

GOVERNMENT OF MADHYA PRADESH



REPORT

OF THE

Janapada Enquiry Committee
Madhya Pradesh

1952



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LOCAL SELF-GOVERNMENT (JANAPADA) DEPARTMENT

Nagpur, the 19th March 1953.

READ—

- (i) Resolution No. 852-1027-J-XIII, dated the 5th April 1952.
- (ii) Report of the Janapada Enquiry Committee, Madhya Pradesh, 1952.
- (iii) Press Communique.

RESOLUTION

In Resolution No. 852-1027-J-XIII, dated the 5th April 1952, the State Government announced the constitution of a Janapada Enquiry Committee under the chairmanship of Shri Gopilal Shrivastava "to review the finances and examine the problems and administrative and other difficulties of the Janapada Sabhas and to make recommendations for the improvement of the Janapada finances, and solution of their problems and difficulties". The terms of reference of the Committee were wide enough to enable the Committee to examine the working of the Janapada Sabhas in the State and to place Janapada finances on a sound footing. The work of the Committee was immense and complex. The Committee submitted on the 31st July 1952 its report. The State Government have given careful consideration to the recommendations of the Committee. This Resolution recapitulates the main recommendations of the Committee and announces the decisions of the State Government thereon.

Constitution of the Janapada Sabhas

There are at present six standing committees. The Janapada Enquiry Committee recommended that an administrative committee composed of chairmen of all the standing committees, the Chairman, Janapada Sabha, and the Chief Executive Officer be constituted to deal with the co-ordination of the standing committees, the implementation of the decisions of the standing committees and the appointment of the Janapada staff. The State Government having considered the recommendations have decided that there should be an administrative committee consisting of one-third members of the Sabha excluding the Chairman and the Vice-Chairman of the Sabha. The Chairman and the Vice-Chairman of the Janapada Sabha will be the Chairman and the Vice-Chairman of the administrative committee.

The proposed administrative committee will be for the period of the Janapada Sabha but will be removable at any time by two-third strength of the Janapada Sabha. It will have power to appoint and transfer all servants. The power to take disciplinary action would remain with the Chief Executive Officer with a right of appeal to Deputy Commissioner or other authority as the case may be.

The present powers of the Chief Executive Officer to make reference to Government and stay execution of any such resolution will continue. The Chairman of the Janapada Sabha may also refer any question decided by the administrative committee to the Janapada Sabha for decision and stay proceedings till then.

The recommendation of the Janapada Enquiry Committee that the number of standing committees should be reduced to four and various duties at present allotted to these committees should be redistributed among these four committees and further that the agriculture and development standing committees should be abolished is accepted.

The Chief Executive Officer

The recommendations of the Janapada Enquiry Committee that the Chief Executive Officer should be responsible to the Janapada Sabha and should be removable by two-third majority of the Sabha is accepted by Government. Each Janapada Sabha will have a Chief Executive Officer generally of an Extra-Assistant Commissioner's grade. He will be Sub-Divisional Officer and Sub-Divisional Magistrate and will ordinarily be not transferred for a period of two years. As Sub-Divisional Magistrate he will have law and order functions and he will not try original criminal cases except cases under preventive sections of Criminal Procedure Code. He will hear appeals against decisions of Second and Third Class Magistrates. Where an Extra-Assistant Commissioner so appointed will not have a full day's job in spite of attempts to do so, a Tahsildar would in addition to his usual duties be the Chief Executive Officer of the place. Such Tahsildar-Chief Executive Officer will however not exercise other powers given to Extra-Assistant Commissioner-Chief Executive Officer.

Finances

The additional cess will be abolished and the rate of compulsory cess will be raised to 30 pies per rupee as recommended by the Janapada Enquiry Committee. The recommendation of the Janapada Enquiry Committee that the special school rate should be substituted by a professional tax on income from non-agricultural sources has also been accepted, in principle and a basis on which the new tax will be imposed will be determined. Government also agree with the Committee that the market rates and cattle-pound charges should be revised where no revision has taken place.

Grants

The Committee had recommended that education grants should be rationalised and procedure for giving these grants should be simplified. One of the most important recommendation of the Committee in this respect was that the grant should be fixed on 75 per cent of the expenditure on *per capita* basis. Government in pursuance of the present policy of conducting primary education through the medium of local bodies have decided that 75 per cent of the approved expenditure on primary education should be met by Government in areas other than scheduled and backward. In backward areas up to 90 per cent of the approved expenditure should be met by Government. It will be necessary to lay down a clear definition of backward areas. In the scheduled areas the Tribal Welfare Department should take over the Janapada and Forest schools to be covered by its Welfare Schemes. Government have also accepted in principle to place the services of the Additional District Inspectors in the Janapada areas at the disposal of the Janapada Sabhas. The principle of giving subventions to financially weak Janapada Sabhas to raise their services to a reasonable standard has also been accepted. Grants will be paid in early part of the financial year. The recommendation of the Committee that the Janapada Sabhas should be encouraged to properly equip their dispensaries and keep enough stocks of medicines by giving them liberal grants has been accepted by Government. In regard to veterinary

dispensaries, the recommendation of the Committee that full cost of serum and other medicines should be borne by Government has also been accepted.

The Janapada Sabhas in the old Central Provinces are being paid grants by Government to compensate them for the loss of compulsory cess income on account of the abolition of the proprietary rights. This grant will hereafter be stopped. The Janapada Sabhas in Berar are being compensated for loss of revenue on account of road cess. This will also be stopped. The general purposes grant will be continued to be paid to the Janapada Sabhas on the basis of population-*cum*-extent of area.

Allotment of a Share in Land Revenue

One of the important recommendations of the Janapada Enquiry Committee was that the State Government should assign 15 per cent of their revenue from land revenue and 5 per cent from forest income. With regard to share from land revenue, Government have partially accepted the recommendation and have decided that the Janapada Sabhas should be given a share of land revenue at 5 per cent of the annual demand in each year. This amount will give the Sabhas the much needed relief in finding adequate resources to render services to the community at the minimum standards expected of them. In case of forest revenues they fluctuate so much that any share from them would always be an indefinite factor in the budget estimates of the Sabhas and therefore assignment of a share therefrom will not help the Janapada Sabhas. However, where land revenue is not substantial and the forest income is more some contribution from general revenues after considering the forest income of a Janapada will be paid. The Committee had recommended that municipal committees should give 50 per cent of the maintenance cost of the veterinary dispensaries in their areas. Government have carefully examined this suggestion and have come to the conclusion that as the veterinary dispensaries are usually situated in municipal areas and do not primarily benefit the remaining areas, such dispensaries where situate in municipal areas should be maintained by the municipal committees and the Janapada Sabhas should make subscriptions according to their ability. The Janapada Sabhas should only maintain veterinary dispensaries in rural areas. The State Government have also accepted the recommendation that wherever Janapada Sabha maintains roads in municipal areas they should be transferred to the municipal committees.

Merged States

Compulsory cess was not leviable on tenants in merged states. The proprietors were liable to pay compulsory cess. But with the abolition of the proprietary rights no cess was leviable in merged areas. The Janapada Enquiry Committee recommended that the compulsory cess should be imposed on all agriculturists at two annas per rupee in merged areas. Government have decided that the rate of compulsory cess should be 30 pies in a rupee, as for all other areas in the State. The assessment in the merged areas being already low the rate will not be very heavy. There will be no additional cess. The State Government have also accepted the recommendation that a professional tax on income from non-agricultural sources as in the rest of the State should be imposed. The recommendation in regard to assignment of a share in income from land revenue has also been accepted with the modification that only 5 per cent of the income will be given to the Janapada Sabhas.

Other Problems

Government do not find it practical to constitute a statutory board of all Janapada Sabhas in the district for maintaining roads. On the other hand Government agree to take over all transferred works and Janapada roads forming part of the road system of the province for maintenance unless they are satisfied that the Sabhas are able to maintain them satisfactorily. The question of establishment of a local body services commission has been postponed. It has been decided that the Deputy Commissioner should perform the supervisory and inspection duties and the Director of Panchayats at provincial headquarters should co-ordinate as the Director of Local Authorities. The recommendation that there should be liberal entrustment of the functions of the State Government under section 52 has been accepted. The list of functions to be entrusted with will, however, be revised. In regard to the urban representation on the Janapada Sabha, the State Government have accepted this recommendation and it has been decided that the number of representatives from urban areas should not exceed one-fifth of the total number of councillors and they should be chosen by indirect election by members of the municipal committees in the area. The recommendation of the Janapada Enquiry Committee to prescribe standard uniform scales of pay and uniform conditions of services will be examined further. One of the important decisions of Government is that the expediture on travelling allowance and daily allowance, etc., of Government servants appointed to conduct Janapada elections should be borne by Government.

Grants-in-aid to Janapada Sabhas for maintenance of transferred institutions in Zamindari areas and in merged areas should be on the lines of grants paid in backward areas. The optional and compulsory duties of the Janapada Sabhas will be reviewed.

Government have passed appropriate orders on the subsidiary recommendations of the Committee.

The recommendations of the Janapada Enquiry Committee regarding (1) transfer of management of E and F class lands in Berar to Janapada Sabhas, (2) portion of income from local charity to be diverted to the improvement of village schools and roads and (3) part of the surplus income from the management of temples, Devasthan and Maths to be made over to the Janapada Sabhas are still under consideration of Government.

The result of the financial implications is that the Janapada Sabhas will get an additional income of about Rs. 34 lakhs.

In conclusion, Government desire to place on record their grateful appreciation of the labour of Chairman and the members of the Committee. The work involved in examining the problems and difficulties of Janapada Sabhas was considerable and the Chairman and the members had to do this exacting work within a short period.

ORDER

ORDERED that a copy of the Resolution be communicated to all departments of Government, all heads of departments and Deputy Commissioners, and that it be published in the "Madhya Pradesh Gazette".

By order of the Governor, Madhya Pradesh,

C. L. GUPTA,

Secretary to Govt., Madhya Pradesh,
Local Self-Govt. (Janapada) Dept.

THE JANAPADA ENQUIRY COMMITTEE, MADHYA PRADESH

FROM

SHRI G. L. SHRIVASTAVA, M.A., LL.B.,
Chairman, Janapada Enquiry Committee,
Madhya Pradesh.

TO

SHRI K. B. L. SETH, I.C.S.,
Chief Secretary to Government,
Madhya Pradesh.

SIR,

I forward herewith the Report of the Janapada Enquiry Committee appointed by the Government of Madhya Pradesh by Notification No. 852-1027-J-XIII of Local Self-Government Department, dated the 5th April 1952, for the purpose of reviewing the finances and examining the problems and other administrative difficulties of Janapada Sabhas and for making recommendations for the improvement of the Janapada finances and solution of their problems and difficulties.

2. The Committee has tried to examine all the problems relating to Janapada Sabhas. The finding on the term of reference No. 5 about the exercise and distribution of executive powers between the Janapada office-bearers, standing committees and Chief Executive Officers, with recommendations are recorded in Chapter IV of this Report while Chapter III deals with the conditions and reasons leading up to these recommendations.

3. The terms of reference Nos. 1, 2 and 3 refer to the existing and prospective sources of revenue of Janapada Sabhas and are inter-related. The findings on these three questions with statistical data and reasons are given in Chapter V.

4. Chapter VI deals with the system of Government grants and Janapada Sabhas and contains the suggestions of this Committee.

5. Merged territories presented their own problems concerning the Janapada Sabha resources and administration. This subject has, therefore, been treated separately in Chapter VII.

6. Other administrative problems of Janapada Sabhas referred to in the last term of reference No. 6 cover a large field and have been treated in Chapter VIII with such recommendations as were thought fit. A summary of recommendation and concluding remarks find place in Chapter IX.

7. It may be noted that the members of the Committee are unanimous regarding the findings and main recommendations save and except two questions, viz., (i) the exercise of revenue, magisterial and other executive powers by Chief Executive Officers and (ii) the power of proposed administrative committees to appoint Janapada staff. Shri R. D. Beohar and Shri K. P. Tiwari hold that Chief Executive Officers should exercise the aforesaid

powers and should appoint Janapada staff while the majority view of four members including the Chairman is, as contained in the recommendations, that such powers should not be exercised by Chief Executive Officers and that the appointment of Janapada staff should be made by the proposed administrative committee of which Chief Executive Officer will be a member along with others. In view of this difference of opinion Shri R. D. Beohar and Shri K. P. Tiwari have written a Minute of Dissent which is appended to this Report, Chapter X.

8. We desire to express our thanks to our Member-Secretary Shri R. D. Beohar, Director of Panchayats, for the valuable assistance given by him in the work of this Committee and specially in the drafting of Chapters V, VI, VII and VIII. Also we record our thanks to the staff of the Director of Panchayats whose services were ungrudgingly offered to us in this enquiry and in the typing of records of this report.

Yours faithfully,

G. L. SHRIVASTAVA,

Chairman, Janapada Enquiry Committee.

SAGAR:

The 31st July 1952.

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Report of the Janapada Enquiry Committee Madhya Pradesh, 1952

CHAPTER I.—INTRODUCTION

By Notification No. 852-1027-J-XIII of Local Self-Government (Janapada) Department, dated the 5th April 1952, the Government of Madhya Pradesh appointed this Committee "to review the finances and examine the problems and administrative and other difficulties of the Janapada Sabhas and to make recommendations for the improvement of the Janapada finances, and solution of their problems and difficulties". The reasons for appointing the Committee are set forth in the Resolution of the Madhya Pradesh Government, dated April 5, 1952, and are reproduced below:—

"The State Government have been considering the necessity of examining the question of Janapada finances and problems, and administrative and other difficulties of the Janapada Sabhas. There has been a complaint that Janapada Sabhas have not been able to discharge properly the numerous and important functions devolving on them because their financial resources are slender. There also has been a constant criticism that all the executive powers have been vested in the Chief Executive Officer, and the non-officials do not take a more lively interest in the working of the Janapada Sabhas."

2. The following were appointed members of the Committee:—

President.

- (1) Shri Gopilal Shrivastava, M.A., LL.B., Advocate, Sagar.

Members.

- (2) Mahant Laxminarayan Das, M.L.A., Raipur.
- (3) Shri V. S. Gokhale, B.A., LL.B., Advocate, Amravati.
- (4) Kazi Syed Hifazat Ali, B.A., LL.B., Advocate, Khandwa.
- (5) Shri K. P. Tiwari, Additional Deputy Commissioner, Seoni.

Member-Secretary.

- (6) Shri R. D. Beohar, M.A., LL.B., Director of Panchayats, Madhya Pradesh.

3. The terms of reference of the Committee were.—"To review the finances and examine the problems and administrative and other difficulties of the Janapada Sabhas and to make recommendations for the improvement of the Janapada finances, and solution of their problems and difficulties and for that purpose—

- (i) to examine whether the existing resources of the Janapada Sabhas are adequate for the performance of the functions assigned to them and to consider whether and, if so, what further sources of revenue should be provided;
- (ii) to examine whether the rate of compulsory cess should be raised and, if so, to what extent;
- (iii) to examine whether the municipal committees in the State should make contributions to the Janapada Sabhas;
- (iv) to examine the system of Government grants to the Janapada Sabhas;

(v) to examine whether the distribution and exercise of executive powers between the Chief Executive Officer, Deputy Chief Executive Officer, the Chairman, the Deputy Chairman and the Standing Committees need any modification or alteration, in order to ensure the smooth working of the Janapada Sabhas, and, if so, to what extent;

(vi) to examine other administrative problems of the Janapada Sabhas.

4. The Committee was empowered to examine witnesses on the spot in the course of their enquiry and was asked to submit their report to Government by the 31st May 1952.

5. The Committee met at Nagpur on the 11th and 12th of April 1952 and drew up two questionnaires—one of general nature of being answered by those who were interested in local self-government and working of Janapada Sabhas and another of a statistical nature for being answered by Janapada Sabha office-bearers, Councillors and Chief Executive Officers. The two sets of questionnaires are reproduced in Appendices I and II.

6. We were anxious to receive the help of all sections of the public interested in the Sabha or having experience of the working of Janapada Sabhas. The questionnaire was, therefore, widely circulated to the members of the Madhya Pradesh Legislative Assembly, Councillors of Janapada Sabhas, Municipal Committees, District Officers, Chief Executive Officers, heads of academic departments teaching Local Self-Government in Universities of Nagpur and Saugar, journalists and other prominent individuals.

7. The replies to the questionnaires, notes and memoranda were received from 324 individuals and public bodies. The replies were permitted to be received long after the due date.

8. On the 5th of May 1952, the members of the Committee started on tour and visited Raipur, Rajnandgaon, Nagpur, Amravati, Malkapur, Buldana, Betul, Jabalpur and Piparia. At these centres witnesses were invited and examined. At Pachmarhi some more witnesses were examined. The names of corporate bodies and individuals who sent memoranda or replies to the questionnaire and gave evidence before this Committee are given in Appendix III. Their memoranda and statements are to be found in the file "A" annexed to this report. The Committee examined 133 witnesses. We are grateful to all those who replied to our questionnaire and kindly assisted us with their evidence, memoranda and notes.

9. On the 25th May 1952, the Committee met at Pachmarhi where the materials and data collected during the enquiry were examined and vital questions relating to the terms of reference and other problems were discussed. But the report could not be completed for want of statistical data which could not be supplied to us.

10. On the 12th July 1952, the Committee met at Nagpur to finalise its conclusions and recommendations which are embodied in the report.

11. We went through or consulted books, pamphlets, reports and memoranda dealing with the subject of local self-government and its structure, organisation and finances. A bibliography is appended at the end of this report.

CHAPTER II.—HISTORICAL SURVEY

12. In dealing with the subject of local self-government it is necessary to examine the various reforms and legislations introduced during the British regime and the structure and functions of such institutions in other countries. But it is equally necessary to remember that the conception of local self-government is not new or foreign to the Indian soil. Local government in an organised and democratic form existing in ancient India. In his well-known treatise "Local Self-Government In Ancient India", Dr. Radha Kumud Mookerjee has traced the origin and development of local government in ancient India to the hoary past. At page 234 of this treatise (second edition) the learned author sums up his conclusions in regard to the functions of these bodies as follows:—

"From a review of these functions, it is clear that a vast sphere of administrative work was occupied by these self-governing bodies, leaving to the Central Government but very few points of contact with the ordinary concerns of the daily life of the people. It is indeed the case of a monarchy limited by a vast democratic organisation which made itself responsible for the welfare of the masses. And this limiting condition of Indian absolutism had been in operation from times much anterior to the evidence considered here. For we find even a statement in the third century B.C. of Megasthenes that the popular assemblies of the South held in check the power of kings while old Tamil literature brings out the same fact. (V. Kanaksabhai, *The Tamils Eighteen Hundred Years Ago*, pp. 609 F)".

13. In the flux of history the fortunes of local government bodies ebbed and flowed. In the dark days they dwindled into small villages communes, but yet pervaded many rural activities of common interest in the life of village community.

14. It is a mistake to suppose that these village Sabhas which have been described as "little republics" did not federate into an union of Sabhas. In fact, "superior to the Sabhas in the hierarchy of assemblies was the Mahasabha, the governing body of a group of villages," (page 203, second edition, of Dr. Mookerjee's *Local Government In Ancient India*).

15. As a modern State, we must learn, assimilate and adopt as far as our own genius and local conditions permit, what is best in the organisation of local government in other States including the decentralisation variety of Great Britain, America and Switzerland as well as the deconcentration model of some of the countries of the West. We have tried to examine these various types and considered the opinion of acceptable authorities on the subject while dealing with the problems relating to the Janapada scheme. But we make no apology for referring to democratic local government in ancient India which might have been lost in the arid deserts of history so far as its organisation and structure was concerned. But the stream implicit in culture and literature is never lost and should be perennial source of inspiration to the people. From a strictly historical point of view a scheme of democratic local government is not an innovation in this country, though its British variety was cautiously introduced in the 19th century.

16. It is an interesting phenomenon that the structure and functions of local self-government as it exists today come amazingly near to the similar organisation of civil administration of the great city of Patliputra (25 miles

in circuit with 570 towers and 64 gates), consisting of thirty members into six committees of five members each, noted and recorded by Megasthenes (320 B.C.—297 B.C.). A similar system was in existence in other great cities of the Maurya Empire. Historic continuity is not claimed between the ancient local self-government and the one adumbrated by Lord Mayo in 1870 or in a more pronounced and liberal form by Lord Ripon in 1882. But we were somewhat surprised, when in the course of our enquiry the *raison de etre* of local self-government envisaged in the Janapada scheme was questioned.

17. Broadly speaking, Lord Mayo's Resolution "emphasised the ideal of the increased association of Indians in the administration and indicated the extension of municipal self-government as the most promising field for its attainment." While widening the scope of local self-government, Lord Ripon's Resolution of 1882, referred to it as "an instrument of political and popular education" and purported "to induce the people themselves to undertake, as far as may be, the management of their own affairs". It was considered to be a distinct advance in decentralization in all matters that have not, for imperial reasons, to be retained in the hands of the representatives of the Government".

18. Despite this resolution and the efforts of Indian publicmen, there was no appreciable advance in local self-government and decentralization. The district officer continued to hold the field even in the restricted area of local self-government.

19. The Decentralization Commission of 1907-1908 made certain recommendations which led up to the resolution of 1915 of the Government of India and some advance was made in the popular character of local bodies.

20. The Constitutional Reforms following the Declaration of the 20th of August 1917 enacted in the Government of India Act of 1919, placed local self-government on a better footing and transferred it to the special care of a popular minister. The Local Self-Government Act, 1920, and the Municipalities Act, 1922, were enacted.

21. The Government of India's Resolution of 1918 laid emphasis on political education and training of the people which should take "precedence of considerations over departmental efficiency". It directed that official control should be reduced to the minimum and that the people "should learn by making mistakes and profiting by them".

22. In 1935, the C. P. Government appointed a Committee of Enquiry to examine the working of Local Self-Government Act, 1920, Municipalities Act, 1922, and the Village Panchayats Act, 1920, and to make recommendations for improvement. This Commission found that "the fullest use of the new opportunities for public service" was not made and that the growth of civic responsibility had not kept pace with the conferment of wide powers.

23. Later the era of Provincial Autonomy came and the Congress party took office in the C. P. Legislative Assembly. Local self-government was one of the subjects which had the pride of place in its policies. The then Minister for Local Self-Government, Pandit D. P. Mishra, produced an admirable pamphlet styled "Reconstruction of Local Self-Government" setting out his scheme for eliciting public opinion. In the scheme contained in this

pamphlet the objective was a thorough decentralisation of powers and functions and the promotion of real local self-government on a wider basis. The scheme proceeded on the lines indicated by Shri G. K. Gokhale in his memorable resolution of 1912 in the Imperial Legislative Council and was far in advance of it in the changed circumstances of this country. Pandit D. P. Mishra pulled his full weight and advanced cogent reasons for the approval and acceptance of this scheme. It, however, produced a great flutter in the dovecots and was regarded as revolutionary in its character.

24. Apart from other features, this scheme proposed to make the district council a unit for the purposes of local self-government as well as for the purposes of decentralized general administration. Deputy Commissioner was to be the Chief Executive Officer of the Council and Secretary to the President of the Council who would be the constitutional head of the district elected by a direct vote of the whole district. "The president shall form his Executive Committee from the elected and nominated members in the same way as the leader of the Provincial Assembly forms his cabinet". The district heads of the various departments including the Deputy Commissioner shall form the Secretariat to the Executive Committee having one or more secretaries according to the number of portfolios in his charge". In matters wholly transferred to the district, the voice of the president and his colleagues was to prevail but in matters partially transferred for local management the district official heads would have a right of reference to the Provincial Government. Thus district autonomy was envisaged in the proposed scheme of 1938.

25. The Congress party resigned office and what is known as section-93 Government was in power till the termination of the World War II. The proposed scheme did not attract much attention.

26. In the meanwhile, mighty political changes took place and Independence came to this country in 1947. The Congress party took office and in 1948 Local Government Act, popularly known as Janapada Act, was enacted.

27. In this Act of 1948, the dazzling features of the scheme of 1938 referred to above were missing, as the whole set up of things was completely transformed. A Collector in India known as Deputy Commissioner in this province was described by the late Mr. Ramsay Macdonald (later first Labour Prime Minister of U. K.) as the "tortoise which supports the elephant upon which Indian Government rests". In 1948 it seems to have been felt that this citadel which had withstood many a siege was already breached. And this functionary emerged practically unscorched, though slightly bruised.

28. The main features of this scheme may be summarised as follows:—

- (a) The administrative area was reduced to tahsil or taluq area and local boards and district councils were abolished.
- (b) The Janapada Sabha was to lay down policies and the execution thereof would be in the hands of six Standing Committees.
- (c) The functions of Janapada Sabhas were widened and the limit of local administration was to be expanded to cover all matters except those that are of a "central nature". Thus local government was to be democratized to meet popular demand and additional functions were to be delegated to Janapada Sabhas.

- (d) Trained officials were to be combined with democratic bodies to secure the best results.
- (e) The Chief Executive Officer appointed by the Government would function as a Janapada Executive Authority and this officer would also be Sub-Divisional Officer and Additional Deputy Commissioner. Tahsildar would function as Deputy Chief Executive Officer.

29. The Janapada era commenced with trails of glory in 1948. In the existing circumstances Janapada Councillors and office-bearers had to be nominated. A new functionary known as Chief Executive Officer on whom much powder and shot have been spent in the course of this enquiry was installed as the Chief Executive Janapada authority who was "to bring to bear his intrinsic weight and authority on the local administration in the Janapada area" according to the Statement of Objects and Reasons made by the then Honourable Minister for Local Self-Government. How and why disappointment followed in the wake of the actual working of this scheme and how this officer fared and fitted himself into this new mechanism are questions dealt with hereafter.

CHAPTER III.—JANAPADA SABHA AND CHIEF EXECUTIVE OFFICER

30. In all progressive States local government exists in some shape or form. Its usefulness is generally regarded as incontrovertible. Local assemblies of citizens constitutes the strength of free nations. According to James Bryce "the best school for democracy and best guarantee for its success is the practice of local self-government". Harold Laski says: "local government is education perhaps in a higher degree than any other part of government".

31. In all countries the organic development of local self-government keeps pace with progressive democratisation of the State and the society. Oddly enough, French local government furnished a solitary example of severe centralization, a legacy of the *ancient regime*, hardly affected by the Revolution. In France the prefect who is appointed by the Central power exercises large powers of supervision and control over communes and mayors. This is considerably criticized. We are, however, not qualified to express an opinion. But competent writers say that "rural nature of France retards change". This is a deconcentration type. Switzerland is said to be a glorious example of decentralized model of local self-government. James Bryce holds that its ideal character is unexcelled. The Russian republican constitution grants to all local authorities the power to "direct the cultural, political and economic construction of their respective territories" and specifies departments to be set up by the municipalities. The local soviets are unbounded in their power but are subject to superior political plans or trust plans. We have not been able to learn much about these institutions in the Soviet Republic which may be of practical value to us. The model is however of decentralization.

32. Despite large powers of supervision and control vested in the Provincial Governments, local self-government in India after 1919 in its restricted sphere may well be described as one of decentralization type. The Janapada scheme tended to be a mixture of the two types. Such mixture produces "high complexity of modern local government". It is not to be wondered at, if critics assailed the scheme on theoretical grounds. Criticism however gathers strength and substance. if in practical working also, its intrinsic weakness has been demonstrated.

33. We have read the records of the debate in the Legislative Assembly when this Bill of Local Government was discussed. Its critics looked upon comprehensive executive powers of Chief Executive Officer over whom the Janapada Sabha was to have no control with great disfavour. There was a feeling that this Bill was a retrograde step in local self-government. The main grounds on which the Bill was supported were as follows:—

- (a) That the scheme envisaged the delegations of many functions of district administration in very near future to the Janapada Sabha.
- (b) It was a local experiment in administration and Government could not safely entrust these functions to councillors. Therefore Government officer carrying prestige and experience was required. The old bodies did not inspire much confidence.
- (c) This may prove a temporary management and sooner than many think Chief Executive Officer may be dispensed with.

- (d) That there were Chief Executive Officers in Municipal Corporations too.
- (e) Besides Chief Executive Officers other district officers would help Janapada Sabhas when their services are necessary. The Bill was passed by the House which was inspired by zeal for the service of the people.

34. The Act came into force at once and received the assent of the Governor on the 30th May 1948. Janapada Sabhas were established by nominations. About four years have passed and Janapada Sabhas have functioned for a sufficiently long time and their experience of the scheme is adequate.

35. A large volume of opinion expressed before us in this enquiry was dissatisfied with this scheme. The opinion of some Chief Executive Officers was marked by sullen discontent. Others opined that it was high time to revert to the old District Council scheme. Some individuals said that the scheme was not given a fair trial. Some councillors said that during this period they were at loose ends, for after all it was a question mainly of schools and cattle-pounds and their function was largely deliberative. Even these schools and cattle-pounds were managed by Chief Executive Officers. They keenly felt that they were deprived of powers enjoyed by District Councils in the administrative field. Some witnesses opined that Janapada Scheme was sound.

36. The following passages from the memoranda and statements of witnesses are reproduced to illustrate the variety of opinions and views on this subject:—

Shri S. K. Shrivastava, Deputy Commissioner, Raipur.

(1) I am not in favour of continuance of Sub-Divisional Officers or Additional Deputy Commissioners as Chief Executive Officers. While holding this view, I am not oblivious of the fact that to these functionaries, a certain prestige attaches.

Dr. K. C. Baghel, M.L.A., Raipur.

(2) Janapada Sabhas are not working satisfactorily. Reasons for the unsatisfactory working of the present Sabhas are as follows :—

- (i) These Sabhas had no experience.
- (ii) The nomination of Janapada councillors and office-bearers was responsible for the general demoralisation of Janapada Sabhas, because the councillors or office-bearers concerned did not appreciate their responsibility to the people and looked up to the party in power for security of their tenure.
- (iii) The number of councillors of Sabhas is so big that the persons of necessary calibre are not available to fill the seats of Janapada Sabhas. This is due to want of education, illiteracy and lack of national character.
- (iv) Chief Executive Officers could not give necessary time to Janapada work because they had other duties to perform.

(3) But I want that Chief Executive Officers should be men of sufficiently high calibre. As the salary of such officers would be on a sufficiently high scale, the financial responsibility should be shared by the State Government.

(4) I am not for the retention of Revenue Officers as Chief Executive Officers, because I do not want that Janapada Sabhas should be dominated by such Officers to any extent. Even if, in this change, there would be loss of some efficiency, I will rather prefer it.

Shri Brijbhushan Lal Shrivastava, Pleader, Raipur
Shri Nand Kumar Dani, Raipur
Shri Chakrapani Shukla, Chairman, Janapada Sabha, Baloda Bazar
Shri Manohardas of Bhatapara

(5) In view of the unsatisfactory working of the Janapada Sabhas on account of the appointment of Chief Executive Officers as their executive heads, we have come to the conclusion that the post of Chief Executive Officers should be abolished and instead Secretary of Janapadas should be appointed.

Shri Makhanlal Shukla, Chairman, Janapada Sabha, Katghora

(6) All executive powers, should vest in the Sabha and the Standing Committee. The Chief Executive Officers role should be that of an adviser.

(7) The number of councillors should be reduced to 10—15 according to the population of area.

Seth Nemichandji, Councillor, Mahasamund
Shri Jaidevaji, M.L.A., Mahasamund.

(8) The Standing Committees of Janapada Sabha should be abolished. Instead of the Standing Committees there should be two committees, namely, finance committee and executive committee.

(9) Chief Executive Officers should be retained, but their functions should be purely advisory. We are not in favour of giving further executive powers to the Chief Executive Officer.

Shri Advaitgir, Chairman, Janapada Sabha, Mahasamund

(10) The Standing Committees should be retained.

(11) The Chairman, Janapada Sabha, should have the powers similar to those of Municipal President.

Shri D. N. Sharma, Chairman, Janapada Sabha, Surguja.

(12) I want to retain Chief Executive Officers as they are according to the Local Government Act, 1948. In my view, their retention is very necessary in the interests of Janapada administration and promotion of objects, which the Government have placed before itself, such as recommendations of Planning Commission, etc.

Shri V. L. Gupta, Deputy Chairman, Janapada Sabha, Korea

(13) Chief Executive Officers should be retained in the interests of the Janapada administration. But there is at present no provision in the Act under which the standing committee or the Sabha can secure enforcement of its decision through Chief Executive Officer. It is, therefore, necessary that there should be some check preferably on the lines that exist in the Jabalpur or Nagpur Corporation Act, wherein the Chief Executive Officer can be withdrawn on the recommendations of the Corporation.

(14) The Chairman, and members of a Standing Committee should have free access to the records. Chairman, Janapada Sabha, should be prominently associated with all Government correspondence regarding general administration and may normally visit the Janapada office and inspect the working. The Standing Committees should enjoy the same privileges in respect of their departments.

(15) Chairman of the Janapada Sabha should be elected every year and also the office-bearers.

Shri Sinho, Chief Executive Officer, Jagdalpur.

(16) The conditions of Bastar State differ from those of regulated districts. The Chief Executive Officers should, therefore, have their existing powers.

Shri R. K. Pande, Chief Executive Officer, Korea.

(17) If the powers of Chief Executive Officers are done away with, it would lead to disastrous results as far as the administration of the Janapada Sabha is concerned.

Shri Tripathi, Chief Executive Officer, Raipur

Shri Izhar Hussain, Chief Executive Officer, Baloda Bazar

Shri V. C. Dubey, Chief Executive Officer, Mahasamund

Chief Executive Officer, Dhamtari

(18) The scheme of giving wide executive powers to the Chief Executive Officers will certainly lead to more efficient working of the Janapada Sabhas.

(19) In consultation with all the Chairman of the respective Standing Committees, Chief Executive Officer and technical officer, a list of probable number of employees needed by each Standing Committee should be prepared and after this list is ready, appointments can be made.

Shri B. N. Oswal, M.L.A., Khairagarh (Constituency Dongargarh), and ex Chairman, Janapada Sabha, Khairagarh.

Shri Amritlal Mahobiya, President, District Congress Committee, and member of Janapada Sabha, Chhuikhadan.

(20) In the circumstances, we feel that we are purely deliberative bodies with no authority to get over the decisions implemented. This has created a sense of frustration and disappointment among the councillors and the members of the standing committees.

Shri H. S. Awasthi, Chief Executive Officer, Rajnandgaon.

