

CHAPTER XIV

LOCAL GOVERNMENT

History of the Local Government

The Rohtak district has many large villages and if the size of the villages be any index to the existence of organised communal living, it may be assumed that some form of local government existed in the area from quite early times. This assumption would be in line with the freedom allowed by all organized territorial authorities to villages in the past to administer their own local affairs. This was done through the *panchayats* which they had evolved in the course of centuries. But our information about the evolution of local government in the district prior to the advent of the British rule is poor.

Some form of municipal administration was introduced in Rohtak in 1862 under the executive authority of Government. The first real step towards the introduction of municipal government was however taken when Rohtak, Jhajjar, Bahadurgarh, Gohana and Sonapat municipalities were constituted in 1885 under the Punjab Municipal Act, 1884.¹ In the subsequent year Beri and Kharkhauda were also constituted into municipalities. The Punjab Municipal Act, passed in 1891, provided a simple form of municipal administration in notified areas where it was inexpedient to constitute regular municipalities. Accordingly, notified area committees were formed at Maham, Sanghi, Kalanaur, Butana, Mundlana, Sampla, Mandothi, Badli and Guryani. Kharkhauda was also converted into a notified area committee under this Act. Amendments of this Act followed in 1896, 1900, 1905 and it was finally replaced by the Punjab Municipal Act III of 1911. All notified area committees except that of Maham were abolished in 1912.

A few years later, in 1921, the Punjab Small Towns Act, 1921, came into force. Under this Act, Maham was declared a small town committee in 1924 and Gohana in 1953. The Act was repealed by the Punjab Municipal (Second Amendment) Act, 1954 and it converted the small town committees of Maham and Gohana into class III municipal committees.

1. It is said that Municipal Committee, Sonapat, was originally constituted in 1868 but no record is available

There are at present 7 municipal committees in the district. Municipal Committee, Rohtak is class I, Municipal Committees Beri, Jhajjar, Bahadurgarh and Sonapat are class II and Municipal Committees Maham and Gohana are class III.

Each municipal committee is divided into wards. The members of the committees are elected on the basis of adult franchise. A small reservation of seats is, however, made for the Scheduled Castes.

The main duties of the committees are to arrange for prevention and extinction of fire, supply water for drinking and other purposes, control dangerous or offensive trades, construct buildings and prepare layout of streets, maintain streets, roads, drains and sewerage, and to look after public health and scavenging of the town. Municipal committees also provide street lights and make arrangements for playgrounds, public parks, medical aid, public libraries, etc.

Octroi is the main source of income but other sources include tax on houses and lands, vehicles and animals, professions, toll tax on roads and ferries, water rates, show tax, licence fee, rent of municipal property, etc. The incidence of taxation per capita of population during 1966-67 was the highest in Rohtak town (Rs. 17), followed by Gohana (Rs. 15.97) and the lowest in Beri (Rs. 5.73).

Rohtak Municipal Committee

The Rohtak Municipal Committee was first constituted in 1885 under the Punjab Municipal Act, 1884. The boundaries, originally fixed at the time of its constitution, were revised subsequently in 1897, 1922 and 1952. In 1952, in addition to the civil station area, police lines, jail, waterworks, the new township, mud-huts and a few villages were included within the municipal limits. Two years later, in 1954, some villages were excluded from the municipal limits. The present area of the town is 4.50 square miles approximately. It is a class I municipal committee and is divided into 19 wards. It had 21 members in 1966.

Water-supply.—The piped water-supply system, installed in 1932, supplies canal water to the town after sedimentation, filtration and chlorination. In 1966, there were 3,823 private connections and 500 public stand posts.

Drainage.—Drainage in the town was first provided in 1932 when a disposal tank, outfall drains, main storm channel, intramural intercepting drains, culverts, etc., were made. Well water drawn by *charsa* was used for flushing drains. Owing to the expansion of the town, the construction of the underground sewerage was undertaken in 1957 and has been completed in a part of the town.

Street lighting.—The town used to have kerosene lamps for street lighting before 1934. In that year electricity was supplied and most of the kerosene lamps were replaced by electric lights. Thereafter most parts of the town have been provided with electric points and 100 florescent tubes light up certain areas.

Parks.—Eight public parks and a garden are maintained by the municipal committee. Mansrover Park was laid out in 1953. It is provided with a cultural centre-cum-open air theatre and a swimming pool. A few children's parks are maintained in different localities.

