
UNIT 20 EVOLUTION AND ROLE OF PANCHAYATI RAJ

Structure

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20.0 OBJECTIVES

After reading this unit, you will be able to :

- trace the evolution of Panchayati Raj in India,
- explain the meaning of the concept,
- understand the importance of its practice; and
- explain its role in the rural development.

20.1 INTRODUCTION

Panchayati Raj in India is a system of local self-government by which the people in rural areas have taken on themselves the responsibilities for their socio-economic and cultural development. Basically, it is thus an arrangement of participation of people in the administration of local affairs.

Information on the evolution of Panchayati Raj is not easily available. Historians have been able to trace some of the details from a close study of the inscriptions of the past and a few stray references to Panchayati Raj, found in literature. From these studies, we infer that ancient India did possess local self-governing institutions. And the local bodies enjoyed a large measure of freedom from the state control. In this context, we recollect the statement made by Metcalfe. He had written that "the village communities are little republics, having nearly everything they can want within themselves and (are) almost independent of any foreign relations. They seem to last where nothing else lasts, dynasty after dynasty tumbles down; revolution succeeds to revolutions.... The union of village communities continue each forming a separate little state in itself. It has contributed more than any other cause to the preservation of the peoples of India through all the revolutions and changes which they have suffered. And is in a high degree conducive to the happiness, and to the enjoyment of a great portion of freedom and independence." It is also understood that the village communities exhibited vigour and vitality in their functioning. Although, the picture portrayed by Metcalfe may have been an idealistic one, but all accounts of village panchayats in ancient India do point to the fact that there existed village panchayats which attended to the needs of the people living in the villages. Later, they fell into disuse. The early British rule led to their disintegration. Therefore, it is argued that it is possible to restore its health and prosperity if these institutions are revived and revitalised with suitable encouragement and assistance to meet the challenges of modern times.

20.2 ANCIENT PERIOD

Vedic literature has provided some references to an organised system of rural local self-government institutions. However, it is difficult to connect different references into a

coherent account of how rural local bodies functioned in vedic times. It is mentioned that the vedic state was essentially a country state, with the village as the basic unit of administration. An important functionary of the village was called "Gramini". He was a respectable official who played a crucial role in the coronation ceremony of the king. There were references to Samiti (Assembly) and Sabha where discussions took place mainly concerning with agricultural problems in which the king also participated.

Organisation of Sreni (Guilds), religious organisations, caste organisations etc., was another sphere of activity of the local self-government institutions. Some of these had direct representation in all the popular bodies of the state.

When we look into the great epics such as Ramayana and Mahabharata, we find some explicit references to village institutions. There are references to the assembly of elders of a hamlet (Ghosh) village (Gram) and headman of the village (Gramini). The headman (Gramini) was responsible for collecting the state dues, keeping village records, settling disputes, controlling crime etc. The council of elders used to exercise control over the headman. We are not certain, whether the office was elective or by appointment. But in the post Mahabharata period, he was nominated by the king and was accountable to his next highest authority, "Gopa" of the village. Five to twenty-five villages were under the charge of "Gopa"

20.3 RURAL LOCAL GOVERNMENT BETWEEN 600 BC TO 600 AD

S.C. Jain in his book "Community Development and Panchayati Raj in India" has given a detailed account of the Village Panchayats in the ancient period. According to Jain, the period between 600 BC to 600 AD witnessed the rise and fall of religious orders like those of Mahavira and Buddha and the rise and fall of the empires of the Mauryas and the Guptas.

According to Jatakas, villages were classified according to the size and mode of habitation. The Jain and Buddha literature explain several aspects of village life. Jataka tales contain instances of villages, joining together to build reservoirs, roads etc. The villagers put in collective labour to meet their common services. The religious orders, founded by Buddha and Mahavira, observed highly democratic procedures in arriving at decisions. It appears that there were rules and regulations regarding the working of these institutions. They enjoyed freedom in the conduct of their own affairs. There is no known instance of interference by the state in the internal affairs of the religious orders. Similarly, the guilds and castes enjoyed high status and autonomy in their internal affairs.

20.4 KAUTILYA'S ARTHASHASTRA

Arthashastra provides an exhaustive account of the system of village administration prevailing at that time. Kautilya prepared an exhaustive account of the statecraft and it is said that the another narrated his experiences in the Arthashastra. As we are mostly concerned with village panchayats, we shall try to confine ourselves to this subject matter. Kautilya outlined the ideal size of the village, its demarcation, distance between one village and another, and grouping of villages for purposes of posting police force and other state officials.

The villages had a number of officials, such as headman (Adhyaksha) Accountant (Sankhyaha) etc. All of them enjoyed property rights over certain areas of land, without right of alienation, in lieu of their services to the state. The village headman exercised several duties and performed innumerable functions in the village.

The next higher official was the "Gopa" who had between five and twenty-five villages under his charge. He was also entrusted with several responsibilities such as registration of land, census, maintenance of records of temples, irrigation works etc. Several other functions were entrusted to the "Gopa". At the district level, the Rajukas were entrusted with several functions mostly in relation to survey of land and settlement of land revenue. They also performed certain judicial functions.

All the above mentioned authorities were nominated by the king. However S.C. Jain comments that the political links, through which village interests were represented at the highest level, seemed to have broken down as a result of the ascendancy of towns and cities, growth of imperial ideas and bureaucratic practices. All these gradually restricted the areas of rural self-government. The system which had evolved during the ancient period, did not change under the Guptas. However, there were certain minor changes mostly in the nomenclature. During this period, the rulers in South India introduced several administrative units such as provincial (Mandals), districts (Nadu), sub-districts (Kottams) group of villages (Kurram) and village (Gram). These bodies were mostly responsible for management of land, temples, educational institutions, irrigation works, etc.

Another interesting aspect of the evolution of Panchayati Raj in India relates to the description of rural local government by Hindu Law Givers of the smriti period. Manu has given a detailed account of the organisation of the country-state and the role of local self-government institutions. All the writers of smriti period had a broad agreement on the basic structure. The system ultimately led to a centralised bureaucratic control with the king as the final authority.

The anarchic conditions created during the period of struggle for political ascendancy (AD 600 to AD 1200) after the collapse of Gupta Empire led to a climate of uncertainty. This has led to several phases of disturbed conditions in the working of local self-government institutions. However, the village system remained intact and if we look into the epigraphic records, particularly of South India, we find evidence of the Constitution and functioning of village government. It is argued that during this period the state was paternalistic in character.

There are three aspects of the village administration of the ancient period which deserve mention. One is the community spirit which prevailed among the people. Another is the kind of public functionaries who were concerned with its administration and the third is the nature of public bodies through which the inhabitants participated in the management of its affairs.

There were two factors which fostered and strengthened unity among the people. One was the self sufficiency of the village and the interdependence of different groups within the village which resulted from it. The other factor was the isolation in which each village was located. This strengthened the spirit of collective effort among its people.

There were a number of administrative functionaries such as Ayagars, Karnam, Talari, Brahmin etc., who performed respective administrative duties as per the custom. Thus the village was not only a compact economic unit but also an administrative unit with its full complement of public functionaries. All of them were servants of the village community and not of the state government.

Thus, we find village self-government was more real in the past than what we have today. One reason for this is that the present day Panchayati Raj owes its existence to legislation enacted by the State Government. It is created by the state and can be abolished by the state. This was not the case with village self-government in the ancient period. It owed its existence to the customs and traditions. And no ruler, however, despotic he might be, had the courage to interfere with what the custom laid down. This gave to the village institution an unique stability and permanence. In this connection, it is necessary to mention that it was an accepted theory in ancient India that all institutions derived their authority from Dharma. Even the state and its rulers were subject to it. Their duty was to uphold it and not to interfere with it. Dharma, of which custom was a part, ordained that every village should have its own self-governing institutions and that it was not right for the rulers to interfere with them. This resulted in the decentralisation of decision-making power to the village communities.

