

IN MEMORIAM.

THE LATE MOULANA MAHOMED ALI.

On the 4th last the great Moulana Mahomed Ali passed away while still in England carrying on work for India at the Round Table Conference. He was dear to all of us. His chief trait was that he did not allow leadership to create a distance—even reverential—between him and his brother workers. A child of religious and political democracy, he was also its embodiment. No tribute in words may correctly portray the man and soldier that Mohamed Ali was. To borrow the words of Wedgewood Ben, "A great Mussalman, a great patriot and a great prophet of humanity he deliberately gave his life in the cause of reconciliation."

HOWEVER, BEHIND THE RECENT...
Moslem League are subjects for our comment. Only, they are not matters which we can wholly pass over as they have their reactions on rural Indian village life. What is happening holds out clear indication that the peoples of India for whom all these great organisations claim to speak must come into their own through organisation from the village to set a seal on these controversies. The need for rural organisation is very much greater to-day than it was ever before and it must be both quick and brisk. The villager must be the ultimate authority to say how best he shall

27 JAN 1931

THE
VILLAGE PANCHAYAT.
(Formerly the Village Panchayat Bulletin).

Vol. I.]

JANUARY 1931.

[No 4.

The Year End Conferences.

POLITICAL.

The last week of December is always a busy week. It is generally the season for conferences. The greatest gathering during the week was usually the Indian National Congress. As it was resolved at Lahore that it would be more convenient to hold the annual session of the Congress in February 1931 instead of in December 1930 in view of the severe cold of Karachi, the Congress did not meet in the last week of the year which, for years, has come to be treated as the national week.

The usual Muslim League Session was held at Allahabad. Sir Muhammad Iqbal presided. He maintained that the Moslem demand for the creation of a Moslem India, within India, was perfectly justified. He held that communalism in its higher aspect was indispensable to the formation of a harmonious whole in a country like India. This adoration of communalism is greatly to be regretted.

However, neither the activities of the Congress nor of the Moslem League are subjects for our comment. Only, they are not matters which we can wholly pass over as they have their reactions on rural Indian village life. What is happening holds out clear indication that the peoples of India for whom all these great organisations claim to speak must come into their own through organisation from the village to set a seal on these controversies. The need for rural organisation is very much greater to-day than it was ever before and it must be both quick and brisk. The villager must be the ultimate authority to say how best he shall

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be ruled. Independence or Dominion Status, All India Federation, or British India Federation, Communalism or Cosmopolitanism, the ordinary ryot may not understand, but he understands his common interests with his neighbours in the village. If he is allowed fairplay and is made the architect of his own fortunes, he will assuredly not allow himself to be ridden by shibboleths of castes, creeds, and political philosophies or even of religion. He is very intelligent and shrewd and would easily take care of himself. Thanks to the incessant work of generations of public workers and distinguished leadership of great Indian men and women, he is already in the dawn of a progressive day. Our only prayer is that God may grant the Leaders of thought in this country the strength of wisdom to co-operate thoroughly in all matters of common interest to the villagers and carry forward Rural India through all trying situations. Mr. V. Ramadas Pantulu's quotation as a finish to his Presidential Address at the Zamindari Ryots Conference at Tiruttani from Goldsmith is quite in time for us in India.

" * * a bold peasantry, their country's pride, When once destroyed, can never be supplied."

Differences in higher policies and higher politics are dangerous only when they separate men into camps of mutual untouchables neglecting all but their own fads. May God save us from that plight.

While the political situation was what it was a number of conferences were held in different parts of the country dealing with different subjects essential for the well-being of the nation.

We have not space enough to deal with them all; much less to deal with any of them in detail. There are however a few of these gatherings that were of some immediate concern to our constituents.

THE INDIAN SCIENCE CONGRESS.

The Indian Science Congress met at Nagpur. It has an Agricultural Section. We are sure that in time all other sections will have to concern themselves mostly with agriculture in so far as the age that has just dawned on the world is an age of Agricultural Development all round. Sir T. Vijayaraghavachariar presided at the Agricultural Section. Besides being the Vice-chairman of the Imperial Council of Agricultural Research, he has just returned from an extensive tour in Europe. He went out as the leader of the first

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wholly Indian Delegation to the last General Assembly of the International Institute of Agriculture in Rome. He also had opportunities of conferring with the heads of the Agricultural Research Councils established in Canada, Australia and New Zealand in addition to many other experts and Ministers of Agriculture from many lands. We need hardly say that whatever he says comes with the greatest authority. We reproduce just two paragraphs from his speech.

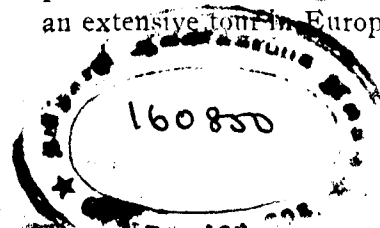
"Agricultural statistics form the basis of studies in economics and Agriculture, whilst rapid dissemination of scientific and technical statistical information is becoming more and more important in these days of specialization.

"The recent depression in agriculture due to the fall in the prices of agricultural produce, clearly brings out two points which bear on the subject of my address. Never was there greater need for an improvement in efficiency of agricultural production than at present since low prices can only be permanently combated by this means. In promoting such an increase in efficiency rapid dissemination of scientific and technical information is an important factor. The present world crisis in agriculture has also brought out clearly the interdependence of different countries on each other and the need for much more accurate statistics of production and consumption of agricultural commodities than exist at the present."

Yes, our interdependence is growing. We must thirst ^{ar} knowledge. But we beg to be excused if we draw Sir T. Vijayaraghavachariar's attention to the urgent need for developing, side by side with agricultural research at the top, methods of distributing knowledge so gained to the ryot in the village. Organisation at the bottom has to be whipped into activity. Canada, Australia and New Zealand have to deal but with one world language, Canada having to deal with just a little French also; whereas in India, commensurate with our size and population, we have to deal with many languages. As presiding officer over the All-India Research Council we know Sir Achariar may not be held responsible for defects lower down the ladder but we have dared address these words to him so that he may impart his weighty enthusiasm to the whole mechanism at the command of the Government in this country.

THE MUNICIPAL ENGINEER'S CONFERENCE.

The Municipal Engineer's Conference which was held in our city raised the very important and urgent question of our roads prominently. The Chief Minister to the Government of Madras,



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Diwan Bahadur B. Muniswamy Naidu presided. He proceeded with caution and prefaced with the remark that he was expressing personal opinions more as an ex-President of a District Board. In his own experience he had found that in recent years more attention was being paid by the District Boards only to the main trunk roads. He was of opinion that, with increasing motor traffic on the main roads, it was difficult for the District Board Engineers to devote sufficient attention and sympathy to village communications and minor roads. He believed that the time had come for a sort of division of work in the engineering department one looking after the main roads and the other appointed to carry on the work of village communications.

While other contributions to the discussion of the roads question were very valuable from the point of view of the broader and wider question of highways, Mr. V. S. Srinivasaraghavachariar's paper clinched the issue for village communications. As he pointed out, the most interesting programme of a local Board meeting is the keen enthusiasm evinced in the allotment of funds for village roads. Unless this problem is solved to the contentment of the village ratepayer the bigger and costlier proposals for the betterment of 1st and 2nd class roads will meet with no response from him. All the real public convenience required in this country must have relation to the village. The villager is our producer. In this age of expanding competition in agricultural products extending over the whole world, our villager must be provided with much better roads, if any further improvement has to take place. The difficulties that the ryot experiences in carrying his produce to the market, not to speak of the wastage of time and energy, are so great that they sometimes carry tears to your eyes, if you are ever a witness. Not only does produce not move quick on account of want of proper communications, neither knowledge nor relief during times of epidemics etc., move sufficiently in time. The problem of village communications is emergent and it is to be hoped that the Chief Minister, who has always held out for village communications, will ere long evolve a scheme of extensive village road-making. Mr. V. S. Srinivasaraghavachariar's suggestion of machine-graded roads in areas other than black cotton soils may be forthwith examined. Village communications first and the rest next, should be the policy of the Government. As Mr. D. Daniel pointed out, modern surfaces and pavements will be required for a small percentage only of the rural

roads in our presidency where urban conditions prevail. Therefore, we may leave this aspect alone and let the Concrete and Asphalt interests take care of themselves. The Government must note that it should not be hustled into serving either these interests or the interests merely of the foreign manufacturer or the capitalistic bus interests. The ryot must be first served, if ever his hard earned contribution—very heavy at that—to the Government should be well utilised.

THE ZAMINDARI RYOTS CONFERENCE.

The Zamindari Ryots Conference held at Tiruttani dealt mainly with the very oppressive system of land tenure which at present obtains in our zamindaries. Mr. V. Ramadas Pantulu, B.A., B.L., presided over the conference. His speech is published as a supplement to this issue. He maintained that our tenancy laws had an enormous influence on the economic life of our farmers. The weakness of India's urban as well as rural economy is, in no small measure, due to the unprogressive and crude system of our land tenures. While agreeing that the Ryotwari Tenure with its periodical settlements, based on no legal sanction, but conducted entirely on executive initiative, with an eye to derive increased revenue at each fresh resettlement, has many bad economic features. He contended that the position of the tenants under zamindari landholders was far worse. There is an utter absence of any principles on which the existing rents in the several zamindari areas are based. In some cases the survey and settlement of rents combined with commutation of grain rents into cash rents resulted in a 300 per cent increase. The zamindari ryot has neither the right to remission nor any way of compelling the zamindar to keep irrigation water sources in repair. Mr. Ramadas mentioned many other grievances and urged for a better Estates Land Act. Resolutions were passed asking for it and committees were appointed to work for it. This conference was opened by the Hon'ble Diwan Bahadur Muniswamy Maidu who in his speech, asked for a very much better law and better treatment for the zamindari ryot.

Nineteen million acres out of 46 millions in this presidency are held by zamindari ryots. As Mr. Harisarvottama Rau who spoke at the conference put it, no democracy is possible in India except it be the Ryot's Raj. But if more than a third of our land is tilled by a ryot whose system of land tenure precludes him from exercising his freedom, we shall certainly be far, far away from real democracy.

The ryot knows the position. It would be to the credit of the landholder and the Government if early adjustment is made and acute conflict avoided.

ALL-ASIA EDUCATIONAL CONFERENCE.

The All-Asia Educational Conference was a unique incident. It was held in the Central Hindu School, Benares. Prof. S. Radhakrishnan a South Indian Andhra of world-wide reputation as a preeminent scholar presided under the hospitality of another pre-eminent South Indian scholar, Prof. Seshadri. The plea that Professor Radhakrishnan made for a synthesis of the great cultures of the East and the scientific accomplishments of the West is made in just the proper time. He asked the educators to determine whether they were going to make the two continents of Asia and Europe face each other as combatants or comrades. The conference was meeting under the aegis of the World Federation of Teachers. May we not ask whether the world teachers will determine whether or not the synthesis of the great cultures of the East and the scientific accomplishments of the West has not immediately to begin, not merely to solve the relationship of Europe and Asia, but equally to solve the many postwar problems of life. To take but one instance, what is the remedy to bridge the gulf that yawns between the ratios in the fall in prices of Agricultural and industrial products. Efficient agricultural production, cutting down agricultural production, cutting down of cost of agricultural production—no, none of these will solve the situation. Nor will Imperial preferences solve matters in the British Empire; for England cannot grant, and Colonies cannot have preference. To our mind the only solution is that of “simplicity of life”—the life that would minimise use of trashy articles which strut in the name of Industry, the life that would bring back as much of “self-sufficiency” as the modern world can work up. The hankering is there, every nation is struggling to be self-sufficient. But world politics and world economics appear to be blind to it; for, it means less luxury to the industrial nations which still rule the world. Only the world teachers can rectify this mental outlook. Recognised, this spirit of the times will lead the world in peace to its proper destination; but, unrecognised, will yet cause conflict, strife, and struggle, all the same, to triumph in the end.

We may not omit to mention that the All-Asia Educational Conference, in its Library Section, has done a very great service in

bringing together in the December issue of the “South Indian Teacher” a large mass of information regarding the Library Science and the Library Movement in this country and in the world in general. Everyone interested in the library side of Rural Reconstruction will be doing but his duty if he should read and digest what is contained in this volume.

INDIAN VETERINARY CONFERENCE.

The President of the Veterinary Conference Col. Oliver, who is responsible for giving expert advice to the Government of India on all matters connected with animal husbandry, laid very great stress on the scientific veterinary control of disease and its great economic value. He instanced the case of South Africa which, just before the South African War, was a most unhealthy country for domesticated animals of all kinds. It had now been completely cleared of such scourges as Rinderpest and East Coast Fever. The value of this work to South Africa can be reckoned in millions of pounds sterling every year. In the addresses of both Rajakarya-prasakta Dewan Bahadur M. N. Krishna Rau, who opened the Conference and of Major R. W. Simpson who welcomed the delegates, Mysore rightly took a place of pride. It was the pioneer in India in the introduction of the Serum Simultaneous method. Next to the one Imperial Institute of Research at Muktesar, it is Mysore that has a serum institute and is starting research. 60 Taluks out of 70 in the state have now each a veterinary institution and its panchayats have co-operated in making this Conference a success. We hope that the appeal made at this conference for provincial Serum and Research Institutes will bear fruit ere long.

ALL-INDIA

AYURVEDIC CONFERENCE & EXHIBITION

Mysore had the privilege of holding the All India Ayurvedic Conference and Exhibition in addition to the Veterinary Conference. Mahamahopadhyaya Kaviraja Gananathasen presided. He defined Ayurveda as the great healing art of India which was once the ideal of the world but of which considerable portions—even some elementary portions—have been lost irrevocably. Gananathasen was frank, sometimes, brutally frank, to the Ayurvedic folk. He condemned all unreasoning conservatism. He remembered to them the old sage Bharadwaja going to Indra to learn. Even the sages could not be perfect. Many diseases have changed their phases and many new diseases have evolved since the days of Charaka and Susruta. The

identification of many valuable drugs mentioned in them have been forgotten. Therefore, he called upon the Ayurvedic doctors boldly to go forward absorbing in their practice whatever good medicinal agents were available in other countries or systems as per the dictum of Charaka who said "whatever is conducive to the cure of disease is the proper remedy." Many Unani drugs have been taken into our Pharmacopœa by Bhavamisra and other authors. Pandit Chandrasekhara Dhara Misra of Champaran has discovered the wonderful healing properties of the common Udumbur. So Ganathasen wanted Ayurvedic Physicians to go forward in the spirit of modern research supplementing their knowledge with the new additions the world could make. Vilification of one another and also of practitioners of other systems should cease. Ganathasen was for retaining the ideal of the Rishis to treat suffering humanity even at a sacrifice to the doctor. He condemned reckless and exaggerated advertisements. In conclusion, he adored Ayurveda not because it had a great past but because it has still a great future.

Dr. P. Subba Rau who presided at the opening of the Exhibition explained the results of his research. He held that the Vedas were primarily treatises on medicine and surgery, the Rig Veda dealing chiefly with the former and the Yajurveda and Atharva Veda with the latter. These three vedas are the principal sources of Ayurveda. The Ayurvedic Ariad, the Vriddha Atraya as they have come to be called—Charka, Susruta and Vagbhata—are only subsidiary works which, while they are in general agreement with the Vedas, seek to adjust their principal doctrines to the needs and conditions of the times in which they were written. Dr. Subba Rau postulates that Bacteriology and Vivisection are treated of in the Veda and that Nadi Nirnaya Sidhanta is as old as the Vedas.

Both the Presidents have done their best. It is for the ordinary Ayurvedic physician, the Local bodies and the Government, to find the best medical local aid to the villager much more than what he is destined to have to-day. As Dr. M.S. Krishnamurti Iyer who presided over another conference, the Rural Medical Practitioners Conference, put it, we have, in this presidency, in all the hospitals 9390 beds which works out to one bed for every 5000 population, whereas in America there is one bed for every 270 persons. Cannot Ayurveda also have its share of beds? Can our ryot not be saved from the burden of costly medical aid?

