

**THE
INDIAN MUNICIPALITY**

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THE
INDIAN MUNICIPALITY.

AND

**SOME PRACTICAL HINTS ON ITS EVERYDAY
WORK**

BY

H. T. S. FORREST

Indian Civil Service.

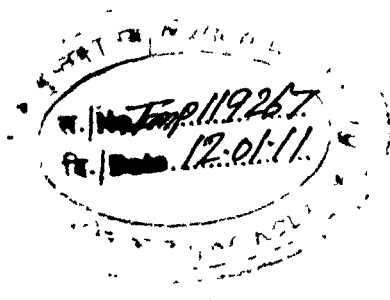
Proprie communia dicere—Horace.

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PREFACE.

This little work, which embodies the results of the author's ten years' experience of municipal administration in various parts of the two provinces of Bengal, has been written in the hope that it may be found useful by Municipal Commissioners and others who are engaged in working out the many problems incident to the operation of European methods of local self-government under Oriental conditions.

The book has no pretensions to giving anything more than the outlines of the theory and practice of Indian municipal administration as it exists to-day ; and the only merit the author claims for it, is that of setting forth honestly and without reservations both the facts as he has found them, and the conclusions to which they have led him.

His best thanks are due to his friends Mr. A. Hale, M.I.C.E., Engineer of the Howrah Municipality, and Mr. K. N. Tagore, B.A., Secretary of the same Municipality, for much valuable assistance and advice—always most freely and cheerfully given.

MAGISTRATE'S HOUSE, HOWRAH
30th November, 1909.

H. S. F.

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A Plea for the Indian Municipal Commissioner.

Twenty-seven years have elapsed since Lord Ripon's famous Resolution marked the first real step in the experiment of grafting upon the "paternal" system of Indian administration a thoroughly European and democratic form of local self-government. How far the experiment has been a success is a question about which opinions differ very widely; the answers depending mainly on whether efficiency of administration, or the political education of the people is regarded as having been its main objective.

On one point, however, all observers are more or less in agreement; it is recognized, that is to say, that although this European form of self-government has been generally accepted by the nations and peoples of India—as far at least as any exotic institution ever is generally accepted in this land of immemorial tradition—and has been accorded a definite place in their social life, it has nevertheless not been altogether successful in attracting to the municipal councils an evenly-balanced selection of the best representatives of the upper-class elements of the urban population. The legal profession is always fully represented, in many cases a great deal more fully than its stake in the fortunes of the town warrants; but among the non-professional classes of the community—landowners, merchants, bankers, retired Government servants and so forth—one notices a disposition on the part of the recognized leading men to either hold themselves aloof from municipal politics altogether, or else to support the candidatures of lesser men of their own class in preference to seeking election themselves.

If, in such a case, one asks what exactly is the reason that makes the men, whose position marks them out as the best candidates, unwilling to serve on the municipal committee, the answer will probably be either "injudicious official interference," or else "characteristic lack of public spirit," according to the quarter in which one seeks enlightenment. Now whatever amount of truth there may be in either or both of these explanations in individual cases, it is difficult to suppose that between them they account wholly or even mainly for the general results observed. One is led therefore to search for the reasons in the conditions of the self-government scheme itself; and a very slight investigation is sufficient to convince one that service as a Municipal Commissioner in this country is attended by exceptional difficulties and

drawbacks, and involves a good deal that is foreign to Indian practice and distasteful to Indian sentiment.

Consider the case of the ordinary non-professional resident in a country town—a landowner or merchant for instance—who desires to enter public life as an elected Municipal Commissioner. At the very outset, he is confronted by a difficulty of the first magnitude in the shape of the obligation to canvass personally the ward he wishes to represent; for this door-to-door canvassing, which is taken as a matter of course in European countries, is a real stumbling-block in India. The “best people” feel that it is derogatory to their dignity to go round personally soliciting votes, especially the votes of the lower orders—the idea, by the way, that a cartman who gets five rupees a month should have equal voting power with the landlord of half the town, being to the ordinary Indian way of thinking, a self-evident absurdity. Suppose however this initial difficulty overcome; he is pretty sure to find other candidates in the field; and he will either have to buy them off, or else, if he fails, to spend a considerable sum of money in distributing *baksheesh* among his supporters; there is only one province in India in which anything like a Corrupt Practices Act is in force, and the lower class of ratepayer has a strong objection to giving something for nothing.

Once duly elected he will find much to perplex and dishearten him. The many provisions of the Municipal Act and the voluminous orders and regulations connected therewith, the unfamiliar and strict rules of debate, and the complex machinery of budgets, estimates and sanctions, contain numerous pitfalls in procedure which only careful study and much experience will teach him how to avoid; and however capable a man of business he may be in his own sphere, he will probably find himself placed at a serious disadvantage as compared with his legal colleagues in one very important respect—a knowledge of English. All the business of the committee—agenda, proceedings, reports and correspondence—is carried on in English; and it cannot be expected that he will have found it necessary, or even possible, to acquire the familiar acquaintance with the English language that forms so important an item of the Indian lawyer’s stock-in-trade.

Moreover, his opportunities for doing useful work on the committee are likely to prove disappointingly meagre, the state of the finances in most municipalities offering an almost insurmountable obstacle to the setting on foot of any large scheme of improvement or reform. The average municipality has all its work cut out to make both ends meet at the end of the year—an operation which is rendered still more difficult by the persistent demands from all parts of the town for “sympathetic” treatment, i.e., for leniency in the assessment and collection of rates and taxes; the popularity of an elected Commissioner varying usually in direct

ratio with his success in obtaining specially favourable terms in this respect for individual ratepayers in his ward.

Nor will he find it easy to persuade himself that against these drawbacks to his position, he can set the fact that he has become a member of a public body that enjoys the thorough respect and confidence of his fellow citizens. He will find that everybody knows all about municipal work; and that everybody looks upon the Commissioners as fair game—the popular attitude towards the average municipality being perhaps best described as one of more or less good-humoured contempt. Energetic inspecting officers make periodical descents on the town and rebuke the municipality for not providing itself with up-to-date (and of course correspondingly expensive) appliances in the sanitary and engineering lines; ratepayers combine to send memorials to the executive authorities imputing as a matter of course the gravest irregularities and the most reprehensible motives to the Commissioners and their staff; the amateur municipal expert, whose name is legion, writes a series of letters to the local papers to expose the defects of the administration and to prove how easy it is to remedy them; and even the official from the Accountant-General's office who comes to audit the yearly accounts thinks it incumbent upon him to give the Commissioners the benefit of his views on such subjects as the number of inches of metal to be placed on a road, or the proper way to repair a coservancy cart. And in the rare cases in which a municipality plucks up the courage to "hit back," and by criticising its critics, asserts its claim to know something about its own business, it will find its action commented on in a spirit of pained surprise—*Cet animal est très méchant, Quand on l'attaque il se défend!*—and must expect to be severely snubbed for its presumption.

Now the fact remains that in spite of all these and many other difficulties that beset the path of the aspirant to civic distinction, Indian Municipal Committees do contain a substantial percentage of the very best men living in the towns—men with no particular axes to grind, who have joined the committees from motives indistinguishable from those which lead prosperous citizens to seek election on Town Councils and Boards of Guardians at Home. And this fact should go a long way towards refuting the sweeping statement often made that "there is no public spirit in India. The beginnings of a genuine public spirit are undoubtedly discernible in many parts of the India of to-day; its growth and development will depend on the sort of encouragement it receives. And therefore one could wish that people might be brought to realise more clearly than they do, how wretchedly poor Indian municipalities really are, and how often they find themselves called upon to work on lines, and deal with subjects, totally unfamiliar to the majority of their members. One might then

reasonably expect to find the public rather more disposed than it is at present to "be to *their* faults a little blind," and to forgive a certain amount of blundering and lack of enterprise to those municipal administrations which shew themselves to be at any rate honest and well-intentioned.

PART I.

THE CONSTITUTED AUTHORITIES.

CHAPTER I.

Spheres of Authority.

Introductory—The Municipal Constitution—The two fundamental Principles—Deductions and practical applications.

Introductory.

The municipal system described in the following pages is the system in force in the two provinces of Bengal and Eastern Bengal and Assam, both of which are governed by the Bengal Municipal Act III of 1884.

Each of the remaining provinces of India, namely, Madras, Bombay, the United Provinces, the Punjab (including the Frontier Province), the Central Provinces, and Burma, has a Municipal Act of its own with its complementary set of Rules and Regulations issued under the authority of its Local Government. But these Municipal Acts are not provincial Acts of the ordinary type—like the Village Chowkidars Act in Bengal for instance, or the Land Alienation Act in the Punjab. They were not evolved from *within*, on the basis of the facts and circumstances of town-government exhibited in the various provinces, but were imposed on the provinces from *without*, and were framed in order to carry into effect the precisely defined scheme of local self-government on Western lines which is set forth in Lord Ripon's Resolution of 1882.

It is not surprising therefore to find that they all bear a very strong family resemblance; and that a description of one provincial system will hold good, in almost all essential particulars, for the rest. In fact, leaving minor details out of consideration, one may say that there are only three points in regard to which the provincial systems, as they exist to-day, exhibit any considerable variation either of principle or of practice. These three points are: (1) the strength of the influence exerted by government officials; (2) the extent to which the division of power between the President or Chairman on the one hand and the Municipal Council on the other is determined *by the law itself*; and (3) the methods of taxation.

To take each of these three points in order :—

1. *Strength of official influence*—This point, which is the most important of all as regards its effect on actual administration, is also the point in regard to which the provincial systems exhibit the greatest range of variation. Very little light however is thrown on it by the Municipal Acts themselves; the “outside” official control which they provide, *i.e.*, the control of the Local Government and the divisional and district executive authorities, being of very much the same character in all provinces alike.

But it is the “inside” official control that really matters. And the strength of this “inside” control in a particular province is not very easy to gauge; the only documentary evidence forthcoming on the point being contained in the Administration Reports and Resolutions published by the various Local Governments. These documents, when analysed, yield certain information as to the *numerical* strength of the official element; and one may perhaps assume as a rough approximation to the truth, that the strength of official influence in any particular province will vary directly as (a) the proportion of official to non-official members in the municipal councils, and (b) the proportion of official Chairmen (whether elected or nominated) to non-official Chairmen—this latter factor being by far the more important of the two.