Further, due to the isolation of villages, it was not possible for state officials to visit villages and interfere with the administrative matters by exercising control over the village authorities.

Check Your Progress 1

Note : i) Use the space below for your answers.

ii) Check your answers with those given at the end of the unit.

1) Write a short note on rural local government between 600 BC to 600 AD.

elders became dysfunctional. The villagers ceased to feel their need to the extent they had in former times.

The judicial system, introduced by the British, also led to the same result. Disputes, which for ages, were settled by elders in the village in accordance with custom and usage were now referred to the courts outside the village and decided in accordance with statutes enacted by the alien rulers. Naturally, this system cultivated the habit among the people to look to institutions away from their villages for the redressal of their grievances.

Another landmark of the British administration which dealt a blow to the rural areas was the change which the British introduced in the position of village officials such as the headman, karnam etc. These public functionaries, who had been regarded throughout the ages as the representatives and spokesmen of the village community, were now made the salaried officials of the government. The villagers naturally began to look at them as the agents of an outside authority who could not be expected to serve them or be trusted. It deprived them of their natural leaders and cracks in the community spirit began to appear.

The educational system, introduced by the British, was another feature which also produced a similar effect. Under the new English education, the educated people began to migrate to towns in search of employment. Rural areas were thus deprived of enlightened leadership. The effects of Western civilisation, the Christian missions, weakening hold of custom and tradition without any other bond also contributed to a great extent to gradual erosion in the village community. Greater attachment to material values of life and growth of a spirit of individualism was a contributing factor that brought change in the outlook of the villager and by the end of British rule, the situation in the village was not what it had been in earlier times.

It is necessary to mention that the different steps taken by the British government to introduce a few measures to strengthen rural local bodies did not result in any success. The colonial rulers selected the district as the chief administrative unit in preference to the village. It was only after the submission of the report by the Royal Commission on Decentralisation that the importance of the village came to be recognised. And it was only about the year 1920 that a serious attempt was made to establish village panchayats and revive the old community through them. The process adopted for the purpose was very slow and it was subject to numerous limitations. By then, the village community was practically broken up and conditions became hostile for the successful working of the new panchayats.

It is also necessary to note that all the reports on the working of panchayats after 1920 make reference to several factors which were responsible for decay in the system. They mention the influence of village factions, caste and communal divide, apathy of the villagers, and reluctance of the people to contribute to the organisation. In fact all these are the characteristics of the villages in a state of decadence brought about by the changes introduced into the system of administration by the British. Centralisation was the key factor to all these changes. Centralisation and local self-government cannot exist side by side. They are antithetical. It is centralisation that is responsible for the decline and disappearance of Panchayati Raj as it existed for years in the villages of India.

20.7 DEVELOPMENT AFTER INDEPENDENCE

The development of Panchayati Raj in India, after the country became independent in 1947, took a crucial turn and did not occur in isolation. It was part of a wider movement which affected the entire nation. In fact, the real meaning and implications of Panchayati Raj can be understood only in relation to the wider movement. There have been several factors which were responsible for the birth and growth of Panchayati Raj in India which led in course of time to a new structure, much different from what it was in the days of the British rule. Four major factors deserve mention. They are the teachings of Gandhiji, the Directive Principles of State Policy, the Five Year Plans with their emphasis on popular cooperation and the Community Development Programmes. It can be safely mentioned that to a large extent, the present day Panchayati Raj in the country is the outcome of the influences of these factors. The factors are discussed below :

i) Influence of Mahatma Gandhi

The influence of Mahatma Gandhi, on the people of India, was profound. His approach to the problems of India, particularly of the rural areas, is well-known. He advocated a

philosophy of ruralism, as distinguished from urbanism. The keynote of Gandhiji's philosophy was the revival of the village community, with all its self-sufficiency and minimum dependence on the outside world. Back to the villages, was his main message. He called upon the people to focus their attention on the reconstruction of village life which was neglected during the British regime. It was his conviction that the cities were responsible for immense damage to village economy and that the only way of saving them was by making them self-sufficient in as many essential needs of life as possible. He pleaded that agriculture, supplemented by cottage industries, would provide enough employment and help in achieving self-sufficiency. A self-sufficient economy would also be highly decentralised. It would be completely free from all control exercised by outside agencies.

Mahatma Gandhi felt that the village should be self-sufficient not only economically but also in political and administrative affairs. He was not in favour of people always looking to the government for anything and everything. He suggested that all the affairs in a village should be administered by a panchayat elected on the basis of adult suffrage. As far as possible the state and central control should be brought down to the barest minimum. The impact of Gandhi's ideals influenced to a large measure, the political executives after independence. There is no doubt that the impetus came from Gandhi. Hence, the State Governments entrusted several development functions to the Panchayati Raj bodies and if democratic decentralisation has become their watchword, much of it has to be attributed to the influence of Gandhi's thoughts.

ii) The Directive Principles of State Policy

The second major factor, which deserves mention, is the provisions of Article 40 in the Constitution. There was considerable debate in the Constituent Assembly when the draft bill was discussed. The draft bill did not provide any reference at all to villages as a unit of self-government. In fact, Dr. Ambedkar spoke disparagingly about the situation in the Indian Villages. There were several others who supported Ambedkar. They said correctly that greater decentralisation does not imply greater democracy in the villages, it is the people belonging to so called higher castes, who would gain more power and would apply that power more ruthlessly against the poor.

However, there was a very strong section who pleaded forcefully in favour of village panchayats. They argued that villages could not be ignored and that democracy should not be restricted only to governments at higher levels but should be extended to living units at the bottom. As a result of support from numerous members, Article 40 came to be incorporated in the Constitution in the provision entitled the Directive Principles of State Policies. This Article calls upon the state "to take steps to organise village panchayats and endow them with such power and authority, as may be necessary, to enable them to function as units of self-government." This principle has been broadly interpreted by the Union as well as state government so as to provide not only self-governing institutions but also democratic institutions at different levels in the rural areas.

iii) The Five Year Plans

The third factor which deserves mention for the growth of Panchayati Raj institutions is the planned economic and social development undertaken by the government. In the implementation of the Five Year Plans it became necessary to secure the active cooperation and involvement of people in the rural areas. Active involvement became necessary particularly in respect of schemes of agricultural development. It was recognised that the transformation of the traditional methods into modern techniques, involving the use of latest improvements, could not be brought about without the willing cooperation of the farmers. The official machinery was not suitable for this work. Further, experts could not approach each individual farmer in this task. The First Five Year Plan recognised this difficulty and suggested that "as the agencies of the state government cannot easily approach each individual villager separately, progress depends largely on the existence of an active organisation in the village which can bring the people into common programmes to be carried out with the assistance of the administration." One result of this view led to the creation of Panchayats through which Five Year Plans have sought to enlist the cooperation of people in their execution. In fact the First Five Year Plan observed that "many in the administration realise that official machinery by itself cannot carry out these developmental programmes, which call for a great deal of initiative and participation on the part of people themselves."

The Second Five Year Plan had identified two broad groups of functions—administrative and judicial. A long list of administrative functions had been prepared. The list is formidable. It

clearly shows the attitude of government towards the role of Panchayati Raj bodies in the reconstruction of national life.

iv) Community Development Movement

The fourth factor which has been to a large extent, instrumental in the origin and growth of Panchayati Raj is the Community Development movement which was inaugurated on October 2, 1952. It had a direct impact on Panchayati Raj, which, in essence, implies a new approach to the nation building activities. The emphasis of the Community Development movement is on the all-round development of local community — a village, a group of villages, a district. The philosophy of community development is to create an opportunity for the people to take initiative and identify their needs and find out the methods to meet them. It is not an outside agency that defines the needs of the community and how those needs have to be satisfied. Further, it is observed that in the Community Development Movement, the community is prepared to find resources of its own to carry out the projects which it has decided to undertake.