Conservancy and public health.—The conservancy and public health is under the supervision of the Municipal Medical Officer. In January 1966, there were 4 Sanitary Inspectors, 10 Sanitary Jamadars, 4 Sanitary Beldars, 1 Sanitary Supervisor (Malaria) and 193 Sweepers and Bhistis in the conservancy department. Refuse is removed to refuse depots by tractors, trucks and rubbish carts. Long handled brooms, buckets, baskets and wheel barrows are provided to sweepers for collection of refuse and its removal to dust bins. The town is provided with public urinals and latrines.

A dispensary and two maternity and child welfare centres are located in different parts of the town. Family planning work is done at the maternity and child welfare centres.

Library and reading rooms.—The municipal committee is running a municipal library-cum-reading room. It also runs 3 reading rooms (one for children) in different parts of the town.

The income and expenditure of the municipal committee during 1963-64 to 1966-67, given in Table XXXVI of Appendix, shows that the expenditure is kept within the income which is more or less steady.

Bahadurgarh Municipal Committee

This municipal committee was first constituted in 1885 under the Punjab Municipal Act, 1884. It is a class II municipal committee and is divided into 12 wards. There were 13 members in 1966.

The town is provided with piped water-supply. In 1966, there were 689 private connections and 25 public stand posts. Surface drainage is provided in the town. A Sanitary Inspector, a Sanitary Jamadar and 30 sweepers attend to the conservancy work. The streets are well lighted and 203 electric points have been installed at various places.

The municipal committee is running Kamla Nehru Hospital which was constructed by it in 1961. It also runs a library and reading room. Gandhi Market was opened by the committee in 1958.

The income and expenditure of the municipal committee during 1963-64 to 1966-67, given in Table XXXVI of Appendix, does not show a progressive state of affairs.

Beri Municipal Committee

This municipal committee was constituted in 1886 under the Punjab Municipal Act, 1884. It is a class II municipal committee and is divided into 11 wards. There were 13 members in 1966.

The piped water-supply to the town was made in 1963, and in 1966 there were 497 private connections and 25 public stand posts. The town was electrified in 1959 and 125 electric lights have been provided for street lighting. It has a municipal park and a municipal library.

The income and expenditure of the municipal committee during 1963-64 to 1966-67, given in Table XXXVI of Appendix, shows that the municipal committee functions on a small budget.

Jhajjar Municipal Committee

The municipal committee was constituted in Jhajjar in 1885 under the Punjab Municipal Act, 1884. It is a class II municipal committee and is divided into 11 wards. There were 13 members in 1966.

The committee has established two public parks and one children's park. The piped water-supply to the town was made in 1964, and in 1966 there were 761 private connections and 25 public stand posts.

The streets are well lighted and there are 500 electric points installed in various parts of the town. A municipal library-cum-reading room is run by the committee.

The income and expenditure of the municipal committee during 1963-64 to 1966-67, given in Table XXXVI of Appendix, shows that the committee is functioning on an even budget.

Sonepat Municipal Committee

The committee appears to have been first constituted in 1868. It was reconstituted in 1885. It is a class II municipal committee and is divided into 11 wards. There were 13 members in 1966.

The piped water-supply based on percolation wells was provided in 1953-54. In 1966, there were 844 private connections and 400 public stand posts. About two-third of the streets are paved and most of these are provided with surface drains. The underground sewerage provided in the model town is being installed in other parts also. The streets are well lighted and 500 light points are provided. The conservancy staff include 1 Chief Sanitary Inspector, 1 Sanitary Inspector and 99 Sweepers. Refuse is removed to refuse depots in a tractor.

Three public parks and a library are maintained by the committee.

The income and expenditure of the municipal committee during 1963-64 to 1966-67, given in Table XXXVI of Appendix, shows a steady budget throughout.

Maham Municipal Committee

Constituted in 1891 as a notified area committee, it was declared a small town committee in 1924 under the provisions of the Punjab Small Towns Act, 1921. It was converted into a class III municipal committee when the Punjab Municipal (Second Amendment) Act, 1954, was passed. It is divided into 8 wards. It had 9 members in 1966.

The streets in the town are paved, well lighted, and surface drains have been provided on both sides. There are 3 municipal parks in the town. The scavenging services are manned by 15 sweepers and a Sanitary Jamadar and refuse is removed in carts and a tractor.

The income and expenditure of the municipal committee during 1963-64 to 1966-67, given in Table XXXVI of Appendix, shows a definite tendency to function on a bigger budget.

Gohana Municipal Committee

This municipal committee was constituted in 1885. Under the provisions of the Punjab Small Towns Act, 1921, it was declared a small town committee in 1953 and was later converted to class III municipal committee in 1955. In 1966, it was divided into 8 wards and had 9 members.

