

CHAPTER XIV

LOCAL GOVERNMENT

HISTORY OF THE LOCAL GOVERNMENT

The 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 affairs. This was done through panchayats which they had evolved in the course of centuries. But information about the evolution of local government in the district prior to the advent of the British rule is inadequate.

The first real step towards the introduction of municipal government was, however, taken when Gohana and Sonipat municipalities were constituted in 1885 under the Punjab Municipal Act, 1884. In the subsequent year, the municipality at Kharkhoda was constituted. The Punjab Municipal Act, passed in 1891, provided a simple form of municipal administration in notified areas where it was expedient to constitute regular municipalities. Accordingly, notified areas were formed at Butana and Mundlana. Kharkhoda was converted into a notified area under this Act. Amendments to this Act followed in 1896, 1900, 1905 and it was finally replaced by the Punjab Municipal Act III of 1911.

Due to the inefficiency of municipal committees, the notified areas were abolished. Gohana municipality was singled out for censure in 1890. There were many instances of party-feelings in the meetings of municipal committees. Consequently, local bodies were abolished on 1st March, 1902.

In 1921, the Punjab Small Towns Act, 1921 came into force. Under this Act, Gohana was declared a small town committee in 1953. The Act was repealed by the Punjab Municipal (Second Amendment) Act, 1954 and it converted all Small Town Committees into class III municipal committees in the State. Consequently, Gohana Small Town Committee was converted into Class III municipality.

The Punjab Municipal Act, 1911 was replaced by the Haryana Municipal Act, 1973 on July 20, 1973. The new Act does not provide for Class III municipal committees. A fresh classification of municipal committees has been made on the basis of income and population.

With the enforcement of the Haryana Municipal Act, 1973, all the municipal committees were superseded in Haryana and official administrators

were appointed to look after the affairs of the local bodies. In Sonipat district administrators were replaced by the elected presidents on August 30, 1987.

The main duties of the municipalities are to arrange for prevention and extinction of fire, supply of water for drinking and other purposes, control of dangerous or offensive trades and to look after public health and scavenging of the town. The municipalities 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, tolltax on roads and ferries, water rates, show tax, licence fee, rent on municipal property, etc. The detailed lists of sources of income and items of expenditure of municipalities are given in the Table XVI of Appendix.

On March 31, 1989, there were 4 local bodies (Sonipat, Ganaur, Gohana and Kharkhoda). The income and expenditure of all the municipalities in the district during 1986-87 to 1988-99 are as under :—

	Year		
	1986-87	1987-88	1988-89
Income	Rs. 48,966	Rs. 1,83,06,965	Rs. 73,90,013
Expenditure	21,276	12,91,33,282	7,32,79,172

SONIPAT MUNICIPALITY

The municipality was constituted in 1885. By Punjab Government Notification No. 819, dated 30th November, 1886, the proportion of appointed and elected members was fixed at 3 and 6 respectively¹.

Mr. George Smith once remarked that Sonipat was a difficult place for a Tahsildar to deal with as there were factional differences between Hindus and Muslims. Colonel Massy in July, 1894, also alluded to the strong local factions which required repressing. He had on one occasion refused to allow the re-election of a particular individual whom he considered to be unfit to be a municipal member.

1, *Administrative Dictionary of Delhi*, 1906, p. 168.

The position of the municipality changed after the attainment of Independence.

The municipal committee was superseded in 1973 and an official administrator looked after the affairs up to August 30, 1987. Since then elected President has been looking after the affairs of the municipality.

The piped water supply based on percolation wells was provided in 1953-54. Most of the streets are well paved and these are provided with surface drains. By the end of 1966, the underground sewerage was provided in the model town only. Now it has been installed in other approved parts of the town. The streets are well-lighted. The refuse is removed to refuse depots.

The Chief Sanitary Inspector is assisted by one Sanitary Inspector and other members of conservancy staff. The public parks and a municipal library are maintained by the municipality. It serves a population of 1,09,369 as per 1981 census.