The community development programme was first started under official guidance. Although there were a number of voluntary bodies of non-official nominated members associated, it was found out that such bodies were not of much use in creating enthusiasm among the people in securing their participation. The problem was thoroughly examined by the Balvantray Mehta Committee. It was on its recommendations that the advisory bodies have been abolished and statutory bodies were created to undertake the work of Community Development. Thus Panchayati Raj has been ushered in the country as a people's programme with officials participating in it on account of their technical knowledge and guidance.

Check Your Progress 2

- Note : i) Use the space below for your answers.
- ii) Check your answers with those given at the end of the unit.

1) What were the changes which took place during the British rule?

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2) What was Gandhiji's view on decentralisation?

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20.8 ROLE OF PANCHAYATI RAJ

After tracing the evolution of Panchayati Raj in India, it is necessary to analyse the role of the Panchayati Raj institutions. There is no doubt that Panchayati Raj has become a powerful movement. All the states in India have adopted it. It is no more an experiment. It is being accepted to be important in the democratic process. It is more than a political slogan, more than an administrative device. Panchayati Raj in India has come to stay. There is no alternative to it :

i) Political Consciousness

The first and foremost aspect in the study of role of Panchayati Raj relates to its role in awakening the political consciousness of the rural population. It has enabled a large number of people to acquire leadership at local levels. The quality of this leadership will ultimately determine the success or failure of Panchayati Raj. It is no exaggeration to state that the

Panchayati Raj bodies have provided political education, preparing the citizens for responsible living. In fact the Panchayati Raj bodies have developed leaders who could take control of democratic institutions at state and national level. The prediction of Ripon that "it is not primarily with a view to improvement in administration that this measure is put forward and supported. It is chiefly designed as an instrument of political and popular education" has been realised to a large extent. Panchayati Raj has become a powerful tool where caste and local interests interact, clash, compromise and arrive at common understanding on various issues. The experience gained by the new generation of leadership in democratic management has raised the quality of legislative debates and working of other higher level institutions. It has provided opportunity for the circulation of political elite which is very essential for maintaining democratic forms in their true spirit.

ii) Planning and Development

The Panchayati Raj institutions have been designed to play a crucial role in planning and development. A number of studies indicate that as units of planning and development, be it at the district or lower level, the Panchayati Raj institutions have contributed substantially. In Maharashtra, Karnataka, West Bengal and several other states, local level planning has been successfully formulated and implemented by these institutions. Ultimately to what extent the local bodies have the necessary autonomy and financial resources to take up developmental activities, depends largely on the state government.

There is yet another point of view according to which the Panchayati Raj Institutions have become the connecting link between the Parliament and State Legislature on the one hand and local bodies on the other so that the respective members can exchange views on the objectives of a plan and its priorities. The local members talk about the local needs, urgencies and difficulties in the implementation whereas the members of Parliament and State Legislature can explain the possible solution since they decide national priorities and at the same time they are financially in a better position to help the rural bodies. This two way link has served the dual purpose of modifying the state policies at points of maladjustment as well as communicated the message from centre and/or state to the remote corner of the rural society. Thus, the Panchayati Raj bodies have come to play an important role in the sphere of planning and development.

iii) Executive Institution

To what extent the Panchayati Raj bodies act as units of self-government requires a closer look into the functions performed by these bodies. Certain civic functions such as rural sanitation, public health, street lighting, drinking water supply, maintenance of village roads, culverts, management of primary and secondary education, etc., have been carried out by the Panchayati Raj bodies.

In several states all the developmental functions have been divided into three categories : the central sector, the state sector and local sector. The Local Sector Schemes have been devolved to Panchayati Raj bodies for planning and execution, they include subjects such as agriculture, minor irrigation, rural health animal husbandry, rural roads, social welfare, cooperation, cottage industries, rural housing etc. In all these fields the Panchayati Raj bodies have played an important role.

Finally, we should remember that the Panchayati Raj bodies are the creations of the State Government. They have no inherent powers and functions of their own. They do only what they are authorised by the state. Now the time has come to think aloud about preparing a local list and incorporate the same in the Constitution. It depends on our political maturity and perhaps we need some more time to bring in such revolutionary change in this country.

Check Your Progress 3

- Note : i) Use the space below for your answers.
ii) Check your answers with those given at the end of the unit.

1) What role does Panchayati Raj play in planning and development?

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2) How does Panchayati Raj institutions bring about political consciousness of the people?

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20.9 LET US SUM UP

The evolution of the system has shown that village communities have always existed in India. Several changes they have undergone — but the basic structure is there. During the British rule, the village communities no longer remained isolated, due to the development in the means of communication. Centralisation was the key factor of the British rule. After independence, an attempt has been made to revive the local self-government. In the following units, we would be discussing the emerging patterns of Panchayati Raj institution in India and the problem and prospects of Panchayati Raj.

20.10 KEY WORDS

Epigraphic record : Record by inscription.

Guilds : A guild is an organisation of people who do the same job or who have the same interest.

Smriti period : The period in which knowledge was transferred orally.

20.11 SOME USEFUL BOOKS

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Hooja, B., 1978. "Panchayati Raj versus Decentralisation of Administration", *Indian Journal of Public Administration*; Pages 652-67; Volume XXIV : IIPA.

Maddic Henry, 1978. "Can Panchayati Raj become the agency for integrated rural development?", *Indian Journal of Public Administration*; Pages 577-91; Volume XXIV : IIPA.

Mathur, P.C. 1978. "Remodelling Panchayati Raj Institution in India", *Indian Journal of Public Administration*; Pages 592-616. Volume XXIV : IIPA.

20.12 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) See Section 20.3
- 2) See Section 20.4

Check Your Progress 2

- 1) See Section 20.6
- 2) See Section 20.7

Check Your Progress 3

- 1) See Section 20.8
- 2) See Section 20.8

UNIT 15 PANCHAYATI RAJ AND RURAL DEVELOPMENTAL ADMINISTRATION

Structure

- 15.0 Introduction
- 15.1 Past Practices and Efforts
- 15.2 Post-Independence Period
- 15.3 73rd Constitutional Amendment
- 15.4 Rural Developmental Administration
- 15.5 National Level
 - 15.5.1 Department of Land Resources
 - 15.5.2 Department of Rural Development
- 15.6 State Level
- 15.7 District Level
 - 15.7.1 District Planning Committee
- 15.8 Block Level
- 15.9 Village level
- 15.10 Panchayat (Extension to the Scheduled Areas Act) 1996
- 15.11 Let sum Up
- 15.12 Key Words
- 15.13 Suggested readings and references

15.0 INTRODUCTION

In India, villages remain basic units of governance since time immemorial. After the independence, the leadership of the country realized that no development in India is possible without development at the grass-root level as more than two-thirds of the total population resides in the villages. Hence, various schemes and policies were introduced both at the micro and macro levels to make the development of the country more inclusive and people's oriented. The Panchayati Raj system which dates back to ancient times and survived in India rather fails to accelerate development, although the system has been given greater importance in the directive principles of the state policy. After certain experimentation and experiences, democracy at the grassroots level was established through the 73rd and 74th constitutional amendments with an elaborate system of development planning both in rural and urban spaces. The initial decades of functioning of the Panchayat system in different states gives the impression that the system has provided a boost to rural development and made it more participatory and people's oriented. It is evident that rural development in our country has to be oriented necessarily towards the integrated development of the rural economy and society and the

alleviation of poverty. Therefore, it is pertinent to mobilize the resources and their allocation specifically to implement programmes for the benefit of the rural poor and for activating the role of the system in rural development.

