

CHAPTER - II

ESTABLISHMENT AND EVOLUTION OF

BIJAPUR MUNICIPALITY

## CHAPTER - II

### ESTABLISHMENT AND EVOLUTION OF BIJAPUR MUNICIPALITY :

In this chapter an attempt is made to examine the establishment, various phases of growth of municipal - development in Bijapur during 1854 to 1954. Various phase of the growth represents various reforms and steps taken for effective administration.

### HISTORY OF LOCAL SELF GOVERNMENT IN INDIA :

Before examining the establishment of Bijapur municipality and various phases of its growth it is desirable to know the history of local self government in India. Because, as De Tocqueville has pointed; "Local institutions constitute the strength of free nations. A nation may establish a system of free government but without municipal institutions it can not have the spirit of liberty". Sharma M. P. also feels the same <sup>when</sup> he says: "... A vigerous system of local self government is indispsible for the success of democracy".<sup>1</sup> And this fact was perhaps nowhere better applied and understood than in the India of Hindu age. Writes Lindsay, the "story of local self government in British India reveals-a-long drawnout effort to retain what was good in existing institutions and to re-impose them where necessary by ideaa which had been proved to be useful in England".<sup>2</sup> In this effort the British not unoften due to their half-heartedness, more spoiled than improved the situation.<sup>3</sup>

ANCIENT AND MEDIEVAL PERIOD :

The local self-government has existed in India since the earliest times, and we get ample references about the existence of Municipal Committees at Pataliputra during the times of Chandra gupta Mourya (324 to 300 B.C.) Similarly, in villages Panchyats existed through out the ancient period and large, measure of village self government prevailed in those early days. So the village government has a golden past.<sup>4</sup> The local self government institutions suffered a decline during the Muslim rule, although the Panchayats continued to work as usual.

BRITISH PERIOD :

With the coming of the English a highly centralized system of administration was set up in the country which further resulted in the decline of these institutions. However, after the seventeenth century the English tried to revive the local self government institutions in the country and the local self government in the sense in which it is understood today, is largely the off shoot of the British rule.

PHASES OF DEVELOPMENT OF LOCAL SELF GOVERNMENT :

According to DR. Maheshwari the development of local government in India passed through five distinct phases, each with definite aim and purpose and possessing certain distinct features.<sup>5</sup>

FIRST PHASE (1687 - 1881) :

The first phase of the development of local government in India began in 1687 when the Court of Directors ordered the setting up of a corporation in Madras. It was authorised to levy taxes. However, the experiment proved failure because the residents strongly opposed payment of direct taxes. The charter Act of 1726 abolished the corporation and set up Mayors-Court.<sup>6</sup> The mayors court enjoyed more judicial and less administrative powers. The charter also set up similar courts at Bombay and Calcutta.

The Municipal institutions in India were provided with a statutory basis by the Charter Act of 1793.<sup>7</sup> It authorised the Governor General to appoint Justice of Peace in the three presidency towns. These Justice of Peace were authorised to levy taxes on houses and land to meet the expenses for maintainance of road, police and scavenging etc. In 1842 the Bengal Act<sup>8</sup> extended the municipal administration to the district town of Bengal and set up town committees for sanitary purposes. This measure also met strong opposition because inhabitatnts were unwilling to pay taxes.

Another important step in the development of the local government was the Act of 1850<sup>9</sup> which provided for

establishment of Municipal Bodies in the entire country. This Act was also of a voluntary nature and provided for indirect taxation.

MAYO'S RESOLUTION OF 1870 :

Mayo's (1869-1872) resolution of Financial Decentralization marked another stage in the evolution of local government in India. This resolution advocated decentralization from the centre to the provinces and emphasized the desirability of associating the Indians with the administration. It transferred the control of certain departments to the provincial government. These departments included education, medical service, roads etc. The provincial governments were authorised to resort to local taxation to balance their budget.

To implement the policy outlined in Lord Mayo's resolution of 1870 the various governments passed numerous municipal acts.