The committee is running a municipal library and a reading room. It has erected the Municipal Nehru Park and children's park. Electric street lights are provided and there are 320 points at various places in the town. The scavenging services are attended to by a Sanitary Inspector and 26 Sweepers and the refuse is removed in carts. The committee is running an Ayurvedic dispensary. The medical services are under a part-time Municipal Medical Officer.

The income and expenditure of the municipal committee during 1963-64 to 1966-67, given in Table XXXVI of Appendix, shows a desire to augment the resources and to work on an increased budget.

Town Planning

Town planning work has been sponsored in the municipalities of Rohtak, Sonapat and Bahadurgarh. The control of the municipal committees is primarily of regulatory type and they control layouts and erection of buildings on privately owned lands. Land acquisition, layout and development of new areas is normally envisaged through Improvement Trusts under the Punjab Town Improvement Act, 1962. Improvement trusts have been set up at Rohtak and Sonapat. The State Government on its own, has also laid out model townships at Rohtak and Sonapat and an industrial area at Sonapat.

For the assistance of the local bodies and for other work of town planning, the State Government has established office of the Divisional Town Planner at Hissar under the Haryana Town Planning Organisation and the Rohtak district falls under his jurisdiction.

Fire Service

The only fire brigade in the district is stationed at Rohtak. It is financed and administered by the Municipal Committee, Rohtak. The Fire Station Officer, in charge of the brigade, functions under the technical guidance of Fire Officer, Haryana, Chandigarh.

PANCHAYATI RAJ

In the past, the village communities were organised on traditional lines under *Bhaichara panchayats*; they were not established under any written law. Lord Lawrence, the Collector of Delhi in 1844, admirably summed up this position:—

“In no part of the North-Western Provinces are the tenures so complete and well-recognized as here; no districts in which

the ancient village communities are in such excellent preservation, or where the practice of our (British) civil courts has done so little harm. They are admirably adapted to resist the evil effects of bad seasons, epidemics and other evils incidental to this country. Bound together by the ties of blood connection and, above all, common interest, like the bundle of sticks.....they are difficult to break. Drought may wither their crops, famine and disease may depopulate their houses, their fields may be deserted for a time, but when the storm blows over, if any survive, they are certain to return."

The villages were broken into main sub-divisions called *panas*, and minor sub-divisions called *thulas*. Over each *pana* and *thula* were headmen. A single *pana*, if large, had several headmen or several *thulas*; if small, it was under a single headman. But at least as important as the headmen, and forming with them the village council or *panchayat* were the *thuladars*. These were a body of men unrecognized by government, but exercising real power over the village. There was generally one representative for each family or a group of families among this body. There was no formal election, but a sort of tacit assent of his fellow-clansmen seemed to constitute a man's right to join the village council. There was always sure to be some person of a critical temperament in the council who perpetually demanded that the account of the stewardship of those in authority be submitted to the voice of the whole village, and this kept a wholesome check on their proceedings. The council or *panchayat* settled everything of common interest for the village, the cultivation of any common lands, the rents to be paid for these, the realization of grazing and hearth fees, the exemption of certain persons from payment, the building and repair of village rest houses, supervising the system of special watchmen (*thikar*), cleaning of the village tanks, etc. Certain other matters by general custom also needed their special assent, such as the breaking up of jungle land, the cutting and selling of the trees of the common land, the grant of a revenue-free holding by the village and the like. The accounts of the village funds were submitted, though not regularly for the sanction of the whole body of proprietors. Such were the village communities, a body often of heterogeneous composition but united by close ties, self-supporting, vigorous and strong.

By and by the *panchayats* lost much of their importance and significance through disuse. The real decay of these institutions,

however, set in during the early period of British rule. As a result of the highly centralized system of administration which the British introduced, the old quasi-democratic village organisation crumbled. However, the British Government did not take long to realize that as in the case of towns, local government must be resuscitated in some form or other if there was to be a revival of communal life. Accordingly, the work of reviving *panchayats* through legislation was taken up throughout India. The earliest legislation in the Punjab was the Punjab Panchayat Act, 1912, which was followed by the Act of 1921. These enactments sought restoration of some sort of traditional authority to the *panchayats* where such authority existed and reviving it in other villages where it did not exist. The *panchayats* were given administrative functions and powers and judicial powers, both criminal and civil. The Punjab Village Panchayat Act, 1939, consolidated and extended the law relating to *panchayats* and gave them some powers of taxation.