15.1 PAST PRACTICES AND EFFORTS

It is now an established fact that self-governing institutions at the local level are essential for national growth and effective people's participation. They are nowadays considered as an integral and indispensable part of the democratic process. The argument in favour of democratic decentralization is often founded upon the notion that democratization and empowerment of local political bodies will create institutions that are more accountable to the local bodies, local citizens and more appropriate to the local needs and preference. India provides an important context to the global others for understanding the ways in which decentralization can improve the performance and accountability to the local government institutions. Noted historian A.S. Atlekar suggested that a similar system was present in the ancient times referred by three different names: Sabha, Samiti, and Vidhata. K.P.Jaishwal refers these names for the local bodies during the Vedic period. During the colonial period, Lord Mayo's resolution of 1870 seems to be the first attempt to develop the local self-government and is considered as the landmark in the evolution of British Policy towards decentralization of power. Later on in 1907, the Royal Commission (1907) on decentralization under the chairmanship of C.E.M Hobhouse said that decentralization is needed to associate people with the local tasks of administration. The efforts are required to constitute and develop village panchayats for the administration of the local village affairs. By 1925 eight provinces in British India had passed acts for the establishment of village panchayat which increased to twenty by 1948. The work of popularizing the panchayats during the freedom movement had also been taken by the Indian National Congress. In the constituent assembly, Ambedkar and Nehru were skeptical about the village republics as both do not consider village people mature enough to handle democratic process. However, Gandhiji's vision for the village republic had a considerable say in the assembly and it was resolved to adopt a clause on 'organisation of village panchayat' as one of the directive principles under Article 40 of the Indian Constitution. This directive aimed to foster democratic participation to engage villagers in the development effort and to ease the administrative burden on the state.

15.2 POST-INDEPENDENCE PERIOD

After getting independence from the British yoke, 'development' of both rural and urban areas was the main agenda of the government. With this aim, programme for the community development (CDP) was launched during the first five-year plan, with a vision to create active interest of the rural population in national schemes of economic planning and social reconstruction. The success of the 'Nilokheri Project' and of 'Etawah project' and experiences of innovative types small projects increased due to the efforts by certain eminent personalities like Rabindra Nath Tagore, Mahatma

Gandhi and P.L. Brayani but within three to four years the programme and the efforts made lost initial momentum and witnessed a considerable decline in the participation of the people. For this decline, the main reasons were the lack of awareness among the people and the lack of financial resources and effective local leadership. Thereafter, advisory committee was established to seek the cooperation of the village population and the idea of village participation was re-designed as the community development programme at the block level to ensure public participation. The then Prime-Minister Jawaharlal Nehru who was very enthusiastic about the programme of community development started taking great interest.

In the year 1956, a team to review the community development programme and national extension programme was constituted under the chairmanship of Balwant Rai Mehta. The team was asked to study among other things, the organized structure and method of work to secure a greater dispatch in the business and the extent to which community development movement has succeeded in utilizing local initiatives in creating institutions to ensure continuity in the process of improving economic and social conditions in the rural areas. The committee pointed out that an agency at the village level should represent the entire community, take the responsibility and provide necessary leadership for implementing the developmental programme. Such programme of development can well be implemented only if there is devolution of power or decentralization of machinery. Such power can be exercised and such machinery be controlled and directed only through the popular representation of the local area. In the report submitted in 1957, Mehta committee recommended the establishment of 'Panchayat Raj' or democratic decentralization with a three-tier structure from village to district with a genuine transfer of power and responsibilities, adequate resources for the functioning and channelizing all developmental plan/ policies through local bodies.

The recommendation of the Mehta community was endorsed by the National Development Council in 1958 and the state started to adopt the Panchayati Raj system. Although, its pattern varies from state to state. Mehta committee recommended a three-tier system with Panchayat at the grass-root level and the elected body with a provision for co-opting of two women members and one member from schedule caste and schedule tribe. The block-level structure was constituted by indirect elections from the village Panchayat and District level structure constituted with members of the lower tier with district collector as its chairman. Some states at that time have a three-tier structure while some are having a two-tier structure while a few others have a single-tier structure. Later in 1962, a committee under the chairmanship of K. Santhanam was appointed to explore the provisions of adequate resources. After initial enthusiasm and fan-fare, PRIs have been moving downhill. From the year 1965 onwards there was a marked stagnation and from 1969 saw the decline of the system. The different committees at the state level observed that PRIs was suffering from a number of weaknesses and governments at the central level and state level were also unfriendly towards them.

In the year 1977, to look into the working of the PRIs and to suggest measures to strengthen them and to make development and decentralize

planning more effective, a high-level committee under the chairmanship of Ashok Mehta was constituted. The committee divided the journey of the PRIs into three different phases:

- a. The phase of Ascendancy (1959-64)
- b. The phase of Stagnation (1959-69)
- c. The phase of Decline (1969-77)

The committee observed that PRI activities were inadequate and they do not have their resource base and state governments are not willing to share power and resources, which marred the spirit of decentralization. Ashok Mehta committee suggested a two-tier structure: one at the district level (Zila Parishad) and the other at the Mandal level (Mandal Panchayat). The committee suggested that planning, coordination, and resource allocation should be made at the district level. In Karnataka, all functions of the development at the district and lower level were transferred to PRIs. For centrally sponsored schemes meant for poverty reduction, District Rural Development Agency (DRDA) was merged with the Zila Parishad. The budget of the state was divided into two providing a separate budget for PR bodies. However, Karnataka model was not replicated in other states and political unwillingness, bureaucratization, lack of financial resources were important reasons which led to the non-establishment of the PRIs and a chance to establish them for the development of village India could not be materialized.

Check Your Progress-I

Note: i) Write your answer in the space provided below.

ii) Check your answer by reading the text once again.

- 1) Write a note on 'Democratic decentralization' in India.

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- 2) Do you think that 'decentralization' is indispensable for development? Give argument in support of your answer.

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15.3 73rd CONSTITUTIONAL AMENDMENT

Although, the various initiative had been taken for the implementation of a decentralized model of democracy but this model could not develop because of the reasons like absence of regular elections, prolonged suppression, insufficient representation of the weaker section, inadequate devolution of powers and the lack of financial resources. The PRIs did not get the status and dignity of a viable and responsive people's bodies. In the year 1986, the government setup a committee to study the problem faced by the PRIs under the chairmanship of L.M.Singhvi. The committee, besides other recommendations, emphasized the local self-government be provided constitutional recognition, and in this regard, an amendment should be made accordingly. The past experience demands a status that should be legally binding and that is why the 64th constitutional amendment bill in 1989 and 74th constitutional amendment bill in 1990 were introduced. Due to the dissolution of the Lok Sabha both the bill can't be passed. It was introduced again in 1991 as the 72nd amendment bill and was passed as the 73rd constitutional amendment Act by the parliament in the year 1992 to provide the constitutional status to the PRIs. The act has established a three-tier structure of governance with a provision that smaller states may have a two-tier structure. The salient feature of the Act is the following:

- a) It envisages the Gram Sabha at the village level with a assured duration of the five years to perform the function and power entrusted to it by the state legislature.
- b) The act makes provision for the reservation of the seats for the scheduled castes and scheduled tribes in proportion to their population in the respective areas and also one-third of seats for the women in the respective categories to make decentralization and development more inclusive and participatory.
- c) This act makes provision for the establishment of a finance commission on every five years for reviewing financial positions of the panchayats and to make recommendation as to (i) distribution between the state and Panchayats, the taxes, duties, tolls, and fees leviable by the state which may be divided by them (ii) what taxes, duties tolls and fee may be assign to the state and to the Panchayats and (iii) Grant-in aid to Panchayats. The governor of the respective state will constitute such a commission. Also, governor with an explanatory memorandum asks about the action taken there on to be laid before the legislature of the state.
- d) The state legislature may confer on the P.R.I such power and authority as may be necessary to enable them to function as institutions of self-government and may be entrusted with the responsibility of the implementation of the scheme of social justice, preparation of the plan for economic development and social justice and in regard to the 29 subjects listed in the eleventh schedule added after the act.

