostering and developing this instinct for corporate action, that our village may be made a starting point in public life, by pleading for rural revival and annihilating communal friction and difference.

35. In Bombay, the Panchayats are too much under the District Board and they may undertake only such works as the District Board may direct. Their budgets are to be submitted to the District Board. They undertake minor sanitary improvements along with the older Village Sanitary Committees. Though there are 271 Panchayats, their success has not been in any way striking. (*Local Self-Government Year Book*, 1928). The Village Panchayat Committee, appointed by the Government,

which went into the whole question, has suggested, for the resuscitation of the Panchayats :—

- (a) that the Government should make provision of grant-in-aid ear-marked for the development of Panchayats;
- (b) that the Government should appoint a Registrar-General, as in other provinces;
- (c) that they should be vested with civil and criminal powers, and
- (d) that taxation under the Village Panchayat Act should be made optional, as in Assam; and that all receipts from cattle-pounds, grazing fee, revenue from unclaimed lands and fines for encroachment on the land of the Panchayat, should go to add to the Panchayat fund.

36. In the Central Provinces, there are no Irrigation or Forest Panchayats, as in Madras. Apart from the powers of control and inspection vested in District Boards, Revenue officers are empowered to examine the administrative proceedings of any Panchayat and call upon it to furnish statements and accounts.

37. In the United Provinces, the success of the movement varies with the enthusiasm of the District staff. It is perhaps official influence that is responsible for the uneven and sometimes unsatisfactory work of the Panchayats in a province where most of the fragments of ancient village government are still to be seen. ✓ There is no election to Panchayats and Panchas are to be appointed,

suspended and removed by the Collector. The Collector may call for and inspect the records of any Panchayat and cancel the jurisdiction of any Panchayat with respect to any suit or case. Official reports point out that there must be weeding out of bad Panchayats, rather than starting new ones, and admit "that they have done much in matters connected with petty village improvements and can do more still to further the causes of sanitation and Co-operative Credit." The process of weeding out unsatisfactory Panchayats in the United Provinces has now been practically completed and the number of Panchayats in 1925-26 rose to 3984, while the population affected by them is eight millions.

38. The compulsory functions in Punjab Panchayats include the construction and maintenance of public ways, wells, ponds and tanks. Their optional powers are those transferred to them by the District Board, planting of trees and maintenance of libraries. A province, which shows the best record in the matter of co-operation, curiously enough does not show considerable success in this department. The record of the Punjab Panchayats, however, is not hopeless and official reports are optimistic about their future. Their chief difficulties are financial and they find great difficulty in collecting the profession-tax.

39. In Bihar and Orissa, grants are made according to the needs of different areas but in Bengal and Madras, the larger districts, which collect more cess, receive the same amount as the poorer districts, for these larger districts have larger responsibilities. The Forest

Panchayats in Madras impose restrictions upon the grazing of cattle and the felling of trees which are resented by agriculturists living within the vicinity, and this dispute between the Forest Department and the poor agriculturist has led to agitation of various kinds. Especially during the Non-co-Operation period so great was the hatred for the Forest Departments, that certain Forests in the Punjab and the United Provinces were destroyed by incendiary mobs. Hence in many provinces, many of the smaller Reserves, which are valuable for the grazing facilities afforded to neighbouring villages, have been handed over to Panchayats for management. In Madras these Forest Panchayats were originally under the control of a Forest Panchayat officer, but under the guise of more efficient supervision, these Forest Panchayats early in 1928 were handed over to the Collector. The interference of the Revenue Department, it is justly apprehended, will lessen the popularity of these institutions.

40. The advantages of the system of grants-in-aid for specific purposes are pointed out by Mr. Goode, I.C.S., in his evidence before the Taxation Enquiry Committee. (Vol. V. p. 509.) "This system gives a very effective method of exercising some indirect or external control over local administration, in regard to which they no longer have internal control. The policies of local bodies are apt to be inconsistent and ill considered and Government have thus an opportunity of focussing greater attention on branches of administration, which may tend to become neglected." The danger inherent, however, in this system is pointed out by the Financial Relations Committee of Madras (1920). "It is the duty of Government

to insist that all grants from provincial funds are spent to good purpose; but meticulous interference with a local body's freedom is likely to defeat its own end."

## CHAPTER VII

### **Panchayat Education.**

41. The fundamental problem in village education is now to enable the son of the agriculturist and the labourer to help in the fields and yet continue his education. Attempts have been made to introduce half-time schools in the Punjab, but have met with little or no success. Save in the Central Provinces, the half-time schools maintained by local bodies do not seem to have been a success. This is due to its being made "the normal instead of a peculiar type for rural tracts and to its offering a full course to those who required it." Another suggestion that has been put forward is a system of contract, under which every parent would be required to deposit a certain sum of money, to be forfeited in case his boy failed to attend school. The Madras Government, for some years after the Reforms, inaugurated and worked a system of capitation allowances to every parent, as compensation for sending his child to school, but abandoned it owing to financial stringency. This solution is not free from difficulty, and before we introduce this system, it may be pertinent to remark that we must know the full particulars of the boy's life—in what operations he helps, to what extent, at what times of the year, and for how long and how much the father loses by letting him go.

42. An essential condition of progress, in provinces like Madras, Bombay and Bengal, is that District and Taluk Boards must consent to delegate their functions to Committees of their own. It must be remembered that the Bureaucracy is by no means over-sympathetic towards the administration of local boards in the matter of education. The picture, however, is not so dark as is painted, and the Local Board Schools do not merit such serious disapprobation. The net results of comparatively de-officialized and decentralized education in 1927 in British India may be stated thus:—Great and concerted attack on illiteracy has been made in the Punjab and the inefficient one-teacher school has ceased to exist. In Bengal, there is provision for agricultural instruction, in association with ordinary rural schools, by training teachers for that purpose, special grants being made by Districts Boards to schools for starting such instruction. In the Central Provinces, the progress has not been satisfactory, but one feature is the encouragement given to the physical development of boys in connection with rural schools by the starting of *akharas*. In Madras, there are about 300 Panchayat schools, in some of which children of the depressed classes receive their instruction.

43. In Assam, however, there are no Local Board schools, and the expansion that has taken place in primary instruction, is due to missionary efforts. Similarly in Burma, the recently constituted District Councils do not take an active part in the work of primary instruction. The monastic, and national schools greatly outnumber them and constitute the bed-rock of rural education. In the United Provinces, the passing of the United Pro-



vinces Primary Education Act in 1926 marked a distinct advance towards the goal of free and compulsory education for boys. It empowered District Boards to introduce compulsory education in rural areas, in the same way as municipalities had been empowered to do in urban areas. Primary education, on a voluntary basis, has however met with little success. The resources of most Boards were not equal to providing free education without Government help. The latest Administration Report disparagingly writes: "The number of scholars in primary schools in the United Provinces rose to nearly one million and the number of primary schools to 18,220, but many of the latter were without buildings. Generally speaking, Boards were more anxious to obtain good results on paper than to consolidate the ground already won."

