

**Impact  
Factor  
3.025**

**ISSN 2349-638x**

**Refereed And Indexed Journal**

**AAYUSHI  
INTERNATIONAL  
INTERDISCIPLINARY  
RESEARCH JOURNAL  
(AIIRJ)**

**UGC Approved Monthly Journal**

**VOL-IV**

**ISSUE-VIII**

**Aug.**

**2017**

**Address**

• Vikram Nagar, Boudhi Chouk, Latur.  
• Tq. Latur, Dis. Latur 413512 (MS.)  
• (+91) 9922455749, (+91) 8999250451

**Email**

• aiirjpramod@gmail.com  
• aayushijournal@gmail.com

**Website**

• www.aiirjournal.com

**CHIEF EDITOR – PRAMOD PRAKASHRAO TANDALE**

**Thoughts On Development Of Local Self – Government In India**

**Dr. Gavisiddappa Muttal**

Assistant Professor,  
Govt. First Grade Collge, Hitnal  
Dist- Koppal (Karnataka State)

Local-self-Government means the management of local affairs by such local bodies as has been elected by the people living in that particular locality. The earliest efforts in municipal government in India were made in the presidency towns of Madras, Calcutta and Bombay. In 1687, the Court of Directors ordered for the setting up of a corporation in Madras. The Corporation, composed of British and Indian members, was empowered to levy taxes for building a guildhall, a Jail, a school, house and for meeting the expenses of municipal staff. The experiment proved premature, for the inhabitants resisted the payment of direct taxes. As a result, the Corporation did not survive.

The Charter Act of 1726 provided for the setting up of a Mayor's Court to supersede the corporation. The powers of the Mayor's Court were more judicial than administrative. Similar Mayor's court was set up in Bombay and Calcutta. The Charter Act of 1793 put the Municipal institutions on a statutory basis. The Governor-General was empowered to appoint Justices of peace in the presidency towns. In 1840, an Act was passed for Calcutta and in 1841 an Act was passed for Madras. These Acts widened the purposes for which the municipal assessment was to be utilized. The inhabitants of the town were given control over the assessment and collection of taxes. However, much did not come out of these Acts. There was no response from the public. In 1845 an Act was passed for Bombay. This Act concentrated the administrative powers in the hands of a conservancy Board on which were two European and three Indian Justices, with the senior magistrate of Police as chairman.

After 1858, British government realized the importance of local self-Government. It was more the result of compulsion and loss of liberalism. British government felt it impossible, to run the administration of a vast country like India without the cooperation of Indians. Thus, by forming Municipalities and District boards in India, local government was encouraged. The main objective of this decentralization of administration was to raise funds for reforms in Civil Services and to satisfy the Indians politically without ending British monopoly over administration. Local institutions were formed between 1864 and 1868. Almost all their members were nominated and they were chaired by district magistrate. Thus they were only means of collecting additional taxes from the subject not the representatives of local self-government. The Government worked in cooperation with local consultative committees with the magistrate as secretary. Between 1865 and 1869 the Madras and Bombay Governments were authorized to levy cesses on land for welfare works. In 1869 the Bombay Government was authorized by an Act to make provision for expenditure on public works and to form committees for the administration if such funds.

It was only after 1870 that real progress was made in the direction of self-government. The financial reforms of Lord Mayo in 1870 formed a landmark in the development of local self-government. It was declared that local supervision was necessary for the management of funds

devoted to education, sanitation, medical, charity and public work. New Municipal Acts were passed in the various provinces between 1871 and 1874. These Acts extended the elective principle. Local committees-with both official and non-official members and an official chairman for each-were set up for the administration of funds. The system, however, was confined to official hands.

The next step was taken during the viceroyalty of Lord Ripon who has been rightly called the father of Local Self-Government in India. Lord Ripon's Government had invited opinions of the Provincial Governments on the subject of the development of Local Self-Government in its resolution on Provincial Finance in 1881. It circulated its own proposals to the Provincial Governments on October 10<sup>th</sup>, 1881, and invited their views on them. As a result the famous resolution on Local Self-Government, 1882, was issued. The Resolution of 1882 marks the effective beginnings of Local Self-Government in India.

In the first instance, the Local boards were to be developed not only in towns and the cities but throughout the country; and they were "to be charged with definite duties and entrusted with definite funds. In rural areas they were to replace the local consultative committees. Over these Local Boards were to be District boards with certain controlling administration was to raise funds for reforms in Civil Services and to satisfy the Indians politically without ending British monopoly over administration. Local institutions were formed between 1864 and 1868. Almost all their members were nominated and they were chaired by district Magistrate. Thus they were only means of collecting additional taxes from the subject not the representatives of local self-government. The Government worked in cooperation with local consultative committees with the magistrate as secretary. Between 1865 and 1869 the Madras and Bombay Governments were authorized to levy cesses on land for welfare works. In 1869 the Bombay Government was authorized by an Act to make provision for expenditure on public works and to form committees for the administration of such funds.

