

## **THE DEVELOPMENT OF LOCAL-SELF GOVERNMENT UNDER THE BRITISH RULE IN MADRAS REGION**

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### **Abstract**

This paper is an attempt to High light “the Development of Local-Self Government under the British Rule in Madras Region”. It had been paying great attention to the resolution, acts and rules in the British Government in Madras. Tamil Nadu was the composite Madras presidency during the British rule in India. The British had direct control of administration without intermediary assistance of Rajas and Zamindars. This was in contrast to Northern and Central India where the English had no real control of the administration. In 19<sup>th</sup> century Madras presidency was a much more developed State in the field of Municipal Corporation in Madras. The first Municipal mechanism created during British rule was the Municipal Corporation introduced in Madras Presidency (Chennai today) in 1687, which was followed by Municipal Corporations in Bombay (Mumbai today) and Calcutta Presidency (Kolkata today) by 1762. Municipal administration was first introduced in the town of Madras. And subsequently established to the presidency towns by framing of the “Improvements in Towns Act”, 1850. Then it was followed by Lord Mayo’s Resolution of 1870 called for the introduction of an elected President in the Municipalities. The structure of municipal bodies is based on Lord Ripon’s Resolution on local self - government adopted in 1882. The Madras District Municipalities Act 1884 made an important step forward in municipal legislation. The Municipal council was to consist of not less than 12 members. Precision was made for the election of Chairman by the councilors. In the year 1884, there were 47 municipalities in the Madras Presidency. The government of India passed a resolution on Local-Self Government in 1918. It declared that the policy of the British Government was gradual removal of unnecessary Government control and of differentiating the spheres of action appropriate for the government and for Local bodies respectively. The Government of India Act 1919 provided for clear demarcation of powers to the organization of local bodies. The Madras District Municipalities Act was passed in 1920. This is perhaps the most important enactment on Governing Municipal administration which laid the statutory framework for the organization and structure of Municipal bodies in Tamilnadu.

### **INTRODUCTION**

In tracing the development of Local Self-Government under British rule it is to be noticed that until about 1850 government was mainly engaged in wars of conquest and in taking measures for the consolidation of its authority in this territories conquered. There was neither time nor inclination to attend to nation-building services like public health and sanitation, education, roads and so on. It was in the last decade of the rule of the East India Company and in the period immediately following the establishment of the direct rule of the Crown that consideration was paid though on a small scale to the supply of these services. Policy decisions were taken from time to time in regard to the services to be supplied, the administrative agency to be set up and the methods to be adopted for the purpose. There was progressive development in the decisions taken and they are all embodied in State documents like Mayo’s Resolution of 1870 on Decentralizations, Lord Ripon’s Resolution of 1882, the report of the royal commission decentralization, the Government of India Resolution of 1915, the Report of Montagu and Chelmsford on Constitutional Reforms (1918) and the Government of India Resolution of 1918. Provincial Legislatures gave effect to several of these decisions through the various Acts they passed especially those enacted about the year 1865, 1871, 1884, and 1919-20. It is not possible in the space here available to deal at length with the provisions of these Acts which in several respects varied from province to province.<sup>1</sup>

## Historical Background

The Local Self-Government in India of today owes very little to Local Self-Government that existed in Ancient and Medieval India. At the same time, it must be remembered that the conception of Local Self-Government was not foreign to the genius of the people of India. Generations succeeded generations. Dynasties were over-thrown. Invasions came in quick succession. The map of India changed its color frequently but Local Self-Government survived. Writing about the services rendered by local Government institutions, Eliphinstone observed. *“Though probably, not comparable with very good forms of Government, they are an excellent remedy, for the imperfections of a bad one. They prevent the bad effect of negligence and weaknesses and even present some barriers against its tyranny and rapacity. In the stability and continuity of Indian village life and organization is to be sought the secret of the good things achieved by India in the past”*.

Various types of local Government institutions existed under the Chola, Pallava, Pandya, and Vijayanagaram Kingdoms. They were the Sabhas, Ur, Nagaram, Nadu, and Mandalam. Their meetings were attended by the officers of the Central Government when they transacted important business. Their administration was supervised by the officers of the Central Government.<sup>2</sup>

## Terminology

The local Government institutions are known by different names. In India the popular term is Local Self-Government; in England local authorities; in other places Local Government. In India the provincial Governments were known as Local Governments. In this work we shall use the term local authorities, which include both urban and rural. The urban local authorities include Corporation, Municipalities and Town Committees. The rural boards include Panchayats,

## Evolution of Local Self-Government

India has been known to be a land of village Panchayats since times immemorial. These ancient village communities have been immortalized by Sir Charles Metcalfe, a leading civilian in the service of the East India Company, who in 1830, described these communities as *“little republics having nearly everything they want within themselves; and almost independent of foreign relations; they seem to last where nothing else lasts..... This union of the village communities, each one forming a separate little state in itself, has, I conceive, contributed more than any other cause to the preservation of the people of India through all the revolutions and changes which they have suffered; and is in a high degree conducive to their happiness, and to the enjoyment of a great portion of freedom and independence.”* However, the pre-independence Local Self-Government institutions owe their origin to the British rule and the post-independent institutions are built upon what was created during the British rule.