(21) Janapada Sabhas with all standing committees should be deliberative bodies. The implementation of resolutions and decisions of these bodies should be made over to appropriate departments of Government. For instance, if a Janapada Sabha decides to construct a school it should be the duty of P. W. D. staff working under the Janapada area to construct the school and to prepare the estimate and to get the work executed.

(22) If the Chief Executive Officers are to remain they should enjoy the same powers as have been given to them under the Local Government Act, 1948, otherwise there should be no Chief Executive Officers.

Shri Bajrang Thekedar, Chairman, Janapada Sabha, Nagpur.

(23) The wide executive powers with which Chief Executive Officers have been invested under this Local Government Act, 1948, have rendered Chairman, Janapada Sabha and Chairman of the standing committees to the position of a sort of a speaker of deliberative bodies. This condition of things has taken away all the initiative and authority from the office-bearers.

(24) I want the present powers of the standing committees should be curtailed. The vesting of powers to the extent as enjoyed by the standing committees at present has resulted in difference of opinion and party-feelings.

Shri Modi, President, Municipal Committee, Kamptee.

(25) Janapada administration has failed not on account of any difficulty in Janapada administration, but owing to frictions in Janapada councillors.

Shri Sadashivrao Patel, Deputy Chairman, Janapada Sabha, Nagpur

(26) It has been found in my Janapada that pressure is brought upon Chief Executive Officer by the councillors, some of whom are influential Congress people and M.L.As. and the working of the Janapada has deteriorated.

Shri Morubhau Hinganekar, Councillor, Janapada Sabha, Nagpur, and Chairman, Education Standing Committee.

(27) The working of the Janapada Sabha has been largely affected by the party factions which are due to nominations. I hope that better results would be achieved after elections.

Shri B. R. Mukund, Councillor, Janapada Sabha, Nagpur.

(28) The existence of Chief Executive Officer provides a check on irregularity and illegality in the procedure of the standing committees.

(29) It is not necessary to have a whole-time Chief Executive Officer exclusively for Janapada work. The Chief Executive Officer should not be below the rank of an Extra-Assistant Commissioner.

Dr. M. P. Sharma, Head of the Department of Local Self-Government, Nagpur University, Nagpur.

(30) According to me section 52 represents the heart of the Janapada scheme. If it is an idea of Government to implement the provisions of section 52 of the Act regarding the entrustment of State Government functions to Janapada Sabhas, in that case the need for Chief Executive Officer of the present time is beyond necessary. So far as the compulsory functions of the Janapada Sabhas under section 49 are concerned, local bodies with the aid of servants like Secretaries have managed them in the past and can continue to manage them. These two authorities—Chief Executive Officer and Janapada Sabha are necessary, one for the compulsory functions and one for agency functions.

(31) The Janapada councillors of local bodies who have been in the habit of managing certain departments by themselves feel that entrustment of the compulsory functions under section 49 to the Chief Executive Officer is a retrograde step.

(32) The power of appointment, transfer and disciplinary action should solely vest in the Chief Executive Officer.

(33) In my opinion, instead of a number of standing committees there should be only one standing committee. The evils of having a number of separate standing committees are, firstly lack of co-ordination and mutual jealousy and secondly, difficulty of getting suitably and adequately interested members for all of them. One committee would secure better co-ordination and also superior type of membership. There may be advisory committees in the relationship between these standing committees and the various other Janapada authorities clear in my written replies to the questionnaires.

(34) I think that the Janapada Sabha so far have not had a fair trial and so they do not have any spectacular results to show.

(35) It has brought the Local Government administration nearer to the people than it formerly was. That is a gain.

(36) Yes. I recommend the abolition of the present standing committees and creation in their place of a single standing committee of 7 to 11 members on the lines of the standing committees under the Corporations. There may be other committees, but they should have no power of decision. Their function should be only advisory. The powers of the present standing committees should be redistributed between the standing committees and the Chief Executive Officer. The Chairman should have no executive power whatever. He should be simply a presiding officer.

(37) The distribution should be as follows :—

(i) The standing committee should have all the powers of the present Finance Standing Committee, and all the powers of confirmation which at present belong to the Sabha Chairman except in case of appointments, transfer, and disciplinary action in relation to officers and servants. Its sanction should be necessary for all contracts above Rs. 500.

(ii) The powers of appointment, transfer, and disciplinary action in relation to servants should be transferred to the Chief Executive Officer. He should make appointments above Rs. 50 a month on the recommendations of public or local bodies services commission, and disciplinary action should be subject to appeal to Government as at present.

(38) I do not agree that tahsildars and naib-tahsildars should be Chief Executive Officers. It is against the whole spirit and intention of the scheme, the chief point of which was to strengthen the local executive by drafting into it Government officers of experience and standing.

(39) If it, however, be the intention not to implement the original scheme of decentralization and to keep in the hands of the Janapada only the traditional Local Government functions, then the best thing would be to go back to the previous district council system with its wholtime secretary. With their present functions, and funds, the Janapadas cannot bear the cost of being independent local bodies. It is obvious that when in place of one district council we create, with the same functions and resources, three, four or more local bodies, either the overhead costs must increase or the services deteriorate. All over the world, the present-day trend is towards an ever-increasing widening of the areas of rural Local Government due chiefly to financial and technical reasons. If we in the Madhya Pradesh

seek to go in the opposite direction, there must be counter-balancing factors to justify that departure. Such factors can only be found in the large scale transfer of the subjects of district administration to the Janapadas under section 52 and no other.

Shri R. R. Bahl, I.C.S., Deputy Commissioner, Jabalpur.

(40) In my opinion Janapada Sabhas have done fairly well as it was possible under the circumstances.

(41) If Janapada Sabhas display a livelier sense of public duty and face their responsibility in a better way further functions may certainly be given to them.

(42) There has been a failure of Janapada administration not only on account of lack of experience on the part of councillors but in several cases on account of lack of experience of Chief Executive Officers as well.

(43) I am against the distribution of executive powers between the Sabha and the Chief Executive Officers.

(44) The Janapada Sabhas constituted under the Central Provinces and Berar Local Government Act, 1948, have on the whole worked not unsatisfactorily. The object of the Janapada scheme was the decentralization of administration and this object has been abundantly achieved. The provisions of the Act are sufficiently exhaustive and it is clear from the degree of interest taken by the councillors that the Sabhas have striven to implement the provisions of the Act.

(45) The lack of finance does not encourage the Sabhas to explore any new fields of activity. The only activity that at present monopolises the Janapada Sabha stage is the management of schools, a few dispensaries, and in some cases, maintenance of roads. As the budget has to be balanced and the Sabha is unwilling to recommend any new sources of income, the most unfruitful activity of the Sabha consists of interference with the affairs of the management of schools and cattle-pounds.

(46) On the other hand, the Chief Executive Officers has definitely improved the tone of administration of the local bodies compared with the way-ward administration of the district councils. The funds of the Sabha are now better controlled and more economically used. The chances of misuse or defalcation of public money have been greatly minimised, under the regime of the Chief Executive Officer. There is a steady increase in the number of schools, dispensaries, cattle-pounds, etc., and greater attention is now being paid to the maintenance of buildings and equipment. This is entirely due to the existence of an independent Chief Executive Officer. It is too early yet to give a definite opinion as to whether the Janapada Sabhas have succeeded where the district councils have failed.

(47) The situation is, on the whole, not without hope for the future. Many of the foregoing difficulties are of a temporary nature and are progressively decreasing in intensity as compared to the state of affairs in 1948.

Shri K. L. Deshmukh, Pleader, Amravati Member of the Parliament and Secretary of the District Congress Committee.

(48) Too much executive powers have been rendered in the hands of Chief Executive Officers with the results that Janapada Sabhas with their standing committees look like subsidiary bodies.

(49) I want the Chief Executive Officers to be removed as they exercise the powers in an arbitrary way and also because they are likely to carry out the orders of Government which may not be consistent with the wishes of the Janapada Sabha. The Janapada Sabhas, particularly when the elections have taken place, will be the real representatives of the local areas and then Janapada Sabhas' wishes will be respected.

Shri Panjabrao Jawalikar, M.L.A., Chairman, Janapada Sabha, Amravati

(50) I feel that the retention of Chief Executive Officers as purely advisory officer is necessary, but Chief Executive Officers should be deprived of the executive powers which have been conferred on them by the Act.

(51) There should be only three standing committees and the functions of the existing standing committees should be distributed among them. The three standing committees should be made of Finance, Education and P. W. D.

(52) An Executive Committee consisting of Chairman of Sabha and Chairmen of all standing committees should be formed for the implementation of the resolutions and decisions of standing committees. The function of this committee should be the co-ordination of the various standing committees. The Chairman of Janapada Sabha and Chairmen of standing committees should be paid an honorarium out of Janapada funds.

Shri Hirasingsh Chawhan, President, Nagar Congress Committee, and Member, Municipal Committee, Amravati.

(53) I want Executive Officers in advisory capacity as such time the representatives of the people who may be elected in Janapada Sabhas may not be sufficiently qualified to understand the full implications of rules and different provisions of Act.

Shri Ramdayal Gupta, Member of the Provincial Congress Committee, Member of the Municipal Committee, Amravati, and Chairman, Public Works Committee, Janapada Sabha, Amravati.

(54) According to the instructions, the standing committees have already got powers to appoint teachers up to Rs. 50 and below and therefore the question of Chief Executive Officer does not arise. This power is exercised in consultation with the Chief Executive Officer. The Chief Executive Officer carries out the orders of the standing committee. This arrangement has been arrived at the mutual agreement.

(55) If public bodies were capable of victimising members of the staff, Chief Executive Officers are also capable of victimising them.

Shri Bhokare, Vice-Chairman, Janapada Sabha, Amravati, Member of Cotton Market Committee, Secretary, Berar Co-operative Institute.

(56) There should be a Janapada Sabha for the whole district because the existing units are too small.

(57) I want to retain Chief Executive Officers. The Chief Executive Officers should be exclusively in charge of Janapada Sabha work. Chief Executive Officers should retain their existing executive powers. No question arises for investing Janapada Sabhas, standing committees or Chairman of Sabha with executive powers.

Shri Balasaheb Marathe, Member, Amravati Janapada Sabha; Editor of "Hindustan".

(58) The office of the Chief Executive Officers should be abolished and the work which Chief Executive Officer does should be done by an employee of Janapada Sabhas like Superintendents or Secretaries of the various Standing Committees. But if Government wishes to retain Chief Executive Officers with existing executive powers, Janapada Sabha and Standing Committees should be made purely deliberative bodies whose function would be only to lay down policies. In this event the whole administration should be entrusted to the Chief Executive Officers.

(59) The decisions of Standing Committees should be confirmed by the Janapada Sabha.

Shri Balasaheb Pangarker, Vice-Chairman, Municipal Committee, Achalpur, Shri A. G. Deshpande.

(60) The administration of Janapada is definitely superior to the administration of taluq board because of the presence of Chief Executive Officer. There is definite improvement in the administration of teachers and other staff. We do not consider it necessary to appoint Chief Executive Officers in Municipal Committees, because the urban population is more advanced in education and experience.

Shri M. D. Sagane, retired Deputy Commissioner, and member of Nagar Nyaya Panchayat.

(61) In both bodies, Chief Executive Officer is a misfit and he should go out.

(62) The executive authority should vest either in the members or in Secretary appointed by the Janapada Sabha.

(63) If Chief Executive Officer is to be retained, he should be given even more powers, because at present he has to look up to councillors as well as to the Government. This creates a muddled state of things and retards efficient work.

Shri Taluqdar, Deputy Chairman, Janapada Sabha, Morshi.

(64) I do not want Chief Executive Officers. All executive powers should vest in Janapada Sabhas and the standing committees and their office-bearers but an officer, in my opinion, is necessary as an adviser in legal and administrative matters. This function should be allotted to a Government officer of the rank of Sub-Divisional Officer, whose duty should be to advise the Sabha and the standing committees. Such an officer should offer advice when it is sought by Chairman of a Sabha or the standing committee, and in any case it should be his duty to examine the proceedings of the Sabha and the standing committees and offer suggestions if any when found necessary. Executive powers which at present vest in Chief Executive Officer should be delegated to the Chairman of Janapada Sabha and standing committees.

Shri K. C. Nayar, Deputy Commissioner, Amravati.

(65) Chief Executive Officers may be retained. If they are not retained there would not be much positive difference.

Shri Yeshwantrao Sarad, Chairman, Janapada Sabha, Chandur. Shri Deorao Bapu Indale, Vice-President, Municipal Committee, Dhamangaon. Shri G. R. Patil, Chairman, Finance Standing Committee, Chandur Janapada Sabha. Shri Choudhari, Councillor, Janapada Sabha, Chandur.

(66) We are not in favour of continuance of Chief Executive Officers of Janapada Sabhas because it is against the principle of democracy and this arrangement has created obstacles in the smooth working of Janapada administration.

Shri Kathale, Chief Executive Officer, Chandur. Shri Devendranath, I.A.S., Chief Executive Officer, Achalpur. Shri Deo, Chief Executive Officer, Daryapur. Shri Tatwawadi, Chief Executive Officer, Amravati.

(67) The system of Chief Executive Officers should be abolished.

(68) Instances can be cited of impressions having been created on the minds of litigants by Janapada councillors that they would get things done by Chief Executive Officers and Deputy Chief Executive Officers in the sphere of their judicial and administrative work.

(69) The original conception of Janapada areas was that they would be independent units of administration and in Janapada areas Chief Executive Officer would exercise the powers of Additional Deputy Commissioner and Additional District Magistrate. It appears that this original idea is being given up because various powers such as hearing appeals against orders of Sub-Divisional Officers are being withdrawn. Therefore, it is no longer necessary to have an officer of the rank of Additional Deputy Commissioner and Additional District Magistrate as Chief Executive Officer.

(70) Appointments should be made by a local bodies public service commission and inefficient staff should be retired.

Shri P. S. Patil, Member, Janapada Sabha, Chikhali. Shri S. N. Patil, Chairman, Janapada Sabha, Chikhali. Shri Pundalik Avaji Pawar, Chairman, Finance Standing Committee, Janapada Sabha, Chikhali.

(71) The working of the Janapada Sabha is more or less diarchical form of administration. The public in general has feeling that the Government have taken away powers which they were enjoying under the old district council. The Chief Executive Officers should, therefore, be abolished. His executive functions should be distributed to the Chairman of the Sabha. The Deputy Commissioner should be invested with greater powers of supervision and control over the working of the Janapada Sabha so that any irregularity can be checked.

(72) There should be one Janapada Sabha for a population of 4 to 5 lakhs.

Shri W. K. Deshpande, Vice-Chairman of the Education Standing Committee, Janapada Sabha, Jalgaon.

(73) We do not want the Chief Executive Officers, because we have found that the Chief Executive Officer has been indifferent in discharging his duties and his agency unnecessarily involves delays in the execution of work and the implementation of the resolutions of the Sabha.

Dr. M. N. Parasnis, Chairman, Janapada Sabha, Khamgaon.

(74) There should be some distribution of executive powers between Janapada Sabha, Chief Executive Officer and the standing committees. The Chief Executive Officer's order should be subject to the approval of the Chairman, Janapada Sabha, and Chairman of appropriate standing committee. In cases of disapproval of the order of the Chief Executive Officer, the matter should be decided by the Deputy Commissioner.

(75) We want to retain services of the Chief Executive Officers, and we do not want to revert to the Secretaries of the old district, councils. The Chief Executive Officers are useful on account of their administrative experience and sound advice.

(76) The Chief Executive Officers should be retained as Executive Officers. The executive functions of the Chief Executive Officers should be distributed between the standing committees and their Chairmen and Janapada Sabha and the Chief Executive Officer should exercise advisory function.

(77) Appointments and transfers of the teachers should be with the Education Standing Committees because people from villages come to us and explain their difficulties freely, and they cannot approach the Chief Executive Officer.

Shri G. V. Powar, Member of Education and Finance Standing Committees, Janapada Sabha, Mehkar.

(78) I do not want Chief Executive Officer's executive functions should vest in such office-bearers as used to exercise them in the old District Council and exercised today in Municipalities.

Shri V. K. Soman, Mehkar.

(79) I am in favour of continuing the Janapada scheme contained in the Act of 1948. The main policy of this scheme involves decentralization of power and to create two bodies one deliberative or legislative and the other executive. In actual practice, we find that this object has not been achieved and the present Janapada Sabhas have failed beyond expectation. We find the same old spirit of rivalry and intrigue remaining in these institution.

(80) The trouble arose over the transfer of some teachers. In my opinion, Chief Executive Officers need an assurance that as long as they are right and their actions are within the bounds of law, they would be protected.

(81) Chief Executive Officer should not be an employee of the Sabha and should be an independent Government servant, otherwise the matters will be worse. The councillors and office-bearers should be made to realise that if they act against public interests and improperly, their will will not prevail and their decisions would not be carried out.

(82) There should be an independent Chief Executive Officer or an independent Officer for Municipal Committees as well. I further suggest that appointments to the local bodies beyond a certain limit should be made through local bodies service commission.

Shri M. V. Savaji, Janapada Councillor, Mehkar

(83) In proceedings of Mehkar Janapada Sabha and in the execution of decisions of Standing Committee, Chief Executive Officer has acted regardless of decisions.

(84) Chief Executive Officer should be retained and should be a Government servant. I am not in favour of delegating more powers to Janapada Sabhas or Standing Committees. I do not want a weak-minded Chief Executive Officer but strong-minded.

Shri Maniklal Somani, Chairman, Janapada Sabha, Murtajapur

(85) But I find execution of functions entrusted to Chief Executive Officer was poor and I can cite instances. Out of 34 general meetings of the Sabha the Chief Executive Officer and the Deputy Chief Executive Officer attended hardly four or five meetings and out of 185 meetings of the Standing Committees the Chief Executive Officer and the Deputy Chief Executive Officer attended not more than 25 meetings. In fact, Chief Executive Officer attended two general meetings of the Sabha and the Deputy Chief Executive Officer the remaining three or four. The attendance referred to by me of the Standing Committees includes the attendance of Deputy Chief Executive Officer.

(86) I am of opinion that the evil cannot be remedied and, therefore, the only remedy which I suggest is to invest the office-bearers of Janapada Sabha and its Standing Committees with executive powers as are exercised by Chief Executive Officers.

(87) An Extra-Assistant Commissioner should act as an adviser of the Sabha to see that it acts according to the rules and procedure. Chief Executive Officer should be appointed by Government for executing the orders of Janapada authority and for observance of rules and laws contained in Local Government Act. His salary should be payable by Government.

(88) In the beginning the Janapada councillors used to take great interest in the working of the Janapada Sabhas. Later when they observed that their decisions were not implemented, they lost enthusiasm to some extent and their attendance became poor. I, therefore, want radical changes in the system.

Shri R. P. Konher, Chief Executive Officer, Malkapur

(89) Chief Executive Officer should be retained. No executive powers should be invested in the councillors. Chief Executive Officer will work in accordance with the orders of the Sabha and shall carry out the work.

(90) The Janapada Sabha should be entitled to ask the Chief Executive Officer as to whether their policies are carried or not and write a report to the Deputy Commissioner. The Janapada Sabha should have a provision similar to that of existing in the Nagpur and Jabalpur Corporation Act under which if four-fifths of the councillors at a special meeting pass a resolution that a certain Chief Executive Officer should be withdrawn from that Sabha, the Government should withdraw the Chief Executive Officer.

Shri Rajabhau Padamsingh Puransingh Cochar, Chairman, Janapada Sabha, Malkapur, and Member of the Socialist Party.

(91) The Janapada scheme is sound and workable. The Janapada Sabha has been for the last year doing routine work and has been able to create some interest in the public for giving voluntary contributions for hospital and roads.

(92) The Janapada Sabha has been doing its routine work quite satisfactorily, but it has not been able to achieve anything substantial. The Sabha lacks in initiative and only carries on such works as have been entrusted to it by Government.

(93) I am of opinion that the Chief Executive Officer should be retained with all his executive powers. There should be Chief Executive Officer not only for Janapada Sabhas, but for all local bodies also such as Municipalities, etc. The Chief Executive Officer should be wholetime and should not be entrusted with other works.

(94) There would be no objection to have Chief Executive Officers from Tahsildar's grade. Another difficulty is that Chief Executive Officers have been transferred too often with the result that work has suffered by these constant changes.

Shri N. G. Patil

(95) Chief Executive Officer should be retained. But his powers should be well-defined. The powers of appointment, punishment of primary school teachers should vest in the Chairman, Janapada Sabha, and he should exercise these powers in consultation with the Chairman, Education Standing Committee. The powers of the Standing Committees are insufficient. The Standing Committee should have powers to see that the execution of the decision taken by the Standing Committee is done by the Chief Executive Officer. If necessary it should require the Chief Executive Officer to implement it. In case of difference between the Chairman, Janapada Sabha, and the Standing Committee, the former should have the power to refer it to the Sabha for decision or confirmation.

Shri Anandrao Bapu, M.L.A., Mehkar

(96) The Chief Executive Officer should be done away with, because his presence is inconsistent with democracy. All executive powers should vest in Chairman of the Sabha as was the case in the District Council. The decision of the Standing Committee must necessarily should go before the Sabha for confirmation and the Sabha's decisions shall be final.

Shri Paiku Patil, President, District Congress Committee, and M.L.A., Malkapur.

(97) I want that the Chief Executive Officers should be retained. The Standing Committee of each Department should have full authority to discharge all functions of these departments. Chief Executive Officer should act in consultation with the Chairman, Janapada Sabha, and the Standing Committees. Executive powers should be exercised by the Chief Executive Officer in consultation with the Chairman, Janapada Sabha, and the Chairmen of the Standing Committees.

Shri Indrajit Shukla, Chairman, Janapada Sabha, Betul

(98) In my opinion the working of the scheme under the Act of 1948 is partially successful and partially not. The defects are about the distribution of the executive functions. In my opinion, some of these should be transferred. Chairman, Janapada Sabha, should have the power of appointment, transfer and punishment of servants, employees and initiation of works subject to the budget provision.

(99) I am in favour of retaining the Chief Executive Officers but it should be arranged in such a way that he should be able to devote more time in Janapada work. If possible, he should be a wholetime officer.

Shri Govindrao Ninawe, Chairman, Janapada Sabha, Bhainsdehi.

(100) The entire powers of transfer and appointment of teachers in primary schools should vest in the Education Standing Committee. I want that the Chief Executive Officers should be retained as their experience of working is of great use, but in spite of all these good points they have not been able to function properly as the basis of work is wrong. The final decision of all matters should rest with Janapada Sabha.

Shri Deepchandji Gothi, M.L.A., and Councillor, Janapada Sabha, Betul.

(101) It is my considered opinion that the Chief Executive Officer should be removed and be replaced by paid Secretary. He should be paid by Government and he should be whole-time.

(102) Because of the magisterial and revenue powers possessed by the Chief Executive Officer in his capacity as Additional District Magistrate and Additional Deputy Commissioner his presence in the Sabha creates an influence upon the members. As a result of this they are unable to act freely. That is another reason why they do not want the presence of the Chief Executive Officer. If he is to be kept as Chief Executive Officer he should be deprived of the powers of Additional District Magistrate and Additional Deputy Commissioner. There have been instances when the Chief Executive Officer has brought undue pressure to bear on the councillors.

(103) In our opinion there is a distinct deterioration in the working of the Janapada Sabhas, as the members have got no powers and they cease to take any interest as soon as the resolution is passed.

Chief Executive Officer should be retained in form of Superintendent or Secretary. He should be of the grade of the Tahsildar. He should, however, have no power except to carry out the orders of the Sabha. As the civic sense is not developed, Chief Executive Officer has been installed to run the Janapada Sabhas, yet I am in favour of doing away with the Chief Executive Officer's powers and take the responsibility even if I run the risk of failures.

Shri Dharmadhikari, Public Prosecutor, Betul.

Shri D. N. Verma, Head Master, Betul.

Shri Govindrao Nasare, Cultivator.

Shri Biharilalji, Chairman, Nyaya Panchayat, Amla.

(104) Too much stress cannot be laid on decentralization. Too much powers have been given to Janapada Sabhas under the Act of 1948. The Chief Executive Officers are not in a position to discharge the functions on behalf of Government as they cannot overlook the presence of autonomous bodies like Janapada Sabhas and their limited resources and finances. We

are not against the idea of Janapada Sabhas. But we do not want that they should be given all the powers at once. The Government Department should manage education, public health and roads. This should be done in consultation with certain advisory bodies. These advisory bodies may be on the lines of the present Janapada Sabhas. They should not have independent powers of taxation. Whatever taxes are to be imposed they will be imposed by State Government. I would like the same pattern to be followed in respect of Municipal Committees as well.

Shri Maharanwar, Pleader, Betul.

(105) Janapadas should be eliminated altogether. In my opinion, the functions of the Janapada Sabhas should be taken over by the State Government and may be done by the different departments of Government through proper authorities.

Shri K. P. Pande, M.L.A., Jabalpur.

(106) The first aspect is if the Chairman is a lawyer, he cannot go against the wishes of the Chief Executive Officer in whose Court he is made to appear. If he happens to be a big cultivator on account of the abolition of the Malguzari system, he is under his thumb in number of ways. Now from Government point of view why should Government incur unpopularity and be held responsible for the actions of the Chief Executive Officer. From the point of view of the Chief Executive Officer, either he should always be ditto to what influential members say or he should go even rightly against their wishes. The clash would practically ruin his career. In one case he would be said that he is wanting intact and in another case it should be deemed that he is too weak and unfit for administration. It is suggested that Government should provincialise the services of the Secretary or the Superintendent of the Janapada Sabha and give him power for collecting taxes and enforcement of discipline on the staff.

(107) All appointments should be made by a competitive examination. Most of the trouble in the local bodies is with the wrangling of the staff.

(108) In my opinion Chief Executive Officer should be done away with and should be replaced by the Secretary and his services should be provincialised. His salary shall be charged on the Janapada funds. There should be a Local Self-Government Board. It will consist of senior officers called Inspectors or Directors and shall be in charge of Janapada inspection work. All other functions which the Act has entrusted to the Janapada Sabhas and such other delegated functions which may be entrusted to the Sabha hereafter can be effectively carried out by the Janapada Sabha even without the aid of the officer of the type of Chief Executive Officer. The bodies like Janapada Sabhas should be completely independent of Government servants. They should be under the control or the power which I have suggested.

(109) The representatives from urban areas on Janapada Sabhas should be elected by the Municipal councillors and not in a direct election.

(110) All executive powers of the Chief Executive Officer should be vested in the Chairman of the Sabha. The Janapada Sabhas in future may require two Vice-Chairmen and they should be nominated by the Chairman as is done in the Municipal Committee.

(111) The number of Standing Committees should be reduced. There should be only three Standing Committees instead of six and the present work should be distributed among them.

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Shri Vasantkumar Mishra, M.L.A.
Shri Kunjilalji Suwarnakar, M.L.A.
Thakur Narayansinghji, M.L.A.
Shri Govindprasadji Sharma, M.L.A.
Shri Jagmohandas, M.L.A.
Shri Laxmishankarji Bhat, M.L.A.

(112) With the experience that the people have gained in the working of the Janapada Sabhas and with the elections of the councillors, there is likely to be a great change for the better. Majority of us are of opinion that Chief Executive Officer should continue to exercise the powers delegated to him, but at the same time should be responsible to the Sabha by a provision in the Act enabling the Sabha to vote for the removal by a majority of three-fourths.

(113) We all agree that the Chief Executive Officer has not got enough time to attend to Janapada Sabha work as he is overloaded with other works. He should be whole-time. There should be an independent Chief Executive Officer for each Janapada. So far as possible, he should be of Extra-Assistant Commissioner's grade, but if not possible, he should be of Tahsildar's grade for smaller Janapadas. There should be a separate cadre for the Chief Executive Officers.

Shri Maharaj Mushradin, Chairman, P. W. D. Standing Committee, Sihora.
Shri Radhkisan Gupta, Janapada Councillor, Murwara.
Shri Ramchandrarao Sanghi, Chairman, Janapada Sabha, Jabalpur.
Shri Beniprasad Awasthi, Chairman, Janapada Sabha, Sihora.

(114) According to this scheme in my opinion all the Chairmen of the different Standing Committees and the Chairman of the Sabha should form an Executive Standing Committee like the Standing Committee proposed in the Corporation Act and the affairs of the Janapada Sabha should normally be decided by this Executive Standing Committee. All executive powers will centre in this committee and besides more co-ordination, the Chairmen of the different Standing Committees will feel that they are taking up the responsibility of deciding affairs of the Janapada Sabha because at present they feel that it is the Chief Executive Officer who is responsible and they are not responsible. The Chief Executive Officer will carry out the directions of this Executive Standing Committee and in any difference of opinion between the Chief Executive Officer and Standing Committee it is the will of the Standing Committee which shall prevail. This Standing Committee will of course be in subordination of the Janapada Sabha and will not act in any way inconsistent with the powers of the Janapada Sabha. It will differ from Janapada to Janapada.

Shri S. K. Seloet, Ex-M.L.A., Sagar.

(115) I am in favour of having a Chief Executive Officer exclusively in charge of Janapada work. The existing dual responsibility of Chief Executive Officer as Revenue Officer as well as Executive Officer of Janapada Sabha must be avoided. I am, however, of the view that an officer of the rank of the Tahsildar would do more as Chief Executive Officer.

(116) The Chief Executive Officer should be a Government servant. The Sabha should be empowered to supervise his work and control his activities. If Sabha is not satisfied with the work of the Chief Executive Officer it would be open to the Sabha to report to Government for his removal.

Beohar Rajendrasingh, Editor, 'Ugarambha', and Ex-M.L.A., Jabalpur, Shri Puranchand Sharma, Katni.

(117) We are not of the opinion that Chief Executive Officer should be abolished. Some check is essential. He should be a whole-time worker. It is very essential in the interests of the proper working of the Sabhas that some check would be necessary of some outsider and able man being put in charge of these Sabhas.

(118) The Janapada Sabhas should take over the management of local village charities and the income derived from them should be utilised for educational purposes.

Shri R. S. Selhot, Chairman, Janapada Sabha, Damoh

(119) There has been no difference of opinion between me and the Chief Executive Officer. In elections on adult franchise the possibility of persons having less qualifications being elected as office-bearers cannot be ruled out. In that case, it is possible that differences may arise in Chief Executive Officer and Chairman and I can suggest the only way to meet the difference by discussion between the Chairman and the Chief Executive Officer and in the matter of difference still persisting, the final word should rest with the Sabha.

Shri Moghe, I.A.S., C.E.O., Sihora

(120) Powers of Chief Executive Officer and Standing Committees should be more clearly defined in the rules with a view to save occasions for clash and clarifying correct interpretation.

Shri Kesharao Ramchandrarao Khandekar, Councillor, Janapada Sabha, Sagar.

(121) It is my decided opinion that the existing legislation relating to Local Government is very defective and unless and until such defects are set right there can be no improvement in its working. The whole basis of this legislation was want of confidence and faith in the councillors. It was assumed that the councillors were lacking in integrity and ability. Their integrity was questioned in the sense that they were thought incapable of enforcing discipline and it was thought that they would not give a fair and square deal to employees on account of party-factions.

Shri G. C. Dixit, Chairman, Janapada Sabha, Burhanpur, and M.L.A.

(122) The successful administration of local institutions depends upon local knowledge and local sympathy. I am, therefore, of the opinion that the executive authority should not be in the hands of the outsiders however impartial and efficient they may be.

Shri Mishrilal, Vice-President, Janapada Sabha, Harsud, and M.L.A.

(123) According to me the working of the Local Boards was better than of the present Janapada Sabhas and the disposal of cases was quicker than under the present regime. This is so because the Chief Executive Officer has not got sufficient time to look after Janapada work.

Shri C. R. Dubey, Cultivator, Harsud

(124) The Act of 1948 provides a very good scheme for Local Government administration. But I feel if the Act has to be successfully worked there should be whole-time Chief Executive Officer with all the powers given to him under the Act. I am not in favour of investing office-bearers of the Sabha with executive powers.

Shri D. Meghashyam, Pleader, Khandwa, Vice-President, Municipal Committee, Khandwa

(125) I think that the Janapada scheme introduced by the Act of 1948 is an improvement on the working of the District Boards as they used to be under the old Act.

(126) I would make Chief Executive Officer as whole-time worker with all the present powers given to them under the Act.

(127) I can go to the length of suggesting that this system should be introduced in Municipalities also.

(128) The Chief Executive Officer should have all his criminal and revenue powers but without any work so as not to distract him from the work of Janapada Sabha.

Shri Jagannath Prasad, President, Municipal Committee, Piparia

(129) I want the introduction of Chief Executive Officer in Municipalities also. Even in my Municipality I have appointed efficient Secretary and a lawyer.

Shri Premshanker Tiwari, Ex-Councillor, Janapada Sabha, Sohagpur

(130) The Chief Executive Officer should be whole-time officer and he must go round the rural areas rather than to do table work.

(131) This is on the basis of the retention of the Chief Executive Officer. I am of the opinion that the Chief Executive Officer should be done away with. I can think of no compromise whereby we can solve the difficulty by redistribution of powers between the Chief Executive Officer and the Sabha and its office-bearers.

(132) The useful training which councillors of local bodies acquired by exercising executive powers has been taken away from them and their activities have now been confined to purely deliberative matters. The Act of 1948, therefore, deprives the rural citizens of the valuable right which they enjoyed before.

(133) I would welcome Chief Executive Officers if Chief Executive Officers are efficient, hard-working and give real co-operation and drive to Janapada activities, but if they are simply authoritarian individuals who want to dominate Janapada Sabhas and councillors on the ground of their official position, they are of no use.

(134) It is necessary for the purpose of co-ordination and effective administration, that there should be an executive consisting of the Chairman of the Sabha, Chairmen of the Standing Committees and Chief Executive Officer. This Executive should have a power to send matters back for reconsideration of Standing Committees. It should be open to the Executive to refer the question to the Sabha and the decision of the Sabha shall be final

Shri Wasnik, M.L.A., Member, Janapada Sabha, Nagpur

(135) Chief Executive Officer is necessary for Janapada Sabhas, because the members are ignorant. In transfers he tries to please such people as he wants to please and this causes lot of dissatisfaction.

Shri B. G. Ghate, I.A.S., Officer on Special Duty, Co-operative Department, Madhya Pradesh

(136) I have no fault to find with the scheme of the Janapada Sabhas as contained in the Local Self-Government Act, 1948. There is nothing reactionary in the Act and I consider that the Act is most realistic document and should fully meet the requirements of Indian democracy. I do not consider that the position of the Chief Executive Officer militates in any way against the principles or practice of democracy. The Chief Executive Officer to my mind is like a bridge which connects the popularly elected non-technical men (who are mostly villagers) on the one hand with the Executive of the State Government on the other.