RURAL MEDICAL PRACTITIONERS CONFERENCE

The cry of the rural medical Practitioner was badly heard at this conference. Dr. S. Rama Subbu narrated a large number of instances of very humiliating treatment given to Rural Practitioners by Presidents of Taluk Boards. He complained that transfers of such practitioners were still taking place. He suggested that grant-in-aid methods may be adopted instead of service methods and a District Medical Council may be set up to save the practitioners from the meddlesomeness of the Local Boards. The scheme of Rural Dispensaries was conceived in a very happy moment. The extension of it to Ayurvedic institutions is happier still. All the abuses that have grown up in the system deserve to be examined. While the medical practitioner should not be encouraged to grow into another boss over the villagers, he must be made sufficiently independent and secure in the tenure of office. If the rural doctor can be more extensively employed, and if he may be fired with the enthusiasm to take his full part in Rural Reconstruction, we may have one more very potential agent of progress to help the rural cause. In fact, in olden days, the Purohit was also the physician and he wielded very great power.

Administration of Panchayats

1929—30.

Review of Registrar General's Report.

The administration Report of Village Panchayats for the year 1929—30 makes very informing and instructive reading. It is a fair and frank statement. It is highly valuable at this juncture as a warning to the Panchayats on the one hand, and to the Local Boards and Government on the other. The new Local Boards Act under which the Panchayats have begun to work can be a success only if all concerned take proper note of all indications contained in this report.

The first point that we should draw attention to is that the Government has been very slow to recognise the need that there is for making over certain heads of Revenue to Village Panchayats and creating other facilities for the development of Panchayat activity. In more than one place the Registrar General of Panchayats mentions this very clearly. He proposed that Panchayats should be at least allowed—mark the words—to manage new pounds constructed by themselves. The Government definitely decided that this function, though provided for in the Act, should not be entrusted to Panchayats. This is not the first time that a Registrar-General makes

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this complaint. The Government has been persistent in resisting requests of this nature by Panchayat Registrar's-General. Government departments are no more courteous. Take for instance, grants for libraries within the power of collectors. The Registrar-General has stated that certain cases came to his notice where Panchayat requests have been rather summarily treated. Take again the Registrar-General's reference to the interest Revenue Officials took. He says that in a few cases where he issued notices for the abolition of Panchayats on the audit reports of these authorities, it was found that the revenue officers had hardly been fair to the Panchayats and this was due to their not instituting a proper enquiry as to what Panchayats were doing apart from the formal accounts. In regard to transfer of powers to the Panchayats in regard to Pora'nbores, Village Forests, Irrigation and kindred subjects, it is to be feared the Registrar-General has omitted reference on account, obviously, of despair. Now that the Panchayats have been transferred to the control of the Local Boards Act it should not be surprising that the Government in other departments should feel more irresponsible than before. Village Panchayat Government is possible only when the Government as a whole is prepared to concede to it all such facilities as local circumstances, on examination, demand. Any specialised compartmentalism carried into the village is bound to fail. It may be a good stick to wield as against the poor, helpless villager to point to his inefficiency; but it will have failed of the prime purpose of developing really the villagers' efficiency. The Minister in charge of Panchayats has to take note and exert an influence all his own over the more irresponsible portions of the cabinet.

The Registrar-General in his administration Report has been no less frank, in fact he has been naturally franker, in pointing out the defects of the Panchayats themselves. While making it clear that the Panchayat system, with all its handicaps, is a success, he has drawn pointed attention to the defects on the popular side. While he mentions with pride the great and splendid activities of the Namakkal Panchayat Union and its constituents and he also cites the fine specimen of the Kotipalli Panchayat which at an annual establishment charge of Rs. 300 managed income and expenditure of Rs. 13,700 excellently well, he is not slow to admonish panchayats by stating that 800 of them are nothing more than parish school committees and many of the others though still surviving are far from active, and that 231 Panchayats were cancelled as the villagers refused to have anything to do with them. He points out also that Presidents were inclined to delay paying teachers after they had received the money from the treasury, that many Panchayats failed to supply equipment and draw grant and therefore he had to surrender Rs. 10,000, that in certain areas it seems almost necessary to thrust education under the people's noses, that grants for 44 schools were entirely withdrawn for inefficiency, that it was found not possible to organise satisfactory Panchayats in several areas where schools were wanted, that other Panchayat Unions except Namakkal, Alamuru and Guntur remained

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merely names, that the Sattur Taluk Panchayat Union owing apparently to personal feelings among the members rather failed to function, and that a regular paid staff to guide and advise Panchayats in Districts where there are many in number is very desirable. All this is undoubtedly a comment on the non-official interest in the Panchayats. Because it comes from an official it need not be discounted. Mr. P. Peddiraju, President, District Board, East Godavari, speaking at the Tadepalligudem Taluk Panchayats Conference, drew attention to the want of interest in Panchayats on the part of the non-official leaders. Even Presidents of District Boards and Taluk Boards, with a few honourable exceptions, have taken really no interest. It is upto all non-official leaders, in view of the great talk about Rural Reconstruction, to go forward and make Panchayat Government a reality. Now that District Panchayat officers may be appointed, if, as suggested by us on a previous occasion, men of outstanding public personality can be induced to take up the work by a proper approach, we are sure the defects on the non-official side can easily be mitigated, if not cured. They will be able to create the necessary enthusiasm in the people while keeping the government also well-informed in regard to the further steps to be taken in all directions for a better and a more progressive programme for the Panchayats.

Whatever other things may happen or may not happen, the responsibility for the success or failure of the Panchayats will hereafter rest on the heads of the Presidents of District Boards and Taluk Boards. The Administration Report before us points out grave negligence on the part of the Local Boards Engineering staff. We are told that under water-supply, Panchayats failed to draw the full amount owing to delays in check-measurement by the Engineering staff in several districts. Rs. 1794 had to be refused on 38 works on account of failure of Local Fund engineering staffs to check measure in time. It is not merely check-measurement or handing over of schools or paying a small dole that Taluk and District Boards are asked to do under the New Act. If they have a mind to do good, they have the whole field of village autonomy to work for. It is just a little disappointing that the Registrar-General could mention only four District Boards and nine Taluk Boards, namely, West Godavari, Guntur, Chingleput and Ramnad (District Boards) and Cheyyar, Nannilam, Puttur (South Kanara), Karur, Tadepalligudem, Bhimavaram, Karvetinagaram, Kavali and Tenali (Taluk Boards) as having taken any appreciable interest. May we not appeal to all other District and Taluk Boards to gird up their loins, rise equal to the occasion and start forthwith to do all they can for the formation and proper conduct of Panchayats, not in the spirit of patrons, but in the spirit of "Service"?

We have deliberately refrained from definitely stating the excellent aspects of the Panchayat movement as evidenced by the Report before us or commenting on some of the very good proposals the Registrar-General has made, because we feel that the reader should be referred to the highly readable original report published elsewhere in this issue.

Village Panchayats in Madras

ADMINISTRATION REPORT.

PROGRESS OF ACTIVITIES.

The following are extracts from the Administration Report for 1929-30 on Village Panchayats which has just been issued by the Government :—

The number of Honorary Organizers rose from 172 to 196 and I mention with pleasure the very good work done by many of them. Thirteen Honorary Organizers resigned and 24 Honorary Organizers, whose terms of office had expired, were not reappointed during the year as they had not shown sufficient activity. The whole of Rs. 5,000 sanctioned for travelling allowance to Honorary Organizers was expended and some claims were held over to be paid for during the current year. Chingleput District Board, West Godavari District Board and Puttur Taluk Board continued to maintain paid rural reconstruction supervisors, and during the year the Nellore District Board appointed two similar officers. The Bellary District Board also agreed to appoint one, but the appointment had not yet been made by the end of the year. Nannilam Taluk Board continued to maintain a panchayat supervision while in May 1929, Cheyyar Taluk Board, with the consent of Government, sanctioned the employment of four educational supervisors, two to be paid from general funds and two from education funds to look after both taluk board and panchayat schools. Each supervisor was placed in charge of 50 schools, board and panchayat on the average, and, in addition, they helped panchayats in their areas in many ways, e.g., in finding teachers, getting recognition, getting site for school buildings, putting forth taxation proposals, seeking out sources of non-tax revenue, and making suggestions for village improvement and education of the villagers in civic matters. They were of considerable assistance in bringing schools up to standard, improving teaching methods and equipment and insuring regular payment of teachers' salaries. Other taluk boards where panchayat schools are numerous, might with advantage adopt a similar system. The following taluk boards took special interest in and helped panchayats : Cheyyar, Nannilam, Puttur (South Kannara), Karur, Tadepalligudem, Bhimavaram, Karvetnagar, Kavali and Tenali. West Godavari, Guntur, Chingleput and Ramnad district boards showed the most readiness to assist panchayats and foster their growth and Bellary and Trichinopoly District Boards started proposals for Rural Reconstruction Committee and some supervising staff.

NUMBER AND DISTRIBUTION OF PANCHAYATS.

The year started with 3,282 and closed with 3,756 panchayats. 230 panchayats were cancelled during the year as they were not working or the villagers refused to have anything to do with them when elections were attempted and 28

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were reconstituted with altered jurisdiction. A fair number of panchayats when served with notices to show cause against their abolition woke up and asked that the notices be withdrawn. In a few cases, it was found, when notices were issued for their abolition on the audit reports of the revenue officers that they had hardly been fair to the panchayats and this is due to their not instituting a proper enquiry as to what panchayats were doing, apart from the formal accounts. The weeding-out of non-working panchayats has made the rate of development during the year seem comparatively slow. The actual number of new panchayats constituted was 733 compared with 645 in 1928-29 and 774 in 1927-28. Quite 800 of the panchayats are nothing more than parish school committees and many of the others, though still surviving, are far from active.

PANCHAYAT UNIONS.

The Alamuru Union and the Guntur Panchayat Association were constituted during the year and have done some satisfactory work. Sattur Taluk Panchayat Union owing apparently to personal feelings among the members, rather failed to function. The Namakkal Sub-district Panchayats Committee continued to do most excellent work under its energetic secretary and continued to employ its own overseer and clerical staff for panchayat works carried out with the aid of Government half grants. The Committee is constituted from the panchayats of Namakkal and Rasipur taluks in Salem district with a membership of 691 members representing 79 panchayats and an executive committee of 10 elected and 5 co-opted members, the Revenue Divisional Officer of the division being president. It held 8 executive committee meetings during the year and one general body meeting. The latter was made the occasion for a sort of panchayat "Jamboree" and exhibition. Wells and road works to the value of Rs. 28,054 were executed during the year. The constituent panchayats maintained 48 panchayat schools and ten of them paid salaries exceeding Government grants. The committee has made efforts towards forming a co-operative society for dealing in manure, seeds and agricultural implements and actually purchased good cotton seeds for distribution. It persuaded the taluk board to have a panchayat sub-committee. Through this, the taluk board was eventually induced to make over part receipts from local markets to certain panchayats. Its receipts were Rs. 1,994 and charges Rs. 1,930. Other panchayat unions so far as I am aware, remained merely names.

As before, the resolutions passed were mainly concerned with handing over all porambokes to control of panchayats, handing over of pounds, provision by Government of a nucleus fund for panchayats and requests for the handing over of various functions and rights to the panchayats. Government, on proposals from this office that panchayats should be at least allowed to manage new pounds constructed by themselves, definitely decided that this function though provided for in the Act, should not be entrusted to panchayats. Wherever the resolutions of panchayats were practical, or were not

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matters already decided, action was taken on them by this office. The Local Boards Act Amending Bill came in for considerable attention and panchayats and honorary organisers seem generally to have been against the inclusion of panchayats in that Act. On the invitation of two honorary organisers a conference of honorary organisers was held in Madras on 14th November 1929 to consider the position of panchayats under the Bill as first published and to devise means for placing their views before the legislative Council. I opened the conference and explained how it came about that the Bill amending the Village Panchayat Act was dropped and panchayats were proposed to be included in local boards in deference to the opinion of a large number of M. L. C.'s but took no further part in the proceedings.

Elections.—The number of elections held during the year was 695 at which 4,463 panchayatdars were elected. In 52 cases petitions questioning the validity of elections were received and 31 were dismissed after inquiry. Fresh elections were ordered in 21 cases.

Adi-Dravidas and Adi-Andhras were successful in elections and at the end of the year these classes were directly represented on 154 panchayats out of 1670 for which information is available.

Panchayat business.—One thousand two hundred and seventy-four panchayats held 10,818 meetings during the year, an average of about 8 per panchayat. Thirty panchayatdars were removed for persistent default in attendance.

Functions.—1,260 panchayats maintained 1,286 schools with the aid of Government grants and 534 panchayats have now their own school buildings. Compulsory education was in force in 4 panchayat areas and during the year proposals for starting compulsory education in another area in Ramnad district were initiated; but they had not yet been completed by the end of March. So far as information is available, 191 panchayats cleared prickly-pear. 136 attended to lighting of their villages. 99 maintained regular sanitary staff, 2 planted trees, 509 maintained libraries, 555 undertook the provision of improved water-supply and 396 communications. 64 panchayats carried out kudimaramat, 2 managed irrigation while 9 undertook the management of crops protection and the collection of fees due to the watchers, 29 panchayats managed markets and 71 maintained or contributed to the maintenance of tank watchmen. As in previous years certain panchayats undertook the management of religious festivals, repairs to the temples and management of religious service samudayam lands with the consent of the general body of villagers. During the audit, it was found that some of these expenses were met from general revenues of the panchayat as well as from income handed over specifically for the purpose, and panchayats so doing were informed that this should not be done. Thirty-five panchayats exercised powers of supervision and management over board schools. The main direction in which panchayats have been active apart from managing schools

VILLAGE PANCHAYATS IN MADRAS

is in improving their village communications and water-supply (referred to in more detail in the following paragraph). After my tour in the Madurai district to inspect the experiments on the borehole and other forms of cheap latrine, I applied for a grant for carrying on similar work among panchayats but Government was unable to meet the demand. A grant of Rs. 15,000 has, however, been made during the current year and I hope to encourage panchayats to do something to remove the too common conditions of an Indian village referred to in my last year's report. As showing what can be done through the panchayat system, when properly worked, I may mention the case of the Kotipalli panchayat in East Godavari which manages and expends an income of Rs. 13,700 with establishment charges of only Rs. 300. Compare this with any existing union or taluk board. Its income consists of taxes, Government half-grants for works, contributions from district board and Vizianagram samasthanam for festival management. Besides carrying out improvements to water-supply and communications, it manages a large festival, maintains a dispensary, and attends to the lighting and sanitation of the village.

IMPROVEMENT WORKS.

Improvement works and Government grants.—Government sanctioned 1½ lakhs for improvement of water-supply and 1½ lakhs for village communications in panchayat villages as in the previous year. I adopted the previous year's policy of sanctioning considerable more estimates than the allotments strictly allowed for. Estimates were sanctioned during the year amounting to Rs. 3,55,892 under water-supply and Rs. 4,41,824 on communications, distributed among the districts.

In addition, panchayats were allowed half grants on incomplete sanctioned works of previous years and a total of Rs. 50,256 under water-supply and Rs. 32,993 under roads was disbursed on this account. I am glad to state that the whole of the allotment under village communications was spent and I utilized in addition Rs. 18,000 of a Rs. 20,000 grant, which had been earmarked for the Ramnad District Board, for roads in panchayat villages which they failed to spend. Under water-supply, panchayats failed to draw the full grant and only Rs. 1,21,054-5-0 were disbursed by me as half grant. Owing to delays in check-measurement by the engineering staff in several districts, far too many bills were received in the month of March and my office worked under high pressure during the last fortnight checking and passing bills and getting out pay cheques. During the year further payment amounting to Rs. 1,794 had to be refused on 38 works on account of failure of the Local Fund engineering staffs to check-measure in time.

