

CALCUTTA MUNICIPAL CORPORATION – A HISTORICAL JOURNEY TO DEMOCRACY

DEBDATTA BHADURI¹

¹ Assistant Professor, Department of Political Science, Sonarpur Mahavidyalaya, Kolkata, West Bengal, INDIA

ABSTRACT

The city of Kolkata has a history of more than three centuries. It is still bustling with life as a modern metropolis. Similarly the corporation which was first established under a Royal charter in 1726 during the initial years of the British colonial history has experienced democracy over the time. Any analysis of this political growth reveals the various economic and strategic considerations of the British Government. This also highlights the various aspects of the urban local-self government in India in general and Bengal in particular. Any meaningful insight into this episode will definitely begin with Lord Mayo's proposals of 1870 and finally reach the mayor-in-council system introduced in the mid-eighties, coming across the legendary Calcutta Municipal Act of 1923 by Sir S.N. Banerjee. History shows how the corporation of Calcutta became a centre of decentralization and the mechanism of self expressions for the natives of pre-independent India. The corporation lent a true training in democratic learning to the natives, especially, the middle class Bengali intelligentsia. The more representative the corporation became, greater became its involvement in the sensitive politics of Bengal. The corporation still continues to play a diversified role in the present century in the life of Bengal.

KEY WORDS : Local-Self-Government, Acts, Decentralization, Participation, Democratisation, Liberalism, Mayor-in-Council.

INTRODUCTION

Only the other day there was a news report that the Indian Museum in Kolkata is the oldest in Asia. However Kolkata has a longer history and so has the Calcutta Municipal Corporation. As the three insignificant villages of Sutanuti, kolkatta and Gobindapur laid the foundation of a modern metropolis in 1690, the city's first corporation was set up on 4th September 1726. As the journey of Calcutta over the centuries to the present day touched various political and historical stages, the political legacy of modern K.M.C. (KOLKATA MUNICIPAL CORPORATION) traversed a long path of colonial and post-colonial democratic ups and downs. An insight into the story of such explorations is an interesting area of an academic pursuit. This also highlights the manifold aspects of incremental growth of urban local self government and politics in India in general and Bengal in particular in the last two centuries. The present paper traces these developments, in six sections, in the past hundred years, though earlier periods too have been encompassed for references as the background.

SECTION- I

For Tocqueville, the schools are to liberty what primary schools are to science. They bring it within the people's reach and teach how to use and how to enjoy (Datta, 2012). The educative value of local self-government in the last two centuries was of immense significance for democratic training for the natives of pre-colonial days. However, "at the time of establishment of British rule there was no self-government in towns" (Mukherjee, 1974). Consequently, the Britishers had the opportunity to begin afresh on their own. According to Dr. Pillai, the first municipal corporation was established in Madras by a Royal Charter (Pillay, 1850-1919). Similarly by a Royal charter, the Corporation in Calcutta was set up in 1726 consisting of a mayor and 9 aldermen. These were in miniature forms as the Britishers were not much akin to develop municipal administration in the pre-mutiny days.

"It was only in 1813 that the provision was made for using local taxation to meet local needs." (Argal, 1960). However the Act XXXVI of 1850 marked the beginning of municipal government not only in Bengal but also throughout India. It also allowed to levy indirect taxes for carrying municipal services, e.g. cleaning, lighting and repairing for the towns.

THE BACKGROUND

The Sepoy Mutiny of 1857 caused a perceptible change in colonial rules. Imperial finances were under strain under the impact of the war as the British government was expanding in different parts of Asia. The resultant was the growing pressure of finance. During the early days of the crown in the post-1857 period, the need for the basic services like health, sanitation, education was felt. This was also emphasized by the Royal Sanitary Commission. Hence, Lord Mayo's resolution in 1870 highlighted the need for decentralization of powers for bringing administrative efficiency and raising resources for satisfying the growing needs of the country. That is to say, running the local administration with the locally raised revenues was the objective. "It was around this time that Andrew Laing, member of Viceroy's council, eulogized the spirit of local self governance...."(Datta P, 2012): Lord Lytton's period as the viceroy was characterised by discontentment and misgovernance.

