

CHAPTER-IV
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Sayajirao-III's modernization project necessitated an overall transformation in the existing system. As has already been seen in the previous chapter, the foundations were laid by T. Madhavrao during the regency administration. However the bulk of restructuring and developing was left into the hands of the young Maharaja. This chapter focuses on the two major aspects of Modernization, viz. Judicial System and Local Self Government.

Section-1 Modernization of Judicial System

India is the home of four major legal traditions: Hindu, Islamic, British, and modern—amalgamation of other influences in the post-1947 India. All these legal systems were established in India as the result of dramatic political changes, none has ever totally supplanted its predecessors. Important elements of the earlier traditions remained in each new system, and are of the earlier traditions are present in contemporary Indian law. Hindu law knew no hierarchy of legal agencies. There were innumerable overlapping jurisdictions; many groups enjoyed a degree of autonomy in administering law among them. Every aggregation of people—castes, bodies of traders, guilds of artisans, families, sects, villages—was entitled to formulate and apply its own customs and conventions. Custom was not necessarily ancient and it was not unchangeable. No central power could pronounce binding law or unify the system.¹ This diverse, decentralized system became even more complex with the conquest of India by Muslim invaders, beginning in the twelfth century. Muslim rulers had royal courts in cities and administrative centers that exercised general criminal (and sometimes commercial) jurisdiction and also decided civil and family matters among the Muslim population. These courts operated according to Muslim law—at least in theory, for the application of shari'a (Islamic law) was qualified by custom and royal decrees, by corruption and lack of professionalism, and by arrangements allowing considerable discretion to the courts of first instance.² While a hierarchy

¹ Embree A T, (Editor in Chief) (1988), *Law: Judicial and Legal Systems of India* (1988) Encyclopedia of Asian History, prepared by Asia Society, Vol-2, Charles Scribner's Sons, New York, 411; for details refer Galanter M, (1992)

² Ibid., 412

of courts and a right of appeal existed, it seems that the activity of these higher courts fell short of any sustained and systematic supervision of the lower courts. Hindus were generally allowed their own tribunals in civil matters.

Before the advent of the British, Mughal India had, to a large extent, witnessed established and recognizable institutions and codes which were binding and had the force of law. Several of these had no equivalent in British law. The British understanding of Indian laws was hampered by their complete lack of knowledge of language of governance and of law- Sanskrit and Persian. Therefore, innovation became necessary. This process of innovation and evolution of modern legal system by the British can be divided into two distinct stages. The first stage was between 1772 and 1859. This was the period of initial expropriation with Warren Hastings' organization in the system of courts for the hinterland of Bengal.³ This period was marked by the general expansion of the Government's judicial functions and the attention of other tribunals, while the authoritative sources of law to be used in Governmental courts were isolated and legislation initiated. The second period, which began about 1860, was the period of extensive codification of law and of rationalization of the system of courts.⁴ The sources of law became more fixed and legislation became the dominant mode of modifying law. Thus the process of producing a coherent reliable body of laws governing all Indian subjects was fraught with contradictions, compromises and sometimes overwhelmed by political and economic exigencies.

The judicial systems prevalent in the princely states were influenced by the changes brought about in British India. The Baroda State of Gaekwad witnessed a gradual systematization of judiciary, on the lines of British Indian judicial modifications. In the initial phase Baroda system of justice was quite akin to the Marathas system of judiciary, which had its regional influence. The judicial authority was with the local agencies or civil officers called *kamavisdar*. Over the period of the time, the judicial administration underwent various phases which determined an increasing rupture in the authority of the *kamavisdar* as more and more power consolidated in the hands of the Gaekwads.⁵ The Gaekwad government from time to time

³ Galanter M, (1992), *Law and Society in Modern India*, Neil O'Brien, Oxford University Press, New Delhi, 17; and Misra, B. B.(1961). *The Judicial Administration of East India Company in Bengal*(1765-82), Motilal Banarsidas, Delhi

⁴ Ibid, 21-24

⁵ Elliot F A H, (1879), *The Rulers of Baroda*, Baroda State Press, 208-9

issue notifications for the establishment of the High Courts and pass *kalambandis* to the *kamavidars* to retain maximum powers. An institutionalized form of justice was introduced with the advent and influence of the British in the State. A *nyayadishi* (Central Court) was established during the reign of Anandrao Gaekwad and Regency of Fatehsingrao Gaekwad.⁶ Khanderao Gaekwad abolished *izara* system and introduced codified laws were significant moves for the efficient disbursement of justice. Vital foundational changes in the judicial system and its administration were initiated by T. Madhavrao. (Discussed in the earlier chapter) But he cautiously abstained from causing any radical change. Such changes were left to be worked out during the personal government of Sayajirao-III.

Following sections and sub-sections deal with the gradual developments leading to uniformity of judicial system and precision in the legal procedures during the reign of Sayajirao-III.

1.1 Creation of Law Committee

One year after assuming the reins of government in 1881 Sayajirao-III formed a Committee to look into the work of legislation. Later in 1883 a Law Committee consisting of the Naeb Dewan and three judges of the *varisht* Court (High Court) was formed for framing laws, for drafting and carrying through the legislative measures.⁷ The Committee met and worked up to the year 1890, by which time several Acts of which the more important related to Stamps, Registration and the Police were framed. But as the Law Committee which consisted of the judges of the High Court, could not spare sufficient time to look to the expeditious dispatch of legislative business, Sayajirao asked Mr. Gadgil, a retired judge, to prepare a draft of the Civil Procedure Code on the model of the British Code (Act XIV of 1882) in 1892.⁸ The code was accordingly drafted and it became law in 1896. Meanwhile in 1892, Mr. Naylor of the Bombay Civil Service was appointed Judicial Commissioner of Baroda. He drafted the new Penal, Criminal Procedure, and Police Codes, for the State; also a General Clauses Act, such an Act

⁶Ibid., 212

articles of memorandum for the guidance of the officer concerned

⁷ BSA, *HPO*, Section No. 1, Gen. Daft.No. 1, File No. 3B,51

⁸ Clark A C & Desai, G H, (1923), *Gazeteer of the Baroda State*, Vol-II, Bombay, 260-61

being essential for the simplification and interpretation of codified language.⁹ The committee was later substituted by a department of Legal Remembrance.