Under communications the expenditure has chiefly been on the conversion of cart-tracks into feeder roads to the district board and taluk board roads including in the deltas expensive metalling, construction of small bridges and culverts over streams and channels. Having found that in one district the Revenue authorities were insisting on alienation of cart-track

THE VILLAGE PANCHAYAT

porambokes, before roads could be laid on them, I brought it to the notice of Government and orders were passed, as suggested, that all that was required was a formal permission from the Revenue Divisional Officer concerned, rights in trees, etc., being reserved to the Revenue Department unless made over under the usual conditions. Under water-supply, new wells, deepening of existing wells, clearing silt and deepening of tanks long neglected by the taluk boards through lack of funds, and construction of steps to tanks and channels were the main items undertaken by panchayats. Attempts to induce panchayats to start small protected water-supply systems were not successful, though many panchayats made provision from their own funds for watching over drinking water tanks. The initial expense on pumps, piping and storage reservoir is rather frightening. Only one such scheme is in progress in a village of Tinnevely district. Special panchayat overseers working under the control of the District Board Engineers were appointed in certain areas for the preparation of estimates, supervision of and help to the panchayats in carrying out works and preparation of bills.

EDUCATION.

Education.—The number of panchayat schools at the beginning of the year was 1,190 and provision was made for a total number of 1,412 single-teacher panchayat schools and 286 additional teachers. The number of panchayat schools at the end of the year was 1,286. Grants for 44 schools were entirely withdrawn during the year for inefficiency. It was found not possible to organize satisfactory panchayats in several areas where schools were wanted and hence the full provision was not utilised.

A great many of the panchayats running these schools are nothing more than village school committees and have no other activities. The provision of additional teachers was originally fixed at 20 per cent of the total number of schools but it has been found insufficient. The total number of additional teachers paid for was 296 for 1,286 schools and 28 panchayats drew enhanced grants at Rs. 240 for teachers of trained secondary qualifications. The total number of pupils on the registers at the end of the year in panchayat schools was 44,887 and the average attendance was 42,408 making 90 per cent of the pupils on the roll. Out of the total number of pupils, 4,767 were girls and 4,112 were Adi-Dravidas. The total actual expenditure on teaching grant for the year was Rs. 2,56,468-3-0 and on equipment grants was Rs. 24,030-8-0. Many panchayats failed to supply equipment and draw grant during the year and I had to surrender Rs. 10,000 out of an equipment grant of Rs. 31,200. Considerable progress was made during the year in enforcing the minimum standard of teachers' qualifications referred to in my last year's report and in February after consulting selected Honorary Organisers and District Educational Officers it was decided that for the current year grants should be sanctioned on receipt of certificate from the Panchayat that, if more than one year old, the school had been recognised, a teacher of

VILLAGE PANCHAYATS IN MADRAS

the prescribed qualifications had been employed, the approval of the District Educational Officer to his appointment obtained, that the building was suitable and open to all classes and the school sufficiently equipped. District Educational Officers co-operated with me effectively in improving the panchayat schools and in keeping me informed as to school conditions and in finding teachers for the schools where panchayats were unable to get themselves. Under the new system of grant, the panchayats will receive grant up to the end of the month in which grant is sanctioned and thereafter draw the teaching grant in monthly instalments instead of as previously sanctioned, three times in a year, one for 6 months and the other two for 3 months in advance. It had been found in certain areas that the pre-payment system did not work satisfactorily. Certain Honorary Organisers finding that panchayat presidents were inclined to delay paying teachers even after they have received the money from the treasury suggested that the teachers' pay should be sent direct from my office by money order. Apart from the extra burden of issuing so many money orders monthly which would have been almost impossible to cope with on my present staff, it would be in my opinion a great mistake, as teachers would assume that they are the employees of the Registrar-General and not of the panchayat. The essence of the system is that the village should consider their school as their own over which they have full control and for the success of which they are responsible. The system of supplying newly sanctioned schools with articles such as wall pictures, maps, etc., direct from a Madras firm as was done last year was continued during the year under report and the same firm also supplied tables chairs, black-board, record box and planks of remarkably good quality for the money available to those panchayats which reported they were unable to get them made locally and were willing to pay the cost of carriage.

SCHOOL BUILDINGS.

So far as is known, 82 school buildings were specially erected during the year by panchayats making a total of 534 by the end of the year and a grant of Rs. 30,000 made during the current year on the half-grant principle has already been fully applied for. Payment of teaching grants was withheld from 407 panchayats for varying periods as a method of enforcing compliance with conditions of the grant as regards staff, accommodation and strength and opening of the schools to Adi-Dravidas. Though I have had to close a few schools for failure of panchayats to comply with conditions, the more I see of them and compare them with the average teacher-managed aided school, the more I feel the panchayat schools are a more satisfactory form of aided elementary education and I think most District Educational Officers agree. So far sanction of grant for panchayat schools has been refused, where an aided school has been reported to be working more or less satisfactorily; but, I incline to the belief that it would be good policy, where a reasonably efficient panchayat exists, to let them run the school, providing a suitable building and let the former teacher-manager be employed if up to qualification, and if not,

THE VILLAGE PANCHAYAT

or he refuses to come under the panchayat, let him fend for himself. It would cost Government a little more but generally the result would be worth it. In sanctioning panchayat schools, I have, as far as possible, discouraged the prevalent idea that one mile is too far for young children to go to school but in certain areas it seems almost necessary to thrust education under the peoples' noses.

During my tours I have endeavoured to impress on panchayats and villagers the necessity of keeping their children at school up to at least the fourth class. The wastage after the second class is very great and by many of the poorer class parents the village schools seem to be looked on merely as a convenient place to dump their young children while they are at work. I should say that at least 30 per cent of the teachers in all elementary schools are nothing more than "baby welfare" nurses. If the public think that this is a suitable expenditure of the public funds, well and good. If not, then the only way to check the waste of money on elementary education now occurring seems to be compulsion, or failing that, to raise the age of admission. Children of nine and upwards are not likely to be sent to school by the labouring and small ryot class unless it is intended they should continue.

As far as information is available, 371 panchayats maintained libraries and 254 panchayats received during the year under report Government grants for libraries ranging from Rs. 20 to Rs. 100 through Collectors. Certain cases came to my notice where panchayats' requests have been rather summarily treated, but distribution was much more satisfactory than in the previous year.

Distribution as between districts was very uneven and partly due, I am afraid, to the attitude adopted by various Collectors. Thus, Anantapur, in which very few of the panchayats are really active, got over Rs. 4,000, because the Collector asked for it, while, North Arcot with 812 panchayats and 449 panchayat schools, got only Rs. 1,150. Presumably the Collector asked for no more, though, during a recent tour in the district there were frequent complaints to me by panchayats which were at least running a school successfully and had provided a good building, that no notice was taken of their application for library grants.

Taxation and Finance.—Seven hundred and sixty-seven panchayats raised from their own resources of taxation and otherwise a total of Rs. 4,78,169. 154 panchayats received from taluk boards as contribution Rs. 68,188. 10 panchayats received from District Boards Rs. 5,429 and 1,018 panchayats received from Government Rs. 3,00,232 (Works, Education and Library grants).

AUDIT AND ACCOUNTS.

Audit and Accounts.—During the year the accounts of 1,357 panchayats were audited by officers of the Revenue Department. I have already reported

VILLAGE PANCHAYATS IN MADRAS

on the result of the audit—vide G. O. No. 2449, L. and M., dated 20th June 1930. There were no gross errors or misappropriations brought to light but in many cases there was considerable room for improvement; collection of sanctioned taxes was in many panchayats almost nominal which means the panchayat proposals had not public opinion behind them. One Collector commented on the indebtedness of many panchayats for carrying out works. Personally, I am inclined to think it a good sign, as it is incurred on the personal responsibility of the president or panchayatdars and indicates, I should say, a very considerable measure of community spirit in the villages and faith in the permanence of the panchayat. The audit also indicated that a regular paid staff to guide and advise panchayats in districts where they are many in number is very desirable. Except in three districts, Collectors have not found the burden on their staff too great and have recommended continuance of the system. As a result of the audit, notices were issued to a number of panchayats to show cause against their abolition or dissolution. Several of them were stirred up to activity by the threat. The system of supplying panchayats with account books on credit was leading to large arrears and I stopped it as collection was found difficult. Where school or works grants had to be disbursed there was no difficulty but in other cases it is questionable if the money can be recovered except by suit.

IMPLICATIONS OF VOTE.

(Book Review)

We have received an advance copy of a small pamphlet of 32 pages with the above title. M.R.Ry. K. S. Muthuswamy Iyer Avl., is the author. This pamphlet is conceived in the form of short weekly dialogues. The personnel appearing increase by one every week, until, at the last, they are a group of five. The prejudices and prepossessions that prevail in regard to the vote and its possessors are all brought into play and matters are discussed in homely conversational style. The author, through his characters, makes a fervent appeal to historical facts and philosophical truths and establishes the value of the vote as an instrument of emancipation. We understand the author intends to bring out more leaflets in the same style dealing with Legislatures, Taxation, and finance etc. We wish him all success. We have no doubt that the intelligent Tamil Nadu will enable him to carry on this popular work to penetrate the masses. The pamphlet is priced at 2 as each or 10 at Re. 1. The pamphlets can be had of the Navasakthi Office-Royapettah, Madras.

THE VILLAGE PANCHAYAT

INSPECTOR OF MUNICIPAL
COUNCILS AND LOCAL BOARDS.

CIRCULAR No. 100, DATED THE 19TH DECEMBER, 1930.

Subject :—Land cess—Crediting to Village Panchayats—Instructions issued.

Under section 78 of the Local Boards Act as amended by Act XI, 1930, Land Cess shall consist of a tax at one anna and a half in the rupee for the annual rent value of all occupied lands in the district and under Rule 5-A (1) of Schedule V to that Act as amended, one-sixth of the land cess levied in the village under section 78 shall go to the village funds. The new Act came into force from 26th August 1930 and as any change now, except from the beginning of a fasli, will cause difficulties in the allocation of Land Cess between all the Local Boards, Government have ordered that the cess collected for the portion of the fasli year 1340 from 26-8-1930 to 30-6-1931 should be distributed among the District and Taluk Boards in the same proportion and among the same Local Boards as was done in the portion of the fasli year before 26-8-1930. The Village Panchayats will not get any portion of the Land Cess during the current fasli and the cess will be distributed at the rate of 3 pies in the rupee only during fasli 1341.

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SUPPLEMENT TO THIS ISSUE

The First Zamin Ryots' Maha Jana Sabha
(Tiruttani, 24th December, 1930.)

PRESIDENTIAL ADDRESS

BY

MR. V. RAMADAS PANTULU.

BROTHER DELEGATES AND GENTLEMEN :

It has given me genuine pleasure to accept your generous invitation to preside over this conference of Zamindari ryots. I render to you my grateful thanks for the honour you have done me.

The zamindari ryots constitute a powerful factor in the rural economy of this province. Of the cultivated area of the land in the province, 27 million acres are held on ryotwari tenure directly under the Government and 19 million acres on zamindari tenure under the landholders. Ryotwari tenure with its periodical settlements, based on no legal sanction, but conducted entirely on executive initiative with an eye to deriving increased revenue at each fresh resettlement, has many bad economic features and, in places and at times, it is oppressive to the cultivator. But the position of the tenants under the zamindari landholders is far worse, although it must be acknowledged that it was considerably changed for the better with the passing of the Madras Estates Land Act in 1908. There are, however, many disabilities under which they still labour. The most outstanding feature of the incidents of the Zamindari ryots' tenure, which cannot but arrest the attention of any student of rural economics in South India, is the absence of any principles on which the existing rents in the several zamindari areas are based. There are no standards by which the propriety or suitability of those rents can be judged. This is easily accounted for. When the East India Company made its land revenue settlements at the end of the 18th century and the commencement of the 19th century, its main concern was to set up a stable agency to collect its revenues and remit them to its treasury. The zamindars who were constituted under the Permanent Settlement Regulation of 1802, were treated as proprietors of the soil and later Regulations reiterated this position. In that arrangement, the rights of the actual cultivators of the soil and the extent of the fiscal demands on them, did not come under notice, much less under investigation. The landlords' rights to enter into contracts with their tenants, both in respect of right of eviction

and enhancement of rents, were unfettered. Later regulations which provided for exchange of Pattas and Muchilikas and the prevention of illegal exactions left the landlords' alleged proprietary rights substantially unaffected. The Madras Rent Recovery Act of 1865 was a mere *processual* law and did not recognise in or confer on the tenants any rights, except in one respect, namely that their improvements should not be taxed. This too was an illusory concession, for the right of eviction which could be exercised by the enforcement of a stipulation to quit at the end of the term, coupled with the absence of any provision for compensation for improvements before eviction, enabled the landlord to virtually confiscate the land with the improvements thereon. Whether the right of eviction was actually exercised or not, it undoubtedly served as a powerful lever to enhance the ryots' rent. So, when the Madras Estates Land Act was enacted, the rents paid by the tenants were competitive, the customary rents having been wholly obliterated in the course of a century. The rates of rents as stabilised by the Madras Estates Land Act therefore vary from zamindari to zamindari, from village to village in the same zamindari and sometimes from ryot to ryot in the same village on similar lands. I understand that in your area a wet lands in some cases pay a rent of Rs. 30 to 70 an acre while similar lands in the neighbouring Ryotwari area of Government pay no more than Rs. 7 to 10 an acre. The Madras Estates Land Act does contain elaborate provisions for survey and settlement of rents to adjust glaring inequalities and put rents on equitable and fair standards; but these provisions are far too complex and almost unworkable. Moreover, the cost of the operations is prohibitive to a degree even to rich landlords and the ryots can scarcely have recourse to them. The provisions are also defective in other ways. The Madras High Court so interpreted them as to allow existing rents being enhanced to any extent, which a settlement officer might think fit to do and that the rule limiting enhancements to 12½ per cent of the rental once in 20 years does not control the fixing of rents under the settlement operations. I am aware of cases in some of the northern zamindaris, where the survey and settlement of rents, combined with commutation of grain rents into cash rents, resulted in a 300 per cent increase over the existing rents, in some instances. If you secure an economic inquiry into the condition of your villages, your truly distressing position will be revealed.

The zamindari ryots who pay wet assessments on their lands which are irrigated from the zamindari water sources cannot compel the zamindar to maintain the irrigation sources in good repair, nor

can they withhold the water cess on failure of crop owing to inadequate water supply. The right to claim reduction of rents consequent on the *permanent impairment* of those sources is illusory. The procedure to get the repairs effected through the agency of the Revenue Officials is again too complex and unavailable to the ryots for all practical purposes.

The zamindari ryots, again, cannot obtain any remission of rent even when a total failure of crop occurs by drought or flood. Though the Government ryot has no legal claim for remission of revenue, yet some well-understood executive orders provide for relief by remission of revenue in deserving cases. The landholders are not committed to any such course. The Famine Commission have referred to this grave injustice and urged the adoption of measures to remedy it. Again, the old customary right of the village peasants to graze their cattle in the waste lands of the Estate or to get fuel and timber for agricultural implements from the adjoining zamindari forests are not expressly recognised by the Madras Estates Land Act, and I have come across cases in which the zamindars denied those rights and caused considerable harassment to the ryots and thereby compelled ryots into submission to some untenable demands.

At the first admission of a ryot into the ryoti land of an Estate and at each of the subsequent lettings of ryoti land which has come into the hands of a zamindar, he can exact premium at his pleasure. No limits are placed on the amount of such premium. He can virtually sell occupancy for the market value of the kudivaram right. This is obviously unjust. The premium should be limited to 2½ times the assessment as in the case of the sums payable by the tenants of old waste to acquire occupancy rights in it.

There are many lands in an estate which are still habitually let to ryots at competitive rents on the pretext that they are zamindars' private lands, though he never cultivated them or intended to resume them for cultivation. The rules laid down for determining the landlord's private land are so unsatisfactory that their legal interpretation has resulted in placing under that category land which has been always cultivated by ryots, and which is really not kama-tham or pannai.