SECOND PHASE (1882-1919) :

LORD RIPONS RESOLUTION OF 1882 :

The second phase in the development of self-government in India started with Lord Ripons (1880 - 1884) Resolution of 1882. He fully sympathised with the growing

aspirations of the Indian's to acquire a share in the administration of their affairs and decided to make the local government self governing. Lord Ripon believed that local government was predominantly "an instrument of political and popular education".<sup>10</sup>

The Resolution of 1882 was a great land mark in the history of local self government. It marked a fundamental change in the basic approach to the system of local government in India.<sup>11</sup>

The resolution laid down definitely the lines on which these institutions were to develop, provided the Indians with the best opportunity to train themselves, in democracy and political knowledge, and created greater possibilities for the execution of the local public utility works.<sup>12</sup> Still as Lindsay writes, the best hopes "were hardly justified by the actual working of the various systems of local government which they had inspired".<sup>13</sup> But the lines laid down for the development of these institutions were important. Then the value of these institutions was not as much administrative as educative.<sup>14</sup>

#### ROYAL COMMISSION ON DECENTRALIZATION (1908) :

The Royal Commission appointed in 1908 pointed out that local bodies had not developed as anticipated by Lord Ripon and suggested certain measures to tone up the

local government system. Principal among them are :-

1. The village should be treated as the basic unit of local self-government and every village should have a Panchayat. In urban areas - Municipality should be constituted.
2. Local bodies should have elected majority.
3. Municipalities should elect their own President.
4. Municipalities should have authority to prepare their own budget.
5. The responsibility for primary education should rest with the municipalities.

LORD HARDINGE'S (1910-1916) RESOLUTION OF 1915 :

After examining the report of the Royal Commission on Decentralization, in 1915 Lord Hardinge issued a resolution. It highlighted the weak point in the working of system and made certain suggestions for further development of local self government. Important among them was, municipal committees should have substantial elected majority.

However, the recom-endations contained in Lord Hardinge's Resolution could not be given a practical shape and there was hardly any progress in the development of self government during the next few years.

LORD MONTAGUES RESOLUTION OF 1918 :

The next important development in the field of local government was the August Declaration of 1917. Which announced that the British policy in India was to seek "the increasing association of Indians in every branch of administration and gradual development of self governing institutions with a view to progressive realization of responsible government in India." Similar sentiments were also expressed in the Government of India Resolution of 1918. The resolution made following recommendations for the development of local self government institutions (1) Local bodies should have elected majorities. (2) The official Chairman of Municipal Committees should be replaced by elected non-official Chairman. (3) Local bodies should be given greater freedom regarding preparation of budget, imposition of taxes.

However, most of the recommendations were not put in to practice.

THIRD PHASE (1920 to 1939) :

The third phase of the development of local self government in India commenced with the enforcement of the Government of India Act 1919, in 1920. The Act made a beginning in responsible government in provinces by introducing the system of Dyarchy. Under the system of dyarchy local self government



was made a transferred subject and placed under the charge of an Indian minister responsible to the provincial legislature. Thus the Act inaugurated an era of new interest and activity in the field of local government<sup>15</sup>. Different provinces enacted a series of Act lowering the franchise qualifications and increasing the elected element in the local bodies.

FOURTH PHASE (1937 - 1947) :

ACT OF 1935 :

The fourth phase of the development of local self government in India begins with the inauguration of the government of India Act of 1935.

The government of India Act, 1935 gave full autonomy to the provinces. The department of local self government remained under the control of Indian ministers who were now in stronger-position than before because finance was no longer a reserved subject. Naturally efforts were made to democratise local bodies and improve their structure and working. The element of nomination was almost done away with and local bodies finances were also improved. However, due to the outbreak of second world war and the crisis in Indian politics the popular ministries in the provinces tended their resignations. This gave a set back to the development of local government in India.