(137) The Chief Executive Officer's position is similar. He is primarily an adviser while decision is being taken and an Executor after it has been taken. Where he feels that the decision is wrong, he can refer the matter to the State Government for review and reconsideration. There is no negatation of any democratic principle in this procedure, and this procedure becomes all the more necessary in the Janapada set-up where the State Government is finally responsible to the people and where the State Government is subsidising the bulk of the activities of the Janapada.

(138) I cannot say that the Janapada experiment has not worked satisfactorily. In my opinion, it is too early to say anything definitely and I do not think that the Janapadas have had a fair chance so far.

(139) My personal view is that Chief Executive Officer's work has not been properly supervised by the Deputy Commissioners and the Deputy Commissioners have tended to steer themselves clear of Janapada affairs. They are not, in my opinion, to blame wholly for this.

(140) In my opinion, the Chief Executive Officer has also received very little guidance from the Local Self-Government Department and generally speaking the Local Self-Government Department has been too slow and superficial in its treatment of the problems submitted to it by the Chief Executive Officers.

(141) The attitude of the Executive Engineers, Civil Surgeons and Forest Officers have also not been always helpful. These officers have not, in my opinion, fully grasped the provisions of the Act and the significance to be attached to the functions of a Chief Executive Officer.

(142) I would, in short, say that the Chief Executive Officer has not received the benefit of the Deputy Commissioner's supervision and guidance; that he has not often been able to evoke the required co-operation from the technical (P. W. D. Public Health, Agriculture, Forest) departments; and, worst of all, he has completely lacked help, guidance and support from the Local Self-Government Department in Nagpur. I may be permitted to say that the Secretariat side of Janapada work has been extremely poor and has frustrated many Chief Executive Officers' work and enthusiasm.

37. The Committee has given a careful and anxious consideration to the opinions expressed in the enquiry and has examined the Act and the rules critically in the light of this evidence. We are convinced that the scheme has fallen far short of the hopes and expectations raised when it was sponsored. There are no signs of improvement in efficiency of the staff and no systematisation of its work. Long delays have hampered the implementation of such decisions as were made. There was lack of zeal in all quarters. We have tried to examine the causes of this disappointing condition of things and summarise them below.

38. The facts and forces that have brought about this disappointing result are as follows:—

(a) In the summing up of the scheme of the Bill at page 4 of the Statement of Objects and Reasons, sub-paragraph (c) begins thus, "The Chief Executive Officer is intended to be a whole-time officer; he will be the Sub-Divisional Officer and Sub-Divisional Magistrate of the Sub-division which will correspond to the Janapada area." If any doubt is felt on the duties of Chief Executive Officer, it should be laid at rest by section 28 of the Act and its relevant position stands as follows:—

"28. (1) The Chief Executive Officer shall, except as hereinafter provided, devote his whole-time and attention to the duties of his office as specified in this Act or in any enactment for the time being in force.

(2) Notwithstanding anything contained in sub-section (1) if the Provincial Government so orders, the Chief Executive Officer may in addition exercise such powers—

(a) Under the Central Provinces Land Revenue Act, 1917, the Central Provinces Tenancy Act, 1920, or the Berar Land Revenue Code, 1928, as the case may be;

(b) of a Magistrate under the Code of Criminal Procedure, 1898; and

(c) under any other enactment for the time being in force."

* * * *

In actual practice, whatever the reasons may have been, the Janapada duties were relegated to the last place and scant attention was given to them by Chief Executive Officers. Their Janapada work was very snatchy and gave rise to discontent.

(b) The inevitable result was that the administration was practically run by Janapada clerks who were responsible to the Chief Executive Officer and had no administrative contact with other Janapada authorities. Councillors and others with some experience of local bodies regarded this condition of things as a screaming farce and criticised the Janapada scheme as grandiose in theory but faulty in fulfilment. Such moral atmosphere does not make for success of any scheme.

(c) The Chairman of Janapada Sabha was intended to be the Speaker. This functionary might well have been used as an integrating authority and endowed with some powers to check delays and to get the decisions implemented. After considerable time, rules were framed to invest him with some powers which were devised as checks and balances. Responsibility alone releases and enlivens civic energy.

(d) The scheme under-estimated the force of habit and tradition. The Government officers who lived and moved and had their being in the prevailing moral atmosphere of the day could not change their outlook overnight. There may be some justification in expecting them to do so after the attainment of Independence and undoubtedly some of them have exhibited remarkable adaptability and sense of public responsibility. By and large, they have found it very difficult to do so. We do not question their patriotism. They are, however, creatures of powerful circumstances. Psychologically, two blocks are in evidence. The one may be described as official and is inclined towards authoritarianism as the means of remedying the ills of administration. Some of the men of this block look upon non-official persons who have not received education of a certain standard with supercilious air and contempt and smell their motives. Their less fortunate brethren of the other block return the compliment by regarding the former as men "dressed in brief little authority" who like a "poor player" in Macbeth, "struts and frets his hour upon the stage and then is heard no more". They are viewed as relics of the past. These age old compliments may have been duly payable in the days of the old bureaucracy. In the changed circumstances, this unhealthy attitude on both sides is injurious to the Commonwealth, as all must combine in the common tasks facing the nation. In the restricted field of Janapada Sabhas, it has proved positively pernicious and brought conflict where harmonious and zealous co-operation was expected. Faith in the collective sense of the people or the majority is the foundation of democracy and democracy cannot get on without the efficiency, loyalty and contentment of its civil services. The remedying of these antithetical psychological trends is a task which must be undertaken.

(e) If the functions promised to be entrusted to Janapada Sabhas were entrusted to them, their energies would have been absorbed and Chief Executive Officers would have taken a more serious view of their duties. As matters stood, practically the old functions continued. Meagre financial resources of the Sabhas prevented them from taking a lively interest in the development, agriculture and public health.

(f) Quick transfers of Chief Executive Officers have proved baneful. By the time this officer got a fair idea of his work and local area, he was sent away.

(g) The Chief Executive Officers were overburdened with other work which claimed their primary attention. In many cases this dualism provided a capital plea for non-performance of either.

(h) Janapada authorities were promised the advice and help of other officers of the district. There is ample evidence to show that even Deputy Commissioners remained largely aloof and left their Additional Deputy Commissioners to shift for themselves. Their advice and co-operation would have been useful to Chief Executive Officers and would have kept them on a right track. It is said what is not inspected is not done. Inspection and supervision of Chief Executive Officer's work was lamentably lacking.

(i) The Janapada scheme is generally regarded as lofty in conception. But when we come across vital provisions relating to Standing Committees (sections 23 and 55), this part of the scheme presents a jerry-built appearance and the executive powers and functions of these committees vis-a-vis Chief

Executive Officer's authority have been left to the rules to be framed under the Act. The rules which were framed after 1½ years leave a door open for conflict. This has led to bitter controversies in some places.

(j) As far as we have been able to understand the Act and the rules, the executive and administrative authority vests in various standing committees; considerable confusion and conflict is primarily due to the fact that the position of the Standing Committees was misunderstood by all concerned.

(k) No communication could be addressed by the Chairmen of Janapada Sabhas even to Deputy Commissioners without Chief Executive Officer's signature according to rules. Even resolutions of the Sabha concerning the Chief Executive Officer himself could not be sent by Chairman without Chief Executive Officer's signature. Instances of this type are not wanting. No comment is meant on any individual or body. It is an illustration of red-tapism of the rules at the expense of efficiency and dispatch and this has often been felt as irksome and humiliating by Janapada Sabhas.

(l) Janapada Sabhas were composed of nominated members and their office-bearers were also nominated. These nominations had to be extended from time to time. This created a public feeling about these anti-democratic character and inevitably damped the spirit of councillors and office-bearers.

39. The popular reaction to the Janapada scheme was largely influenced by the facts and considerations adverted to above. These facts and forces came into play at a time when after a long spell of domination the people breathed a fresh breeze of morning. It was the breeze of Liberty. On such an occasion, however, well meant and liberal the promised objectives of this scheme may be, its current features were felt to be galling to the new spirit and somewhat led to a sense of frustration in this sphere.

40. This is, however, a phase which may pass away. This analysis and examination would lead us nowhere, if we do not make constructive suggestions and recommendations. We do so in the next chapter which would also constitute our findings on the point of reference No. 5.

CHAPTER IV.—DISTRIBUTION OF EXECUTIVE POWERS

41. Herman Finer says that in the strict sense of decentralization it is doubtful whether a completely decentralized system has ever existed in law and practice in England. At page 20 of "English Local Government" (4th Edition, 1950), the learned author goes on to say that the theory is decidedly no description of the facts and adds: "Yet it may be a statement of what is generally thought desirable. If it is not true, it deserves to be. And certainly the prevalence of such an idea serves to make the community a respecter of local liberties." So the theory of decentralization has its own limits. A purely doctrinaire approach to political and administrative problems is not very helpful. Facts have to modify the application of theories. We are of the opinion that at this stage of our national life our citizens need intensive civic and political education and training for which the best opportunity exists in Local Self-Government. We, therefore, need the decentralized type of local self-government. In fact, this model exists in other states of India with slight variations. A Chief Executive Officer appointed by the Government has, therefore, to be fitted in this pattern.

42. The scrapping of this scheme and the return to the old District Council model is neither desirable nor expedient for the following reasons:—

(a) The object of the whole scheme is the transfer of considerable functions to Janapada Sabhas not hitherto transferred. The only functions not to be transferred are law, order, justice, police and revenue which are of vital and central importance. Some of the functions to be transferred are important and the State is responsible for their good and efficient management. The list contained in the schedule referred to under section 52 is not exhaustive. The section refers to other functions "in relations to any other matter to which executive authority of the province extends or in respect of which functions have been entrusted to the Provincial Government by the Dominion of India". In the present stage of development of these local bodies, the Government cannot entrust these functions to them without some effective control. A Chief Executive Officer appointed by Government ensures such control. One may like it or lump it but bluntly stated the position is this. Either have these additional functions and the substance of local self-government which will give the political education and administrative training which Janapada Sabhas want or revert to the District Councils.

(b) Janapada Sabhas get a qualified Government servant with some administrative experience and his salary has not to be paid out of Janapada funds which are not too strong. If some objectionable features of this scheme relating to this officer are removed, there is no reason why he should not be retained. In Local Self-Government and for the matter of that in all Governments, a very high value is set upon the Chief Co-ordinating or Administrative Officer. The casual intermittent and amateur nature of the work of elective bodies renders such a functionary all the more necessary.

(c) Regarding the importance of personal and political impartiality of the Local Government officer Charles Barrat writes as follows: "The qualification of impartiality is of fundamental importance. Political partiality is merely the first step of political appointment and the day of political appointment spells death to the local government service." (page 117—"Your Local Authority" by Charles Barrat, 1949 edition). Can impartiality be either assured in the case of a Government or in the case of a person appointed and exclusively controlled by an elective body?

(d) Merged territories present their own problems and public men from merged territories strongly want the Chief Executive Officer.

43. This Committee, therefore, recommends the following changes in the distribution of functions and powers of Janapada Sabha office-bearers and councillors and the constitutional position of the Chief Executive Officer within the frame work of the Janapada Scheme :—

- (i) The Chief Executive Officer should be responsible to the Janapada Sabha for the implementation of its policy and decisions. He should be removable from the office of the Chief Executive officer of the Sabha by the vote of the two-thirds majority of the members of the Sabha. But this vote of no-confidence should not be treated as a verdict of inefficiency or incompetence by Government that may hold enquiry, if necessary, and arrive at their own conclusions regarding him.
- (ii) The Chief Executive Officer should devote his wholetime and attention to the duties of his office as specified in the Act. In other words the provisions of section 28 (1) should strictly be observed. And other powers referred to in sub-section (25) should not be exercised by him, in fact.
- (iii) An administrative committee consisting of the Chairman of Janapada Sabha, the Chairmen of all Standing Committees and the Chief Executive Officer should be constituted to deal with the co-ordination of the Standing Committees, the implementation of the decision of Standing Committees and the appointment of Janapada staff.

44. The Committee has ventured to make the above recommendations after a careful consideration of the views and opinions expressed during this enquiry and the practical difficulties encountered in the working of Janapada scheme. The functions and powers given to Chief Executive Officers gave rise to feelings in the councillors which did not make for harmonious and efficient working. We are, however, not guided by sentiment. The concentration of executive powers in Chief Executive Officers without due control has been proved to be the most deplorable feature of this scheme and has retarded its progress. The remedy suggested above may appear to be drastic but is very necessary. There would be rare occasions for the removal of the Chief Executive Officer from Janapada Sabhas as contemplated above but the provision would have a very salutary effect and would further democratize the scheme. So also, the establishment of an administrative committee would smoothen and expedite the work of Janapada Sabha.

45. An institution of such democratic nature must depend for its success on the character, unselfishness and sense of civic duty of the members composing it. Laws and rules are helpful. But the real force and drive must come from the people.

CHAPTER V.—FUNCTIONS AND FINANCIAL RESOURCES OF JANAPADA SABHAS

46. The functions allotted to the Janapada Sabhas cover a wide range of subjects and include all measures likely to promote the health, comfort, education and convenience of the people living in the rural areas. They can be divided into two categories—(i) obligatory, and (ii) discretionary. The compulsory duties are 16 in number and include establishment, management and maintenance of schools, hospitals and dispensaries and other measures of public medical relief, the control of epidemics, vaccination, registration of births and deaths, the establishment and management of rest-houses, markets, management of cattle-pounds and ferries, construction and maintenance of roads, maintenance of veterinary dispensaries, providing water-supply by constructing wells and tanks, the inspection of weights and measures, the control of relief work in times of scarcity, control of vehicular traffic, relief on account of floods or earthquakes, establishing and maintaining poor-houses and giving relief to the poor, local unemployment other than industrial unemployment, reward for destruction of wild pigs and village uplift (section 49). The optional duties are 10 in number and comprise among others, management of fairs, agriculture shows, industrial exhibitions, sanitary arrangements, development of cottage industries, planting and preservation of trees on public roads and grounds, etc. The Sabhas have also got powers of general control over Gram Panchayats and power to complain under certain circumstances against Municipal Committees.

47. In addition to these duties provision has been made in the Act under section 52 according to which Government have power to transfer to the Janapada Sabhas such of the 72 functions of the Provincial Government as are given in schedule of the Act as they consider proper. The difference however, is that in the case of entrusted functions, the Sabha has to work as an agent of Government and it has to carry out their policy and instructions but is entitled to be reimbursed for the extra expenditure that may be incurred on that account.

48. The present activities of the Janapada Sabhas even in the sphere of compulsory duties have not been extended to all the subjects, for instance practically no action has been taken in regard to village uplift, destruction of wild pigs and other matters which are of vital importance to the rural areas. Similarly, in the sphere of optional duties, Janapada Sabhas have not been able to do anything of importance. The Janapada Sabhas are generally keen to extend their sphere of work, but have failed to do so due to lack of resources. In fact, their incomes are unequal to the proper performance of all the functions entrusted to them.

49. This brings us to the consideration of the financial resources of the Sabha. The enclosed statement (Appendix IV) gives a general picture of the financial position of the Sabhas with respect to their income and expenditure. In 26 Janapada Sabhas in Central Provinces districts the expenditure exceeds the income while in the remaining cases with a few exceptions the margin between the income and expenditure is so narrow that the financial position of these bodies cannot be considered sound. In Berar as a whole, the total income of the Janapada Sabhas shows a slight surplus over the expenditure but in the case of 8 Janapada Sabhas there too a sufficient gulf exists between the expenditure and the income. According to the Examiner of Local Fund Accounts also the financial position of some of the Janapada Sabhas cannot

be said to be satisfactory. On 31st March 1949 there were 10 Janapada Sabhas where after providing for the prescribed minimum balance and after taking into account all the outstanding liabilities the total effective balance was found to be minus Rs. 2,15,358. This position further deteriorated in the following year and on 31st March 1950 there were 13 Janapada Sabhas with a total minus balance of Rs. 3,58,789 and on 31st March 1951 this number was 12 with a total minus balance of Rs. 2,86,239. The figures for 31st March 1952 are not available, but the position has not undergone much change. The difficulty of finances has been in existence ever since the Janapada Sabhas were constituted. Government had to give loans to some of them to enable them to get on to their feet as much as possible. In some cases temporary loans were also given to meet difficulties during slack seasons, particularly July to December. In all 11 Janapada Sabhas were advanced a loan of Rs. 6,20,000. In 1949-50 when this question was examined, the gap between the income and the expenditure of the Janapada Sabhas in the State was found to be sufficiently wide. The total income of the Janapada Sabhas in the Central Provinces and Berar districts was found to be Rs. 1,20,73,267 and Rs. 44,80,614 as against expenditure of Rs. 1,25,77,654 and Rs. 45,73,567 respectively. The corresponding figures for 1951-52 are given in the table (Appendix V). The two outstanding points that emerge out of the figures given in this chart are—

- (1) That the total expenditure in the Central Provinces Janapada Sabhas still exceeds the income though by a smaller margin than before while in Berar the gap has been converted into a small surplus. The financial position of the Janapada Sabhas, however, still continues to be far from being sound and offers a very little scope for expanding works of public utility.
- (2) A very large portion of the income of the Sabhas comes from Government grants. In the Central Provinces Janapada Sabhas it forms 48.6 per cent, in Berar 45.1 per cent, in the merged areas 90 per cent and in the whole of the State 53.7 per cent.

50. The question of finances of the Janapada Sabhas in the merged States has been discussed separately. So far Central Provinces and Berar Janapada Sabhas are concerned, there appears a slight improvement during the past two years. As mentioned before, in Berar the gap between expenditure and income has been closed and a small surplus is shown and in Central Provinces the difference has been considerably decreased. This improvement is probably partly due to the fact that there has been curtailment of expenditure on certain heads and mainly due to 20 out of 22 in Berar and 38 out of 60 Janapada Sabhas in Central Provinces having since imposed additional cess. This has increased their income by Rs. 6 and Rs. 9 lakhs, respectively. But the overall position of the Sabhas still remains unsatisfactory. Even in respect of traditional duties such as education, medical aid, water-supply and public health, there is still a very great ground to be covered. At present we have got one school for every six villages. In the case of medical aid in the position is extremely difficult. We have in all 440 dispensaries (including 217 Ayurvedic). This comes to one dispensary for every 110 villages or one dispensary for an area of 283 square miles. The expenditure on medical aid comes about 5.4 per cent of the total income including the grants. The number of patients who attended these dispensaries are shown to be about 16 per cent of the total population. In the matter of water-supply also the

position has not been happy. In spite of State Government's decision to pay grants to Janapada Sabhas equal to half of the cost of the construction of wells, no appreciable progress has been made in the sinking of new wells for supplying water to the rural areas for which need is imperative. In all the three years only 16 wells are reported to have been completed against 177 number of well for which grant was paid by Government to 45 Janapada Sabhas. In respect of maintenance of roads and other public building work the position is still worse. Most of the existing village roads have not been attended to. The already poor means of communication have been badly neglected. There are 1,197 school buildings in Central Provinces and Berar which need construction and repairs at a total estimated cost of Rs. 39,48,216. Similarly, there are about 1,247 cattle-pound buildings which need immediate attention. The Janapada Sabhas have not even been able to attend to these regular duties properly. In the matter of optional sphere also, their performance has been poor. The need for expansion of various social services is imperative, but their financial position makes it difficult for them to carry out even all functions properly which they are enjoined by law to discharge.

51. We now propose to examine in detail the various sources from which Janapada Sabhas draw their income and to find out if there is any scope for raising income from them or any new sources. According to the Act their income comes mainly from rates (cesses), taxes and fees of various kinds and Government grants as given below:—

- (1) Compulsory cess payable at the rate of 18 pies per rupee for every malik-makbuza, holder of survey number, rent-free land or the tenant under section 85 of the Local Government Act.
- (2) Optional cess to be imposed at the rate of 12 pies per rupee on persons mentioned above under sections 86 and 87 of the Local Government Act.
- (3) Special school rates on (non-agriculturists) persons occupying houses, buildings or lands within the limits of any village or group of villages which will benefit from any school or schools established or maintained by the Sabha.
- (4) Fees from markets notified as public markets under section 116 of the Local Government Act.
- (5) Fees and charges from cattle-pounds.
- (6) Proceeds of other taxes and tolls imposed under sections 89 and 90 of the Local Government Act.
- (7) Contribution to the Janapada funds by Government, Municipal Committees or private persons either by way of grant or otherwise.
- (8) All rents and profits accruing from extra municipal nazul lands.
- (9) Such percentage of land revenue that the Provincial Government may fix under section 75 of the Act.
- (10) All other proceeds that may be received by the Sabha under the provisions of this Act.

52. Thus the Janapada Sabhas have under the Act more sources of revenue than the former District Councils. The scope and the rate of compulsory cess has been considerably enlarged. The Sabhas have also been empowered to impose any tax with the sanction of Government in the Provincial sphere. Some of the Janapada Sabhas, particularly in Berar, have taken

advantage of these wider powers to improve their position. There are, however, a few Janapada Sabhas, particularly in the northern districts, which have unfortunately failed to strengthen their resources by utilising these powers of increasing their revenue. This feature is by no means confined to these Sabhas but is common to all local bodies elsewhere. Some of the Janapada Sabhas had also tried to impose new taxes, but the number of such Janapada Sabhas is very small. On the whole the position is not without hope and cannot be said to be bad.

53. Compulsory cess.—This is the oldest form of rate levied from a long time. It forms one of the important sources of income. The exact figures of income from this source before the abolition of the proprietary rights are not available as in some Janapada Sabhas in the Central Provinces districts the cesses were not assessed and collected from the tenants. As a consequence there had been considerable short collections under this head. It was only after instructions had been issued by Government in 1950 that the correct position was known and the cesses were imposed both on revenue and rents thereafter. In 1951 owing to the elimination of the proprietors under the Abolition of the Proprietary Rights Act, the Janapada Sabhas were deprived of a considerable revenue under this head which was being recovered from proprietors. Government have, however, compensated the Janapada Sabhas by making a grant of Rs. 11,07,925 equal in amount of the sum lost by the Sabhas on this account. The revenue from this source after the abolition of the intermediaries in Central Provinces districts is now estimated to be Rs. 17,53,564. This comes to about 15 per cent of the total income of the Sabhas. In Berar it is reported to be Rs. 8,62,892 and comes to about 21 per cent of the income. In the merged areas there are at present no cesses. This matter has already been referred to elsewhere. The point for consideration is whether the rate of cesses which is at present Re. 0-1-6 per rupee on land revenue or rent should be increased. The land revenue and rents which form the basis of assessment of these cesses were in many cases fixed more than 40 years ago. Their pitch is sufficiently low. Since then there has been a great rise in the prices of agricultural produce. It is possible that the rents and revenue may be revised in the near future. But even if such revision takes place, the present rate of cesses are sufficiently low and any reasonable revision, if it occurs, will not in any way affect appreciably the burden of this rate on the agriculturists. In Bombay the cess is levied at 36 pies in a rupee, in Madras it is 24 pies per rupee on the land revenue and is further supplemented by an additional cess up to the maximum of Re. 0-3-0 in a rupee on land revenue under the Education Act. The Local Finance Enquiry Committee (1951) has considered this point and has stated its opinion that "the rate at present levied is low and should be raised to Re. 0-3-0 in the rupee". We have considered this point carefully and we also think that there is a case for raising the rate of this cess. In our State, however, there is a further provision of levying additional cess at the maximum rate of 12 pies per rupee under sections 86 and 87 of the Local Government Act. The imposition of this cess is, however, left at the option of the Janapada Sabhas. This source has been provided to enable the Janapada Sabhas to have additional income to meet their growing expenditure. In Central Provinces districts out of 60 Janapada Sabhas 35 have so far imposed this tax up to the maximum rate and in the case of three Janapada Sabhas it has been imposed at a lower rate. In case of Baihar it is 6 pies, Durg 4 pies and

Bemetara 10 pies per rupee. In Berar with the exception of Murtajapur and Pusad, all other Janapada Sabhas have imposed this cess. In Balapur and Washim it is 6 pies per rupee, Melghat 9 pies and elsewhere 12 pies in the rupee. It is unfortunate that some of the Janapada Sabhas in the State should not have been able to see the wisdom of utilising this source of income when the need for additional finances is clearly indicated. In the old Central Provinces districts, particularly in the northern districts, the position in this respect has been singularly unfortunate. Some of the Janapada Sabhas have shown unwillingness to impose this tax on the ground that the level of taxation is already high. It appears that the councillors do not feel inclined to incur the odium of imposing this cess, though in some cases this cess was already in existence at the time of the late District Councils. In the 22 Janapada Sabhas where they have failed to impose the additional cess, 7 are already in deficit and in the case of 2 Janapada Sabhas where this cess has not been imposed to the full extent, the budgets of the Sabhas disclose quite a considerable gap between the expenditure and income. It is regrettable that in spite of the need for balancing the budgets and bridging the gulf between the income and expenditure these Sabhas should have been unwilling to tap to the full this source of taxation. The additional cess alone in the cases of 22 Janapada Sabhas where it has not been imposed in Central Provinces would have brought an additional income of Rs. 5,11,000 and in Berar an income of Rs. 55,126. In view of this unwillingness on the part of some of the Janapada Sabhas in the face of urgent need for funds, some of the witnesses have suggested that the additional cess should be merged in the compulsory one and a combined cess at 30 pies per rupee should be levied. There should be no optional tax and no discretion be left to the Sabhas in the levy of these cesses. By making this cess compulsory the Sabhas will be forced to impose this tax. This is likely to bring them sufficiently good amount of revenue for which the need is clearly pressing. In this connection it may be mentioned as stated elsewhere that the councillors in Berar have displayed a greater sense of civic consciousness and responsibility and have not hesitated to augment their income by this source.

54. In view of what has been stated above, we feel that there is a clear case for increasing income from this source and we agree that the rate of compulsory cess should be raised by merging the additional cess in it. In this State the Gram Panchayats already levy compulsory cess at the rate of 6 pies in the rupee. It would, therefore, be reasonable to fix the rate at 30 pies instead of 36 pies as in other States in India as the two cesses—one of the Janapada Sabha and the other of Gram Panchayat will impose a burden of 36 pies per rupee on the agriculturists. We, therefore, recommend that the additional cess should be merged in the compulsory cess and the rate of compulsory cess should be fixed at 30 pies in a rupee. In fact, out of 82, 58 Janapada Sabhas are already levying cess at 30 pies in the rupee. This merger will only help those Janapada Sabhas which have not yet imposed this cess or have imposed at a lower rate. We do not recommend any further increase in the cess.

55. **School rate.**—The chief sources of income of Janapada Sabhas are from compulsory and optional cesses. Between them they contribute about 23 per cent in Central Provinces and 33 per cent in Berar of the total revenue of the Janapada Sabhas. Thus, in the present scheme the main burden of taxation falls on the agriculturists. The non-agriculturists which form about

14 per cent of the rural population and include a large number of monied classes like moneylenders, traders and other professional workers enjoy almost comparative immunity from sharing in the burden of taxation for the Janapada Sabhas. This inequality has to some extent been sought to be met by imposition of school rate under section 88 but it has a very limited scope. It can be levied only on persons occupying houses, buildings, or lands within the limit of any village or groups of villages that has been declared by the Sabha to benefit from any school or schools established or maintained by it. They are thus confined only to a few villages and have no general application to all the non-agriculturists or non-agricultural incomes. It is, therefore, no wonder that the total amounts raised from this source are very petty. They come to about 4 per cent of the total income. In the time of the former District Councils this rate was levied in 64 local boards and the total income from this source was Re. 3,94,444. At present it is being imposed in 53 Janapada Sabhas—33 in Central Provinces districts and 20 in Berar bringing a total income of Rs. 6,29,951—Rs. 4,51,209 in Central Provinces districts and Rs. 1,78,742 in Berar, respectively. Here again it appears that Janapada Sabhas have shown unwillingness to explore this source of income. The reason given for failure to levy this rate has been that the procedure laid down for assessment and recovery has been extremely difficult and complicated. The result has been that in some Janapada Sabhas probably the only direct tax levied by them has fallen heavily in arrears. In Gondia alone a sum of Rs. 3,57,976 is outstanding under this head. In Sakoli also heavy arrears are pending. Some of these arrears relate to 1945-46. This is a rather very melancholy picture. We have examined the system under which the assessment and the collection are to be made. The assessment in the first instance is made by the village Mukaddam or Patel. The list is then examined and finally approved by Tahsildar. The assessee has a right of appeal to the Sub-Divisional Officer within one month and the assessment becomes final if no appeal is made or if one is made then after its decision. The difficulty has arisen as the assessment has to be made over a very large number of persons. The amounts involved are very small and the village agency which was made responsible for assessment failed to carry out its duty properly. A system wherein a large number of petty amounts are involved is likely to create practical difficulties both in regard to the assessment and collection. This rate may, therefore, be discontinued and a tax based on incomes from non-agricultural sources as mentioned below may be substituted in its place.

56. We have examined a number of persons and the general opinion has been that the non-agriculturist and non-agricultural income should pay their legitimate share towards the Janapada funds. It was also suggested that the new system should be so evolved that it should apply not only to a particular village or group of villages where the school has to be established or maintained, but to the entire Janapada area. With this end in view it was proposed that a tax on non-agricultural incomes based on the income and the other circumstances of the assessee should be imposed. This tax is likely to affect the taxes on income imposed by the Union Government. It would, therefore, be subject to the usual limitations that have been placed by the Constitution on the imposition of tax that can be levied by a local body under this head. The old limit of Rs. 50 has under the new Constitution been raised to Rs. 250 per annum. The State Government already impose professional tax on those who pay income-tax. The margin thus left even in those cases

would be quite considerable. Our proposal is not only to levy this tax from those who pay income-tax, but from others also having a certain income in the Janapada area. The present school rate does not yield sufficient income and is confined only to certain limited areas. The only objection that can be taken to the imposition of this tax is that the Gram Panchayats also levy a tax on trades and callings by requiring people to take licences. We do not think that this will in any way conflict with the taxes that the Gram Panchayats are levying. The agriculturists are already paying cesses both to the Gram Panchayats and to the Janapada Sabhas. It should not, therefore, be unreasonable for the non-agricultural income to pay taxes both to the Janapada Sabhas and the Gram Panchayats. The tax that the Janapada Sabha will levy will be different in nature. This tax may be called a professional tax or a cess on non-agricultural income. Whatever nomenclature may be adopted, it should be recovered from all non-agricultural incomes, after a certain limit. We, therefore, recommend that in place of the present school rate, Janapada Sabhas should raise a tax on non-agricultural incomes of the residents and persons carrying on business in their areas for strengthening their finances. This tax can be imposed under section 90 of the Local Government Act with the previous sanction of the State Government. It is difficult to estimate income from this source, but it is likely to be at least 2 to 3 times of the revenue which the Janapada Sabhas are at present getting from the school rate. The assessment may be either biennial or triennial. The present income from school rate is about Rs. 6.29 lakhs.

57. **Markets.**—Government have taken powers under section 116 of Local Government Act to declare all private markets as public markets with a view to enable the Janapada Sabhas to have larger revenue from this source. Since the establishment of Janapada Sabhas only 177 new markets (79 in Central Provinces and 98 in Berar) have been notified. The present total number of Janapada markets is 3,170 (2,720 in Central Provinces Janapada Sabhas and 450 in Berar) as against 2,993 (2,641 in Central Provinces districts and 352 in Berar) in the time of the late District Councils. The present total income to the Janapada funds from these markets is reported to be Rs. 10,94,165 (Rs. 8,07,854 from the Central Provinces districts and Rs. 2,86,314 in Berar). In addition to the above markets, 102 private markets have also been entrusted to Janapada Sabhas in Central Provinces districts for management as an agency function. The income from these markets is reported to be Rs. 30,257. According to the present arrangements in the case of entrusted markets Janapada Sabhas get three-fourths of the net income while one-fourth goes to the State revenue. Thus the total revenue from all the markets including the entrusted ones which the Janapada Sabhas get is Rs. 11,24,425. It was reported that there are even now quite a large number of small markets (359 in Central Provinces districts and 2 in Berar) yielding an income of about Rs. 95,793 per annum which are not managed by the Janapada Sabhas. We are not in a position to state the exact addition to the revenue of the Janapada Sabhas since the time of the late District Councils under this head. We can only say that the Janapada Sabhas have been able to get an additional income of about Rs. 1.3 lakhs by the notification of 177 new markets and about Rs. 30,000 by the entrustment of management of 102 Malguzari markets vested in Government after the abolition of the Malguzari. It is not possible to say whether the income of the old District Council markets now with the Janapada Sabhas has also shown any increase, as the figures of income of these markets at the time of District Councils are not

unfortunately available. 46 Janapada Sabhas have reported that the market rates have been revised while in the case of 26 Janapada Sabhas the old rates have been continued and in the remaining Janapada Sabhas no information has been furnished. At least in the case of 26 Janapada Sabhas which have still continued old rates in spite of the higher level of prices of all commodities, there seems to be a good case for revising the rates and to secure whatever additional income Sabhas can get from this source. In the case of entrusted markets, the general opinion has been that their management should be permanently transferred to the Janapada Sabhas and that they be declared as Janapada markets. The Janapada Sabhas should also be asked to examine for being notified as public markets such markets as are still not in their possession and being run by private or any other agency. Government should also consider the transfer of such markets as have vested in them and have not yet been transferred to the Janapada Sabhas. In the absence of any definite figures about these markets it is not possible to give financial implications of the proposal.

58. The management of markets has also to be considered from the point of view of Gram Panchayats and the persons who use them. As mentioned above, any market can be declared a public market under section 116 of the Act, and can be taken over by Janapada Sabha even though it may have been under the management of the Gram Panchayat and was being run efficiently. The Gram Panchayats have been very reluctant to start a new market even when there has been a need for such a market owing to the present policy of some Janapada Sabhas of getting Gram Panchayat markets declared as public markets in their anxiety to strengthen their financial position. This aspect has not been specifically mentioned in our term of reference, but we feel that as this is an important point, the existing state of things may be stated and brought to Government's notice. The Jabalpur Janapada Sabha is the only body which has tackled this problem in a rational and sympathetic manner. It has not only entrusted the management of some of its markets to the Gram Panchayats and allowed them to appropriate income from them, but has also decided to give a part of the income to such Panchayats which are affected by the markets managed by the Janapada Sabhas. The management of market is an important part of the village management. It is natural that the Gram Panchayats should have a strong feeling on this point. Out of 82 Janapada Sabhas, 34 are in favour of making some arrangement to share the income with the Gram Panchayats, 4 Janapada Sabhas have sent no reply and 44 are against. In our opinion, this matter deserves to be further examined and a policy decision should be taken to enable the Gram Panchayats to get at least some benefit from the markets in their areas.