The determination of the ryots' D. C. B. each year and the methods adopted to collect the rent dues are operations whose fairness depends largely upon the integrity of the zamin officials who are entrusted with these responsible duties. If corrupt and unscrupulous men are employed, they can abuse the legal powers

given to landlords to demand and recover rents and thus cause great hardship. In this matter, the immunity enjoyed by the Government ryots from harassment and from illegal exactions is very much greater than that enjoyed by the zamindari ryots. The chief reason for this difference lies in the methods of recruitment to government and zamindari services. The cheap and often inefficient zamindari officialdom, recruited on no system and retained at the sweet will and pleasure of the landholder, is a source of real danger to the legitimate rights of zamindari tenants. The fear that the holding may be burdened with illicit demands or that it may be even sold away for arrears of rent without due publicity and formality or even without the ryots' knowledge, operates against the provision of several forms of economic relief, such as the creation of banking facilities and the establishment of co-operative land mortgage banks, in Zamindari areas. The Madras Provincial Banking Enquiry Committee, which reported a few months ago on the economic condition of the ryots in this province, among other matters, observed as follows about the position of the Zamindari ryots. "A ryot holding under a Zamindar is less well off than one holding direct from the Government. The Government sources of irrigation are, in general, kept in better condition and there are fewer incidental exactions in ryotwari tracts. In consequence, other things being equal, land in Zamindari is less readily saleable outside and therefore less valuable than that in ryotwari villages." The various provincial banking enquiry committees have rendered a distinct service in tracing the economic weakness of the Zamindari ryots in several provinces to the bad system of tenures under which they hold their lands. It is hardly necessary to point out that capital and credit are as much required by the agriculturist as by a person engaged in any other form of industry or occupation. The agriculturist is unable to get capital and credit on reasonable terms, for the simple reason that the problem of rural finance or agricultural credit hinges round the cultivator's rights in his holdings and its true economic value as a bankable asset.

Nevertheless, it is not so widely recognised as it should be that our tenancy laws have an enormous influence on the economic life of our farmers and that the weakness of India's rural as well as urban economy is in no small measure due to the unprogressive and crude system of our land tenures. The way in which land is held has many direct and indirect effects on agricultural prosperity which, in its turn, has its reactions on industry, trade and commerce. Mr. George O'Brien, in his 'Agricultural Economics' thus indicates the ways in which a bad system of land tenure may affect

the agriculturists: "Farmers may be deprived of the security of enjoying the fruits of their labour or capital investments, the supply of land for cultivation may be artificially restricted, the fertility of the soil may be permanently lowered, the size of farms provided may be unsuitable, the difficulties of acquiring capital may be increased and the successful application of a progressive agricultural policy may be impeded, owing to the existence of an unsatisfactory system of land tenure." These general economic principles must necessarily have their fullest operation in a country like India, where 80 per cent of the people pursue agriculture as an occupation and entirely depend upon it for their subsistence. The state of our agriculture will naturally depend upon the efficiency of those to whose hands it is entrusted.

The present day landlordism is a by-gone age and does not now conduce to the economic progress of the peasantry. The zamindar of 1802 A.D. is real anachronism. He was improvised by a Trading Company for facilitating its revenue collections. There can be no doubt that the system operates to-day to the prejudice of millions of small cultivators and tends to the further economic deterioration of rural India. The zamindar must become a modern landholder who makes some contribution to his country's economic development, if he wishes to survive the onslaught of current economic forces. Mr. Darling, a most eminent authority on Indian rural economy, says: "At a time when all ancient institutions are being subjected to a critical scrutiny it is difficult to find sufficient justification for the landlord who neither helps his tenants nor develops his land." It is said that, in the old days, agricultural and political insecurity were so great that, without the assistance of his landlord, the peasant could not hope to hold his own against the ravages of nature and the attacks of turbulent neighbours and that the cultivator could not also tide over a bad season or a period of economic distress without his landlord's helping hand. Do landlords fulfill any of these functions to-day? In what way do they help their tenants against political insecurity or economic insecurity? Political insecurity no longer obtains; and as for economic insecurity, the landlords themselves are often in debt, and an indebted landlord can no more help an indebted tenant than the blind can lead the blind. Any legislation, which is aimed at improving the system of land tenures will fail in its purpose, unless it takes note of the almost revolutionary changes that have come about in the political, social and economic order of the people. Intellectuals, which are not obsessed by tradition and custom and free from past commitments, should be brought to bear upon the solution of this most vital reform, namely, the reform of land laws.

What has the State done, and what the chosen representatives of the agriculturists in the legislatures, in the last two decades, to tackle this problem? The attitude of the Government is far from heartening. They apparently wish to proceed along lines of least resistance, so that they may not wound the susceptibilities of the landlord class and other vested interests. As regards their own land

ANNOUNCEMENTS.

(1) To the Panchayats and Presidents of Taluk Boards.

The Editor of the "Panchayat" will be pleased to have short occasional notes from and about all the Panchayats now existing in the Presidency for publication in this Journal. Irrigation, Forests, Co-operative Panchayats and Panchayat courts and voluntary organisations doing arbitration work are all requested to send notes of interest. It is desired that the notes should be fairly brief and to the point, so that the Editor may be able to deal with the maximum matter in the minimum space without sacrificing clearness.

(2) To the Readers.

The Editor will always be pleased to hear from the readers any suggestions for the improvement of the Journal.

Any contributions bearing upon the Panchayats and their future in particular and all rural development in general are welcome. Contributors are requested to note that an article covering more than a thousand words may not be in form for this Journal. Contributors are also requested to note that they will please send their contributions in that language in which they desire them to appear.

(3) Please Note.

All copies for the Press have to be legibly written on one side of the paper. It will always be helpful if contributors note that quarter sheets of foolscap size make a standard manuscript.

OUR EXCHANGES.

We have very great pleasure in acknowledging with thanks the following journals sent to us in exchange.

The Gramani.	(Tamil) Village Uplift.
The Calcutta Municipal Gazette.	(Telugu) The Sadhana.
(Bengali) Palli Swaraj.	The Health
(Maharatti) Poona Municipal	The Sadgope Patrika (in Bengali)
Rural India.	[Gazette.] The Madras Co-operator.

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IN MEMORIUM.

Providence has chosen to remove Pandit Motilal Nehru from our midst. The Greatness that was in him was of a distinct type. He was probably the proudest possession Bharatavarsha had in recent times. His personal gifts were unrivalled and his personal history had no parallel. The transformation that the time-spirit wrought in his life was the greatest tribute to it. A prince among aristocrats, an autocrat brought up in the lap of luxury, Pandit Motilal, at the call of Duty, scaled the heights of the life of utter renunciation and stood forth as the greatest embodiment of democracy yet in the making. Well may his soul rest in peace in the contemplation of a life spent on earth duly dedicated.

THE VILLAGE PANCHAYAT.

(Formerly the Village Panchayat Bulletin).

VOL. I.]

FEBRUARY 1931.

[No. 5.]

Abolition of Tolls.

From the point of view of the ordinary village ryot the most harassing levy was the toll. The abolition of tolls has been long sought by all well-wishers of the agriculturist. It has been reserved, however, to the Motor Car to come in as the indirect instrument of abolishing tolls. The great nuisance of the toll-bar and the toll-collector in days of speedy locomotion have been felt very badly and thanks to the Roads Committee's recommendations, tolls are fairly on the way to be abolished.

At the last meeting of the Madras Legislative Council the Chief Minister introduced a bill named the Madras Motor Vehicles Taxation Bill. The Bill must have been named really the 'Abolition of Tolls Bill'. Whether the name itself is intended to give prominence to the part played by the Motor Car in modern economy, we shall not tarry to inquire. The Bill has been referred to a Select Committee. We hope it will receive all the attention it deserves.

The statement of Objects and Reasons and the Preamble make it clear that it is proposed to abolish all tolls. For purposes of Municipal Revenue the existing provisions in regard to taxation of vehicles other than Motor Vehicles are retained in the Madras City Municipal Act and the District Municipalities Act. All provisions in the Local Boards Act relating to tolls are proposed to be omitted. Under the Local Boards Act only the District Board had anything to do with 'carriages', 'carts' and 'tolls'. It had, however, no power of imposing a tax on vehicles. Therefore under the Local Boards

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Act there will be no more levy of 'Tolls' on 'carts' or 'carriages', all reference to them being omitted. Thus, if this bill should become law, under its provisions the agriculturist will have no more to bear the burden of his carts and animals being taxed. This is certainly a very great gain and the villager must feel relieved.

The Government have reserved power to levy a toll only in one contingency and that is contained in Clause 14 of the Bill. If the Government makes, improves, or, repairs any bridge or road either wholly or partly at its expense, it may levy a toll for such period as may be necessary for the recovery of the amount expended. At first sight this appears to be a harmless provision. It can be so in practice, only if the Local Government is most sparing in its use. We hope the good that is wrought by this Bill will be well-preserved by a strictly limited utilisation of this section; even if the select Committee should accept it as essential to give the Government just a little freedom to make up for real service rendered.

Our readers may be wondering how, if all tolls are abolished, the huge sums of money now being collected as Toll Revenue will be made good. The Government propose provincial taxation on Motor Vehicles. Schedule II gives the range of that taxation. The maximum levy as per that schedule upon any single vehicle amounts to Rs. 850 per half year on vehicles exceeding 4 tons in weight, unladen, without pneumatic tyres. The Bill keeps intact provisions by which either a municipality or a District Board is authorised to collect fees for licenses issued in favour of Motor Vehicles plying for hire and also of Motor Lorries. All these together with the Petrol tax are expected to cover all charges over roads and communications.

In the statement of Objects and Reasons the Government point out that the inclusion in the provincial Vehicle tax of the road fees levied on vehicles plying for hire under section 166 of the Madras Local Boards Act and 174 A of the Madras District Municipalities Act was considered but it was decided that in view of the disparity of local conditions a standardised figure for these could not be laid down. We beg materially to differ from this view of the Government. The District Board license fees are so badly oppressive in certain areas as to call for a radical cure. If the opportunity of this bill should be lost, the owners of buses plying for hire will get no other in the near future to set right a crying evil. Disparity

ABOLITION OF TOLLS

of local conditions" is a very euphamistic phrase. The levy by District Boards is extremely capricious. The Minister in charge of this bill is an experienced Ex-District Board President with a great deal of reputation for good work. The over-burdened Bus owners look up to him for some settled policy in regard to District Board Road Fees. Instead of leaving this sore open, it will be in the best interests of all concerned if the legislature should once for all standardise and include these fees in the scheme of provincial taxation. We hope the Select Committee will indicate its desires in this behalf carefully and take measures to widen the scope of the bill.

One word of protest must be recorded in regard to the powers proposed to be given to the police. To recover the provincial tax on Motor Vehicles, a number of provisions have been incorporated. The tax has to be paid in advance. It is recoverable in the same manner as arrears of land revenue. If the tax due in respect of any Motor Vehicle has not been paid the person having possession, custody, or control thereof shall be punishable with fine which may extend to Rs. 100. The registering authority has rights to seize and detain. Whether so many powers are necessary or desirable deserves examination in itself. If, to add to these, every Police Officer is entitled to detain a running vehicle to examine the tax license, which is required to be fixed in a prominent position in the vehicle, there may be very great room for unnecessary irritation. This provision at any rate must go.

It may be more business-like if the Act itself contains general provisions in regard to exemptions and reductions in rates than to leave, as the present Bill does, the whole matter in the hands of the local Government.

In so far as this Bill is before the legislature, the Government have in a communique recently published, warned Municipalities and local Boards that they shall not commit themselves in regard to tolls beyond 31st March 1932. They have also rightly provided that if, at the coming into force of this act, there be any Toll Contractor who will be adversely affected for a part of his contract period, his loss should be made good.

We wish this bill all well. May we hope that it will be placed on the statute book without unnecessary delay?

Editorial Notes.

We publish elsewhere a communication from Mr. T. M. Audikesavalu Naidu. He is evidently under the impression that the post of the Registrar-General of Panchayats having been abolished, his place is taken by the Taluk Boards. This is a mistaken notion. The panchayats are to-day Local Boards and the Inspector of Local Boards has all the charge of the Panchayats that the Registrar-General had. The Government subsidy that was being given to the panchayats through the Registrar-General is not expected to cease under the new Act. The Inspector of Local Boards will function in this matter as the Registrar-General of old. Therefore, there does not seem to be room for any apprehension on this account. In regard to the organisation of panchayats also the Inspector of Local Boards is not ruled out of existence. His honorary organizers are still there and, if the District Panchayat Officers are paid for by the Government as was contemplated, the Inspector of Local Boards will still have a great deal to do with them. The Amended Act contains full provision for the transfer of the control over cattle pounds, of communal porombokes, fresh water ponds, of management of irrigation and kudimaramath works and therefore all the rules in the Government Orders relating to these subjects, so far as panchayats are concerned, still exist and, hold good. As a matter of fact about 470 bodies more, which were hitherto Union Boards, can claim now recognition in these matters because they are now Panchayats. It is true Government Departments and Collectors may be illiberal now as they were illiberal before under the Village Panchayat Act of 1920. That cannot be a result of the Amended Act. The provisions in regard to sanitation, water-supply and things of that type, fit only for urban areas, were inserted for the sake of village panchayat areas where urban conditions prevail. And we are sure the Government will in due course distinguish between urban panchayats and rural panchayats and make appropriate rules. In regard to the enforcement of villager's labour for purposes of common work, it is easily achieved by levying it as an alternative to a small tax for village works. We do not believe that the Act would stand in the way. We are in perfect agreement with Mr. Audikesavalu Naidu that in relation to elections and accounts the Amended Act is unsatisfactory. We hope the Government is making arrangements

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to see that even under the present Act keeping accounts is made simpler for the ordinary panchayats and that necessary changes in the law will ere long be effected to allow complete adult franchise. While we agree with Mr. Audikesavalu Naidu that the Act could have been made much clearer and more liberal and that the pyramid of Self-Government could have been built up by giving the panchayats fair direct representation in the higher bodies of Local Self-Government, we still hope that the new Act will be so worked as to form a real step in further advance.

The Government have published a notification in the Fort St. George Gazette in regard to the sale of Government waste lands in the areas likely to be affected at present or prospectively by the irrigation projects in the Presidency. In every District the projects are listed. Under every project the villages affected are given. In these villages assignment of lands will be subject to the right of the Government to resume the land at their pleasure. All present and future assignments in those areas have to be declared absolute by the Government at a later stage. The resumption of land in these areas is contemplated for purposes of the irrigation projects. Therefore while the Government is prepared to pay the whole or a proportionate portion of the value when the land is resumed according to the extent so resumed, they will not be liable to pay compensation for any improvements that may have been effected on the land before resumption. (Page 1864. Fort St. George Gazette, 16th December 1930. G. O. No. 2292, Revenue.)

We notice in the list of villages given eight names under the Thokapalli Project in the Kurnool District. Recently a G. O. was issued abandoning the project. Why these villages are now included is not clear to our minds. There may be more instances like this. Government will do well to revise the list so that ryots may not unnecessarily suffer even where they have not the remotest chance of a project.

From the list of villages affected or likely to be affected by irrigation projects in the several districts in the Presidency given in G.O. No. 2292, Revenue of the 28th November 1930, hopes are raised that the Modified Tungabhadra (Kistna) Reservoir Project is in sight. As per the list, the Modified Tungabhadra Project by

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itself affects 1440 villages in five districts—Anantapur, Bellary, Cuddapah, Kurnool, and Guntur, the respective numbers being 208, 517, 201, 246, and 268. If the strengthening of the Cuddapah-Kurnool Canal, Velgode Project and the Chepad and Maidukur Channels have to be included in the benefit that may be derived by the Tungabhadra Project, about 120 more villages have to be added so that no less than 1500 villages are being told that assignments in their areas will be subject to restrictions that may impede agricultural improvements. We hope that the Government have taken stock of the whole situation and are in possession of substantial information about the prospect of the Modified Tungabhadra Project and it is on that account that they have issued the G. O. under consideration. We know that for 4 or 5 years past the Modified Tungabhadra Project has been under investigation. Replying to an interpellation recently in the Legislative Council the Government stated that negotiations were being carried on with His Highness the Nizam. In recent times this is the second time that negotiations begin. We wish that speedier steps were taken to make the Tungabhadra Project a reality. To keep matters hanging for long years and in addition to rule out incentive for agricultural improvements for any large number of years would be a grave disadvantage.

The Panchayatdar—His Election.

(BY H. S. G.)