After independence the importance of the local government institutions in the administration of the country was realised. In a meeting of the ministers on local self government of various provinces held in 1948, emphasising the importance of local self government Pandit Nehru, the prime-minister of India, said "Local self-government is and must be the basis of any true-system of democracy. We have got rather into the habit of thinking of democracy at the top and not so much below. Democracy at the top may not be a success unless you build on this foundation from below".

FIFTH PHASE (1950 TO DATE);

The fifth and the final phase of local government in India started with the inauguration of the Constitution in 1950. The constitution allotted local government to the state list.

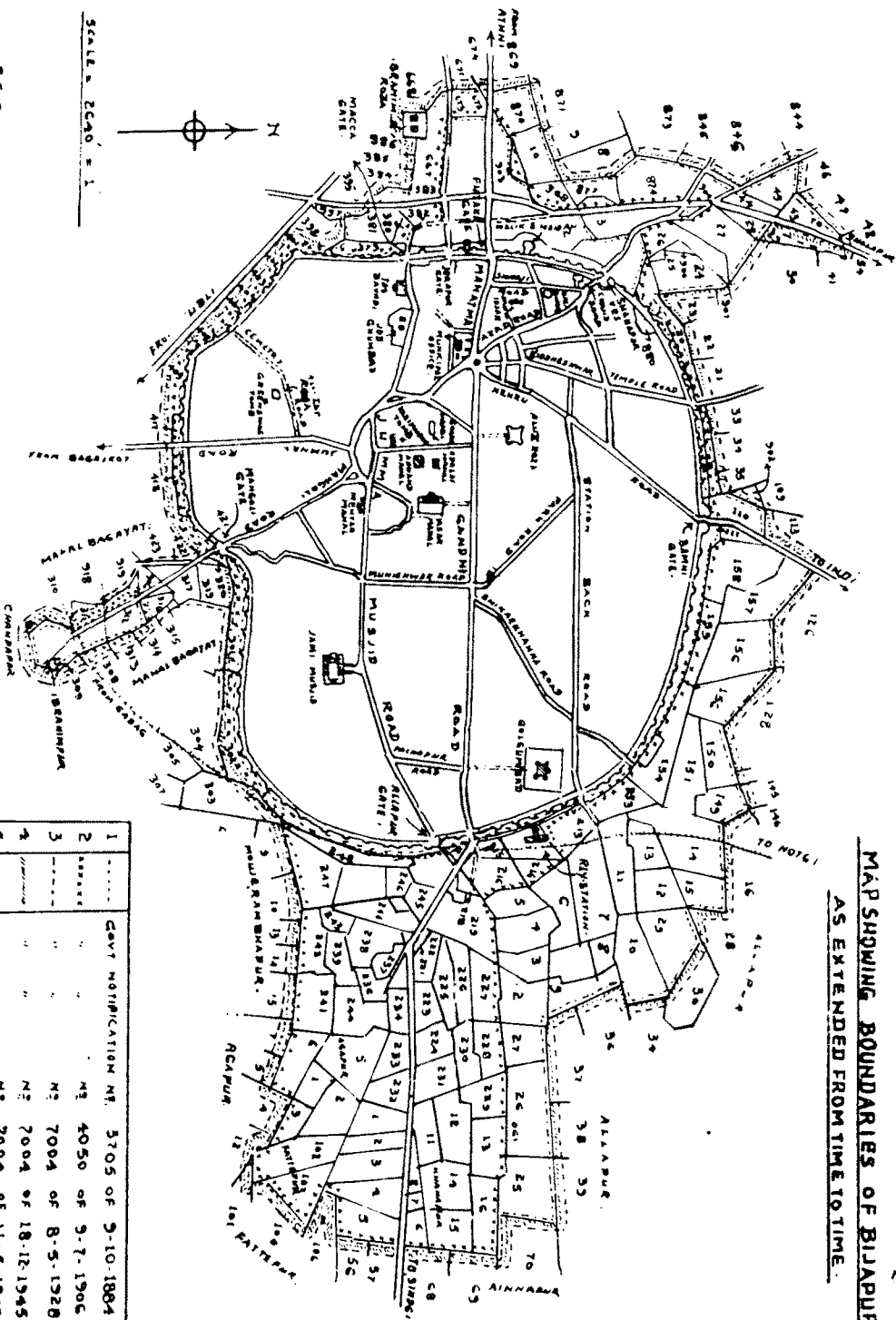
Significant changes have taken place in local government since 1950 and various committees were appointed to look into the working of the various aspects of the local government institutions. These committees suggested far reaching changes. The first such committee known as Local Finance Enquiry Committee was set up in 1949 and submitted its report in 1957. In its report the committee drew attention to the desperate financial plight of the local bodies and made suggestions for assigning certain new sources of revenue to them.