59. We have received complaints that some of the Janapada Sabhas do not provide proper facilities either for the trade or for the people who visit these markets. The market fees are a combination of a fee and tax. They are compulsory contributions levied from the persons who use the market and the benefit they derive therefrom. It is a service tax for which the Janapada Sabha or the persons in charge of the management of the market should provide necessary facilities. It will be surprising to note that only a sum of Rs. 26,203 is spent in Central Provinces and Berar for providing facilities in the markets. This comes to about 2.3 per cent of the income from this source. In Berar the position is a little better. There the amount spent is

about 5 per cent of the income while in Central Provinces it comes to about 1.2 per cent. In our opinion it is essential that the conveniences of the people such as adequate water-supply, appropriate sitting arrangements for the traders and such other things as are essential should be provided. If necessary, Government should issue instructions directing the Janapada Sabhas to spend a certain percentage of their income to be utilised for providing such conveniences as Government may direct and are essential for the normal requirements.

60. The next source of income is from fees and charges from cattle-pounds. This is also an important source and forms 12 per cent of the total income in the Central Provinces districts and 9 per cent in the Berar Janapada Sabhas. In the absence of any figures of income for the pre-Janapada period, it is not possible to say whether the income from this source has increased during this period. It has been reported that in 66 Janapada Sabhas out of 82 in Central Provinces and Berar and 12 Janapada Sabhas in the State the scale of fines and feeding charges has been revised. There are, however, still 18 Janapada Sabhas where no revision has taken place. The total income in Central Provinces from this source is shown to be Rs. 14,89,923 as against an expenditure of Rs. 7,72,748. In Berar districts the income from this source is shown to be Rs. 3,87,678 as against an expenditure of Rs. 1,05,284. The working of the cattle-pounds was subjected to serious criticism in some places. It was represented in several places that there are no proper buildings for impounding cattle. Out of a total number of 2,481 cattle-pounds, there are 942 pounds which are only an apology of the cattle-pounds and 305 are open enclosures. The position in the merged States in this respect is highly unsatisfactory. Out of 321 cattle-pounds only 57 are pucca buildings. We suggest that a portion of the income from this source should annually be set aside for building purposes and the programme for having proper buildings should be made and this should be completed within a period of 5 to 10 years.

61. There were serious allegations about the way in which the auctions of unclaimed cattle had been done in some Janapada Sabhas. There are also complaints that cattle are not properly fed. With respect to the auction of the cattle we suggest that the employees of the Janapada Sabha should not be allowed either in their name or in the name of their relatives to purchase cattle as has taken place in many places. As far as possible such auctions should be held in the nearest markets and there should be free bidding. In Sohagpur Janapada Sabha a case of auction has come to notice in which a relation of the teacher had purchased an animal at a nominal price. Next point is about the crediting of the fine under this head. According to the present procedure it has to be credited to the deposit account. It is then transferred to the State Government's account. This procedure is very cumbersome. There is no reason why fine should not straightway be credited to Janapada funds. If necessary, an amendment to the Cattle Trespass Act may be made and the procedure should be simplified. As a result, this procedure has not been correctly followed by most of the Janapada Sabhas and they have not hesitated to spend the amount credited under the deposit accounts. As regards the revision of rates of feeding charges and fine in the case 18 Janapada Sabhas we commend that they should examine this matter again and should not hesitate to tap this source of income which in the case of many Janapada Sabhas has been quite substantial. We also suggest a more strict supervision over the cattle-pound staff.

62. The Janapada Sabhas have, as a rule, been very reluctant either to increase the rate of existing taxes or to impose any new taxes. There have, however, been cases where some of the Janapada Sabhas have endeavoured to improve their financial position by imposing some of the taxes, under sections 89 and 90 of the Local Government Act. The sources tapped have not proved to be sufficiently fruitful and elastic.

63. The new taxes imposed are given below:—

(i) *Vehicle Tax*.—The Janapada Sabhas of Patan, Jabalpur, Katol and Bilaspur in the Central Provinces districts and Raigarh Janapada Sabha in the integrated states have imposed vehicle tax. The total income from this source is shown to be about Rs. 23,500. As mentioned above the income from this source is very small. We have elsewhere suggested imposition of a professional or non-agriculture income cess. If that proposal is approved, we do not think that it would be proper to continue taxation on vehicles. This is a very small amount and is likely to operate harshly on the poorer people.

(ii) *Bidi Tax*.—The Janapada Sabhas of Bhandara and Sakoli have imposed bidi tax which brought them an income of Rs. 34,798. It was a tax on the export of bidies by rail. This tax is, however, recently been held to contravene the provisions of Indian Constitution. It will, therefore, now be abolished.

(iii) Tax of sale of coal is being imposed by the Chhindwara Janapada Sabha which was yielded an income of Rs. 75,000 per annum. It has, however, been held that this tax can be levied only on the quantity of coal that is sold for being consumed in this State. No. tax can be levied on coal which is exported for sale outside this State. The income from this source is, therefore, likely to be curtailed considerably. We have already recommended imposition of this tax in the coal mine areas of Korea Janapada Sabha.

(iv) In Bhandara, Sakoli and Seoni Janapada Sabhas, a fee has been imposed on the rice and flour mills. This has brought an income of only about Rs. 2,539. We do not think that it would be desirable to continue this fee. We, however, leave to the Janapada Sabhas to decide this matter for themselves. As far as possible too many small taxes should be avoided.

(v) Some Janapada Sabhas had also tried to improve their financial position by making proposals for imposing tax on—

- (a) manufacture of bricks,
- (b) quarrying soapstones,
- (c) bidi and tendu leaves, and
- (d) by imposing octroi tax.

The proposals in the case of first three were rejected as they could not be imposed under the constitution, and the last one was disallowed as there were practical and administrative difficulties in collecting the octroi tax from such a wide area.

64. In Bombay, one District Board has already imposed a tax on industrial concerns and brick and lime-kilns. From the information received by us, it appears that the local bodies in that State can, with the sanction of the Director of Local Authorities, impose such tax which the State Government have power to levy. According to our Act also, the Janapada Sabhas have got power to impose, with the previous sanction of the Government,

any tax in the Provincial sphere. We, therefore, suggest for Government's consideration that the question of imposing tax on industrial concerns may kindly be got further examined. Similarly, we have received information from Ratnagiri District Board that that body has imposed octroi tax. We have not been able to ascertain the details and the results achieved. It appears that Ratnagiri has a compact area and possibility of evasion of tax is not great. The areas of some of our Janapada Sabhas are very large and there are more than one route for carrying goods. We do not, therefore, think that it would be practicable to collect this tax if imposed easily.

65. Under section 76 of the Local Government Act, the Municipalities can be asked to make contributions to the Janapada funds. The present position in this respect is that the Municipalities make no general contributions to the Janapada funds, but have made very petty grants for the maintenance of the veterinary dispensaries at the headquarters of the Janapada Sabhas which are generally in municipal towns. In Central Provinces Janapada Sabhas, the grant made by the Municipal Committees comes to Rs. 16,765 as against a total expenditure of Rs. 2,39,400 incurred by the Sabhas. This comes to about 6.7 per cent. In the case of Berar, the position is a little better. The Municipal Committees have made a total grant of Rs. 9,818 against a total expenditure of Rs. 88,151. This works out to 11 per cent. In both these cases grants are extremely inadequate and disproportionate to the advantage taken by the cattle in the urban areas from the dispensaries. The urban population derives the greatest benefit from them while the major portion of the cost is borne by the Janapada Sabhas.

66. We have examined a number of witnesses on the point whether Municipal Committees should pay a portion of their income derived from octroi to the Sabhas and the general opinion seems to be that Municipal Committees must contribute to the funds of the Janapada Sabhas. The reasons adduced are—

(a) That the Municipal Committees have got their representation on the Janapada Sabhas.

(b) The bulk of revenue derived from octroi is from the rural areas.

As against this, it was urged that the people from rural areas get adequate benefit from the municipal towns in the shape of facilities for secondary education, medical aid and other amenities of life. They also use the municipal markets and roads. We have considered both the above view-points and feel that in view of the slender financial resources of the Municipalities it will be difficult for them if they are made to give a share of income from their revenue.

67. This is so as far as the general contribution from the Municipalities is concerned. There is, however, enough justification for grant of subvention by the Municipal Committees or Corporations to the Janapada Sabhas for the specific services they are rendering. We have already mentioned above that the Janapada Sabhas are spending a great deal of money on the maintenance of veterinary dispensaries from which urban population derives a very great advantage. In fairness to the Janapada Sabhas the Municipal Committee must make adequate contributions for their maintenance and upkeep. The Nagpur Janapada Sabha has another sound justification. It has been put to a loss of about Rs. 30,000 per annum on account of the transfer of 34 villages from the jurisdiction of the Janapada Sabhas to that of Nagpur Corporation. This exclusion has affected the Janapada Sabha's financial position very severely. The cattle market at Sakkardara which was one of the substantial sources of income has now passed on to the Corporation and in

fairness to the Janapada Sabha, the Corporation should be asked to compensate for the loss it has suffered. Then there are certain Janapada Sabhas which have to maintain roads in municipal areas. All these roads should either be taken away by Municipal Committees or they should contribute substantially for their maintenance. In fine, we are of opinion that Municipal Committees should not be asked to make any contribution to the Janapada Sabhas for general purposes. They should, however, make substantial grants as shown below :—

- (1) For specific services that the Janapada Sabhas are doing in their areas—
 - (a) Maintenance of Veterinary dispensaries.—The Municipal Committees should pay 50 per cent of the cost.
 - (b) There are certain roads in the municipal limits which are at present maintained by the Janapada Sabhas.—Where such roads exist, they should be vested in the Municipal Committees and the Sabhas should cease to be responsible for their maintenance.
- (2) The Corporation at Nagpur should pay compensation for the loss of income which the Janapada Sabha has suffered owing to the transfer of Sakkardara market.—The compensation may be either in a lump sum or it should be a recurring one and subject to the net receipts received from the markets. The Janapada Sabha should get at least 50 per cent of the net income from this source.

68. The financial implications of our above proposals, if accepted, would be—

- (i) Increase in income under the head cesses—Rs. 5,66,126.
- (ii) Increase in income from the imposition of non-agriculture income or professional tax by about Rs. 12 lakhs.
- (iii) An increase in veterinary grants by Municipal Committees—
 - (a) Central Provinces—Rs. 1,19,700.
 - (b) Berar—Rs. 44,075.
- (iv) Compensation by the Nagpur Janapada Sabha for Sakkardara market.

We have also recommended revision of market rates and cattle-pound fees and feeding charges in the case of those Janapada Sabhas which have not yet revised them. This is also likely to bring some additional revenue to the Janapada Sabhas concerned. At a rough estimate the total increase in the revenue as shown above will come to about Rs. 20 lakhs in all the Janapada Sabhas in the Central Provinces and Berar, that is about 12.2 per cent of their present total revenue. This addition to the general revenue of the Sabha will thus be quite appreciable, but it will still be insufficient to enable the Janapada Sabhas to further expand social services for which there is a great need, to discharge their multifarious duties properly and play their vital role suitably in developing the rural areas. The question of further strengthening the Janapada Sabha finances by subvention from Government has been considered separately with the "grants-in-aid".

69. As the questions of raising the rate of compulsory cess and grants from municipal funds have already been considered in this chapter, it is no longer now necessary to discuss them over again separately.

CHAPTER VI.—GRANTS-IN-AID AND ASSIGNED REVENUES

70. Grants-in-aid form an important part of the income of the Janapada Sabhas. They are given for a variety of reasons but are mainly made to assist the Janapada Sabhas in the maintenance of various services. The main criticism about these grants is that some of them are not based on any fixed principle and in most cases there is a considerable delay in payment. They are made under various heads and are usually paid by the departments of Government concerned after scrutiny at a very late period of the year. They are—

- (1) Education.
- (2) Public Health.
- (3) Veterinary.
- (4) Compensation for loss of cess revenue due to the abolition of mal-guzari in Central Provinces districts.
- (5) General purposes grant.
- (6) Compensation for loss of 1 per cent on the land revenue in Berar for contributions as "road cess" under the Berar Rural Boards Law of 1885.

71. The grants for educational purposes are given to the Janapada Sabhas both for primary and middle schools and are given for following purposes :—

- (i) Grant for voluntary primary education.
- (ii) Grant for compulsory primary education.
- (iii) Grant for raising the minimum basic pay to Rs. 30 per month.
- (iv) Grant for compensatory cost of living allowance (subsidies towards the payment of compensatory cost of living allowance to teachers).
- (v) Grant for girls' primary schools.
- (vi) Grants for aboriginal schools.
- (vii) & (viii) Grant for village public and village circulating libraries.
- (ix) Grants for agricultural classes.
- (x) Grants for adult schools.
- (xi) Grants for continuation classes.
- (xii) Grants for secondary education.
- (xiii) Grants for new primary schools.
- (xiv) Grants to Sanskrit Pathshalas.

(i) Grant for voluntary primary education

72. There is no basis for this. It is a block grant and is one of the most important grant under this head. It is an old grant and forms a very large portion of the amount given for any single item. In 1949-50 the total amount given under this head was Rs. 11,57,097. During 1951-52 the grant has been tentatively re-assessed at 60 per cent of the approved expenditure or at the difference between the total expenditure on this account and 25 per cent of the income whichever is less, provided where the present grant exceeds the grant admissible on the proposed basis, the difference between the present and proposed grant should be utilised by the Janapada Sabhas in opening new schools at the rate of Rs. 859 for a school. As a result of this change, the Janapada Sabhas have during 1951-52 received a total grant of Rs. 16,97,000. As mentioned above, the grant is not fixed on any principle. The criticism levelled against the present system of grant under this head is that it ignores

local needs and hinders progress of social services in the backward areas and elsewhere also does not provide for expansion of education properly. The grant should be so based that the State assistance to the local bodies should be such that they may be able to meet the enlarged responsibilities in this connection properly and should take into account the real needs of the different Janapada Sabhas to enable them to bring their services to a reasonable standard. The present position cannot be considered happy. It has been described by a witness of Education Department as below:—

“The position as it obtains in respect of 92 Janapada Sabhas is such than no matter on what principle the voluntary education grant is assessed, anomalies will remain and complications will arise. For instance, if the grant-in-aid is given on a certain percentage of the approved expenditure, no uniformity can be expected. If the grant is fixed at the percentage shown below, the excess grant over these percentages in respect of the number of Janapada Sabhas will be as follows :—

Grant-in-aid	Number of Janapada Sabhas which would be receiving excess grant
50 per cent	41
60 per cent	33
70 per cent	14
80 per cent	6
Over 80 per cent	4
Over 100 per cent	2

If the grant is based on certain fixed percentage of the income of the Janapada Sabhas to be spent on education, even then no uniformity can be attained. It has been pointed out above that the percentages of expenditure that the Janapada Sabhas are meeting from their own income vary from 0 per cent to 100 per cent. If, therefore, the fundamental principle of grant-in-aid is to be enforced, viz., to make it obligatory on the part of the assisted authority to meet the fixed percentage of approved expenditure on education, it will create endless confusion in the existing position. There can only be three possible methods of fixing the grant-in-aid—

- (a) A percentage of approved expenditure.
- (b) Total approved expenditure minus fixed percentage of income of the Janapada Sabhas.
- (c) Both applied together.

Any one of these three principles if applied, the anomaly still exists. Some Janapada Sabhas will still continue to get more grants than is admissible under any one of these principles. It will be very inequitable if there is any reduction in the grant-in-aid to Janapada Sabhas as a result of any re-assessment which leads to a reduction in the existing grants paid to Janapada Sabhas. These grants are being paid for the past several years”

73. We do not think that only to avoid anomalies we should not adopt any fixed principle. If as a result of reassessment, the grant on percentage basis to certain Janapada Sabhas is reduced, there should be no objection to allow the Janapada Sabhas to continue to receive the grant for the present at the former sum but in course of time, if necessary, the assessment should be brought in accordance with the existing state of things and there should be no objection to reduction in amount after the Sabhas concerned had sufficient notice.

74. It is understood that in several States grants for primary education are assessed and paid on per capita basis, i.e., they are directly related to the number of children undergoing education. This system has certain advantages and disadvantages. Its main advantage is that it simplifies the calculation and is easily understood by all. Its second advantage would be mainly that the amount of grant will be elastic though the financial burden on the State will continue to increase progressively. The first difficulty would be that to earn more grants inflated statements may be supplied. Secondly, per capita grant is advantageous to those areas where education is already advanced and likely to result in great disadvantage to areas which are educationally backward. The needs of these areas are more urgent and any system of grant which proves disadvantageous will not be welcome to them. As in the case of percentage system, anomaly will continue but this alone should not be regarded as sufficient justification for not adopting this system.

75. There is again another way in which this problem is reported to have been tackled in Bombay. The State Government in Bombay are reported to be bearing the entire cost of primary education. The local bodies are not directly required to pay any share, but 15 pies per rupee from the 36 pies per rupee levied as cess on Land Revenue is appropriated by Government for this purpose. Thus, the local bodies contribute a part of their share of revenue from the cesses towards the maintenance of primary education. This system is workable in Bombay because there primary education has been taken over by State Government while here it is the responsibility of the Sabhas and, therefore, the Bombay system is not suitable for our State.

76. We have considered all these points. In our opinion, the system of grant per capita basis seems to be the best way of meeting the present difficulty. Government need not pay the entire amount of expenditure incurred on each student, but it will be enough if they pay at least 75 per cent of the expenditure incurred on every pupil. The advantage of giving a grant on this basis will be that it will be easier to work and at the same time it will be very elastic in nature and will act as an incentive to the backward areas to push forward education in their areas as rapidly as possible.

(ii) Grant for compulsory primary education

77. As regards compulsory primary education grant, it is given subject to the provisions of funds to meet (a) one-half of the additional recurring expenditure, and (b) a non-recurring grant equal to the one-half of the approved expenditure incurred on the cost of new school buildings or extensive alterations on additions to the school buildings and the school equipment. The grant under this head amounted to Rs. 1,17,567 during 1949-50. As education is one of the important national duty, it is essential, where Janapada Sabhas are prepared to extend operation of compulsory education, they should be encouraged by more liberal grants. We do not want to recommend any particular percentage for increase in grant and leave it to the Department to approach the matter sympathetically.

(iii) Grant for raising the minimum basic pay to Rs. 30 per month (basic pay subsidy)

78. This grant has been sanctioned on an ad-hoc basis and is equal in each case to the full actual expenditure involved in raising the minimum basic pay of several primary and Indian middle school teachers to the prescribed minimum over and above the expenditure that the local bodies were

incurring on the salaries of teachers from the 1st April 1946 to 1st October 1950. The criticism is that teachers appointed after the specified date, are not eligible to this concession. The result is that Janapada Sabhas find it very difficult to appoint new teachers on a salary of Rs. 30 per mensem. The pressure on primary education is increasing and with their slender resources Janapada Sabhas are finding it difficult to give Rs. 30 per mensem to every new teacher without aid from Government. A witness has suggested that, "the only way out of this confusion seems to be to regulate the expansion of primary education consistent with additional grant Government may be able to set aside from year to year towards maintaining of salaries of all teachers at the minimum level of Rs. 30 per month". We agree.

(iv) Grant for compensatory cost of living allowance

79. The total amount paid as compensatory cost of living allowance subsidy comes to about Rs. 25,00,000. This subsidy has been the subject of great criticism. It involves complicated calculations. The system of subsidy needs to be examined and instead of giving four subsidies it would be advisable if a system should be evolved under which one consolidated amount should be made as a compensatory cost of living allowance subsidy.

(v) Grant for girls' primary schools

80. The State Government have agreed to give to the local authorities grant-in-aid to the extent of one-half approved expenditure on the new schools that may be opened for girls. Considering the greater illiteracy among the girls in the rural areas, it was suggested that in view of the depleted finances of the Janapada Sabhas the Government should give more substantial aid in this respect. The present number of primary girls' schools is 110 and the number of pupils receiving education is 8,230. There is no doubt that some of the girls must be receiving education with boys, but where the local bodies are willing to open separate schools to meet a real demand the grant should be increased to full.

(vi) Grant for aboriginal schools

81. Whenever these schools existed in the non-scheduled areas, they have been transferred to the Janpada Sabhas and a grant to meet the full expenditure has been paid for their maintenance.

(vii) Grant for new primary schools

82. Government pay grants to the Janapada Sabhas for opening primary schools in villages where Gram and Nyaya Panchayats exist at the rate Rs. 812 for a school. A sum of Rs. 13,58,000 has been provided for payment to the Janapada Sabhas for this purpose. Here again there has been criticism from some of the Janapada Sabhas that the grant given is not sufficient. Some of the new schools become very popular and attendance becomes so large that the Janapada Sabhas have been required to maintain two teachers instead of one with the result that the Janapada Sabha is required to meet the pay for the second teacher out of its own revenues. We suggest that Government should consider the question of paying the salary of the second teacher also where the employment of such teacher is justified by the number of the students attending the school.

83. The other grants are not important.

84. There is no doubt that during the last two years there has been a considerable improvement both in the number of the schools and the pupils attending the same. In 1951-52 the number of schools was reported to be 7,900 as against 7,209 in 1949-50 and the total number of students on the roll increased to 698,000 as against 540,000 in 1949-50. The total expenditure has also increased from Rs. 93,31,834 in 1949-50 to Rs. 1,12,74,084. The grant has also been raised from 47 per cent in 1949-50 to about 66 per cent of the total expenditure in 1951-52. The total Government grant under this head is about Rs. 76,00,000.

85. Article 45 of the Constitution of India directs the provision of free and compulsory primary education within the next 10 years. At present there is one school for every six villages or for every 2,311 persons or for every 16 square miles. It means we have yet to travel very far to reach our objective. The question of complete provision of primary education within ten years can be achieved only if the Janapada Sabhas have got adequate finances, otherwise this direction is likely to remain a pious wish. The State Government at present spends 66 per cent of the total expenditure and still they cannot ensure effective utilisation of these funds. The entire question of primary education under the local bodies has recently been examined carefully by the Tarachand Committee. Unfortunately we could not get benefit of its views as the report of the committee has not yet been published.

86. In making our recommendations we assume that the present position of primary education being the primary responsibility of the Janapada Sabhas in rural areas will continue. On this presumption we make the following recommendations.

87. The number of grants given for educational purposes are too numerous and the principles followed are also too many. In the case of voluntary grant there is no principle, while in the case of other grants, different sets of rules which are complicated and difficult in practical working are being observed. A number of long and difficult statements have to be submitted before qualifying for grants. This imposes a great strain on the office of the Janapada Sabhas and generally results in delaying the receipts of grant considerably. We feel that instead of too many grants, it would be better if only two grants are made under this head—one for primary education and the other for other purposes. It is admitted it is not easy to suggest a uniform policy for all Janapada Sabhas as the state of development, financial resources and needs of the various Janapada Sabhas for this service of great national importance vary considerably.

88. The following suggestions have been made:—

- (i) The Janapada Sabhas should contribute a part of expenditure while a major part of it, say about 75 per cent should come from Government and that the system devised should be elastic in nature. The grant should automatically increase or fall and reflect the position of the education in the Sabhas. We have discussed this matter under the head "Voluntary grant" and recommend the system of grant, on capita basis for Government's consideration.
- (ii) We further suggest that in order to even out the inequality of resources between the prosperous and less fortunate Janapada Sabhas some kind of equalisation grant should be given to Janapada Sabhas whose needs are more pressing to enable them to bring the services to a reasonable standard.

- (iii) That the grants should be given in the early part of the year and some kind of simple formulas should be devised to avoid complicated statements.
- (iv) In case Government take up the responsibility of primary education the management should be entrusted to the Janapada Sabhas as an agency function. This will also release certain amount of Janapada Sabha funds for other purposes and enable them to take up expansion of medical and other services more rapidly.

89. There are various other difficulties in the matter of education, for which also Government aid is necessary. They are :—

- (i) Want of inspection and supervision.
- (ii) Lack of trained teachers.
- (iii) Want of enough funds for school buildings.

90. In connection with the supervision and inspection of schools the Director of Public Instruction has stated as below :—

“That the staff provided by the State Government for inspection of schools is extremely inadequate. During the last two years the number of personnel has been further reduced with the result that the inspecting staff has to look after more schools than they can efficiently manage and in Bastar, Raigarh and Surguja the position is still worse. If the standards of education are to be maintained, it is absolutely necessary to increase the staff.”

We agree with him that the supervisory staff must be increased and we further suggest that the services of Assistant District Inspectors of Schools should be placed at the disposal of the Janapada Sabhas not only for inspecting the schools but also to help the Janapada Sabhas in framing their educational policy and other matters connected with the education of the rural areas.

91. With respect to the other two points the Janapada Sabhas' financial position makes it extremely difficult for them to meet the present demand. There is a quite large number of teachers who are not trained. The result is that the standard of education in such schools is not up to the level that is required. The need for normal schools for trained teachers is extremely urgent and pressing. We bring this to the notice of Government for taking suitable action.

92. The condition of a large number of the school buildings has extremely deteriorated. We have been informed that nearly 1,423 schools (including 226 schools in merged areas) either need repairs or require to be constructed. The total estimated cost is about Rs. 46,00,000. The amount required for repairs alone is shown to be about Rs. 2,64,407. The Janapada Sabhas have not got enough funds either to construct or even to maintain and reconstruct old buildings which need repairs. This is rather a sorry position. In our opinion, Government should devise a cheap model of school building which can be constructed by local labour and local materials and the Sabhas should be advised to adopt it. As long as the primary education remains the responsibility of the Janapada Sabhas, Government should give about 50 per cent grant for every new school building and Janapada Sabhas and local people should be required to contribute the remaining half. We have also received the suggestion that if Government are not able to finance construction of buildings, then the income of “E” and “F” class lands in Berar should

be set apart for this purpose. It has also been suggested that a portion of the income from local charity should also be diverted to the improvement of village schools and roads. We recommend that the Government should kindly examine this proposal.

93. Public Health and Medical Aid.—There are in all 440 dispensaries (196 Allopathic and 244 Ayurvedic) in the whole of the State. Central Provinces has got 96 Allopathic and 171 Ayurvedic, Berar has got 53 Allopathic and 46 Ayurvedic and in the merged areas there are 47 Allopathic and 27 Ayurvedic dispensaries. The number of dispensaries as compared with the needs of the rural areas is very small. According to the present figures there is one dispensary for every 46,000 persons in Central Provinces, 30,000 in Berar and 41,000 in the merged areas and about 41,000 for the entire State. There is one dispensary for every 283 square miles. It is obvious that no medical dispensary can serve such a large population dispersed over a large number of villages covering long distances. It is true that the position in respect of medical aid has improved during the last 10 years. This improvement is probably due to the opening of a large number of Ayurvedic dispensaries. In 1942 the average population served by one dispensary was about 66,000 but still the present position cannot be considered as adequate. Some of these dispensaries are ill-equipped and have not enough stock of medicines. The Janapada Sabhas are eager to expand this service, but for want of funds they are unable to do so. The total expenditure incurred by them in Central Provinces and Berar is reported to be Rs. 10,19,874. This also includes expenditure (on vaccination and other public health activities). The grant received from Government under this head in Central Provinces amounted to 8 per cent of the expenditure, in Berar 12.6 per cent and in merged areas 72.5 per cent and for the State as a whole it was 22.1 per cent. The scale of assistance given by Government does not appear to be quite adequate. In the case of grant for health work the position is still worse. According to the present policy of Government they give aid for purposes of public health only if the expenditure incurred exceeds the sum over 12½ per cent of the total income including Government grants to the Janapada Sabhas. This in our opinion does not work equitably for two reasons. In the first instance Janapada Sabha finances are already poor and secondly most of their income about 53.7 per cent comes from Government grants. We, therefore, recommend that the State Government should examine the question of grant-in-aid under this head and should encourage the Janapada Sabhas by liberal grants in this respect. We are not in a position to make a definite recommendation but suggest that the matter should be examined and a more generous grant should be given in this respect.

94. Veterinary Dispensaries.—As regards the Veterinary dispensaries the total amount of expenditure on Veterinary dispensaries in the Central Provinces districts is reported to be about Rs. 2,39,400 and in Berar districts to be about Rs. 88,151. The Government make no grant but only pays for the salary of the Veterinary Assistant Surgeon and his travelling allowances. In merged States, as mentioned elsewhere, Government makes a grant equal to the expenditure incurred for maintaining these transferred institutions. We suggest that the full cost of serum and other medicines should be borne by Government. We have already referred elsewhere that the Municipal Committees should be required to pay 50 per cent cost of these dispensaries in municipal areas.

95. As regards the compensation for loss of revenue on cesses, on account of abolition of malguzari, we have already discussed this matter under the head "Cesses". In this connection we have only one suggestion to make. The compensation should also be given for additional cesses, if this has not already been done. This compensation should be continued to be paid only if our proposal regarding grant in share from State revenues is not accepted.

96. The general purposes grant is a very old grant and amounts to only about Rs. 6,40,000. The history of the grant is that from its origin, it has been treated as a grant-in-aid to the general resources of the former District Councils to allow them to use the full assistance the grant affords them. The principles under which this grant is distributed are given as below :—

- (i) Existing divisional allotment should not be exceeded.
- (ii) The grant to each local body is a single grant and should not be divided under different heads.
- (iii) The existing financial conditions of each body should be carefully considered.
- (iv) The possibility of enhancing the revenue of local bodies by additional taxation should also be considered. In this connection the enlarged powers under the Act should not be forgotten.
- (v) Other things being equal, the very backward district should have a stronger claim. It is desirable that other backward and poorer tracts should be developed.

This grant is at present being distributed on the basis of land revenue. It was intended to act as an equalisation grant but in practice it does not work so, as its distribution is mainly based on Land Revenue. In our opinion, if the grant is to be continued, present basis must be changed, in order to enable backward areas to get more funds. We believe Government are already examining this point. The total population, the number of institutions and the amount spent in various services should be taken into account in fixing the amount for each Janapada Sabha. The grant is, however, so small that it does not make any impress on the finances of the Sabhas. This amount was fixed several years ago and has been in existence since then. In our opinion, if our proposals regarding grant of share from certain sources of State revenues are not accepted then the amount under this grant should at least be doubled. In case our proposals are accepted, the need for this grant would cease and it may be abolished.

97. Compensation for loss of revenue in Berar for old road cess.—The actual amount varies with the actual amount of land revenue collected. It is 1 per cent of the land revenue and is given to Janapada Sabhas in Berar. The amounts given in 1951-52 was Rs. 1,08,382. The contribution known as "Road cess" was payable to District Boards in Berar before the Act of 1920 came into force. This contribution was abolished when the Local Self-Government Act was made applicable in 1923. In order to compensate for this loss, Government have been making this grant. If our proposals about a grant in share from certain sources are accepted, this grant may be discontinued.

98. It will be seen from above that the Janapada Sabhas finances to a large extent depend on Government grants. The total grants form about 48.6 per cent in the Central Provinces district, 45.1 per cent in Berar districts 90 per cent in merged States districts and 53.7 per cent in the State as a whole.

The present income of the Janapada Sabhas from taxation is not very large, in Central Provinces it forms 28.4 per cent, in Berar 21.4 per cent, in merged areas 10 per cent and in the whole the State 21.4 per cent (excluding revenue from cesses). We have already made recommendations elsewhere for strengthening financial resources of the Janapada Sabhas by taxation but as mentioned before, the additional income by acceptance of our proposals will not be very considerable and will not remove the wide difference that exists between the various responsibilities of the Janapada Sabhas and their finances. Janapada Sabhas will need sufficient financial assistance before they can expand social services on a wider and adequate scale for rural areas for which they are mainly responsible. They have got numerous duties to perform and the disparity between these functions and their resources is so great that some kind of subvention should be necessary to enable them to function properly in all the spheres allotted to them. As mentioned above, any effort to obtain further resources only by way of taxation cannot result in any substantial addition to their income. The sources are in most cases inelastic and unfruitful and are incapable of giving large revenues that are needed. In the circumstances, we feel that Government should come to the help of Janapada Sabhas by granting share in the income from certain sources, which are intimately connected with rural areas.

99. We have received suggestions for a share of income from the following State revenues :—

- (i) A share in land revenue (section 75 of the Act).
- (ii) A share in forest income.
- (iii) A share in the income from miscellaneous sources due to abolition of malguzari.
- (iv) Income from public tanks and rivers which have vested in Government on account of abolition of intermediaries.
- (v) All markets which have recently vested in Government.
- (vi) Income from "E" and "F" class lands in Berar that has been brought under cultivation. It should be earmarked for school and construction of roads in the rural areas.
- (vii) A share in the proceeds on sales and entertainment taxes.
- (viii) A part of the income of local charities.
- (ix) Income from the public ferries which are at present being managed by Government.

100. The question of improving the finances of local bodies has been reviewed by a number of committees. The Decentralisation Commission (1907-1908) had made an important recommendation on this subject. It stated :—

"In order to make the boards more independent financially, the 25 per cent Government grant on their land receipts should be distributed rateably to each District Board."

In 1924, the Indian Taxation Enquiry Committee had also made a proposal by which a portion of the land revenue was to have gone to the local bodies. According to Shri Chunnihal Barfiwala, the Lawrence Committee in Bombay in 1950 recommended that a share of land revenue should be credited to the

Local Fund Accounts (Local Finance Enquiry Committee). Recently, the Indian Local Finance Committee, 1951, has also considered this question and recommended the grant of 15 per cent of the land revenue. The Central and State Governments have between themselves appropriated all the sources of elastic and expanding income. The margin of taxable capacity left is very small and is incapable of large increase. The land tax which contributes a large share of income to the local bodies in other countries is mostly appropriated in India by the State. There is, therefore, not much scope left for getting substantial revenue from this source. Since the Janapada Sabhas are engaged in doing important national work of education and development of the rural areas, the local bodies finances should not be treated in a different way. The local bodies claim for help from Government from this source cannot be said to be unjust. According to Mr. Chunnilal Barfiwala—

“The land revenue is an ideal tax for local purposes as it pre-eminently satisfies all canons of local taxation. If, therefore, expenditure incurred by local bodies, has to be met by local taxation it is the Land Revenue that must shoulder the burden. This is specially true in India where there are very few other sources in the rural areas that would yield any appreciable income.”