As per 1981 Census, the Municipality maintains 49.0 kilometres of metalled and 2.0 unmetalled roads. There were 2,295 road lighting points. There were 40,158 electric connections (domestic 33,758, industrial 1,691 and Commercial 2,295).

The income and expenditure of the municipality during 1986-87 to 1988-89 are as under :—

Year	Income	Expenditure
	(Rs.)	(Rs.)
1986-87	14,054	15,105
1987-88	1,29,77,622	12,27,34,680
1988-89	N.A.	N.A.

GOHANA MUNICIPALITY

This municipal committee was constituted in 1885, under the provision of Small Town Act. It was declared as a small town committee in the year 1953, but later on converted into a 2nd class municipal committee in the year 1955. Elections to this municipal committee were held in 1962 and 1968. On 23rd July, 1973, it was superseded with the enforcement of the Haryana Municipal Act, 1973 and an administrator was appointed by the State Government. The affairs of the municipal committee were looked after by an officer

of Class-II status upto August 30, 1987. It is 'B' class municipality. An elected president was incharge of the municipality as on March 31, 1989.

For providing drinking water, the municipality installed a piped water supply based on tubewell system during the year 1971-72. It amounted to Rs. 37 lakh up to the end of March, 1989. In 1988-89, there were 65 public stand posts and 2,500 domestic water connections including 70 commercial connections in the town.

Gohana too is mostly served by surfaced drains. However, the underground sewerage has also been provided in the main road areas of the town; this scheme cost Rs. 20 lakh. At present, the municipality has arranged a temporary disposal scheme to use sullage water for irrigating its agricultural lands.

Electricity was first introduced in the town in 1956. Before its introduction, the town was illuminated with kerosene lamps for street lighting. In 1988-89, there were 585 electric connections (240 bulbs and 345 fluorescent tubes) for street light. There were 5,200 domestic connections as on March 31, 1989.

The municipality is developing a big park on 2 acre land situated on Gohana-Jind road, besides an old park in front of office of the Block Samiti, Gohana. One fountain has also been constructed by the municipality on Rohtak-Panipat road.

The conservancy staff consists of one Sanitary Inspector, 2 Sanitary Jamadars, one Vaccinator and 70 Safai Karamcharis. The whole of rubbish is collected in rubbish depot and from there carried by a tractor trolley to dumping grounds where the compost is prepared. Each Safai Karmchari has been provided with wheel barrows and other equipments being used for removal of night soil. The municipality has one tractor with three trolleys and 50 wheel barrows.

The municipality maintained 7 k.m. of metalled roads, 3.10 k.m. unmetalled roads. So far no road in this town has been taken over by P.W.D. (B&R). However, market committee has been taken over two roads, viz. Government High School Chowk to Subzi Mandi and Railway station to Jind road near railway colony for metalling and maintenance. Taking over of the Baroda road is under active consideration with the P.W.D.(B&R).

Before provincialization of schools in 1957, the municipality used to maintain two primary schools and one middle school for girls. It is now maintaining one library-cum-reading room with a part time librarian, within the premises of municipal office.

The main sources of the income to this municipality include octroi, house tax, rent from municipal shops and agricultural lands with little income from tehbazari, licence fees, show tax and toll-tax, etc. The income and expenditure of the municipality from 1983-84 to 1988-89 are given below :—

Year	Income (Rs.)	Expenditure(Rs.)
1983-84	28,70,807	33,81,408
1984-85	30,54,888	32,18,256
1985-86	32,48,688	37,08,098
1986-87	34,86,297	33,34,018
1987-88	36,04,305	37,23,124
1988-89	53,47,962	49,37,054

The municipality is leasing out its 92 shops constructed under the Revenue Earning Scheme; 35 shops are situated on the tahsil road, 18 shops near municipal office and rest of the 39 shops in different parts of the city. The Committee planned for construction of a block of 34 shops including 18 old shops to develop a municipal market complex. A rickshaw stand has been constructed out side the bus Stand at a cost of Rs. 5,000.