The necessity of re-establishing village *panchayats* throughout the country was fully recognized after Independence and it was laid down in the Constitution as one of the directive principles of State policy. In pursuance of this, the Punjab Gram Panchayat Act, 1952 (Punjab Act IV of 1953) was passed. Under this Act the entire rural population of the district was covered by the *panchayats*.

The final step towards the implementation of Panchayati Raj was the enactment of the Punjab Panchayat Samitis and Zila Parishads Act, 1961. Under the Act, Panchayat Samitis and Zila Parishad were constituted at block and district level respectively. In short, the Panchayati Raj is a three-storeyed edifice having the *panchayat* at village level, Panchayat Samiti at block level and Zila Parishad at district level.

Panchayats

The *Panchayat* is the basic unit of Panchayati Raj. Under the Punjab Gram Panchayat Act, 1952, as amended up to 31st August, 1960, 712 *panchayats* existed in 1966. The total membership in these *panchayats* was 4,932 which included 829 Harijan *panches* and *sarpanches* and 711 women *panches* and *sarpanches*.

Every person, male or female, who is entered as a voter on the electoral roll of the State Legislative Assembly is a member of the *gram sabha* and it is these members who elect the *sarpanch* and *panches* from amongst themselves. The number of *panches* per

panchayat shall not be less than 4 or more than 8, the exact number depending on the population of the *sabha* area.

If no woman is elected as a *panch* of any *sabha* on the strength of her votes, the woman candidate securing the highest number of votes amongst the women candidates in that election is co-opted by the *panchayat* as a *panch* of that *sabha* and where no such woman candidate is available, the *panchayat* co-opts as a *panch* a woman member of the *sabha* who is qualified to be elected as a *panch*.

Every *panchayat* has one *panch* belonging to the Scheduled Castes if their population is 5 per cent or more of the population of the *sabha* area, provided that every *panchayat* with seven or more *panches* shall have two *panches* who are members of Scheduled Castes if the population of the Scheduled Castes is 10 per cent or more of the total population. If the required number of Scheduled Caste *panches* are not elected on the strength of their votes, then the Scheduled Caste candidate or candidates, as the case may be, securing the highest number of votes from amongst themselves are deemed to have been elected as the last *panch* or the last two *panches*. In case the requisite number of Scheduled Caste *panches* are not elected in the aforesaid manner, then the *panchayat* itself makes up the deficiency by nominating a duly qualified person or persons of such castes. Should, for any reason, the requisite number of Scheduled Caste *panches* not be elected or co-opted in the above manner, Government has the authority to make good the deficiency by nomination.

Income of *panchayats*.—The *panchayats* have been authorised to levy taxes, duties and fees. Apart from miscellaneous items, the main sources of income are grants from government, house tax, income from *shamlat* land, voluntary contributions, 10 per cent of the land revenue of the *panchayat* area, fees and fines. The income of the *panchayats* during 1964-65 to 1966-67 given in Table XXXVII of Appendix, shows that their tax efforts were not very substantive and much of their income was from village common lands and grant from Government or local and other bodies.

Judicial functions.—The *panchayats* have been given powers to try certain minor offences like petty thefts, hurt, affray, commission of public nuisance, etc., and are also empowered to impose fines. They are not bound by the provisions of the Indian Evidence Act, 1872, and

lawyers are not permitted to appear in the proceedings before a *panchayat*. In their judicial functions, the *panchayats* are under the control of the Chief Judicial Magistrate for criminal cases, who can hear appeals from their orders, and transfer cases from one *panchayat* to another. The *panchayats* have also been given powers for trying civil and revenue judicial cases within certain pecuniary limits. In respect of these cases, they are under the control of the District Judge and the Collector respectively.

The judicial (criminal, civil and revenue) work done by the *panchayats* during 1956-57 to 1965-66, given in Table XXXVII of Appendix, shows that the *panchayats* were reasonably quick in the disposal of both civil and criminal cases.

Public utility work.—The functions of the *panchayats* cover all important matters relating to municipal and development works in villages and also encouragement of industry and agriculture for improving the economic condition of their community. The public utility work done by the *panchayats* during 1956-57 to 1965-66, given in Table XXXIX of Appendix, shows that while opening of waste lands required the attention of the *panchayats* in the earlier year, the construction of wells has been undertaken steadily throughout.

Panchayat Samitis

The entire district has been divided into 15 blocks, each block having a Panchayat Samiti. It consists of 19 primary members; 16 members elected by *panches* and *sarpanches*; 2 members elected by co-operative societies, and 1 member elected by market committees. Every M.L.A. representing the constituency of which the block forms part, works on the Panchayat Samiti as an associate member. Two women members and 4 members belonging to the Scheduled Castes, if not elected otherwise, are co-opted to the Panchayat Samiti. The Sub-Divisional Officer (Civil) and Block Development and Panchayat Officer function as *ex officio* members. The *ex officio* and associate members do not have the right to vote.