44. The number of public elementary schools rose from 33,624 in 1921-22 to 46,378 in 1926-27. In 1927, the number of villages with a population of over 2,000, which were unprovided with schools, was 51 as against 195 in 1922. But the situation is far from satisfactory. The correct policy would be to develop indigenous schools and make them eligible for aid. The equipment of many aided schools consists only of one black-board. Even in rural areas, good school gardens are seldom seen. In this connection the remarks of the Registrar-General of Panchayats (1926-27) are pertinent. He points out that the first year's working of Panchayat schools (about 1,400 in number) has been more than encouraging, and furnishes not a little justification for the hope entertained that along the lines of the Panchayat schools may probably lie the

correct solution of the problem of the proper authority for managing elementary schools in villages and of the equitable distribution of the financial burden of elementary education.

## CHAPTER VIII

### **Panchayat Sanitation.**

45. There are at least four possible agencies for sanitary and medical improvement of villages: (a) village; (b) village inhabitants; (c) village proprietor; (d) the Government. Of these four agencies, Mr. Coatsman remarks (India in 1926-27 p. 305), "the distribution of the population, general poverty and backwardness in education, make it inevitable that all improvement in sanitary conditions should be almost entirely the work of the State. Diseases like hookworm, malaria and kala-azar are endemic in many parts of the country and although these are all preventible, their prevention requires an amount of labour, financial expenditure and determination, which in existing circumstances can hardly be looked for, from the people themselves." This statement is misleading, as it hardly represents the complete truth. Before the introduction of the British Revenue system, the village inhabitants and officers looked after the sanitary needs of their areas, and they felt no need for the costly Public Health Departments that we have in most provinces of India.

46. There are now rules in every province, laying certain duties on the village headman, assisted by other officers. He is to watch the sources of water-supply, the

condition of burial and cremation grounds and provide open ground for conservancy purposes etc. (Village Officers' Manual, Madras). Rural sanitation would be placed on a stable basis, if the sweeper class, who are more or less the general servants of the Lambardar are to be assigned definite duties, as in ancient times, and their remuneration placed on a permanent basis.

47. In Madras the functions of Union Boards are mostly sanitary but they have not been a definite success, as their financial resources are meagre. When, however, they are able to levy and collect profession-taxes, they will be able to undertake greater responsibilities. One reason for their comparative failure which is admitted in all the official reports is that the areas under their jurisdiction are large. It is therefore that attempts are made to secure rural sanitary improvement through more democratic and natural unions of villagers, the Panchayats, each operating within the sphere in which by its constitution it is most likely to possess influence. Many of the Panchayats in Madras, in lieu of money contribution, compel each and every house-holder, to keep his house clean, both front and back, by private arrangement with one of the village sweepers and also to give his quota in labour, if any public work has to be done. "This is working up from ancient village custom, instead of down, from a foreign and not yet assimilated institution." (Sir F. Lely).

48. Union Boards have been a success in Bengal and Lord Ronaldshay writes: "This salutary return in the direction of the indigenous system is breathing new life into Local Self-Government." He further on writes:

"The village is still the fundamental unit in the communal life of India, and it is worth-noting that in a Conference of Union Panchayatdars in the Dacca District, the feelings of the village population expressed themselves in the proposal for the abolition of District Boards, a proposal, which was carried."

49. In Bihar and Orissa and the Central Provinces, there are special Village Sanitation Panchayats. In estimating their work we must not adopt too high a standard. They have done much in matters connected with petty village improvements and can do more still to further the causes of sanitation. There must not, however, be too much of official interference in the work of Panchas in this direction.

50. The village authorities set up in Assam recently are elected by the villagers themselves for the execution of easy duties, like those connected with water-supply, sanitation of wards, drains, jungle-clearing, medical relief, etc. If the experiment proves successful, it is intended to transfer more powers to them.

51. In Bombay, there are both Sanitary Committees and Village Panchayats working towards the improvement of rural hygiene. The work of the former is not satisfactory and Dr. Mathai traces this to the fact that the area under their jurisdiction was very small. This, however, is not the important reason. The fact that the area under their jurisdiction was very small ought, on the other hand, as in the case of Panchayats in Madras, to have contributed to their success. The real explanation of their failure lies in their not reckoning on the co-operation

of the village public. In the matter of propaganda, Panchayats, apart from legislative or official initiation, can play a conspicuous part. So long ago as 1881, it was noted in Bengal that in several villages, where retired Government servants had settled down, informal Panchayats had sprung up which drained dirty places with funds collected by villagers. (Report of the Sanitary Commissioner, quoted in Dr. Mathai's book). If there is any organisation in the village, a piece of communal land may be set apart for the storage of manure, a cess may be contributed by the people for maintaining scavengers and latrines may be put to prevent the indiscriminate fouling of the village.

In this connection, we may also note the systems of medical relief in rural areas that have been inaugurated in some provinces by the Local Boards, and in others by the Provincial Government. The Bengal District Boards were the earliest to inaugurate medical relief by subsidizing medical practitioners in rural areas (1922). For a long time, the subject of medical relief did not evoke the enthusiasm of the Boards in the United Provinces. It is only recently that a scheme of medical relief through Ayurvedic and Unani dispensaries has been established. Taluk Boards in Madras have launched a carefully prepared system of medical relief. The maintenance paid to doctors and towards the establishment has been criticized as being inadequate, but the system so far as it has spread, is working fairly satisfactorily. In Bombay, medical relief through Pracharaks or subsidized village schoolmasters is a matter of the Government and all the official reports point to its success. In the Central Provinces

again, the Public Health Department maintains travelling dispensaries, but as yet they are inadequate and few in number. As regards the Punjab rural dispensaries, Mr. Brayne points out in his evidence that hygiene will never make strides in the villages till the rural dispensaries are put under the Department of Public Health and points out that simultaneously there must be propaganda and solid hard work. It should be possible to make an ideal village, where all health conditions are as near perfection as possible and means must be devised to persuade the villagers to visit this typical village. There must be such a typical village in every Taluk. Any village which admits of improvements must be made a typical village and if possible, made a place of fairs, so that it might be visited by as many people as possible.

53. The removal of sweepings in front of houses is cast upon village menials in some provinces by paying them by murras at the time of harvest. The sanitary arrangements to be made during festivals are undertaken by some Panchayats in Madras. The dispensaries started by the had, however, to close down, as the Government grants in their aid were not forthcoming. In face of popular apathy in the matter of sanitation, the meagre resources of Panchayats have been able to do but little. It is essential that Taluk Boards should make grants to them as they relieve them of a great deal of responsibility in the matter of sanitation and water-supply.