It was only after 1870 that real progress was made in the direction of self-government. The financial reforms of Lord Mayo in 1870 formed a landmark in the development of local self-government. It was declared that local supervision was necessary for the management of funds devoted to education, sanitation, medical, charity and public works. New Municipal Acts were passed in the various provinces between 1871 and 1874. These Acts extended the elective principle. Local committees-with both official and non-official members and an official chairman for each-were set up for the administration of funds. The system, however, was confined to official hands.

The next step was taken during the viceroyalty of Lord Ripon who has been rightly called the father of Local Self-Government in India. Lord Ripon's Government had invited opinions of the Provincial Governments on the subject of the development of Local Self-Government in India. Lord Ripon's Government had invited opinions of the Provincial Governments on the subject of the development of Local Self-Government in its resolution on Provincial Finance in 1881. It circulated its own proposals to the Provincial Government on October 10<sup>th</sup>, 1881, and invited their views on them. As a result the famous resolution on Local Self-Government, 1882, issued. The resolution of 1882 marks the effective beginnings of Local Self-Government in India.

In the first instance, the Local boards were to be developed not only in towns and the cities but throughout the country; and they were "to be charged with definite duties and entrusted with definite funds. In rural areas they were to replace the local consultative committees. Over Local boards were to be. District boards with certain controlling powers. Secondly, the Resolution provided for the maintenance and extension of Local Self-Government in towns and cities. The urban boards

were to be independent so far as it was possible; but in certain cases the District Council many have some controlling powers. Thirdly, the Resolution laid down that "in no case ought the official members to be more than one-third of the whole." There was thus to be considerable preponderance of non-official members in both the urban and rural boards. The non-official members were to hold office for two years. Fourthly, the approval of the Local government was made necessary to validate the election of a chairman and the former could also disallow it. Fifthly, the Local Governments were directed to hand over to the Local Boards complete control over the local rates and cesses, licences, tax assessments and collections, pounds and ferry-receipts etc. The Local Boards were to be granted lump-sum grants from the provincial revenues.

In pursuance of this Resolution many Acts were passed between 1883 and 1885 which greatly altered the constitution, powers and functions of municipal bodies in India. Unfortunately, Ripon's ideals were not liked by most British officials and they thought that the Indians were unfit for self-government. The Bengal Local Self-Government Act was vetoed by the Secretary of State. By the Act of 1885 the District Boards continued to function under the chairmanship of District Magistrate. Moreover, the Local Boards were neither local nor popular and the machinery of the election system was defective. In most parts of India, these Boards were condemned as useless. Lord Ripon's system remained in force till 1915 when Lord Hardinge made some important changes.

In 1908, the entire subject of self-government was reviewed by the Royal commission on decentralization and important recommendations were made almost in every sphere. The Commission laid emphasis on the importance of village panchayats and recommended the adoption of special measures for their revival and growth. A recommendation was made that village panchayats should be given powers like summary jurisdiction in petty civil and criminal cases, incurring of expenditure on village scavenging and minor village works, construction, maintenance and management of village schools, management of small. Fuel and fodder reserves, etc. It was also recommended that village panchayats should be given adequate sources of income and interference by district officers should be circumscribed. The commission also recommended the establishment of a sub-district Board in every taluka or tehsil. The sub-district boards were not to be completely under the control of a District Board for the whole district. Separate duties and separate sources of income were to be given to sub-district boards and district boards. It suggested that municipalities might undertake the responsibility for primary education, hospitals, famine relief etc.

The historic announcement of 20 August 1917 declared that the future direction of constitutional advance was towards grant of responsible government to the people of India and the first step towards the progressive realization of that ideal was to be in the sphere of local self-government. In 1918, the Government of India passed an important Resolution on local self-government. The basic principal of that resolution was that "responsible institution will not be stably rooted until they are broad-based and that the best school of political education is the intelligent exercise of the vote and the efficient use of administrative power in the field of local self-government." The resolution in general endorsed the recommendations of the Decentralization commission in entrusting the municipal boards with greater powers to vary the rate of taxation, in giving them a more free hand in regard to their budget, in greater control of services paid for by local bodies etc.