RIPON'S RESOLUTION OF 1882

Against this background Lord Ripon's policy of local self government was not merely a reflection of his faith in liberalism, but at best to some extent the "assuage the exasperated sentiments of nationalist India." (Sharma, M.P, 1960). There were agitations and protests throughout India for the acceptance of the Indians in the different spheres of public life. Most importantly, 'Indian Association' founded by Sir Surendranath Banerjee became an organization representing the rights of the educated middle-class community of Bengal.

Lord Ripon's epoch making resolution is regarded as the Magna Carta of the local democracy in India. The resolution stated an increase in the non-official element of the municipal government, substitution of non-official as chairman, control from without rather than from within and the dissolution of finance and power.

SECTION - II

The Corporation established in Calcutta in 1726 underwent gradual changes over the period. The royal charter of 1763 intended its powers. From 1794-1876, the management of the town was placed in the hands of Justices of Peace. The chairman of the Justices discharged the duties of the Police Commissioner as well as the chief executive of the Municipality. Lack of resources and adequate statutory authority made it difficult for providing municipal services. Since 1793, money was raised by means of lotteries by forming

Lottery Committee. In 1863, the Municipal government composed of Justices of Peace. This body elected its own Vice Chairman, had a regular health office, engineers, scavengers, Tax collector and assessors. The Calcutta Municipal Corporation Act, 1876, a corporation was set up consisting of 72 commissioners with a chairman and vice-chairman. 48 commissioners were elected by the rate-payers and 24 appointed by the government.

The major developments and achievements in the city during 1757-1876 period include the clearance of the maidan, construction of Fort William, spread of European quarters at Chowranghee, Town Hall, New Market, road Beliaghata Canal along with new drainage and water supply lines. A large number of were also laid during this period. In 1888, suburbs lying east and south of lower circular road were brought under Calcutta corporation.

SECTION - III

It may be recalled that in spite of the initiatives and amendments made to expedite the efficacy of the urban Governance in Bengal in particular, and British India in general, 'Local Self Government' as contemplated by Lord Ripon remained a matter of mutual distrust. In Surendranath's words, "The measure was reactionary prompted by the official distrust of municipal institution." (Banerjee, S, 1925). It may be noted that towards the end of 19th Century, the municipal advancement came under the excessive centralized dominance of Lord Curzon as he did not approve of the idea of Indian administrative efficiency for running local self government successfully.

The Calcutta Municipal Act of 1899, also known as the Mackenzie Act, at the time of the closing of the 19th century, brought significant changes in the system. The administration of Kolkata rested in the hands of three coordinating authorities- the corporation, the chairman and the general committee. The corporation consisted of a government appointed chairman and 50 Commissioners of whom 25 were elected. However, the Chairman was the sole executive authority while the real authority rested with the European Community dominated General Committee. "The people of Calcutta took very little interest in the administration of the city under this act; in all seven elections held under this act until this was scrapped by the legislation of 1923, the people showed little enthusiasm." (Chowdhuri, K, 1973). In protest the native commissioners resigned which "deprived the new body

of the services of several able and experienced men.” (C.M.Report , 1902-1903)

SECTION - IV

It is worth mentioning that the political situation in Bengal and other parts of India at the outset of the 20th century became tensed. Lord Curzon's partition of Bengal in 1905 unleashed a wave of movement. In 1906 ,the Calcutta session of Indian National Congress which was established in 1885 as a 'safety valve' resolved that the powers of local and municipal bodies should be extended and the control over them should not be more than what was being executed in Britain over the local bodies. Finally, the Surat session of I.N.C. announced "self- government within the empire as its goal"

A Royal commission was set up in 1907 to suggest ways and means to transfer excessive powers to the local bodies. This commission is popularly known as the Decentralization Commission and its report was published in 1909. The recommendations of the Commission were "sound and cautious in terms of administrative improvement, rather than of national political aspiration." (Tinker,H 1954). The commission suggested the 'Bombay system' consisting of a nominated official commissioner with an elected chairman at the corporation. All the ward commissioners of the corporation agreed to the provision of an elected chairman of the commission in place of the nominated official chairman. However Calcutta Corporation was not proposed to enjoy the fullest autonomy in finance or administrative matters like the Bombay Corporation.