1.2 Creation of the Legal Remembrance Department

The Law committee was abolished in 1899. A new department was created in its place in 1904, and the Naeb Dewan, with the designation of Legal Remembrancer, was appointed as its head. The work of legislation was transferred to the newly created Legal Remembrances Department (LRD). In that capacity it functioned as the Central Legislative Department for the State.¹⁰ The Legal Remembrancer in addition to the work of legislation had to perform a duty of a consulting lawyer to the Government.

The LRD was to drafts legislative bills according to the instruction of the ruler. Next the bills so drafted were published in *Ajna Patrika* (Government Gazetteer of Baroda), and sufficient time was given for public criticism, and obtaining opinions of different officers. When these comments were received then a statement of the objections and probable revisions was published in newspapers.¹¹ The Maharaja thus had the advantage of comparing the original Bill with comments, criticisms and potential alterations, both official and non-official. The Bills were often modified in the light of the suggestions. Thereafter the bill received the royal seal to be implemented as a law.¹² Subsequently the law was published in *Ajna Patrika* for general information. The Madras system of a careful scrutiny of all judgments passed by lower Criminal Courts led to the discovery that hasty prosecutions, had unjustly led to acquittals. To remedy this evil Sayajirao-III had empowered the Legal Remembrancer to appoint qualified prosecutors in most of the courts. It was expected that this would lead to a more efficient conduct of cases, and save the people from ill-judged prosecutions.¹³

The Legislative department was remodeled in 1904, and a fresh stimulation was given to the work of legislation. A legal Remembrancer was entrusted the work of legislation, direction of the legal affairs of the Government and supervision and control of civil and criminal

⁹ Ibid, 260

¹⁰ *Baroda Administration Report*, 1904-05, 26, Op. Cit

¹¹ BSA, HPO, Section No. 1, Gen. Daft. No. 1, File No. 3B, 51

¹² Ibid,

¹³ *Baroda Administration Report*, 1908-09, 41

litigation involving public interests. In these litigations, Government was represented by a number of government pleaders. Before the opening of the Legal Remembrancer's office, government pleaders was engaged only in the District Courts and the *Varishtha* Courts to conduct Sessions cases. Later, with a view to effective safeguarding of the interest of Government, it was thought expedient to engage them in the lower courts as well. Their number consequently increased, to thirty six by the end of 1906-07. They were mainly engaged in the conduct of criminal and civil cases on behalf of Government.¹⁴

The Legal Remembrancer kept himself in touch with foreign legislations and especially with that of British India, for instance the revised Local Companies Act and General Clauses Act of were modeled on those of British India.¹⁵

1.3 Separation of Judicial and Executive Department

For several past years Sayajirao-III had endeavoured to bring about a separation of the Judicial and Executive duties. The *vahivatdars* (taluka executive officers) used to try all criminal cases in years past, while the *munsiffs* (*talukas* judicial officers) took cognizance of civil cases. This arrangement was open to many objections. In the first place, the *vahivatdars* were unable to devote that degree of attention to their executive and revenue work which it needed, as most of their time was taken up in trying criminal cases. And in the second place, the exercise of the criminal powers 'spoil' them as revenue officers, and armed them with an authority which was inconsistent with the discharge of their revenue duties.¹⁶

Sayajirao did not, however, desire to introduce any sudden change. He discussed the matter with the highest officers of the State, and their recorded opinions show a thoughtful consideration of all various aspects of the question. After a careful consideration of all these opinions and with his intimate knowledge of the actual work of administration as it was carried on in districts and *talukas*, Sayajirao-III came to the conclusion that a separation should be effected. Accordingly it was decided that the office of the prosecutor and the judge would not reside in one person. Similarly, officer who was virtually the plaintiff in the matter of revenue

¹⁴ *Baroda Administration Report*, 1906-07, 16

¹⁵ *Baroda Administration Report*, 1912-13, 15 Op. Cit

¹⁶ *Baroda Administration Report*, 1904-05, 38

demand could not exercise magisterial powers.¹⁷ The officer who was the head of the districts or the *talukas* should be free from the suspicion of doing executive work with the help of criminal powers.

It was directed that three-fourth of the criminal cases should be tried by *munsiffs*, and one-fourth only should be tried by *vahivatdars*. The bulk of the criminal work was thus made over to trained judicial officers who did not performed executive or revenue work: a small portion of the work was in the hands of the executive and revenue officers. Later, in 1906 it was decided that even this small proportion of criminal work should go to the *munsiff*. The scheme for the separation of executive and judicial functions was revised and finally adopted in 1907-08. All criminal and civil work was henceforth to be performed by *munsiffs*.¹⁸ Additional *munsiff* courts were sanctioned in almost all the *talukas*. The revenue and executive officers could devote all their time to their legitimate revenue duties.

1.4 Legislative Council

To advice the Government in the arduous task of legislation, a council was created in 1908. Its constitution was characterized by a marked proportion of popular representation-a proportion could at any time be developed into a clear preponderance over the official one. The total number of councilors was fixed to seventeen.¹⁹ Their number was subsequently raised to twenty six including the Dewan. The Council constituted of: a President, five ex-officio members, six nominated official members, four nominated non-official members, and ten elected members. The Minister was the President of the Council. The ten elected members were representatives of *mahal panchayats*; their election was carried out under the supervision of the *Naeb Subas* of the ten *vibhags* (sub-divisions).²⁰ The number of councilors was thirty three at the time of Sayajirao-III's death. The number of the members of Legislative Assembly rose to sixty two in 1940. The Government of Baroda Act of 1940 defined the Constitution of the Baroda State.²¹ The Legislative Council Rules undoubtedly marked an epoch in the legislative

¹⁷Clark A C & Desai G H, Vol-II, 264, op. Cit

¹⁸BSA, HPO, Section No. 1, Gen. Daft. No. 1, File No. 3B, 49

¹⁹ BSA Section No.316, Gen. Daft. No.163, F. No.12-A, 385

²⁰ Clark A C & Desai G H, Vol-II, 242

²¹ Gowda Deshbandhu M. Shankar Linge, (1944), *Economic and Political Life in Baroda or Bhagyanagar Raj*, (published by the Author), Baroda, 89

annals of the State. A well-organized judicial infrastructure supported by printed codified laws made possible the deliverance of justice by the Courts a speedy and efficient task.