15.4 RURAL DEVELOPMENTAL ADMINISTRATION

The federal nature of the Indian polity envisaged a two-tier of governance i.e., Centre and State level. After the 73rd and 74th constitutional amendments, a third level was introduced in the form of Panchayati Raj Institutions (PRIs) in the rural areas and Municipalities as Urban local bodies (ULBs). Although, each layer of the institutions has its own sphere of function. The integrationist model of administration established a collective responsibility and accountability for all. For the purpose of understanding various structures administering rural development in India can be discussed at three levels: National, State, and Grassroot level.

15.5 NATIONAL CENTRAL LEVEL

At the central level, the nodal agency for rural affairs is the Ministry of Rural Development (MoRD). It was first established as a Department of Rural Development in 1974 under the Ministry of Food and Agriculture. In 1979 this department was elevated to the status of the new Ministry of Rural Reconstruction and was renamed as Ministry of Rural Development in 1982. In January 1985, it was again converted into a department under the Ministry of Agriculture and Rural Development which was later on re-christened as Ministry of Agriculture in September 1985. Then, it was renamed as Ministry of Rural Areas and Employment in March 1995. Since, April 1999, however, it is being called the Ministry of Rural Development. Since then, the Ministry of Rural Development is a separate ministry with two departments viz. Department of Rural Development and Department of Land Resources. Both the departments have to Secretary at the top of the administrative hierarchy followed by the Additional Secretary, Joint Secretary and an array of officials.

15.5.1 Department of Land Resource.

It aims to ensure sustainable improvement in the productivity and livelihood/income potential of the land in particular rain fed cultivated areas and cultivable wastelands and it strives to develop an appropriate integrated land information management system. The department has two divisions: (i) Land Regulation Divisions (b) Watershed Management Division. It implements schemes to increase bio-mass production by developing wasteland in India. The Department also provides support services and other quality inputs in the areas such as land reforms, land records, and revenue system. The major programmes of the development are (a) Drought Prone Area Programme (DPAP) (b) Desert Development Programme (c) Integrated Waste Development Programme (IWDP) and (iv) Land Reforms. The purpose is to increase the soil and moisture conservation and productivity of the wasteland of the degraded lands.

15.5.2 Department of Rural Development.

It looks into all major welfare schemes pertaining to the rural areas. It implements schemes for employment generation, housing provisions of roads and irrigation and social assistance to destitute of rural India. The department is also responsible for providing support services and other quality inputs such as assistance for strengthening of DRDA, PRIs, research training, human resource development, promotion of voluntary action for effective implementation of various programme. The department has the sub-division of (a) monitoring and (b) evaluation. The department of rural development consists of schemes:

- a) DIKSHA (Training portal)
- b) National Rural-Urban Mission (NR-UM)
- c) Pradhan Mantri Awas Yojana- Gramin (PMAY)
- d) Deendayal Antyodaya Yojana, National Rural Livelihood Mission
- e) National Social Assistance Programme
- f) Pradhan Mantri Gram Sadak Yojana
- g) Deendayal Upadhyaya Gramin Kaushalya Yojana (DDU- GKY)
- h) Mahatma Gandhi National Rural Employment Guaranteed Act (MNERGA)

The Ministry of Rural Development is responsible for planning, direction, policy coordination, and release of the central share of the funds and monitoring of the programme. The main aim of the Ministry is to alleviate rural poverty and ensure improved quality of life for the rural population, especially those below the poverty line.

The MoRD has the following institution under its administrative control:

- National Institute of Rural Development and Panchayati Raj (NIRD & PR) - an autonomous body for the research, action research, consultancy and documentation effort.
- Council for Advancement of People's Action and Technology (CAPART), registered as a society and acts as a catalyst for the development of technologies appropriate for the rural areas.

For attracting the donation for rural development a National Fund for Rural Development (NFRD) was setup in 1984. In the form of tax concession, incentives were provided to the donors. As far as possible, the receipts in NFRD are channeled for the project identified by the donors in accordance with the guidelines of the ministry.

It is necessary to point out that at central level, although the Ministry of Rural development is a nodal agency, the very task of the development of rural areas involves other ministries which can play an important role in introducing various policies, programmes, and projects. For example, 'National Rural Health Mission' was introduced by the Union Ministry of Health but works in collaboration with the MoRD, Panchayati Raj, and Women and Child Development. Likewise, various other ministries like the

Ministry of Social Justice, Ministry of Health and Family Welfare, Ministry of Education, etc. work in synergy with the Ministry of Rural Development.

15.6 State Level

The state governments carry direct responsibility for the governance of the rural areas and administering rural developmental programmes. Nearly all the states have their separate department for rural development headed by the secretary. Above him, are the Developmental Commissioner for agriculture and rural development. In many states, the chief secretary is him/herself is Development Commissioner-cum-secretary. In the late 1960s, to bring out the coordination among different departments state-level coordination and review committees were set up, which consist of the secretaries of all the departments concerned and a central government representative. In a study conducted by a committee of the planning Commission in 1983, it was pointed out that the committee entrusted with the task of coordination and review is not active in most of the state and failed in providing guidance and support to the agencies. Generally, in the state, the subject of rural development is independently or in collaboration with other subjects is dealt with by a state department. The department is politically headed by a minister and administratively by the Principal Secretary followed by the line of Joint Secretary, Deputy Secretary, and other supporting staff. The MoRD prescripts that all special programmes of the central government should be looked after by a single department having overall control over the developmental administration as that inter-departmental coordination can be maintained easily at the state level. Also, it was suggested that a separate post of the Commissioner level would be created for the implementation and monitoring of these programmes. Consequently, in many of the states, either the Department of Planning or the Department of Rural Development is responsible for policy formulation and implementation. Many of the states replicated the central ministerial model and all the central schemes of the states are entrusted to the state ministry of rural development/ affairs. Uttar Pradesh, Madhya Pradesh, Haryana, Punjab and Jharkhand are the example of this category. The rural development department of the states are having the responsibility to implement and control the state-funded schemes mainly for (a) capacity building (b) poverty alleviation (c) employment generation (d) sanitation (e) women social and economic empowerment and (f) basic amenities. The rural development department of the states aims for ensuring overall control and supervision of the activities of the districts and the local administrative bodies in relation to rural development.

15.7 DISTRICT LEVEL

In India, the basic unit of the administration is a district, with the collector as the head of the administration. 73rd and 74th amendment has also changed the nature of the district administration. The role of the District collector increased as one has to coordinate among several departments of technical nature. During the time of the CDP, District Collector was made the head of the programme at the district level and he coordinated district plans and presided over the District Planning Committee. Small Farmers Development

Agencies (SFDA) and Marginal Farmers and Agricultural labourer Development Agencies (MFALs) were established during the fourth five-year plan (1969-74) to provide credit support and technical guidance to small farmers. To coordinate the activities of all the departments, a coordination committee was created in each district under the Chairmanship of the District Collector. During the sixth five-year plan, when the Integrated rural Development programme (IRDP) and National Rural Employment programme was launched on the recommendation of the Ministry of Rural Development, District Rural Development Agency (DRDA) was established. Generally, the District Collector/Deputy Commissioner used to be the Chairperson of the Agency which was run by a Functional Executive as its Project Director. The DRDA is the overall in-charge of planning, implementation, and evaluation of the programme in the district. All MPs and MLAs of the district, Head of the Central Cooperative banks, Chairperson of Regional Rural Banks, Chairperson of the Zila Parishad, Representative of all major banks, District employment officer, and one representative of rural women were included in the governing body of the DRDA besides the establishment of District Development Committee (DDC) under the Chairmanship of the District Collector. The recommendation of the DDC was made to coordinate the work of all the district level departments and other agencies like Khadi village industry, district industry center, banks, etc. After the 73rd constitutional amendment, the district/Zila Panchayat constitutes the apex body of the three-tier structure of the PRIs. Generally, it is known as Zila Panchayats in most of the states but in Goa, Karnataka, Madhya Pradesh, Sikkim, and Uttar Pradesh, it is known as Zila Parishad and in Tamil Nadu, Kerala and Gujarat its name is District Panchayat. Generally, the Zila Parishad consists of representatives of the Panchayat Samiti, all the members of the state legislature and the Parliament representing as part or whole of the district and all district level officers of the medical, public health, public work, engineering, agriculture, education, and another developmental department.