Now, as regards the percentage of official members, the figures are as follows: Bengal 15 per cent, Eastern Bengal and Assam 20 per cent, Madras and the Punjab 21 per cent, the United Provinces and Bombay 23 per cent, the Central Provinces 31 per cent, and Burma 36 per cent.

As regards the more important factor—the proportion of official Chairmen—exact figures are not available in all cases, and the following general statement must suffice. In the two Bengals, there are few official Chairmen, the Collector sometimes being Chairman of the municipality at his district head-quarters; in the Central Provinces, most of the Chairmen are non-officials; in Madras, one-third of the Chairmen are officials; in Bombay, the Collector is President of all head-quarter municipalities; in the Punjab, the Deputy Commissioner is Chairman of all important municipalities; in the United Provinces, eighty-six out of eighty-nine Chairmen are officials; and in Burma, the Deputy Commissioner or Subdivisional Officer is Chairman of all municipalities.

These results square fairly well with the generally received opinion, that in Northern India and Burma, official influence is the predominant factor in municipal administration; that in the two Bengals (especially in the Bengali-speaking areas), it is decidedly weaker than the non-official influence, *i.e.*, the influence of members elected by the ratepayers; and that in Central and Southern India, the two influences are more or less evenly balanced.

2. *Extent to which the division of powers between the Chairman and the Municipal Council is determined by the law itself*—The only provinces in which this division is determined by the law itself are Bengal and Madras. In all the rest, the division is made by each municipality for itself, by means of a set of by-laws which must be approved by the Local Government, or be consistent with the rules on the subject laid down by the Local Government, as the case may be. Other differences of detail are of course to be found: for instance, in some provinces two Vice-Chairmen are allowed, in others one only; in some provinces some of the powers of the Commissioners may be delegated to sub-committees, or to paid servants of the municipality, in others not; and Madras has introduced a third authority peculiar to itself, in the shape of a Secretary, to whom the Chairman is bound to delegate certain specified powers, and the Council may delegate others. One gathers that this institution of "a paid Secretary practically independent of the Chairman" has not proved altogether a success; it is certainly not in harmony with the ordinary idea of local self-government, and is not likely to be copied by the other provinces.

However, these are minor matters. And what strikes one is not these points of difference, but rather the great similarity in the actual working arrangements of the various provinces with regard to this division of duties and powers between the two constitutional authorities. In every province, whether the division be determined by the law, or is left to be settled by each municipality for itself, considerations of administrative convenience have brought about very much the same state of things in this respect; which, roughly speaking, is this: the Council deals with all matters outside mere office routine, and especially all such matters as involve considerations of policy, or expenditure of the municipal funds, or the appointment and dismissal of officers of superior status; while the Chairman, assisted by the Vice-Chairman (or two Vice-Chairmen), deals with the rest, exercising the very numerous routine "powers of the Commissioners" which are necessary for carrying on the everyday work of the municipality in its dealings with the ratepayers and the general public.

3. *Methods of Taxation*—There are four taxes which are imposed in every province, namely, (i) a tax on houses and lands, i.e., a holding-rate, (alternative in Bengal with a personal tax); (ii) rates for special services rendered, i.e., water, house-scavenging, etc.; (iii) a tax on vehicles; and, (iv) a tax on animals. There are other taxes which are imposed in some provinces and not in others, namely, (v) octroi; (vi) a tax on professions and trades; (vii) a fee for the removal of rubbish; (viii) license-fees for warehouses, dangerous trades, markets, etc.; (ix) tolls; (x) a tax on servants; (xi) a tax on pilgrims; and (xii) a tax on householders and families (Burma only).

Many of these taxes are of quite minor importance. One may say broadly, that the only taxes which really *count* are the holding-rate (with its alternative in Bengal the personal tax); the various service-rates; and octroi. Where octroi is in force it forms the main source of the municipal revenue; and by far the most important distinction observable in the different systems of taxation in force, is the distinction between those provinces which impose an octroi and those which do not. The "octroi provinces" are Bombay, the United Provinces, the Central Provinces, and the Punjab: in the rest, namely, Bengal, Madras, and Burma, taxation is wholly direct.

In regard to all these three points of difference, Bengal may fairly be said to be in the direct line of progress; or rather, as progress is a debatable term, let us say the direct line of the future development of the Indian municipal system. Official influence is plainly destined to be curtailed considerably in the near future; the domain of law will presumably extend itself steadily in the region of municipal administration as it is doing everywhere else; and there are distinct signs of a tendency on the part of the "octroi provinces" towards abandoning indirect taxation in favour of the fiscal system of Madras or Bengal.

The Bengal system therefore will serve very well—perhaps better than any other provincial system—as the example on which to base a description of the theory and practice of Indian municipal administration as it exists to-day.

The Municipal Constitution.

The municipal affairs of every town in Bengal and Assam are managed by a body of Commissioners, varying in number from nine to thirty, who work under the authority conferred upon them by the Bengal Municipal Act.

The term of office of each such body is fixed at three years in all municipalities alike, but the methods of selecting the Commissioners and appointing the Chairman vary, and are dependent, in each municipality, on the class to which it has been assigned by the Act. These classes are three in number and are as follows:—

1. Municipalities where Government nominates one-third of the Commissioners, the ratepayers elect the rest, and the Commissioners elect a Chairman from their own body.

2. Municipalities where Government nominates the Chairman and one-third of the Commissioners, the ratepayers electing the rest.

3. Municipalities where Government nominates all the Commissioners and the Chairman.

It may be noted that in all three classes the Commissioners elect a Vice-Chairman from their own body.

The first two of these classes include the bulk of existing municipalities, the larger and more important towns being found in the first class. The third class consists chiefly of towns with very small populations, or situated in what are commonly known as "backward" districts, *i.e.*, districts in which popular interest in local self-government is imperfectly developed.

The Commissioners administer the Act under the general supervision of the Divisional Commissioner and the District Magistrate, who are empowered to intervene in cases where the Commissioners exceed their legal powers, or where their action is likely to lead to a breach of the peace, or to endanger the health or safety of the public. Such contingencies, however, rarely arise, and it is with the financial aspect of the Commissioners' policy that the concern of these two executive authorities mainly lies. It is the duty, first of the District Magistrate, and finally of the Divisional Commissioner, to satisfy himself of the soundness of the financial policy set forth in the budget which the Commissioners are bound to frame and submit annually, and this budget has no authority until finally sanctioned by the Divisional Commissioner who is empowered to modify it as he thinks fit. The dealings of the Commissioners with the municipal funds are further checked by means of a very complete and strict system of Account Rules, and by an annual audit conducted by the Examiner of Local Accounts.

Subject however to these checks and safeguards, the Act grants the Commissioners a very considerable amount of discretion in the performance of the varied duties which fall within the province of a modern municipal administration.

The general representative of the Commissioners in their dealings both with the outside world and with their own staff is, of course, the Chairman; and as the Chairman enjoys certain statutory powers of his own in addition to, and distinct from, those derived from the Commissioners, it is not surprising that a good deal of uncertainty exists, not only among the general public, but among municipal Commissioners themselves, as to the exact extent of the Chairman's authority, and as to the varying limitations to which it is subject in the various spheres of municipal activity.

This uncertainty is possibly due to the fact that the sections of the Act, which, taken together, define the spheres of action of the various municipal authorities, are not found collected together in one place, but lie scattered throughout the body of the Act. In any case, however, as the principles on which this distribution of authority is made lie at the root of the whole system of municipal administration, it will be as well to clear up any uncertainty that may exist by giving the following brief summary of the law on the point:—

Summary of the "constitutional" sections of the Municipal Act.

The statutory authorities, that is to say, the authorities constituted by the Municipal Act, are three in number, and are designated respectively, (a) *The Commissioners at a meeting*, (b) *the Commissioners*, and (c) *the Chairman*.

To take them in order:—

(a) *The Commissioners at a meeting*—Speaking in a very broad and general way, the Act provides (to repeat what we have said above) that all matters outside mere office routine, and especially, all such matters as involve considerations of policy, or expenditure of municipal funds, or the appointment and dismissal of municipal servants of superior status, must be considered and decided upon by the Commissioners assembled in General Meeting. The resolution passed by the majority of Commissioners present is called *the order of the Commissioners at a meeting*, and this order the Chairman is bound to carry out. Any act of his own or of his delegates that contravenes such order is *ipso facto* invalid and illegal.

(b) *The Commissioners*—The powers of "the Commissioners" form the great mass of powers not specifically reserved for the "Commissioners at a meeting," and are, as we said above, the powers necessary for carrying on the everyday work of the municipality in its dealings with the ratepayers and the general public. These powers are exercisable only by the Chairman and his legally appointed delegates. Section 44 of the Act which limits his action in this respect is an important section, and may be quoted. It runs as follows:—

"The Chairman shall, for the transaction of the business connected with this act, or for the purpose of making any order authorized thereby, exercise all the powers vested by this act in the Commissioners. Provided that the Chairman shall not act in opposition to, or in contravention of, any order of the Commissioners at a meeting or exercise any power which is directed to be exercised by the Commissioners at a meeting."

It will be noted that the Commissioners cannot set aside any act of the Chairman which he had authority at the time to perform. They can, however, pass a resolution that he should not perform similar acts in future, and after the passing of such a resolution, such acts, if performed, would be invalid and liable to be set aside.

(c) *The Chairman*—The statutory powers of the Chairman in his own capacity are limited to appointing or dismissing municipal servants drawing less than certain specified salaries, and delegating to the Vice-Chairman any or all of the powers vested in him as representative of the Commissioners.

His action in these matters is not subject to the control of any authority.

Fundamental Principles.

From this brief summary the intention of the legislature appears sufficiently clearly. The Act is designed to make provision in every town, firstly, for the creation of a *public body* of as representative a character as circumstances allow, on whom may be fixed the responsibility for the general policy of the town in matters municipal; and, secondly, for the appointment of a *person*, on whom may be fixed the responsibility for carrying this general policy into effect.

Each of these two constitutional authorities is intended to have its own separate and distinct sphere of action, and, as a matter of fact, experience shows unmistakably that those municipalities are the most successful in working in which this fundamental distinction between the *deliberative* functions of the Commissioners on the one hand, and the *executive* functions of the Chairman on the other, is most clearly recognized and most consistently acted upon.