Regarding village panchayats, the Resolution stated that local bodies should not be looked upon as mere mechanical adjuncts of local self-government but as associations designed to develop village corporate life on the basis of the intimacy existing between the inhabitants who had not only

common civic interests but were also kept together by ties of tradition and of blood. The provincial governments were urged to make an effective beginning towards development of village panchayats.

Under the dyarchical system of Government set up by the Government of India Act of 1919, the Department of Local Self-Government was transferred into the hands of an Indian minister who was responsible to the Provincial Legislature for the same. Each province was allowed to develop local self-governments according to their needs and requirements. The India ministers, however, could not do much work in the sphere of local self-government for lack of funds, since finance was a 'reserved' subject under the charge of an Executive Councilor.

By the Government of India Act 1935, further impetus was given to the development of local institutions, provincial autonomy was introduced under this Act. Popular ministries controlled finance and could make available adequate funds for development of local bodies. The demarcation of taxation between provincial and local finance which prevailed since the reforms of 1919 was done away with. Laws were passed practically in every province to give more functions to local bodies. However, the sources of income of local bodies, instead of the powers of local bodies to levy enhance terminal taxes on trade, callings and professions and municipal property. The net result was that no much progress was made in the field of Local Self-Government. At the time of India's independence, the control of provincial governments over local bodies in matters of new proposals for taxation, for reduction or abolition of existing taxes were subject to the prior approval of the provincial governments.

In 1947, India became independent. Article 40 of the Constitution of India provides that village panchayats should be reorganized and more powers should be given to them so that they can function successfully as units of self-government. Panchayati Raj Acts were passed in many states with a view to give more powers to village Panchayats. The local Finance Enquiry committee submitted its report in 1951. It referred to the hopeless financial conditions of local bodies and made recommendations to improve the same.

#### **Nature of State and Government of India under British.**

The nature of the state was that of a colony or dependency in the British Empire. The British Parliament possessed unrestricted power of legislation, though this legal sovereignty of the British Parliament over India was not expressly declared anywhere until 1858. The Act of 1858, however, facilitated the assumption of direct administration of India by the crown.

Home Government Absolute necessity of having an India Office in the Whitehall gave rise to what came to be known as the 'Home Government'. The Company's initial claims to its territories in India as private property and the British Government's tacit acceptance of the claim posed a dilemma for British government whether to assume direct control or to leave it in the company's hands. Act of 1773 found a via media in remodeling the company's governing body and establishing a governor-general-in-council. Act of 1784 created a 'double government' system (Court of Directors and Board of Control)

Direct administration of India by the Crown: Act of 1858 replaced the Board and the Court by secretary of state for India and his council respectively. Unquestioned authority of the Home Government to control and direct authorities in India was established. But the necessity of carrying on the government of India in India itself made it wiser to delegate authority to the man on the spot.

System of British Indian Government The system was unitary or highly centralized in nature. For it was supreme with undivided authority. The presidency system, though historically of an earlier origin, died out in 1833, and the later revival provincial government was based on devolution and decentralization.

Evolution of Unitary System or Centralized Government Initially there was no central authority in India with every presidency being directly responsible to the Company's Directors. First signs of centralization were seen in the Act of 1773, which designated the governor of Calcutta as governor general of Bengal. Further strengthening of the central government was made possible by the Acts of 1793 and 1813, though the other presidencies continued to be independent in all matters except war and peace. Act of 1833 invested the central authority in Calcutta with more powers and reduced others to mere agents: The Unitary System set up in 1833 continued to be in operation until 1919.

Process of Decentralization and Devolution First attempt at decentralization was initiated by Lord Mayo in 1870 in the sphere of finance, but real development take place only after 1918. Act of 1919 provided for the division of subjects between central and provincial government and the introduction of 'Dyarchy' in the provinces. Act of 1935 brought about the abolition of Dyarchy in the provinces and establishment of provincial autonomy.

### **Structure of the Colonial Government**

Branches of the Government .The government was structured into the following branches.

**Executive Branch** : The governor-general was made constitutionally responsible to the secretary of state, and the provincial heads answerability to the governor-general was also enshrined in the rules. In practice, however, the 'man on the spot theory' held sway.

Executive councils of the governor-general and the governors came to gain considerable size. However, their size was reduced after 1773. Initially the chiefs of the councils had no special powers, but later they were given the power to overrule their councils. The early cumbersome and dilatory procedure of the councils was replaced by the 'portfolio system' under Canning's Rules of Business.