Any one village, any part of such a village or a number of villages may, after due notification, be formed into a "Village" for purposes of Panchayat administration. The area so marked out should lie within one Revenue taluk. The constituting authority is the Local Government. Power in regard to alteration and cancellation of a "village" is equally vested in the Local Government, only an opportunity has to be given to the Panchayat or Panchayats concerned to make representations (Section 5—The Madras Local Boards' Act as amended in 1930.)

Maximum and minimum number of members to a Panchayat for a constituted village is 16 and 8. (Section 7). The Local Government by notification declare the number of members for a Panchayat (Section 10). However, the Panchayat may, by a 3/4th

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majority, at a special meeting, alter the number subject to the approval of the Government (Section 10).

All the members of the Panchayat are elected (Section 8). Seats may be reserved by the Local Government for Audi-Dravidas (Section 8—2). The number so reserved shall not exceed a fourth of the total number. As these seats are reserved for Audi-Dravidas and as Audi-Dravidas are specifically stated as not being debarred on account of this reservation from standing for general seats, it is to be presumed that for reserved seats Audi-Dravidas only may stand. All voters vote for all seats reserved or unreserved (section 9). For the purpose of elections the Local Government may divide the village into wards. The whole village may be treated as one ward. This has to be done in consultation with the Panchayat. A notification has to be published in the prescribed manner. If seats are reserved for Audi-Dravidas the wards wherefrom they may be elected shall be determined in a similar manner. These wards shall be allotted one or more other unreserved seats also. In all other wards one member per each shall be elected (Section 49.) If alterations are made in existing wards it shall be only for next ordinary elections. When re-shuffling wards and members the prescribed authority shall allocate old members to wards subject to the approval of the Local Government.

The electoral rolls shall be prepared by the prescribed authority. The publication thereof shall take place in the prescribed manner before the end of June in the year of General Elections. Revision shall take place every year before the end of June. Where there are wards, the electoral roll shall be divided into parts as per the wards. The old rolls remain in force until new ones come into force (Section 51).

No one shall be entitled to vote, if his name is not on the rolls nor can he stand as a candidate (section 51 & 54).

To be included amongst the list of voters a person

- (1) must be a British subject or a subject of a State in India or, if an alien, must get exemption from the Local Government.
- (2) must be twenty one by the year before the year of the publication of the roll.
- (3) must have resided in the village for 120 days in such preceeding year.

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(4) must have been in the previous year assessed to a tax payable to the Government of India, or to the Local Government or to any Local Authority in the presidency of Madras (i.e., Municipality, Local Board, Contonement) or, be registered as a ryotwari Pattadar, or as an Inamdar of land in the village, or hold lands in the village on a written lease or demise under a Ryotwari Pattadar or an Inamdar or any tenant under such Pattadar or Inamdar, or be registered jointly with the proprietor under Section 14 of the Malabar Land Registration Act of 1895 as the occupant of the land in the village, or hold an estate in the village as a landholder as defined in the Madras Estates Land Act of 1908, or be a retired, pensioned or discharged officer, non-commissioned officer or soldier of his Majesty's regular forces (rule 1 of Schedule III), or a representative of a company or association or of a joint-family or of joint-pattadars having qualification. (rule 4 of Schedule III)

- (5) must not be (1) of unsound mind,
or (2) a deaf-mute
or (3) a leper.

No one may be elected to a seat on the Panchayat

- (1) who has been sentenced to imprisonment for more than six months by a criminal court or for transportation. This will operate only for five years from the date of expiry of the sentence. This will not apply if the offence were one of a political character or an offence not involving moral delinquency or if the sentence were reversed or the offence pardoned or if the Local Government should exempt.
- or (2) if he is on the date of nomination or election of unsound mind, a deaf-mute or a leper,
- or (3) if he is an applicant to be adjudicated a bankrupt or insolvent, or an uncertified bankrupt or undischarged insolvent,
- or (4) if he is interested in a subsisting contract with the panchayat except as a shareholder in a company,
- or (5) if he is employed as a legal practitioner for or against a panchayat,

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- or (6) if he is an officer or servant under the Local Boards Act,
- or (7) if he is an honorary magistrate in the village,
- or (8) if he continues to be a member of the Local Board on the date when the new election comes into effect or is already elected for a new board,
- or (9) if he is the servant or employer or the official subordinate or official superior of a member holding office at the said date, (Sec. 55)
- or (10) if he is an officer of Government other than a village headman wholetimed and remunerated either by salary or fees. (Sec. 54)
- or (11) if he is convicted of election offences. (Sec. 59)

General elections shall be held by the prescribed authority in August and September next preceding the vacancies. Government may sanction holding the same after September.

Once elected to a seat on the panchayat, every member holds office for three years beginning and expiring at noon on the first day of November, if he does not resign or die in the meanwhile, or, if he does not become disqualified by not taking the oath of allegiance within three months after election, or if he does not become otherwise disqualified under Section 56, or, if the Panchayat is not either dissolved, reconstituted or superceded. Amongst disqualifications under section 56 are included all the disqualifications for standing for a seat on the Panchayat, whenever they occur. In addition, the following disqualifications should be noted. A Panchayatdar ceases to be a Panchayatdar, if he ceases to reside in the village, or, if he absents himself from the ordinary meetings of the Panchayat for 3 consecutive months or two meetings of the Panchayat if less than 2 ordinary meetings were held in the 3 months, provided he had notice of the meetings and provided also he is not restored as per the Act.

He has to be restored in the following manner. When a Panchayatdar ceases to be a member on account of absence the President shall at once intimate it to him in writing and report it to the Panchayat at the next meeting. The Panchayatdar concerned should apply either within fifteen days of such intimation or before the next meeting for re-instatement. The Panchayat may reinstate him but not more than twice. (Section. 56)

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All vacancies occurring are divided into two categories—ordinary vacancies and casual vacancies. An ordinary vacancy means a vacancy occurring by efflux of time (Section 3—13A). All other vacancies are casual vacancies. Ordinary vacancies may be filled up only at an ordinary election held in August or September or, if the Local Government has permitted, later. Therefore, all the vacancies occurring as indicated above are not ordinary vacancies. They are all casual vacancies. They have to be filled up by a casual election. This shall be fixed by the prescribed authority as soon as may be after the occurrence of the vacancy. But if the vacancy should occur within three months before a General Election it shall remain unfilled. Every member elected to casual vacancies may hold office only as long as the member in whose place he has been elected would have been entitled to hold. (Sec. 11). There are only two situations contemplated where a person elected to a casual vacancy may have to vacate in favour of the original member. In the case of a convicted person, on appeal or revision, such conviction may be set aside. The disqualification arising out of conviction may be removed by the Local Government. In the case of a person debarred on account of election offence, the disqualification may be removed and the person restored to office. Persons elected to casual vacancies in such cases have to vacate. (Sec. 56)

The elections of Panchayatdars have to be conducted by such authority as is prescribed by the Government. (Sec. 51) This authority has now been appointed by the Government. He is the Inspector of Local Boards. He has to do all that is necessary to prepare the electoral roll and publish it, as also to conduct elections. The Election authority will conduct ordinary as well as casual elections of Panchayatdars. The Government have taken power in Proceedings No. 2136 published at page 1000 of the Fort St. George Gazette dated 2nd December 1930 to levy the amount of election expenses on every Local Board annually. They take power also to recover the amount so levied, if not paid within a fixed time.

As the Electoral Rolls for the Taluk Boards and Panchayats, so far as every village is concerned, are identical except for the condition of 120 days residence it is to be hoped that Panchayats will not have to bear a heavy burden. Only where Panchayat villages are divided into wards prepared lists may have differently to be arranged.

Village Panchayats under the Amended Local Boards Act of 1930.

By M.R. RV. T. M. AUDIKESAVULU NAIDU GARU
(President T. B. Cheyyar.)

I shall show in the present article how matters affecting the vital needs of a village, in which the Panchayats had taken lively interest, such as the control of common lands, the enforcement of the recognised obligation that every ayacutdar should render his quota of labour or its equivalent in grain or money, employment of special watch for the protection of crops in the field or reviving the system of village artisans and other servants by legalising the meras given to them—thoughtfully provided for each village for ensuing economic prosperity, religious observance, the performance of social duties and securing the recreational amenities—can no longer be legally enforced under the present Act; how the provisions applicable to an industrial country or an urban area, such as control of dangerous trades, industries and factories, places of public resort, provisions of slaughter houses and the like, have been made the exclusive concern of panchayats; how the transfer of land cess of 3 pies to panchayats from the Taluk Board funds is injurious to services rendered to the rural population without any direct advantage to panchayats; how with the guidance and influence of talented Registrar-Generals the Panchayats had been linked to the various branches of the administration which is now lacking in the present Act and how finally the simple self-contained Act of 1920 has been replaced by a cumbersome act the legal implications of which an average ryot can never understand.

ii. *Transfer of control over cattle pounds to Panchayats.* Section 15 (xiv) of the Panchayat Act of 1920-New Section-Rule 2-G of rule 1-A of schedule V.

This was not made during the life period of the Panchayat Act which had an existence of 10 years. It should remain a dead-letter if it is not going to be given effect to at least now.

iii. *Transfer of communal Porombokes to Panchayats.* Rules framed under Section XV 8 of the Old Panchayat Act-G. O. No. 928 L and M dated 9-4-1924.

The District Collector may transfer any communal poromboke on condition that the Panchayat is willing to guarantee to Government the average lease value of the trees standing on such porombokes and under lease of the five previous years. In B. P. Mis. No. A-1846 dated 7-8-24 executive instructions were issued to Collectors that the communal porombokes shall not include porombokes reserved for State purposes or

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porombokes used by a portion only of a village community, such as temple porombokes, caste burial grounds, and lands on which there are large groups of produce yielding trees and valuable timber trees. The term "State Poromboke" is an innovation which was not found in Boards Standing Orders prior to 1924; nor had it been defined in the B. P. quoted above. Ponds, Kuttays, cattle stands and threshing floors are treated as communal porombokes in this District but the transfer to panchayats is not effected if they contain toddy yielding or valuable timber trees. Though grazing grounds are treated as communal porombokes, they are not transferred to panchayats as the policy of the Government is to absorb them for cultivation purposes. Streets, battai lands or cart-tracks were under the control of panchayats under the old Act. Since the Panchayats have been brought under the Local Boards Act of 1930, such streets and cart-tracks not maintained by panchayats have been excluded from the operation of the Madras Local Boards Act under G.O. No. 4780 L & M dated 10-11-26. The Panchayats may however get control over them under G. O. No. 1491 Rev. dated 26-7-29 by observing the various formalities detailed therein.

Fresh-water ponds.—In G. O. No. 132 Rev dated 26-1-27 the Government transferred to the control of the Local Boards the trees which stand on the actual water beds and bunds of tanks and wells and other sources of drinking water not used for irrigation. The margin of drinking fresh-water ponds and other fresh-water ponds used for bathing are held under the control of the Revenue Department and if their transfers are to be effected, the Panchayats have to guarantee the five years average lease accrued from such porombokes. By the various orders quoted above, the Panchayats have not been able to get control over the village lands held in common under the old panchayat system. The result is that all these poromboke lands are overcrowded with prickly-pear and nobody is interested, in seeing that they are kept clean.

Powers of Panchayats to manage turns of irrigation, regulate distribution of water and enforcement of Kudimaramath.—Section 18 of the old Village Panchayat Act of 1920—Corresponding section 65 (b) of the amended Local Boards Act of 1930.

G. O. No. 2129 Press dated 14-12-26 prescribed conditions under which alone irrigation functions could be transferred to panchayats under the above sections and among these is the following :—

"With effect from the date on which the management of an irrigation work is transferred to the Panchayat the village Head-man and the Nirgatties, if any employed by Government, shall have no responsibility in connection with the distribution from the irrigation work. The panchayat should make its own arrangements for the discharge of its responsibilities and should employ its own staff. The panchayat shall have

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no power to enforce Kudimaramath." These conditions practically nullify section 65 B. Panchayats therefore have avoided applying for powers under section 18 of the Old Act. They have under section 19 (new section 65) taken over the enforcement of the obligation for the due performance of the duties cast on the body of the ayacutdars with their consent to circumvent the stringent condition imposed by Government in the transfer of irrigation functions. The Kudimaramath obligation was therefore enforced by means of a tax in money or kind-sanctioned under section 22 of the old Act at so much per acre or in lieu thereof an equivalent quantity of labour. The Government have since held that the tax levied on lands under sections 26 (2) cannot be levied. There is nothing which had helped the panchayats to find favour in irrigated tracts so much as the discharge in an efficient manner of the customary irrigation obligations of ryots on their behalf, and the rulings of the Government have once for all put an end to this kind of work, section 65-B of the amended act having already been nullified by the restrictive conditions framed by Government under that section.

Village occupations.—The revival of village services such as carpenter, blacksmiths, thalayari or the village Police etc., was being made under the Old Panchayats Act of 1920 by legalising *meras* given to them under section 22 of the old Act. Under the recent rulings of Government the panchayats can no longer do this.

Elections.—There was adult franchise under the old Panchayat Act. The Registrar-General in his administration Report for 1927 says as follows "Panchayat elections have given general satisfaction. In most villages voters have proceeded on the principle—well-recognised in all village common affairs—of each important community being represented on the panchayat". Again in 1928 he says "these elections have continued to give general satisfaction". Complaints of denial or inadequacy of representation of particular communities have been rare and the election officers by tactful handling succeeded in a majority of cases in bringing about an agreed election of persons representative of all important communities and interests. This is in keeping with village tradition." This wholesome system of elections has been replaced by voter's list and ballot boxes. The cost of conducting such elections will have to be borne by Panchayats. Their income by the transfer of 3 pies cess will not even be sufficient to defray the election charges.

The needs of the rural population with reference to their actual life are not sought to be promoted by the present Act. Provisions like the control of industries and factories, dangerous trades, and slaughter houses, application of the public places resort Act, private scavenging and the like which are the features of an urban area are made applicable to the rural area. For a long time to come the sections relating to them may not be made use of. The numerous sections relating to District Boards and

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Taluk Boards, the sections that are not required for immediate use in villages, and the sections relating to assessment and collection of taxes, the various departmental rules, and regulations such as travelling allowance bills rules, account rules, pension rules, and various other orders bearing on the several sections of the Local Boards Act will only serve to puzzle an average ryot who is unacquainted with the formalism and the complicated procedure of administration. The self-contained simple village Panchayat Act of 1920 has been replaced by a complicated and cumbersome Act.

Control of Panchayats.—This was done by a Provincial Officer of the grade of the Collector whose recommendations and advice had carried great weight with the other departments of Government in relation to Panchayats. This post has been abolished and the Taluk Boards have been empowered to supervise the Panchayats. No Taluk Board would be willing to constitute village panchayats for fear of losing the 3 pies cess that would otherwise go to their funds. As a matter of fact, this Taluk Board have to part with 16,000 Rs. to the 300 Panchayats already constituted in this area. No panchayat would be able to get more than Rs. 40 on an average and none of the services that are being attended to by the Taluk Board can be transferred to the Panchayats or the District Board. The aim of the legislature for the rapid development of Panchayats in this Presidency has therefore been definitely frustrated. The creation of a Panchayat Officer will not go a great way in this great work of Rural Reconstruction. He is placed under the disciplinary control of the District Board whose members are returned by direct election and may not have anything to do with Panchayats. The anomaly of his position is apparent, in that while holding no responsibility to the Taluk Board which is to exercise supervision over Panchayats he is placed as an Officer of the District Board, which has no legal responsibility in the constitution and control of panchayats. I wonder what an Officer of this kind can do towards the development of Panchayats, placed as he is, in an untenable position.

Rural Development Fund. The Panchayats in this Presidency were spending annually an allotment of nearly 5 Lakhs on schemes of village water supply and rural roads on the principle of half grant system directly under their supervision. Under the present scheme of the Act the Panchayats can have no part or legal position in the matter of spending the rural development fund as it is to be controlled by the Presidents of the District Boards and Taluk Boards. This is serious and my fear is that it may not be equitably spent.