The Chairman and Vice-Chairman of the Panchayat Samiti are elected by the primary and co-opted members from amongst themselves and their term of office is 5 years. The Block Development and Panchayat Officer is the Executive Officer of the Panchayat Samiti.

The Panchayat Samiti is the most important structure in Panchayati Raj. Most of the work relating to development of villages is

assigned to it. The Government entrusts to the Panchayat Samiti responsibility for various matters in the field of agriculture, animal husbandry and fisheries, health and rural sanitation, communications, social education, co-operation and a number of other miscellaneous subjects. It is an agent of the Government for the formulation and execution of the community development programme as well as the disbursement of loans under these programmes.

The Panchayat Samiti has a vital role to play in building up a sound financial structure for Panchayati Raj. Every Panchayat Samiti has a 'Samiti Fund' which consists of the following items:—

- (1) the apportionment made to it by the Government out of the balance of the district fund standing to the credit of the District Board concerned,
- (2) local rate allotted to Panchayat Samiti,
- (3) proceeds of all taxes, cesses and fees,
- (4) funds allotted to Panchayat Samiti and income arising from all sources placed at its disposal,
- (5) rents and profits accruing from property vested in it or managed by the Panchayat Samiti,
- (6) all sums contributed to the fund by the Central Government or State Government or any local authority including the *gram panchayat* or any private person,
- (7) all sums received by the Panchayat Samiti in the discharge of functions exercised by it,
- (8) all sums paid by Government to Panchayat Samiti to meet expenses for the performance of agency functions,
- (9) grants made by Government for the implementation of community development programme, and
- (10) proceeds of all sources of income which the Government may place at the disposal of the Panchayat Samiti. Besides, the Panchayat Samiti can, with the permission of the Zila Parishad, impose any tax which the State Legislature has power to impose.

Zila Parishad

The rural area of the district which was previously under the

District Board came under the administration of the Zila Parishad in March 1962. In 1871, the Lieutenant Governor was empowered to appoint committees in each district to assist him in determining the manner in which the local rate in rural areas was to be applied. With the setting up of the District Board in each district, 4 local boards, one in each tahsil, were also established in 1885; these were subsequently abolished in 1902. The District Board consisted of 36 members, 12 appointed and 24 delegated or nominated from local boards. Under notification No. 106, dated June 10, 1901, the number was increased to 45 members; 30 elected members, one from each electoral circle and 15 nominated. Of nominated members, 7 were Government Officers and the remaining 8 were appointed by the Government. The Deputy Commissioner, Rohtak, was the official chairman of the District Board and continued as such till 1936, when the Board elected its first non-official chairman. The Board so constituted continued to function up to June 16, 1954, when it was superseded under the Punjab District Boards (Temporary Constitution) Act, 1954, and was re-constituted with only official members. According to the provision of this Act, the administration of the District Board passed on to the Deputy Commissioner in his capacity as the chairman of the District Board and the official members were to assist him.

With the enactment of the Punjab Panchayat Samitis and Zila Parishads Act, 1961, the District Board was replaced by the newly constituted Zila Parishad in March 1962. The Zila Parishad consists of 2 members elected by each Panchayat Samiti, the chairman of every Panchayat Samiti, the Deputy Commissioner, every M.P. and M.L.A. of the district and co-opted members. The Zila Parishad must have at least 2 women members and five members belonging to Scheduled Castes.

The Zila Parishad elects its Chairman and Vice-Chairman. The Secretary is appointed by the Government.

Duties.—The Zila Parishad advises, supervises and co-ordinates the plans prepared by the Panchayat Samitis, examines and approves their budget, advises the Government about *panchayats* and Panchayat Samitis, and keeps a watch over the agricultural production and construction works.

Income.—The income of the Zila Parishad accrues from the funds allotted to it by the Central Government or the State Government,

grants from all-India bodies and institutions for the development of cottage, village and small scale industries, local rate, income from endowments and contributions levied on Panchayat Samitis.

The income and expenditure of the Zila Parishad during 1962-63 to 1965-66, given below, shows that except in 1963-64, it has produced surplus budgets by a good margin of income over expenditure:

year	Income	Expenditure
	(Rs.)	(Rs.)
1962-63	12,38,483	7,80,818
1963-64	16,02,406	20,66,984
1964-65	24,16,410	14,92,407
1965-66	18,59,281	15,35,839