1.5 Other Reforms in Judicial system

- i) **Judicial Conferences:-** With the object of synchronizing administration with the ground realities and the expectations of the people, the Maharaja directed that a Judicial Conference should be held in every District. The District Judge was to preside, and *munsiffs*, magistrates and pleaders were to attend. It was a notable feature of these conferences that they were not purely official; pleaders who knew the requirements of the people, whom they represented in the court, were invited to provide a feedback and help in formulations of people friendly laws.²²
- ii) **Suits against the Government:-** Before 1907 no suits could be brought against the Government. Civil Procedure Code sort to change the prevalent law forbidden suits against the Government. The general prohibition against such suits altogether disappeared and the Government and its officers were under the same liability to be sued civilly as any private individual. This was a privilege which would be valued by the people; it had been at the same time a satisfaction to government to have furthered popular liberty.²³ By an amendment in the Civil Procedure Code in 1907 this bar was removed and the people were free to plead their case against the Government before the judicial tribunals.²⁴
- iii) **Codification of Hindu Law:-** In view of the sensitiveness of the Hindus in regard to legislative interference with matters closely related to their religious usages and observances, very few attempts had been made in British India. Similarly, sensing his people's susceptible religious outlook, Sayajirao-III merely ordered codification of Hindu Law prevalent in the state in 1905.²⁵ The codification was successfully carried through in Baroda, and it was no longer necessary for its people to wade through complicated old text books, and all the essential principles having been embodied in a

²² *Baroda Administration Report*, 1908-09, 41

²³ *Baroda Administration Report*, 1907-08, 16

²⁴ Clark A C & Desai G H, Vol-II, 263

²⁵ *Baroda Administration Report*, 1904-05, 40

few simple rules.

- iv) The Criminal Procedure Code:- The Criminal Procedure Code had been so amended, as to enable criminal courts to mete out a considerate treatment to juvenile offenders; there was an arrangement for a separate treatment of such offenders in jails and separate Children's Courts had been established under the Children Court Act.²⁶
- v) Creation of Small Cause Courts: - Original civil suits of whatever nature and value were conducted under one and the same procedure till 1890-91. His Highness thought it expedient to invest some original courts with final jurisdiction in petty cases and in October 1890 passed an Act called *Nana Dhavano Nibandh* laying down the procedure to be followed in small cause suits.²⁷
- vi) Summary Trials:-In view of the necessity for the speedy dispensation of justice government sanctioned rules for, the summary disposal of petty criminal cases. Besides these, rules for the trial of cases by benches of magistrates were framed and sanctioned. Benches of city magistrates of the 1st class for summary trials were first constituted in January 1892, and the benches in other places in following March.²⁸
- vii) Possessory Suits:-The *Kabja Nibandh*, (Possessory Courts Act), came into force on the 1st August 1895 and under it great changes were effected in the procedure for the recovery of possession of land and other property, of which the parties had been dispossessed otherwise than in due course of law. The *Nibandh* enacted that civil courts styled "*kaber nyayadhishi*" to be established in places wherever deemed necessary. Appeals under the old law had been disallowed and the decision passed in possession suits under this act became final. The parties, if dissatisfied were allowed to file a regular suit in the ordinary civil court.²⁹
- viii) Jury and Assessors:-The judicial policy of the State had aimed at securing uniformity

²⁶Varma Amita & Agnihotri Chanda, 1981, *In favour of Children: Agenda for Action*, Baroda, 36

²⁷ Clark A C & Desai G H, Vol-II, 263

²⁸ Ibid, 264

²⁹ *Baroda Administration Report*, 1916-17, 41

and certainty in laws, and procedure; dispatch in the disposal work; and the co-operation of the people. For the attainment of this last object it was directed in 1901 that the trial of offences other than those against the State, and those punishable with death, imprisonment for life or for a period of ten years and above- should be held with, the help of assessors in the districts of Baroda and Navsari. As the experiment-proved successful, the order was extended to other two districts in 1903 and was finally made permanent in 1911. Trial by jury was introduced in 1908-09 as an experiment, in the case of less serious offences coming before the sessions' judges of Baroda and Navsari. As the experiment proved successful the system of trial by jury was introduced in the other two districts in 1910 and thereafter made permanent.³⁰

- ix) Village *munsiffs* (Village Magistrates):- With the same object of empowering people at the local level, a system of investing village *munsiffs* with powers to decide suits up to rupees thirty when sitting alone, and up to rupees sixty when sitting with a bench was introduced in 1903. As it was found from experience that powers of village *munsiffs* when sitting in bench could have greater advantage, they were raised from rupees sixty rupees hundred in 1921. *Patels* or village headmen were empowered to try cases relating to petty thefts of agricultural produce, assault, simple hurt, nuisances and so on, and to administer punishments up to a fine of rupees five or imprisonment in the village *chowra* (square) for 48 hours. The results of these experiments were watched with keen interest. It was the desire of Sayajirao-III to extend this system so that the villagers could become accustomed to settle their own petty differences, thus avoiding the trouble, the expense, and the demoralizing effects of constant litigation.³¹
- x) Conciliators:-The institution of *madhyasthpanchas* (conciliators), which had been the most popular of all the institutions of like nature, was introduced in the year 1904.³² They were empowered to amicably settle claims up to the value of rupees hundred and based on monetary transactions. The duty of the conciliator was first to bring

³⁰ *Baroda Administration Report*, 1904-05, 40

³¹ *Baroda Administrative Report*, 1908-09, 42

³² Desai, G. H. (1929). *Forty years in Baroda: being reminiscences of forty years' service in the Baroda State*; with a foreword by VT Krishnamachariar, Pustakalay Sahayak Sahakari Mandal, Baroda, 18

about an amicable settlement between the parties, and, failing that, to give a certificate to the plaintiff permitting him to file his suit in the ordinary court. By this system, justice was made less costly and more easily accessible, and the interests of the ignorant peasantry were more efficiently safeguarded. In order to ensure the efficiency of the institution it had been directed that a person -securing the majority of the votes of the members of the various village panchayats of the group, should generally be appointed a conciliator provided he was competent in other respects.³³

- xi) Examination for Pledership:-Persons who had passed the necessary examination in British India, or who had been given *sanads* on account of their special qualifications, were, till the year 1884, allowed to practice as *mukhtyars* (pleaders). It was appearing necessary that those who had not passed an examination should not be allowed to practice as lawyers, needful test was laid down and the first examination of candidates for the office of *vakil* and *mukhtyar* was held in November 1885 by a committee over which the third judge of the *Varisht* Court presided. Rules for admission, as *vakils* or *mukhtyars*, of persons who had passed the necessary examination either in British India or in the State were framed and published in 1892.³⁴
- xii) Appointment of Public Prosecutors:-Formerly public prosecutions, in the magisterial courts, were conducted by police officers. Sayajirao-III empowered the Legal Remembrancer in 1908 to appoint properly qualified prosecutors in the magistrate courts also. This had naturally led to a more efficient conduct of the cases.
- xiii) Vacation:-It was for the first time that a summer vacation was tried in 1906-07. All the courts were closed for all sort of civil work during the vacation, but sub judges courts were kept open for criminal work and after retaining two or three munsiffs in a district according to requirements to do purely criminal work of all the talukas, the rest were given vacation.³⁵