Some of the significant features of the development of local self-government institutions since 1950 are as follows :

1. Local bodies have been fully democratized by associating all sections of society with the local administration. Not only the communal electorates have been done away with, but due representation has also been assured to the weaker section of society such as women, scheduled castes, scheduled tribes and other back ward sections. In short, the local institutions have been made as broad-based as possible.
2. In most of the states, the legislative and executive functions of the local institutions have been separated.
3. The number of municipal corporations has shown sharp rise since the attainment of independence. In 1947 there were only three municipal corporations but their number has crossed thirty.
4. Finally, great attention has been paid by the state governments to improve the quality of the personnels of the local institutions.

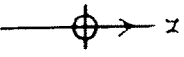
In this background it is interesting and fascinating to study the establishment and evolution of Bijapur Municipality

**MAP SHOWING BOUNDARIES OF BIJAPUR  
AS EXTENDED FROM TIME TO TIME.**



B. G. PONDIAK  
DRAWING

SCALE - 25000 = 1



1	-----	GOVT NOTIFICATION NO. 5705 OF 2-10-1804
2	.....	NO 4050 OF 2-7-1906
3	.....	NO 7004 OF 8-5-1920
4	.....	NO 7004 OF 18-12-1945
5	.....	NO 7004 OF 11-5-1949

ESTABLISHMENT AND EVOLUTION OF BIJAPUR MUNICIPALITY :  
THE FIRST PHASE OF MUNICIPAL DEVELOPMENT (1854 TO 1873) :

The establishment and evolution of the Bijapur Municipality is a landmark in the progressive march of local self-governing institutions of the district.<sup>16</sup>

Under the provisions of government of India Act XXVI of 1850, the municipality at Bijapur was established.

The Government of the East India Company passed the Bombay Act No. XXVI of 1850 which received the assent of the governor-General on 21st June, 1850.<sup>17</sup> The following functions were entrusted to the municipalities according to this Act.

1. Repairing, cleaning, lighting or watching any public streets, roads, drains or tanks.
2. Prevention of nuisance.
3. Improving of towns or suburbs.

Section 3 of the 1850 Act provided that on an application made by the inhabitants for putting the Act in to force in any town, the government should give a notice in the official gazette and cause proclamation to be made within the town setting forth the reason of application and giving reasonable time for all inhabitants of such town to declare themselves for or against the adoption of the Act. Section

4 of the Act laid down that the government was to take in to consideration all such declaration and issue a final notification in the gazette and cause a proclamation to be made within the town to the effect that the Act should hence forth be in force in such town for such purposes as should be mentioned.<sup>18</sup>

In accordance with these provisions of the Act application was submitted by some persons of Bijapur town expressing desire of getting the Act introduced in their town. And using the machinery embodied in the Act of 1850, the Bombay Government established the Bijapur Municipality by notification No.1973 dated 7th June, 1854 published in page 955 of the government Gazette of 1854.<sup>19</sup> Under section VI of the Act, the Governor in council appointed six commissioners, two officers and four non-officials. The Assistant Commissioner in charge of the Bijapur tehsil (taluk) was named president and Mamlatdar (Tahsildar) of Bijapur was appointed Vice-President. The first non-official members nominated as commissioners were -