There is also a provision for a special representation for women, members of the scheduled castes, and scheduled tribes provided they are not adequately represented in the normal course. The district collector is also a member of the Zila Parishad. The chairman of the Zila Parishad is elected among the members. Also, there is a chief executive officer in the Zila Parishad who is deputed by the state government. There are subject matter specialists or officers at the district level in all the states to coordinate these developmental activities. In most of the states, the meeting of Zila Parishad must be held once in three months however in Goa, Haryana, and Karnataka their meeting must be called at least once in two years.

Zila Parishad mostly performs the coordinating and supervisory functions. It coordinates the activities of the Panchayat Samities falling within its jurisdiction. In few states, the Zila Parishad also approves the budget of the Panchayat Samitis. The Zila Parishad also renders necessary advice to the government with regard to the implementation of various developmental schemes. It is also responsible for the maintenance of primary and secondary schools, hospitals, dispensaries, minor irrigation works, etc. To ensure

harmonious integration of the different agencies with the common objectives of rural development, the DRDAs have been integrating with the Zila Parishad and it has to act as a unit/cell of the Zila Parishad administration under the supervision of the Zila Parishad itself. The 73rd amendment has changed the role of the district administration of being a facilitator, quite different from the earlier role of administration and implementation.

15.7.1 District Planning Committee

Article 243 Zd, which was added after the 73rd amendment, makes a suggestion that a District Planning Committee at the district level shall be constituted in every district to consolidate the plans prepared by the Panchayats and the Municipalities in the district and to prepare a draft development plan for the district as a whole and to exercise such other powers as may be assigned to it from time to time by the state government.

Every committee shall, in preparing the draft development plan, have to take into account (i) matters of the mutual common importance between the municipal bodies and the Panchayats, including the spatial planning, infrastructure development, integrated environmental conservation, and sharing of physical and natural resources such as water and (ii) the extent and types of the available resources whether financial or otherwise.

The district planning committee of different districts shall consist of members as may be specified by the state government by notification.

- a) Three-fourth members of the total number shall be elected in the prescribed manner by the elected members of the Zila Parishad and municipal bodies, as the case may be. Also, proportionate equality shall be maintained in term of rural-urban areas and all the following are included:
- b) All MLAs and MPs of the district
- c) District Magistrate/ Deputy Commissioner of the district
- d) Chief Executive Officer of the Zila Parishad
- e) Chief Planning Officer

The committee shall hold a meeting at least once every two months or as the state government may specify. The DPC will identify the local needs and objectives and formulate policies and programmes accordingly. Also, DPC is equipped with the power to examine the development projects prepared by the panchayats and the municipalities. District magistrate/ deputy commissioner shall be ex-officio secretary of the DPC and s/he will be responsible for preparing needs of important matters to be laid before the committee. Proposal and priorities in the draft prepared by the DPC is to be considered by the Government when the state plan is to prepare. The DPC has the power to monitor and evaluate the implementation of the plans.

15.8 BLOCK LEVEL

Block or union is the second or intermediate level of the rural developmental administration. The nomenclature of this intermediate-level varies in different states. In Andhra Pradesh, it is known as Mandal Parishad, in Bihar, Jharkhand, Haryana, Himachal Pradesh, Tripura, West Bengal, Maharashtra, Orissa, Punjab and Rajasthan as Panchayat Samiti, and in Assam, it is known as Anchalik Parishad and so on.

Usually, the block-level structure comprises 20 to 60 villages depending on the area and population. The average population under a samite is about 80,000 but the range is from 35000 to 1,00,000. The Panchayat Samiti generally consists of the following:

- a) Twenty members were elected by and from the Panches of all the Panchayats falling in to the block area.
- b) Two women members and one member each from scheduled castes and scheduled tribes to be co-opted.
- c) Two local persons possessing experience in public life and administration, which may be beneficial for rural development.
- d) A representative of the co-operatives working within the jurisdiction of the block.
- e) One representative is elected by and from the members of each small municipality lying within the geographical limits of a block.
- f) The members of the state and Union legislatures representing the area are to be taken as an associate member.

The President of the Panchayat Samiti is the Pradhan, who is elected by an electoral college consisting of all members of the panchayat samite and all the Panchas of the Gram Panchayat falling within the panchayat areas. Besides, the Pradhan, the Up-pradhan are also elected. The Pradhan convenes and presides over the Panchayat Samiti meeting. He guides the panchayats in making plans and carrying out production programmes. He ensures the implementation of the decision and resolutions of the Samiti and its standing committees. He exercises administrative control over Vikas Adhikari (BDO) and his staff. BDO is a government officer who monitors the implementation of all programmes related to the planning and development of the blocks. As the Chief Executive Officer of the Panchayat Samiti, the block development officer is entrusted with the responsibility for implementing the resolution of the Samiti and its standing committee. He is the ex-officio member of the Panchayat Samiti who exercises executive power at the block level.

The principal function of the Panchayat Samiti is to coordinate the activities of the various panchayats within its jurisdiction. The Panchayat Samiti supervises the work of the Panchayats and scrutinizes their budgets. It also reserves the right to suggest measures for improving the functioning of the Panchayats. The Samiti is charged with the responsibility of preparing and implementing plans for the development of agriculture, animal husbandry, fisheries, small scale and cottage industries, rural health, etc.

15.9 VILLAGE LEVEL

The village is the basic unit of the Panchayati Raj institutions. This grass-roots level, Gram Panchayat, has been charged with the responsibility to identify and prioritize development schemes and prepare its action plans accordingly with the approval of the Gram Sabha. The roles of the Gram Panchayat have increased many fold vis-à-vis the quantum of resources meant for the development activities being handled by them. The panchayat chiefly consists of representatives elected by the people of the village. Only the person who is registered as voters and does not hold any office of profit under the government are eligible for election to the panchayat. There is also provision for the co-option of two women and one member of the scheduled castes and scheduled tribes if they do not get adequate representation in the normal course. The Panchayat as a body is accountable to the general body of the village known as Gram Sabha which meets at least twice a year. The gram panchayat must present its budget, accounts of the previous year, and annual administrative report before the Gram Sabha. Furthermore, it has to secure the latter's approval of the village production plan, proposals for taxation, and development programme before they are enforced by the Panchayat.

Every panchayat elects a President or Sarpanch and a Vice-President or Up-Sarpanch. In some states, the Sarpanch is directly elected by the gram sabha, either through the show of hands or through secret ballot while in other states the mode of election is indirect. The Sarpanch occupies a pivotal position in the gram panchayat system. He supervises and coordinates the various activities of the panchayat. The panchayat secretary and village level worker are the two officers at the panchayat level to assist the Sarpanch in administration.

A gram panchayat fund has been created on the pattern of the consolidated fund of the state. All money received by the Gram Panchayat like contribution or grants made by the state government, union government, Zila Parishad and all sums received by the Panchayat in the form of taxes, rates, duties, fees, loans, fines and penalties, compensation, and income from panchayat property go into that fund. Village panchayats have been empowered to levy taxes or fees on subjects like houses and buildings, professions, trades, callings and employments, fees on the registration of the vehicles, fairs, and melas, sanitary arrangements, water tax, lighting tax, licenses fee on stall, etc.

Though the Gram Panchayats have come into existence and are also implementing developmental schemes, yet the participation of the people and the timely conduct of the Gram Sabha meeting are activities not up to the mark in actual practices in many states. Awareness among the rural masses and their participation in the meetings and activities may prove helpful in this regard.