³³ Clark A C & Desai G H, Vol-II, 266

³⁴ Clark A C & Desai G H, Vol-II, 267

³⁵ *Baroda Administration Report*, 1906-07, 5-6

- xiv) Library and record keeping:- Important decisions of the *Varisht* Court, and the *Huzur Nyaya Sabha* were printed every month in the form of Law Reports since 1890, on the lines of similar reports published by the different High Courts in British India. All the courts had law libraries which were fairly well-stocked. Rules were also made, under which it was compulsory on all the pleaders practicing in a court to be members of the court library and to pay annual subscription.³⁶

1.6 Jails:-

The mention of jails is indispensable while talking about judicatory. Condition of jails prior to the reign of Sayajirao-III was pity. They were not well organized and well maintained. Up to the year 1857-58, there were *chautras* in the city and lock-ups in the mahals for the imprisonment of offenders. In some of the *talukas* like Kadi and Patan, there were petty large jails. The state of the *chautras*, lock-ups, and jails was, however, very far from being satisfactory. The sanitary condition of the jails, and the health and discipline of the inmates were almost entirely neglected. In 1857, at the request of Sir B. Shakespeare, the Resident, the Central Jail at Baroda was created,³⁷ with limited role to play and being just a prison. But the Central Jail established during the reign of Sayajirao-III was meant with purposes much more than mere imprisonment. The construction of the new central jail was completed during the year 1881-82 at the total cost of Rs. 6,72,065/- and handed over to the Jail Department. The building was designed after an inspection of the plans of several important jails in India, and every care was taken to adopt it to its purpose, under the guidance of modern principle. It contained rooms for about 1,200 prisoners on the radiating system, a series of solitary cells and a commodious hospital and an accommodation was being provided in its neighbourhood for the jail guard and the principal jail employees.³⁸ There were District Jails at Navsari, Mehsana, Amreli and Dwarka, for which new buildings were erected. There were forty lock-ups, one in each *taluka* or *peta taluka* in connection with the *vahivatdar's cutchery*, for the accommodation of under trial and short-termed prisoners. A Jail Code which followed mainly the principles laid down in the

³⁶ Desai G. H.,32

³⁷ Clark A C & Desai G H, Vol-II, 301

³⁸ *Baroda Administration Report*, 1881-82, 60

Bengal Jail Code and clearly lays down the rules of jail management and discipline was prepared and published.³⁹

The jails up to Sayajirao-III's time were just a prison where culprits bore the punishment incurred on them. Whereas the liberal ruler like Sayajirao-III held the view that the prisoners were human and should be given fair treatment especially in the matters of basic needs. Hence a provision to make appointment of medical subordinates with an assistant to attend to the sick in the establishments was made. On finding any serious case immediately the patient was supposed to send to the State Hospital. Increased death rate amongst the prisoners had made Government to take serious measures into the sanitary and medical requirements of prisoners. Sanitary condition of the jails was looked after cautiously. Thus by providing better health and medical system the death rate in the jails could be reduced.⁴⁰ A completely changed idea of imprisonment, from mere prison to a remedial institution giving an opportunity to the culprit to learn to live better life on his or her release, was introduced by Sayajirao-III. In the year 1883-84, Sayajirao-III made a unique experiment for improving moral values in criminals. Accordingly, they arranged a service of lectures on common moral values and good behavior in the Jail. Alike health facilities provision for school was also made for young convicts in the jail. Sayajirao-III had made primary education compulsory in the State and had carried many such schemes to expand educational possibilities. A visionary ruler like him could never miss to apply such schemes to the convicts who could have positive impact of education on their lives. To fulfill this purpose a jail school was opened for the education of young convicts.⁴¹ A Borstal System of Britain was introduced in Baroda State in 1907-08 experimentally. According to this system prisoners of age sixteen to twenty-one were divided into three grades with due reference to their antecedents, and were designated Penal, Ordinary and Special respectively. They were shifted to the grades according to their behavior. All were employed on work which had definite civic value such as farming or carpentry; instruction was given to them in useful trades and industries. Small sums were credited to the account of those who showed special zeal, industry, and good conduct and the amount, which was not to exceed rupees ten, was given to them as a gratuity on

³⁹ Clark A C & Desai G H, Vol-II, 302

⁴⁰ BSA, HPO, Section No.199 Gen. Daft. No., 478, File No.2, 39-43, Medical assistance to the prisoners

⁴¹ *Baroda Administration report*, 1911-12, 143

release⁴² The responsible officers sometimes make use of their good office to get an employment to the prisoner on his release. However this system was abolished when the new system of keeping select convicts in the Baroda Model Farm was introduced. According to this new system select convicts who behaved well while-undergoing two-thirds of their sentence, were then kept apart at the Model Farm.⁴³ Here they were working within the precincts of the Farm, practically as free men. They put on a special dress, cooked their own food, and kept for themselves what they could save from their earnings.

Prisoners were taught handicraft which could help them to excel some skills of it and could take it up as a profession. Excellent carpets, durries, cloth and cane work were manufactured in the Central Jail at Baroda, and in the three District Jails by the prisoners.⁴⁴ Prisoners were also engaged in public work to find labour and to learn constructive work. This would help them getting employment and to avoid idleness which be the general cause of most crimes. Moreover this useful pedagogy would revive for the lazy individuals a liking for work, force him back into the system of interests in which labour would be more advantageous than idleness, form around him a small miniature, simplified, coercive society in which the maxim, 'he who wants to live must work', would be clearly revealed.⁴⁵ However the system of exacting labour was allowed to fall into comparative disuse and later discontinue as cases of escape of some Vaghers and others from the jail had came up.