He has further quoted an eminent authority on taxation in the following words :—

“that throughout the world the reliance for local revenue upon the real estate is not only indisputable but it is in complete harmony with newer theories.” (Local Finance Enquiry Committee.)

101. The position of the Janapada Sabhas in the State is such that they badly stand in need of financial assistance if they have to carry on their duties properly. The difference between their duties and resources as mentioned above is so wide that it cannot escape the notice even of a casual observer. In rural areas land must continue to be the main source of taxation. This revenue mainly comes from the villages. We, therefore, feel that the justification for demand for a share from this source of income from Government seems real. As regards the amount to be given several suggestions have been received. Some people have even demanded 50 per cent share. This demand seems to be extravagant and improper. The proposal made by the Local Finance Enquiry Committee seems reasonable and we recommend 15 per cent of proceeds from this source should be allotted to all the Janapada Sabhas in the State. In Bombay, Madras and Hyderabad, State Governments already make grants from land revenues in those States to the Gram Panchayats. The financial implications of this proposal will be that the State Government will have to give about Rs. 54,00,000 as their share to the Sabhas under land revenue. Of these, Rs. 33,00,000 will go to the Central Provinces Janapada Sabhas and about Rs. 15,75,000 to the Berar Janapada Sabhas and the balance to the Janapada Sabhas in the merged areas. The amount appears to be quite a formidable one but the individual Janapada Sabhas will not get on an average more than Rs. 60,000. The need for this aid is real and should be examined with a view that the State and Sabhas finances should form an integral part of the financial scheme of the State as a whole. We are sure that unless the Sabhas receive substantial help, it would not be possible for them to obtain a sound-footing.

102. We now come to the income from the forest share. In some of the Janapada Sabhas particularly in merged areas, the forest revenue forms a bulk of the State revenue from those areas. There are also some Janapada Sabhas which are mostly forest clad and the areas in their jurisdiction under cultivation is comparatively small. The land is also of poor quality and the assessment of revenue is lower than elsewhere. The total revenue from land revenue is small. They will not, therefore, be benefited to a substantial extent even after getting 15 per cent share from the land revenue. The forest areas enjoy several facilities from the Janapada Sabha in the shape of use of roads, markets and medical aid. The are at present not contributing any income to the Janapada Fund. The total income from forests in Central Provinces and Berar was in 1950-51 reported to be Rs. 2,13,82,686 (Rs. 1,89,06,770 from Central Provinces districts and Rs. 24,75,916 from Berar districts) and in merged areas a sum of about Rs. 77 lakhs about two and a half times the land revenue of those areas. Several witnesses who have appeared before us particularly from those Janapada Sabhas where forest forms an important asset have suggested for at least a share of 10 per cent in their income from this source. Some of them had even suggested the imposition of cess on forest produce. It would be difficult to work out the basis for the cess and would create difficulties in the proper working of the present contract system of exploiting the forests. We, therefore, think it would be administratively better to give a share if Government agree to give a portion of their revenue rather than allow a cess to be imposed on forest produce. We, therefore, suggest that a share of 5 per cent in the forest income should be given to the Janapada Sabhas. The implications of these proposals would be that Government would be required to give about Rs. 14,50,000 for the entire State.

103. We now come to the miscellaneous income derived from rural areas on account of the abolition of proprietors. This includes income from village forests, tanks and sale of tendu leaves and other miscellaneous sources. This, undoubtedly, is a very valuable source of income and according to the estimates furnished to us it comes to about Rs. 40,00,000 per annum. This combined with the additional income of about Rs. 52,00,000 in land revenue due to the abolition of proprietors, will give a total income of Rs. 92,00,000, to Government. It was urged before us that a part of this income should be given to Janapada Sabhas. This is an income which used to be enjoyed by the previous proprietors and Government should share this unearned additional income with the local bodies. We have considered this point. We have been informed that the cost of management of villages alone is likely to be in the neighbourhood of Rs. 1,17,00,000. It is true that the income from village forests may increase considerably in the next five years but in the near future there is no possibility of its increase as there has been a ruthless exploitation of the village forests by the proprietors before the date of vesting. It will, therefore, take some time for these forests to come to the normal conditions. Government have also decided not to charge nazarana on the transfer of tenancy land. It would not appear proper to involve Janapada Sabhas in the difficult task of management of such forests in the present circumstances. The position may be examined when the question of village management has been finally settled and the village forests have attained normal conditions.

104. The next source suggested to us which is related to the income from the previous source, is the income from the public tanks and wells. We have got no figure about the number of tanks that have vested in Government nor have we got any information about the possibility of their development either for fisheries or for irrigation. The income from these tanks has probably been taken into account in the figures of Sawai income that have been furnished to us. There is no doubt that the scope for development of fisheries in Chhattisgarh and other rice-growing districts is very great. One witness at Raipur had suggested on the authority of the Deputy Director of Veterinary Services who had made a close study of the problem that the income from this source can be substantial. As we do not know the number of tanks involved it is not possible for us to work out the financial implications. We leave this matter for consideration by Government. Such tanks may be made over either to Sabhas or to Gram Panchayats and they should be allowed to maintain and appropriate income from them.

105. The next source suggested to us is from markets. We have already discussed this matter previously. There is a number of markets which have vested in Government after the proprietors have been eliminated. About 102 such markets have already been entrusted to the Janapada Sabhas for management in Central Provinces districts. They are already managing them. The only suggestion that we can make under this head is that these markets should be permanently transferred to the Sabhas and their management should not be treated as an entrusted function.

106. We now come to the proposal about the grant of "E" and "F" class lands that have been brought under cultivation in Berar. On this point too we have no exact information. We were, however, told that quite a large area in Berar falls in these two classes and has recently been brought under cultivation. It was suggested that the income from this source which may run into over one lakh of rupees should be allowed to be earmarked for construction of village schools and roads. Some of these lands have already been given over to village schools in some Janapada Sabhas. We recommend this suggestion for Government's consideration.

106-A. We do not recommend grant of any portion of income from sales and entertainment taxes.

107. The next source suggested to us was a share in the income of the local charities. There is a number of temples, Deosthans and Muths which have got large revenues. Where the management of these bodies is in public hands, the question of grant of a share in the income should be examined. We suggest that the Janapada Sabha should be allowed to get a part of the surplus income left after the expenses of management have been met and the District Judge may be appointed as authority to decide the amount of surplus that can be made available.

108. The last point is about the handing over of the proceeds from public ferries. We have no information about the exact number of such ferries but we are told that these ferries are managed by the Public Works Department and the income from this source goes to the same department. It was represented to us by the Jabalpur Janapada Sabha that the income from the ferries and toll tax on the bridges that have been constructed on the Narmada river at Tilwarighat and Gwarighat are quite considerable. The income is

estimated to be about Rs. 30,000 per annum. The Tilwaraghat ferry used to be run by the District Council before the floods of 1926. It was subsequently taken over by the Government and the present bridge was constructed by them. It was represented that the income so far received has already covered the cost of construction. The Janapada Sabha should, therefore, be given a share of income over this bridge and the ferry at Gwarighat. This will strengthen their financial position considerably. We recommend this point for Government's consideration. As regards the other bridges and ferries we suggest that similar considerations should be applied. If the income has already met the cost of construction, in other cases also the question of handing them over to the Janapada Sabhas may be considered.

109. There is no doubt that some of the Janapada Sabhas have not tapped their additional sources to the full, but the number of such Janapada Sabhas is not very large. In their cases, the grant of share from Government revenues should be subject to the condition that they must explore all sources like other Janapada Sabhas before making them eligible for receiving subvention from Government as proposed above.

110. We have referred to the grant of income "E" and "F" class lands to the Janapada Sabhas in Berar and the income from public ferries under certain conditions to some of the Janapada Sabhas.

111. We are also of opinion that in case Government agree to give a share to the Janapada Sabhas in land revenue and forest income, then the justification for continuing certain grants will cease. In that case we recommend that the general purposes grant amounting to Rs. 6,40,000 given to the Janapada Sabhas in Central Provinces and Berar and compensation of 1 per cent of land revenue in lieu of road cess previously levied by the District Boards in Berar amounting to Rs. 1,14,000 and a grant equal to the loss of cess revenue given in Central Provinces and merged areas amounting to Rs. 12,44,000 should be discontinued. As a result of this Government would be making a saving of about Rs. 20, 00, 000.

112. The net financial implications, if these proposals are accepted, would be as below :—

	About		
	Rs.		
(1) Share in land revenue	54,00,000
(2) Share in forest income	14,50,000
Total	<u>68,50,000</u>

Out of this a sum about Rs. 20,00,000 would be saved as we have recommended discontinuance of certain grants mentioned above. If the Government accept to give a share from these two sources of revenue referred to above, the net amount that Government will be required to pay would be about Rs. 48,50,000. In case the share in land revenue and forest income is given, we would also suggest that the existing grants for education purposes should not be raised. Thus, Government would not be required to pay an additional sum of about Rs. 15 lakhs which they would have to pay if our proposal of increasing the grant under education is accepted. Considering

the needs of the Janapada Sabhas both in respect of improving the existing and expanding the facilities for education, public health, medical aid and other welfare schemes, this addition to their revenue by way of subvention by Government cannot be considered to be very large.

113. If our proposal for augmenting income both from taxes and share from Government revenue are accepted, then the increase in income in Central Provinces Janapada Sabhas would be about 41.3 lakhs, in Berar 20.40 lakhs and in merged areas Rs. 11 lakhs. This will come to about 35 per cent (12.4 per cent from taxes and 22.6 per cent from share in Government revenue) in Central Provinces Janapada Sabhas, 47.4 per cent (11.6 per cent from taxes, 35.8 per cent from share in land revenue) in Berar and 42 per cent (14.8 per cent from taxes and 27.2 per cent from land revenue) in merged areas on the present income of the Janapada Sabhas. The present grant from Government forms about 48.6 per cent in Central Provinces districts, 45.1 per cent in Berar and 90 per cent in the merged areas of the total income of the Janapada Sabhas. With the acceptance of the above proposals, the total amount to be paid by Government including grants and share in revenue would come to about 53.6 per cent in Central Provinces districts, 53.5 per cent in Berar and 84 per cent in merged areas of the total new income of the Janapada Sabhas. In the State as a whole the grant will be about 58 per cent of the new income as against 53.6 per cent at present. These increases are quite reasonable. There is a slight decrease in the percentage in the State, as at present the Sabhas are not recovering any cesses and with the acceptance of our proposals they will be collecting about Rs. 3,87,000 under this head alone. This will naturally result in a slight increase in the percentage from taxes and corresponding decrease in the percentage of Government grant over the total revenue of the Janapada Sabhas.

CHAPTER VII.—MERGED STATES

114. The position of Janapada Sabhas with respect to the merged States is different. Instead of a tahsil, each of the states (except Makrai) has been constituted into a separate Janapada Sabha irrespective of the number of the tahsils it has. This accounts for a very wide difference in the size and population of the Janapada Sabhas. There were no District Councils and Local Boards with the result that when Janapada Sabhas were established in the integrated states on the 1st July 1948, they had no institutions of their own to administer or to maintain and no assets to form the beginning of Janapada authority or Janapada funds. They began at a scratch. Government gave them an advance of Rs. 16.25 lakhs to enable them to start with their work. This was subsequently converted into a grant. At the same time Government immediately transferred to them all transferred institutions and functions in compulsory and optional spheres under Local Self-Government Act, 1948, which was also made applicable to these areas.

115. The Janapada Sabhas in the merged areas contain in all 9,428 villages with a population of about 30 lakhs scattered over an area of about 28,642 square miles. The means of communication in most of the States are poor, distances long and difficult to cover. In some of these States, people are primitive. Subjoined chart shows the size of the various Janapada Sabhas and the number of transferred institutions such as schools and dispensaries in each of them :—

Chart showing the size of the various Janapada Sabhas and the number of transferred institutions such as schools and dispensaries in each of them.

Name of Janapada Sabha	Area	No. of villages	Population	No. of schools	Boys attending	No. of dispensaries	No. of patients treated	No. of veterinary dispensaries	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Bastar ..	13,059	2,597	737,964	192	17,500	17	74,845	4	
Kanker ..	1,428	557	157,065	58	4,942	5	69,653	2	
Raigarh ..	1,056	779	291,809	78	7,380	3	..	1	
Jashpur ..	1,762	650	250,940	49	3,497	4	1,567	1	
Udaipur ..	677	298	134,018	47	5,712	2	9,481	1	
Sarangarh ..	341	457	135,135	48	3,940	2	15,066	1	
Sakti ..	106	125	527,722	27	2,100	..	..	1	
Surguja ..	5,921	1,789	640,661	217	19,000	12	39,853	1	
Korea ..	1,233	468	136,214	106	7,773	8	60,533	4	
Changbhakar	1,224	173	24,100	28	1,405	4	11,785	1	
Khairagarh ..	625	490	162,276	43	3,850	3	2,000	1	
Rajnandgaon	736	528	195,544	73	9,753	7	83,714	6	
Kawardha ..	338	393	76,458	42	2,144	7	32,400	..	
Chhuikhadan	136	104	30,414	..	..	..	..	..
Total ..	28,642	9,428	3,025,120	1,008	88,996	74	400,807	25	

116. There is, unfortunately, no information available about the various institutions that existed in the different Janapada Sabhas at the time of integration. The only figures that we have been able to secure are the total number of schools and certain other institutions existing in all the states on the date of merger. At present (excluding Chhuikhadan for which figures are not available), the total number of schools is 1,008 as against 614 in 1948. There is thus at an average one school for every nine villages as against for about 15 villages in 1948. This means considerable expansion in this direction. In the case of human dispensaries, the position is not quite clear. There are at present only 74 dispensaries—47 Allopathic and 27 Ayurvedic in the entire States. They serve about 9,428 villages, scattered over an area of about 28,640 square miles. In the case of veterinary dispensaries, we have been informed that the position has not undergone much change. Their number is 25. The work done by the Sabhas in the last four years in respect of education and other social services has been sufficiently encouraging. In education, the expansion has been remarkably good. In other spheres too, the work done has been fairly satisfactory though it is not so spectacular as in education. The main reason has been the lack of finances.

117. We now proceed to consider the financial resources of the Janapada Sabhas. From the reports received we find that the sources of income are not too many. The total income of all the Janapada Sabhas, from different sources, is shown below :—

	Rs.
(i) Market fees and taxes	1,01,153
(ii) Cattle-pound income	1,50,117
(iii) Miscellaneous sources including ferries	65,842
(iv) Government grants for various purposes	26,55,150
(v) Cess income (including grant)	2,17,747
Total ..	31,90,009

It will thus be clear that the Janapada Sabhas in the State, are mainly dependent on Government to finance their activities. Out of the total income of Rs. 31,90,009 the Janapada Sabhas in the merged areas in 1951-52, got a sum of Rs. 28,72,897 (including subsidy and cess grant) as grant from Government for various purposes. This comes to about 90 per cent of the total income of the Sabha. The balance which forms about 10 per cent has been got from market fees, cattle-pound charges and other miscellaneous sources. The present financial position of the Janapada Sabha cannot be considered sound. The need for developing social services such as education and medical aid is extremely great. The needs of these States are numerous. The means of communications are poor as mentioned elsewhere. The funds are badly needed for developing and improving them.

118. We have received various proposals for improving the finances of the Janapada Sabhas. They relate either to the levy of the taxes from people or contemplate increase in grant from Government either in the form of share from certain State revenue or in the increase of existing grants.

119. The suggestions are—

- (i) Imposition of cess under section 85 of the Act as in the rest of the State.
- (ii) Improving the income from markets and cattle-pounds.
- (iii) Development of fisheries.
- (iv) Imposition of taxes on sale of coal from coal mines in the State.
- (v) Imposition of cess on forest produce.
- (vi) Increase in grants or share of 25 per cent to 50 per cent from State revenue from—
 - (a) Land Revenue.
 - (b) Forest.
 - (c) Excise.

120. Compulsory cess which forms about 15 per cent of the source of income of Janapada Sabhas in Central Provinces districts and a little over 22 per cent in the Berar districts, brings no revenues in the merged areas. It appears for political reasons, provision of section 85 of the Act under which compulsory cess is leviable were modified in its application to these areas, in such a way that the tenants and ryots were excluded from its operation and cess was recovered only from the tenure-holders. With the abolition of intermediaries in 1951, the tenure-holders ceased to exist and the present position as mentioned above is that no cess is recoverable under section 85 of the Act in these areas. The income from this source is shown to have been about Rs. 1,37,000. Government have no doubt compensated the Janapada Sabhas for this loss, but the ryots and agriculturists still continue to enjoy exemption from this cess. In the course of our enquiry, a number of witnesses from merged areas, both non-officials and officials, have expressed opinion that section 85 should be re-amended in such a way in its application to merged areas that it should be possible for the Janapada Sabhas to recover cess from the ryots and the agriculturists as in other parts of the State. This modification is necessary. There are apparently now no reasons for the agriculturists continuing to enjoy this exemption. It was also brought to our notice that in some of the states, the agriculturists are already paying cess under the former State Wazib-ul-arzs. The cesses are for various purposes. The position in regard to them is that cesses corresponding to those for which provision has been made in sections 85 and 86 of Act, have been discontinued, while the other cesses are still being levied. A statement showing the existing position is given in Appendix VI. They are being collected with land revenue and are credited to State revenues. In Korea, they are reported to be treated as a part of revenue. The exact amount from these sources is not known but one estimate was in the region of about 2 lakhs. The question whether they should be retained or not is being examined separately by the appropriate departments. We have stated the above facts only to show that certain kinds of cesses are still being recovered and credited to Government. It is but fair that Janapada Sabhas should not be deprived of this important source of income. We are of the opinion that the stage has been reached for the people to make contribution towards a part of the expenses of social services like education, medical aid, etc., in the form of cess. The general opinion of the witnesses was that if possible additional cess should be abolished and the compulsory cess should be raised to 2 annas per rupee of the land revenue. We have for the rest of

the State recommended the merger of both the cesses into one and make the entire amount recoverable as compulsory cess. We suggest the same thing about the Janapada Sabhas in the States with this modification that instead of three annas proposed for the rest of the State, in these areas the compulsory cess should be recoverable at two annas per rupee. We also submit that the Government should examine the position about the other cesses which are at present being levied from two points of view—

- (1) Whether they should be continued; and
- (2) In case they are to be retained, whether they should be assigned to Janapada Sabhas?

121. The total income from land revenue and rent assessable by Government after the date of vesting of proprietary rights in them comes to about Rs. 31,00,000. The cess at annas two on this sum will be about Rs. 3,87,500 and at one anna and six pies will come to about Rs. 2,90,100. If the Act is amended as proposed, this will mean a substantial increase in the Janapada income and will be about 12 per cent of the present total income, if the cess would be recovered at annas two and about 9 per cent if at the rate of one anna and six pies per rupee. The income from market and cattle-pounds is reported to be Rs. 1,01,153 and Rs. 1,50,117, respectively. At the time of integration there were 188 markets. Their number has undoubtedly now been raised to 226. The exact number of cattle-pounds before merger is not known. Their present number is 413. It appears that the income under both heads is also capable of being expanded. It is for the Janapada Sabhas to examine the possibility of—

- (1) Raising the market fees.
- (2) Notifying new markets.

The possibility of increasing cattle-pound fees and feeding charges also deserves to be examined. We, do not, however, expect substantial increase under these heads in the near future.

122. The next suggestion is about the development of fisheries. It was suggested to us that this is a fruitful source of income. A number of tanks is said to have vested in Government owing to the abolition of the proprietary rights. There is however no information before us on this point. We were, however, told on good authority at Raipur that the income from this source is likely to be considerable. The Chief Executive Officers concerned should be directed to examine this matter.

123. The witnesses from Surguja and Korea were very keen about the imposition of tax on sale of coal from the coal mines. These are important coal-fields in the State and their output is said to be very large. They export a considerable quantity of coal both inside and outside the State. The question of legality of tax on the sale of coal was examined in the case of Chhindwara Janapada Sabha and it was found that a tax on the sale of coal which is exported outside the State cannot be levied as it contravenes the provisions of Indian Constitution. There is, however, no objection to the imposition of tax on coal sold inside the State. Here again we are unable to give any definite opinion as we have got no figures of the sales of coal inside the State. We were told that the sales are mostly outside the State. If that is so, the income under this head is not likely to be of considerable help to the Janapada Sabha concerned. We recommend that this matter should be further examined.

124. Then there was a suggestion of imposition of cess on forest produce. In our opinion, the imposition of the cess is likely to create difficulties in the Forest administration. We are, therefore, not in favour of imposition of this cess.

125. We suggest that a tax on non-agricultural income on the lines suggested by us for the rest of the State, should be imposed in these areas also. We cannot give an estimate of income from this source, but probably it will be about Rs. 1½ to Rs. 2 lakhs per annum. This will be no small gain to the Janapada Sabhas.

126. We now come to the grants given to the Janapada Sabhas. The grants to the Janapada Sabhas as mentioned above constitutes about 90 per cent of their income. In 1948-49, after the merger, the transferred institutions such as schools, human and veterinary dispensaries were managed by Government till the Janapada Sabhas were established. They were transferred to them soon after the Janapada Sabhas came into existence. In the beginning Government gave an advance of Rs. 16.25 lakhs which was later converted into a grant. These grants were however continued till 1950-51 and were made on *ad hoc* basis to the different Janapada Sabhas for maintenance of all transferred institutions and essential constructional works. This kind of distribution resulted in inequalities, some states got more than what they would have ordinarily been entitled to and while other Janapada Sabhas received less. A new and more equitable formula had, therefore, to be devised from 1951-52. Local Self-Government Department which used to pay the grant for the maintenance of all institutions from 1951-52 now pays only a grant of about Rs. 3 lakhs for essential constructional works such as new school buildings and roads. The different departments of Government which were concerned with the institutions transferred to Janapada Sabhas for management pay grants to Janapada Sabhas to cover full expenditure on transferred institutions. In accordance with these revised principles, each department paid in 1951-52 grants to the Janapada Sabhas as shown below :—

	Rs.
(1) For transferred institutions by Education Department	13,91,414
(2) Subsidies and to raise pay of teachers	3,31,269
(3) For transferred institutions by Medical and Public Health Department (including vaccination)	2,31,166
(4) For transferred institutions by Veterinary Department	63,242
(5) Under Backward Area Scheme	2,08,118
(6) For new schools by Education Department	60,256
(7) Libraries	2,217
(8) For essential construction work by Local Self-Government Department	2,72,608
(9) Other grants (including cess grant)	3,12,609
Total ..	28,72,899

It will thus be seen that the grants given by Government are quite large. In the chapter on "Grants-in-aid" we have recommended that educational grant should be paid on per capita basis. The same principle should be

applied in merged states also. In respect of grants, the State Government should pursue an uniform policy all over the State and our recommendations about grants-in-aid are applicable to merged states also. Another thing that we can suggest is that the grants should be given to the Janapada Sabhas in as early a part of the year as possible. It was admitted by some departments that the grants were delayed because that was the first year in which the departments had to give grants and that the information given was found to be incomplete. We suggest that this should not occur in future.

127. The need for providing education and other social services for these areas is real. The Janapada Sabhas can expand these services only if they have enough funds. We have already considered the measures that can be taken immediately to increase the Janapada Sabhas' finances. Even if all the suggestions given above are accepted, the increase will not be so great as to enable the Janapada Sabhas to undertake activities on a large scale. The general opinion was that the people of most of the States are backward. Their income level is low and they would not be able to bear any more taxes than what we have recommended. They wanted, therefore, that Government should give a share of proceeds from land revenue, forest and excise. Some of non-officials wanted even 50 per cent of the income from these sources. The request for grant of a share from excise revenue does not seem to be justified. No reasons have been adduced why excise income should be given. As regards the forest income, it forms a bulk of the State revenue. Janapada Sabhas in some respects provide facilities in the shape of roads and medical aid. There is also another reason for which Sabhas should get share from this source. The land cess which forms the main source of income for local bodies elsewhere cannot yield a large income in these areas as the land is poor and the pitch of assessment is low. The income from land revenue before vesting was estimated to be about Rs. 20,00,000 and is now reported to be about Rs. 31,00,000 while the income from forests is reported to be about Rs. 77 lakhs per annum. A large part of the area in the State is under forests. We, therefore, feel that Janapada Sabhas in these areas should get some share both from the land and the forest revenue. In the case of land revenue the demand for 50 per cent seems to be unduly high. We, however, recommend a grant of 15 per cent share under this head and 5 per cent from the forest revenue as for the rest of the State. The financial implications of these proposals would be that the Janapada Sabhas will get about Rs. 4,65,000 as their share from land revenue and about 3.85 lakhs as their share from forest areas. This combined with the income from the cesses which if imposed from the ryots will bring an additional income of about Rs. 14 lakhs that is about 44 per cent of the present total income. It will considerably improve their financial position and afford them much needed relief in their present difficulties which they experience in undertaking new works. As a result of acceptance of our proposals the present small gulf existing between expenditure and income in respect of some of the Janapada Sabhas is not only likely to be bridged but will leave enough margin for undertaking more works of Public usefulness.

128. In establishing Janapada Sabhas in merged areas, their size, population and financial resources were not considered. The only criterion observed was that the integrity of former states was to be maintained. The result has been that in some cases such as Sakti (104 sq. miles), Chhuikhandan

136 sq. miles), Sarangarh (314 sq. miles) and Kawardha (339 sq. miles), very small and uneconomic units have been constituted into Janapadas. At the other end, there are units like Bastar (13,059 sq. miles) and Surguja (5,921 sq. miles) which have got a number of tahsils and Zamindaries and are clearly too big and unwieldy for one unit. The means of communications are very poor in these two Janapada Sabhas and the population is scattered over a large area. In the rest of the states also there are some Janapada areas which are not viable, but the position in the integrated areas is worse in this respect. The witnesses from some of the State Janapada Sabhas have also pressed for readjustment of the boundaries of small Janapada Sabhas. The cases of Bastar and Surguja for splitting them up into at least two Janapada Sabhas each are very strong. We have already suggested elsewhere broad principles that may be followed in delimiting the boundaries of the Sabhas and we recommend that the same may be applied to the Janapada Sabhas in the former states also.

129. We have also been asked to examine the proposals made by Chief Executive Officer, Bastar, regarding the appointment of Tahsildars for each tahsil in the Janapada area to act as Deputy Chief Executive Officers of those parts of Janapada Sabhas that fall into their area. We have examined the proposal and we agree that in view of the peculiar position of Bastar Janapada Sabha, which has six tahsils and to Zamindaries covering a total area of about 13,000 sq. miles, it is essential to have an immediate officer in each tahsil for carrying on the Janapada work, to have control and supervision over the Janapada staff and to look to the management of institutions falling in their jurisdiction. Some of the areas are at such a long distance that in the absence of swift communications such as motor buses it takes 10 to 15 days to reach Jagdalpur the present headquarter of the Janapada Sabha. The Deputy Chief Executive Officer will be of considerable help and can be given the following powers :—

- (1) Supervision and management of Janapada institutions.
- (2) Auction of ferries, markets and render aid for collection of taxes of Janapada Sabha, if any.
- (3) To exercise control over the local staff with power to grant them casual and short leave in anticipation of Chief Executive Officer's sanction.
- (4) To look to the repairs of buildings.
- (5) In respect of entrusted functions he will carry out these duties under the general control of the Chief Executive Officer.

All these powers can be delegated to the Deputy Chief Executive Officer by Chief Executive Officer under section 59 of the Act.

130. As regards co-ordinating the work of these Deputy Chief Executive Officers, it will be the duty of the Chief Executive Officer to exercise general supervision by frequent tours and by asking for the periodical reports and statements regarding the work given to them. From the enclosed statement (Appendix VII) it appears that in some of the tahsils, the Deputy Chief Executive Officers will have enough work and we recommend this proposal for Government's consideration.

CHAPTER VIII.—OTHER ADMINISTRATIVE PROBLEMS

131. As in the case of every new scheme, the infant Janapada Sabhas have also a member of administrative and other difficulties. Some of these matters have already been mentioned while discussing specific issues in the preceding chapters. A further reference to such problems which have already been considered has as far as possible been avoided.

132. Except in the merged areas where the integrity of the former states has been maintained by constituting every state (with the exception of Makrai) into a separate Janapada Sabha, every tahsil or taluq in the rest of the State has been made into an independent Janapada Sabha. Thus, we have at present 14 Janapada Sabhas in the merged areas and 82 in the rest of the State (one for each tahsil)—total 96. The following table shows the average size, population and income of Janapada Sabha in each of the three different regions of the State and for the State as a whole :—

(1)	Central Provinces District (2)	Berar (3)	Merged areas (4)	State as a whole (5)
Area	1,321 square miles	803 square miles	2,045 square miles	1,308 square miles
Population	203,242	137,991	216,080	190,161
Income	Rs. 1,91,469	Rs. 2,04,689	Rs. 2,03,158	Rs. 1,96,039

A reference to the chart (Appendix IV), however, shows that certain Janapada Sabhas are very unwieldy and much bigger in size than the average quoted above, both in area and population and there are others which are too small. For instance, Janapada Sabha, Sakti, in the merged States has got an area of only 104 square miles and population of 52,000 persons while Bastar Janapada Sabha has got an area of 13,059 square miles and 737,000 population. In the Central Provinces districts also there is the Mahasamund Janapada Sabha with an area of 3,762 square miles (almost 1½ times the size of the whole of the Wardha district) and a population of 544,000. On the other hand, there is Seoni-Malwa Janapada Sabha with an area of 520 square miles and a population of about 62,000 persons. The actual position of the various Janapada Sabhas regarding their size, population and income is given in the following tables:—

Table I (Area)

Area in square miles (1)	Total number of Janapada Sabhas (2)	Details of Sabhas (3)
Below 500 square miles	6	(Central Provinces nil, Berar 2 and merged areas 4.)
Between 500 and 1,000 square miles ..	37	(Central Provinces 20, Berar 14, merged areas 3.)
Between 1,000 and 1,500 square miles ..	32	(Central Provinces 23, Berar 5, merged areas 4.)
Between 1,500 and 2,000 square miles ..	12	(Central Provinces 10, Berar 1, merged areas 1.)
Over 2,000 square miles	9	(Central Provinces 7, Berar nil, merged areas 2.)

Table II—Population

Population (1)	Total number of Janapada Sabhas (2)	Details of Sabhas (3)
Below 1 lakh	9	(Central Provinces 3, Berar 2, merged areas 4.)
Between 1 and 1½ lakhs	25	(Central Provinces 16, Berar 6, merged areas 3.)
Between 1½ and 2 lakhs	22	(Central Provinces 12, Berar 8, merged areas 2.)
Above 2 lakhs	40	(Central Provinces 29, Berar 6, merged areas 5.)

Table III—Income

(Including population of urban areas except in the case of Nagpur and Jabalpur Corporations where this population has been excluded).

Income (1)	Total number of Janapada Sabhas (2)	Details of Sabhas (3)
Below 1 lakh	11	(Central Provinces 6, Berar 1, merged areas 4.)
Between 1 and 1½ lakhs	16	(Central Provinces 13, Berar 2, merged areas 1.)
Between 1½ and 2 lakhs	24	(Central Provinces 13, Berar 8, merged areas 3.)
Above 2 lakhs	45	(Central Provinces 28, Berar 11, merged areas 6.)

Thus the areas, population and financial resources of the various Janapada Sabhas vary considerably. On the one hand, we have very small Janapadas with a small population and poor financial resources. On the other hand, we have very large Janapada Sabhas having areas of several thousand square miles with very big population inhabited in those areas. There are also Janapada Sabhas which have got quite considerable areas, but have got small population. For instance, Sironcha has got an area of about 3,000 square miles, but has got a scanty population of 94,000 persons. Melghat has got an area of 1,544 square miles but its population is only 51,000. Similarly, Changbhakar has got an area of 1,224 square miles with 24,000 souls only. There are one or two Janapada Sabhas which though not very large but are very thickly populated. The Janapada Sabhas of Baloda-Bazar, Bilaspur and Janjgir have got large populations. In fact, Janapada Sabha, Janjgir, has got the largest population for any single Janapada Sabha in the State except the two Janapada Sabhas of Bastar and Surguja. The income of the Janapada Sabhas also vary considerably. There are 11 Janapada Sabhas which have got income below Rs. 1,00,000. Some of these Janapada Sabhas are quite large in size and have got enough population, but their financial capacity is very poor and they are clearly not viable units. Similarly, 16 Janapada Sabhas whose income is between Rs. 1 and Rs. 1½ lakhs per annum are practically living from hand to mouth. It is difficult for them even to maintain existing services at a reasonable standard. As regards the 24 Janapada Sabhas which have got an income between Rs. 1½ and Rs. 2 lakhs they can just maintain to keep the services going, but have very little scope for expanding them further. Thus the position as it stands cannot be considered to be happy. We learn that the question of having the Janapada Sabhas of appropriate sizes was considered by Government, but was postponed in 1950 for the third phase of the Janapada Scheme.

133. There is a general agreement on the point that some of the Janapada Sabhas are too small and some of them are too big. The following suggestions have been received :—

- (1) That we would revert to the old system of district being the unit.
- (2) That one or two Janapada Sabhas may be merged and made into one unit.
- (3) That the tahsil should be continued to be the unit of Janapada Sabhas with readjustment of boundaries.

134. We have considered all these points. The general opinion is in favour of maintaining the tahsil as an unit of administration. The experience of the District Councils had shown that the district was in many cases too big an unit of administration. It was difficult to stop the representatives of larger tahsils to grow and expand at the cost of the smaller ones. The development of the district in respect of certain services provided by the Janapada Sabhas was also not equally spread over all the parts of the district. Certain tahsils received very favourable treatment. As regards merging of two or three Janapada Sabhas into one, the opinion expressed is that this is not likely to work properly. We agree that the tahsil having received autonomy in this respect, the present unit should be maintained.