One may feel justified therefore in taking this distinction as the starting point of any discussion of the mutual relations between the Commissioners, the Chairman and the municipal staff, the constitutional position as sanctioned by law and practice being defined in two fundamental principles which may be stated as follows :—

PRINCIPLE (A)—*The responsibility for the general policy of the municipality rests with the Commissioners. All matters therefore affecting this general policy should be discussed in the fullest and most open way by the Commissioners in meeting; the expressed opinion of the majority of the meeting to be unreservedly accepted by the Chairman as representative of the Commissioners, and loyally carried out by him as Head of the Executive.*

PRINCIPLE (B)—*The responsibility for choosing the methods by which, and controlling the agents by whom, the orders of the Commissioners are carried into effect, rests with the Chairman. Commissioners, therefore, whether as a body or as individuals, should abstain from interfering directly with the working of the municipal staff.*

Deductions and Practical Applications.

The next step must be to apply these fundamental principles to existing conditions in order to arrive at some definite rules by which the everyday procedure of a municipality may be guided. This is, of course, to enter on highly debatable ground; conditions

varying so much in different municipalities, that to attempt anything approaching a rigorous deduction of a series of rules would be out of the question. However, one must work on probabilities and averages : and after eliminating doubtful points, and allowing for extreme cases, it is possible to obtain a residuum of four or five practical working rules of general applicability which may be regarded as being fair deductions from the two fundamental principles stated above ; and which have besides the sanction of the practice prevailing in the most successful municipalities.

Let us enumerate these rules taking first those which may be regarded as deducible from Principle (A) :—

RULE I—Matters of mere routine excepted, every subject submitted for the orders of the Commissioners at a meeting should have been previously discussed and reported on by a sub-committee appointed by the Commissioners.

It is obvious that any assembly whose proceedings are regulated by more or less formal rules of debate will find a difficulty in discussing questions involving the examination of a mass of detail. It is obvious also, that when it proceeds to discuss questions concerning which differences of opinion are likely to arise, it will find its task much simplified if the main points in issue, and the principal arguments for and against each particular proposal, have been settled and stated beforehand. These considerations however are apt to be overlooked, and one frequently sees the time of the Commissioners wasted, and the work of the municipality delayed, by lengthy and acrimonious debates on matters concerning which no doubt or difficulties would have arisen if they had been previously investigated by a representative sub-committee.

As a matter of fact, in many municipalities the sub-committee system is either unknown or imperfectly understood ; and a brief reference may therefore be made to some of its more obvious advantages.

Firstly then, it accelerates the rate of working of the municipal machine.

The Ordinary General Meetings of the Commissioners take place once a month, or at most once a fortnight. Any subject therefore, which the Commissioners cannot decide at the meeting, or regarding which they may require further information, must be postponed for a more or less lengthy period during which no action can be taken. With a sub-committee, of course, nothing of the sort need occur, and, in the case of a particularly complicated or contentious question, the sub-committee can sit from day to day until some definite conclusion is arrived at.

Secondly, it enables the Commissioners to exercise their control over the conduct of municipal affairs in a more thorough and business-like manner.

Commissioners who possess special knowledge of such subjects as finance, engineering, medicine, law, &c., find a freer scope for its application in the informal discussions of a sub-committee ; and maps and plans can be examined, and municipal employees consulted, in a way which would be impossible at a General Meeting.

Thirdly, if sub-committees are properly constituted and care is taken to see, that not only is the special knowledge of individual Commissioners utilized to the best advantage, but also that the various shades of opinion among the Commissioners are duly represented, the Commissioners in meeting need not waste time in examining too closely proposals which have been recommended unanimously, and are justified in reserving for full and careful discussion only those subjects in regard to which there has been a divergence of opinion in sub-committee.

The number of "standing" sub-committees appointed will of course vary with the circumstances of each municipality, but in most municipalities two will probably be found sufficient : one, (which may be called the Finance and Establishment Sub-Committee) to control the finances generally, and in particular to examine all applications for expenditure which require the sanction of the Commissioners at a meeting ; and the other, (which may be called the Works Sub-Committee) to control outdoor work generally, and in particular to scrutinize plans and estimates and to select contractors.

If there is a real amount of regularly recurring work connected with such subjects as sanitation, water-supply, education &c., other standing sub-committees may be formed to deal with it ; otherwise, the control of such matters may be left to one or other of the first-named sub-committees.

From time to time, of course, questions of special importance or difficulty will arise, which will render necessary the appointment of special sub-committees to deal with them ; but the distinction between the functions of such special sub-committees and the functions of the standing sub-committees should not be lost sight of. A special sub-committee is appointed by the Commissioners at a meeting, and is directed to submit a report dealing (within limits defined by the Resolution of appointment) with some definite question, such as a scheme of water-supply, the revision of the by-laws, the measures necessary for dealing with an epidemic, &c., &c., and with the submission of this report it *ipso facto* ceases to exist. A standing sub-committee on the other hand, should be regarded as an integral portion of the machinery ; its function being to examine and report on all matters falling within its province which the Chairman proposes to lay before the General Meeting for orders. It should therefore sit at least as often as the General Meeting sits, and at least a week before the

date fixed for the General Meeting ; and if necessary, it should be prepared to sit from day to day to avoid postponing the submission of its report beyond that date.

In appointing a sub-committee it should be remembered that the special advantages of the sub-committee system are to a great extent lost, if the number of members exceeds a certain limit ; and as a rule it will not be found necessary in any case to appoint a sub-committee of more than five Commissioners, exclusive of the Chairman and Vice-Chairman (who should of course be *ex-officio* members of every sub-committee).

In most cases, free discussion and the exercise of the give-and-take principle, will enable the sub-committee to frame a report which can be accepted by all its members : but where this satisfactory result cannot be attained, and the recommendations are not unanimously made, special care should be taken to state clearly the points of difference and the arguments on either side ; and in cases of importance, members whose views disagree with those of the majority should send in written minutes of dissent.

RULE 2—*Both in General Meeting and Sub-Committee, every paper connected with the subject discussed must be laid on the table and be available for inspection.*

Nothing is more likely to cause jealousy and discord than a suspicion that the Chairman is " keeping back " something from the Commissioners. As each subject comes up for discussion the Chairman should read a note, (for the accuracy of which he is personally responsible), in which the facts of the case are fully stated, and, if need be, mistakes or delays on the part of the staff pointed out. All connected office papers without exception must be ready at hand, and the Chairman must be prepared to read out any document or hand it over for inspection as required by any Commissioner.

With the possible exception of negotiations for the purchase or sale of property it is difficult to see in what department of municipal working secrecy is required, and the practice of keeping certain files or certain papers " confidential " *as against the Commissioners* appears to be entirely at variance with the spirit of the Municipal Act.

Now let us take the rules deducible from Principle (B) :—

RULE 3 *The Commissioners in meeting should accept the Chairman's proposals for the appointment, dismissal, and promotion of municipal servants, and should not question his disciplinary methods.*

The responsibilities and duties of a Chairman in his capacity of Head of the Executive are very much those of a manager of a business concern ; or rather perhaps those of a managing

director of a public company, the Commissioners representing the directors, and the ratepayers the shareholders.

Now it would be impossible for a managing director to conduct the affairs of the company with satisfaction to himself and the shareholders, if every employee whom he found it necessary to get rid of were permitted to regard his reinstatement as an open question to be discussed and voted upon at the next meeting of the directors ; or if the filling up of every vacancy on the staff were made the occasion of a struggle between two parties among the directors, the appointment going to the nominee of the party which commanded the majority of the votes.

Yet this sort of thing is constantly seen in many municipalities where the Chairman does not make a stand for his rights and privileges : a full meeting can always be counted on when a proposal to fill up a vacant appointment is on the agenda ; and the amount of preliminary canvassing, lobbying, and intriguing that goes on on such occasions is surprising—and highly demoralising to the staff.

Even when the appointment is to be given to one of a number of "outside" applicants, of whose qualifications the Commissioners might reasonably claim to be as good judges as the Chairman, they should not reject the Chairman's selection except for some special reason ; while in the case of the dismissal or promotion of an officer actually serving on the staff, the reversal of the Chairman's order should be regarded as being equivalent to a vote of no confidence, and as justifying him in tendering his resignation.

RULE 4—*Individual Commissioners should not correspond with, or give orders to, individual members of the municipal staff.*

The mistaken idea that the relation between an individual Commissioner and an individual municipal employee is one of master and servant, is responsible for a great deal of misunderstanding and unsatisfactory work. In some municipalities one sees this idea dominating the actual working with the most disastrous results ; while even in the best managed and most enlightened municipalities one finds traces of a vague feeling that a Commissioner has a special claim on the services of the staff, and a special authority to interfere in its work.

But if the object of the Commissioners is to get the maximum amount of honest work out of their staff, this idea must be done away with altogether. It is fatal to discipline, and the efficiency of the staff, particularly of the outdoor staff, depends mainly on the discipline that allots a man his task, tells him how and when he should do it, and punishes him promptly for disobedience and neglect.

It is obviously impossible to enforce this discipline against a municipal servant if any one of twenty Commissioners is at

liberty at any time to interfere with his work by ordering him to do a certain thing, or by calling upon him for an explanation for his omission to do something else ; and in municipalities where this sort of thing is allowed, one inevitably finds municipal servants working in a half-hearted and perfunctory way, their chief anxiety being to please the more influential Commissioners and their friends.

A Commissioner who brings to light delinquencies on the part of the staff, or makes well-considered suggestions for improving its method of working, can render most valuable service to the ratepayers, and should be encouraged in every possible way ; but the interests of discipline require that his reports and his suggestions should be sent not directly to the officer concerned, but to the Chairman, and that the Chairman, and not the officer concerned, should be held responsible for taking proper action upon them. In municipalities where misconception on this point exists, the only way to make the position clear is for the Chairman to issue a definite order that any paid servant of the municipality, who without his sanction enters into correspondence with an individual Commissioner on matters connected with his work, will be dismissed, and to ask the Commissioners to assist him by bringing to his notice any instance in which this order is disobeyed.

RULE 5—*No portion of executive control should be delegated to individual Commissioners or to committees of Commissioners.*

In some municipalities the management of the various departments of municipal working—drainage, lighting, markets, etc.—is handed over to special sub-committees, or even in some cases to individual Commissioners. In other municipalities again, the Ward Commissioners appear to be held responsible for “looking after” generally the working of all departments within their respective wards. Such management or “looking after” of course involves the issuing of orders and instructions to the staff, and thereby conflicts with the conclusion arrived at above ; namely, that the strict discipline on which the efficiency of the staff mainly depends can be enforced only where the staff as a whole has one master, and each individual member of it one immediate superior through whom all his orders come, and to whom he is accountable for every detail of his work.