No civilized society can remain stable without a mechanism whereby its members can resolve their disputes peacefully. And from the foregoing paragraphs it could be maintained that the judicial system in Baroda State was made effective enough to retain peace and order in the society. Lawlessness and distrust among the members of society could lead to its deterioration, whereas the system of justice and codified laws help to increase the level of trust and reciprocity. In the absence of proper judicial and legal system the scope of industries, business and trade were limited in the State. This was because all the transactions and dealings were decided by the trust between the two parties; and one could only believe to the one whom he knows. Owing to the evolution of system of bonds, contracts and written proofs, the scope for economic and even

⁴² Clark A C & Desai G H, Vol-II, 302

⁴³ Ibid, 303

⁴⁴ Clark A C & Desai G H, Vol-II, 302

⁴⁵ Foucault M, (1979), *Discipline and Punish: Birth of the Prison*, Vintage Books, New York, 122

social development widened. With the advancement in the different aspects of society viz. economical, political, social, cultural etc, and advancement was made in the formation of laws in their relation to avoid or to resolve possible disputes.

Section-2 Local Self-Government

Local Self Government is a form of public administration intended to create greater participation in local government by people and more effective implementation of rural development programmes. India has witnessed diverse history of local self government starting from the celebrated form of self-sufficient and self-governing old village *panchayats* to the current highly structured system. Empires rose and fell but village *panchayats*, which formed an integral part of the social life, helped to preserve law and order; maintain the commons; and survived the onslaughts of centuries of political upheavals. The existence of local bodies in ancient India is a proof of the inherent organizing aptitude of our people to manage local affairs efficiently on a decentralized basis. However the advent of the foreigners, during the medieval times, and later the colonial powers, manipulated the local governments, to suit their ominous objectives.⁴⁶ The British, penetrated rural India, rendered the local governments redundant to exploit the resources of the hinterlands. However when the colonial administration came under severe financial pressure after the Uprising of 1857, the remedy sought to was decentralization in terms of transferring responsibility to local bodies. It was Lord Mayo's Resolution for decentralization in 1870 and Lord Ripon Resolution of Local Self-Government in 1882 that gave the needed impetus to the development of local institutions. Later with the suggestions of various committees such as the Royal Commission on Decentralization of 1907, the report of Montague and Chelmsford on constitutional reform in 1919, the Government of India Resolution of 1919 etc., a hierarchical administrative structure based on supervision and control was evolved.⁴⁷ The British were still not concerned with decentralized democracy but were aiming for colonial objectives only. No doubt the measure taken by the British to streamline the local governments exemplified an organized local body for the rest of India.

⁴⁶ Venkatarangaiah, M. and Pattabhiram, M. (1969), *Local Government in India*, Allied Published, New Delhi 67-68

⁴⁷ Ibid., 69

Similar developments to restructure the local governments were endeavored by Sayajirao-III for his State. Systematization & decentralization of power and order was of special importance to him. He believed in disbursing the duties to concerned person involved in system whether be the highest officer or the worker. He wanted everybody to develop a sense of responsibility and participation in the development of State and for their own betterment. Simultaneously, he also was aware of the indolent outlook of his people and hence had once bitterly remarked that “the idea of energetic assertion of their difficulties, especially in the presence of adversity seems to be foreign to their mental habits.”⁴⁸ He wanted his people to be self-reliant; therefore he enforced public participation in their own augmentation. He was convinced of the idea of administration wherein the common people could contribute to fulfill their needs and collectively overcome their problems. Sayajirao-III justified his idea of decentralization of power through his efforts to develop local-self Government. He had initiated his efforts in this direction, as soon as he took over the reins of administration in his hands. The famine in 1903-04 in the State, provided him an opportunity to pass Local-self Government Act wherein the local self governing bodies could contribute effectively in disbursing emergency relief measures.

The main features of the, ‘*Sthanik Panchayat Sambandhi Nibandh*’ or the Local Self Government Act in 1904 were as follows:⁴⁹ A proper system of independent and interdependent working of the self-governing bodies like gram panchayats, *taluka* panchayats, *prant panchayats* or District Boards and municipalities was established. The fulfillment of the local needs and demand was only possible if the highest authority of these institutions were well aware of the local needs and problems. With the view to achieve the purpose of reaching to the local requirements effectively, the system of elective representation from every self-governing institution to District Board or *Prant Panchayat* was introduced. So that people's representatives could put forward the local problems of their respected areas before the board. Consequently, the villages contributed, by election, a proportion of members to *taluka* boards, and the *taluka* boards elect member to the district boards. The proportion of elected members in the village *panchayats* and on the *taluka* boards was two-thirds. On the district boards it was one-half, and

⁴⁸ Widgery A G, (ed.), (1928). *Speeches and Addresses of Maharaja Sayaji Rao Gaekwad*, Vol- I , 1877-1927, London, 45

⁴⁹BSA, HPO, Section No.67, Gen. Daft.-117, File No,35,177

from the district ten members were elected to the Legislative Council.⁵⁰ Similarly municipality with a population of over ten thousand situated within the District was also to send up a member. Thus Sayajirao realized his idea of complete system of representation from the village to the *taluka*, from the *taluka* to the district, and from the district to the Legislative Council of the State. An effective hierarchical administrative structure was evolved. The formation and structure of these institution and; rights and responsibilities given to them have been discussed in the subsequent paragraphs.

2.1 Village Panchayats

The Village has always been a self-contained unit reflecting all the essentials needs of local self-government. Village *Panchayat* was an old institution representing the local form of government. The nature and function of these village *panchayats* had kept on changing with time, place and condition. In Baroda State too, village *Panchayat* and *Panchas* were crucial, but the entrustment of their functions to the centralized, organized and unified forms of different departments of the Government made their role trivial and their existence a question. Sayajirao-III discerned that the annihilation of *Panchayat* entirely would be a drawback as it was an important unit of administration. He strove for the resurgence and restructure of village *panchayat* for it could be the important medium of fostering his idea of decentralization of power and self-sufficiency. Thus with a view to preserve village community and to make them self governing, in 1884 at the time of commencement of the land settlement operation itself a clear directive was given to the officers concerned to work and report in this direction.⁵¹ Accordingly a provision was made for the appointment of a *Panchayat* in every village, and for the maintenance of village powers and services.

The introduction of elective representation in *panchayat* in place of selected was an encouraging and more or less a democratic move. The elective system in village *panchayat* was introduced in 1901 which bestowed on the village community ample powers. This system did not confine these representatives to village only. The villages contributed further, by election, a

⁵⁰ Sergeant P W, (1928), *The ruler of Baroda: an account of the life and work of the Maharaja Gaekwar*. London, J. Murray, 258

⁵¹ Parikh R. G. (1973), *Social, Economic and Political Ideas of Maharaja Sayajirao-III of Baroda*, Unpublished Ph. D. Thesis, The M. S. University of Baroda, Vadodara, 44

proportion of members to the taluka board.