Collection of taxes. The taxes levied by Panchayats were collected by the Village Headmen as though they were arrears of land revenue. The system of accounts that the panchayats were asked to maintain was

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so simple that an average ryot could understand and keep them properly. On the other hand a village Panchayat under the New Act has to maintain a complicated system of accounts such as assessment books, bill books, warrants of distress, cash books, demand register etc., which a trained official alone can maintain correctly. This means additional expenditure to Panchayats without any return. Non-maintenance or imperfect maintenance of these records results in surcharge against the President. The panchayat has therefore to tax itself to pay for the establishment and for providing an Office which is a statutory obligation. The shade of a tree or the pial of a village school which were hitherto used by the Panchayats for their meeting has been replaced by pucca office buildings under the new Act. When this was pointed out in the Legislative Council the member in charge replied that the Government intended to fix the minimum expenditure on establishment. Having created a complicated Act and fixed the responsibility on the President to carry out the Act as per rules and regulations, it will be arbitrary to say that necessary establishment should not be entertained for the due discharge of his duty.

Summary procedure was adopted for the recovery of any sum lost or misappropriated by Panchayat Presidents or members as though they were land Revenue arrears. Now, under the present Act, the Panchayat has to go before a Sub-Magistrate, to prosecute the member or the President at fault. This means creating unnecessary factions in villages which are already factious.

The revival of Village Panchayats is by no means an easy matter and it is really those who are closely associated with the movement know it too well. Such a movement built up patiently for a decade stands paralysed. It is a mis-nomer to call the body that will be created under the new Act as "Panchayat", but it is really the old "Union Board". The able defence put up by Sir A. P. Patro on 16-10-29 on this question in his speech in the Legislative Council is interesting and therefore is extracted below:—"These are important functions which the panchayats are now performing and these cannot be satisfactorily discharged by any other body" (a Voice:—Why not?) "Because the functions of Local Boards are entirely different. This question again betrays the ignorance of the rudimentary principles of Local Self-Government. A perusal of the Panchayat Act will show that the functions entrusted to them are quite different from those mentioned in the present Bill. And if the ignorance of the interpreters is such that they cannot distinguish Union Boards and Panchayats I am unable to convince them. I can only pity their condition" (Laughter.)

'Panchayats under the Peshwas'.

A REVIEW.

Mr. H. Goerge Franks editor of the "Franks Weekly" Poona, has brought out a very interesting brochure on "The Panchayats under the Peshwas". He was prompted to do this work as he found from some casual acquaintance with Mountstuart Elphinstone's activities that he had issued a questionnaire in regard to the working of the panchayats at the time of the occupation of Maharashtra by the British. That gave him the incentive to work at the problem, and the present book is a result of that endeavour. The subject matter has been arranged under proper headings in separate chapters. The first chapter is a bird's eye view of the subject; the second is devoted to the Maharashtrian administration in the 18th century; the third and fourth deal with the civil and criminal work of the panchayats at the time. The fifth is devoted to the Panchayats as worked out by Mr. Elphinstone. The sixth draws lessons for us from the past. The Appendices give :—

1. A portion of Mr. Elphinstone's questionnaire,
2. Illustrative proceedings of a criminal trial by a panchayat, and
3. Substance of an appeal against the decision of a panchayat, and statistics relating to suits disposed of in 1825.

The cardinal point that Mr. George Franks has established in his present work is, that during the time of the Maharattas and, even previously, the Village Panchayat was not one. Really there were two panchayats; one of them was a Judicial body, and the other an Administrative body. The Judicial Panchayat was more or less a jury, elected by the disputants, or appointed by some government official of high standing. The decisions of the judicial panchayats were practically final, though appeals were allowed again to fresher panchayats appointed. When the case for which the panchayat was empanelled was decided, it was dissolved. The method adopted by the panchayat in dealing with cases was most often reconciliation between the parties, or accommodation between them. One more point in regard to these cases is very interesting. All trivial cases were disposed of by the village headman. It was only the more complicated ones that came before the panchayat. The range of jurisdiction was very large. All suits founded upon contract whether of account, covenant, or debt; cases relating to person or property; disputes about boundaries, or distribution of water; all claims to land by occupancy or prescription; quarrels between partners; disputes between castes; infringement of established customs; breaches of promise of marriage; disregard of the rules of adoption; and all disputes about the title by gift, and grant by inheritance were referred to panchayats.

PANCHAYAT UNDER THE PESHWAS.

In criminal matters the panchayet did not determine the nature and extent of punishment, but the Patil, corresponding to the magistrate of to-day, relied upon the panchayet for the guilt or innocence of the accused. Either in civil or criminal jurisdiction, the panchayet was more of the nature of a compulsory arbitration board or a jury. Generally, the disputants elected the panchayat. Only when they did not agree upon the personnel of such panchayat the Government official intervened and nominated the people to it. They were also such as would command the confidence of the disputants.

The administrative panchayat was composed partly of the village officials, and partly of the elders of the communities. During the Maharatta period, according to Mr. Franks, these administrative panchayats did not function. As he pertinently remarks in his work, if the panchayats were able to bring about a reconciliation between private parties in civil and criminal affairs, there is no reason why administration should not have been carried on by them. Administration is really the adjustment of the claims of all villagers. In drawing his own lessons, Mr. Franks has relied too much upon the absence of administrative panchayats to deny the existence of administrative panchayats altogether in mediæval or modern India (as different from ancient India B. C.). Mr. Franks himself has given the reason why administrative panchayats were not in existence prominently during the Maharatta period. The Maharattas had established an empire in haste. They had to act expeditiously and strike, or go under. Therefore in matters administrative a certain amount of 'zubardast' had become essential. But to use this in the way in which Mr. Franks has done, and generalize for all India is to be really unhistorical. There are very well-established evidences of the existence of panchayats in the Deccan, and we cannot agree that except in the B. C.s, administrative panchayats were not in existence. Mr. Franks also makes an attempt to belittle the democratic nature of old panchayats, and tries to postulate that we cannot trace any form of democratic self-government, by elected or nominated members of the village community. What appears to be true in his position is this. In those remote times voting as it obtains to-day was not in vogue. The ballot-box, the cross mark, the literate voter were probably unknown. There is no doubt, however, that the village elders were men more or less tacitly chosen by the respective communities, and accepted by the whole mass of population. Evidences like the Uttarmalloor inscriptions are existent which prove that villages were divided into wards and actual elections took place.

Another lesson that Mr. Franks desires to draw is that the great defect of the system was that the minorities suffered always. As he himself admits, the system itself has ample scope with its adaptability to cater both for majorities and minorities. The great scope that old panchayats gave to the elders of the communities, is proof positive that there was no intention of oppressing any minority in the village. However, one fact must always be remembered. In the best arranged democracies of this day, minorities are represented only by a limited vote; and they have always to suffer in comparison with the majorities. The panchayat appears to be best fitted to do the highest justice to the minorities in the villages, adequate safeguards being already present in the very system,

THE VILLAGE PANCHAYAT

Mr. Franks tries to rebutt the theory that the panchayat system was killed or neglected by the British. At this stage of our evolution this step seems unnecessary. When he goes farther and tries to fasten this sin on the people, he aggravates the situation. The panchayat belonged to a polity distinct from the British. They could not possibly copy that polity, even in essential details, in the earlier stages. Heroic attempts like those made by Mr. Elphinstone himself, to revive the panchayat system are now on record. If to-day the decay of the panchayat system is believed to have been the work of the British rule, it is in the sense that the system the British built up for the administration of the country, developed attitudes which were hostile to the proper growth of the indigenous life. No one can deny that in the conflict between the old and the new, the old had to succumb, until the new was able to recognize that the old system had to be substantially revived if natural growth should be expected. We are glad that Mr. Franks believes, that if the people themselves desire to work the panchayats, there is nothing to prevent their revival being a success. We feel sure that his appeal for a good deal of propaganda work and supervision for any such revival, will meet with response in all quarters. We agree with him that panchayats throughout their history have always needed considerable supervision; and in this 20th century of advancement, we do not despair that we should have the needed supervision on our way forward. We are glad that he was against the seeming revival of to-day. We shall not for a moment hesitate to accept even a complete revolution of ideas upon the original nature of the panchayat. We shall make the same appeal that he makes to the readers, that the panchayat contains an amazing potentiality for Swaraj. It must be established on a very much wider scale and in larger numbers forthwith, for the speedy attainment of our goal. From a study of The Panchayats under the Peshwas, we are more than ever convinced, that in the villages as elsewhere, the separation of the judicial functions from the executive should be the basic principle adopted. Under modern conditions, the financial aspect of the village should be as strongly developed as the judicial and the administrative. We therefore feel that if we progress towards the three distinct types of panchayat activity, we shall not be far from the true road to democratic government. They are:—

1. The administrative panchayat combining in itself all the local administration of the village.
2. The co-operative panchayat, working at the economic salvation of the village.
3. The judicial panchayat, which must always be in the nature of a body elected out of equals by the consent of the disputants themselves to arbitrate compulsorily and, as far as practicable, reconcile or adjust conflicting claims.

We must express our great appreciation of the very good work done by Mr. H. George Franks in bringing out this brochure. The enthusiasm with which he looks upon the Panchayat movement is evident from every page of the publication. We commend it to all lovers of rural India. The publication is priced Rs. 1-8 as., and can be had of the publisher "Wellesley Road" Poona.

G. H. S.

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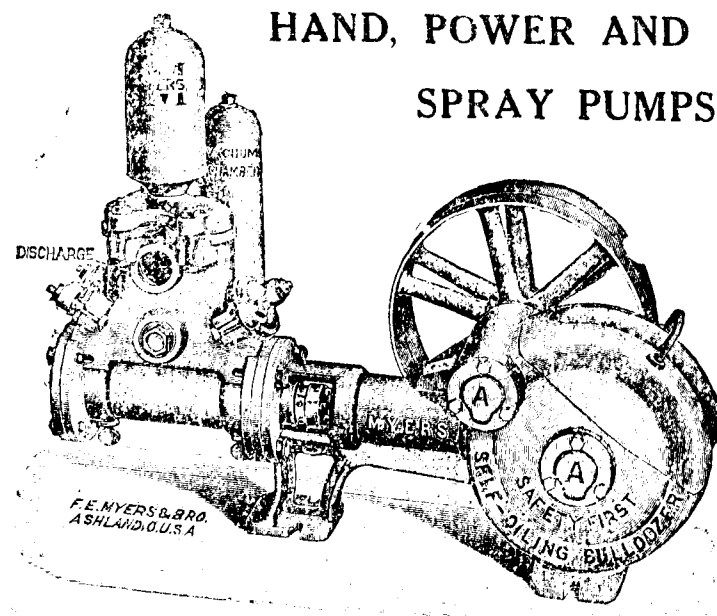
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Vol. I.]

[No. 6]

THE

VILLAGE PANCHAYAT

(A MONTHLY PERIODICAL)

MARCH 1931

PUBLISHED BY

The Madras Provincial Co-operative Union,
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Rates of Subscription.

For Panchayats per annum		 Rs. 2.
For Others	..	 " 3.
Single Copy	..	 As. 4.

Rates of Advertisement

May be had on application to

The Madras Provincial Co-operative Union,

Royapettah Madras.

ANNOUNCEMENTS.

(1) To the Panchayats and Presidents of Taluk Boards.

The Editor of the "Panchayat" will be pleased to have short occasional notes from and about all the Panchayats now existing in the Presidency for publication in this Journal. Irrigation, Forests, Co-operative Panchayats and Panchayat courts and voluntary organisations doing arbitration work are all requested to send notes of interest. It is desired that the notes should be fairly brief and to the point, so that the Editor may be able to deal with the maximum matter in the minimum space without sacrificing clearness.

(2) To the Readers.

The Editor will always be pleased to hear from the readers any suggestions for the improvement of the Journal.

Any contributions bearing upon the Panchayats and their future in particular and all rural development in general are welcome. Contributors are requested to note that an article covering more than a thousand words may not be in form for this Journal. Contributors are also requested to note that they will please send their contributions in that language in which they desire them to appear.

(3) Please Note.

All copies for the Press have to be legibly written on one side of the paper. It will always be helpful if contributors note that quarter sheets of foolscap size make a standard manuscript.

160852

OUR EXCHANGES.

We have very great pleasure in acknowledging with thanks the following journals sent to us in exchange.

The Gramani.	(Tamil) Village Uplift.
The Calcutta Municipal Gazette.	(Telugu) The Sadhana.
(Bengali) Palli Swaraj.	The Health
(Maharatti) Poona Municipal	The Sadgope Patrika (in Bengali)
Rural India.	[Gazette. The Madras Co-operator.

THE VILLAGE PANCHAYAT.

(Formerly the Village Panchayat Bulletin).

Vol. I.]

MARCH 1931.

[No. 6.

Thanksgiving.

The greatest event of modern times has occurred. Lord Irwin and Mahatma Gandhi have come to terms. The one is the representative of the mightiest empire of the world, the other of the highest culture known to man. That the might of a great people lies behind Gandhiji and that the righteousness of Christ sustains Lord Irwin are beyond question. The spectacle of Right and Might combining in the one, and Might and Right combining in the other has been possible only to-day. Thanks to the Great Almighty that shapes our destinies and moulds our being, the glorious vision of the seers has come within the sphere of realisation.

Our readers are aware in what splendid times we live. The part that our nation has just played in obedience to the time-spirit is more than glorious. The great sacrifice that thousands of homes have made to prove the worthiness of peace is unrivalled in all written history. The magnificent perseverance of throbbing souls like Sapru, Jyakar and Sastri for bringing about conditions of peace has equally had no parallel. Mahatmaji is himself a witness to the wonderful patience and the manly frankness of him who wields the power Lord Irwin, only to pass it on to its rightful owners.

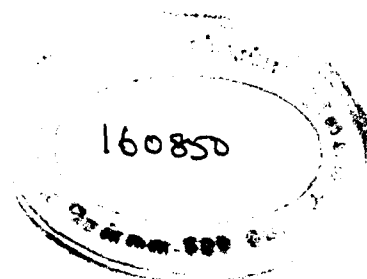
We remind our readers of Gandhiji's words as he sought an interview with the Viceroy. He wanted to speak to Lord Irwin

as man to man. In the triumph of Gandhiji and Lord Irwin humanity has therefore triumphed—neither the Viceroyalty of Lord Irwin nor the National Leadership of Gandhiji. We bow unto Him on high that our land should have thus been His footstool wherefrom he starts the world on the new journey that was in the process of preparation through all movements for peace, including their great embodiment the League of Nations.

Let no soul in India mistake Gandhiji's mission. His is the sacred life that pours out to redress human wrongs. Limitations of nationalism can never bind its even course. If that life is being realised through the instrumentality of Indian Nationalism, it is because we are, for the time being, the chosen people of God, and it is within us, with the great heritage that we possess, to mould the world into peace and life according to His Will. If we really rejoice to-day in Gandhi-Irwin Pact, let us rejoice, not as Indian nationalists, but as full grown human types with a mission of our own. Remember the words of Gandhiji again "man to man," "not uncrowned king to a crowned potentate, nor "nation's representative" to another "nation's representative".

East and West have to-day met and they sing the glory of human life. We know it is yet the beginning but we know, however, it is *the* beginning and that is great enough for us. We are not deterred by the long way that lies before us nor by the stupendous darkness and ignorance that surrounds us still. The flood of life has made the first breach and there is no power on earth that can stop its course.

May the God of all knowledge and wisdom give our nation that humility of spirit and that breadth of outlook which the moment demands and keep it from the pitfalls of wrong enthusiasm, narrow prejudice and blind sentimentalism



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Editorial Notes.

In our last issue we had occasion to write about the Bill for the Abolition of Tolls. It was technically the Madras Motor Vehicles Taxation Bill. We are glad that the local Legislative Council at its last sitting has passed the bill into law. It only awaits the consent of the Governor-General to be put into execution. We are sure even this will be achieved ere long so that the Municipalities and Local Boards concerned may not be under the necessity of doing additional work in regard to the auction of tolls for the current year. As a matter of fact, they have been asked to suspend confirming auctions where they have been held.

The burden of taxation has been considerably changed between the bill and the Act, and it has been changed for the better. The objectionable features of the bill, more especially, those that relate to the recovery of taxes and police powers, still remain. As those who spoke at the conclusion of the proceedings on the bill hoped, and as the Minister-in-charge promised, it is to be expected that these provisions will be worked in a manner as to avoid unnecessary harassment.