The disadvantages attendant on the practice of allowing individual Commissioners to issue orders to individual members of the staff have been detailed above, and very similar results are observable in municipalities where a committee of Commissioners—whether it is called a sub-committee, a district committee, or a ward committee—is allowed any measure of control over the working of the executive staff. For example, the Municipal Engineer may be directed by two different sub-committees to

execute orders which are mutually incompatible ; or he may be directed by one ward committee to carry out his work in one ward on principles entirely different from those he has to follow in another ; or again, he will find conflicting demands made upon his time, which demands he must reconcile according to his own discretion, whence friction and misunderstanding are pretty sure to arise.

Moreover, when brought to book for neglect or bad work, he will usually be able to shelter himself behind an order of a committee ; and this may lead to embarrassing situations in which the Chairman may find his duty of distributing censure and punishment hampered by the fact that the blame, or a portion of it, rests with the sub-committee itself. The Chairman cannot deal with a slack or procrastinating sub-committee as he can deal with a slack or procrastinating overseer : but, as the strength of a chain is the strength of its weakest link, so inefficiency at one point of the municipal organization means loss of efficiency throughout ; and, in municipalities where important executive functions are performed by sub-committees, executive work cannot be expected to reach the high standard of efficiency which it can be made to reach, where the executive agency consists wholly of paid officers who are amenable to discipline, and whose prospects depend entirely on the way in which they do their daily work.

In the interests of efficiency these sub-committees should be restricted to the exercise of their function of criticising and making recommendations, and it should be recognized that, while nothing is more desirable than that Commissioners as members of sub-committees or otherwise, should interest themselves zealously in the actual working of the municipal machine, this zeal and interest should find expression in the making of reports, and the writing of letters to the Chairman, and the moving of resolutions in sub-committee and General Meeting, and not in the issuing of direct orders to the executive staff.

CHAPTER II.

The Responsibilities of the Chairman.

**General responsibility of the Chairman—His duty to the Ratepayers—
His duty to the Commissioners—His duty to the Staff—
The position of the Vice-Chairman.**

General responsibility of the Chairman.

In the foregoing Chapter an attempt has been made to define the spheres of the various municipal authorities, and to deduce some general principles which may be taken to govern their exercise of the powers conferred on them by law. In succeeding Chapters, the duties of the Commissioners, the organization of the municipal staff, and the details of its working will be discussed. But it should be remembered, sound principles of working, an efficient organization, and a disciplined staff, necessary as they are, are not enough by themselves to ensure success in municipal work. There must exist besides, among ratepayers, Commissioners, and staff alike, a general spirit of confidence in the honesty and fairness of the administration. To encourage the growth of this spirit of confidence is the business of the Chairman: and though he may, under the law, delegate practically all his duties to the Vice-Chairman, still the general tone of the administration depends ultimately on him; and this responsibility is one of which he cannot under any circumstances divest himself.

“Tact” is often spoken of as being the one thing needful for the head of a self-governing body like a municipality; and a very valuable asset it is undoubtedly to the man who is fortunate enough to possess it. Genuine tact however is perhaps not so commonly met with as is generally supposed; and one must beware of confusing it with the habit of mind which leads a man to take the line of least resistance, and to refrain from following the course he feels to be the right one, for fear of injuring somebody’s interests, or hurting somebody’s feelings. This sort of tact is not to be commended; and may be relied upon to produce a “dry-rot” in a municipal administration as surely as it does in any other department of public work.

If there is one virtue more indispensable than another for a Chairman who wishes to secure and retain the general confidence referred to above, it is, one is inclined to say, not so much tact as impartiality. And for a Chairman to maintain invariably a strictly impartial attitude is not so easy a matter as it might seem. He

has to perform three parts simultaneously ; he is, that is to say, at once guardian in the last resort of the general interests of the ratepayers, representative of the majority of the Commissioners, and responsible Head of the Executive. His natural bent may very well lead him to prefer one of these rôles to the others ; but this tendency should be resisted, and he should not forget that the interests of each of these three bodies—the ratepayers, the Commissioners, and the staff—have an equal claim to his attention. And when two of these interests clash, (as must happen occasionally), it should be his particular business to make it clear that he weighs their respective claims and makes his decision without favour or prejudice to either side.

In dealing therefore with the subject of this Chapter—the responsibility of the Chairman—we shall find that the most convenient method will be to consider it under each of these three aspects separately. We shall take first, that is to say, his duty to the ratepayers, secondly, his duty to the Commissioners, and thirdly, his duty to the staff

The Chairman's duty to the Ratepayers.

The influence of the general body of ratepayers on the policy of the municipality is usually not very perceptible. Although in most municipalities the elective system is in force, and the ratepayers elect two-thirds of the Commissioners every three years, it is rare, at present, to find a question of municipal policy influencing the general election. Contested elections are usually due to a disagreement between the rival social factions which are so prominent a feature of the inner life of an Indian community. Even when this is not the case, the attention of the electors is directed to the personal qualities of the candidate, and to his wealth and social position, rather than to his attitude on particular questions of municipal policy. It is true that, in some municipalities, Ratepayers' Associations exist ; but it will be found desirable to examine their constitution and method of working before accepting them at their own valuation—a body of this kind is very liable to fall into the hands of a particular social faction, or local clique, and so to lose all claim to represent the general interest of the community.

It will usually be found however that a Commissioner, elected or otherwise, will, particularly if stimulated by the Chairman, take an interest in the general welfare of his ward, and will be ready to bring to notice the wants and grievances of individual ratepayers. This spirit should be consistently encouraged : and the Chairman should endeavour, by shewing himself particularly sympathetic in the matter of complaints and petitions enquired into and endorsed by the Ward Commissioners, to induce the ratepayers to look upon the Ward Commissioners as the immediate

guardians of their interests, and to go to them in the first place for redress or advice.

Other more or less obvious duties which should be borne in mind by a Chairman anxious to secure the confidence of the ratepayers are:—

(a) To see that equal treatment is accorded to all classes; and to make it clear that the general interest of the community is not subordinated to the interests of Ward Commissioners and their friends.

(b) To protect the ratepayers against corrupt and oppressive municipal servants.

This he can best do by personally investigating any case in which there is the slightest suspicion of corrupt or oppressive conduct, and by dealing summarily with the offenders. If this is not done systematically, an impression is likely to be formed, (which it will be the interest of the staff to strengthen), that the Chairman is in the hands of the staff, and resents criticism of individual members of it as a reflection on his own administration.

(c) To make arrangements for the prompt and thorough investigation of all complaints and petitions received from ratepayers; and, (this is an important point), for the communication to the petitioners of the decision arrived at with the least possible delay.

This is chiefly a matter of system and organized control, and will be dealt with in a succeeding Chapter.

(d) To make frequent local inspections.

The more a Chairman is seen to move about the streets looking at things for himself, the better will be the effect on all concerned.

In addition, however, to these, so to speak, "casual" visits and inspections, he should arrange to make, at least once a year, a regular inspection of the whole town, ward by ward, giving a day or more to each ward. Long notice should be given of the dates of the inspections, and Commissioners and ratepayers invited to send in petitions and suggestions at least a week beforehand. This will allow of their being examined and reported upon by the staff with a view to enable the Chairman to decide what matters require his personal inspection. The results of the inspections should be embodied in a detailed note containing the Chairman's orders with regard to all matters in which he considers action necessary, and the note should then be placed before the Commissioners in meeting for their information.

These annual inspection notes, besides providing a means of checking the general working of the municipality, will serve in some measure as a history of municipal policy from year to year, and will be found particularly useful, when changes take place in the *personnel* of the staff.

The Chairman's duty to the Commissioners.

The legal obligations of the Chairman towards the general body of Commissioners are two only. The first is, to place before a general meeting every subject declared by the Act to require the sanction of the "Commissioners at a meeting." The second is, to see that the resolution passed thereon by the meeting is duly carried into effect.

Although these duties are sufficiently plain and simple in themselves, a good deal depends on the spirit in which they are performed: a Chairman who aims at gaining the confidence of his colleagues will do well to take particular care to see that these, his "constitutional" dealings with them are free from any suspicion of partiality or prejudice.

When the Chairman lays a subject before a General Meeting, he is morally bound to bring to the notice of the Commissioners *all* relevant facts and papers: and when the meeting has passed a resolution with regard to it, he is morally bound to do his best to carry it into effect whether he agrees with it or not. If he fails to fulfil these moral obligations; if, for example, in the case of a blunder committed by the executive, he "keeps back" certain papers, or slurs over certain facts, with the view of screening the delinquent; or if again, he allows the executive to deal in a dilatory or half-hearted spirit with a matter in which his own views have been overruled by the Commissioners; he must not be surprised to find his colleagues exhibiting a spirit of irritation and suspicion, which leads them to obstruct the everyday work of the municipality by questioning his motives in the proposals he brings forward, and by criticising his procedure in the executive duties he performs.

In addition to his obligations to the Commissioners as a body, the Chairman is the natural guardian of the right of the individual Commissioner attending a meeting; and he should not forget that it is his duty both to respect these rights himself, and to see that they are respected by others.

One not unfrequently finds however a Chairman ignoring this particular responsibility, and, as representative of the stronger party among the Commissioners, using his majority to cut short criticism or discussion. This of course is all wrong; every Commissioner present at a sub-committee or General Meeting has certain rights, specified or implied in the Act, which he can claim to exercise without reference to the wishes of the Chairman or those of the majority of his colleagues.

He can claim, that is to say:—

- (a) To see every document in the possession of the municipality which is connected with the subject under discussion.
- (b) To criticise freely the opinion or action of any municipal servant or Commissioner *including the Chairman*.

The Chairman should remember that the quality of infallibility which distinguishes his rulings on points of order does not attach to his views on points of municipal policy; or to his actions as Head of the Executive. These views and acts are as much open to criticism as those of any other Commissioner or municipal servant; and the language used must be very strong indeed before he can be justified in calling the critic to order for "disrespect to the Chair."

(c) To speak as often and as long as the standing rules of debate allow.

It is true that the unmerciful exercise of this right may at times produce an extremely exasperating effect: but the only practical alternative is to allow, either the Chairman, or the majority of the meeting, to "closure" the discussion at any stage; and in the best interests of municipal government the Chairman is bound to set his face against any such interference with the freedom of debate.