1. Bhagawandas Nagajidas Darbar.
2. Bapoo Venidas Shet.
3. Ramdas Manikdas.
4. Hoosen Saheb Bangee Rozindar.
5. Shahazade Saheb Inamdar Hittanhalli.<sup>20</sup>

These five members managed the affairs of the first municipality under an ex-officio President and an ex-officio

Vice President. There were no elections and also no non-officials in this statutory set-up body. After some time Government Notification was forwarded to the revenue Commissioner of the division and Commissioners of the district before the municipality was actually established.

The Bijapur Municipality actually began functioning from 1st August, 1954 from which date a day book has been maintained.<sup>21</sup>

As Bijapur was then a tehsil (taluk) under the Satara Collectorate and formed part of the territories that were ceded to the British by the ruling Maharatta Prince of Satara in 1854, the official vernacular for the transaction of public bodies was Marathi.<sup>22</sup>

The income of the municipality for the year of its establishment was Rs. 1,232 collected in the form of Jakat. The municipal body utilized this income for the purpose of repairing the roads.<sup>23</sup>

It is interesting to note that the transactions of the municipality were carried on for about 8 years without any proceedings being recorded in writing. The Municipal commissioners met occasionally, took decisions on some matters regarding the duties allotted to them. Their decisions were worked out by a small staff of secretary, two assistants, and a few mahars and Bhangis.

SECOND PHASE OF MUNICIPAL DEVELOPMENT ( 1873 TO 1884 ) :

The second phase in the municipal development started when the Bombay District Municipal Act VI of 1873 came in to effect. It introduced certain changes in the composition of Bijapur municipal committee. This Act was framed for the better management of affairs in cities and towns in the Bombay presidency. It was the first systematic effort to organize municipal affairs on modern lines.

Under the Bombay District Municipal Act of 1850 all the Municipal commissioners were appointed by the government. The Bombay Municipal Act of 1873 did not made any changes in this regard. But section 6 of the Act VI, 1873 prescribed that the municipalities shall of two kinds, city municipalities and town municipalities. This Act classified a city as the one having a population of not less than 10,000 in habitants, and a town as having not less than 2,000.<sup>24</sup> The Bijapur municipality continued to be a town municipality under the Act VI of 1873. The Constitution of town municipalities remained practically the same as it was under the Act of 1850. Only the ex-officio element in the Municipal Board was expanded from two members to ten by the inclusion of the Huzur Deputy Collector, Executive Engineer, Deputy Educational Inspectors, Civil Surgeon and the District Superintendent of police.<sup>25</sup>

THIRD PHASE OF MUNICIPAL DEVELOPMENT (1884 - 1901) :

The next-important landmark in the history of the municipal development in the Bombay presidency was, the Bombay.



District Municipal Act of 1884. It prescribed that a Municipality shall also consist of elected commissioners. Section 11 of this Act also provides that the number of elected Commissioners shall not be less than one half the whole number of seats exclusive of the president. After the Bombay District Municipal Act of 1884 came in to effect general elections for the first time in the history of Bijapur Municipality was held on 20.11.1885.<sup>26</sup> The following 6 municipal commissioners were elected for the 6 wards in to which the town was then divided.<sup>27</sup>

<u>Ward Numbers</u>	<u>Name of the first elected municipal Commissioners</u>	<u>Vote Secured</u>
1.	Shri Raghavendra Krishna	100
2.	Shri Narahar Ramchandra Vakil	95
3.	Shri Laxman Krishna Torvi	86
4.	Shri Annaji Krishna Sindagi	85
5.	Shri Ganeshdas Damodardas	60
6.	Shri Pandharinath Rajaji Vakil	58

The new municipal body consisted of 13 municipal commissioners 6 nominated, 6 elected, with the collector as president.