54. When it is remembered that railways and roads tend to promote the spread of disease, it will be realized that the villager's health must deteriorate unless we adopt

means to provide him with a line of defence against infection. Major Jolly, in his evidence before the recent Commission on Agriculture (Vol. XII. p. 148), summarizes that sanitary measures consist of three parts:—

(a) A District Health Service of men devoted exclusively to the prevention of disease.

(b) Measures directed primarily towards the improvement of environmental conditions, for example, water-supply, housing, drainage and conservancy.

(c) Measures to improve the health of the individual, *e.g.*, medical inspection of school children, sickness insurance, welfare work. He also points out that in the case of conservancy, housing and village lay-out, the Circle Boards and Village Committees of Burma can do much. Especially in Burma, for too many die in the prime of life. Plague and cholera are "partly occupational diseases, the former affecting workers in and about rice-mills, the latter being characteristic of harvest labour, because harvesting is a thirsty occupation and men are tempted to drink from the nearest water, however, filthy." (Agriculture Commission Report, Vol. XII. p. 264.)

## CHAPTER IX.

### **Panchayat Public Works.**

55. The usual form of executing public works was by voluntary co-operation amongst villagers. This spirit of voluntary co-operation persisted down to the very end of the 19th century in most parts of British India. Elphinstone writes: "Villages in south and west India

sometime raised the necessary sums by a public loan, the debt was gradually redeemed by an additional annual assessment; and sometimes even by mortgages of village lands on the part of villagers." A system of indigenous irrigation prevails in Beluchistan, where the cultivators, as a body, construct immense dams for water to the surface. An expert cultivator called the Raza superintends the work and every village has to supply its quota of men and bullocks or, should it fail to do so, has to pay a proportionate amount in cash. Imperial Gazetteer) The small village tanks more than often than not dry before the hot weather, but so long as they contain water, the wells near by never fail, and even after the tanks are dry, the wells continue to give a supply. Any improvement which maintains the supply in these tanks is of great benefit to the village. If the villagers agree to pay a small contribution, we may remedy a grievance that exist in most districts of Madras and Bombay. Experts must be provided by the Government and they must utilize village labour. This is the only satisfactory solution of the problem. As a matter of fact, communal labour is employed in certain parts of Madras. "The whole arrangement is under the control of a village officer, appointed by the cultivators. These officers have the right of fining any cultivator, who does not supply his quota of labour, and where a fine is not paid, the officer refuses to let water on to the land of the defaulter." (Report of the Madras Forest Committee).

56. Of late the tendency has been to commute this labour into a cess to be paid by all villagers, especially in the case of repair of channels, supplying water to different



villages, in which case communal labour is not so easily forthcoming. It is a testimony to the lingering corporate life of Indian villages that this Kudimaramat survives in a number of villages in Madras, and that school buildings, minor irrigation works and famine works are still undertaken by either the entire body of villagers or by the wealthiest man in the village, on behalf of the community. For ensuring an equitable field-war distribution of water, many villages have employed special Nirimikkars. (Report of the Registrar-General of Panchayats, 1924-25). In Madras, it has been calculated that works maintained by such communal labour irrigate collectively an area equal to that irrigated by all the larger works which have been constructed by the British Government. In this province Village Panchayats have executed satisfactorily a number of Public Works. They have looked after the maintenance of roads and some have executed on contract system the construction of Taluk Board Roads. In Lower Burma, even now, footpaths are a charge on the village community.

57. In Mysore, there is a satisfactory system of grants to Panchayats according to the amount of labour which the villagers have put in the construction of tanks and wells, needed in the village. Thus, in the Administration Report of Mysore, we read that "villagers contributed Rs. 47,083 in cash or labour and the Government responded by grants amounting to Rs. 44,978 and many public works were constructed by Panchayats."

58. In Bihar, under the Private Irrigation Works Act of 1922, if the Collector finds that any small irriga-

tion work is not properly maintained, he may vest the maintenance of such work in any of the following agencies: (a) A Panchayat of not more than nine persons, interested in the maintenance of such work; (b) a village headman. Where the said work is to be formed by enclosing embankments, the village agency has the right of excavating earth. The villagers are to pay the cost of maintenance, as settled by the order of the Collector. The Bihar Act has not till been a success, as the initiative lies with the Collector.

59. Similar powers are vested in the Collector in Bengal under Act VI of 1920, by which if he considers that any work for the improvement of the agricultural or sanitary condition of any area be necessary in the eye of the local authority, he shall cause the undertaking of such work, subject to any modification he may make. The Bengal Act is essentially one for the protection of Government interests and because of the absence of a headman has not been made use of. There is also another provision in the Act in Bengal, which has made the local authorities apathetic. If the Collector is satisfied that any water channel, embankment or dam vested in a local authority is being neglected, he shall report through the Commissioner to the Local Government, who may direct that the duty of maintenance be undertaken by the Government itself.

## CHAPTER X.

### **Panchayat Courts.**

60. Maine has put forward the view that Panchayat courts owed their existence to the prevailing anarchy in

the country, there being no Government outside the village capable of giving authority to any other court. This is not correct. The Panchayats ceased to exist because the British Government did not delegate its judicial powers to them. "It would not, like Shivaji or Ibrahim Adil Shah, refer every dispute back to the Panchayat of the village. It set up its own courts and appointed its own officers, with authority to entertain all suits. And what was still worse, it would not enforce the decisions arrived at by the local Panchayat courts. When people discovered that the power of the State was behind the newly-established tribunals, they abandoned their old courts and resorted to the new ones." (Altekar "Village Communities" p. 53).

61. After the transference of Local Self-Government Department to popular control, the provincial legislatures have tried to utilize village Panchayats, to assist in the administration of civil and criminal justice. Progress in this direction, it was expected, would check wasteful litigation and awaken in the people a sense of their responsibility for improvement. Apart from their powers to try petty offences under the Indian Penal Code and the Cattle Trespass Act, Panchayats in Bihar and Orissa are vested with exclusive civil jurisdiction to try cases whose value does not exceed Rs. 25 and concurrent jurisdiction to try suits, whose value does not exceed Rs. 200. There is no appeal from the decision of a Panchayat court, though the District Judge may cancel or modify the order of a Panchayat, if he is satisfied that there has been a failure of justice. In criminal suits there is no appeal by convicted person, though the District or Divisional

Magistrate may cancel or modify any order of conviction. The District Judge and the District Magistrate always have the power to inspect the proceedings and records of a Panchayat.