The *gramya* or village *panchayat* Rules were passed in 1902 for their organization. According to these rules: every village with a population of one thousand or more should have a *panchayat* of its own; and a population of less than a thousand should be conveniently grouped together and have a common *panchayat*. The *panchayat* should not have less than five, or more than nine members; of these half were to be nominated by the *Naeb Suba* and the other half were to be elected by the villagers themselves. The *patel* should be the president, the village-accountant a *talati* and the school master, should be-ex-officio member.⁵²

With a view to overcome the flaws of previous rules and operations difficulties, a new Village *Panchayat* Act was passed in 1920.⁵³ Membership was increased from a minimum of five to nine and from a maximum of nine to twelve; two-thirds of the members as compared with one-half under the old Act, were to be elected by the villagers, thus ensuring a popular majority; the President could be chosen by the people. The *Panchayat* was elected for a period of three years, at the end of which time new elections and nominations took place. Prerequisites for the nominee of *panchayat* election were: i) the person should be a resident of that village or of one of the villages which were grouped together; ii) he should be a *khatedar* of at least Rs. Twenty five, owner of property of at least Rs. 1000 and, whose annual income was not less than Rs.300; and iii) He should either be qualified up to metric or equivalent or in the case of Gujarati medium he should have cleared the exam of standard sixth.⁵⁴ The qualifications for a voter were: i) he should be a resident of that village or of one of the villages which were grouped together; ii) he should be a *khatedar* of at least Rs. Ten, ownership of property worth Rs. 200 or more than that, and his annual income should be at least Rs. 100, and iii) he should either be qualified up to metric or equivalent or in the case of Gujarati medium he should have cleared the exam of standard sixth.⁵⁵ The new Village *Panchayat* Act of 1920 gave strong footing to village *panchayats*.

To meet the expense of the village services initially a deduction was made from the

⁵² Clark A C & Desai G H, Vol-II, 226

⁵³ BSA, HPO, Section No.67, Gen. Daft.-117, File No.,35,177

⁵⁴ Nene V P, (1939), *Pragatipanthi Vadodara* (Gujarati), Nene V. P., Vadodara, 38

⁵⁵ Ibid, 38

revenue demand in each case, involving the State with additional expenditure of Rs. 3, 08,011. Further, in order to provide the Village *Panchayat* with adequate funds for the conduct of affairs, it was empowered to levy local taxes, with the prior approval of Government, and that it could appoint its own secretary and treasurer. The provision to levy local cess was eventually abandoned, as it was found by experience that the small sums thus made available were usually squandered on useless purposes.⁵⁶ To solve the difficulty of obtaining larger funds, it was decided that in addition of earmarking certain items of Government revenue; the rental of village sites, the income from the sale of fruits and trees, village cattle pounds and sale of grass were made over to the village bodies.⁵⁷ These arrangements to a fair extent created funds for the village *panchayat* for carrying out the village services.

Village *Panchayat* undertake works not exceeding Rs. 500 and limited to the territorial jurisdiction of the said village and the works exceeding that amount and jurisdiction were to be done by the *taluka panchayat*. The functions to be performed by the village *panchayat* were as under:-

Compulsory Work:-

1. To supervise and maintain the village roads, wells, tanks, and schools, *dharamshalas*, *chowras*, *Devasthan*, model-farms, grazing lands, the village boundary marks and all Government or common property.
2. To provide sufficient water, drainage, sanitary and health service and supervision of public charities.
3. To co-operate with village *munsiffs* in settling civil disputes; and with sub-registrars in their official work and to resolve civil and criminal cases within the village.
4. To ensure public adherence of rules like Compulsory Education, Prevention of child Marriage Acts and other laws.
5. To regularly hold monthly meetings; and to nominate one elected member to the Local

⁵⁶Clark A C & Desai G H, Vol-II, 227-28

⁵⁷ Desai, G. H.,125

Board of the *taluka* from each group of villages.

6. To help and assist in relief work during the time of famine or epidemic.
7. To provide labour, carts and other essentials for government works and for construction of houses as directed by the *taluka panchayat*.

Voluntary Works:

To carry out voluntary works, ten percent of the total fund could be reserved. The following voluntary works could be carried out by village *panchayat*.⁵⁸

1. Open libraries in the village.
2. Plant trees by the side of the village roads and on the land reserved for public work.
3. Provide lighting facility and village dispensaries.
4. Establish co-operative societies for agricultural and village development.
5. Appeal for extending village boundaries, to take measures for village security and to carry public work for adding to the comfort and happiness of people.

Along with the above responsibilities village *panchayats* were offered certain general and special rights. General rights were to be observed by all the *panchayats* but special could be utilized only to whom they were conferred. Under the special powers given to them were: construction of houses within village jurisdiction, to try civil cases up to Rs. twenty-five and also the cases of minor offences like quarrels, assault, intimidation, theft, intoxication etc. With a view to make village *Panchayats* take greater interest in, and feel responsibilities in connection with the management of their village affairs, and in order they make their own arrangements, the power of patronage, punishment, appointment and dismissal of all village servant except Talatis, were entrusted to them.⁵⁹ The *panchayats* could also look into the matters of inheritance except in the case of suspension or adoption.

⁵⁸ Nene V. P., 40

⁵⁹ Baroda Administration Report 1906-07,38

Village Panchayat had thus become a broad and solid base upon which the whole edifice of local self-government depended. They had already supplied many local wants. and when they have more funds at their disposal they promised to do a good deal for the health, comfort, and convenience of the village folks.