15.10 PANCHAYAT (EXTENSION TO THE SCHEDULED AREAS ACT) 1996

The scheduled areas are exempted from the application of the 73rd Amendment, for which Parliament passed the Panchayat (Extension to the Scheduled Areas Act (PESA) Act in 1996. This act further provides the scope of amendment in the state law. The aim was to create a system and institutions of participatory democracy and local self-government in the scheduled area. Also, it marks a departure from the colonial laws of governance that pervades the administration of the people and natural resources promoting people-centric governance. Important provisions of the act are the following:

- a) A village shall ordinarily consist of habitat or a group of habitation or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with tradition and custom.
- b) Every village shall have Gram Sabha consisting of persons whose names are included in the electoral roll at the village level
- c) Every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, the cultural identity, community resources, and customary mode of dispute resolution.
- d) Every Gram Sabha shall approve the plans, programmes, and projects for the social development and economic development before such plan, programmes, and projects are taken up for implementation by the Panchayats at the village level.

Check Your Progress-II

Note: i) Write your answer in the space provided below.

ii) Check your answer by reading the text once again.

- 1) Discuss the salient features of the 73rd constitutional amendment.

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- 2) Examine the role of 'District Planning Committee' in rural development.

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- 3) Discuss the characteristic features of the Panchayat (Extension to the schedule areas Act) 1996.

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15.11 LET SUM UP

The structure and institution of local self-government exist in India from ancient times, however, the decentralization on the democratic line became possible only after the independence with the establishment of the Panchayati system and more importantly after the 73rd and 74th constitutional amendment. Likewise, rural developmental administration evolved over the years starting with the community development programme to PRI and District planning committee. An analysis has been made in this unit about the development approaches since the beginning of the five-year plans, role, and structure of the administration at a different level of governance and the changes that were brought out by the establishment of PRIs as a constitutional entity. The bureaucracy in India involved in the developmental administration at a different level since the launch of the community development programme has evolved and significant changes were made as different strategies for agricultural and rural development mooted from time to time.

15.12 KEY WORDS

Democratic Decentralization: It refers to the process of transferring power to popularly elected local governments. They have greater political authority to convene local elections or establish participatory processes, increased financial resources through transfers or greater tax authority and more administrative responsibilities.

Land reforms: It refers to government-initiated or government backed property redistribution, generally of agricultural land. It can, therefore, refer to transfer of ownership from more powerful to less powerful, such as, from a relatively small number of rich owners with extensive land-holdings to individual who work on the land.

15.13 SUGGESTED READING AND REFERENCES

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UNIT 26 PANCHAYATI RAJ (RURAL DEVELOPMENT)

Structure

- 26.0 Objectives
- 26.1 Introduction
- 26.2 Evolution and Growth of Panchayati Raj System in India
- 26.3 Structure and Functions of Panchayati Raj Institutions
- 26.4 Government Policy towards Panchayati Raj
 - 26.4.1 Problems in the Functioning of Panchayati Raj Institutions
 - 26.4.2 Efforts to Revitalise the Institutions
- 26.5 Recent Developments
- 26.6 Let Us Sum Up
- 26.7 Key Words
- 26.8 References and Further Readings
- 26.9 Answers to Check Your Progress Exercises

26.0 OBJECTIVES

After reading this unit you should be able to:

- throw light on the evolution and growth of panchayati raj system in India.
- discuss the government's policy towards Panchayati Raj Institutions, (PRIs)
- explain the need for revitalising PRIs and increasing democratic decentralisation.

26.1 INTRODUCTION

Panchayati Raj in India is a system of local self government under which the people in rural areas have taken on themselves the responsibilities for their socio-economic and cultural development. Basically, it is, an arrangement for popular participation in the administration of local affairs. Some type of local institution or the other have always been in existence in India. After Independence, our experience on village autonomy, stress on decentralisation, and adherence to socialist and Gandhian ideals led to the establishment of Panchayati Raj Institutions (PRIs). Since then efforts have been continuously made to revitalise PRIs and the governments have reiterated their stand on increased decentralisation from time to time. Yet the PRIs have been facing a lot of problems which need to be corrected at the earliest. This unit would try to focus on all these aspects and bring out the government's policies towards PRIs in order to strengthen them.

26.2 EVOLUTION OF PANCHAYATI RAJ SYSTEM IN INDIA

Some form of rural institutions or the other have been in existence in India since the ancient period. According to the Agamas and Jatakas, villages were classified according to the size and mode of habitation. The religious orders founded by Buddha and Mahavira observed highly democratic procedures in arriving at decisions. Kautilya's Arthshastra provides an exhaustive account of the system of village administration prevailing at that time. Manu has given a detailed account of local self-government institutions in his 'Manusmriti'. There are three aspects of the village administration of the ancient period which deserves mention. One is the community spirit which prevailed among the people. Another is the kind of public functionaries who were concerned with its administration and the third is the nature of public bodies through which the inhabitants participated in the management of its

affairs. This type of system continued to exist in the Mauryan and Gupta periods. The advent of Moghuls and the introduction of a more elaborate administrative machinery in the field of revenue led to a tighter control over village administration but the traditional village institutions were left untouched. During the British rule the disintegration of village communities had already begun. The introduction of zamindari and Ryotwari system dealt a death blow to the corporate life of villages. Several attempts were made later to revive the local bodies. The Royal Commission on Decentralisation made various recommendations in this direction. Under the 1919 (Dyarchy Act) local self-governments was made a transferred subject since the acceptance of Mont-Ford reforms (1935) there were a stream of legislations relating to village panchayats all over the country. Thus during the freedom movement establishment of self-governing institutions of the grassroots level formed a part of nationalist ideology. Mahatma Gandhi observed 'my idea of village swaraj is that it is a complete republic independent of its neighbours for its own vital wants and yet, interdependent for many others in which dependence is necessity.' Gandhi's idea had a pervading effect and this was reflected in the Constituent Assembly debates too. Though the draft of the Constitution did not make any reference to village as units of self government, there were many in the Assembly who felt that the villages should play an important role in economic and social development. After considerable debate and discussion, Article 40 was incorporated in the chapter on the Directive Principles of State Policy. This Article calls upon the state, 'to take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self governments'.

The adoption of planning as a strategy for development required securing cooperation of the people in rural areas to implement development programmes. The Community Development Programme was initiated in the country in October, 1952, Development blocks were established with limited staff and funds. The aim was coordinated development of the area with the help of an extension organisation consisting of technical specialists working under the leadership of Block Development Officer. At the grassroot level there were multipurpose workers. The finances were made available on the basis of matching contribution from the community. The intention was to use limited government funds to stimulate action for self help. Advisory committees were constituted for every block for advice on the allocation of funds for development programmes. To review the working of Community Development Programme, the Committee on Plan Projects constituted a team to study the programme and to report on the content and priorities of the programme to ensure greater efficiency in their execution. The Panchayati Raj in India, is broadly based upon the recommendations of this committee popularly known as Balwant Rai Mehta Committee named after its chairman.

The Committee which went into detail felt that the Community Development Programme could not make appreciable progress as the bodies neither had durable strength nor necessary leadership. They felt that these institutions should have representative character if they have to make any programme. The Committee believed that so long as we do not discover or created representative and democratic institutions and endow them with adequate powers and finance, it is difficult to evoke local interest and local initiative in the field of development. With this basic promise, the team made a large number of recommendations which formed the basis for the establishment of three tier structure of Panchayati Raj in the country. The team felt that the district was too large and the village too small to be a unit of planning and development. For development work, therefore, a new local body with the territorial jurisdiction larger than the village and smaller than the district should be created, if opted in favour of a block, in preference to district. The experience of community development influenced the team to favour the block. The block offered an area 'large enough for functions which the village panchayats would not perform and yet small enough to attract the interest and service of the residents'. If recommended establishment of statutory bodies called panchayats samitis for each block. Below the samiti, a village panchayat at the village and above the samiti, a zila parishad for each district was recommended. The team felt that the village panchayat should be constituted with directly elected representatives whereas, samitis and zila parishads should be constituted with indirectly elected members. If it is accepted in principle that the executive and deliberative functions should be

separated. In its view, samiti should be responsible for developmental functions and zila parishad for coordination and supervisory functions. It recommended a three tier It made several recommendations about the constitution, internal organisation, functions, financiers, staffing pattern as well as the arrangements for control over these institutions.