62. Under the Punjab Village Panchayats Act of 1922, Panchayats are vested with powers to try petty offences under the Penal Code, the Cattle Trespass Act and the Punjab Primary Education Act. Its civil judicial powers extend to the right to try suits on contracts or moveable property, when their value does not extend to Rs. 50/-. No sentence or order passed by a Panchayat is subject to appeal or revision in any other court. The civil and criminal jurisdiction thus vested is an exclusive one and civil and criminal courts are expressly prohibited from trying any offence or entertaining any claim exclusively vested under Sections 22 and 26 of the Panchayat Act, in these bodies. The finality of the orders passed by a Panchayat was felt to be irksome and later an amendment of the Act was made under which if a Panchayat has passed a decree not unanimously but by a majority of votes, any party aggrieved may, within one month of the order, apply to the Deputy Commissioner, who shall direct a retrial by a Joint Panchayat, consisting of the members of the Panchayat which passed the order and the members of a neighbouring Panchayat in the same district, the decision of such a Panchayat being final.

63. In Bombay, under Act IX of 1920, Panchayats have merely administrative powers and no judicial duties.

64. In the Central Provinces, under Act V of 1920, certain members of a Panchayat are nominated by the

Deputy Commissioner as Magistrates of a Village Bench to try petty offences under the Penal Code and the Cattle Trespass Act. Where complaints are given to Magistrates of offences which may be tried by a Village Bench, they are directed to return the complaint to be presented to the Village Bench. Village courts to try civil cases are similarly appointed by the Deputy Commissioner and they have jurisdiction in suits for ascertained sums or moveable property not exceeding Rs. 50/- in value. This jurisdiction is exclusive. The Act is very comprehensive as to the finality of the decrees and orders by the village courts and Benches; it lays down that "they have no power to alter a decree or order, whether ex-parte or otherwise, and they shall not be subject to any appeal, review or revision at the hands of any court or authority." Under section 62 of the Act, the Deputy Commissioner, for just cause, may cancel the jurisdiction of any village court or Bench or quash their proceedings. To prevent miscarriage of justice in intricate cases, owing to ignorance of Panchayat-dars, it is provided in the Act that village court and Benches may send up intricate cases to the Deputy Commissioner for orders.

65. In Madras, Panchayats are distinct and independent bodies from village courts or Panchayat Courts, as they are sometimes called. It is the Local Government that establishes and disestablishes such Panchayat Courts and the pecuniary limit of their jurisdiction is Rs. 50. To encourage popular resort to these courts, it is provided in the Act that when a suit triable by a village court is instituted in the court of a District Munsif, he should transfer it to the village court and that where a District

Munsiff tries a suit which is triable by a village court and is of the opinion that the suit ought to have been instituted in the Panchayat Court, no costs shall be allowed to a successful plaintiff and a successful defendant shall be allowed his costs as between pleader and client. Criminal powers were for the first time conferred on the village courts in 1920 in petty cases; and it is also provided that, if at any stage of the proceedings, it appears to the court that the case is one which ought to be tried by a Magistrate or that the accused should receive a punishment more severe than that which it is empowered to inflict, it shall submit the case to the Sub-Divisional Magistrate, who may transfer the case to his own court or of any other Magistrate. There are no appeals from Panchayat Court sentences, but it is provided "that the District or Divisional Magistrate may set aside any conviction on the ground of corruption, partiality or misconduct on the part of the Court."

The record of the Punjab Panchayats is almost negligible in the matter of administration and even in judicial work; official reports have themselves admitted that they are at default.

66. In the United Provinces, both the appointment and suspension of Panchas is left to the Collector, and being perhaps too much official ridden, they have not achieved much result. It is pointed out in the Administration Reports of 1924-25 and 1925-26 that they do not constitute any great relief to the regular courts, but form a convenient debt-collecting agency for the village leader. Whether this is a desirable condition is open to question. In

Bombay, as already mentioned, Panchayats have no judicial function and it is partly because of this factor that they have ceased to function even as administrative entities.

67. In Bengal, Bihar and Orissa, Union Courts and Benches are declared in the official reports to be extremely popular. But such eulogy is open to criticism. Where the magistrates are men of character and inspire trust in their integrity and impartiality, their work is satisfactory. But in a number of cases, villagers look upon them as agents of an unsympathetic Bureaucracy.

68. The chief obstacles to the success of Panchayat Courts in Madras have been factions in the villages on the one hand and the presence of law touts, on the other. Primarily in the interests of the people themselves and secondarily as a relief to the regular courts, they ought to be encouraged. An essential condition for their success is that Panchayatdars should be elected and not appointed by Government officers and the powers vested in them must be substantial. It is significant that where Panchayatdars have no judicial duties, they cease to command the respect of villagers, as in Bombay, and their administrative record is lamentable. Independent of legislative or official sanction there have been from time immemorial Caste Panchayats, functioning like a Village Panchayat. Their jurisdiction is exercised in such matters as the recovery of debts, inheritance and partition of family property. They also try criminal offences, like theft and use of abusive language. Sometimes, they try more serious offences, like kidnapping, enticing a married

woman and murder. These sometimes help and sometimes prevent the regular administration of justice. In the interests of economy and to prevent ruinous litigation, Caste Panchayats ought to be countenanced as far as possible and their jurisdiction fostered.

## CHAPTER XI.

### **Panchayat Police : Famine Measures.**

69. Apart from the Village Headman and the Accountant, who play a large part in the revenue administration of the district, is it possible to any extent to resuscitate and retain the other functionaries and units of ancient village life? Down to very recent times, before the era of centralized police, the village watchman could reckon on the co-operation and sympathy of other villagers. The joint responsibility of villages for crimes is still enforced in parts of Burma, Sind and the Punjab by the levy of a fine on the whole village, which is collected as if it were a revenue demand. As Sir Thomas Munro pointed out in his time, the village watchman and the headman were still, though to a limited extent, the backbone of the Indian police administration. In Bombay, the village police are paid by perquisites paid by villagers. A similar system prevails in Sind.

70. In Bengal, Orissa and the Central Provinces, the village police are paid from the Chaukidari tax paid by the villagers. In Bengal, after numerous changes, by the Act of 1922, the village police are paid by and responsible to a Panchayat. Except in Bengal, the village



headman is still the head of the village police; in Bombay, he is allowed to investigate and punish petty offences without the intervention of the police.

71. The importance of the village magistrate has increased in Madras because of (a) abolition of the village-beat system; (b) his being empowered to try minor offences; and (c) the system of rewards, which was inaugurated during the Non-Co-operation period. There are, it is true, complaints about the abuse of the powers of the headman, but with the gradual disappearance of petty jealousies and factions in the village, the system is bound to work satisfactorily. One feature of Burmese organisation may be noted in this connection. One man, out of ten houses, known as "Guang" looks after the internal safety of the village. Officials admit that the system is working satisfactorily, as the office of an elected "Guang" gives him a certain amount of standing in Burmese villages.

72. The problem of saving a portion of the population from starvation, in some part of India or other, is an annually recurring one and the necessity of using village institutions therewith has been expressed in a number of reports. Sir R. Temple in his evidence before the Famine Commission emphasises that the only satisfactory precaution against famine mortality was the enlisting into relief service all the village institutions or village officers. He remarks: "They have necessarily a complete knowledge of every family in the village. In most cases, they have no motive to do otherwise than right. Whenever they have behaved badly as a body

the fault must be either with the Collector or his subordinates". (Indian Famine Commission Report 188. Appendix 11, p. 51).