Municipal Act of 1884 thus brought important changes in the municipal development. This was the real beginning of the municipal administration based on modern lines. Because

of this Act democratic spirit was introduced in the functioning of administration. For the first time since 1854 voter came in the picture. With the provision of elections in this Municipal Act the qualification of the voter was defined. According to section 12 (d) of the Bombay district Municipal Act of 1884 every graduate of any university every pleader holding a sanad from the high court, every juror and every assessor, every honourary magistrate, resident within the municipal district and every person paying the municipal taxes was qualified as a voter at general elections.<sup>28</sup>

FOURTH PHASE OF MUNICIPAL DEVELOPMENT (1901 - 1908) :

The Bombay District Municipal Act of 1901 defined 'Councillor' as any person legally a member of a municipality constituted under the Act. The Act came in to force from 1st April, 1901.<sup>29</sup> By G.R.G.D. No. 3939 of 10.7.1901.<sup>30</sup> The number of Municipal Councillors was reduced from 13 to 12 consisting of 6 elected and 6 nominated Councillors of which 3 were salaried servants of the government and 3 were non officials.

Regarding the qualification of voters, section 12 of the Bombay District Municipal Act 1901 Clearly defined the residential qualifications of a voter and a candidate. The Act also lay down that a voter or a candidate must be at least 21 years of age.

FIFTH PHASE OF MUNICIPAL DEVELOPMENT 1908 - 1925

In 1908 - 1909 there were 12 councillors 6 being elected and 6 nominated, two of whom were salaried servants of the government and 4 were non officials.

By G.R.G.D. No. 739 of 3.2.1911 Bijapur Municipality was graded as a city municipality.<sup>31</sup>

In 1911-1912 there was only one salaried servant of government out of 6 nominated councillors, who with 6 elected councillors formed the municipal board of 12 councillors.

According to the government notification No.8674 of 16.12.1912 the number of municipal Councillors was increased to 18 out of them 12 elected and 6 nominated.<sup>32</sup>

According to G.R.G.D. No.6474 of 26.5.1921 the constitution provided for 30 councillors 24 being elected and 6 nominated, with effect from 1.4.1922.<sup>33</sup>

SIXTH PHASE OF MUNICIPAL DEVELOPMENT 1925 - 1940 :

Sixth phase of municipal development begins from 1925-1926. According to the constitution of 1925-26 there were to be 30 municipal councillors consisted of 17 non Muslims 7 Muslims and 6 nominated.

In 1928-1929 of the 30 councillors 24 were elected councillors, 16 non muslims, 7 muslims and one from backward classes and the rest were nominated.

SEVENTH PHASE 1940 TO 1953 :

The constitution which was revised in 1940, was another landmark in the municipal development, By this the official and nominated elements was completely eliminated. It provided for 35 elected councillors (all non officials). Out of them 22 should be non muslims, 10 Muslims, 2 belonging to backward classes, and one seat was allotted to woman. The town was divided in to 9 election wards.

According to the constitution that was revised by G.R.G.D. No.2793/33 of 14.11.1950<sup>34</sup> the town was divided in to 10 election wards, from which 35 councillors were to be elected as shown in the table below.<sup>35</sup>

TABLE NO.1.

Ward No.	Reserved for woman	Reserved for scheduled caste	General	Total
1.	0	1	3	4
2.	1	0	3	4
3.	0	0	3	3
4.	0	0	2	2
5.	1	0	3	4
6.	1	1	3	5
7.	0	0	4	4
8.	0	0	2	2
9.	1	0	4	5
10.	0	0	2	2
Total :	4	2	29	35

The new body began to function from 31.3.1952.

8678  
A

The Bombay Act of 1953 clearly defined the qualification of a voter. According to it every person who is citizen of India, has attained the age of 21 years on or before the first day of January and has requisite residence, business premises or taxation qualification, is entitled to be voter.

The general elections were held for every three years from 1884 to 1956 on the basis of the franchise provided for in the municipal Act and the rules in force from time to time.

TABLE NO. 2.