135. It was admitted that some of the Janapada Sabhas were too small. The remedy suggested for this is to redraw the boundaries and make as far as possible each unit of a suitable size. They should be so constituted that they should be of proper size with enough population and adequate resources. The boundaries of the tahsils were fixed several decades ago, while those of the merged states were fixed on historic traditions. With the merger, these considerations have become obsolete. There should be no objection to combine smaller units and thus make the combined unit large enough to cope with the various problems arising in Janapada areas properly. The needs of proper management of Social Services must overpass the urgency of traditions. The State Government have power under the Act to alter the areas of the Janapada Sabhas. We have not been able to make a detailed examination of this question as this was not specifically included in our term of reference, but we have made a general examination. We suggest the following general principles for consideration :—

- (i) There should be no Janapada Sabha for less than 1½ lakhs population.
- (ii) The area should be between 750 to 1,500 square miles. There should be no objection in backward tracts to have bigger areas.
- (iii) No Janapada Sabha should have less than Rs. 1½ lakhs income including the increase that would result in income by the acceptance of our proposals.
- (iv) Tahsil should as far as possible be maintained as an unit of administration and no non-viable units should be allowed to continue.
- (v) In merged areas, the boundaries of the present Janapada Sabhas should be so drawn as to make each one of them of a suitable size. The integrity of states need not be insisted upon.

136. Tahsil as an unit of administration has also its disadvantages. The district area is too big for the discharge of certain duties while in certain other respects the tahsil is too small an unit. This is not peculiar to us alone, but

is the experience of Local Authorities elsewhere also. This difficulty has chiefly been experienced in respect of maintenance of construction of roads and to a certain extent of other Public Works Department works. The policy adopted by Government some years ago of entrusting their roads and buildings to District Councils for maintenance on a percentage basis had enabled the former District Councils to have enough Public Works Department staff including a District Engineer. Its duty was not only to look after the transferred Government roads and buildings, but also to the District Council roads and buildings. With the abolition of the District Councils, great difficulty is being felt in respect of management of these roads. No individual Janapada Sabha is sufficiently strong financially to maintain a District Engineer. The present policy of Government regarding maintenance of transferred works and execution of original work is still the same and in pursuance to it Janapada Sabhas have been entrusted with the work of maintaining a large number of State buildings. In Amravati, Akola, Buldana, Nimar, Durg, Betul, Chhindwara and Chanda districts they have also been given a very large length of road for maintenance. The table below gives the length of roads and allowance fixed for their maintenance:—

Name of district	Length of road in miles	Road service allowance (printed 3 times)
(1)	(2)	(3)
		Rs.
(i) Amravati	132 1/2	64,920
(ii) Akola	119 7/16	69,508
(iii) Buldana	162/117/32	64,875
(iv) Nimar	47 15/16	13,910
(v) Durg	130 1/4	16,890
(vi) Betul	72 1/16	9,340
(vii) Chhindwara	81 1/4	21,210
(viii) Chanda	111 1/4	19,875
Total ..	857 7	2,80,528 × 3 = 8,41,584

Thus about 857 miles of road has been given to the Janapada Sabhas for maintenance and they are also being given in addition to the usual allowance of Rs. 8,42,000; a further sum of Rs. 1,00,000 for renewal of roads. Unfortunately, however, owing to Janapada Sabhas' inability to maintain superior Public Works Department staff the maintenance work has considerably suffered. In September 1951, the State Government had, therefore, ordered that the transferred roads in Amravati, Betul and Buldana should be resumed but subsequently Government postponed the resumption of the transferred roads in Amravati and Betul districts till the 31st March 1953 and cancelled that of the Buldana district. In all these cases supervision charges at 15½ per cent are paid to the Janapada Sabhas. It is not known definitely whether this entire amount was spent, but it appears that most of that amount was spent.

137. In addition to Government works, the Janapada Sabhas have got their own roads. In Central Provinces Janapada Sabhas, the total length of the road is now shown to be 2,959 as against 3,127 miles in the time of the old District Councils. In Berar, the length is shown to be 505 as against 497 miles in the pre-Janapada period. Taking the total for both Central Provinces and Berar there is a slight decrease in the length of the roads. We have been informed that during these four years roads have been badly neglected and the Janapada Sabhas have failed to maintain them properly. It has been reported that the annual maintenance of these roads alone, according to the scale of the Janapada Sabhas, should have come to about Rs. 9,00,000. The Janapada Sabhas have, however, spent only about Rs. 5,36,000. This amount is clearly insufficient for the purpose. In the case of Government roads, the amount provided is about Rs. 1,100 per mile. This, of course, includes certain amount to be spent on renewal of the roads which had deteriorated considerably and to bring them to the standard of the Government roads elsewhere. The improvement of means of communication is one of the most pressing need of the rural areas. We suggest that the Janapada Sabhas should be asked to draw up a plan for opening new roads and they should earmark certain sums for this purpose out of their revenues.

138. The present position in respect of this matter is far from satisfactory. The difficulty can be met to some extent if the Janapada Sabhas agrees to have a joint office for this purpose under section 51 of the Act. The joint office can be established under the above provision only by voluntary association of the various Janapada Sabhas. An attempt has been made in the Akola district, but we are informed that this arrangement has not proved successful. In the absence of proper organisation for this work, it would be difficult for the Janapada Sabhas to manage the roads properly.

139. The following two suggestions have been made in this respect:—

- (i) Government should resume all roads which they have transferred to the Janapada Sabhas and maintain them through their own staff and they should also take over the Janapada roads and the maintenance cost of such roads should be a charge on the Janapada funds. We do not recommend this course.
- (ii) There should be one board of all the Janapada Sabhas in the district. The power of direction and maintenance of roads should be vested in this body. The body should consist of all chairmen, Public Works Department, Standing Committees of the various Janapada Sabhas in the district and the Executive Engineer or his nominee who should also be a member of this Board. The District Engineer employed by this Board should act as a Secretary. The duties of this Board should be—
 - (1) To manage all Government transferred works.
 - (2) To maintain Janapada roads on terms to be decided between the Board and the Janapada Sabha concerned.
 - (3) Execution of the major work of the Janapada Sabha.
 - (4) Giving administrative sanction to the plans and estimates prepared by the Janapada Overseers.
 - (5) This Board should frame its own budget and employ its own staff. It should also have power to general supervision and inspection over civil work of the Janapada Sabhas in its charge.

140. This will enable the Janapada Sabhas to maintain their roads and buildings properly. At present the roads and the buildings have been sadly neglected and unless the matters are put right in time, renewal alone will cost as much as construction of new roads. We recommend for Government's consideration the establishment of boards suggested above.

141. The division of Janapada Sabhas into two categories—major and minor—has resulted in a considerable loss in efficiency and delay in disposal. It will be seen from the map of the Janapada Sabhas that is enclosed with the report that this division has not in some cases been properly made. For instance, Janapada Sabhas like Rehli, Gadarwara, Sohagpur and Morsi have been classed as minor Janapada Sabhas. They are quite big units both in size and financial resources. The Janapada work is also heavy. There are other Janapada Sabhas also which require constant presence of the Chief Executive Officer. According to the present arrangements 58 Chief Executive Officers among themselves hold charge of 96 Janapada Sabhas. In some places the Chief Executive Officer has got one, in some two and in two places he is in charge of three Janapada Sabhas. When this division was made, instructions were clearly issued to the Chief Executive Officers to visit minor Janapada Sabhas regularly for seven to ten days in a month, but unfortunately this direction has not been followed. There is no doubt that the present arrangement has resulted in a considerable saving in expenditure and man-power, but it has caused delay and inconvenience to the people. There has also been loss in efficiency. The present practice of Deputy Chief Executive Officer-cum-Tahsildar carrying on day-to-day administration in minor Janapada Sabhas cannot be considered to be successful. The complaint has been both from the officials and the non-officials. The official view is that the Tahsildar has neglected revenue collection and other revenue work. The non-official view is that the Tahsildar has not paid proper attention and enough interest in the Janapada work as this work is not his responsibility. The Chief Executive Officer is primarily responsible for the administration of the Janapada Sabha. We are, therefore, of opinion that there should be an independent Chief Executive Officer for each Janapada Sabha. If our proposal of giving separate Chief Executive Officer for each Janapada Sabha is not accepted, the Deputy Chief Executive Officer should be made primarily responsible for the work of the Chief Executive Officer in minor Janapada Sabhas. He should have all the powers of the Chief Executive Officer for day-to-day administration and papers should not be required to wait for the Chief Executive Officer.

142. The next difficulty which acts as a stumbling block to the proper performance of the functions of the Janapada Sabhas is the apathy and indifference displayed by the councillors. This is clearly shown by figures of number of meetings of Janapada Sabha and various standing committees that were adjourned for want of quorum during the past three years. In the first year, the Janapada Sabhas started well and the number of meetings of Janapada Sabhas adjourned for want of quorum was only 7.5 per cent in Central Provinces Janapada Sabhas, 5 per cent in Berar and 7 per cent in merged areas. In 1951-52 the number rose to 22 per cent in Central Provinces, 33 per cent in Berar and 30 per cent in the merged areas. In the case of standing committees the position has been worse. The finance standing committee which is the most important committee and has to deal with all financial matters had a very large percentage of meetings adjourned. In the

first year the percentage was 18.5 in Central Provinces districts, 20.2 in Berar and 24.4 in merged areas. In 1951-52, there was a sharp rise in the number of meetings adjourned for want of quorum and it was 35 per cent in Central Provinces, 33.7 in Berar and 52.56 in merged areas. The statement showing the percentage of adjourned meetings of the Sabha and various standing committees in Central Provinces and Berar and merged areas for the past 3 years is enclosed. (Appendix VIII.)

143. In the scheme, the Sabha, the office-bearers, the standing committees and the Chief Executive Officer have been allotted certain duties and have their part to play. Some of the councillors have not enough spare time to devote to the Janapada work as they are too busy in their own work. It was mentioned that the councillors find it very difficult particularly from the area within a radius of five miles from the headquarter of the Janapada Sabha to attend every meeting of the standing committee without being compensated for out-of-pocket expenditure incurred by them. This appears to be one of the main cause of such a poor attendance of the councillors at the various meetings. It has been suggested that in order to encourage the councillors to take more lively and intelligent interest in the work, they should be paid a daily allowance of Rs. 3 per day to attend from within five miles. This modification in the rules will go a long way to create more interest in the councillors. What is needed is general and individual interest by the councillors. "Eternal vigilance" is described as the "the price of liberty". It may be added that it is equally essential for "good Government". The councillors should act as a dynamic force and then alone the Sabha, standing committees and the Chief Executive Officer can keep the wheels of administration moving properly.

144. The next difficulty is in respect of the administration of the public health department. It is Sabha's duty to promote vaccination. It has also got power to appoint and control vaccinators. It has also to look up to the public health, sanitation, purity of food, adulteration, prevention of epidemics, social hygiene and welfare work. The performance of these duties cannot be done properly unless the Sabhas have got qualified persons to look to these functions. At present the Sabha is only looking to the few allopathic and ayurvedic dispensaries. They have got a staff of vaccinators, but there is no proper supervision over them and most of the above duties are not being carried out for want of staff and equipment. We recommend that the State Government should place at the disposal of each Janapada Sabha the services of a qualified Assistant Health Officer who should also be in charge of the public health department of the Janapada Sabha.

145. The difficulties experienced in matter of education have already been referred under the head "Grants".

146. Another factor which has made Janapada Sabhas difficult to achieve satisfactory results is the part played by the staff, bulk of whom is from the former District Councils. Some of them look forward for their support from party groups. Their efficiency has never been considered high. Even now some of them bank upon influential non-official support for their promotion. Party neutrality is absent in them.

147. A capable and an honest official machine is the *sine qua non* of an efficient and proper working of any organisation. It is on the services that the day-to-day administration rests. The controlling and directing authority

can produce satisfactory results only if it has got a band of qualified, honest and trained officials to carry out its orders. The position in this respect, as mentioned above is, however, not quite happy.

148. It is, therefore, necessary to devise ways to improve and convert the official machinery into an efficient body.

149. Experience has shown that three things are essential for satisfactory organisation of permanent services:—

- (a) Recruitment by merit.
- (b) Security of tenures with fair and reasonable scope for promotion.
- (c) Freedom from party affiliation.

150. The position in respect of recruitment or appointment in the Janapada Sabhas is that the Janapada authority has under section 70 of the Local Government Act, subject to rules prescribed by Government, power to recruit and employ such staff as it deems necessary to carry out its work. Officers of the Sabha are broadly divided into three groups:—

- (a) Holders of posts of Secretary, Health Officer, Engineers and such other specified officers whose salary exceeds Rs. 150 per month (section 68). In their case Government's approval is necessary both in regard to appointment and disciplinary action.
- (b) The second class includes a variety of officials whose salary is between Rs. 50 and Rs. 150 per month.
- (c) The remaining officials whose salary does not exceed Rs. 50 per month constitute the last and junior group.

The senior appointments are made by the appropriate standing committees and when an appointment refers to a post which concerns to more than one department than a committee consisting of Chairman, Janapada Sabha, and Chairmen of all the Standing Committees. The same authority has got power to punish them subject to certain safeguards. The appointment to junior sanctioned posts is in the hands of the Chief Executive Officer and he has also got disciplinary power over them.

151. The present system has not yielded satisfactory results. The reasons are obvious. It is not free from outside and group influence. It is not always possible for the best candidate to secure appointment. It is true that the appointing authority generally selects the candidate with the prescribed minimum qualification, but he is not necessarily a candidate with the highest qualifications from among the applicants. Support of influential group does not play a small part in the final choice. Almost the same position exists in the promotions also. In these circumstances, it is unnatural to expect party neutrality in the staff. The need for reform in this direction has been recognised since a long time. In our State the Local Self-Government Enquiry Committee, 1935, had recommended the appointment of a Local Bodies Services Commission, Shri Dar, Secretary to United Provinces Government, Local Self-Government and Public Health Departments, has, as a member of the Local Finance Enquiry Committee, referred to this matter and suggested that each State should "have an independent centralised machinery on the lines of the State Public Service Commission for the recruitment of personnel of local bodies on the basis of prescribed minimum

qualifications and standard rates of pay". In section 72 of the Local Government Act, also a provision has been made for consultation with Public Service Commission, but this could not be given effect to owing to certain technical difficulties. The Union and various State Governments have also felt the need for independent bodies for recruitment of personnel for the various service under them. Our Government have already enacted a separate legislation for the setting up of such a body. In our opinion, for securing really a capable personnel it is essential that there should be an independent and impartial body whose duty should be to recruit such candidates as satisfy such conditions of educational qualifications, character and health as may be prescribed. The Commission can be whole time or part-time according to the volume of the work. The setting up of this Commission will also remove one of the chief causes of dispute between the various Janapada authorities. Similarly, it will also avoid differences between rival parties on questions of appointments and promotions of employees. The cost of this commission may be proportionately levied from all local bodies including Corporations and Municipal Committees according to their income. In our opinion the cost is now likely to be heavy. The Janapada Sabhas would not be required to pay more than a small fraction of their income which will vary from 0.15 to 0.25 per cent of their income. The results achieved in efficiency will be considerable. The commission should also be consulted both in disciplinary matters and promotions. We recommend early establishment of this commission.

152. There are two more things that also need to be considered in order to increase efficiency of the staff. The first refers to the scales of their pay. The present scales vary from Sabha to Sabha. It would, therefore, be necessary to fix standard uniform scales of pay and uniform conditions of service, particularly in the case of lower grades of service. It has been suggested that the scales of pay and other conditions should be the same as of Government servants of equal standing. We agree. In the case of senior officers the Janapada Sabhas may be divided into three classes according to their income under section 153 (a) of the Local Government Act. The Sabhas having an income of Rs. 3 lakhs and above should be put in class I. Those having an income between Rs. 2 to Rs. 3 lakhs may be considered in class II, and the rest in class III. The senior officers, just as in the case of Secretaries, Municipal Committees, and other protected services, should have separate scales of pay for separate class of Janapada Sabhas. This will also enable for the free movement or transfer of employees, from one Janapada Sabhas to another. The Janapada Sabhas will be in a position to select the best candidates from the reserve of qualified and trained men for responsible posts. The official too will not be required to wait for a change or promotion until his senior is retired. If occasion offers, he can be transferred on an improved position to another Janapada Sabha. This will improve the tone of the service as a whole and will increase efficiency and may in the long run lead to economy. Even now an employee can be transferred under section 154 of the Local Government Act, but this provision has remained a dead letter due to diversities of scales of pay and conditions of services in different Janapada Sabhas.

153. The next point is about the training of the employees. In order to raise the standard of efficiency the Janapada Sabhas should, as far as possible in the case of superior posts, recruit only such persons who have got a degree or diploma in Local Self-Government or Public Administration. This should not remain confined only to the new entrants, but the Janapada

Sabhas should also afford facilities for the training of their young and promising employees by grant of study leave, fees and other concessions. At present the Janapada Sabhas give a maximum of two advanced increments to such of the trainees, but this in our opinion is not sufficient. They should be given more increments. The advantage of having a trained personnel is obvious. It enables the employee to work in a more systematic and intelligent way. To give effect to the above proposals suitable directions may be issued under section 152 of the Local Government Act.

154. The work of the Janapada Sabha has also suffered for want of any inspecting agency. The Chief Executive Officer in several cases has not been a senior officer and in some cases he had not the necessary experience in handling problems of the kind arising in Janapada Sabha's administration. It was brought to our notice that some of them had no proper guidance from their superior officers. We have been informed that with the exception of one Deputy Commissioner no inspection of Janapada Sabha offices was made. We agree with Shri Gorewala, that "There is no truer maxim from the point of view of good administration, than the old ruling, what is not inspected is not done. This is specially so regarding failure caused by persons and methods". We are of opinion that there must be some Government inspecting agency at the higher level for inspecting and co-ordinating the work of the different Janapada Sabhas and other local bodies. We realize that the Deputy Commissioners have got so many duties to perform and have their hands full with various executive work. It would not be fair to find fault with them for their failure to inspect these offices. Apart from want of time, there are other reasons for having an independent agency of the Local Self-Government Department for this purpose. The need of the situation is to have a separate adequate staff for inspection and guidance of the Janapada Sabhas and Regional Inspectors. In this connection we suggest appointment of Director of Local Authorities and his assistants as in Bombay. They will no doubt entail some expenditure but the amount spent will be well repaid.

155. The next difficulty that was placed before us was that there are too many standing committees. The idea for creating these standing committees was to have smaller bodies which would be better able to decide matters quickly and efficiently than a big body. In many cases the members of the standing committee have not displayed enough interest in their work. There have been frequent adjournments for want of quorum. In the Central Provinces districts, in the first year, 19.6 per cent meetings of all the standing committees were adjourned. In Berar the percentage was 18.4 and in the merged states was 21.7. In 1951-52 the percentage has shown a sharp rise and in Central Provinces it is reported to be 31.5, in Berar 42.4 and in merged areas 43. We have already referred above to the want of interest by the councillors. Probably the councillors have not been able to devote enough time as they have their own work. We have already recommended elsewhere that in order to stimulate interest and to meet out-of-pocket expenses the councillors within five miles should also be allowed dearness allowance at Rs. 3 per day. This will improve attendance. One suggestion is that the number of standing committees should be reduced to four and the various duties at present allotted to these committees should be redistributed among these four committees. The Agriculture and Development Standing Committees have practically no work. They meet very rarely. They can, therefore, be abolished without affecting the working of the Janapada Sabhas.

156. Entrustment of functions of the State Government under section 52.—The main object of the scheme was the abolition of dualism in administration that was prevailing when the scheme was framed and it was with this object power was taken under section 52 to vest as many functions of State Government as possible. The Janapada Sabhas have been in existence for about four years and so far the entrustment of Government functions is concerned, the progress cannot be considered to be encouraging. From the list of functions (Appendix IX) so far entrusted which is attached to this report it will be seen that practically no important function has been given to the Janapada Sabha. Unless the Janapada Sabhas are given enough powers of State Government the dualism will continue to exist. The Janapada Sabhas should not be allowed to confine themselves mainly to their traditional activities which the late District Councils were doing. The matter of entrustment of functions should be examined with more sympathy and breadth of vision. The process of integration should have been accelerated. For instance, social education, co-operation, agriculture, management of small forests, fisheries, allotment of E and F class lands, management of secondary schools and various other matters could be entrusted to the Janapada Sabhas as agency functions. The transfer of some of these subjects will also create interest in the Sabhas and their office-bearers. Government have still to take decision in this matter. The services of lower Government servants like Additional District Inspectors of Schools and Agricultural Assistants have not yet been placed under the Janapada Sabhas, for the work in the Janapada Sabhas in the subjects pertaining to their charge and avoid wastage of expenditure on dual machinery and thereby effect economy. The Assistant District Inspectors of Schools are at present in charge of primary examination and general inspection of schools. They can also be assigned the duties of Superintendent of Education to be engaged by the Janapada Sabha, if as suggested by the Director of Public Instruction their cadre can be increased. The idea that all the various departments of Government would render aid to the Janapada Sabhas in the technical works pertaining to the department has not yet taken material shape. The attitude of higher officers of Public Works Department and other departments has not been helpful. We are afraid these officers have not fully grasped the significance of the scheme. Sometimes they resent having to deal with the Chief Executive Officers whom they consider inferior to themselves in official gradation. According to Government instructions issued in 1950, the basic principle underlying the new reforms was to decentralize the powers of State Government and to make the Janapada a self-contained unit of administration instead of the district as at present. The Chief Executive Officers of the Janapada Sabhas were made the principal co-ordinating authority in respect of the activities of various departments of Government in their areas. It was further mentioned in the instructions, "in order to facilitate this co-ordination he will exercise administrative control over the officers and functions of all departments of Government posted in the Janapada area other than those officers who function as district heads". The exact import of the term "administrative control" is being examined and its scope will be specified separately. So far we know the import of the "administrative control" has not yet been defined. In actual practice as mentioned above, the attitude of the various Government departments has not been helpful. Even with the high-sounding designation of Additional Deputy Commissioner and Additional District Magistrate the Chief Executive Officer has been helpless in getting co-operation and co-ordination of the departmental heads. The district still continues

to be the unit of administration. If the Janapada Sabhas have to succeed on the lines on which they are intended to work, then there should be liberal entrustment of functions and the various departments in the Janapada area should be directed to extend their help and co-operation. Their present attitude of unhelpfulness and indifference must give place to one of active assistance and co-operation.

157. Representation from urban areas.—According to section 3 (2) of the Local Government Act, for purposes of election a Janapada is divided into urban and rural circles. The former consist of municipal areas comprised in a Janapada. The election in these areas has to be made as in rural areas by the electors residing there. In practical working this is likely to present certain difficulties. The Municipal Committees may object to incur expenditure in preparing electoral rolls for Janapada Sabha elections. The electors will be again required to undergo dislocation in their private business for electing councillors for the Janapada Sabhas as they are required to do in general elections to the Municipal Committee. There has recently been a general election both for the State Assembly and the Parliament. The municipal elections are due in most of the Municipalities. If the present procedure of direct election by the electors is maintained, the electorate will be required in the course of 12 months to have three elections. It has, therefore, been suggested to us that to avoid interruption in the normal work of the electorate and cost to the local body, the election of the councillors from the urban areas should be made by a simpler method. An indirect election by Municipal Committee members will obviate the necessity of going through the whole election procedure once again and at the same time will result in a considerable saving of expenditure. There is another point in this connection which also needs consideration. In places where the number of municipalities is sufficiently large, there is a danger of the urban area being over-represented in the Janapada Sabhas. These bodies are primarily engaged in undertaking social services for the rural areas. It is, therefore, natural that the rural population expects that the urban representation in the Janapada Sabhas should not change their rural character. It was suggested that the urban areas should not in any case be allowed to have a certain percentage of councillors. The suggestion received in this connection has been that they should have not more than one-fifth of the total number of elected councillors to the Janapada. We also feel that this suggestion should be accepted. We, therefore, make the following recommendations :—

- (1) The representatives from the urban areas should be elected by the municipal members by a single transferable vote.
- (2) That the representation of the urban areas should not exceed the one-fifth of the total elected councillors.

158. Byelaws.—The Janapada Sabhas have experienced some difficulty in carrying on day-to-day administration for want of byelaws on certain matters. Under section 183 of the Local Government Act, the Sabha can make byelaws for carrying out the provisions and intentions of the Local Government Act on matters provided therein. No model byelaws have yet been framed by Government. We suggest that the question of framing model byelaws should be taken up early.

159. Appeals and revisions.—The scheme of sections 155 to 159 of Local Government Act is simple enough and provides an appeal in every case and also confers the revisional jurisdiction on the State Government though of

course section 155 makes a distinction between the orders passed by subordinate officers and other officers. By rules no right of appeal is given to employees getting less than Rs. 20 and no right of revision to employees getting less than Rs. 150 per month. In their case, Deputy Commissioner's order is final.

160. In our opinion, there should be no distinction between the rights of one class of servants and the other and all aggrieved persons should have equal facilities of appeal and revision.

161. We, therefore, propose the following modifications :—

- (i) In case of orders passed by subordinate agencies such as cattle-pound and bazar inspectors in administrative matters, there should be an appeal to the Janapada Sabha and a second appeal to the Deputy Commissioner and a revision to the State Government or the Board of Revenue.
- (ii) The Chief Executive Officer is both the appointing and punishing authority in respect of employees whose salary is less than Rs. 50 per month. Appeals against his order should go to the Deputy Commissioner. He has also got power to impose any penalty except suspension, removal or dismissal in the case of other employees. Orders in those cases should also be appealable to the Deputy Commissioner and there should be a right of revision to the State Government or Board of Revenue.
- (iii) In cases covered by section 74 the appeal should lie either to the State Government or Board of Revenue.
- (iv) So far as in other cases in which by rules appeals are prohibited the prohibition should continue.

CONCLUSION

162. We conclude this report with the remark that the Janapada Sabhas, if they appreciate their responsibilities and tasks, have a magnificent role to play in the great rural constructive work which is before the people of this State. There are development plans and co-operative projects which will require a tremendous organisational effort on the part of the people and the Government. Energetic co-operation and support of organised and representative bodies would be invaluable in this mighty task. There would be an opportunity for all—councillors, office-bearers and Chief Executive Officers—to sink petty differences and dedicate their energies to real and practical work. Howsoever humble the sphere may be and howsoever restricted the field may be, duty honestly and cheerfully done is a real service to the motherland. We hope and trust that the Janapada Scheme will win the goodwill of their people and will produce more fruitful results in future.

G. L. SHRIVASTAVA, President.

Dated the 31st July 1952.

V. S. GOKHALE.

Dated the 5th August 1952.

SYED HIFAZAT ALI.

Dated the 12th August 1952.

*K. P. TIWARI, Member.

Dated the 31st July 1952.

LAXMI NARAYAN DAS
(In Hindi).

Dated the 7th August 1952.

*R. D. BEOHAR.

CHAPTER IX.—SUMMARY OF RECOMMENDATION

Chapter IV

(i) A Government officer as at present be maintained as Chief Executive Officer. He should be responsible to the Janapada Sabha and should be removable by $\frac{2}{3}$ rds majority of the Sabha. He should be a wholtime worker and should not exercise revenue, magisterial and executive powers. There is a difference of opinion on the last point.

(ii) An administrative committee composed of chairmen of all the standing committees, Chairman, Janapada Sabha, and Chief Executive Officer be constituted to deal with the co-ordination of the standing committees, the implementation of the decisions of the standing committees and the appointment of Janapada staff. There is a difference of opinion on the last point, i.e., the appointment of Janapada staff.

Chapter V

(i) Rate of compulsory cess should be raised to 30 pies per rupee and the additional cess be abolished.

(ii) School rate should be substituted by a professional or non-agriculture income cess.

(iii) Market rates and cattle-pound charges should be revised where no revision has taken place.

Chapter VI

(i) Education grant should be rationalised and procedure should be simplified. It should be fixed on 75 per cent of the expenditure on per capita basis.

(ii) Government should assign 15 per cent of their revenue from land revenue and 5 per cent from forest income.

(iii) Municipal Committees should give 50 per cent of the maintenance cost of the Veterinary dispensaries in their areas.

(iv) Wherever Janapada Sabha maintains roads in municipal areas they should be transferred to the Municipal Committees.

(v) Management of E and F class lands in Berar should be transferred to Janapada Sabhas.

(vi) A portion of the income of local charities should be diverted for village schools and roads.

Chapter VII (Merged States)

(i) A compulsory cess be imposed on all agriculturists at 2 annas per rupee.

(ii) A professional tax on non-agricultural income as in the rest of the State be imposed.

(iii) Government should assign 15 per cent of their income from land revenue and 5 per cent from forest income as in the rest of the State.

Chapter VIII

(i) Boundaries of Janapada Sabhas should be redrawn.

(ii) A statutory board of all Janapada Sabhas in the district be constituted to maintain roads.

(iii) There should be no major or minor Janapada Sabhas. There should be an independent Chief Executive Officer for each Janapada Sabha.

(iv) Councillors should get daily allowance at Rs. 3 per day even if they reside within five miles.

(v) A Local Bodies Services Commission be established.

(vi) Services of the Assistant Health Officer should be placed at the disposal of the Sabha.

(vii) An inspecting agency as in Bombay should be appointed to supervise the work of Janapada Sabhas.

(viii) The number of standing committees should be reduced to four.

(ix) There should be liberal entrustment of functions of the State Government under section 52.

(x) Representatives from urban areas should be chosen by indirect election, and their number should not exceed $1/5$ th of the total number of councillors.

(xi) Model byelaws for carrying out the provisions and intention of the Act should be made.

(xii) There should be no distinction between different classes of employees in respect of rights of appeal and revision.

CHAPTER X.—MINUTE OF DISSENT

1. The general opinion seems to be that the scheme of the Janapada Sabha as contained in the Local Government Act, 1948, is a sound one and offers an efficient machinery for work in the rural areas. It is considered by some witnesses to be an useful instrument in the hands of the common man. The position of the Chief Executive Officer, as a Government officer, does not in any way offend the canons or practice of democracy. The opinion regarding the performance and achievements of Janapada Sabhas differs. One section is of the view that the scheme has not been successful, while the other group which includes quite a large number of prominent non-officials, M. L. As., Advocates and other public workers thinks that in the circumstances in which they had to function, it cannot be said that their working was unsatisfactory. The truth is that the scheme had not had a sufficient and fair trial. The rules under the Act were not framed and published till the end of December 1949. The Janapada Sabhas had, therefore, to function without rules for more than a year. Throughout this period, the district administration had a very trying time. It was a period of great stress both to the Deputy Commissioners and the Chief Executive Officers. The challenge to stable Government, created by communal upheavals in other parts of India and the rehabilitation of several thousands of displaced persons suddenly cut off from their ancestral homes, naturally occupied considerable attention of the district officers. These were immediately followed by two problems of very great importance, namely, the preparation and carrying out of the census operations and the holding of general elections on a gigantic scale. Both of them occupied most of the time and energy of the district officers during 1950, 1951 and a part of 1952. It is, therefore, no wonder that in these circumstances of unusual nature as much attention as was expected could not be paid to the Janapada work.

2. The main object of the Janapada scheme was the decentralization of administration and this has been achieved to some extent. The former Local Boards had neither independent income nor power. Under this scheme they have complete autonomy and Janapada areas have also been declared as units of administration. The working of the Sabhas has in some respects been better. There is a steady increase in the number of schools, human and veterinary dispensaries, cattle-pounds and other institutions. The officers of the Sabha are also being better controlled. The number of defalcation cases has gradually decreased. In 1947-48 just before the Janapada Sabhas came into existence, there were 26 defalcations involving a total sum of Rs. 24,079. In the time of Janapada Sabhas this number went down to 20 with a total sum of Rs. 2,377 in 1949-50 and to 19 with a total sum of Rs. 8,726 in 1950-51. The salaries of teachers are also in most cases being regularly paid. In 66 Janapada Sabhas there was no delay. No information is available in respect of 17 Janapada Sabhas and only in 13 Janapada Sabhas delay had occurred. There is no doubt that there has been delay in disposal of certain other matters, but on the whole the work has been done fairly well. The Chief Executive Officer and the Deputy Chief Executive Officer form an important link with district administration and this has not been without advantage to the Sabha.

3. **Executive Authority.**—The one feature of the Janapada scheme which has attracted very wide and considerable attention is the vesting of the executive power in the Chief Executive Officer who is an officer of Government. In this respect it makes a radical departure from the traditional system of former District Councils wherein the executive power was divided between the council and its elected chairman. In practice, the chairman functioned as a real executive head. The present Chairman of the Janapada Sabha has not got those powers and some of the office-bearers are naturally not pleased with the present distribution of executive powers. This separation of policy making from executive authority is not an innovation but is already in existence in Bombay Corporation and elsewhere in India and in modern local bodies in other countries. The same principle has been embodied in the City of Nagpur and Jabalpur Corporation Acts.

4. The Chief Executive Officer is one of the Janapada authority and is expected to guide and manage the Sabha's administration efficiently in accordance with the provisions of Local Government Act. He has also to supervise and control the acts of all officers and servants of the Sabha. He is the mouth-piece of the Sabha in dealing with general public and the State Government. He conducts the official correspondence on behalf of the Sabha, prepares the agenda and other papers for the meeting and maintains records of the Sabha. He has also got power to appoint and take disciplinary action in the case of employees drawing salary not exceeding Rs. 50 per mensem. He has also a right to attend and address the meetings but has no power to vote. In addition, he has got other duties of an administrative nature assigned to him under the various provisions of the Act. He has also in the second phase of the new set-up which commenced from 1st July 1950 in which it was decided to make the tahsil a self-contained unit of administration, been made Additional Deputy Commissioner and Additional District Magistrate and given administrative control over the officers of other departments in his area.

5. There are two views about this officer. He being an officer of Government, his presence is considered to be an encroachment on the democratic principles. It sacrifices the principle of responsibility and reduces the opportunity for the office-bearers and councillors of direct participation in the administration of the Sabha. The other view is that for efficient and stable administration of the Sabha an outside salaried expert is essential to handle day-to-day administration and to carry out the policies and decisions of the Sabha and the Standing Committees in a disinterested way.

6. This committee has been asked to examine and suggest whether the distribution and exercise of executive powers between the Chief Executive Officer, the chairman, the deputy chairman and standing committee should be modified in order to ensure the smooth working of the Janapada Sabha and if so to what extent.

7. The appointment of a salaried Government officer is not inconsistent with the principles of democracy. In Bombay Corporation the Municipal Commissioner who is the Chief Executive Officer, is a senior I. C. S. officer. He has held this post for the last over 80 years. In the beginning there was a similar agitation to deprive him of his executive powers and to give them to the people's representative but the proposal was stoutly opposed by eminent public men. The people who wanted to bring about radical reform in the Corporation administration and make it responsible to the popular control,

defined their objective as "A strong executive responsible to the Corporation and an enlightened Corporation watchful over its executive". The position of the Chief Executive Officer in the Janapada Sabha is almost the same, except that at present there is no control over the Chief Executive Officer. This shortcoming has been noticed by the committee and all of us are agreed that a provision should be made in the Act to vest control in the Sabha, similar to one existing in the Bombay and other Corporation Acts. The Chief Executive Officer's present duties are of a managerial type and he has to carry on day-to-day administration in accordance with the decisions of the Sabha and the standing committees. His presence and powers cannot be considered to militate against the principles of democracy. We are all agreed that a Government officer should be continued as a Chief Executive Officer as at present. There is, however, a difference of opinion, regarding the powers he should have. In the main report it is proposed that the present powers of appointment of employees now possessed by the Chief Executive Officers should vest in an administrative committee proposed therein.