73. All the famine codes lay down that relief is to be given through a committee of elders in the village or through the headman, accountant and the watchman. When relief works are started, sometimes they are under the control of the Collector, a piece of departmental work, or they are under the management of the village itself, helped by a grant from the Government. In the United Provinces, the practice is for the Collector to encourage in advance agreements with the Lambardars who become responsible for the cost and erection of village works. To those who have faith in the system, the official report of the system of village relief works at Hissar in the Punjab will bring some hope. "The position assigned to the village headman was rarely abused, the villagers showing a readiness to co-operate loyally in carrying out the intention of the Government." (Dr. Mathai, "Village Government in British India").

## CHAPTER XII.

### Panchayat Finance.

74. It is in evidence that in pre-British days there was a Village Fund, made up by contribution of part of the total taxes collected in the village. Whether a lump sum was assigned or particular taxes were localized, we do not exactly know. Perhaps both systems were prevalent in different provinces. This ancient village fund

enabled villagers to entertain guests, to spend on charities, to organize festivals, to relieve the poor and the distressed, to finance shows and dramas and to present nazars to officers, without themselves being compelled to contribute for that purpose.

75. Its modern analogue is the Panchayat Fund, established under the various Panchayat Acts of different provinces. The three chief sources of income for Panchayats in Madras are (a) house tax on the capital value of buildings situate in the village; (b) profession tax; and (c) grants from Local Boards, which are negligible. The Decentralization Commission have suggested that a portion of the land-cess raised in the village by Local Boards might be made over to the Panchayat. But this suggestion is not practicable in most provinces having regard to the financial condition of the Local Boards and the demand made on their funds.

76. Both in Bengal and Madras, provision is made for crediting to the Panchayat fund any contribution that a Local Board or the Government may make to a Panchayat. The Madras Village Panchayat Act recognizes that it is impossible to provide by Statute for all possible means of taxation and hence discretion is given in the Act (Clause 24.) to levy whatever tax it may find to be convenient. Octrois on sale of village produce have been commended as an eminently suitable form of village taxation (*Vide* evidence of Mr. Gopalaswami Aiyangar before the Taxation Enquiry Committee.) As far as Madras is concerned, if the free-tax and the tax of one Rupee per each village site natham, and the land revenue

collected from pattadhars, every one of whom is paying one rupee or less, are raised by the Government in favour of Panchayats, not only would the latter to-day get a revenue of 15 lakhs, but the total cost of the Land Revenue Department would be reduced from the present extravagant 250 lakhs to 175 lakhs of rupees. The Madras Government is contemplating this reform, and if carried out, will have far-reaching consequences on village development.

77. In the Central Provinces, the mainstay of Panchayat Finance is a tax on houses or lands within the Circle. Fees levied for the institution of civil and criminal cases, sums contributed by the Government and Local Bodies are other sources of Panchayat finances.

78. The village-rate levied by Panchayats in the Punjab is a multiple of fraction of the amount payable in respect of the Chowkidari-tax. They are also vested with special powers, to buy an additional special rate, if it is confirmed by two-thirds majority of the adult rate-payers of the village. The sources of the Panchayat fund are (a) the rates above-mentioned, (b) fines and the cost of execution of works, (c) donations from individuals and grants of Government, and (d) fines collected.

79. In the United Provinces, there is a village fund which is administered by the Panchayat and it consists of fees levied for the institution of suits, sums contributed by Government, local bodies or private persons. Unlike the Madras Panchayats, they are not authorized to impose any tax or fee under the Act. The Village Committees

of Burma have no independent taxing powers. They levy a fee of one anna in the rupee on all civil suits instituted before them and fine offenders in petty criminal cases. (They are, however, few in number and perform only those administrative acts delegated to them by the Circle Board. The village authorities elected under the Assam Rural Self-Government Act of 1926 are not similarly vested with any general powers of taxation, though under the Act a general Village Development Fund as well as separate village funds for each village are to be established.) (India in 1926-27, p. 297).

80. In Bombay, Panchayats are distinctly better, as far as finances are concerned, though in the matter of powers, they are far below the Madras Panchayats. Their sources of income are house-tax, fines, sale proceeds of all dust, dirt or dung. The grants made by District Boards are however, negligible.

Though theoretically it may be true "that the narrower the limits of tax jurisdiction, the more clearly are the benefits of the expenditure of the tax realized and the greater is the willingness of the people to submit to further taxation, (Report of the Registrar-General of Panchayats 1924-26) it must be always remembered that "between reduced taxation and improved social position the taxpayer would vote for the former and that he must live before he can enjoy the pleasure of life" (Taxation Enquiry Report, Vol. V, p. 432)

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**PART III: SUGGESTIONS.****CHAPTER XIII****Resume.**

81. We have tried to give in the preceding chapters a picture, rough and imperfect as it is, of the working of the institutions of rural Self-Government in our country since the momentous Resolution of the Government of India on the subject in 1918. And two things strike one in this picture: first, the great possibilities of the movement of village Self-Government in India, and second, the extremely slow progress made by us during the last eight or nine years in this direction.

82. It is always well to bear in mind that rural Self-Government means or ought to mean the conducting of village affairs by the villagers themselves through village institutions. These last are the real local bodies. District and its Subordinate Boards may, and indeed should, have a large and important place in any scheme of rural Self-Government in India, but its foundations must be laid deep and wide in village institutions, or, in other words, Gram-Panchayats. This fact was clearly seized by the Decentralisation Commission, who frankly said: "It is probable indeed that the scant success of the efforts hitherto made to introduce a system of rural Self-Government is largely due to the fact that we have not built from the bottom." (Decentralisation Commission's Report, 1909, para. 699.) This was also recognised by the Government of India in their Resolution on local

Self-Government of 1915, and has been reiterated and developed in the Government of India Resolution of 1918 referred to in the above paragraph. The progress or otherwise of rural Self-Government must be judged therefore primarily by the advance made in developing Gram-Panchayats in various parts of the country. Village unions are fruits, as it were, of the tree of rural Self-Government. As a tree is judged by its fruit, so also a system of village self rule will be appraised by the number and efficiency of village unions or Gram-Panchayats working under it.