The Municipal Institutions were the first to be created by the rule of East India Company by the orders of the Board of Directors. The first municipal corporation created in India was that of Madras set up in 1688. The presidency towns of Calcutta and Bombay had their own corporations 1772 and 1793 respectively. Other such urban local bodies were created after 1842.

Relating to rural Local Self-Government there were early attempts to organize them in Bombay and Madras presidencies in the 19<sup>th</sup> century. But the district authorities did not encourage them. In 1864, Lord Lawrence in a resolution admitted the capability of the people of India in administering their own local affairs, Lord Mayo in 1870 in a resolution adopted decentralization with respect to sanitation and public works. In 1871 and 1874 new municipal Acts were passed providing for elective municipal bodies. But the most important step was yet to come. In 1882 Lord Ripon issued his famous resolution of Local Self-Government which continued to be the basis of Local Self-Government till 1947. That is why Ripon is regarded as the father of Local Self-Government in India. But after Ripon's Governor-Generalship Local Self-Government did not receive enagement from the central as well as provincial Governments till 1915. In that year the government of India resolved to reform local bodies. It was followed by the declaration to the Secretary of state for India. Montague on August 20, 1917 for progressive realisation of responsible Government in India.

The following year in a resolution was affirmed the necessity of removing unnecessary official control over local bodies. Under diarchy (1927-37) the provincial Government exhibited great real in the progress of Local Self-Government. Laws were passed in various provinces for the growth of Village Panchayats.<sup>3</sup> The period of provincial autonomy under the Government of India Act, 1935 is marked by a great move in the direction of democratizing local bodies and strengthening them. On the eve of Independence different provinces had more or less a common local self-government. The general pattern of Local Self-Government Institutions constituted District Councils or Boards at the district level, Local Boards at Tahsil level, the Municipal Councils in towns, the Notified Area Committees in smaller towns, and the City Corporations in cities. There were variations in the nomenclatures of different institutions in different provinces. In some of the semi-urban areas, there were sanitary Panchayats in some provinces also. There were gram Panchayats in villages with no independent source of revenue and hamstrung by the control of the district councils. It should be noted that some provinces like the united provinces did not have the institution of local boards at the Tahsil level.<sup>4</sup>

#### **The first Corporation in Madras (A.D. 1688)**

The city of Madras which rose round Fort St. George on a site granted to the East India Company by a local Chieftain in 1639 grew in population which created problems regarding the administration of justice, sanitation and public health, the building of schools and several other matters of an administrative character. It was to solve some of these problems that the Directors of the Company proposed the establishment of a Municipal Corporation in Madras-the earliest of its kind under the British rule-in a letter they wrote to the Madras Council on 28<sup>th</sup> September 1687. A Charter was granted on 30<sup>th</sup> December 1687 and the Corporation was inaugurated on September 29, 1688. It is noteworthy that there was no provision for a majority of Englishmen on the Corporation. Representation of others was on the basis of communities.

#### **Act no. x of 1842 and Act no. xxvi of 1850**

British rule in India passed through two stages. In the first stage, which ended in 1858, Government was carried on by the East India Company. Governors-General and Governors appointed by the Company spent almost all their time on wars of conquest and on the consolidation of the territories conquered. They showed little or no interest in the promotion of civic or national welfare except in the Presidency towns of Madras, Bombay and Calcutta where municipal corporations were established. Local magistrates, however, set up informal committees here and there to collect funds for being spent on conservancy, police and roads. It was only in 1842 that the first statute was passed to provide for municipal committees. This was replaced by another Act in 1850. One feature of both these is that the people of a town were expected to take the initiative in setting up a municipal body and this proved to be one of the causes of their failure. The two Acts also illustrate the earliest ideas about Municipal Government entertained by the British authorities in India. It is this that gives them some importance.<sup>5</sup>

#### **Montagu-Chelmsford report on Local Self-Government in 1918**

The First World War witnessed a sea of change in the political situation in India. The people of the country were called upon to co-operate with the British on the ground that the war was being fought to make the World Safe for Democracy. Political leaders in the country naturally expected that substantial steps would be taken from extending democracy to India also. It was in response to this that Edwin Montagu, Secretary of State for India, made in the House of Commons on August 20, 1917 the famous declaration about the introduction of responsible Government in India. He next visited India and toured the country with Lord Chelmsford, the Viceroy. They jointly issued the Report on Indian Constitution Reforms in 1918<sup>6</sup>. The Report contains a section which recommended the liberalization of Local Self Government in accordance with a number of general principles it enunciated. Effect was given to these recommendations to a great extent in the legislation enacted and in the statutory rules made in the years 1919-1920. The principles it enunciated are more note worthy.