Government's reaction to the report of the Decentralization Commission was not very prompt. Six years after the report was published, during the time of the world war, the British government showed eagerness to implement the proposals of the commission. The Indians made a positive contribution in the first world war and the end of the war brought hope among the Indians of drastic changes in power structure with adequate devolution of power. The following years noticed greater devolution of powers in the local governing bodies.

The Calcutta Municipal Bill of 1917 was framed for "further liberalizing" (Chowdhuri.K,1973) the constitution. The main features of the Bill were the restoration of the old number of the commissioners to 75, the election of Mohammedan representatives by separate electorates, the abolition of plural voting, the appointment of a commissioner by the government as

the head of the executive, the election of a chairman by the corporation to preside its meetings. Bengali opinion was unanimous in the matter of increasing the number of membership. However, instead of a uniform representation of two members from each ward, the Bill raised the number of elected representatives to 37 from 25, the 12 bigger wards would send two representatives while the others each only. The demand of the provincial Congress Party for more numbers of Municipal commissioners went useless. Regarding finance the Act's proposal was the amalgamation of rates of four municipal funds-general, water supply, lighting, sewage into one rate.

Another interesting fact regarding this Act is related to the constitution of an "entirely separate electorate on the principle by which Mohammedan representation was secured by the Legislative council of Bengal Morley-Minto reforms scheme of 1909." (Chowdhuri, 1973) .Though the central Mohammedan Association preferred a separate electorate, public opinion sought on the subject of communal representation, disapproved a separate electorate. The Indian Association held that, "Municipal interests of Hindoos and Mohammedans have always been identical; and before a departure from the existing practice was sanctioned, it ought to be proved that those interests were in conflict." (Letter, 1913). The Bengal provincial Congress committee was also against the introduction of separate electorates in the municipal affairs.

SECTION - V

Nevertheless, the 1917 Bill could not be incorporated in the statute book. After the first world war the political expectations of the Indians remained unsatisfied and they "quitted the path of social reform for the direct path of mass action and non-cooperation" (Tinker, 1954). The August announcement of 1917 by the British parliament held that their basic policy would be establishment of responsible government in India as an integral part of British Empire. In the words of Tilak, "The Montagu scheme is entirely unacceptable." (Mukherjee, 1974). Lord Chemsford made a fresh statement on 14th May 1918 related to more democratisation in local governance. It also introduced diarchy in provincial administration.

The Bengal Legislative Council was reformed and a diarchic executive comprising of the ministers responsible to the council and governor's executive council, was constituted under the recommendations of Montagu – Chemsford Reforms of 1919. Thus local self-government became a transferred subject. Sir

S.N.Banerjea became the first Indian minister, in-charge of local self government who introduced the famous Municipal Bill, 1921, as per the reform. To him, it was “if the reforms were to succeed at the top, it was necessary to strengthen the local institutions at the base.” (Bengal Legislative Council, 1921).

The Calcutta Municipal Bill introduced by S.N. Banerjea in 1921, became Bengal Act III of 1923 (Banerjea, 1921). So far as the constitutional provisions are concerned, major policies were - the size of the membership of the corporation was raised from 50 to 80 out of which 55 were to be elected by general electorates. 13 seats were marked for Mohammedans, 12 were to be institutional councillors, 5 were to be aldermen elected by corporation and 8 were to be government nominees. The number of members fixed by the Act of 1876 was 75 and this continued till 1899 when it was reduced to 50. It was an advancement towards democratization of the corporation. However, the constitution which was finally framed, provided for 75 elected councillors out of which to be 15 to be Mohammedans, 10 government nominees and five aldermen to be appointed by the corporation.