We congratulate the Honourable the Chief Minister on the expeditious manner in which he has carried the bill, and also on its chief provision, the abolition of tolls. We also feel glad that even in the case of motor vehicles, which are the only vehicles now subject to provincial taxation, such as are used for agricultural purposes will be exempt. Motor Vehicles are not to-day largely used in agriculture, but a day may come very soon when their use may be appreciable.

The Tungabhadra Project came in for mention in our February number. We observe that the project has been the subject of a number of questions in the Legislative Council during the months of January and February last. For the information of our readers we give below an idea of what it exactly is. The Government have two sites in view for the project—Timmalapuram and Malapuram. The investigation of the site at Timmalapuram has been completed. The Malapuram site involves submerging a large area of land in the

THE VILLAGE PANCHAYAT

Hyderabad State. The Timmalapuram site involves submerging land belonging to the Bombay Presidency and the Mysore State. The Government is in correspondence with these Governments which have an interest in the sites. However, no communication from the Nizam's Government or any other seems to have been received. The Revenue Member was positive that the matter was not likely to be shelved. To that extent we may be thankful to the Government. But that there has been very great tardiness in the matter and a great deal of confused thinking also is clear. For the last four years the Government has been at the investigation of this project and they have finished the investigation of the site at Timmalapuram during this period. It is found to be fit for constructing the reservoir. On previous occasions the Government did state that they were in correspondence with the Bombay Government and whether they were in correspondence with the Mysore State or not was never definitely stated. The site at Timmalapuram was taken up for investigation because the Nizam declined to co-operate in regard to the other site. Why again the Nizam comes in now is difficult to understand. We are also pained to see that Government has not yet finally decided the question of providing irrigation in Anantapur and Dharmavaram taluks. The Revenue Member in reply to one of the questions stated that the Districts affected by this project would be four; Bellary, Anantapur, Kurnool and Cuddapah. He said that he thought that these four were the Districts concerned. He was answering off-hand and we believe the District of Guntur was missed. We are glad that the Kistna and Tungabhadra projects are being considered together and the subsidiary projects like the Velgode project are also included. We know that correspondence with other Governments is not a matter that can be disposed of in a day, but we are afraid that, with all the assurances that the Revenue Member gave, there has not been quick despatch in matters relating to the Tungabhadra Project. A Communique setting forth the work that was carried on in this connection, more especially the work of correspondence with other Governments, since the investigation of this scheme was revived in 1927, will be greatly appreciated by the people concerned. This scheme has been hanging fire from 1902, not to speak of earlier dates, and we hope that the local Government who, in the words of the Hon. Mr. A. Y. G. Cambell, are most anxious to carry out this scheme, will so expedite matters as to earn the gratitude of the millions of people who may be profited by it.

EDITORIAL NOTES

In answer to one of the questions in the Legislative Council, the Hon. the Revenue Member said that, the draft Standing Order relating to the Forest Panchayats, was under the consideration of the Government. This question is really very old. It was about the year 1928 that it was first raised. The Board's Standing Order has been ready for nearly two years. It was published in June or July 1930 and time for the submission of objections was given till about September. It is time that the Government came to some definite conclusions in the matter. The Draft Standing Order was believed to be highly imperfect and very unsatisfactory by critics. A very much improved draft was believed to be necessary before the S. O. could take a final shape. We do hope that if the Government is not prepared to enact a new law for the Forest Panchayats they will, at any rate, expedite the framing of the B. S. O. As Mr. Ranganadham Mudaliar pointed out, they can at least carry out in practice the unanimous recommendations of the committee that revised the draft.

We are glad that the local Government have after all recognised the great wastage that is occurring in our Elementary Educational system to-day. They have formulated a new system of Central Schools to supercede single teacher schools. Boys, girls, Moslem and depressed classes, have had most often different schools arranged for them, even of the lowest grades. Thus it was a sight for the Gods to see that in one small village there were no less than six schools run by the Taluk Board all teaching up to the Third Standard and manned by single inefficient teachers. According to the present proposals submitted by the D. P. I. for the consolidation and concentration of Elementary schools, the Taluk Boards are required to finance only central schools where all the diverse elements will be brought together and a number of teachers will be employed, doing the work best suited to them. If there is insurmountable objection to communities of boys and girls going together, separate sections are expected to be run under the same roof. Ultimately, it is the desire of the Government that provision should be made for 500 students in every one of these institutions. This appears to us to be a great improvement. If the Government makes up its mind to run these central institutions in such a manner as to give the boy or the girl education that will help him or her in his or her daily avocations, they would have really contrived a scheme which has great potentialities for the future of the rural populations.

THE VILLAGE PANCHAYAT

We welcome back Mr. N. Gopalaswamy Aiyengar to the post of the Inspector of Local Boards, *i e.*, the Registrar-General of Panchayats, so far as we are concerned. To him we owe the birth of the Madras Panchayat Bulletin. We have succeeded it and therefore it may rightly be said that we owe our existence to him. The estimation in which he holds the "Panchayat" may be gathered from a quotation he incorporated in the Foreword to the first number of the first Volume in May 1928. We reproduce the quotation below.

"To me the organization of village life and the practical autonomy of small local centres are more important than either provincial autonomy or central responsibility; and if the choice lay between the two, I should unhesitatingly accept the autonomy of the local centres. I must not be understood as implying that the village centres will be disconnected units. They must be held together by a system of co-operation and integration. . . . I maintain that real swaraj can only be attained by vesting the power of government in these local centres."

Since then great changes in men's outlook have taken place and actually very much greater changes of a momentous character are about to take place in our constitution. The Panchayats have to play their part in the future making of our life. We therefore feel that in the scheme of Providence it is given once again to the Panchayats to be under the guidance of one whose love of the work he is called upon to undertake is so intense and so well known. We are sure Mr. Gopalaswamy Aiyengar will be able to render all concerned, including the Minister-in-charge of the subject, such advice as would effectively set at nought all difficulties of the transition period under the New Act and carry us forward to the goal we have all in view. We wish him all success.

DEAR DEAR READER

"EVERY VILLAGE MUST GET THIS JOURNAL"
WE HEAR YOU SAY
OH! How much can you do for us!

The Panchayat : Its Executive

(By H. S. G.)

The Panchayat is created for the purpose of the administration of the local area for which it is constituted. The administration shall be subject to the provisions of the Madras Local Boards Act 1920. The Panchayat shall not exercise functions expressly assigned by or under the Act or any other law to its President, to other local boards or to other authorities (Section 6, Sub-section 2). Subject to these limitations, so far as the administration under the Madras Local Boards Act is concerned, the Panchayat is its own Executive, though its entire executive power is vested in its President for carrying on the work day-to-day. In cases of emergency, the President may direct the execution of any work or the doing of any act and incur expenditure thereon (section 22). But ordinarily he must carry into effect resolutions of the Panchayat (section 21, Sub-section 1). Even when he acts in an emergency he shall not act in contravention of any order of the Panchayat and he shall report the action and the reasons therefor to the next meeting of the Panchayat (Section 22 Provisos A & B). The Panchayat has the right to make its own regulations in regard to its own procedure not inconsistent with rules in Schedule II to the Madras Local Boards Act 1920, or with other Provisions of the Act or with the rules made by the Local Government (Section 31). The Panchayat has the right, through its members, to pass its own resolutions affecting the whole administration (Section 26, Sub-section 2). In it vests all the property movable or immovable (Section 6, Sub-section 3). It must sanction all proposals for fixing or altering the number, designations and grades of its officers and servants, and the salaries, fees and allowances payable to them (section 67, sub-section 1). The Panchayat has the power to sanction the Budget or reject it (Section 116). It has also power to appoint committees for the purpose of exercising such powers, discharging such duties, or, performing such functions, as it may delegate to them. (Sec. 28, Sub-sec. 1a). It may also appoint individual members or committees to enquire into, and report, or, advise on any matters which it may refer to them, (Section 28, sub-section 1b), with the president of the Panchayat as ex-officio member and Chairman of all such committees. The Panchayat has further power to join with one or more local authorities in which they are jointly interested or for any matter for which they are jointly

responsible (Section 30-sub-section 1). This section is being used and may be used further to develop Sub-district committees of Panchayats. The Panchayat has also power to pass a vote of non-confidence in the President or Vice-President and remove him from office (Section 44).

The Panchayat in this manner has full control over the entire executive work.

Subject to this power of the Panchayat, the chief executive of the Panchayat, as already indicated, is its President. He must first be a member of the Panchayat. He has to be elected by the Panchayat (Section 12). The term of office of the President is exactly his term of office as a member. When he ceases to be a member, he ceases to be the President (Section 15-1a). He cannot be president of a Panchayat while at the same time being the President of some other Local Board; i. e., no person can hold office as President of a Panchayat when he is elected President of another Panchayat or any other Local Board like the Taluk Board or the District Board (Section 15-1b.) Under such a contingency he has to resign. The President has to resign when a motion of non-confidence is passed against him under Sec. 44. He has to resign under yet another contingency. The Local Government has power to remove any President who, in their opinion, wilfully omits or refuses to carry out or disobeys the provisions of the Act or any rules, by-laws, regulations or lawful orders issued thereunder or, abuses the powers vested in him (Section 43 sub-section 1). The Government have, however, to issue a notification giving reasons for their action and give the President concerned an opportunity for explanation (section 43, sub-section 2). No person can act or exercise the functions of the President, knowing that under the Local Boards Act or the rules made thereunder, he is not entitled to hold such office or exercise such functions. If he does so he is liable to conviction and fine not exceeding Rs. 1,000. He may not, likewise, fail to hand over any documents or any monies or other properties vested in or belonging to the Panchayat which are in or come into his possession or control, to his successor in authority or other prescribed authority. In this case also he makes himself liable to conviction and fine not exceeding Rs. 1,000 (Section 208).

The President of a Panchayat can neither receive nor be paid any remuneration from the funds at the disposal of or under the control of the Panchayat; because, no member can be so paid for

services rendered by him in any capacity whatsoever (Section 20). The President of the Panchayat or anyone discharging his functions is responsible to spend the Panchayat money strictly as per law. Otherwise the auditors may disallow every item contrary to law and surcharge the same on the person making, or, authorising the making, of the illegal payment. He, as every other member of the Panchayat, is liable for the loss, waste or misapplication of any money or other property owned by or vested in the Panchayat if such a loss, waste or misapplication is a direct consequence of his neglect or misconduct. A suit for compensation may be instituted against him by the Local Board with the previous sanction of the Local Government or by the Secretary of State for India in Council within three years after the date on which the cause of action arose (Sec. 227).

No suit or other legal proceeding lies against the President of the Panchayat or any member or officer or servant of the same for action taken in good faith. If there should be any action at all it has to be brought against the Local Board under certain limitations (Sec. 225 Sub-Sec. A.)

The President, as also the Vice-President, or any member of a Local Board, acting or purporting to act in the discharge of official duty, is protected from cognisance by courts for alleged offences. However, if the sanction of the Local Government is obtained, he may be prosecuted. (Sec. 227 A.)

So far as the whole Panchayat as a corporate body and its President are concerned, they derive their executive power directly from the Local Boards Act. There are other subsidiary executive authorities who derive their power either from the Board or the President.

The most important of them is the Vice-President. Every Panchayat must have a Vice-President. He must be a member. He must be elected by the members (Sec. 12.) His term of office extends only so long as he is a member. So far as ceasing office and penalties are concerned, his position is exactly similar to that of the President. All sections that apply to the President apply to the Vice-President. In addition, it may be mentioned that, when he is elected to the presidentship, he has to resign his vice-presidentship.

The Vice-President as such has no inherent executive powers. When the office of the President of the Panchayat is vacant the Vice-President is empowered to exercise the functions of the President until a new President assumes office (Sec. 22A Sub-Sec. 1)

The Vice-president may also function when the President delegates any of his own functions subject, however, to one condition that the Panchayat has not expressly forbidden him to delegate (Sec 23, Sub-Sec. 1). The exercise of such delegated functions is subject to such restrictions, limitations and conditions as the President may impose. The President has also power, after the Vice-President has acted, to revise such action (Sec. 25). Even when the president has not delegated powers, if the President has been continuously absent more than fifteen days from jurisdiction not being within the Presidency of Madras and on the business of the Panchayat or if the President is incapacitated, the Vice-president may take charge of the President's office and discharge his functions except those of promoting, with-holding the promotion from, reducing, removing or dismissing any officer or servant of the Panchayat (Sec. 23, Sub-Sec. 2). Even in this case the President has the right to revise the action of the Vice-President. However, the Vice-president acting under this sub-section, is not subject to the other restrictions, limitations and conditions the President may impose. By G. O. No. 2889 L and M dated 23rd November 1922 the Government have required Vice-presidents in charge of Presidents' functions under the sub-section to state that they are in charge when they sign communications.

The President of a Panchayat may, by order in writing, delegate any of his functions to any member, officer or servant of the Panchayat or to any officer of the Government subject to restrictions the Panchayat may impose (Section 23-sub-section 4). Therefore, if the Panchayat does not interfere, the President may appoint his own men even as against the Vice-president. No delegation can be made in any one's favour for more than ninety days in the aggregate.

The most powerful parts of the executive that a Panchayat may create, if it chooses, are Committees and Joint Committees. The committees may contain even outsiders, their number being limited to not more than one-third of the total number of members of such committees (Sections 28 and 30). The system of committees is a very useful instrument both for joint action for the good of a number of Panchayats and for training members in the art of administration. Delegation to committees is the correct way of working democratic institutions.

This in brief is the Executive side of the Panchayats under ordinary conditions. But the present Local Boards Act contains

provisions which give very material powers to Presidents of Taluk Boards, Collectors and Local Government. These are contained in Sections 38, 39, 41, 42 and 43. The Local Government may, by order in writing, suspend or cancel any resolution passed, order issued, or license or permission granted, prohibit the doing of any act which is about to be done, or is being done for various reasons, viz., (1) of legality, (2) of exceeding powers conferred by this act, (3) of danger to human life, health and safety and (4) of peace and tranquillity. On the ground of danger to public peace and tranquillity, any Collector may do all that the Local Government is empowered to do. The Collector's orders, however, are subject to modification by the Local Government to whom he must report. The Collector has not merely this negative power. He may positively direct or provide for the execution of any work or the doing of any act on the ground of emergency for the safety of the public and direct that costs be paid and recover the same subject to the same kind of report to the Government (Section 39). The Local Government may exercise similar powers under ordinary conditions if it appears to them that a Panchayat or its President has made default in performing any duty giving the Panchayat concerned sufficient time to obey in the first instance (Section 41). The President of the Taluk Board has similar powers in the case of the Panchayats; only if the Local Government differs from the Taluk Board, the will of the Government has to prevail. The Government has power of superceding a Panchayat (Sec. 45-1, 1a p. 45 A).

All these powers appear to be too sweeping. But they are expected to be exercised only exceptionally. How they are exercised depends upon the real democratic strength of the Panchayats. It is to be hoped that Panchayats will make use of their own powers and also of the powers of combination so well that these powers will always be a dead letter.

A Plea for Panchayats in Travancore.

(BY MR. SANKARA SUBRAMANIAM, B.A. HON.)

It is well-known that Travancore stands in the front rank of progressive native states. In point of educational progress few states or provinces in India can stand comparison with her. She has been blessed by Nature with a fertile soil and plenty of rain which have made her people relatively more prosperous. Her benevolent rulers have been very assiduous in working for the material well-fare of the people. The establishment of hospitals all through the land, the extension of

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communication in all directions and the attempts to up-lift the rural industry of agriculture in all ways speak volumes in her praise.

But there is one weak point in this otherwise magnificent edifice. It has been reared mainly at the initiative of the rulers. The people themselves have been only passive spectators. It is true that there is a Legislative Council and Popular Assembly. But they have little power in the actual administration when compared to the king. Now it is universally acknowledged that good Government is no substitute for self-government and the proper function of a government is to develop the political capacity of the governed. Travancore must make efforts to develop really popular institutions in the state. The need to develop them is all the more imperative now since the Indian States have agreed to take their place in the Federated India of the future. But one thing must be remembered when democratic institutions are established. Travancore should not fall into the same blunder as British India where the democratic edifice was built from the top, so to say. Begin from the beginning must be our motto. First a proper organisation for each village in the shape of the village panchayat must be established.