### **Administration of Local Boards in 1897**

Local Self-Government, such as now exists outside municipalities, originated in the establishment of semi-voluntary funds for local improvements, but it was not till 1871 when Lord Mayo's policy of decentralization in the matter of finance conferred upon Local Governments the charge of certain departments of the public service specially connected with local requirements that the need for supplementing the grants previously made for those services from the Imperial revenues and for providing means for carrying out works of local improvement became obligatory and pressing. It is true that the system of voluntary subscriptions to local funds had been already superseded in Madras by Madras Act III of 1866<sup>7</sup>.

Madras Act III of 1866 authorized the Government to levy a road-cess at 3 per cent on the annual rent of land, but made no provision for a popular element in the administration of the cess funds. Madras Act VI of 1863, also enabled the inhabitants of towns and villages to raise funds for the establishment and endowment of schools, These two laws were eventually superseded by the Madras Local Funds Act IV of 1871, legalizing the levy of certain cesses, of which the proceeds were to be devoted to local improvements and to education and the construction and maintenance of hospitals and dispensaries.. The elective principle was not then recognized, and the Boards were practically consultative bodies nominated by Government.<sup>8</sup>

The whole system of the constitution of Local Boards as well as of Municipalities throughout India was subjected to revision of the Government of India, No.17-747-759, dated 18<sup>th</sup> May 1882, laid down the general principles as to the mode in which Local Boards should be constituted, but left a large margin of discretion to the local authorities of each province as to the manner in which the details should be worked out. The result, in the Madras Presidency, was the passing of Madras Act V of 1884 which, with minor alterations introduced by Madras Act III of 1890, constitutes the law under which Local Boards are still administered in the Southern Presidency.

#### ***The main features of the Madras law are:***

- (a) The village is taken as the unit of local administration, and groups of villages are constituted "Union", controlled by a Panchayat, of whom the headman of each village is always one member,, while the remainder are either all appointed by Government or some appointed by Government and some elected by the tax-payers and inhabitants of the union;
- (b) The Taluk Board consisting of a president, the office of president being held ex-officio by the revenue officer in charge of the division of the district, and not less than 12 members exercise authority both financial and executive, over the Village Panchayat; and
- (c) The District Board, which exercise authority over the Taluk Boards, consists, of the Collector as ex-office President and 24 members.

Power is vested in the Governor-in-Council to sanction the introduction of the system of appointment of the Presidents of District and Taluk Boards and of a proportion of the members of the Union Panchayats, Taluk and District Boards, by election in localities where

he thinks this can be done with advantage. It appears that up to the present time it has no been found desirable to extend the elective system either to Taluk Boards or Union Panchayats. The representative principle has only been applied to District Boards, the elected members of which must be chosen from among the members of the Taluk Boards, who themselves are nominated. Almost one-half the members of the Taluk Board, Who themselves are nominated. Almost one-half the member of the District Boards are elected in this manner<sup>9</sup>.

#### ***Medical Facilities:***

The construction, establishment, maintained, management and inspection of public dispensaries and hospitals. The Madras Act provides specially for the training and employment of medical practitioners, and the Bengal Act for the vesting by the local government of the control of hospital and dispensaries in the District Boards.

***Sanitation Drainage and Water-Supply:***

The construction and maintenance of tanks, wells and water-works, the supply of pure water for drinking purpose, and generally the sanitation of the district.

***Vaccination:***

In Madras, Bombay and Bengal the Local Boards Acts definitely impose the duty of providing for and Supervising vaccination on the Local Boards, but in other provinces expenditure (referred to below) which is given to Local Boards.<sup>10</sup>

***Education:***

The general development of Primary Education in the District, the establishment, management, maintenance and inspection of schools, the training of teachers and the establishment of scholarships. The Madras Act mentions specially the giving of grants-in-aid of schools, In Bengal subject to any rules made by the local Government, the District Boards are vested with the maintenance English and Vernacular, the control of the grant-in-aid allotment for Middle Schools under Private Management, and the control of the grant for Primary Education.

***Provincial rates:***

In Madras the land cess is a rate which may be realized upto the maximum of two annas per rupee of the assessment. The actual rate at which it is collected is, except in three districts, one anna in the rupee of assessment. The receipts have increased in seven years from Rs.45,25,480 to Rs.49,71,193<sup>11</sup>.