There was a controversy related to the Mohammedan representation in the corporation since their membership had been more than five between 1911 and 1921 period by election or even by nomination. “No principle of safeguarding the interests of any community appeared to have been followed by government in making appointments in the corporation.”^(Notes by S.B.R. and A.C.M., 1921). Sir. S.N. Banerjea opposed communal representation. To him, “it divides our community into water tight compartments and makes us think and act as partisans and not as citizens.” (Banerjea, 1921). The spokesman of a mixed electorate raised their voices saying that the civic interests of the Hindoos and Muslims could not be different. Any proposal for separate electorates would only create a cleavage in the social fabric. The Montagu – Chemsford report also regarded, “Any system of communal electorate as a very serious hindrance to the development of self governing principle.” (Report on Indian Constitutional Reforms, 1918). Finally, it was resolved that the Mohammedan would be granted communal representation after which it would lapse.

The Act liberalized the franchise qualification to make it more democratic by incorporating the principle that every occupier of a masonry building or a hut who paid a rent of twenty five rupees or more a month, shall be eligible to vote. The Act also provided

for the abolition of plural voting. It held that every elector be given as many votes as there were councillors to be elected, but he could not give more than one vote to any one candidate. Under the existing system, an elector had votes up to a maximum of 11 in any ward according to valuation of his properties.

The act of 1923, “introduced voting by ballot and made women eligible to vote and stand for elections” (Calcutta Municipal Act, 1923). S.N. Banerjea argued that, “Progressive government does not stop to look at demands-it goes on under the impulses of its own beneficent and progressive policy.” (Banerjea, 1923). The demand for female suffrage was not that strong those days. Hence the Act thought much ahead of its time.

The most striking feature of had been the abolition of the Bombay system comprising of the three coordinate authorities, the corporation, general committee, the chairman. Under the Act of 1923, the corporation was made supreme and empowered to delegate its power to standing committee and even to the chairman and to withdraw them according to its will. Both the president and the chairman were to be elected by the corporation. The president was to be called the Mayor. The chairman would be called the Chief executive officer and his appointment must be confirmed by the government. It is also interesting to note that the Calcutta Municipal Area extended during the 20s to Tollygunge, suburbs of cossipur - chitpur, manicktala, garden reach and some other municipal area.

The Calcutta Municipal Act 1923, though injected the democratic spirit in municipal administration, was amended in 1926, 1930, 1931. In 1932, an act of the Bengal legislature deprived the Calcutta Corporation of its power of taxing the motor vehicles. In 1932, another Act was passed to give a fair representation to the Muslims by increasing their membership by 2. But it was decided that they would be elected from the mixed constituencies with the lapse of statutory 9 years. However, separate electorates for Mohammedans was restored and increased by the Calcutta Municipal Amendment Act, 1939. This brought to the fore the bitter controversy over communal representation. In 1946, “An act of the Bengal legislature fully scrapped all such acts and repealed some sections of the Calcutta Municipal Corporation Act of 1923” (The Bengal Repealing Act Amending Act, 1946).

SECTION - VI

The Calcutta Municipal act though amended many times remained in operation for more than 25 years. It became a truly rational institution with democratic ideas. It put up a fight against bureaucracy. It welcomed nationalist leaders like Nehru, P.C. Roy and so on with due respect while, declined to receive any foreign king or ambassadors. The corporation took up the causes of the poor and the common people with the influx of migrants during and after the world war second, the famine period of 1942-43, the corporation helped administer aid from both public and private sources. The partition brought thousands of refugees in the city. By 1948 the city government in Calcutta came to a standstill.

It was alleged that the corporation had become grossly incompetent and financially corrupt to run the city administration. So deep-rooted were the ills in the life of the corporation that many thought that it might be abolished. By a government notification, 15th April 1948, an enquiry commission was set up to investigate the ills and report to the government. Shortly before the appointment of the commission, the corporation was superseded with effect from 24th March 1948 to 31st March 1949. Finally it was clear that the revision of the corporation was necessary with the new democratic ideals of the post independence period and thus the Calcutta municipal Act of 1951 was enacted.