Elections held from 1854 to 1956 (for every three years) on the dates mentioned against each year.<sup>36</sup>

Y E A R	D A T E	Y E A R	D A T E
1885-86	20.11.1885	1918-19	11.02.1919
1888-89	11.02.1889	1922-23	06.09.1923
1891-92	23.01.1892	1925-26	06.08.1925
1894-95	22.02.1895	1928-29	22.08.1928
1897-98	21.02.1898	1931-32	07.08.1931
1900-01	25.02.1901	1934-35	07.08.1934
1903-04	27.02.1904	1938-39	14.08.1938
1906.07	16.02.1907	1940-41	26.02.1941
1909-10	17.02.1910	1943-44*	27.02.1944
1912-13	15.02.1913	1951-52**	04.03.1952
1915-16	24.03.1916	1955-56	08.03.1956

\* The term of the municipal board which began to function from 1.4.1944 was extended up to 10.11.1948, on which date the municipality was super-seded. The municipality was reconstituted on 31.03.1952 after the general elections that were held on 04.03.1952.

\*\* According to the amendment of the municipal Act the term of the body which was elected in 1952 was to be 4 years. General elections were held once in every four years after that amendment.

In this chapter hence, a brief survey has been made to understand the establishment and the evolutionary phases of Bijapur municipal development. The development has been divided into seven main phases, and each phase has its own significance. Every change has introduced a democratic element in the working of Bijapur municipal administration. The brief survey of the evolution of the municipal constitution given in this chapter shows how the official and nominated elements were progressively eliminated giving place to a wholly elected body of municipal councillors (1940) and how women and scheduled classes were given representation (1940 and 1950). The classification of general constituencies into Muslims and non-Muslims is the clear example of the British policy of divide and rule on a communal basis. This communal classification was abolished by the amended municipal Act after the attainment of independence.

:: REFERENCES ::

1. Sharma M.P. : Local Self-Government in India, P.8.
2. Lindsay J.H. : Cambridge History of India, VI,P.511.
3. G.S. Chhabra: Advanced Study in the History of Modern India, Vol.II, P.465.
4. D.R. Sachadeva and B.D. Dua: Studies in Indian Administration, P.357.
5. S.R. Maheshwari : Local Government in India P.14.
6. S.C. Raychoudhary : History of Modern India, P.213.
7. Ibid, P.213.
8. Ibid, P.213.
9. Ibid, P.214.
10. G.S. Chhabra : OP. Cit P.471.
11. S.C. Raychoudhary : OP. Cit P.214.
12. G.S. Chhabra : OP. Cit P.471.
13. Lindsay J.H. : OP. Cit P.521.
14. G.S. Chhabra : OP. Cit P.472.
15. S.C. Raychoudhary : OP. Cit P.219.
16. Gazetteer of India, Mysore State, Bijapur District, P. 376.
17. Ibid, P.376.
18. Ibid, P.376 & 377.
19. Ibid. P.377
20. Ibid. P.377



21. Centenary Souvenir Bijapur Municipality 1854-1954,  
P. 68 & 69.
22. Gazetteer of India, Mysore State, Bijapur District,  
P.377.
23. Centenary Souvenir Bijapur Municipality 1854-1954,  
P. 70.
24. G.S. Chhabra : OP. Cit P.474.
25. Mysore State Gazetteer, Bijapur, District, P.377.
26. Source : Municipal Records of Bijapur.
27. Source : Municipal Records of Bijapur.
28. Mysore State Gazetteer, P. 378.
29. Ibid, P. 378.
30. G.R.G.D. No. 3939 of 10.7.1901 : Bijapur Municipal  
Records.
31. G.R.G.D. No.379 of 3.2.1911 : Bijapur Municipal Records.
32. Source : Municipal Records of Bijapur.
33. Source : Municipal Records of Bijapur.
34. Source : Municipal Records of Bijapur.
35. Source : Municipal records of Bijapur.
36. Source : Municipal Records of Bijapur.