***Cattle-pound receipts:***

Madras is the only province in which cattle-pound receipts have not been made over to Local Boards. There has been an increase under this head everywhere except in the North-Western Provinces and Oudh, where the system of direct management appears to have been substituted for the farming system in 1890-91, since when the collections have fluctuated with a tendency to decrease.

***Educational receipts:***

There has been a large increase in Madras and the North-Western Provinces and Oudh in the income shown under Education (being the proceeds, of school-fees have risen from Rs.1,41,294 to Rs.2,11,579) Training Schools, Rs. 196. High Schools Rs.31,211, Middle Schools, Rs.72,289, and primary Schools, (Rs.1,07,883). In the North-Western Provinces and Oudh the fees have risen from Rs.1,34,000 to Rs.1,79,548, but they are realized in a different manner since Rs.1,02,587 of the total is received in the form of fees at High Schools while Rs.46,778 comes from Middle Schools and only Rs. 30,183 from Primary Schools. The receipts under the head of education show a decline in Bombay<sup>12</sup>.

***Receipts from Civil Works:***

The sum of Rs.10,10,136 recovered in Madras under the head of works in charge of officers of District and Local Boards includes Rs.7,64,485 recovered from tolls on roads. In other provinces, excepts the North-Western Provinces. In Madras the contribution has fallen from Rs.3,93,033 in 1889-90 to Rs.3,25,832 in 1895-96.

In Madras (total expenditure Rs.11,67,168) more (Rs. 52,179) was spent on training schools (of which there are 5 under the Boards) and special schools in 1895-96 than elsewhere, though the sum so expended was less than it had been (Rs. 88,506) in 1889-90. The expenditure on High school has during the same period risen from Rs.39,223 to Rs.42,935, that on Middle Schools from Rs.94,780 to Rs.1,41,473, that on Primary Schools from Rs.2,86,966 to Rs.5,86,167, and that on Grants-in-aids from Rs.1,01,134 to Rs.2,32,458.<sup>13</sup>

In Madras the expenditure on Civil Works amounted to Rs.41,88,784 compared with Rs.38,72,528 in 1889-90. The Local Fund engineering establishment cost. including contingencies, Rs.5,71,992. The money actually expended on works amounted to Rs.35,33,013 (Rs.33,70,256 having been expended by engineering establishment under the Local Board, Rs. 1,32,075 by the Revenue Department, and Rs. 30,682 by the public Works Department). one hundred and twenty-five miles of new roads were made, and 20,832 miles repaired, and the total outlay on communications, bridges, culverts, etc. was Rs.30,66,837<sup>14</sup>.

Madras is the only province in which the system of Village Unions has been extensively introduced, and there it has developed steadily. The Union Panchayats are authorized under the Madras Local Boards Act of 1894 to assess and collect a tax on houses at rates varying from Rs.5 to annans 4 per annum. An

appeal lies to the Taluk Board. The proceeds of this house-tax and contributions from Taluk Boards from the main items of the union sources. The total income of the Village Unions in 1895-96 was 5,93,095 of which house-tax comprised Rs.3,63,145, and contributions from Taluk Boards Rs.1,62,001. In 1889-90 the total income was Rs.3,33,706 and of this the house-tax yielded Rs.1,52,874 and the contributions from Taluk Boards amounted to Rs. 1,59,591<sup>15</sup>. The main duties of the Villages Panchayats are the cleansing of the village streets, drains, tanks, wells and other public place, and generally the preservation of the public health. In the larger unions the duties of the Panchayats extend to the construction and repair of village streets, drains, tanks, and wells. In 1895-96 the total expenditure of the Unions amounted to Rs.5,84,053 as against Rs.3,20,836 in 1889-90<sup>16</sup>.

### CONCLUSION

Hundred years ago the British system of administration in India was highly centralized and bureaucratic. The district was the most important unit of administration and it was in charge of a Collector (or Deputy Commissioner as he was styled in some provinces) who was an agent of the Central Government. There would have been nothing inconsistent with administrative tradition as it developed in the country-and it would have caused no surprise-if it had been entrusted with the administration of the new local services also. As a matter of fact in the early days the responsibility for the authorities was entirely them in rural and to some extent in urban area. But it was soon considered desirable to give him the help of a local committee or board in his administration of local services. These Committees or Boards, presided over by the Collector, became a distinguishing feature of local self-government in the beginning and remained so for a long time. No such committees were deemed necessary in the Collector's administration of non-local or State services. A difference thus arose between the agency set up by government to administer non-local services, and that set up for local services and this difference continued till 1947. The result of this development was that in every locality-in the days of British rule-a village, a town or a district-there was a dual governmental agency, one to administer the local and the other to administer the non-local services. One of the controversies in the field of public administration at present is whether the dual agency should be abandoned.

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