83. The instinct for corporate life, without which Self-Governing institutions can nowhere grow, has been an old instinct among us. It manifested itself in our village communities, and in our practically autonomous Panchayats. These fell into decay during the period of confusion and anarchy that preceded the establishment of British rule in India. And though no serious attempt has been made till recently (since the Reforms) to revive and reconstruct these, the instinct for corporate rural life is not yet dead among us. The success of the Co-operative Movement is a proof of it. The fact that in some parts of the country, even in recent periods, informal Panchayats for general purposes and on voluntary bases had grown up from time to time is further evidence of the still living spirit of corporate activity among our people. It is noteworthy, as we have pointed out in a previous chapter, that in Madras even on this day works maintained by communal labour, (i.e., supplied by the villagers themselves) irrigate collectively an area equal to that irrigated by all the larger works constructed by the British

Government. These facts disprove the charge, lightly made sometimes by unfriendly critics, that the Indian people are inherently incapable of developing Self-organised group life. Our progress to complete Self-Government, building from the village upwards, may not be all smooth sailing. But the difficulties we may have to face are dependent more on circumstances than due to any original defect in our national character.

84. The blame for the slowness of progress of rural Self-Government has often been lain at the door of the masses. But to any one who has cared to study this problem beyond its surface this will appear as unjust, if not positively cruel. The masses nowhere on earth take the initiative in these matters. They do not shape and control the conditions in which they live. It is beyond their power to do so. Even in Europe, the development of rural Self-Government is not left to the initiative of the masses there. The lowest unit is compulsory there and the rural people must accept it. To make our masses take to the institutions of rural Self-Government it is essential that the constitution of these bodies should be so framed as to inspire not merely confidence but a certain amount of enthusiasm in them. Even this may not be sufficient. Propaganda and sympathetic guidance (and not interference) may be necessary in the earlier stages of their growth.

85. The Resolution of the Government of India on Local Self-Government issued in 1918 is conceived in a liberal spirit. But the different provincial Governments on whom rested the duty of carrying that resolution into



practice have not been as liberal in the framing of the various Village Acts. In some, as in Bombay, the powers given to the Panchayats are small, in others, as in Bengal, official control in an ample degree has been maintained, while in some others still, as in Madras, different Panchayats for particular purposes, as forest, irrigation, judicial, etc., are allowed to continue, retarding thereby the growth of the Gram-Panchayats. In the United Provinces, strange though it may sound, Panchayats are formed still not by election but by nomination. The number of Panchayats went up there to 6,000, but has come down to 4,000, as a result of the weeding process. There being no election, interest in the case of many naturally flagged, and as a result these became inefficient and are being weeded out. In Bombay no action has yet been taken by the Government on the recommendations of its Panchayat Committee that reported three years ago. In Bengal the choukidars or the village police consume as much as 45 lakhs out of the total of 50 lakhs the Union Boards spend annually. With this heavy Choukidari burden on them the Bengal unions naturally fail to develop the other aspects of its activities, aspects like sanitation and water-supply, which are as essential for the welfare of the villagers as the police itself. These instances suggest that the provincial Executive Governments generally speaking, have not been sufficiently sympathetic to the infant Panchayats, without which, it cannot be too often insisted upon, these latter cannot live and thrive. In some provinces, however, as in the Punjab and the Central Provinces, help from the Executive Governments has been an important factor in the develop-

ment of the Panchayats in those areas. There has been a change also of late, in the attitudes of many of the Provincial Governments in this matter, and amendments to liberalise the Panchayat Acts have been carried in some of our legislatures at their instance. What is really wanted of Executive Governments is that they should enter fully into the spirit of the Resolution of the Government of India on Local Self-Government issued in 1918, and help the starting and development of Panchayats by sympathetic guidance, and by money grants and transference of powers, so far, of course, as these may be compatible with the smooth working of the Administration.

86. A large portion of responsibility for the smallness of work done in the matter of Panchayats may be thrown on our legislatures also. It is regrettable that though a majority of the elected members in our legislatures are drawn from rural areas, very little has been done in most of the provinces to remove the defects in the Panchayat Acts. The legislature of the Central Provinces is perhaps the only exception, which can claim to have made fair effort to remedy the deficiencies in their Panchayat law, and the Panchayat Act of that province is the best of the eight Acts operating in different Provinces now, being the simplest and the shortest and most helpful. By interpellations and resolutions our councillors may also do a lot to keep the Executive always mindful of their duty in this matter.

87. Besides the Executive and the Legislature there is another body, whose opportunity to help the villagers

to organise themselves for Self-Government is very large, and who also therefore must share the responsibility for the poverty, in number and functions, of our present village unions. This body consists of the intelligentsia, who fill the District and Local Boards and control the District Press. The District Boards and the village unions form one whole in the system of rural Self-Government; they are complementary to each other. The District Boards, being the older and larger bodies, as elders in a family, should help the young Panchayats to develop in all ways they can. The Panchayats, even when grown up, will not be rivals to the District Boards. The functions of a Panchayat will always be limited by their very constitution to certain spheres only. There will always be enough for the District Boards to do, such as co-ordinating the work of the different Panchayats in the district, setting collective standards for the Panchayats under them to follow, supplying experts, carrying on research, undertaking works which do not come within functions of individual Panchayats, etc. There is no room for rivalry therefore between these two bodies. The District Boards should not grudge to part with those of their present functions, as can be done conveniently and profitably by the Panchayats. The Panchayat is a small unit, the smallest in the State organisation of our people. What is wanted is help to let these small units grow, not into large organisations, but into vigorous life. The vernacular journals in the the districts may also play a large part, as we have already said, in fostering the right spirit among the various sections of the community. Village workers and propagandists, who are drawn

from our district intelligentsia, have also a large field for fruitful work specially in the present stage of infancy of our rural organisation. But the intelligentsia, in whatever line they may work, must have faith in their own people, that though poor, ignorant and helpless now, the masses can be organised to be healthy, educated, vigorous citizens of the free Indian State of the future.

#### CHAPTER XIV.

##### **Suggestions to Legislatures.**

88. The Acts should be short, simple and direct, as well as elastic. This last is necessary to admit of gradual expansion of the powers and functions of Gram-Panchayats without friction.

89. There ought to be a Section in each Act securing progressive establishment of Gram-Panchayats. In England and France all rural areas (as also urban parts) are grouped under some form or other of local State organisation for the administration of local affairs by the representatives of the people. This is an obligation imposed by law in those countries. The same should be done in India also. This will prevent any provincial Executive refusing to start Panchayats in its area or from resorting to the "weeding" process, as was done in the United Provinces.

90. The formation of a Provincial Advisory Board for the Department of Local Self-Government in each province should be secured by special provision in each

Act. These Boards should consist of members selected from among the elected members of the provincial legislatures\* and experts chosen by the Government. This would secure continuity of administrative policy and action, and would bring in the advice of the people's representatives to the help of the Minister in charge. Such a Board is already in existence in the Central Provinces.

91. The acceptance of the principle of election in the formation of Panchayats should be made obligatory on the Executive by a special clause in the Act. The absence of it has made it possible for the United Provinces Government to form Panchayats by nomination.