The Calcutta Municipal Act rested on the Council-manager form of town management and is based on the principle of the separation of powers between the corporation and the commissioner with the aim of checks and balance. The commissioner is pitted against the councillors, the standing committees are separate and uncoordinated cells.... "the corporation is more suited to criticism than action and the manager is necessarily more a presiding officer or a speaker than a civic leader" (Chowdhuri, 1973). Despite a series of amendments, the Act of 1951, could not provide effective administration and was superseded by the state government in 1972." The sixth conference of the municipal corporation held in 1967, a resolution was adopted urging upon the government of India to draw up model bill for the Mayor in council (MIC) form of government." The MIC model is strictly different from the MIC as is found in the USA. In the USA, it is a small deliberative and policy making body where the mayor's functions resemble the presidential form of government. On the other hand, MIC form of city governance is a small collective body chosen out of the bigger council called corporation. It can be identified with the

parliamentary form of government, when the mayor becomes the real executive.

West Bengal was the first state in India to introduce the MIC form of city governance for Kolkata and Howrah."The CMC Act of 1980 which came into force in 1984 aims at decentralization and seeks to make the municipal corporation predominantly responsible for looking after the development and maintenance of civic services. It substituted the Bombay system or the commissioner system.

Another important point to be noted here is that S.N. Banerjea through his Act of 1923 made women eligible to vote and contest elections. The 74th amendment of the constitution 1992 reserved 33.33% seats for women in local urban bodies. This may be viewed as an impetus to the good conscience of our political leaders for ratifying the women's reservation bill, for reservation of seats in centre and state legislatures. The CMC Act was amended in 1994 in conformity with the 74th constitutional amendment.

DISCUSSION AND CONCLUSION

At the onset of the 21st century, Calcutta came to be known as Kolkata. The age-old city which was the capital of British India till 1911, the centre of Bengal Renaissance, the focus of Indian freedom struggle still dominates the cultural and economic scene of modern India. The Second World War 1943 famine, 1947 communal riots, the partition of India and the arrival of displaced persons have all affected the city harshly. Yet the city has sustained the woes of time and stands ahead in social and economic developments.