A "Ten-minute Rule" is a device sometimes employed, but is not of much use when a Commissioner is really bent on speech-making; the usual result of an attempt to enforce such a rule being merely to stimulate him and his friends to produce fresh resolutions and amendments ingeniously designed to circumvent it. Practically the only thing to be done in such cases is for the Chairman to call the orator's attention to the flight of time, and to trust to his consideration for the feelings of others to bring his eloquence to a close.

But in well-regulated municipalities such cases should be of rare occurrence; and it will usually be found, especially if the Chairman by example, as well as by precept, does all in his power to discourage formal speech-making, that Commissioners will realise that the municipal meeting-room is not a place for oratorical displays, and that they themselves are members, not of a debating society or a political assembly, but of a committee of citizens who meet to consider the ways and means of doing the essentially practical and humdrum business of draining, lighting, and cleaning the town in which they live.

Outside the meeting-room, the Chairman has no statutory obligations towards individual Commissioners. He should not forget, however, that their position as his colleagues in the administration of the affairs of the town gives them certain more or less well-understood privileges, which he should be careful to recognize and maintain.

It is generally understood, that is to say, that every Commissioner can reasonably claim:—

(a) To have free access to the Chairman for the purpose of discussing matters affecting the municipality.

(b) To have any complaints or suggestions he may make enquired into and replied to by the Chairman himself.

(c) To have his communications, written or verbal, with the Chairman kept confidential, if he so desires.

(d) To be consulted by the Chairman on any matter (not being mere routine work) which specially affects his ward.

This of course represents a minimum merely; and when any Commissioner is known to possess local knowledge or professional experience in a special degree, the Chairman will naturally be expected to avail himself freely of his advice and assistance by consulting him unofficially whenever occasion arises.

The Chairman's duty to the staff.

The conditions of service in the average municipality cannot be described as attractive. The pay is usually small, there is little prospect of promotion, and an appointment carries with it no sort of claim to permanent employment. Moreover, the position is rendered still more unsatisfactory by the fact, that an officer who does his duty honestly will frequently find himself called upon to act in direct opposition to the interests of one or more of the many masters on whose favour his future prospects depend.

Under such conditions one cannot expect to find the best men entering the service of the municipalities; and as a matter of fact, one will usually find that municipal servants, both clerical and outdoor, compare unfavourably in energy and ability with the staff of the other public officers in the district.

A certain disparity between the conditions of Government service and the conditions of municipal service is, in the nature of the case, unavoidable; but in many municipalities, the disparity is a good deal greater than it need be, and the difficulties under which the municipal staff has to work, are such as to render the attainment of any respectable standard of efficiency practically hopeless. An officer in Government employ carries out the rules of his department and the orders of his superiors, untroubled by considerations as to whether they are agreeable or otherwise to the members of the public affected by them; he has too, to serve and to satisfy one master only, and he knows that on the good opinion of this master—the head of his department—his advancement in the service entirely depends. There is really no reason why, as regards these two points at least, an officer in the service of a municipality should not be on a par with the Government servant; but as one knows very well, this is often very far from being the case. In many municipalities one sees the members of the staff influenced in the performance of the most ordinary routine duties by the fear of offending this or that

influential Commissioner, or even this or that influential ratepayer; and relying for promotion, not on the quality of their work, but on the amount of "interest" they have succeeded in securing among the Commissioners and their friends.

Where this unsatisfactory state of things exists, it will be found that the Chairman, either through ignorance, or weakness, or a desire to please his colleagues, has surrendered in their favour his duties and privileges as head of the staff, without perhaps realizing that in so doing he has dealt a serious blow at the efficiency of his administration. It is impossible for a staff to work satisfactorily under a number of separate masters; and in the interests of the staff and of the municipality generally, it is the Chairman's plain duty to constitute himself the sole judge of the merits or demerits of particular municipal servants, and, even at the cost of incurring unpopularity among the Commissioners, to insist on keeping the control exercised by them over the staff strictly at its legal minimum.

As pointed out above, the conditions of Government service furnish a standard to which it is desirable that the conditions of municipal service should conform as nearly as circumstances allow. Whether in any particular municipality this is the case—whether, that is to say, it can offer a self-respecting man, who enters its service, reasonable prospects of permanence and promotion—is a matter which depends almost entirely on the way in which the Chairman discharges his responsibility as head of the staff.

When dealing with the Chairman's duty to the ratepayers, and his duty to the Commissioners, we propounded certain rules and conditions to which his conduct should conform in each case. In the case of his duty to the staff, the conditions are still more clear and definite. We may reduce them to three simple rules which may be stated as follows:—

RULE 1—*The Chairman must protect the legitimate interests of the staff regarded as a whole.*

This rule can be best illustrated by negative examples. A Chairman is *not* protecting the interests of the staff as a whole—

(a) If, when a municipal servant has in the execution of his duty been beaten or insulted by a ratepayer, he refuses to prosecute, or compounds with the offender, in order to oblige the Commissioner of the Ward in which the ratepayer lives; *or*,

(b) If he allows a Commissioner in open meeting to refer to "the notorious incompetence of the staff," or to impute corrupt motives to any member of the staff, without insisting that the

speaker shall make a definite charge which the officer concerned can be called upon to meet in a regular and open way ; or,

(c) If he does not use his influence to prevent the Commissioners, arbitrarily or without urgent necessity, cutting down existing salaries and allowances at Budget-time.

RULE 2—The Chairman must be fair and impartial in his dealings with individual members of the staff.

That is to say, when censure or punishment has to be awarded, or a promotion to be made, he must shew no favouritism to an officer who is a *protégé* of his own or of any Commissioner. A *protégé* is always a nuisance in the office. He neglects his work, bullies his colleagues and creates unnecessary friction by retailing office tittle-tattle to his patron.

RULE 3—The Chairman must not allow anybody but himself to have any dealings with the staff at all.

This point, which has been laboured a good deal in preceding pages, is unfortunately not fully appreciated in India ; and a Chairman acting in conformity with this particular rule may find himself brought into collision with the best and most useful men among the Commissioners—men who are keen on the welfare of their wards, and the work of the municipality generally. But breaches of the rule have such a demoralising effect on the staff, that a Chairman is bound to resist steadily all temptation to give way, and must gently but firmly make it clear to every Commissioner, however zealous he may be, that, as we said above, “ his zeal and interest should find expression in the making of reports to the Chairman, and the moving of resolutions in sub-committee and General Meeting, rather than in the issuing of direct orders to the executive staff.”

The position of the Vice-Chairman.

The Vice-Chairman (except of course when he is a paid whole-time officer) occupies a very uncertain position. In one municipality he may be the virtual Chairman ; in another he may have no more power than an ordinary Commissioner. Although he is elected independently of the Chairman, and without reference to his wishes, the only right inherent to his position is the right to preside at meetings in the Chairman's absence. Whatever authority he may exercise over the executive staff is derived from the Chairman, who may “ by a written order delegate to the Vice-Chairman all or any of the duties and powers of a Chairman as defined by the Act subject to such restrictions as may seem fit to him, and may by a written order withdraw or modify the same ” (Bengal Municipal Act, Section 4).

In practice, the division of responsibility between the Chairman and Vice-Chairman takes place in one of three different ways—*either*,

1. The Chairman delegates to the Vice-Chairman the whole of his powers and duties with regard to certain departments of municipal work, retaining the remaining departments for himself.

In this case the authority of the Vice-Chairman in regard to these delegated departments is the authority of the Chairman himself and is not subject to his revision. This is the usual arrangement when both Chairman and Vice-Chairman are non-official and unpaid officers ; *or*,

2. The Chairman defines certain of his minor duties and powers with regard to *all* departments as “ routine work,” and delegates it entirely to the Vice-Chairman reserving for his own orders all the remainder.

This is the usual arrangement in the rarer cases where the Vice-Chairman is a whole-time paid officer and the Chairman an unpaid official or non-official ; *or*,

3. The Chairman delegates to the Vice-Chairman the whole of his powers and duties with regard to certain departments of his work, and with regard to the remaining departments, defines certain powers and duties as “ routine work,” and delegates that also entirely to the Vice-Chairman, reserving the remainder for his own orders.

This is the usual arrangement where the Chairman is an unpaid official, and the Vice-Chairman is an unpaid non-official.

But however extensive a delegation of his powers a Chairman may make in favour of the Vice-Chairman, there is a certain minimum of authority which he must retain in his own hands unless he wishes to abdicate his responsibility altogether. This irreducible minimum may be taken to consist of the following duties :—

- (a) To preside at all meetings and sub-committees.
- (b) To personally check the Budget, and explain it to the Commissioners at the Budget-meeting.
- (c) To make an annual inspection of the town.
- (d) To see all correspondence addressed to, or received from, the Magistrate, the Commissioner, and other executive authorities.
- (e) To pass all orders appointing, promoting, dismissing, punishing, and rewarding members of the municipal staff.

CHAPTER III.

The Duties of the Commissioners.

The financial difficulty—Enumeration of duties—The Contract System and its limitations—Summary of conclusions—Hints on municipal policy.

The Financial Difficulty.

The objects on which municipal funds may legally be spent are enumerated in section 69 of the Act. The list is a comprehensive one and offers a wide field to municipal enterprise and activity. Unfortunately however Indian municipalities—judged by English and Continental standards at least—are extremely poor, and very few of them have money to spend on any thing but the barest necessities. Taking for instance the hundred and fifty municipalities of Bengal, the province in which the municipal system is supposed to have attained its greatest development, we find that the amount paid in municipal taxes works out to an average of less than one and a half rupees per head of population per annum. It must be remembered too, that this direct taxation of the ratepayers is practically the only source from which municipal revenues can be drawn. The first mofussil Indian municipalities were created only a generation ago; and Indian towns have not yet had time to accumulate gifts and bequests, or to become, as so many European towns have become, owners of large landed properties acquired in the past, and enormously increased in value since. Municipal trading too is practically non-existent in India; and the possibility of obtaining a revenue from this source need not be seriously considered for some time to come.

One is therefore not surprised to find that in the majority of Indian municipalities, the Commissioners do little beyond cleaning the town, repairing and lighting the streets, and making small contributions to local schools, and dispensaries.