92. There should be one body, the Gram-Panchayat, for all functions of local government in the village or the union. On principle the Legislatures ought not to constitute different Panchayats for different classes of work. There ought not to be Administrative Panchayats, Panchayats with judicial powers only, or for irrigation or forest work, as obtain still in Madras, Bombay and some of the other provinces. If need be a Panchayat may be divided into committees for different classes of functions.

93. There should be incorporated in each Act a list of compulsory minimum function which a Panchayat must accept, and also a list of optional subjects from which according to convenience a Panchayat may take up some. The minimum number of optional subjects that a Panchayat is to accept and work may also be laid down by the Legislature. Besides these there should be provision for the delegation of duties, by higher bodies to

the Panchayats, under certain conditions. A procedure similar to above is followed in Madras, and may with profit be copied by the other provinces.

94. The right of the Panchayats to some share (which may be differently fixed in different provinces) of the provincial revenues should be recognised by a special section in the Act. In England the Local Bodies get more than half of their expenses from provincial or central revenues.

95. The widest possible freedom in the matter of choice of taxes and rates should be given to the Panchayats. In some areas Panchayats may find it convenient to impose direct taxation, in other indirect taxation may prove to be more effective; and Panchayats should be allowed freedom to resort to whichever method is found to be more efficacious and less irksome to the people. Taxation for communal purposes need not necessarily be in the form of money also. The Panchayats should be allowed to revive the ancient tradition of utilizing surplus or idle labour in the village for many kinds of village work. In Mysore, it is even now the practice for every agricultural labourer to contribute about eighteen days' labour in the year for communal purposes.

96. Some principle of division of functions between the Panchayats and District Boards should be laid down in each Act, so that Panchayats may have margin as well as definite directions to expand.

97. Panchayats should be vested by legislation with powers of compulsory acquisition of land, for its purposes.

under ordinary restrictions as are imposed on municipalities and other local bodies

The above are some of the suggestions by means of which our legislatures may help the growth of Panchayats. They are certainly not exhaustive. If our legislators would use a little foresight in the matter, and take the trouble of noting the growth of different practices in different provinces and their effects on Gram-Panchayats, they would not find it difficult to help forward the movement of rural Self-Government in India by necessary changes in the present law.

## CHAPTER XV.

### **Suggestions to the Executive.**

98. Gram-Panchayats are village bodies that are or ought to be controlled by representatives elected by the village people. In this sense they are outside the Executive, and are, what they are rightly called, non-official institutions. But as they are concerned with vital aspects of village life, they come in contact with the Executive Government on many important points. Sympathy and help from the Executive Government may therefore materially advance our infant Gram-Panchayats. But whatever help our Executive Governments may offer to our Panchayats must have as their objective the advancement of these bodies as institutions of rural self-government. This characteristic of Gram-Panchayats should always be borne in mind by our officials in their dealings with the former.

99. A special officer for Gram-Panchayats should be appointed in each Province, whose duty will be to carry on propaganda in favour of village self-government, to attend to the actual working of the Act and the Rules in rural areas, so that friction between larger and smaller bodies may be avoided, and generally to help the development, both in functions and number, of Gram-Panchayats. He will be helpful too in diffusing knowledge and experience gained in one part of the province to other parts. Occasional reports of the working of the Act issued by him will help the Legislature also to undertake measures of necessary reform. Both in Madras and the Central Provinces Gram-Panchayats have been materially benefited by the appointment of such a special officer.

100. When any serious impediment to the smooth working of the village self-government Act in any province is brought to the notice of the Executive Government, the latter should without delay appoint a committee, consisting of members of Gram-Panchayats, elected members of the Legislature, and of the District Boards and experts to enquire into it and recommend remedial measures. These recommendations, it is hardly necessary to add, should be acted upon by the Executive Government. Such a course was actually adopted by the Governments of the Central Provinces and Bombay to meet certain difficulties in working of Gram-Panchayats there, and with good results.

101. Superior executive officials in the province should try to pay occasional visits to Gram-Panchayats and hold friendly conversations with the members, while



touring in rural parts. Such friendly talks with persons having wide experience and knowledge of different countries would broaden the outlook of these village bodies, while the officials also would gain an intimate knowledge of the life and character of the people among whom they work. Such a visit to some of the Union Boards in Bengal had brought out Lord Ronaldshay's admiration for the spirit of co-operation among the people, and had envisaged to him the great possibilities of the movement of village self-government in that province.

102. The use of Government agencies for the recovery of dues should be allowed to Gram-Panchayats without any additional expenditure on the latter's part. If, however, for any reason, it be found necessary to charge the village bodies any extra fee for the above work, it should be done by the provincial executive and made uniform throughout the province.

103. Executive should publish annual reports of the working of Gram-Panchayats in the Province in the vernacular (or as in Madras in the vernaculars) and supply these to all the village bodies in the province. The publication of a monthly journal as well as other literature relating to rural self-government should also be undertaken. But these should be in the vernacular or vernaculars of the province and not in English. The Madras Panchayat Bulletin, in English would have been more useful had it been published in the vernaculars of that province.

104. Separate heads should be made for grants to Gram-Panchayats as is done in the cases of Municipali-

ties and District Boards. There should also be grants earmarked for Panchayats through District Boards. As there is not much scope for local taxation, Executive Governments must earmark a certain portion of land-revenue to be given to Gram-Panchayats.

## CHAPTER XVI.

### **Suggestions to District Leaders.**

105. The terms 'district leaders' are used to mean the entire intelligentsia of a district engaged in any work affecting the life of the local people as a whole. Thus members of District and Local Boards and Municipalities, workers in co-operative and health societies, educational institutions, libraries, literary and other associations and clubs, organisers of conferences, exhibitions, fairs, funds, etc., conductors of journals and newspapers in the district, all come under our definition of 'district leaders', because each one of them in his own way helps (or sometimes retards) the development of community life in the district. On their action and attitude depend very largely the healthy growth of institutions of rural self-government in the country.

106. The primary needs of village areas and parts are similar. Rural tracts are as much in need of education, sanitation and economic sufficiency as the urban areas. Owing to differences in occupation and environment, the same systems may not work equally well in both the town and the village. But the needs of both are equally urgent and require, in both cases, to be immediately attended to. If anything our rural parts require more

careful attention than even our urban tracts, first, because, the overwhelming majority of our people (above 90%) live in villages, and second, because, the village areas are in worse plight than our towns. This fact should always be borne in mind by the district leaders, who live generally in the comparative comforts of district headquarters.

107. The formation of Gram-Panchayats should not be discouraged in any area because of the difficulties with regard to finance, powers, etc., that attach to these bodies now. These difficulties will have to be gradually removed by legislative action as well as by bringing the pressure of public opinion to bear upon the Executive. Constant efforts should be made to create a mentality in the people that will accept rural self-government institutions as the only condition of normal, healthy growth of community or group life in the village. The formation of village government institutions is a compulsory obligation imposed by law in England and other countries of the West. Efforts should be made to make people accept compulsion in this matter in our country also. Local self-government has now been transferred to the care of the people's representatives. The foundation of self-government, local as well as otherwise, in our country at least, must be laid in the village Panchayat. A great responsibility rests, therefore, with the District intelligentsia in this matter. They must not only use to the full whatever opportunities they have now for the development, both in number and in usefulness, of Gram-Panchayats in their district, but also create new and better conditions for their growth by organizing public opinion in their favour.