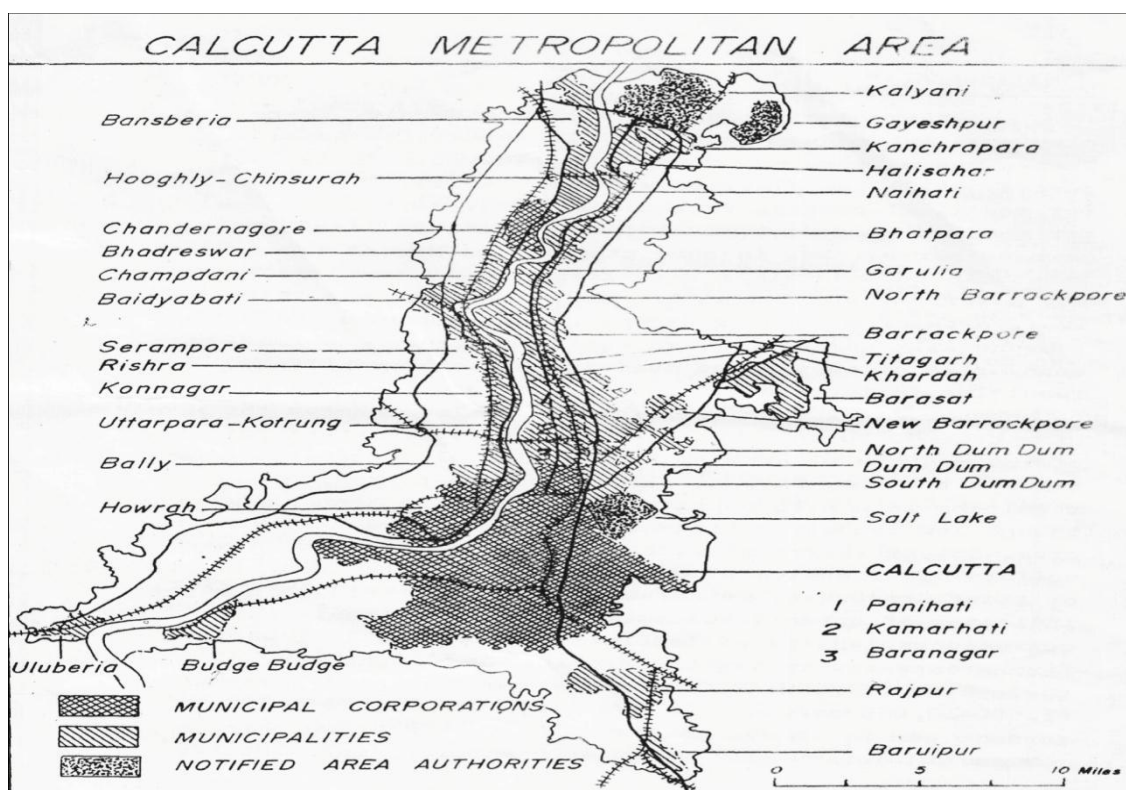
So can be said about K.M.C. (Kolkata Municipal Corporation).A long history of self- rule, the gradual induction in democratic culture, the training in grass root democracy, decentralisation and efficiency are the realities and achievements of this historical journey. The institution now happily caters to the diversified needs of the cosmopolitan citizens' charter. To Aristotle, the structure of politics is the structure of institutions embodied in the state. A democratic state would call for a democratic local government. K.M.C. justifies its existence historically.

REFERENCES

- Argal, R P (1960) : *Municipal Government in India*.p 4
 Banerjea, S N (1921) Bengal Legislative Council Proceedings. (Vol-V) P.124.

- Banerjea, S N (1923), Bengal Legislative Council Proceeding Vol-XI. P-213.
- Banerjea, S(1925): *A Nation in Making*. P. 31.
- Bengal Legislative Council (1921). Proceedings (Vol-V),. P.124.
- Calcutta Municipal Bill of 1917. Clauses 8,9,10 and 38.
- Calcutta Municipality Administrative Report for 1902-1903. P.21.
- Chowdhuri, K (1973): *Calcutta: Story of its Governance*. Orient Longman. New Delhi, Calcutta .
- Datta, P (2012) : *Democratic Governance and Decentralised Planning Rhetoric and Reality*, Dasgupta and Co. Pvt. Ltd. Kolkata.
- <http://www.kmc.gov.in/kmcportal/jsp/kmcaboutkolkata>.
- Letter from the Secretary to the Indian Association. dated Calcutta, the 13th Dec 1913, to the Government of Bengal.
- Mukherjee, S M (1974): *Local Self Government in West Bengal*. Dasgupta and Co. Pvt. Ltd. Kolkata.P.139.
- Notes by S.B.R. and A.C.M. ON 28.6.1921 and 29.6.1921 respectively, Local Self Government Department. File-M.Q.28. NOS.93-95.
- Pillay, K K (1850-1919): *History of Local Self - Government in the in the Madras Presidency*, p.119.
- Report on Indian Constitutional Reforms, 1918, part-1, P.1. Subsection 2 to section 29 of the Calcutta Municipal Act of 1923.
- Sharma, M P (1960): *Local Self Government and Finance*. p.5.
- The Bengal Repealing Act Amending Act, 1946.
- The Mayor in – Council Form of City Government in Calcutta : Its Nature and Working. 1988. Nagarlok, July-September.
- Tinker, H (1954): *The Foundation of Local Self Government in India, Pakistan and Burma*. P-85.

APPENDIX



CM in 1992

Sources : "Evolution and Growth of Municipal Towns in Calcutta Metropolitan Area" Center for Urban Economic Studies, Department of Economics, Calcutta University.