**Legislative Branch** The legislative process in India evolved through the following developments. Governor general-in-council made the sole legislator for India by the Act of 1833; appointment of a law commission under Macaulay; reorganization of legislative machinery by the Act of 1853; creation of an 'official' legislature by adding more members to the governor-general's council; decentralization of legislative authority by the Act of 1861 which established provincial legislatures; enlargement of legislative councils and provision for election of members in 1892; Morley-Minto Reforms of 1909; and Montford Reforms of 1919.

**Judicial Branch** the evolution of the judicial system in India witnessed the following landmarks- Warren Hastings' efforts to establish a well-organized judicial system in 1772; parallel system of courts, one subservient to the company and other independent of it, between 1781 and 1861; establishment of a common system of high courts in all presidencies by the Act of 1861; introduction of the principles of the 'Rule of Law' and 'Equality before Law'. Two recurring problems were the unwillingness of the Europeans to be tried by Indian Judges, and executive officers exercising judicial authority.

**Departmentalization of the Government** the Company initially functioned with only two committees or departments-secret and select committees, but gradually created more and more departments for smooth and efficient functioning of the government.

**Growth of District Administration** District was an important unit of administration, and was in charge of the collector who was directly responsible to the provincial government. The role and functions of the collector gave rise to a controversy between two schools of thought, the English school and the Indian school. The former wanted a limited role while the latter favoured a paternalistic role and full powers. Reforms of Cornwallis (belonging to the former) included inter alia separation of revenue from judicial and police functions. Munro, Elphinstone and Lawrence (Supporters of the latter) worked for the restoration of the collector-magistrate, and their efforts finally resulted in the firm establishment of the collector-magistrate after 1857. Later tendencies to reduce the responsibilities of the collector arose due to several factors like the expansion of government's welfare activities, growth of local self-government and the like. However the collector still continued to be the principal officer of the district.

### **Civil Services**

Government of India came to being a bureaucracy or government by officials through the following stages-transformation of the Company's service from a 'mercantile service' into an 'administrative service'; reforms of Cornwallis-his creation of a modern civil service in the form of the Covenanted Civil Service of India (known as the ICS after 1861); establishment of Fort William College at Calcutta by Wellesley and later its replacement by Haileybury college in England; and replacement of the system of patronage by a proper recruitment method through open competitive examinations.

### **Indianisation of higher services:**

'Scholarship Scheme' (1868) and 'scheme of Statutory Civilians' (1879) were two partially successful steps towards the Indianisation of civil services. The former aimed at helping talented Indian students to proceed to England for taking the ICS examination, while the latter provided for filling one-fifth of the vacancies in the ICS through nomination of young Indians of respectable families and sound education. The Aitchison Commission (1886) was appointed by Lord Dufferin ostensibly to find ways and means of admitting more Indians into higher services. But the commission, instead of doing that, proposed to reduce the ICS to an 'elite corps' by limiting its number to what was necessary to fill the chief administrative appointments and to transfer the remaining posts to a wholly Indian provincial service to be constituted in each of the provinces. Holding of the ICS examinations simultaneously in England and India was done for the first time in 1922. Appointment of the Lee commission (1924) by Lord Reading and its recommendations of stopping recruitment to services which primarily concerned the subjects transferred to popular control, and acceleration of the pace of Indianisation in the other services. Establishment of the Public Service Commission at the Centre (1926) and the provincial ones later were the other significant developments

### **Conclusion:**

The Britishers initiated half-hearted attempts to set up municipal bodies in the mercantile stage and again in the 1850s and 60s Reforms of Ripon gave a fillip to the movement, but all the local

bodies prior to 1919 lacked genuine democratic spirit and suffered from unwarranted official domination. Further developments were the constitution of several specialized and technical services from the second half of the 19<sup>th</sup> century, and provincial and subordinate services after 1890.

The civil services came to have the presence of many Indians under Clive and Warren Hastings, but Indians were excluded from the time of Cornwallis. Bentinck undertook measures to improve the status of Indian officials. In conclusion we could say that Local Self Government of India has a long history. It has developed by British further corrected by Indians.

**Reference:**

1. BidyutChakrabarty&Rajendra Kumar Pandey, (2008), *Indian Government and Politics*, SAGE, New Delhi.
2. M.P. Singh &RekhaSaxena,(2008), *Indian Politics: Contemporary issues and Concerns*, Prentice Hall of India, Delhi.
3. Sunder Raman (1988), *Indian Government and Politics*, Allied Publishers, New Delhi.
4. Dutta, A.(1994), *Constitutional Status of Local Government in India*, The Indian Journal of Public Administration.
5. Maheshwari, S.R. (2000), *State Governments in India*, New Delhi: Macmillan.