GANAUR MUNICIPALITY

The municipality was formed on 24th December, 1968 with 14 nominated members. It was superseded on December 23, 1974 with the enforcement of the Haryana Municipal Act, 1973. The affairs of the municipality were looked after by an official administrator upto August 30, 1987. It is a 'C' class municipality. An elected president was the incharge of the committee as on March, 31, 1989.

For providing drinking water, the municipality constructed a water-works during 1978-79 while it provided a limited water-supply of 25 gallons per head. Besides, there are three tubewells. During 1988-89, there were 100 public stand posts and 1,007 private water connections in the town. The electric light points were introduced in 1971. During 1988-89, there were 240 electric bulbs, 1 mercury bulb and 186 fluorescent tubes. There is only one library with a stock of 2,144 books.

The town is mostly served by surface drains. There is no sewerage scheme. The municipality arranged a temporary disposal of dirty water in ponds. The sanitary staff consists of one Sanitary Inspector and 40 *safai mazdoors*. The whole of the rubbish is collected in rubbish depots and from there it is carried by *jhotta* carts to the dumping grounds.

Chaudhary Lehri Singh Park is being maintained by the municipality.

The income and expenditure of the municipality during 1973-74 to 1988-89 are as under :—

Year	Income (Rs.)	Expenditure (Rs.)
1973-74	3,09,100	3,33,880
1974-75	3,30,479	3,37,505
1975-76	5,77,045	3,75,267
1976-77	3,66,206	5,05,055
1977-78	8,54,409	5,47,032
1978-79	3,98,244	7,59,814
1979-80	11,92,376	6,44,445
1980-81	5,16,583	8,49,156
1981-82	7,10,383	8,65,630
1982-83	11,79,426	10,99,813
1983-84	15,13,492	15,94,715
1984-85	13,10,462	13,74,176
1985-86	18,17,458	16,60,745
1986-87	30,33,100	16,91,795
1987-88	19,16,038	28,66,478
1988-89	24,78,029	26,05,667

KHARKHODA MUNICIPALITY

Municipality at Kharkhoda was formed on April 28, 1980. The affairs of the municipality were looked after by an official administrator upto February 26, 1989. It is 'C' class municipality. Its affairs as on March, 31, 1989 were under the control of elected president.

Piped water supply was enforced before its constitution as a municipality. Maintenance of water supply scheme is under P.W.D. (Public Health). There are 70 private connections and 50 public stand Posts. There is an arrangement of electric light. There were 85 bulbs and 15 tubes for street lighting on March 31, 1989.

The sanitary staff consists of one Sanitary Inspector and 18 sweepers.

The income and expenditure of the municipality are given below :—

Year	Income (Rs.)	Expenditure (Rs.)
1986-87	7,56,066	10,38,015
1987-88	2,96,388	4,16,060
1988-89	8,24,605	6,57,458

TOWN PLANNING

The work pertaining to town and country planning in the district is looked after by the District Town Planner. The post of District Town Planner was created in the district in June, 1968.

The objective of establishing the office of District Town Planner is, primarily to appreciate the urban development problems and to initiate the urban land-use planning proposals in order to regulate the urban development rationally within and without municipal limits¹.

The department, other than its own duties, renders technical help² to the local bodies. The control of municipalities is primarily of regulatory type and these bodies control layout and construction of buildings on privately owned lands. Land acquisition, layout and development of new areas is normally envisaged through Improvement Trusts².

The model township was laid out in an industrial area at Sonipat.

Fire Service

The fire brigade in the district is stationed at Sonipat. It is financed by the municipality Sonipat. The Fire Station Officer, being in-charge of the fire brigade, functions under the technical guidance of Fire Officer, Haryana Chandigarh.

PANCHAYATI RAJ

In the past, the village communities were organized on traditional lines under *Bhaichara* Panchayats ; they were not established under any written

1. Details regarding town planning work may be seen in the Chapter-Other Departments.
2. The Improvement Trust in the district is defunct.