1.2.Taluka and Districts Local Boards:

After organizing village *panchayat*, the smallest unit of the Local self Government, Sayajirao-III paid attention to the formation of *Taluka Panchayats* (*Taluka* Boards) and *Prant Panchayats* (District Local Boards). These bodies were established with the commencement of Local Self-Government Act in 1904. Firstly all villages in a *taluka* were divided into groups, and from each of these groups a member was elected for the representation in *Taluka* Boards. Like village *panchayat*, the number of elected members of the local boards was increased from one half to two third.⁶⁰ Conditions and qualifications for the membership of the *Taluka* Board were same as Village *Panchayat*. The powers of the *Taluka* Boards were more or less functional in nature, and confined to their jurisdiction whereas the District Boards had the powers of supervision and had general control over the subordinate *taluka* and village panchayat.⁶¹ *Taluka* Boards were entrusted the work of preparing programmes and estimate; and of executing the program and keeping the records of the work completed, under progress and those proposed. The general duties vested in *Taluka* Boards and District Boards were: The construction of roads, tanks, wells, and water works; the management of *dharamshalas*, dispensaries and markets; the supervision of vaccinations, sanitation, primary education and arboriculture; the undertaking of relief measures on a small scale in times of famine; and generally such other public duties within their respective jurisdictions as may be entrusted to them.⁶²

In 1929, *Taluka* Boards were done away on the recommendations of the Stanley Rice Committee which was formed for the reorganization of the *panchayats*. The committee opined that the *Taluka* Boards were proving to be the hindrance in the way of development of village *panchayats*.⁶³ However, to look over the local needs and to supervise the work of the *mahal*, an

⁶⁰ BSA, HPO, Section No. 316, Gen. Daft. No.163, File No. 12-A, 147

⁶¹ Clark A C & Desai G H, Vol-II, 231

⁶²Clark A C & Desai G H, Vol-II, 231

⁶³ Nene V P, 34

Advisory Committee was made for each *mahal* known as *Mahal Panchayats*. Some were Aichhik (voluntary) and some were *Avshyak* (mandatory) *mahal panchayats*. The work entrusted to the *Avshyak Panchayat* were in relation to finance, roads and other public works; whereas the *Aichhik Panchayats* were given the work of formulating: the programs for the *mahal*; developmental projects for the village *panchayat*; and to facilitate the provision of education.

Before that *Taluka* Boards were annulled in 1929, *Taluka* Boards were being represented on the District Boards. Each *Taluka* Board within a district was to elect one or more members to the District Board. Similarly Municipality with a population of over ten thousand within the district was to send a member to District Board.⁶⁴ Later an element of direct representation through an election to the District Boards was introduced. According to which each *taluka* was divided into groups of villages on population basis, there being one representative for every unit of 25,000 populations or less. Three members were to be sent to the District Board from A and B type Municipalities. Moreover one elected member from each of the following was sent to District Boards: Inamdars and Ankdedar (statisticians); members of the association of industries and commerce; the income tax payer above rupees thirty; members of co-operative societies; and *zamindars* (land holder) paying revenue more than Rs 300.⁶⁵

The qualifications for the members of the District Boards were:⁶⁶ i) the person should possess land with revenue assessment not less than rupees thirty; ii) he should own property not less than worth Rs. 1000; iii) his annual income should not be less than Rs. 750; iv) he should have passed at least metric exam; v) the person should be not less than twenty one years of age; vi) he should not have been conferred punishment of imprisonment for more than six months; vii) he should not be a debtor; and viii) he should not have any direct or indirect beneficial motif from *panchayat* or Municipality. The rules and prerequisite for the voters were similar to those within clauses i to iv of the eligibility for the members. The term of elected members was for three years. The constitution of the Prant *Panchayats* or District Boards in Baroda provided for two-third representation by election and one-third nomination by the Government.⁶⁷ Amongst the nominated members, half were official and the other half were non-official, amongst whom,

⁶⁴ Clark A C & Desai G H, Vol-II, 229

⁶⁵ Nene V P, 34

⁶⁶ Ibid, 35

⁶⁷ BSA, HPO, Section No. 316, Gen. Daft. No.163, File No. 12-A, 147

there was at least one representative of the depressed classes.⁶⁸ The president of each Board was elected and vice-president was elected from the non-official members by the general Board.

There were five District Boards in the State: 1) Mehsana, 2) Baroda, 3) Navsari, 4) Amreli and 5) Okha. These boards were directly responsible for the development of the village *panchayats*. The finance of the *Prant Panchayat* was generally derived from⁶⁹:-

- a) local cess at the rate of one anna per every rupee of land revenue;
- b) a surcharge on income-tax at the rate of two annas per rupee of income-tax paid to Government;
- c) a flat rate of one rupee on individuals deriving non-agricultural income above Rs. 250 and below 750;
- d) Such contributions as the Government choose to make.

From the total proceeds one-fourth was kept as a reserve fund. Official expenditure was also being incurred from these earnings. The remaining amount was used for the public works assigned to the Boards. The works entrusted to the District Panchayat were compulsory as well as voluntary. The Compulsory work were to construct wells and ponds and maintain them for a regular supply of drinking water; to construct roads and maintain them; to make provisions for better public health and to encourage education; to construct *Dharamshalas* and markets, to plant trees; and also to aid libraries, village medical stores and gymkhanas. Amongst the voluntary works were: to supply agricultural tools and seeds to the cultivators; to conduct experiments for better agriculture, to work to improve the stock-breed; to carry out relief programmes during famine.⁷⁰ 90% of the total amount was spent on compulsory work whereas 10% was used for voluntary work.

1.3.Municipality

Municipalities were developed and improved during Sayajirao-III's reign to the greater

⁶⁸ Gowda D S, 100

⁶⁹ Ibid

⁷⁰ Nene V P, 36

extent, but such institution was introduced in the state much before him. A Municipal Agency was first created in 1830 with the purpose of providing the public works in the city. At that time the main work entrusted was watering of the main four roads falling within the city walls. Later the responsibility of repairing the existing roads, and laying new ones was added to the functions of the municipal. In 1859 arrangements were made to water the principal roads outside the city limits along with those falling within the city; also the work of cleansing the streets was added. An attempt of introducing organized administration in the municipality was made in 1869 by forming a committee of five members. The committee was presided over by a *Sudharai Kamdar* (Municipal Commissioner).⁷¹ All members were nominated by the Government.

The initial finance for Municipality was derived by levying a cess on the shopkeepers. Later the cess from shopkeepers was discontinued and the expense was borne by the Baroda Government. Thereafter it was also decided to levy dues on certain articles imported and exported.⁷² In 1869-70 a house-tax was introduced and was assessed at Rs. 2-8-0 per thousand of the house of value, but as the expenditure involved in its collection exceeded the realizations the tax was dropped. In the year 1872, a *Kalambandhi* was sanctioned empowering the Municipality to add to its funds by levying *nazaranas*, license fees on new buildings, rents on *mamndwas* (tents)--enclosures of a temporary nature, erected on marriage occasion, and rental for Government land occupied for private purposes.⁷³

Further advance was made in this direction by establishing municipalities in most of the taluka towns of the state in 1877 and they were managed by the *vahivatdars* –Government Officials of the talukas. These municipalities were depending on government grants entirely for the expense. In the beginning they were placed under the control of the Public Works Department, and subsequently in 1892, under the management of the Sanitary Commissioner. Later still the Subas were authorized to appoint from eight to ten members to carry on the municipal administration in different places. Under this provision, a General Committee and a Managing Committee were formed and municipal affairs came to be managed by the decision of the majority.⁷⁴ Government grants were continued, and also special grants were sanctioned for

⁷¹ Clark A C & Desai G H, Vol-II, 234

⁷² <https://vmc.gov.in/Introduction.aspx>

⁷³ Clark A C & Desai G H, Vol-II, 234

⁷⁴ Ibid, 237-8

special needs.