Nevertheless creditable progress on the ordinary European lines is taking place in not a few of the larger towns, where the incidence of taxation is considerably higher, and where the Commissioners have taken advantage of the system by which loans for expenditure on permanent improvements are advanced on easy terms by the Local Government, and have provided the town with a filtered water-supply, a scientific drainage system and a public market, and at the same time are undertaking to regulate the

building of houses and huts, to inspect dairies, private markets and the private water-supply, to maintain a fire-brigade and a vaccination staff, and to finance local hospitals and high schools.

The example of these "advanced" municipalities is undoubtedly producing its effect on the rest. For one thing, one notices everywhere an increasing tendency to be strict and careful in the matter of the imposition and collection of rates and taxes. This is an encouraging symptom, which may be taken to mean that people are beginning to realise that efficiency and progress are incompatible with the lax financial methods that marked the early days of municipal administration. At any rate there seems to be no reason to doubt that a "levelling-up" process has begun, and is likely to continue; so that, in dealing with the subject of this Chapter, we shall be justified in taking a large municipality of the advanced type as our example, leaving the "Duties of the Commissioners" in smaller and less developed municipalities to be deduced from the list now to be given.

Enumeration of Duties.

What we have to consider then are the duties of the Commissioners in a municipality of this "advanced" type. These duties are of course all to be found detailed in various sections of the Acts and Rules that make up the Municipal Manual; but the difficulty is that the Municipal Manual is a large-sized volume, and the sections in question are not to be found in one place but lie scattered throughout its pages. Let us therefore bring all these sections together and extract from them a regular list of the "Duties of the Commissioners."

We shall get something like this:—

- (1) The election of Commissioners.
- (2) The holding of meetings.
- (3) The framing of by-laws.
- (4) The imposition of taxes and rates.
- (5) The assessment of the ratepayers.
- (6) The collection of taxes and rates from the ratepayers.
- (7) The conduct of correspondence with the authorities and the public.
- (8) The maintenance of records.
- (9) The keeping of accounts of receipts and expenditure.
- (10) The conservancy of the town (public and private).
- (11) The construction and maintenance of roads and streets.
- (12) The lighting of roads and streets.
- (13) The maintenance of a drainage system.

(14) The provision of filtered-water and the control of private sources of water-supply.

(15) The construction of bridges, drains, and municipal buildings.

(16) The maintenance of public markets.

(17) The inspection of private markets and the food-supply generally.

(18) The registration of births and deaths.

(19) The entire or partial maintenance of a force of Town Police.

(20) The advancement of education.

(21) The maintenance of hospitals and dispensaries.

(22) The taking of measures for dealing with plague and other epidemics.

(23) The maintenance of a staff of public vaccinators.

(24) The prevention of fires and the maintenance of a fire-brigade.

(25) The regulation of the building of houses and huts.

(26) The opening up of crowded and insanitary areas.

(27) The maintenance of pounds and ferries.

(28) The maintenance of public burial-grounds and burning-ghats.

(29) The stocking and issuing of municipal stores.

(30) The prosecution of offenders against the various Acts and by-laws.

These thirty items may be taken to make up a fairly complete list.

Before proceeding to discuss the ways and means of carrying out the thirty duties in this list, it may be noted that as regards five of the items, namely, Nos. 19, 20, 21, 22 and 23, the responsibility of the Commissioners is under present conditions a financial one only—that is to say, all they have to do with regard to each of them is to settle in consultation with the Government authorities the amount of the municipal contribution, and to pay over this amount to be spent by the public department or body concerned.

They can too, if they wish, adopt a similar procedure with regard to two other items, namely, Nos. 5 and 15. That is to say, if they wish to avoid the labour and worry involved in making the quinquennial revision of the assessment, they can, on paying the cost, obtain the services of a Government officer to make it for them. Or, if they are not confident of the ability of their own staff to devise and carry out a scheme of drainage, or water-supply, or other big engineering project, they can, on paying the

cost, hand over the whole thing to the Department of Public Works. In some cases of course, it will be found necessary to adopt this procedure; but, speaking generally, in a large and reasonably efficient municipality, the municipal staff should be able to do both kinds of work as effectively as the Government agencies and at a cheaper rate. At all events, the attempt should be made; it should be the aim of a well-regulated municipality to be "self-contained" as far as possible, and to ask Government for assistance only when absolutely compelled to do so.

It will be assumed then that in the municipality we are taking as our example the Commissioners hold this view, and have decided to rely on their own staff to carry out their Assessment and Construction work.

For the twenty-three remaining items on the list, the Commissioners are wholly responsible and cannot shift their responsibility to others; so that in order to get a list of the work to be done by the staff, all that is necessary is to eliminate from the list given above the five items (19) Police, (20) Education, (21) Hospitals, (22) Plague, and (23) Vaccination.

The list, thus revised and written as shortly as possible, of duties to be performed directly by the Commissioners will be as follows:—

Elections, Meetings, By-laws, Taxation, Assessment, Collections, Correspondence, Records, Accounts, Conservancy, Roads, Lighting, Drainage, Water-supply, Construction, Public Markets, Food Inspection, Vital Statistics, Fire Prevention, Building Regulations, Slum Improvement, Pounds and Ferries, Burial Grounds, Storekeeping, and Prosecutions.

The Contract System and its limitations.

Now comes a much-vexed question—how far should our Commissioners perform the twenty-five duties on this list "departmentally," that is to say, through the agency of their own staff, and how far through the agency of contractors? Practice in this respect varies a good deal. Practically every municipality adopts the contract system to a greater or less extent as regards the items of Roads, Construction, and Ferries and Pounds. Some municipalities lease out the municipal markets; most have their streets lighted by contract; a few appoint a contractor to carry out the important duties included under the head Conservancy; and still fewer perhaps do not collect their own taxes, but employ a contractor who is paid by a commission on the results.

None of the other items on the list permit of the application of the contract system.

Now, given certain conditions—given, that is to say, that the work in question is of a nature to allow of (a) genuine competition

existing among contractors, (b) precise specifications being drawn up, and (c) failure on the part of the contractor being at once detected and dealt with under a penalty-clause without difficulty or dispute—it is recognised that the contract system furnishes what is probably the safest and most economical of all agencies for carrying it out. When, however, the system is extended to work which does not allow of these conditions being complied with, its peculiar safeguards disappear, and wasteful and inefficient working is the usual result.

This, or something like it, is the commonly accepted view of the advantages and limitations of the contract system. And if we accept it, (and there seems to be no reason why we should not), our next step must be to consider how far the three conditions noted above are fulfilled in the case of each of the above mentioned seven items of municipal work to which the system is more or less frequently applied, viz., Road-repairs, Construction, Pounds and Ferries, Markets, Lighting, Conservancy, and Collections.

Road-repairs and Construction—These two obviously fulfil the conditions completely. There is never any lack of contractors for work of this kind; the specification can be made quite definite both as regards quantity and quality; and the contractor's work is always there to be measured and inspected.

Pounds and Ferries—In respect of this item very much the same may be said as regards competition and the specification; and although the contractor's work cannot be actually measured, yet the conditions of the contract are so few and simple that any attempt on his part to evade them can very easily be detected and penalised.

Public Markets—This item stands on a different footing altogether. It must be assumed of course that the object of the Commissioners in constructing a public market is to safeguard the health of the community by providing a place where wholesome food can be stored and sold under proper sanitary conditions, and, incidentally, to set an example of market management for the owners of private markets to follow. If this object is not kept in view, and the Commissioners treat their markets as a source of revenue merely, and after prohibiting (as they have a right to do) the establishment of new markets anywhere in their neighbourhood, simply let them out to the highest bidder to make what he can out of them, they are distinctly abusing the power conferred upon them by the law, and probably do more harm than good.

If however they intend to make the contractors keep up a proper standard of market management, they will find it necessary to insert in the contracts numerous and elaborate provisions regarding food-inspection, accommodation, fees, water-supply, disposal of refuse, etc., etc., and to depute an officer to visit the

markets daily to see that they are carried out. Now, in the nature of things, these provisions cannot be made definite and precise after the manner of an engineering specification; and if each case of non-compliance with the terms of the contract reported by the inspecting officer and disputed by the contractor, is investigated on its merits, a good deal of troublesome work will be thrown on the higher officers of the municipality and the Chairman and the Vice-Chairman. If, on the other hand, the contractor's protests are ignored, and fines and penalties are inflicted upon him simply on the reports of the inspecting officer, it is not improbable that an understanding will be come to between these two persons which will not only result in the cessation of unfavourable reports on the market arrangements, but will give complete satisfaction to everybody concerned—the public always excepted.

Again, the interests of the public will constantly require the making of minor improvements and temporary alterations in the market arrangements. With departmental management, this is an easy matter; with management by contract, it may prove a very difficult matter indeed if the contractor be disposed (as he generally is) to stand on the strict letter of his contract.

It is clear then, that the three conditions we have specified above cannot be complied with in the case of public markets; and everything taken into consideration, it is difficult to avoid the conclusion that the ratepayers distinctly do not get the best value out of their markets when they are let out to contractors.

Lighting—Where electricity or gas is used, the work must of necessity (under present conditions) be done by contract, that is to say, an arrangement must be come to with the lighting company concerned. Where, however, as in the great majority of towns, the illumination of the streets is effected by means of oil-lamps fixed on the tops of posts, the question of giving the work out in contract becomes a debatable one.

The difficulties in the way of framing an exact specification, and of keeping the contractor's work up to the mark, are much the same as in the case of public markets. The arguments against the employment of a contractor are thus practically the same as those we have just rehearsed, and need not therefore be recapitulated; and we may conclude at once, that, as in the case of public markets, so in the case of lighting of the public streets, the "departmental system" is likely to give the better results.

The two facts, *first*, that the general practice tends the other way, and *second*, that the departmental method will probably prove the more expensive of the two, do not tell against this conclusion so heavily as they might, when one remembers that the lighting of the streets is almost invariably the worst performed of all municipal duties; and when one observes, that in many municipalities the lighting contract rates are cut so low, that it is

actually impossible for the contractor to supply the plant, oil, and labour specified, except at a loss.

To put the matter in a nutshell, the ratepayers are more likely to get a regular and efficient lighting service, when unlit lamps and inferior oil mean the dismissal of the municipal servant responsible, instead of more or less trivial fines inflicted on a contractor.