8. At present the Chairman, Janapada Sabha, has got certain powers. In some cases he has power to confirm the proceedings of the standing committee. He has also got a right to inspect. When the standing committees are not in session, certain matters can be referred to him. Under section 41, the Sabha can at any time require the Chief Executive Officer to produce any record, correspondence, other documents and can also call upon him to furnish any return or any report on any subject concerning or connected with the administration of the Act or the local Government of the Janapada area. This is a very important provision and gives sufficient power of control and authority to call periodical information regarding the implementation of the decisions of the Sabha and the standing committees. The grievance that the office-bearers have no means to know the action taken is not true. As mentioned above, the Sabha has full powers to ask for a report on any matter. The standing committees too have got full authority to work out the details of their departments and to make appointment of certain classes of servants and take disciplinary action against them. The real difficulty has in many places been that the councillors have not displayed enough interest in their work. There have been many adjournments of the Janapada Sabha and the standing committees meetings. In the case of Janapada Sabhas the number of adjourned meetings was 22 per cent in 1951-52 in Central Provinces districts, 33 in Berar and 30 per cent in the merged areas. In the case of standing committees the position is still worse. A reference about this matter has already been made in the main report. The rules give the standing committees sufficient powers and if they had followed them properly, there would have been no cause for complaint. It is regrettable that the office-bearers and the councillors are in many cases more concerned with the appointment and transfer of employees. There has clearly been a lack of understanding of scope of their respective functions and powers among the various functionaries and this has been the chief cause of conflict and misunderstanding. So far no byelaws have also been framed which would have properly defined the powers of various authorities more clearly.

9. In the main report it has been suggested that the Chief Executive Officer should be maintained, but he should be a whole-time worker and should not have revenue and magisterial powers. It is true that the Chief Executive Officers have failed to give enough time to the Janapada work.

At present they have on an average devoted 1½ hours a day for this work. They have also failed to tour and inspect the various Janapada Sabha institutions. Only 23 Chief Executive Officers have toured for more than 100 days in a year. In the case of the rest of the Chief Executive Officers the touring has been extremely inadequate. If the Chief Executive Officer has to do the Janapada work properly, he must be relieved considerably of his other duties. In the present stage it would however not be proper to withdraw the entire revenue and criminal powers of the Chief Executive Officer. He should continue to be the Additional Deputy Commissioner and Additional District Magistrate in the area in his charge and should take up only such appellate and general administrative work which would give him sufficient time for Janapada work. He was made Additional Deputy Commissioner and Additional District Magistrate when the second phase of the new set-up was introduced in 1950. The object was to enable him to have administrative control over the officers of other departments in his jurisdiction. This is very necessary. The object of the Janapada scheme is to give to the Janapada Sabha as many powers of the general administration as possible. If the Chief Executive Officer has to be maintained he should continue to be the Additional Deputy Commissioner and Additional District Magistrate. This position gives him ample and unique opportunities for becoming acquainted with the various activities of the Sabha. It is the nature of his present duties rather than his statutory position as a Chief Executive Officer that gives him the authority and the distinction that he enjoys and enables him to perform his duties in respect of the Janapada Sabha in a much better way. In the interest of the Janapada work it is, therefore, necessary that the Chief Executive Officer should continue to be an Additional Deputy Commissioner and Additional District Magistrate at least for some time to come. It is further necessary that the Janapada work should be considered by him as primary work and not secondary as at present. His promotion should depend not only on his general work as Additional Deputy Commissioner and Additional District Magistrate but also on the Janapada work. He should also tour more extensively in the interior and should inspect all Janapada institutions and send a return of the work done by him either to the Government or to the Director of Local Authorities so that a check can be kept on his activities.

70. The main report has suggested that the supervisory control should vest in a committee to be called administrative committee. This committee is proposed to be composed of the Chairman, Janapada Sabha, and all the chairmen of the standing committees. The Chief Executive Officer is also proposed to be a member of this committee. The object of this committee is said to be to have a smaller body to co-ordinate the work of the standing committees and look to the implementation of the various decisions taken by the Sabha and the standing committees and to appoint all the employees of the Janapada Sabha. In the course of enquiry it was suggested by some witnesses that the present number of standing committees was too large and that they should be reduced. It was also suggested that in the place of the standing committees one committee of eight or nine members to be elected by a single transferable vote should be constituted. It may be called executive committee and should do all the executive work of the Janapada Sabha. The reason for this suggestion was that the present standing committees have failed to take sufficient interest in their work. There have been

frequent adjournments for want of quorum. We do not think that the constitution of an administrative committee of the type mentioned above will meet the situation. It will add one more body to the list of standing committees, which have failed to take enough interest in their work. It is proposed to give this body omnibus powers in the day-to-day administration and appointments of employees. Then this committee has not to be constituted by the elected members of the Sabha. Apparently it is intended to act as a watch-dog over the administration of the Chief Executive Officer. At the same time it will also have executive powers of its own which in its absence would have gone to the various Janapada authorities. This plan is open to various objections. The vesting of executive powers in a body of this type will naturally provide many occasions for conflict. It will weaken the sense of responsibility and mutual accommodation, the promotion of which is very necessary among the councillors. The Chief Executive Officers too will not feel any effective responsibility. No useful purpose is likely to be achieved by adding one more standing committee. In the main report we have already agreed to reduce the number of present standing committees to four. If the Corporation model were to be followed, then in that case the present standing committees will have to be abolished. In our opinion, if the standing committees are abolished, there can be one standing committee as in the case of the Corporations and we can also have consultative bodies for different matters, but to have administrative committee and also standing committees of the present type seems to be unnecessary.

11. If the committee of the type proposed is accepted, in that case there would be no objection to its exercising power of supervision and seeing to the implementation of resolutions. It should, however, have no power of interference in the day-to-day administration. It will not also be proper to give to this body the power of appointment of junior staff drawing salary below Rs. 50 per month. If the Chief Executive Officer has to be deprived of the power of appointment and disciplinary action, over the staff, it would be very difficult for him to run the administration. He will be in the embarrassing predicament of a person who has to ride a horse but has got no power to control it. The control is being vested in the hands of other persons. On this point one witness has stated: "If the powers of Chief Executive Officer or Deputy Chief Executive Officer are curtailed he would become ineffective in the discharge of his duties and the *raison de etri* for the creation of his post would be defeated. Either the executive powers should remain with the Chief Executive Officer as at present or they should be entirely entrusted to the elected office-bearers of all Janapada Sabhas, in which event there would be no necessity of having a senior officer of Government as Chief Executive Officer". On principles too it is advisable that the power of appointment should not vest in the political executive. According to Harold J. Laski, "There seems now no reasonable ground for doubt that the less control the political executive possesses over the appointment of permanent officials, the better it is for the State. It is not only that insecurity depletes the ranks of public service of experience that is essential for efficient conduct, that men of ability and character will not be tempted into work where there is no guarantee of a continuous livelihood and that the absence of a constant tradition will always tempt the political executive to twist the law it applies to its own advantage". This applies equally to the local bodies. In the time of the late District Councils, the executive power was in the hands of the

elected people. The defects of that system have been described by the Simon Commission. "There is on the part of the elected persons a general tendency to meddle and interfere in details of administration. It should be left entirely to the paid officer." In our own province, the Local Self-Government Enquiry Committee presided over by Shri B. G. Khaparde, the then Minister for Local Self-Government in 1935, also found the position of the District Councils not satisfactory in this respect. The report says, "One of the most disquieting features in the working of the local bodies in recent years has been the growth of party factiousness which has carried to extremes in some cases in disregard of the public interest and the recognised canons of sound administration. The employees of these bodies have often been victims of such party factions and have been harassed or ill-treated." The Agra Municipal Board Enquiry Committee which has been quoted by one witness wrote on this matter as below: "We must blame Government that while giving Local Self-Government to local bodies it has failed to give an independent executive, first safeguard against the excess of an elective administration."

12. Experience has shown that administrative and executive power in the hands of the elected representatives have not worked well. Unless the public service has a body of officials beyond the reach of the executive it is inevitable that the executive may find it difficult to resist the temptation of distributing patronages among its followers and supporters and it is further clear that the persons who are likely to obtain these posts, will fill them not for performance of their duties properly but for party purposes. This has led to party factions and made the position of the staff untenable. An employee in the bad books of the ruling group in spite of safeguards is likely to be subjected to various harassments. It would not be fair to submit the Chief Executive Officer to a perpetual ordeal of "tight-rope walking".

13. We are, therefore, of the opinion that even if constitution of an executive committee of the kind suggested in the main report is accepted, it should not in any case have more powers than what the Sabha at present possesses. There should be no objection to the work of the Chief Executive Officer being supervised and the implementation of resolutions and decisions being watched either by the Chairman, Janapada Sabha, or the standing committee proposed in the main report. The Chief Executive Officer must continue to have the powers of appointing junior officers. The vesting of authority in a single individual is not new. In this connection one witness has stated, "The success of the single executive has been amply proved by the successful working of the Bombay Corporation which was the first to have a separate executive and by its adoption in the Punjab, U.P., Bengal and Orissa Municipal Acts". Shri Pheroazshah Mehta has also stated, "The only safe and efficient way of executive authority is to vest it in a single responsible officer."

14. It is not correct to say that Government officers have not changed their outlook. According to some witnesses the present criticism of the powers exercised by the Chief Executive Officers is mainly due to the fact "that he cannot satisfy the personal whims and desires of all the councillors". It was also said that with the extension of the present franchise and in the absence of any prescribed qualifications for councillors and office-bearers it would be difficult to obtain sufficient number of persons having

administrative ability and experience in democracy to get elected. The Janapada scheme is in its teething stage. We have recently entered on a new era in the political field. Our progress depends upon present and future efforts. The local bodies are the living links between the people and the State Government. It is on their healthy and effective working the welfare of the rural areas depends. In almost every phase of life—political, social and economic—there is a keen questioning about the traditional and past patterns of life. It would not be in the interest of Janapada Sabhas at present to allow them to become cock-pits of party factions by vesting executive powers as before in the hands of political and elective groups.

15. It is true that the performance of some of the Chief Executive Officers has not proved equal to the task. In appointing Chief Executive Officers care should be taken to select such officers who have outstanding ability, broad and sympathetic outlook and keen appreciation of principles and ideals of democracy in Government. If possible, the Chief Executive Officers should have training in methods and principles of local government and public administration. In order to create enthusiasm among them in the Janapada work they should also be given a small allowance of Rs. 50 per mensem. This will undoubtedly involve extra expenditure, but that will be well repaid in improved efficiency that will result from this special pay.

16. Within the frame-work of the present Act, there appears, however, quite a considerable scope for clarifying certain points and of giving certain powers to the Chairman, Janapada Sabha, Chairmen, Standing Committees, and the Deputy Chairman which will go a long way in the smooth working of the Sabhas. They are given as below:—

(a) The Chairman, Janapada Sabha, should have the following powers:—

- (1) Access to all papers and documents.
- (2) All papers and records should go before the Chairman, Janapada Sabha, who should send them to standing committees concerned, through the Chief Executive Officer.
- (3) The finalizing of agenda.
- (4) Allowing discussion on a subject though not included in the agenda.
- (5) Right to nominate two Vice-Chairmen.
- (6) Right to refer the case of members who have incurred disqualifications.
- (7) Right to adjourn a meeting.
- (8) Right to attend the meetings of all the standing committees and take part in them though no right to vote (This will ensure co-ordination).
- (9) He should also have power to make reference to the Sabha similar to the one which the Chief Executive Officer has got.
- (10) He should be able to fix his own tour programme and have authority to inspect all institutions in the Janapada Sabha area.
- (11) The Chairmen, Janapada Sabhas, in order to enable them to meet expenses of their office, should be given a small honorarium.

(b) The Chairman of the Janapada Sabha should also be delegated by the Sabha the following powers:—

- (1) Sanctioning budgets of Gram Panchayats.
- (2) Putting resolutions of Gram Panchayats before the Sabha.

(c) The Deputy Chairman should have the same powers as the Chairman. The Chairman should either divide the powers and functions between himself and the Deputy Chairman or delegate only such powers to him which he thinks proper.

(d) The Chairmen of the standing committees should have the following powers :—

- (1) Free access to all records concerning their departments.
- (2) All details concerning their departments should go before them as a matter of routine.
- (3) They should have power of fixing time and agenda for their meeting.
- (4) They should have power to inspect all institutions concerning their departments in the whole Janapada area.

The councillors have at present no statutory powers though they can assist in various works in their circles. They should be allowed to inspect and supervise all works and institutions within their circles.

17. We also think that in the case of appointment of employees the power to make list of approved candidates until this matter is transferred to the jurisdiction of the Local Bodies Commission appointment of which the committee has recommended elsewhere should be given to the Chairman, Janapada Sabha, Chief Executive Officer and Chairman of the appropriate standing committee. The appointment, transfer and disciplinary control should, however, continue to remain in the hands of one authority, viz., the Chief Executive Officer. There should be no dispersal or division of power in this respect. The Chief Executive Officer should also discuss the work of each employee with Chairman, Janapada Sabha, and Chairman, appropriate Standing Committee, before recording his opinion on his annual work.

18. The following significant observations made by Shri Rajgopalachari as Governor-General of India in respect of the Janapada Act in a speech he made at Nagpur in 1948 deserve to be considered by all those engaged in Janapada Sabha administration: "The fundamental of democracy is character. If the authority has to be transferred to the bottom it entirely depends for its success on individual character. If you love your own advantages more than you love your country this scheme will fail." To the officers also be said, "They must imagine themselves as missionaries of democracy rather than officers of Government". It would probably not be out of place to emphasize, that it will conduce greatly to efficiency and despatch of public business and the establishment of cordial relations if the various Janapada authorities understand their respective spheres and refrain from encroaching on those that legitimately belong to others.

19. Our recommendations on this point are as below :—

- (1) A Government officer should be maintained as Chief Executive Officer as at present with this difference that the Janapada Sabha should have power to ask for his removal as in the case of Corporations.
- (2) This officer should be of the rank of an Assistant Commissioner or an Extra-Assistant Commissioner and should continue to be the Additional District Magistrate and Additional Deputy Commissioner, but should be relieved of most of his work so that he may pay full attention to the Janapada work.

- (3) Proposals were received from some quarters that if possible a senior Tahsildar should be appointed as Chief Executive Officer. We do not think that the Tahsildar would be able to function as properly as an Extra-Assistant Commissioner. The scheme envisages co-ordination of all the different departments in the Janapada areas by the Chief Executive Officer. It would not be possible for the Tahsildar to get necessary help. The Chief Executive Officer should continue to have the present executive powers and also the power of appointment. He should tour extensively.

K. P. TIWARI,
Member.

Dated the 31st July 1952.

R. D. BEOHAR,
Member-Secretary.

APPENDIX I

GENERAL QUESTIONNAIRE

[For officers and other members of public interested in this enquiry other than Janapada officers and councillors for whom a separate questionnaire of a technical and statistical nature has been framed. The latter may, however, answer this questionnaire as well, if they so please.]

1. (a) What are your views about the working of Janapada Sabhas constituted under the Central Provinces and Berar Local Government Act, 1948?

(b) Please give reasons for the opinion you hold.

2. (a) How does the working of the Janapada Sabhas constituted under the Local Government Act, 1948, compare with the working of the District Councils and Local Boards constituted as they were under the Act of 1920?

(b) What difficulties, administrative or otherwise, have been found in the working of the present Janapada Sabhas?

3. (a) Has the scheme of giving wide executive powers to Chief Executive Officers or Deputy Chief Executive Officers led to a better and more efficient working of Janapada Sabhas and standing committees regarding the implementation of their resolutions and policies than the old scheme of District Councils and Local Boards?

(b) Kindly state reasons for your opinion.

4. (a) Do you propose any modification in the distribution and exercise of executive powers between the Chairman, Deputy Chairman, Councillors and Standing Committees on the one part and the Chief Executive Officer and Deputy Chief Executive Officer of Sabhas on the other, in order to ensure the smooth working of Janapada Sabhas?

(b) Please state the extent and details of such distribution.

5. (a) Should Chief Executive Officers or Deputy Chief Executive Officers work exclusively for Janapada Sabhas?

Please consider the financial implications of the above proposal, while making suggestions on this point.

(b) Do you suggest Chief Executive Officers from the category of officers such as tahsildars or naib-tahsildars?

6. Having regard to the existing functions and responsibilities of Janapada Sabhas about primary education, public health, panchayats and other important matters contemplated by the Local Government Act, 1948, do you propose that further sources of income should be found to enable the Sabhas to discharge these functions properly?

If so, kindly suggest fresh sources of income with such details as may be necessary.

7. Under section 76 of the Local Government Act, 1948, the State Government can direct any Municipal Committee within the Janapada area to contribute such amount to the Janapada fund as it may, by order, specify?

Do you propose that the Municipal Committees in the State should make contributions to the Janapada fund? If so, to what extent and on what basis?

In answering this question, please consider whether and, if so, to what extent Municipal Committees indirectly tax the rural population.

8. The Janapada Sabhas receive grants from Government for certain purposes. If the Sabhas are to share the duties and responsibilities to the full in respect of matters like public health, village roads, rural water-supply, markets, education and other similar functions in their localities, do you think that the system of Government grant needs re-examination? Kindly give details of suggestions you may have to offer on this point.

N.B.—In addition to the points referred to above, if you have other useful observations and suggestions to make in connection with administrative problems of the Janapada Sabhas kindly make such observations and suggestions, if any, in a note which may be appended to the answers to this questionnaire.

APPENDIX II
SPECIAL QUESTIONNAIRE

I.—Finance

(1) Please give the different sources of income of the Janapada Sabha and the amounts recovered under each head since its constitution separately for each year in the enclosed form.

(2) (a) Has the compulsory cess been recovered both from the tenants and the landlords as required by section 85 of the Local Government Act from the beginning of the Janapada Sabha?

(b) Please furnish information regarding the recovery of cesses under section 85 of the Act in the enclosed form and state the reasons for short recoveries if any and the steps that are proposed to be taken for the recovery of the balances outstanding.

(3) (a) Is it in your opinion necessary to impose additional cess under section 86 of the Local Government Act in view of the prevailing high prices of agricultural commodities?

(b) In case where this cess has been levied its rate and income may kindly be given in the enclosed form.

(4) (a) Was any special school rate imposed in the time of the late District Council? If so, what was the demand then on this account and what is the amount of the present demand?

(b) Do you consider the present procedure of assessment and recovery of tax under this head as satisfactory? Are there any arrears outstanding? If so, since when? The reasons for such accumulations and remedies for expeditious recovery may kindly be stated.

(5) (a) Has the Sabha proposed imposition of any other taxes under section 90 of the Local Government Act? If so, with what results?

(b) The details of taxes and rates imposed and income derived therefrom may kindly be stated.

(6) The present rate of compulsory cess imposed under section 85 is 18 pies in the rupee on the land revenue and rents. Do you think that the rate should be raised in view of the fact that the last assessment of revenue and rents was made more than a generation ago? If so, to what extent?

(7) In the merged States no compulsory cess can be imposed under section 85 of the Act. Do you consider that a stage has been reached when the Janapada Sabhas in the merged areas also should be allowed to impose this compulsory cess to stabilise their income as in the rest of the Province? In case your reply is in the affirmative can you suggest the rate at which this cess should be levied? Have you any other alternatives to suggest for improving their finances?

II.—Public Markets

(8) (a) Please state the number of markets in the time of the District Council and the income derived from them.

(b) Please give the number of markets declared as public markets under section 116 of the Local Government Act since the Janapada Sabha has come into existence and the additional income received from this source.

(9) (a) Please give the number of Malguzari and Zamindari markets belonging to Government that have been temporarily entrusted for management to the Janapada Sabhas. The total net income from these markets may also kindly be mentioned.

(b) It may also be stated whether in your opinion it would be advantageous to transfer to the Janapada Sabhas such of the markets as have now vested in Government on account of abolition of proprietary rights under the Madhya Pradesh Abolition of Proprietary Rights Act.

(10) Do you think that the market income should be earmarked to the Janapada Sabhas or allocated between the Janapada Sabha and the Gram Panchayat? If you think that the income should be divided, please suggest a scheme for its division.

(11) Has there been any revision of market fees? Details if any may be given. What expenditure do you incur in providing various facilities in the market sites and the amount you spend on their supervision and control?

(12) What should be the relation of the Janapada Sabha with the markets established under the Central Provinces Agricultural Produce Markets Act?

III.—Cattle-pound Fees

(13) What is the total number of cattle-pounds? Has the number increased since the establishment of the Janapada Sabha? Have you raised the cattle-pound fines and feeding charges? If so, to what extent? What is the total income derived under this head by the Janapada Sabha?

(14) What do you spend for the maintenance of cattle-pounds?

(15) Do you possess sufficient or adequate buildings for cattle-pounds?

IV.—Grants-in-aid

(16) (a) Please state the different grants-in-aid received by the Janapada Sabha for various purposes. The amount received under each head may kindly be stated.

(b) Is the grant received in time? In case of delay, reasons may kindly be stated. Is there any scope for simplification of procedure?

(17) The Janapada Sabhas in Madhya Pradesh are in receipt of a grant for general purposes of Rs. 6,40,000 and in merged areas Rs. 3,00,000. Do you think that these grants are sufficient? In case your reply is in the negative, reasons may kindly be given.

(18) Are you satisfied with the present basis of distribution of general purposes grant among the Janapada Sabha? Have you any modifications to suggest?

(19) Please state the basis on which the grants are made to Janapada Sabhas by other Departments of Government for various purposes? Have you any suggestions to offer?

(20) Does the Janapada Sabha receive any grant from Municipal Committee? If not, is it desirable that the Municipal Committees in the Janapada areas should also make contributions to the Janapada funds? In case your answer is in the affirmative kindly suggest the basis on which they may be asked to make grants?

(21) (a) Have you any Veterinary Dispensaries in the Municipal limits? What is the expenditure incurred on them? The amounts of contribution received from Government and Municipal Committee may also kindly be stated.

(b) Have you any roads within the Municipal limits, for instance in Amravati Town? What are their annual maintenance charges? Have you incurred any expenditure over these roads during the last two years?

(22) Are the existing resources of the Janapada Sabhas adequate for the performance of duties assigned to them? If not, what additional sources would you recommend?

(23) Are you in favour of imposition of Octroi Tax? If so, what agency would you suggest for its assessment and collection?

(24) Do you consider that Government should assign or pay to the Janapada Sabhas a share of any of the taxes which the State Government levy? If so, details and extent to which you recommend assignment or grant of share may kindly be stated?

(25) Is there any class of persons in the rural areas who have escaped taxation by Janapada Sabhas? If so, specify the class and suggest what taxes may be imposed?

V.—Staff

(26) Please give the details of the staff employed by the late District Council for (a) office work and (b) for other works. The expenditure under these heads may also kindly be stated.

(27) What is the staff now employed by the Janapada Sabha under the above categories? The amount of annual expenditure incurred on their salary and allowances may kindly be furnished.

(28) Is there any scope for reduction of staff? Can the staff be curtailed by simplifying office procedure under any particular head?

(29) Has payment of salaries to teachers ever been delayed? If so, what are the reasons? Please suggest remedy.

VI.—Education

(30) (a) Please give the number of schools with the number of pupils receiving education in them (give approximate figures if exact figures are not easily obtainable).

(b) What is the number of teachers?

(31) (a) What is the total expenditure on education?

(b) What proportion does it bear to total income?

(c) What is the proportion in which the Sabha and the Government share it?

(32) Do you find any particular difficulties in management and supervision of schools? If your answer is in the affirmative, what remedies do you suggest?

(33) (i) What are the annual repairing charges of the school buildings under the Janapada Sabha?

(ii) How many buildings require immediate reconstruction? At what cost?

VII.—Hospitals

(34) (a) How many dispensaries are there (i) Allopathic and (ii) Ayurvedic? How many patients were treated in 1950-51? What is the total expenditure over dispensaries? What is the staff engaged? Is the staff adequate? If not, why not? Do you give medicine free or charge its price? Do you have qualified doctors for your Allopathic dispensaries?

(b) What grants you receive from Government for your dispensary? What proportion do they bear to your total expenditure?

(c) Have you any supervisors staff for your dispensaries? If not, what agency is used for supervision? Is it effective?

(d) What are your annual maintenance charges for dispensary buildings?

VIII.—Roads

(35) (i) What is the length of class I, class II and class III roads in your charge? Please compare this with the mileage maintained by the late District Council under the above heads.

(ii) What are their annual maintenance charges?

(iii) Have you spent anything over their maintenance since the constitution of the Sabha.

IX.—Administrative and Executive

(36) What time does the Chief Executive Officer devote to the Janapada Sabha work every day? Is it enough? If not, what are the reasons therefor and what remedy do you suggest?

(37) Do you think that Chief Executive Officers tour in their Janapada area adequately and regularly? If not, what are the reasons? Please give the number of days he has toured in each year.

(38) Have transfers of Chief Executive Officers taken place very frequently and have such transfers affected the work of the Janapada Sabhas?

(39) (a) Do you consider that the distribution and exercise of executive powers between the Chief Executive Officer, Deputy Chief Executive Officer, the Chairman, the Deputy Chairman and the Standing Committees needs modification? If so, kindly give your suggestions.

(b) Do you think that the councillors and individual members of the Standing Committees should receive executive powers? If so, what powers should be given to them?

(40) Does the normal expenditure of the Janapada Sabha exceed its normal income? If so, what economies would you suggest?

(41) Do you think that Janapada Sabhas in the province should be divided into various categories according to their income and other circumstances under section 153 (a) of Local Government Act? Any suggestions you have to make may kindly be stated.

(42) Are you in favour of uniform scales of pay and uniform conditions of service for the different categories of staff in all the Janapada Sabhas in the State? If so, what pay-scales would you suggest for the different classes of Janapada Sabhas? Should the staff be transferable from one Janapada Sabha to another Janapada Sabha?

(43) Some Janapada Sabhas are not individually in a financial position to employ qualified technical staff for execution of P. W. D. works. Do you think that such Janapada Sabhas in a district should combine for the purpose and have a joint officer? On what basis should they raise a common fund for the payment of salary of such officer and his staff and who should control him?

(44) Are there any other administrative problems which you would like to suggest for consideration?

(45) Kindly give the number of meetings held by the Sabha and the Standing Committees since the establishment of the Janapada Sabha in the enclosed form.

(46) Information as required in questions 36, 37 and 38 about the Chief Executive Officers, may also kindly be furnished about the Deputy Chief Executive Officers.

STATEMENTS

STATEMENT I.—Different sources of income of the Janapada Sabha and amounts recovered under each head since its constitution.

[Question No. (1)]

(1) Income—

1. *Rates and Taxes—*

A.—Fees from brokers and weighmen.

B.—Market fees.

C.—Cess on land revenue at Re. 0-1-6 per rupee and Government grant (cess grant).

2. *Police—*

A.—Cattle trespass fines.

B.—Recovery of feeding charges.

3. *Education—*

A.—Contribution from State revenue.

B.—Other subsidies.

C.—Grant for libraries.

D.—Grant for new schools.

E.—Backward areas welfare schools.

4. *Medical—*

A.—Government grant.

B.—Donations and other receipts.

5. *Scientific and other minor departments—*

A.—Garden receipts.

B.—Contribution from municipal committee for veterinary dispensary.

6. *Miscellaneous—*

A.—Government grant for pensioners.

B.—Government grant for general purposes.

C.—Rent of lands and buildings.

D.—Sale of old materials.

E.—Miscellaneous.

(2) Normal Income—

STATEMENT II—Cesses leviable under section 86

[Question No. (2) (b)]

Name of janapada sabha	Total amount of			Assessment of cesses on			Total
	Land revenue malguzari	Land revenue on malik- makbuza	Tenancy rental	Land revenue malguzari	Land revenue on malik- makbuza	Tenancy rental	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Name of janapada sabha			Actual recovery	Demand of cesses in 1946-47	Recovery of cesses in 1946-47	Reasons for short recoveries	
(1)			(9)	(10)	(11)	(12)	
			Rs.	Rs.	Rs.	Rs.	

STATEMENT III—Additional cess leviable under section 86

[Question No. (3) (b)]

Name of janapada sabha	Amount in 1946-47		Amount in 1949-50		Amount in 1950-51		Amount in 1951-52	
	Assessed	Re- covered	Assessed	Re- covered	Assessed	Re- covered	Assessed	Re- covered
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.

STATEMENT IV—Number of meetings held by the janapada sabha and the various standing committees

[Question No. (45)]

	1948-49	1949-50	1950-51	1951-52
Number of meetings held by the Janapada Sabha.				
Number of meetings adjourned for want of quorum.				
Number of meetings held by the various Standing Committees.				
Number of meetings adjourned for want of quorum.				

APPENDIX III

Statement showing the names of witnesses examined.

Date	Names of witnesses	Centre at which examined
(1)	(2)	(3)
6th and 7th May 1952	<ol style="list-style-type: none"> 1. Shri S. K. Shrivastava, Deputy Commissioner, Raipur. 2. Dr. K. C. Baghel, M.L.A., Raipur. 3. Shri Brijbhushanlal Shrivastava, Pleader, Raipur. 4. Shri Nandkumar Dani, Raipur. 5. Shri Chakrapani Shukla, Chairman, Janapada Sabha, Baloda Bazar. 6. Shri Manohardas, Bhatapara. 7. Shri C. B. Singh, M.L.A., and Chairman, Janapada Sabha, Bilaspur. 8. Shri Mathuraprasad Dubey, M.L.A. 9. Shri Makhanlal Shukla, Chairman, Janapada Sabha, Katghora. 10. Seth Nemichandji, Councillor, Mahasamund. 11. Shri Jaideewaji, M.L.A., Mahasamund. 12. Shri Brijlal Verma, M.L.A., Baloda Bazar. 13. Shri Vishnooprasad Dubey, Councillor, Janapada Sabha, Mahasamund. 14. Shri Advatgir, Chairman, Janapada Sabha, Mahasamund. 15. Shri D. N. Sharma, Chairman, Janapada Sabha, Surguja. 16. Shri V. L. Gupta, Deputy Chairman, Janapada Sabha, Korea. 17. Shri Sinho, Chief Executive Officer, Jagdalpur. 18. Shri R. K. Pande, Chief Executive Officer, Korea. 19. Shri Tripathi, Chief Executive Officer, Raipur. 20. Shri Izhar Husain, Chief Executive Officer, Baloda Bazar. 21. Shri V. C. Dubey, Chief Executive Officer, Mahasamund. 22. Chief Executive Officer, Dhamtari. 	Raipur.
7th May 1952	<ol style="list-style-type: none"> 1. Shri B. N. Oswal, M.L.A., Khairagarh 2. Shri H. S. Awasthi, Chief Executive Officer, Rajnandgaon. 3. Shri Balkrishnarao Dhok, Chairman, Janapada Sabha, Rajnandgaon. 4. Shri Amritlal Mahobiya, President, District Congress Committee, and Member of Janapada Sabha, Chhuikhadan. 	Rajnandgaon.
8th May 1952	<ol style="list-style-type: none"> 1. Shri Bajrang Thekedar, Chairman, Janapada Sabha, Nagpur. 2. Shri Modi, President, Municipal Committee, Kamptee. 3. Shri Sadashivrao Patel, Deputy Chairman, Janapada Sabha, Nagpur. 4. Shri Morubhau Hingnekar, Councillor, Janapada Sabha, Nagpur. 5. Shri B. R. Mukund, Councillor, Janapada Sabha, Nagpur. 6. Shri R. N. Balbudhe, Chairman, Health Committee, Janapada Sabha, Nagpur. 7. Shri R. L. Satpute, Councillor, Janapada Sabha, Nagpur. 	Nagpur.

Date (1)	Names of witnesses (2)	Centre at which examined (3)
17th May 1952	8. Dr. M. P. Sharma, Head of the Department of Local Self-Government, Nagpur University. 9. Shri Swami, Deputy Director of Veterinary Services. 10. Shri Franklin, Director of Public Instruction.	Nagpur.
9th May 1952	1. Shri K. J. Deshmukh, Pleader, Member of Parliament and Secretary, District Congress Committee, Amravati. 2. Shri Punjabrao Yawalikar, M.L.A., Chairman, Janapada Sabha, Amravati. 3. Shri Hirasingsh Chawhan, President, Nagar Congress Committee, and Member of Municipal Committee, Amravati. 4. Shri Ramdayal Gupta, Member, Provincial Congress Committee, Chairman, Public Works Committee, Janapada Sabha, Amravati. 5. Shri Bokhare, Vice-Chairman, Janapada Sabha, Amravati, Member, Cotton Market Committee, Secretary, Berar Co-operative Institute. 6. Shri Balasaheb Marathe, Member, Amravati Janapada Sabha, Editor of "Hindustan". 7. Shri Gopalrao Chandrabhanji, Korpa, Chairman, Janapada Sabha, Daryapur. 8. Shri G. B. Gurjar, President, Finance Standing Committee, Janapada Sabha, Achalpur. 9. Shri Balasaheb Pangarkar, Vice-Chairman, Municipal Committee, Achalpur. 10. Shri A. G. Deshpande. 11. Shri M. D. Sagane, Retired Deputy Commissioner, Member, Nagar Nyaya Panchayat. 12. Shri Talukdar, Deputy Chairman, Janapada Sabha, Morshi. 13. Shri K. C. Nayar, Deputy Commissioner, Amravati. 14. Shri Yeshwantrao Sarad, Chairman, Janapada Sabha, Chandur. 15. Shri Deorao Babu Ingale, Vice-President, Municipal Committee, Dhamangaon. 16. Shri G. R. Patil, Chairman, Finance Standing Committee, Janapada Sabha, Chandur. 17. Shri Choudhari, Councillor, Janapada Sabha, Chandur. 18. Shri Kathale, Chief Executive Officer, Chandur. 19. Shri Devendranath, I.A.S., Chief Executive Officer, Achalpur. 20. Shri Deo, Chief Executive Officer, Daryapur. 21. Shri Tatwadi, Chief Executive Officer, Amravati.	Amravati.
10th and 11th May 1952 ..	1. Shri P. S. Patil, Chikhli, Member, Janapada Sabha, Chikhli. 2. Shri Santoshrao Narayanrao Patil, Chairman, Janapada Sabha, Chikhli. 3. Shri Trimbakrao Yeshwantrao Maratha, Member, Janapada Sabha, Chikhli.	Buldana.