A memorable mark was made in the development of Local Self Government in the State in the year 1892. A Municipal Act / *Sudharai Nibandh* was passed for Baroda with which an elective principle was provided for the first time. Under this Act the city was divided into twenty two wards, each to elect one member to the Municipal Board. Besides the large number of elected members, there were eight ex-officio members, the Sudharai Kamdar, the Municipal Commissioner being the ex-officio President of the Municipality.⁷⁵ The entire cost of municipal administration was borne by the Government.

In 1905 another Municipal Act / *Sudharai Nibandh* was passed to remedy the flaws the previous one. The Act of 1905 was based chiefly upon the Bombay District Municipal Act as amended in 1901 with certain changes.⁷⁶ This Act gave financial independence to the municipalities. It provided them and their machineries new set of rules, responsibilities, and powers. For instance, it could pass its own annual budget. It could construct new roads, build markets, slaughter houses, public baths and wash-houses. It could undertake new works for supplying water and drainage for its proper and timely disposal. It could acquire property, provide cheap and easy means of communication, install works for lighting of streets and such other matters pertaining to public health, safety and convenience without making reference to the Central Government.⁷⁷ With this Municipal Act the administrative and the executive functions were separated.

With this Act the municipalities were divided into two categories 'A'--not competent enough for self Government and were managed by Vahivatdars of concerned talukas; and 'B--'competent enough for self-Government and were given wider power and functions.⁷⁸ There were thirty one municipalities in A category and eleven were there in B category. Out of these eleven municipalities Vadodara was given special dispensations. There were thirty six members in the Municipal board of whom twenty four were elected by people, six non-officials and six officials were nominated by the Government. This municipal board also had the privilege of a non-

⁷⁵ <https://vmc.gov.in/Introduction.aspx>

⁷⁶ BSA, HPO, Section No.67, Gen. Daft.-117, File No.35,177

⁷⁷ Clark A C & Desai G H, Vol-II, 235

⁷⁸ Parikh R G,45-46

official president and commissioner from amongst the elected members.⁷⁹ Whereas the rest of 'B' category municipalities had Naeb Suba of the concerned district as the president and the vice-president was elected from the elected members. By the end of 1939, the Baroda Municipality and other municipalities were given the right of electing their presidents.⁸⁰

In the 'B' category municipalities one-half of the members were elected, one-fourth were officials nominated by the Government and the rest were non-official nominated by government. The qualifications for the members for this municipality were: i) he should either a university graduate, a judge, a lawyer, an advocate, a barrister or who had cleared state service exam (Mulki Department Pariksha); iii) whose annual income was not less than Rs. 1000/-; and iv) who owned property worth Rs. 5,000 or more. Municipalities could obtain their funds by levying Octroi, house tax, tolls, water-cess, conservancy-tax (toilette tax, drainage tax) vehicle tax, license fees, building fees, land tax and the deriving from the market⁸¹. These municipalities were given the functions: i) to water and maintain the public roads ii) to place lights along roads; iii) to supply water; iv) to construct public roads, drainages, markets, latrine and washrooms etc; v) to keep records of houses; vi) to register births, deaths and marriages; vi) to maintain public health and provide medical facilities; vii) to maintain crematoriums; viii) to promote primary education; and ix) to carry relief work during famine.⁸²

Out of the total members of the A type of municipalities two-third were elected and one-third were nominated by the Government. The total number of the members should not be less than nine and it should not be more than fifteen. The qualifications for the members were:⁸³ i) he should be a resident of the jurisdiction falling within the limits of the particular municipality; ii) he should be of twenty one years of age or above; iii) he should possess a land with a land revenue of rupees fifty or more; iv) he should be an owner of property worth Rs. 2000; v) whose annual income be Rs. 1000 or more; or vi) who had cleared the metric exam or higher than that.

It derived its expense from: i) sale of fruit and grass; ii) sale of wood; iii) house rent; iv)

⁷⁹ BSA, HPO, Sectionile. No.316, Gen. Daft., 163, F. No.12-A, 209

⁸⁰ Parikh R G, 46

⁸¹ Nene V P, 42

No specification of what kind of deriving

⁸² Ibid.

⁸³ Ibid., 43

obtains through permits for sand and stones; v) gains by using open space for market or the other purposes; vi) local cess allowed by the Government; vii) tax, toll, excise etc. These municipalities were to do the following works:⁸⁴ i) Street lights; ii) fire safety; iii) to built public wells, roads and *dharmshalas*; iv) water supply; v) construct new roads, maintain and water them; vi) registration of birth, marriages and deaths; vii) to keep the record of houses; viii) to vanish the shattering building and make the congested lanes wider; ix) to provide medical aid to people during epidemics and to provide them shelter.

Municipalities along with the other self-governing bodies continued serving the purpose they were meant for. Sayajirao-III first fostered village Panchayat as a training ground for self-government on the large scale. The urban areas were under the control of municipal of which thirty-three were A type and eleven were B type. The entire rural area, was covered by 2,113 village *panchayats* under five *Prant Panchayats* / district boards.⁸⁵ Thus there was a complete network of local self-governing institutions in the State. In the period before 1908, the foundation of the popular political institutions such as villages and local Board and self-governing municipalities was laid; and in 1908 a coping stone of it was laid in the establishment of Legislative Council (discussed earlier), which was endowed with potentialities of administrative power which differentiated it from similar institutions elsewhere.⁸⁶ Baroda was much advance in this direction than the other native states and even British India which had almost neglected the importance of the potential of village panchayats and had weakened their role.

⁸⁴ Ibid., 44

⁸⁵ <http://www.gaekwadsofbaroda.com/content/ruling-princes-and-chiefs-india>

⁸⁶ *Baroda Administration Report*, 1907-08, iii