108. The District and other superior rural Boards must fully and wholeheartedly co-operate with the village Panchayat and help it to function efficiently and well for the good of the village. The District and other Boards on the one hand, and the Gram-Panchayat, on the other, are really parts of the same organism, to use a biological expression, and they must work in unison for the common object, they have in view, namely, the well-being of our rural people, who constitute, as has already been mentioned, more than 90% of our population. The central bodies should delegate as much of their functions as can be conveniently done, to the village organisations and allot to them funds to carry these out. To the District Boards belongs the duty sufficient of co-ordinating the activities of Gram-Panchayats and of setting a standard for them to follow. They must also take the initiative in introducing necessary reforms in the working of Gram-Panchayats. It is also the District Boards that can help to create a healthy competition for national work among the village unions. The members of District Boards should utilise their tours in the district to propagate health ideas of rural activity among the workers of village bodies. These are some of the many ways in which District and other higher Boards may help the Gram-Panchayats.

109. One of the methods open to the district intelligentsia, and particularly to the district Press, to help the growth of village government, is the creation of healthy literature, depicting specially not the Gram-Panchayats as they are but as they will be in the future, prosperous, powerful, representative bodies of the villages.

The present resources of Gram-Pachayats are small, the services they can render to the people therefore are little at present. For these reasons many people are apathetic, if not positively antagonistic to them. This opposition and indifference must be removed, first, by strenuous efforts to improve them, and second, by holding to the people the picture of fully developed rural organisations of the future.

110. Periodic conferences of Gram-Panchayats should be organised by the district intelligentsia. These have always proved helpful in stimulating the different village unions to work better than before for village welfare. Through such conferences the examples of successful experiments in one part of the district may be brought to the notice of the workers in other parts. These also help to co-ordinate the activities of the various village unions, so that all waste may be avoided.

111. Associations devoted solely to village self-government and consisting of men of all political groups should be established in each district. It would serve as a link between the urban intelligentsia and the village people.

112. Lastly, the district leaders should not set up too high a standard in judging the work of the infant village boards of our country. Beset with difficulties as they are, it is not unexpected they should occasionally fail. The attitude of the district leaders to these bodies should not be so much critical as sympathetic: their duty is not so much to judge but to help, to help as a candid friend helps him whose good he has at heart.

## CHAPTER XVII.

**Suggestions to Village Voters**

113. In the three previous chapters referring to Suggestions, (Chapters XIV, XV, and XVI), we have tried to show some of the ways in which the Legislature, the Executive and the District Leaders may help the growth of village self-government in India. In this, the last chapter of this brochure, we take up the village voters, the people, who, through large or small help from outside, will themselves have to build the structure of self-rule in the village. It is a new work to which the people of modern India have been called; but let it be repeated once again, it is not, at the same time, absolutely new to our traditions or culture. We have only to revive the ancient spirit of our social structure that grew around village communities, and give it a modern garb.

114. The village voters are to be alert and discriminative, so that any help that may come from outside may be utilised to its fullest advantage. They must know that they are the actual workers, all others, legislators, executive official or district leaders can at best only be helpers. The quality and quantity of outside help also will to a large extent depend on the education and ability of the village voters themselves.

115. As often as possible they should meet the members of District and other superior rural Boards. This will help to create mutual trust and confidence, which alone can make the smooth development of village organisations possible.

116. By organising lectures, fairs, exhibitions and cinema shows, as well as through literature, they should try to rouse the enthusiasm of villagers for village work. In the present state of our finances it will not be possible for many years to come to have all village service done by paid agencies. As much as possible voluntary help should be secured and organised. And this can only be done if the villagers can be roused to a consciousness of their duties to the village.

118. The villager has certain rights. The villagers have, for example, a right to as good as a system of medical and sanitary service and educational arrangement as are made available to the townsfolk. But owing to the absence of an all-comprehensive village organisation, their rights are neglected. Forming as they do in India more than 90% of the population, the village people contribute very materially to the resources of the Administration of the country. But their requirements, the ordinary requirements of civilised life, are not properly attended to. It is the duty of the village voters to see that the present condition of things is changed, and changed early. An association should be formed in each village comprising all the voters in that area not merely to ventilate the grievances of the villagers but to formulate definite schemes for their redress. Such an association would also serve as a controlling authority over the members and officials of Gram-Panchayats.

By these and other means the village voters, who may be said to constitute the intelligentsia in the village, may build up organised, living village society once again, that

would form the basis of the future democratic State in India.

Thus the legislators by foresight, the Executive officials by sympathy, the district leaders through active co-operation and the village voters by constant alertness may combine to make India a vigorous nation, able to contribute her share to the evolution of modern humanity. That is the picture, the vision we may say, that should inspire all workers for the regeneration of village life in India.

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## STATISTICS FOR 1925-26

*Municipalities excluding Presidency Cities.*

Province.	No.	Members.	Expenditure in lacs.	Incidence per head.		
				Rs.	As.	P.
Madras ...	80	1,680	164	4	15	5
Bombay ...	156	3,097	321	8	5	2
Bengal ...	115	1,632	89	3	11	9
U. P. ...	85	1,082	170	5	5	0
Punjab ...	104	1,194	151	7	5	1
Bihar ...	58	994	41	3	0	2
C. P. ...	65	1,085	72	5	0	11
Assam ...	25	295	10	5	11	1

## STATISTICS FOR 1925-26.

*District Boards and Sub-district Boards,*

Province.		Number of Boards.	Expenditure in lacs.	Incidence per head.		
				Rs.	As.	P.
Madras	...	253	381	0	14	8
Bombay	...	249	192	1.	4	4
Bengal	...	108	137	0	4	9
U. P.	...	48	196	0	7	10
Punjab	...	29	179	1	3	1
Bihar	...	65	146	0	6	7
C. P.	...	106	87	0	8	3
Assam	...	19	34	0	8	2

## STATISTICS FOR 1925-26.

*Villages.*

Province.	Schools for Boys.	Co-operative Societies.	Grampan-chayats.	Total Villages.
Madras ...	44,492	10,178	3,000	52,198
Bombay ...	12,735	3,877	600	26,528
Bengal ...	42,539	11,639	4,000	84,981
U. P. ...	19,500	5,899	3,000	104,347
Punjab ...	11,209	12,617	600	34,119
Bihar ...	28,787	6,608	300	84,814
C. P. ...	4,649	4,090	300	39,024
Assam ...	4,750	883	250	30,957

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