Conservancy—We have seen that as regards market and lighting work, the difficulty of binding down the contractors and keeping their work up to the mark is a serious obstacle in the way of the successful working of the contract system. Exactly the same difficulties, in many cases in an intensified form, have to be met when the contract system is applied to conservancy. And, of course, in the case of conservancy, the consequences of a failure of the system are out of all comparison more serious. The remissness of a market or lighting contractor causes a certain amount of inconvenience of a more or less temporary and remediable character; the remissness of a conservancy contractor means, at best, a particularly offensive form of public nuisance, and at worst, an increased death-rate and irreparable damage to the health of the community.

But the great objection to conservancy by contract, altogether apart from, and in addition to, the disadvantages which it shares with market-keeping by contract, and lighting by contract, lies in the fact that it is subject in a very special degree to the danger of being converted into a monopoly of a most undesirable and mischievous type. Conservancy work in India is exclusively performed by persons belonging to a few of the lowest castes; and a man of any other caste who does a single day's work as a night-soil carter or a scavenger has to pay the penalty of instant and complete social ostracism. The ordinary laws therefore of supply and demand, under which, in any other department of municipal work, the raising of the wage-rate ensures a practically unlimited supply of coolie labour, do not apply to conservancy work. And as in most municipalities (in Bengal at least), the number of persons belonging to the *mehter* castes is not very much in excess of the number actually required for the public and private conservancy of the town, the serious consequences of a strike of municipal sweepers may easily be imagined.

Should such a crisis arise, no temporary expedient is possible; and the only alternative to giving such concessions as will induce the sweepers to return to work, is to import at once a completely new staff of men and women from some other town or towns which may happen to have a sweeper population in excess of local requirements. This must necessarily be an anxious and very expensive business for the municipal authorities: every twenty-four hours' delay adds to the discomfort of the public, and increases the danger of an outbreak of an epidemic: while the

new staff of sweepers may have to be collected from places hundreds of miles away, and, in any case, will have to be very heavily compensated for being required to leave their houses at a few hours' notice. Moreover, it is by no means certain that their arrival will put an end to the trouble: the sweeper castes are particularly clannish, and it is quite on the cards that the imported "blacklegs" will sooner or later be forced or persuaded to make common cause with their local brethren.

The fact is that a strike of sweepers is such a nuisance, and causes so much anxiety to all concerned, that Commissioners will put up with almost anything rather than run the risk of provoking it. And herein lies the special danger of conservancy by contract. Sweepers are ignorant and credulous people who yield a large measure of obedience to their own *jemadars* or headmen. It is not particularly difficult for an astute contractor who has got a good footing in the municipality, by making judicious loans to these *jemadars* and otherwise, to gradually get such a hold on them, and through them, on the whole of the sweeper staff, as to be able to engineer a strike practically whenever he chooses. This power he will most certainly exert if he sees any intention on the part of the Commissioners to supersede him by a rival contractor: nor is he likely to be backward in hinting at unpleasant possibilities, should they begin to "put the screw on" him to such an extent as to endanger whatever he may consider to be his legitimate profits.

This is not a dignified position for the Commissioners to be placed in by one of their own contractors; but there is no doubt that such a state of things, more or less decently veiled, does exist in a good many municipalities. In such a municipality one may observe that the conservancy work is constantly below the contract standard; that the ratepayers are constantly grumbling; and that the Commissioners are constantly worrying the contractor without taking any decisive steps to remove him.

There is perhaps no branch of municipal work in which efficiency is more intimately connected with the comfort and health of the community than conservancy work; certainly none in which the effects of efficient working are more immediately apparent. But it is unreasonable to expect a high standard of efficiency to be shown, when, in addition to the many difficulties incidental to handling of "sweeper" labour, the executive authorities are called upon to encounter a formidable stumbling-block in the shape of a contractor prepared to embarrass them very seriously, whenever he thinks that his position or his profits are being threatened.

Collections—It is not easy to see exactly what advantages Commissioners propose to gain by farming out the collection of municipal rates and taxes in preference to getting the work done by their regular staff.

They cannot surely imagine that they will secure either greater economy or greater efficiency under the contract system. If they examine the figures given in the annual provincial Reviews of Municipal Administration, they will see, that it is quite possible for a municipality which follows the procedure laid down in the Collection Rules, to collect by means of its own staff from ninety-five to ninety-nine per cent. of its demand within the year at a cost for collection charges of about two and a half per cent. on the realisations. Now they know, or if they do not, their first year's experience will teach them, that these are results which no contractor who works honestly, *i.e.*, without swindling either the Commissioners or the taxpayers or both, can hope to attain. And the reason is quite obvious: the contractor has at once less power over the taxpayers, and more expenses to meet, than the tax-collector who is a regular member of the municipal staff. As every one who has had experience of collecting work knows very well, the last twenty per cent. or so of the demand gives more worry and requires more labour than all the rest put together. This twenty per cent. may be taken to represent the taxes of the contingent of "habitual defaulters"; and it is precisely in his dealings with this class that the disadvantages of the contractor's position become most clearly apparent.

The tax-collector on the one hand takes the necessary coercive measures with the full and undivided weight of the authority of the Commissioners behind him; orders for warrants, sales of property, and the institution of civil suits are all passed by the Chairman himself, and against his orders there is no appeal. The contractor on the other hand, though he may nominally exercise all these powers, finds them considerably restricted in practice. The Chairman must of course see that the ratepayers are not victimised by the contractor and his subordinates; and when he receives complaints of illegal action and oppression on the part of the latter, he is in duty bound to satisfy himself as to their truth. Now, to any one who has had any experience of Indian ways, the endless opportunities for delay afforded by the procedure necessary for his so satisfying himself need not be pointed out. The habitual defaulter at any rate may be trusted to recognise and avail himself of them at once; he will discover that the system is virtually one of dual control; and by the exercise of a little ingenuity he will be able to ring the changes on reports, explanations, local enquiries, and adjournments to such an extent, as to prevent the contractor from really coming to grips with him within six months of the date on which his tax falls due.

Again, in the case of the contractor, the percentage for collection charges has to cover a good deal more than it does in the case of the collector. In addition to the actual expenses of

collection, the contractor has to provide for his own profits, interest on his sunk capital, insurance against loss, and in all probability, regular *douceurs* to the subordinates of the municipal staff told off to check his work and watch his dealings with the taxpayers.

It would be an extraordinary thing then, if one found that a contractor working under all these disadvantages could do things as cheaply and efficiently as a properly organized and well-managed municipal staff. And as a matter of fact he does not. In municipalities where the contract system is in force, one usually finds the collecting staff badly undermanned, and the contractor content to realise between eighty and ninety per cent. of the demand, the remainder lapsing as "irrecoverable." This state of things of course entails a serious financial loss on the Commissioners. Moreover, it is very bad administration, inasmuch as it puts a direct premium on "passive resistance." It is very demoralising to the exemplary householder who pays his rates and taxes punctually, to see a section of his fellow-citizens evading all such financial obligations by dint of first ignoring, and then objecting to, all demands made upon them by the contractor, and Commissioners should not allow themselves to forget that one of the chief features of a sound collection system is the encouragement of the others by the persistent harrying of the passive resister. He must be made to learn that he has *got* to pay sooner or later, and that the longer he evades payment the larger will be the item for "extras" in his bill.

If then we accept this view, *i.e.*, that the contract system of collection is both less efficient and more expensive than the departmental system, it becomes necessary to enquire what compensating advantages it possesses sufficiently considerable to induce Commissioners to adopt it. The only reasonable answer that suggests itself is, that the Commissioners have an idea that, by appointing a contractor, they relieve themselves and their officers of an appreciable amount of difficult work. But surely such an idea is quite fallacious. The actual work of collection, however large the amount may be, is not particularly difficult: as will be shewn below when we discuss the details of the system, with a properly organized staff, and a strict adherence to the Collection Rules prescribed by Government, collection work becomes in a great measure automatic, and calls for little special attention on the part of the higher authorities. The part of the work that *does* call for the special attention of the authorities, and that often proves very troublesome indeed, is that connected with petitions for exemption, remission, and apportionment, and with complaints of misconduct and oppression on the part of the collecting staff. But the work in connection with exemption, remission, and apportionment is identically the same whichever system is followed; while from what has been said above on this subject, it is not difficult to see that the work in connection with complaints against

the staff is likely to be both heavier and more difficult to dispose of under the contract system than it is under the departmental system.

There is another consideration however that may possibly have some weight, especially with the Commissioners of small municipalities who are necessarily brought in somewhat closer personal touch with individual ratepayers than is the case in larger towns, and that is the consideration that the contract system diverts from the Commissioners to the contractor a good deal of the unpopularity that always and everywhere attaches to the tax-gatherer.

But this, of course, is a mere shirking of the issue; and in the case of the advanced municipality we have taken as an example, we must certainly assume that the Commissioners possess the "courage of their assessment" so to speak, and make their choice of systems uninfluenced by any idea of providing themselves with something in the shape of a scape-goat.

We have now examined in some detail the advantages and limitations of the contract system as applied to each of the seven items to which it is found possible in practice to adapt it. The only point in issue is expediency; and on this point we have found in each case the evidence for and against the system to be sufficiently clear and straightforward to justify us in coming to a definite conclusion on the whole question without further delay.

Let us then pronounce our verdict as follows—*A large municipality of an advanced type should adopt the contract system in the case of three items of work, viz., Roads, Construction, and Pounds and Ferries; and should reject it in the case of the four remaining items, to which it is possible to apply it, viz., Lighting, Markets, Conservancy, and Collections.*

This, of course, is to be regarded as a general statement only; and as being subject to the reservation that peculiar local conditions may possibly in some cases cause the balance to incline the other way.

Summary of conclusions.

With the passing of judgment in the "Contract System" question our discussion of the duties of the Commissioners, and of the ways and means of performing them comes to an end. The discussion has been a rather discursive one, and it is possible that the detailed enquiries we have found it necessary to make into the inner working of various municipal departments may have obscured to some extent the conclusions we have come to with regard to the main points in issue. At any rate, there can be no harm in

recapitulating them. Let us therefore condense the general results of our enquiries, and re-state them as follows :—

1. In a large and advanced municipality the Commissioners' duties (both compulsory and "optional"), may be grouped under the thirty heads or items of work detailed above on pages 28-29.

2. As regards five of these items, *viz.*, *Police, Education, Hospitals, Plague, and Vaccination*, the responsibility of the Commissioners is, under present circumstances, a financial one merely, the actual work being done by Government.