Date	Names of witnesses	Centre at which examined
(1)	(2)	(3)
10th and 11th May 1952 ..	<ol style="list-style-type: none"> 4. Shri Pundlik Ayaji Pawar, Chikhli, President, Janapada Sabha, Chikhli. 5. Shri W. K. Deshpande, Vice-Chairman, Education Standing Committee, Janapada Sabha, Jalgaon. 6. Shri Namdeorao Tapre, Chairman, Janapada Sabha, Jalgaon. 7. Dr. M. N. Parasnis, Chairman, Janapada Sabha, Khamgaon. 8. Shrimati Indirabai Ekbote, Chairman, Education Standing Committee, Khamgaon. 9. Shri G. V. Powar, Member, Education and Finance Standing Committee, Janapada Sabha, Mehkar. 10. Shri V. K. Soman, Mehkar. 11. Shri M. V. Sawaji, Janapada Councillor, Mehkar. 12. Shri Maniklal Somani, Chairman, Janapada Sabha, Murtajapur. 13. Shri Ghatpande, Chief Executive Officer, Khamgaon-Jalgaon. 14. Shri Randive, Chief Executive Officer, Buldana. 15. Shri R. P. Konher, Chief Executive Officer, Malkapur. 	Buldana.
11th May 1952	<ol style="list-style-type: none"> 1. Shri Rajabhau Padamsingh Puransingh Gochar, Chairman, Janapada Sabha, Malkapur. 2. Shri N. G. Patil. 3. Shri Anandrao Bapu, M.L.A., Mehkar. 4. Shri Paiku Patil, President, District Congress Committee, M.L.A., Malkapur. 	Malkapur.
19th May 1952	<ol style="list-style-type: none"> 1. Shri Indrajit Shukla, Chairman, Janapada Sabha, Betul. 2. Shri Govindrao Ninawe, Chairman, Janapada Sabha, Bhainsdehi. 3. Shri Deepchandji Gothi, M.L.A., and Councillor, Janapada Sabha, Betul. 4. Shri Nathuram Ingole, President, Public Works Department Standing Committee. 5. Shri Shrawan Zarbade, President, Public Works Department Standing Committee, Multai. 6. Shri Bhakaruji, M.L.A., Multai. 7. Shri Bhargawa, Chairman, Finance Standing Committee, Betul. 8. Shri Brij Bhushanji, Chairman, Health Standing Committee, Janapada Sabha, Betul. 9. Shri Nigam, President, Municipal Committee, Betul. 10. Shri Dharmadhikari, Public Prosecutor, Betul. 11. Shri D. N. Verma, Head Master, Betul. 12. Shri Govindrao Nasare, Cultivator. 13. Shri Biharilalji, Chairman, Nyaya Panchayat, Amla. 14. Shri Maheranwar, Pleader, Betul. 15. Shri Verma, Chief Executive Officer, Multai. 16. Chief Executive Officer, Betul. 	Betul.

Date	Names of witnesses	Centre at which examined
(1)	(2)	(3)
20th and 21st May 1952 ..	<ol style="list-style-type: none"> 1. Shri Pande, M.L.A., Jabalpur 2. Shri Vasant Kumar Mishra, M.L.A. 3. Shri Kunjilal Suwarnakar, M.L.A. 4. Shri Thakur Narayansinghji, M.L.A. 5. Shri Govindprasadji Sharma, M.L.A. 6. Shri Jagmohandas, M.L.A. 7. Shri Laxmishankarji Bhat, M.L.A. 8. Shri Maharaj Mushradin, Chairman, Public Works Department Standing Committee, Sihora. 9. Radhakishan Gupta, Janapada Councillor, Murwara. 10. Shri Ramchandrarao Sanghi, Chairman, Janapada Sabha, Jabalpur. 11. Shri R. C. Jain, Councillor, Janapada Sabha, Sihora. 12. Shri Beniprasad Awasthi, Chairman, Janapada Sabha, Sihora. 13. Shri S. K. Selot, Ex-M.L.A., Sagar. 14. Beohar Rajendrasingh, Editor, "Ugaramba", and Ex-M.L.A., Jabalpur. 15. Shri Puranchand Sharma, Katni. 16. Shri R. S. Selot, Chairman, Janapada Sabha, Damoh. 17. Shri Moghe, I.A.S., Chief Executive Officer, Sihora. 18. Shri N. K. Shrivastava, Chief Executive Officer, Katni. 19. Shri G. S. Tiwari, Chief Executive Officer, Jabalpur. 20. Shri S. C. Verma, Deputy Chief Executive Officer, Patan. 21. Shri Kesheorao Ramchandrarao Khandekar, Councillor, Janapada Sabha, Sagar. 22. Shri R. R. Bhal, I.C.S., Deputy Commissioner, Jabalpur. 23. Shri Modi, Janapada Councillor, Damoh. 24. Shri V. B. Bhatt, Chairman, Janapada Sabha, Rehli. 25. Shri Wadiwa, Chief Executive Officer, Sagar. 	Jabalpur.
22nd May 1952	<ol style="list-style-type: none"> 1. Shri G. C. Dixit, Chairman, Janapada Sabha, Burhanpur and M.L.A. 2. Shri Mishrilal, Vice-President, Janapada Sabha, Harsud, and M.L.A. 3. Shri C. R. Dubey, Cultivator, Harsud. 4. Shri Chawhan, Chairman, Gram Panchayat, Harsud, and Member of Janapada Sabha, Harsud. 5. Shri G. R. Bedekar, Chief Executive Officer, Burhanpur. 6. Shri D. Meghashyam, Pleader, Khandwa, Vice-President, Municipal Committee, Khandwa. 7. Shri Radhakishanlal Agarwal, Chairman, Janapada Sabha, Sohagpur. 8. Shri Narayansingh Jaiwar, M.L.A., Pipariya. 9. Shri Jagannath Prasad, President, Municipal Committee, Pipariya. 10. Shri Hirjibhai, Ex-M.L.A., and Ex-President, Municipal Committee, Pipariya. 11. Shri Sharma, Head Clerk, Janapada Sabha, Sohagpur. 	Pipariya.

Date	Names of witnesses	Centre at which examined
(1)	(2)	(3)
22nd May 1952	12. Shri Premshankar Tiwari, <i>Ex-Councillor</i> , Janapada Sabha, Sohagpur, and <i>Ex-Chairman</i> , Finance Standing Committee, Janapada Sabha, Sohagpur. 13. Shri G. L. Gangarde, Member of Janapada Sabha, Khandwa. 14. Shri P. V. Naidu, Additional Deputy Commissioner, and Chief Executive Officer, Hoshangabad and Sohagpur.	Piparya
28th and 29th May 1952 ..	1. Shri Wasnik, M.L.A., Member, Janapada Sabha, Nagpur. 2. Shri Premshankar Tiwari, <i>Ex-Councillor</i> , Janapada Sabha, Sohagpur. 3. Shri B. G. Ghate, Registrar, Co-operative Societies.	Pachmarhi.

APPENDIX IV

Statement showing the population and financial position of each Janapada Sabha of the Madhya Pradesh State

Name of district and Janapada Sabha	Area in square miles	No. of villages	Population	Income	Expenditure
(1)	(2)	(3)	(4)	(5)	(6)
				Rs.	Rs.
CENTRAL PROVINCES					
1. Sagar district					
Sagar	Rural .. 1,045	492	159,925	1,88,714	1,96,539
	Urban .. 19		80,068		
Rehli	Rural .. 1,252	584	134,427	1,90,048	1,99,826
	Urban .. 2		17,217		
Khurai	Rural .. 937	493	126,015	2,00,870	1,23,996
	Urban .. 3		26,148		
Banda	Rural .. 512	268	92,391	1,02,870	1,00,440
	Urban				
Damoh	Rural .. 1,245	693	197,463	2,29,671	2,11,114
	Urban .. 3		36,964		
Hatta	Rural .. 772	445	116,369	1,69,976	1,44,596
	Urban .. 2		6,667		
2. Jabalpur district					
Jabalpur	Rural .. 967	619	173,383	2,78,588	2,65,443
	Urban .. *32		53,339		
Sihora	Rural .. 1,177	720	230,823	3,23,715	1,74,119
	Urban .. 4		7,929		
Murwara	Rural .. 1,055	528	234,031	2,52,720	2,53,966
	Urban .. 2		33,884		
Patan	Rural .. 542	453	108,548	1,64,282	1,45,745
	Urban				
3. Hoshangabad district					
Hoshangabad	Rural .. 771	318	116,442	1,66,628	1,78,163
	Urban .. 5		39,784		
Seoni-Malwa	Rural .. 520	191	55,366	94,759	98,791
	Urban .. 1		7,484		
Harda	Rural .. 1,123	460	122,246	2,62,195	2,38,064
	Urban .. 4		24,267		
Sohagpur	Rural .. 1,265	433	118,734	1,64,692	1,81,492
	Urban .. 1		19,223		
Narsimhapur	Rural .. 1,065	546	140,426	2,63,081	2,28,117
	Urban .. 4		24,392		
Gadarwara	Rural .. 908	442	161,548	2,17,658	1,91,709
	Urban .. 1		12,744		
4. Nimar district					
Burhanpur	Rural .. 1,136	255	106,344	1,78,814	1,77,222
	Urban .. 2		70,066		
Khandwa	Rural .. 1,862	462	192,371	2,57,441	2,20,813
	Urban .. 9		51,940		
Harsud	Rural .. 1,218	341	102,775	91,785	84,215
	Urban				
5. Mandla district					
Mandla	Rural .. 2,104	853	241,124	2,83,847	2,67,958
	Urban .. 4		14,243		
Dindori	Rural .. 1,561	568	142,472	1,09,204	1,10,846
	Urban				
Niwas	Rural .. 1,338	646	149,781	1,02,266	95,346
	Urban				

*Including area of Corporation.

Name of district and Janapada Sabha			Area in square miles	No. of villages	Population	Income	Expenditure
(1)			(2)	(3)	(4)	(5)	(6)
						Rs.	Rs.
6. Betul district							
Betul	Rural ..	1,596	506	135,683	1,99,249	1,79,512	
	Urban ..	2					
Multai	Rural ..	972	388	174,902	2,61,153	2,16,459	
	Urban ..	2					
Bhainsdehi ..	Rural ..	1,340	378	107,316	1,33,156	1,06,510	
	Urban ..	..				
7. Chhindwara district							
Chhindwara ..	Rural ..	1,977	912	303,702	2,82,071	2,85,005	
	Urban ..	4					
Seoni	Rural ..	1,754	785	255,269	2,38,889	2,15,550	
	Urban ..	2					
Sausar	Rural ..	1,112	416	153,681	1,42,290	1,39,408	
	Urban ..	2					
Lakhnadon ..	Rural ..	1,460	805	153,768	1,26,462	1,23,120	
	Urban ..	..				
Amarwara ..	Rural ..	1,483	556	140,592	95,555	75,090	
	Urban ..	..				
8. Raipur district							
Dhamtari ..	Rural ..	1,624	641	267,771	2,20,185	2,14,502	
	Urban ..	4					
Mahasamund ..	Rural ..	3,762	1,673	544,516	3,83,068	3,37,097	
	Urban ..	..				
Raipur	Rural ..	1,107	533	287,762	1,98,036	1,57,752	
	Urban ..	8					
Baloda Bazar ..	Rural ..	1,779	923	414,027	2,50,984	1,10,048	
	Urban ..	1					
9. Bilaspur district							
Bilaspur	Rural ..	2,205	942	513,054	3,40,206	3,28,772	
	Urban ..	3					
Mungeli	Rural ..	1,451	905	259,233	3,04,641	2,55,537	
	Urban ..	1					
Janjgir	Rural ..	1,322	744	566,615	3,87,940	4,02,207	
	Urban ..	3					
Katghora ..	Rural ..	2,553	781	275,899	85,284	1,20,943	
	Urban ..	..				
10. Durg district							
Bemetara ..	Rural ..	1,567	865	299,235	3,71,419	3,04,915	
	Urban ..	..				
Sanjari Balod ..	Rural ..	2,015	1,080	321,661	3,19,889	4,97,293	
	Urban ..	..				
Durg	Rural ..	1,132	621	317,784	2,71,097	3,39,721	
	Urban ..	2					
11. Nagpur district							
Nagpur	Rural ..	796	367	160,826	2,09,676	1,93,560	
	Urban ..	*15					
Ramtek	Rural ..	895	376	137,097	1,48,336	1,91,273	
	Urban ..	2					
Katol	Rural ..	599	291	120,413	1,37,853	1,48,809	
	Urban ..	15					
Saoner	Rural ..	530	211	99,484	1,68,925	1,08,506	
	Urban ..	13					
Umrer	Rural ..	968	422	139,086	1,72,054	1,23,639	
	Urban ..	1					

*Including area of Corporation.

Name of district and Janapada Sabha		Area in square miles	No. of villages	Population	Income	Expenditure
(1)		(2)	(3)	(4)	(5)	(6)
					Rs.	Rs.
12. Chanda district						
Chanda ..	Rural ..	1,160	378	193,827	1,10,365	1,77,515
	Urban ..	14		53,215		
Warora ..	Rural ..	1,276	441	192,593	1,79,026	2,01,690
	Urban ..	6		17,535		
Garchiroli ..	Rural ..	2,861	830	222,987	99,764	1,12,794
	Urban ..	9		8,249		
Brahmapuri ..	Rural ..	889	333	182,007	1,33,142	1,38,395
	Urban ..	8		13,479		
Sironcha ..	Rural ..	3,089	512	93,726	66,219	75,415
	Urban ..	..		..
13. Bhandara district						
Bhandara ..	Rural ..	963	484	286,039	2,75,958	2,37,710
	Urban ..	4		55,279		
Gondia ..	Rural ..	1,098	441	395,284	2,77,587	3,31,611
	Urban ..	..		36,686		
Sakoli ..	Rural ..	1,551	566	298,369	2,21,441	2,92,371
	Urban ..	..		..
14. Balaghat district						
Balaghat ..	Rural ..	1,085	447	229,465	1,46,145	1,68,550
	Urban ..	2		16,291		
Baihar ..	Rural ..	1,556	446	124,772	1,13,243	1,17,883
	Urban ..	..		..
Waraseoni ..	Rural ..	911	393	304,765	1,45,153	2,30,453
	Urban ..	5		18,086		
15. Wardha district						
Arvi ..	Rural ..	886	321	122,441	2,13,250	1,78,815
	Urban ..	4		21,949		
Wardha ..	Rural ..	812	320	179,820	2,37,255	2,48,260
	Urban ..	3		71,035		
Hinganghat ..	Rural ..	727	289	110,790	1,70,292	1,57,858
	Urban ..	2		32,868		
Central Provinces— Grand Total.	Rural ..	79,286	32,677	12,194,552	1,14,88,163	1,17,33,078
	Urban ..	*186		1,317,800		

BERAR

1. Amravati district

Amravati ..	Rural ..	818	353	191,346	2,97,776	3,26,122
	Urban ..	15		124,064		
Melghat ..	Rural ..	1,544	279	51,377	42,669	42,263
	Urban ..	2		979		
Chandur ..	Rural ..	691	237	159,431	2,74,454	2,68,431
	Urban ..	3		18,898		
Morshi ..	Rural ..	662	228	128,984	2,76,087	3,33,380
	Urban ..	1		31,879		
Daryapur ..	Rural ..	503	240	115,015	2,32,300	2,68,464
	Urban ..	2		30,875		
Achalpur ..	Rural ..	453	230	102,068	2,67,612	..
	Urban ..	37		76,244		

*Includes areas of Nagpur and Jabalpur Corporations.

Name of district and Janapada Sabha		Area in square miles	No. of villages	Population	Income	Expenditure
(1)		(2)	(3)	(4)	(5)	(6)
					Rs.	Rs.
2. Akola district						
Washim	Rural ..	1,041	320	125,023	2,07,529	1,95,519
	Urban ..	5		18,763		
Akot	Rural ..	548	237	116,274	2,73,385	2,51,093
	Urban ..	2		30,730		
Balapur	Rural ..	529	162	98,372	1,50,250	1,68,877
	Urban ..	1		20,707		
Akola	Rural ..	733	292	132,096	2,20,266	2,38,720
	Urban ..	6		94,760		
Mangrulpur ..	Rural ..	616	200	102,214	1,23,807	1,79,301
	Urban ..	..		7,822		
Murtajapur ..	Rural ..	608	266	106,783	1,91,316	1,69,747
	Urban ..	2		37,450		
3. Buldana district						
Jalgaon	Rural ..	473	161	81,783	1,93,797	1,56,919
	Urban ..	1		9,764		
Chikhli	Rural ..	920	267	176,047	2,35,481	2,21,052
	Urban ..	4		28,525		
Mehkar	Rural ..	1,007	313	184,908	1,93,004	1,98,125
	Urban ..	..		9,256		
Khamgaon ..	Rural ..	705	209	118,343	2,15,819	1,86,621
	Urban ..	5		55,389		
Malkapur ..	Rural ..	649	238	165,490	3,12,945	2,33,856
	Urban ..	2		40,663		
4. Yeotmal district						
Yeotmal	Rural ..	904	315	141,477	1,76,824	1,69,277
	Urban ..	4		35,980		
Darwha	Rural ..	1,076	340	188,571	1,97,771	2,00,331
	Urban ..	2		22,688		
Pusad	Rural ..	1,284	323	195,852	1,53,731	1,59,326
	Urban ..	1		25,725		
Wani	Rural ..	860	316	140,297	1,33,069	1,47,424
	Urban ..	2		14,672		
Kelapur	Rural ..	1,084	340	154,053	1,72,168	1,34,415
	Urban ..	2		12,677		
Berar—G r a n d Total.	Rural ..	17,668	5,866	3,035,804	42,98,472	41,89,263
	Urban ..	99		738,500	(Except Achalpur)	

MERGED STATES

1. Bastar district

Bastar	Rural ..	13,059	2,597	737,964	5,48,427	4,66,111
	Urban ..	3		13,793		
Kanker	Rural ..	1,428	557	157,065	1,75,765	1,57,536
	Urban ..	2		4,924		

2. Raigarh district

Sarangarh.. ..	Rural ..	341	457	135,135	88,097	1,51,862
	Urban ..	..		7,721		
Udaipur	Rural ..	677	298	134,018	1,19,732	94,520
	Urban ..	..		..
Sakti	Rural ..	106	125	52,722	66,035	76,269
	Urban ..	..		5,301		
Raigarh	Rural ..	1,056	799	291,809	2,22,466	..
	Urban ..	6		37,486		
Jashpur	Rural ..	1,762	..	250,940	1,73,535	1,69,832
	Urban ..	2		4,388		

Name of district and Janapada Sabha		Area in square miles	No. of villages	Population	Income	Expenditure
(1)		(2)	(3)	(4)	(5)	(6)
					Rs.	Rs.
3. Surguja district						
Surguja	Rural ..	5,921	1,789	640,461	3,63,796	4,79,496
	Urban ..	3				
Korea	Rural ..	1,233	468	136,214	2,12,280	2,66,371
	Urban ..	2				
Changbhakar ..	Rural ..	1,224	173	24,100	40,429	75,867
	Urban ..	..			
4. Durg district						
Kawardha	Rural ..	338	393	76,458	1,87,268	1,85,545
	Urban ..	1				
Chhuikhadan ..	Rural ..	136	104	30,414	84,605	39,523
	Urban ..	1				
Rajnandgaon ..	Rural ..	736	528	195,544	3,58,625	2,09,989
	Urban ..	6				
Khairagarh	Rural ..	625	490	162,276	5,48,949	1,15,818
	Urban ..	3				
States—G r a n d Total.	Rural ..	28,642	9,428	3,025,120	26,41,060	26,10,544
	Urban ..	23				
Central Provinces	Rural ..	79,286	32,677	12,194,552	1,14,88,163	1,17,33,078
	Urban ..	*186				
Berar	Rural ..	17,668	5,866	3,035,804	42,98,472	41,89,263
	Urban ..	99				
Merged States ..	Rural ..	28,642	9,428	3,025,120	26,41,060	26,10,544
	Urban ..	23				
						Except Achalpur. Except Khairagarh.

NOTES.—(1) In Berar the figures of income and expenditure are for all the Janapada Sabhas except Achalpur since no figures of expenditure are given by it.

(2) In merged States the figures of income and expenditure are for all the Janapada Sabhas, except Khairagarh since the figures of that Sabha appear to be incorrect.

NOTE.—The figures in columns (5) and (6) shown against Berar and merged States are exclusive of that of Achalpur and Khairagarh, respectively.

*Includes area of Nagpur and Jabalpur Corporations.

APPENDIX V
*Statement showing the total Income and Expenditure of all the Janapada Sabhas in the Madhya Pradesh State
for the year 1951-52*

Particulars of Head of Accounts (1)	Janapadas of Central Provinces Districts			Janapadas of Berar Districts (Except Achalpur)			Janapadas of merged territories (Except Khairagarh)			Janapadas of the Madhya Pradesh State		
	Income	Percent- age	Expendi- ture	Income	Percent- age	Expendi- ture	Income	Percent- age	Expendi- ture	Income	Percent- age	Expendi- ture
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1. Total (Grand)	1,14,88,163	..	1,17,33,078	42,98,472	..	41,89,263	26,41,060	..	26,10,544	1,84,27,695	..	1,85,32,885
2. Total Cesses	26,42,817	23.0	..	14,37,959	33.5	..	..	..	..	40,80,776	22.1	..
(i) Compulsory	17,53,564			8,62,892						26,16,456		
(ii) Additional	8,89,253			5,75,067						14,64,320		
3. Total Grants	55,78,566	48.6	..	19,38,841	45.1	..	23,76,874	90.0	..	98,94,281	53.7	..
(i) Education	39,02,050			16,49,747			17,58,537			73,10,334		
(ii) Medical and others	82,410			34,534			4,19,617			5,36,561		
(iii) General purposes ..	4,86,181			1,46,178						6,32,359		
(iv) Compensation for loss of revenue from cesses.	11,07,925						1,37,865 60,855			12,45,790 60,855		
(v) Compensation for loss of 1 per cent of L. R.				1,08,382						1,08,382		
4. Total of other sources ..	32,66,780	28.4	..	9,21,672	21.4	..	2,64,186	9.99 or 10.0	..	44,52,638	24.2	..
(i) Market and taxes ..	9,04,730			2,80,154			94,111			12,78,995		
(ii) Pound	14,89,923			3,87,678			1,29,942			20,07,543		
(iii) Miscellaneous ..	8,72,127			2,53,840			40,133			1,66,100		

APPENDIX VI

Statement showing the different kinds of cesses which are still being levied in the merged areas

Serial No. (1)	Name of the State (2)	Cesses in force and amount (3)	Remarks (4)
1	Sarangarh	1. Education cess	Rs. a. p. 0 1 0 in the rupee.
		2. Additional cess	0 0 6 Do.
		3. Road cess	0 1 0 Do.
		Total	<u>0 2 6</u> Do.
2	Bastar	1. Patwari cess	0 1 0 in the rupee paid by raiyats.
3	Surguja	No existing cesses.	
		No cess is recovered from raiyats or tenants, but from Khorpeshdars as shown in remarks column.	Administrative cess at 20 per cent of the takoli recovered from Khorpeshdars, Illakedars, etc.
4	Changbhakar	1. Kotwari cess	0 0 3 in the rupee.
		2. School cess	0 0 6 Do.
		3. Postal cess	0 0 6 Do.
		Total	<u>0 1 3</u> Do.
		Cesses recovered from all concerned including tenants.	
5	Korea	1. School cess	3 2 0 per cent of land revenue.
		2. Hospital cess	3 2 0 Do.
		3. Roads cess	3 2 0 Do.
		4. Police cess	3 2 0 Do.
		Total	Rs. 12½ per cent of land revenue or 24 pies in the rupee.
		Cesses recovered from all concerned including tenants.	
6	Rajnandgaon	1. Road cess at 3 per cent.	
		2. School cess at 1½ per cent.	
		3. Post Office cess at ½ per cent.	
		4. Patwari cess in the rupee on the rental at Re. 0-1-0.	
		5. Hadki—	
		(a) Mahua cess at Re. 0-2-0 per tree.	
		(b) Hides cess at Re. 0-12-0 per nagar (plough).	
		These are paid by gauntias out of their share of 25 per cent of total assets of the village.	

Serial No.	Name of the State	Cesses in force and amount	Remarks
(1)	(2)	(3)	(4)
7	Khairagarh	1. Settlement cess at 5 per cent. 2. Patwari cess at Re. 0-1-0 per rupee of rent. Cesses are recovered from gauntias who recover them from the cultivators.	
8	Kawardha	Cess at 12½ per cent of the land revenue in muafi villages only.	
9	Chhuikhadan	Cess at 10 pies per rupee of rent for maintaining primary schools and roads.	Paid by tenants and malguzars.
10	Raigarh	No cesses except in cases of Kham and Muafi villages, where the cess is Re. 0-2-0 per rupee on total assets.	Cesses are paid by gauntias. Raiyats do not pay anything.
11	Sakti	Road cess— (a) in 32 villages at Re. 0-3-0 per rupee on rent. (b) in the remaining villages at Re. 0-2-6 per rupee on rent. Raiyats pay on their rental assessment, and gauntias on valuation of home-farm land.	
12	Udaipur	School cess at Re. 0-1-0 per rupee of rent. Gauntias recovered from raiyats and pay Rs. 6½ per cent of total assets of the village in State treasury.	
13	Jashpur	Hospital cess at Re. 0-0-9 in the rupee on rental. School cess at Re. 0-0-9 pies in the rupee on the rental.	Raiyats pay on their rental assessment. In Thekedars' villages, gauntias recover from tenants and credit to State after deducting 6½ per cent as commission.
		Total ..	0 | 6
		Part	
14	Kankar	Patwari cess Road cess School cess Hospital cess .. ..	| | | ½
		Total ..	3½
15	Makrai	(1) General cess for expenditure on roads, hospitals, schools, etc., at Re. 0-1-6 per rupee of land revenue. (2) Patwari cess at Re. 0-1-0 in the rupee. (3) Kotwari cess at Re. 0-0-9 in the rupee. (4) Tahrir chalan cess at Re. 0-2-0 irrespective of land revenue.	

NOTE.—Nos. (3) and (4) are paid by tenants. It has not been indicated whether Nos. (1) and (2) are also paid by tenants. Presumably they are.

APPENDIX VII

OFFICE OF THE CHIEF EXECUTIVE OFFICER, BASTAR JANAPADA SABHA
Memorandum No. 4247, dated Jagdalpur, the 23rd May 1952.

To

THE SECRETARY,

JANAPADA ENQUIRY COMMITTEE,

Pachmarhi, Madhya Pradesh.

SUBJECT.—*Appointment of Tahsildars within Bastar Janapada area as Deputy Chief Executive Officers.*

REFERENCE.—*Local Self-Government (Janapada) Department Memorandum No. 1286-1035-J-XIII, dated the 21st May 1952, received today in this office.*

A statement showing the Janapada institutions within the jurisdiction of each of the Tahsildars proposed to be appointed as Deputy Chief Executive Officers for their jurisdiction, is enclosed herewith for favour of perusal.

2. The Tahsildars when appointed as Deputy Chief Executive Officers will be regularly inspecting and looking to the proper management of all the Janapada institutions within their jurisdictions, on behalf of the Chief Executive Officer. They will supervise the auction of ferries, markets and render necessary help to the Janapada staff in collection of taxes and dues, if any. This Janapada has a vast area, and it is very necessary to have an immediate officer in every tahsil for effective supervision of the Janapada staff, and its other activities. To begin with, the Deputy Chief Executive Officer will be authorised to inflict minor punishment, grant casual leave and regular leave to the staff up to a month, because there are areas in this Janapada from where references will not reach Jagdalpur in less than 15 days in dry season whereas it would take nearly more than a month in rains. In connection to the Grow More Food campaign, and other schemes of Sabhas, including those entrusted to the Sabha by Government, he will be made responsible for the executions under the general control of the Chief Executive Officer. In case of emergency connected with the Janapada administrations, repairs of buildings, etc., he can pass immediate orders on the spot, and then send the papers for confirmation.

Regarding the co-ordination of work, they will work under the general supervision of the Chief Executive Officer and will regularly correspond and report to him regarding the Janapada work entrusted to them.

Enclosure.—One

S. N. SINHO,
*Chief Executive Officer,
 Bastar Janapada, Jagdalpur.*

No. 4248, dated Jagdalpur, the 23rd May 1952.

Copy, together with the copy of the enclosure, to—

- (1) Secretary to Government, Madhya Pradesh, Local Self-Government (Janapada) Department, Nagpur, for information with reference to his memo. referred to above.
- (2) Deputy Commissioner, Bastar, with reference to Local Self-Government (Janapada) Department endorsement No. 1287-1035-J-XIII, dated the 21st May 1952, for information.

S. N. SINHO,
*Chief Executive Officer,
Bastar Janapada, Jagdalpur.*

APPENDIX VIII

Percentage of adjourned meetings of Janapada Sabhas and various Standing Committees.

	1948-49 Per cent	1949-50 Per cent	1950-51 Per cent	1951-52 Per cent
Meetings of Janapada Sabhas—				
Central Provinces	7.5	15.5	16.0	22.0
Berar.. .. .	5.0	10.5	22.0	33.0
States	7.0	20.0	9.0	30.0
Total	6.7	14.8	16.4	29.5
1. Finance Standing Committee—				
Central Provinces	18.5	25.4	34.7	35.0
Berar.. .. .	20.2	13.4	25.2	33.7
States	24.4	30.5	36.1	52.5
2. Public Works Department Standing Committee—				
Central Provinces	25.4	33.8	41.9	50.9
Berar.. .. .	10.1	20.5	44.0	50.0
States	10.0	40.6	32.0	37.7
3. Public Health Standing Committee—				
Central Provinces	24.3	38.7	27.4	43.6
Berar.. .. .	23.6	16.0	32.0	41.8
States	17.8	27.5	32.6	38.0
4. Education Standing Committee—				
Central Provinces	12.5	19.2	26.7	29.0
Berar.. .. .	20.2	14.6	38.0	34.4
States	30.0	32.9	32.0	41.2
5. Agriculture Standing Committee—				
Central Provinces	14.1	24.4	30.7	33.5
Berar.. .. .	18.3	18.8	43.8	51.7
States	31.0	62.0	39.0	39.0
6. Development Standing Committee—				
Central Provinces	26.6	29.5	35.2	28.1
Berar.. .. .	13.3	80.4	36.0	68.7
States	11.5	91.2	34.7	50.0
Total of all the Standing Committees—				
Central Provinces	19.6	21.7	31.3	31.5
Berar.. .. .	18.4	21.2	36.0	42.4
States	21.7	44.5	34.0	43.0

APPENDIX IX

List of entrusted functions to all janapada sabhas in the State of Madhya Pradesh

Name of department which has entrusted the functions to Janapada Sabhas (1)	Functions (2)
1. Public Health Department.	All Government hospitals and dispensaries other than those at District and old Sub-Divisional Headquarters and under control of Municipal Committees are transferred to Janapada Sabhas.
2. Revenue Department	Scarcity and famine relief, Fuel and fodder reserves, Floods.
3. Jail Department ..	Recommendations to the State Government for appointment of non-official visitors to jails within the jurisdiction of the Janapada Sabha.
4. General Administration Department.	Relief of the poor, unemployment other than industrial unemployment: Relief on account of floods and earthquakes, Jubilee and memorial funds, petitions, memorials, etc., from private individuals pertaining to matters administered by the Janapada Sabhas under sections 49, 50 and 52 of Central Provinces and Berar Local Government Act, 1948.
5. Civil Supplies Department.	Janapada Sabhas are acting as advisory bodies for distribution of cement, iron and steel in the Janapada area.
6. Food Department ..	Janapada Sabhas are advisory bodies in food matters.
7. Forest Department ..	<p>(1) Disposition of licence nakas for the sale of forest produce from reserved forests within the jurisdiction of Janapada.</p> <p>(2) Inspection of Licence Vendors' office by the Chairman or Deputy Chairman in absence of the Chairman of the Janapada within his jurisdiction. Reports of such inspections should be sent to the Divisional Forest Officers concerned for information and necessary action.</p> <p>(3) To organise and sanction pig killing beats in reserved forests in specified shooting blocks to be determined beforehand by the Divisional Forest Officer in consultation with the Janapada under orders of the Conservator of Forests.</p> <p>(4) To devise means and take action in conjunction with the Divisional Forest Officer concerned for the destruction of wild pig and carnivora in reserved forests.</p> <p>(5) Fuel and fodder reserves which are to be created in future for regular exploitation when such reserves reach maturity and are in a position to be exploited.</p> <p>(6) Association of Janapada Sabha with administrative working of Forest Department regarding nistar requirements and grazing needs.</p>
8. Separate Revenue Department.	Janapada Sabhas are advisory bodies in excise matters.
9. Public Works Department.	Execution and maintenance of such roads, buildings and other works of Government as are transferred from time to time, under section 49 (1) (x) of the Local Government Act.
10. Co-operation and Development Department.	<p>No functions in Co-operative Department to be transferred to the Janapada Sabhas.</p> <p>Regarding Rural Development Department—</p> <p>(i) Hostels under Backward Areas Welfare Scheme in non-scheduled areas are to be transferred to those Janapada Sabhas which are willing to run them on grant-in-aid basis.</p> <p>(ii) Schools under Backward Areas Welfare Scheme in non-scheduled areas have been transferred to the Janapada Sabhas on grant-in-aid basis.</p>

Statement showing the Janapada Sabha Institutions

Name of tahsil	Schools	Cattle-pounds	Veterinary dispensary	Public markets	Medical dispensaries	Vaccination units	Ferries	Sarai
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. Jagdalpur	66	21	1	24	1	8	15	3
2. Kondagaon	48	13	..	5	2	2	32	2
3. Narayanpur	14	5	1	2	3	2	3	1
4. Dantewara	12	4	1	5	2	2	20	2
5. Bijapur	19	3	..	4	3	2	11	..
6. Konta	26	3	..	3	4	2	22	1
7. Bhopalpatnam	7	2	1	*	2	1	7	2
Total	192	51	4	43	17	19	110	11

*Information not available as not transferred to Janapada.

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