Those who have read the history of village administration under the Cholas will be struck by its peerless perfection. Each village organisation looked after the needs of the village. What those Chola panchayats did in those far off days, our own panchayats can do in these times. When such village organisations are established and they properly function, the defects of over-centralisation would vanish and the villagers, instead of being spoon-fed by a paternal government throughout their lives, can stand on their own legs.

The need for the organisation of panchayats is thus very clear. But how to organise them is the question. In this matter there is an important section of opinion in India which holds that voluntary effort on the part of the rural folk—preferably through channels of co-operation—is an absolutely essential condition. On this score even temporary interference by the government in the shape of legislation, concessions or financial aid is being opposed. But if we look at countries much more advanced than ours, democratically and socially, we find that the process of compulsion is being resorted to at numerous points without any regard for theories of individual liberty. Hence it is very necessary, if panchayats are really to work, that they must be forced to do some work of common concern. Compulsion has its legitimate part to play in a certain stage of development. What is disliked to-day because it is compulsory, may be cherished to-morrow. Take for example primary education. No one will seriously question the necessity for compulsory education in the primary schools if the appalling ignorance of the people

A PLEA FOR PANCHAYATS IN TRAVANCORE

is to be removed in the near future. Same is the case with a host of other improvements. History tells us, in unmistakable terms, the innumerable benefits that kingdoms have gained from autocratic rulers. Such are the so-called "tyrants" of Greece, Bismark, Mussolini and Kemal Pasha of our own times. Therefore when panchayats are organised in Travancore, they must be compelled to do certain duties statutorily. But much more than thus compelling them, the panchayats must be provided with adequate funds to carry on their duties. In British India there is neither compulsion, nor the provision of adequate revenues for panchayats. Hence their development is rather slow.

In this connection, the Mysore Village Panchayat Regulation which was brought into force over the whole of Mysore on February 1, 1927, is worth careful consideration. It makes a marked departure and there are several provisions of the Regulation and the Rules thereunder which compel the government machinery and the rural folk to carry out certain duties. The leading feature of the Regulation is that the initiative for reestablishing a proper organisation for rural development, is to be taken by government through the head of every district: the arrangement is analogous to the process of artificial respiration with the help of an external agency for reviving natural respiration. Some of its features are as follows:—

1. The Deputy Commissioner of every district is to establish a panchayat in every village or group of adjoining villages. No option is allowed either to the Deputy Commissioner or to the villagers to do without a panchayat. Even in cases where the panchayats fail to function, the Deputy Commissioner is to arrange for temporary administration only; he is obliged to reestablish the panchayat system in such villages at the earliest opportunity.

2. The obligatory duties of every panchayat under the Regulation are construction, repair and maintenance of village roads, culverts and bridges not under the control of any other local body or of government, drainage, village sanitation, regulation of buildings, opening and maintenance of burial and burning grounds, management and maintenance of cattle pounds, preservation and improvement of public health, maintenance of tanks and wells (other than those used for irrigation), etc. There are also discretionary and delegated duties which devolve upon the panchayats when they have proved themselves fit to take over such additional functions. The former comprise providing facilities for travellers, relief of the poor and the sick, excavation and maintenance of ponds for the supply of water to animals, planting and preservation of groves of trees, control of communal waste lands and grazing grounds, development of education, co-operation, agriculture, rural industries and other public utility services.

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The latter comprise management, protection and maintenance of village forests, of tanks used for irrigation and of minor religious institutions and the supervising of village schools.

To meet expenses, apart from additional sources every panchayat is to levy a tax on all houses, shops, vacant sites, hittals (back yards) and carts in the village. A panchayat may also levy, with the previous sanction of government any other tax for the discharge of any other duties imposed on it. Not more than 18 days labour is to be necessarily accepted by the panchayat in the payment of taxes by any member of the village. If a panchayat requires more money for its expenditure in performing statutory duties, it must increase its income to that amount within six months, failing which the Deputy Commissioner may require it to increase the rate of taxes. Definite time limits are also provided for in the Regulation e.g., if the Deputy Commissioner and the panchayatdars fail to collect the tax or a penalty from a member within 3 years, it automatically lapses.

All these reveal that compulsion is very prominent in the organisation of panchayats in Mysore and unless our villages are forced to do certain duties and they are compelled to cherish better hope and faith in their own progress it would take centuries for them to rise from the depths of their degradation, apathy and fatalism. The fundamental truth to be borne in mind in connection with Indian rural problems, not only those of Travancore, is that they are not of any particular kind; it is not the case of a local disease requiring a bandage here, a linament there, but it is that of a general breakdown requiring an all-round pick-up. This can only be achieved if we cure the disease and not the symptoms. The central problem appears to lie in the providing of a proper organisation ensuring the success of detailed improvements tried in research institutions. Well may Travancore learn from the example of Mysore and British India.

The New Act in Operation.

(T. G. RUTHERFORD ESQ., C.I.E., I.C.S.)

The Madras District Municipalities Act and Madras Local Boards Act as amended have very largely increased the possible number of voters for Municipal Councils and Local Boards by enlarging the franchise; and direct election to District Boards on the same franchise as for Taluk Boards and Panchayats has been introduced. The Municipalities Act provides for the preparation of electoral rolls and conduct of elections by an 'election authority' who shall not be either the Chairman or Vice-Chairman or a Councillor and the Local Boards Act provides for these functions being performed by a 'prescribed authority'. Government have decided that at least for the preparation of the first revised rolls and the first elections under the new Acts, the 'prescribed authority' shall be a Government official. The Inspector of Local Boards has therefore been designated as 'election authority' under the Municipalities Act and 'prescribed authority' under the Local Boards Act and a special staff has been appointed for the preparation of the electoral rolls and to carry out under his orders the elections. If possible, all preparations for elections have to be completed and the elections themselves held before 25-8-31, the last date to which the life of the present Councils and the Local Boards could be extended. It has been decided to confine the activities of the staff, as far as panchayats are concerned, to those panchayats which were Unions before the introduction of the new Act. Under Rule 12 of the Transitional provisions Government have ordered that Panchayats which were constituted under the Madras Village Panchayat Act or have since been constituted under the present Act will be dealt with for the present as regards elections under the rules framed under the Madras Village Panchayat Act. Since, however, the electoral qualifications for being a voter in a panchayat are the same as for being a voter for the Taluk Board or District Board subject to residence within the Panchayat village, the special staff have orders, as far as possible, to prepare the electoral rolls for panchayats also by taking extracts from the general electoral rolls relating to the panchayat village so that these may be ready for use when the system prescribed by the Act is applied to all panchayats. The special staff consists of 4 Deputy Inspectors of Local Boards for Northern, Central South-West and Southern divisions located at Rajahmundry, Madras, Coimbatore and Trichinopoly, and for each district there is a District Election Officer with a number of assistants varying according to the number of municipalities and Taluks in the district. The jurisdiction of the Deputy Inspector, Northern Division, covers Ganjam, Vizagapatam, East and West Godavaries, Kistna and Guntur and that of the Deputy

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Inspector, Central, covers Nellore, Cuddapah, Kurnool, Bellary, Anantapur, Chittoor and Chingleput. The jurisdiction of the Deputy Inspector, Southern is Tanjore. Trichinopoly, Madura, Ramnad and Tinnevely while the Deputy Inspector, South-Western, whose headquarters are at Coimbatore has South Kanara, Malabar, Nilgiris, Coimbatore, Salem and North and South Arcot. The first work that is being taken up by the District Election Officers is the preparation of the municipal electoral rolls on the new franchise and the framing of proposals for wards and reservation of seats in union panchayats in consultation with the panchayats for submission to Government for their final approval. Thereafter, they will take up the verification and preparation of the local boards electoral rolls the foundation of which is being prepared by the village karnams on the basis of their records. As consultation under the Acts, Government have called upon the District and Taluk Boards and Municipalities to submit their proposals for reservation of seats and division into wards or circles to the Inspector in the first place, and except where they are being dealt with personally by the Inspector, are being sent to the Deputy Inspectors for scrutiny and local enquiry and final framing of proposals which after scrutiny and amendment, if necessary, will be submitted by the Inspector to Government for approval and notification. The Deputy Inspectors have instructions to consult not only the members of the municipal councils and local Boards concerned but as far as possible to get the local bodies to agree to their final proposals. All the proposals when first received by the Inspector are being scrutinised by him before being sent out to the Deputy Inspectors. Where the proposals are in conflict with the law or the general lines of Government policy, the councils or local boards are being informed so that they may be ready for further discussion with the Deputy Inspectors. The Local Boards Act provides for a taluk board for each revenue taluk; and multiple taluk boards have been formally called upon to show cause why they should not be bifurcated and wherever the population and the probable revenue justifies it, single Taluk Boards will be constituted. The strength of municipalities under the Act is governed by their population while that of local boards is subject to certain minima and maxima. It is intended to maintain the existing strength of local boards except where there are special reasons for changing the same. Now single Taluk Boards will generally only have the minimum of 12 members. In reservation of seats other than those for women, reservation for the minority communities mentioned in the Act will only be proposed where they form a substantial proportion of the population or have special interests e.g. commercial, which require representation and where it has been found that they cannot get their due representation through election. Where the population of the community is so small that a reservation would hardly be justified but municipalities and local boards have proposed reservation for them this is being pointed out; but generally unless the

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reservation as suggested is obviously too little or excessive, their proposals will not be interfered with. In the proposals so far received from Taluk and District Boards it has been found that the population of Adi-Dravidas varies from 1/12th to 1/4th of the total district population, reservation of seats proposed is generally inadequate. Both in Local Boards and Municipalities the population strength of this community has however to be considerably discounted by their very low taxation capacity and they produce only a very small number of voters even under the new franchise.

2. As cost of the special staff is finally to be borne by the local bodies concerned, it has been kept as small as possible and in regard to the preparation of the electoral rolls it is essential that the public should co-operate if these rolls at all are to be accurate. The District Election Officers have instructions to make their operations as public as possible by distribution of hand-bills informing the public of their activities and the electoral qualifications for being a voter. In the Municipalities the municipal tax registers furnish the foundation of the roll which will include anybody who was assessed in the previous year to property tax, profession tax or vehicle or animal tax. But income tax assessors pensioned or discharged officers and men of His Majesty's regular forces and any persons who are paying any tax to any local authority, or to government have to be included also. Thus all persons paying land revenue since with it is paid land cess, which is a tax under the Local Boards Act will, if possessing the qualifications of residence, be entitled to be registered as voters in the municipality. It is these people and the authorised representatives of companies, associations, joint family or joint pattadars who must come forward to make their claims as it is very difficult for the special staff to trace them out. A voter in addition to his residence for 120 days in a municipality must also have attained the age of 21 in the year preceeding in which the electoral roll is published. For the local boards electoral rolls the karnams provide lists of those who are registered as ryotwari pattadars or inamdars or who hold land in the district, taluk or village as ryots or tenants under a landholder as defined in the Madras Estates Land Act. Information is also available as to income-tax assessors but for those who are qualified as paying any other tax to Government or to any local authority in the Presidency of Madras or who hold land by a written lease from a ryotwari pattadar or inamdar or from a tenant of such pattadar or inamdar (this applies especially to Malabar) or is retired, pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's regular forces, we have to rely very largely on such voters coming forward to make their claims to be included in the electoral rolls. Such claims may be sent in at any time within the next 2 months to the District Election Officers whose offices are at the district

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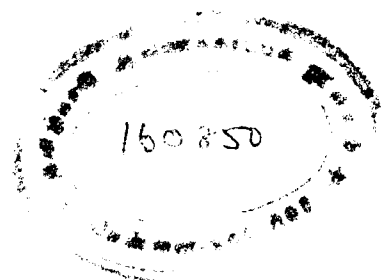
headquarters. It is to be hoped that educated members of the public, who are interested in seeing that these new electoral rolls are as complete as possible, will assist by making known, as far as they can, the operations of the special staff and the procedure to be adopted by those for whom they have no accurate information to get included, if qualified, in the electoral rolls. It has not yet been settled as to who will be entrusted with the actual conduct of municipal elections: but it will probably be the Deputy Inspectors of Local Boards, with the assistance of the District Election Officers, and the Taluk and District Board Elections likewise. Union Panchayat elections will be carried out by the District Election Officers. Draft revised rules for the preparation of the electoral rolls in Municipalities have been just been published in the Fort St. George Gazette by Government and rules for the conduct of elections and rules for preparation of Local Board rolls and conduct of the elections will be issued shortly.

OFFICE OF THE INSPECTOR OF MUNICIPAL COUNCILS AND LOCAL BOARDS.

CIRCULAR No. 105.

Subject.—Taxes Levy of village Panchayats—Instructions issued.

In modification of para 4 of this office Circular No. 99, published in the Journal "Village Panchayat" for December, 1930, panchayats, except such panchayats as were Union Boards before 26.8.1930, are informed that Government have since ordered under Rule 12, of the schedule to the Local Boards (Amendment) Act XI of 1930, that any tax or fee previously levied by panchayats under Section 26 (2) of the Madras Village Panchayats Act, 1920, may continue to be levied up to 31.3.1931. If the panchayats want that the taxes sanctioned under section 26 (2) of the Madras Village Panchayat Act should be continued after that date they must obtain fresh sanction under section 75 (2) (a) of the Local Boards Act after adopting the procedure already ordered.



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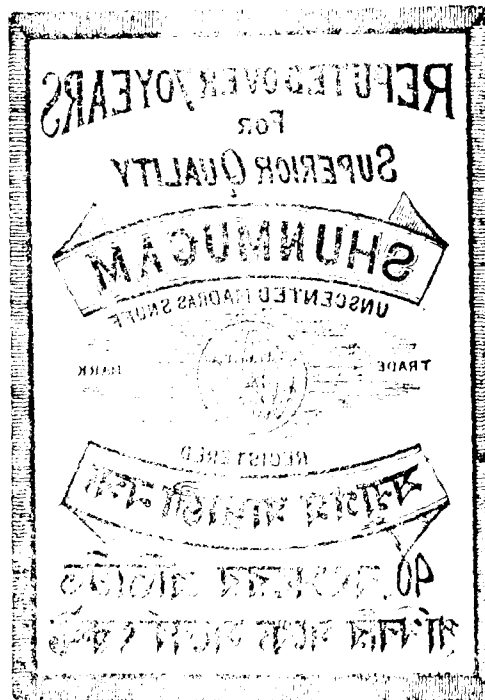
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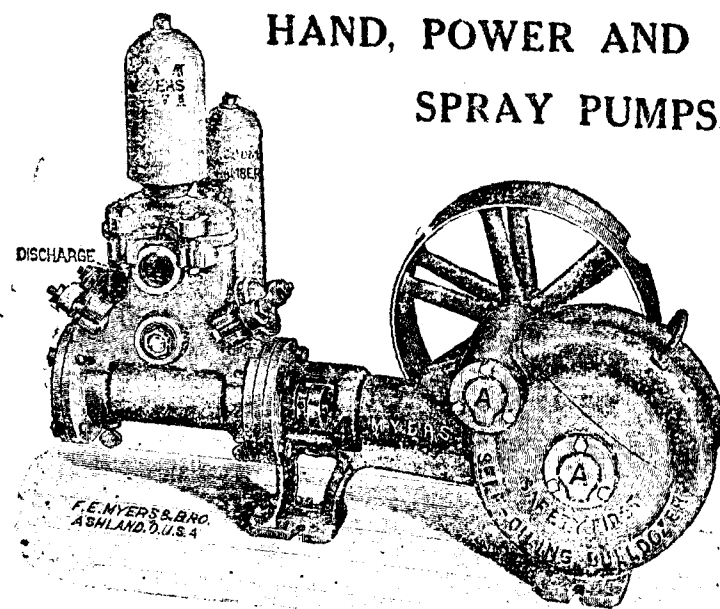
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Edited by Mr. G. Harisarvothama Rao, M.A.,
and Printed at the C. C. P. Works, Chintadripet, Madras.