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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 589 Press Mis.

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Dated 3-5-1861 19

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 3rd May 1861.

No. 12. Read the following Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council, in the Home Department, (Judicial,) under date the 10th April 1861, No. 735.

Read again the Secretary of State's Judicial Despatch, No. 41 of 1860, dated the 30th April, requesting information as to the extent to which a system of Municipal Government has been introduced within the limits of the Presidency of Fort William and the several Non-Regulation Provinces under the control of the Government of India, together with the opinion of this Government as to the measure of success which has attended the working of the system, and whether so far as it has been carried, it has proved acceptable to the people.

Read again the following communications, requesting the local Governments and Administrations to furnish the information required by the Secretary of State.

To Government of Bengal, No. 1069, dated 6th June 1860.
To Government of N. W. P. No. 1209, dated 6th June 1860.
To Foreign Department, No. 1193, dated 6th June 1860.

Read the following replies to the foregoing call :—

1. From the Government of Bengal, No. 6628, dated 12th December 1860.
2. From the Government of the N. W. P., No. 1201A, dated 22nd October 1860.
3. From the Foreign Department, (Punjab,) No. 5133, dated 31st October 1860.
4. Ditto ditto (Oude,) No. 90, dated 11th December 1860.
5. Ditto ditto (Hyderabad,) No. 3577, dated 22nd August 1860.
6. Ditto ditto (Nagpore,) No. 2571, dated 10th July 1860.
7. Ditto ditto (Mysore,) No. 3738, dated 30th August 1860.
8. Ditto ditto (Tenasserim and Martaban Provinces,) No. 3006, dated 27th July 1860.

Read an Abstract Statement of the foregoing Returns, prepared in this Office.

Read Judicial Despatch, No. 33 of 1861, dated the 2nd April, transmitting the foregoing Returns and Statement to the Secretary of State.

It appears from the Returns above mentioned that a system of Municipal Government has been but partially introduced in Bengal, and yet more sparingly in the North-Western Provinces and the Punjab. There is no doubt, some difficulty in persuading the Natives of India to submit voluntarily to taxation for purposes of Municipal Government, but the Governor General in Council believes that when the measure is once established, the people are for the most part easily reconciled to it, and as there are large Towns, particularly in the Punjab, in which considerable sums are collected from the people and expended on conservancy and local improvements, independently of the introduction of Act No. XXVI of 1850, or of any really Municipal Government, His Excellency in Council is inclined to think that more might probably have been done in this Presidency for the establishment of Municipal Administration, had the local Governments and their Officers exerted more freely their just influence for the purpose.

The apparent unwillingness which the people of India generally manifest when taxation for Municipal improvements is first proposed to them will usually be found to proceed from one or other of the following causes—

1. General distrust of any novelty.

2. Want of a clear understanding as to the objects and intentions of Government, and general distrust of the machinery proposed for raising and expending taxes.

3. Want of appreciation of the objects proposed.

Therefore to overcome the difficulty of establishing and working a good municipality it is necessary to satisfy a Native community—

1st.—That it is desirable for them, as a body, to have good, well made roads, abundant water supply, clean streets, well lighted and watched by a good Police—(these being the main objects of Act XXVI of 1850) :—

2ndly.—That the measures proposed will enable them to obtain these objects: —

3rdly.—That the tax-payers will really have a fair voice in the raising and the appropriation of the necessary funds.

In establishing Municipal Government, as a general rule, the best course to adopt is

1. That the people having had what is wanted carefully and deliberately explained to them, should be consulted as to the form of the necessary taxation, *e. g.* by Octroi, house tax, poll tax, &c., &c., and that their wishes should be really consulted, and not set aside for any fancy of the Government officials of the time being.

2. That the custody and disbursement of the money should be under the control and on the responsibility of the Executive Officers of Government, but that the fullest publicity should be given to the accounts, the tax-payers being clearly informed as to all details.

3. That the Officers of Government should be guided as to the works to which the funds shall be devoted, mainly by the wishes of the tax-payers, before whom the list of the proposed works should be laid, and the cost of the works executed duly reported.

There can be no difficulty in having all classes of the community represented in proportion to their influence or importance, by one or more of the head men of each nation, caste, trade, or calling. It will always be advisable to have a division of this representative body, the whole body meeting at least once a year to pass accounts submitted, to vote all large sums to be expended in the coming year, and to decide all general questions, a Select Committee composed of the more intelligent and influential men of business, acting as an executive body under the general control of the local Magistrate, or one of his best Assistants.

Large Towns should be divided into wards with a common general representative body and separate executive bodies for each ward.

Where a few such rules are observed, the Governor General in Council believes that Municipal institutions are as well adapted to the feelings and tendencies of the people of India as to those of Europeans.

As the very desirable object of creating a wish on the part of the people for the establishment of Municipal Administration may be best and most surely attained by personal influence discreetly and properly used, the Governor General in Council calls the attention of the local Governments and Administrations to the fact that hitherto this appears to have been turned to very little account, and requests them to stimulate their Officers to give more effect to it.

It is urged by some Officers well acquainted with the feelings of the Native community that Act XXVI of 1850, would be more generally resorted to if there were less restriction as to the objects of public utility to which funds raised under the Act might be legally devoted, and if an option were permitted to the tax-payers to spend any portion they pleased of the sum raised, on such objects as Schools, public Hospitals or Dispensaries and public works other than those specified in the Act.

The Governor General in Council will be glad to receive the opinions of the local Governments and their most experienced Officers on this subject, with special reference to the best safeguards for ensuring that zealous Officers will pay due attention to the ascertained wishes of the local community.

Ordered, that a copy of the foregoing Resolution be sent to the Governments of Bengal and the North-Western Provinces, and to the Foreign Department, for information and further orders.

Ordered also that a copy of the Resolution be sent to the Governments of Fort Saint George and Bombay for information, with reference to the Despatches of the Secretary of State to those Governments noted on the margin, and with a request that they will favor the Government of India with information as to the working of the Act and on the other points noted in the Resolution.

To Fort Saint George, No. 13 *of* 1860, *dated* 30*th April.*
To Bombay, No. 10 *of* 1860, *dated* 30*th April.*

(True Extract)

(Signed) W. GREY,
Secy. to the Govt. of India.

Proceedings of the Madras Government, Judicial Department,
3rd May 1861.

No. 13. ORDER THEREON, 3rd May 1861, No. 589.

Resolved that a copy of the above Resolution be forwarded to the Board of Revenue, and that they be requested to submit at an early date the information called for by the Proceedings of Government, 31st May 1860, Judicial Department, No. 675, and at the same time to favor Government with their views on the several points discussed in the present Resolution of the Government of India.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial Department.

Proceedings of the Madras Government.

Read the following letter from the Secretary to the Govt. of India - Home Dept.

Mere under 10th April 1861 No. 735

Order thereon 3rd May 1861 No. 589

Resolved that a copy of the above Resolution be forwarded to the Board of Revenue and that they be requested to submit at an early date the information called for by the proceedings of Govt. 31st ult. Judl. Dept. No. 675 and at the same time to favor Government with their opinion

views on the several points discussed in the present resolution of the Government of India

To the Board of Revenue Dept. 3 Sir,

I am

Proceedings

Judicial

Department 1861.

No. 587.

Proceedings of the Madras

Government.

Dated. 3d May 1861.

Request that Board of Revenue be desired to submit as early as possible the information called for by the Proceedings of Govt. 31st May 1860 No. 675. and at the same time to favor Govt. with their views on the Resolutions of the Govt. of India relative to the best means to be adopted for the Establishment of Municipal administration &c.

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