3. As regards two of the items, *viz.*, *Assessment and Construction*, the Commissioners *may*, but *should not*, convert their direct responsibility into a merely financial one by engaging Government to do the work for them.

4. As regards three items, *viz.*, *Construction, Roads, and Pounds and Ferries*, the Commissioners should have the work performed by contractors working under the general supervision of the municipal staff.

5. As regards four items, *viz.*, *Lighting, Markets, Conservancy, and Collections*, the Commissioners *may* have the work performed by contractors working under the general supervision of the municipal staff, but *should not* do so, but should have the work performed directly by the municipal staff.

6. As regards all the remaining seventeen items, *viz.*, *Elections Meetings, By-laws, Taxation, Correspondence, Records, Accounts, Drainage, Water-supply, Food Inspection, Vital Statistics, Fire Prevention, Building Regulations, Slum Improvement, Burial Grounds, Storekeeping, and Prosecutions*, the Commissioners must necessarily have the work performed directly by the municipal staff.

Hints on Municipal Policy.

In this and the two preceding Chapters we have on several occasions found it necessary to consider some question of general municipal policy, and to decide which of several alternative courses it would be advisable for our typical municipality to adopt with regard to it. And we may conveniently wind up our discussion of this first main section of our subject by making a list of our decisions on these questions; completing the list by adding to it such other conclusions with regard to the main features of municipal administration as appear to command general acceptance.

Indian municipalities are too young to have much in the way of tradition to go upon, and, as a rule, too much isolated to have any chance of profiting by the successes and mistakes of their neighbours; so that a summary of the generally accepted views on a few of the more important points of municipal policy with

regard to which differences of opinion are likely to arise, may be of some use to them, in the way of pointing out the more common pitfalls, and of warning them from starting work on lines which experience in this and other countries has proved to be foredoomed to failure.

Indeed perhaps the best way of presenting this summary of decisions and conclusions would be to throw it into the form of a series of warnings and recommendations addressed to the Commissioners of an imaginary municipality. Let us do so and let us call it "*Hints to Commissioners.*"

Hints to Commissioners.

1. Make a strict and impartial assessment of the ratepayers. Deal carefully with objections and appeals, shewing special consideration to the poor and those who are not able-bodied. But once you have finally settled your demand, realise it in full by the rigorous application of the methods placed at your disposal by the law.

2. Before finally passing any resolution, estimate carefully its effect on your finances and place the estimate on record.

3. Avoid speech-making; and do the bulk of your work in sub-committee.

4. Do not let clamour among the ratepayers deter you from following what you believe to be the right course—a popularity that is tinged with contempt is not such a valuable possession after all.

5. Assume as many of your "optional" responsibilities as you may reasonably expect to be able to perform.

6. Make it a general rule to get your work done by your own staff, rather than by the agency of contractors; and invoke the assistance of Government only when absolutely compelled to do so.

7. When settling the salaries and wages of your staff, bear in mind Mr. Chamberlain's dictum that "municipal corruption creeps in when the higher officials are paid less, and lower employees more, than the market value of their services."

8. Do not let ideas of party patronage, or anything in the shape of what is known in America as "the spoils system," influence your dealings with the members of your staff; and interfere with your Chairman's control of them as little as possible.

9. Remember that whatever may be the case with your other imperfections, the avoidance of the reproach of the two besetting sins of municipal administration in this country—slackness and procrastination—is a matter which lies entirely in your own hands.

10. Look ahead. Remember that you are not merely the representatives of the actually existing ratepayers · you are responsible to a greater or less degree for your town's future development, and for the health, safety, and comfort of future generations of its citizens.

PART II.

THE ORGANIZATION OF THE STAFF.

CHAPTER IV.

Principles and precepts of Organization.

The six conditions of a successful organization system—The three different systems compared—Division of responsibility between the Secretary and the Engineer—Rules of working for the Secretary-cum-Engineer system.

The six conditions of a successful organization system.

From what has been said in the last Chapter, it may be gathered that the great stumbling-block in the path of the Commissioners of an advanced municipality is the simple fact that they have not got sufficient funds to perform properly all of the many important duties imposed upon them by the law and by public opinion. This, of course, is a very common difficulty; as one knows very well, in every department of public business, the interests of efficiency and the interests of economy are more or less in conflict, and the working arrangements must necessarily be the outcome of some sort of compromise between them. But nowhere perhaps are the claims of both these interests more urgent, or more difficult to reconcile, than in an average municipality; and it is, and always must be, a difficult task for the Commissioners to work out the terms of the particular compromise that best suits the circumstances of their particular town, and to assign to each department of municipal work its proper place in the system, and its due proportion of the municipal staff and the municipal funds.

It must be remembered too, that in carrying out this task the Commissioners get very little help from outside. The Government has designedly refrained from prescribing any particular form of municipal organization, and the municipal system itself has not yet been in force long enough to allow of anything in the shape of a "standard plan" being evolved from experience, and being tested sufficiently to receive the stamp of popular recognition and approval. It is not surprising to find therefore,

that in many municipalities, the Commissioners, thus deprived of the guidance of authority and tradition alike, have gone rather widely astray, and are, without realising it, struggling against the heavy handicap of an ill-balanced and un-co-ordinated system of organization and administration.

Returning now to our typical municipality, let us suppose that the Commissioners have determined to satisfy themselves that they are not labouring under this particular disadvantage. And let us suppose that, as the best means of doing so, and of ensuring that their investigations shall be conducted without prejudice and with an open mind, they have decided to make a *tabula rasa* of their existing arrangements, and to work out for themselves, at first hand, the scheme of organization best suited to the needs and resources of their municipality.

Their first step will naturally be to examine and compare the different systems of working in force in the best and most successful of existing municipalities, with the view of extracting from them some common principles of organization and administration to serve as a foundation on which their own scheme may be built. Nor should this be a difficult matter. They will find that however much they may appear to differ outwardly, all successful systems, when carefully examined, exhibit certain well defined features in common. They will find, that is to say, that every system which is distinguished by efficient and economical working, complies generally with certain conditions, which may be formulated somewhat as follows:—

CONDITION I—*The control exercised by the Chairman in every department must be as direct and thorough as the amount of time at the Chairman's disposal allows.*

CONDITION II—*The Chairman's control must be facilitated by a system of inter-departmental checking of as complete a character as the circumstances of the municipality allow.*

CONDITION III—*The higher officers must be relieved of the burden of detail by a system of devolution of responsibility carried as far as the qualifications of subordinate officers allow.*

CONDITION IV—*The work of the departments must be so organized and co-ordinated, that there is no overlapping of authority, and that each officer knows precisely to what superior officer, and for what work, and for what subordinate officers, he is responsible.*

CONDITION V—*Each department must be adequately, and not more than adequately, staffed.*

CONDITION VI—*Provision must be made for the periodical readjustment of the staffing arrangements in response to the growth and decline of work in the various departments.*

These six conditions thus sanctioned by the best experience will presumably be taken by our Commissioners as the guiding

principles of their investigation, and their task of constructing an organization scheme will therefore resolve itself into the task of applying these conditions to the particular circumstances of their own town, cases of doubt and difficulty being settled by a reference to the practice prevailing in the municipalities of the best repute.

It will be seen that the order in which these six conditions have been placed is, roughly speaking, the order of increasing definiteness and detail. And this of course is the order in which the Commissioners would most naturally consider them. They would, that is to say, in the first place naturally decide on the general outlines of a scheme which (other things being more or less equal) would best provide for the fullest measure of control that their Chairman and Vice-Chairman could find the time for; next, they would consider this scheme in detail, and work out a co-ordinated system of departmental organization; and finally, they would distribute among these departments, in accordance with their relative importance, the men and money they were able to provide.

Let us therefore suppose them to start on their investigation in accordance with this programme.

The three different systems of organization compared.

Now the first thing that they will notice is that for all but the highest officers, the actual working arrangements in all large municipalities are framed on very similar lines. In every municipality they will find the daily routine work performed by a staff of officers divided off into separate and distinct departments; each department having its particular responsibility, and each officer of the department his particular share of this responsibility, more or less precisely defined. But in regard to the important matter of co-ordinating the work of these departments, and regulating the mutual relations of their respective heads, no such uniformity will be found to exist. The arrangements made for this purpose by different municipalities exhibit many striking differences, and it is on the character of these arrangements that the nature and extent of the control exercised by the Chairman will be found mainly to depend.

Let us suppose then our Commissioners to proceed to pass in review these different arrangements, or (to be more precise), these different systems of organization, actually in force in various large municipalities, with the object of ascertaining their respective advantages and disadvantages, more particularly with reference to the question of control by the Chairman.

Their investigations will shew them that these organization systems naturally fall into three groups or types, to one or other

of which the system in force in any particular municipality may always be referred. These classes, or types, may be designated respectively—(1) *The One-man system*, (2) *The Departmental system* and (3) *The Dual system*—each of which has its more or less well recognised merits and defects.

Let us deal with them in this order :—

The One-man system.

This system concentrates the responsibility for the working of the staff in one officer. He may be styled variously the Engineer, or the Secretary, or the Engineer-Secretary, or the Secretary-Engineer; but in every case his position is the same. He is the one man ultimately responsible for the work of every single department, and all orders from the Chairman to the staff, and all reports and representations from the staff to the Chairman pass through him.

Let us note briefly the advantages and disadvantages of this system.

Firstly, its advantages :—

(i) It has the great merit always attaching to a one-man rule.

One bad general is proverbially better than two good ones; and it is not easy to over-estimate the economic advantage of having the same set of ideas, purposes, and methods applied consistently to the work of the staff in every department.

(ii) It prevents any loss of power on account of inter-departmental friction.

Where there is one supreme head, this sort of things can be very promptly nipped in the bud.

(iii) It saves the time of the Chairman.

Cases requiring the Chairman's orders will be put up in a more or less cut-and-dried form; and he will very rarely find himself called upon to investigate disputes between departments, or to discuss and settle questions with regard to which different opinions are entertained by different officers.

Secondly, its disadvantages :—

(i) The post of the Engineer-Secretary (as we may call him for the sake of convenience) is a very difficult one to fill.

There is no particular training ground for Engineer-Secretaries. They are recruited either from the ranks of "office men," i.e., men whose work is concerned with files and accounts, and is done at a desk; or else from the ranks of practical Engineers, i.e., men trained to supervise contractors and handle skilled and unskilled labour, and whose work lies mainly in the field.