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 this 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 *tholas*. Over each *pana* and *thola* were headmen. A single *pana*, if large, had several headmen or several *tholas*; if small, it was under a single headman. But at least as important as the headman, and forming with them the village council or panchayat were *tholadars*. 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 demand 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 (*thicker*), 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. 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 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 Punjab Gram Panchayats Act, 1952, with the subsequent amendments, and the Punjab Panchayat Samitis and Zila Parishads Act, 1961 are the legal base for the rural government, popularly called Panchayati Raj. At present the structure comprises two tiers; a panchayat at village level and a panchayat samiti at the block level. They do not constitute a hierarchy but have defined sphere of activity and independent sources of revenue. Previously, there used to be a Zila Parishad at the district level but this institution was abolished on June 13, 1973.

Panchayats

The panchayat is the basic unit of Panchayati Raj. Generally, there is one panchayat for each village but in few cases of small villages, there is a joint panchayat. Every panchayat has a minimum of five and maximum of nine panches. In 1982-83, there were 305 panchayats. The total membership of these panchayats was 2,116 including 398 Scheduled Castes *Panches* and 306 women *panches*. The details of total number of panchayats and villages (Block wise) as on March, 31, 1989. are as under :—

Name of the block	No. of villages	No. of Panchayats
1. Sonipat	89	63
2. Rai	63	53
3. Kharkhoda	45	43
4. Gohana	35	35
5. Mundlana	34	35
6. Kathura	20	21
7. Ganaur	67	67
Total :	353	317

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 Castes *panches* are not elected on the strength of their votes, then the Scheduled Castes 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 of requisite number of Scheduled Castes *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 Castes *panches* not be elected or Co-opted in the above manner, Government has the authority to make good the deficiency by nomination.

In 1988-89, there were 317 panchayats in the district. The total membership of these panchayats was 2,425 including 457 Scheduled castes *panches*/Sarpanches and 319 lady *panches*/Sarpanches. There were 304 *panches*/Sarpanches belonging to Backward classes.

Judicial powers.—The panchayats are empowered to try certain minor offences like petty thefts, trespasses, encroachments on public property and public nuisance. They have also been given powers to try cases under various sections of the Indian Penal Code. They are empowered to impose fines. They are not bound by the provisions of the Indian Evidence Act, 1872, and as such lawyers are not permitted to appear in the proceedings before a panchayat. The Chief Judicial Magistrate hears appeals against the orders of the panchayats. He is empowered to transfer cases from one panchayat to another.

The panchayats try civil and revenue suits for recovery of movable property or the value of such property, for money or goods due on contract or the price thereof; for compensation for wrongfully taking or injuring moveable property and some suits under the Punjab Tenancy Act, 1887. They are under the control of the District Judge in civil suits and the Collector in revenue suits. The District Judge and the Collector are also appellate authorities, respectively.

The main functions of the panchayats are rural development, with particular reference to increase in agricultural production. It includes agriculture, Industries, animal husbandry, health and sanitation, forests, education, social education, village public works, sports and recreation. In fact, panchayats are to cover all spheres which concern the betterment of the village.

Sources of income of Panchayats.—The panchayats have been authorised to levy taxes, duties and fees. A part of miscellaneous items, the main sources of income are grants from Government, house-tax, income from *shamlat* land, voluntary contributions, fees and fines.

The year-wise details (1973-74 to 1988-89) regarding income and expenditure of the Panchayats are given in the Table XVII of Appendix.

Panchayat Samitis

In 1988-89, the entire district was divided into 7 blocks, each block having a Panchayat Samiti. It consists of 19 primary members; 16 members elected by *panches* and *sarpanches*; 2 members by cooperative societies, and 1 member 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 the responsibility for various matters in the field of agriculture, animal husbandry and fisheries, health and rural sanitation, communications, social education, cooperation 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.

The year-wise details (1973-74 to 1988-89) regarding Panchayat Samities are given in the Table XVIII of Appendix.