Most of the state government accepted the recommendations of the Balwant Rai Mehta Committee and PRIs were established. Andhra Pradesh and Rajasthan were the first to establish them in the country. The structure of Panchayati Raj that emerged in the states is substantially in tune with Balwant Rai Mehta team recommendations, though there are differences from state to state. The Government of Maharashtra, however, appointed a separate committee with V.P. Naik as Chairman. Based on the recommendations of the Naik Committee a three-tier structure of Panchayati Raj was established in Maharashtra and Gujarat. In these two states, district instead of block, was considered a suitable unit for development. Therefore districts were established as units of planning and development and samitis were to function as the extended arms of zila parishad to implement rural development programme. However village continued to be the basic unit of Panchayati Raj.

In the country, thus two distinct patterns of Panchayati Raj have emerged. The first was the Andhra-Rajasthan pattern where block was the unit of planning and development. The second pattern is called Maharashtra pattern—in this the district is the unit of planning and development. Between these two patterns, variation in the structure of PRIs in different states exists regarding their constitution, powers, functions and size.

In the mid-sixties, PRIs started facing various problems, as a form of local government, it fell out of favour everywhere. There were various factors for their limited success. The new national and state level political leadership which emerged around 1966 had much thinner links with the ideals of Gandhi and thus much weaker commitment to panchayati raj. Another reason was the mounting food shortage of this period which led to a reshuffling of priorities in the community development programme. More emphasis came to be laid on agriculture and on centralisation during this period, relegating the PRIs to a lower status. Backed by the new technology, the central government launched various rural development programmes, as a result independent administrative hierarchies were created at the local levels. Several commissions and committees for reviewing and recommending reforms to strengthen Panchayati Raj were appointed. The committee of Panchayati Raj appointed by the central government under the chairmanship of Shri Ashoka Mehta in 1978, is very important as it reviewed the system in different states and recommended a different structure of Panchyati Raj.

The most significant recommendation of the committee is for the creation of a two-tiered system of Panchyati Raj. It regards the revenue district as the first point of decentralisation below the state level. Zila Parishad was envisaged as the executive body. According to the committee, model panchayats would alone be able to ensure imbalance between technological requirements and possibilities of popular participation in decision making. As regards taxation, the committee wanted the PRIs to have 'compulsory powers of taxation' to mobilise necessary resources. A remarkable feature of the Committee is its recommendation favouring 'open participation' of political parties in panchayati raj affairs. It also made an interesting recommendation regarding the creation of monitoring fora to safeguard and promote the interests of the vulnerable social and economic groups in the villages. It suggested a regular social audit by a district level agency as well as by committee of legislators to check whether funds allocated for these groups were actually spent on them. The committee treated rural development as a part of the urban-rural continuum and therefore argued for the provisions of urban amenities. Thus the committee enunciated what it called a 'new approach' towards panchayati raj. This was 'the formulation of structure, functions and the utilisation of financial, administrative and human resources of PRIs should be determined on the emerging functional necessity of management of rural development.'

Despite these efforts the state government have not been very equitable in their

relationship with the PRIs. The financial relationship developed between them have been meagre and measly. Elections to these bodies have been repeatedly postponed. Suppression of local bodies has become a common phenomenon. The state governments have not so far shown much enthusiasm for PRIs. Moreover the centre also has been reluctant to share the power with the local levels. To understand the present and future policy of government towards PRIs, it is essential that we are aware of the problems in their functioning and the kind of efforts needed to solve them but first we will throw light on the structure and functions of PRIs.

26.3 STRUCTURE AND FUNCTIONS OF PANCHAYATI RAJ INSTITUTIONS

The Panchayati Raj system in India was initiated in India to provide opportunities for the emergence of democratic leadership and growth of democratic decentralisation, to realise the values of participatory democracy, to serve as an instrument for rural development and modernisation and to bring the decision-making authorities nearer to people.

To achieve these objectives, as we have already discussed, the Balwant Rai Mehta Committee recommended a three-tier structure of Panchayati Raj, while in 1977 the Ashoka Mehta Committee came up with the suggestion of establishing a two-tier structure of PRIs. Since Independence, we find that there has not been any uniformity in the structure and functions of PRIs taking into account the need for local adjustments. The tally of three and two-tier system is as follows :

Three-tier : Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Rajasthan, Tamil Nadu, Punjab, Uttar Pradesh and West Bengal.

Two-tier : Assam, Haryana, Karnataka, Madhya Pradesh, Orissa

In some states Zila Parishad is very strong and overshadows the panchayat samiti, in some states zila parishad has only advisory functions.

The broad structure of PRIs could be a three-tier structure with zila parishad at the district level, panchayat samiti at the block level and gram panchayat or the village panchayat at the village level. In some states, nyaya panchayats or judicial panchayats exist to provide quick and independent justice to villagers with regard to small and less intense crimes, their term and jurisdiction varies from state to state. Some states have gram sabha, it can be a statutory or non-statutory body. The broad structure of PRIs will become clear from the chart given below.

As far as the functions of PRIs are concerned, they vary from state to state depending on the nature of structure adopted and local variations and requirements. A broad list of functions can still be given. The Gram sabha comprises the votes of the village, it considers the annual report and budget of the gram panchayat and programme of work for the ensuing year. The gram panchayat looks into activities relating to sanitation, water supply, construction, maintenance of roads, bridges, drains, establishment and maintenance of hospitals, promotion of agriculture, cottage industries, provision of schools, libraries, preparation of village plans etc. The panchayat samiti deals with planning and execution of development programmes concerning agriculture, animal husbandry, irrigation, education, health, sanitation, inter-village communication and social welfare. It also performs the functions assigned by the zila parishad and state government. It coordinates and supervises the functioning of gram panchayats.

The zila parishad in states where it has only advisory functions, advise government on development scheme, classify markets, roads etc., advises, supervises and coordinates functions of samitis, approve samiti budgets, advises government on development activities and performs such other functions as government may entrust. In some states it deals with distribution of grants among samiti. In states where it is more powerful and is entrusted with executive functions, it deals with activities related to maintenance of schools, provision of grants, distribution of fertilisers, preparation of district plans, construction of roads, maintenance and management of

hospitals, water supply, rural broadcasting, rural housing, upliftment of backward classes etc.

Thus we see that there is lot of overlapping in functions of the institutions at local level. This has worsened due to the inception of various anti-poverty programmes which have created new hierarchies at these levels. This is just one of the list of increasing problems of PRIs, we will now focus our attention on them.

Check Your Progress 1

Note: i) Use the space given below for your answers.

ii) Check your answers with those given at the end of the unit.

- 1) Throw light on the recommendation of Ashoka Mehta Committee on Panchayati Raj.

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- 2) Discuss the structure and functions of PRIs.

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26.4 GOVERNMENT'S POLICY TOWARDS PANCHAYATI RAJ

26.4.1 Problems in the Functioning of PRIs

There are a number of problems faced by the Panchayati Raj Institutions. We will now discuss them briefly.

i) Conceptual Confusion

It is said that basically there is lack of clarity regarding the concept of Panchayati Raj and about the objectives for which the institutions have been established. Over the years the concept has undergone some changes. Let us analyse the problem in some detail. In the first instance, the concept of Panchayati Raj is very narrow as it was not viewed as an institutional framework which could play an important role in the overall development of rural masses. The present concept does not envisage even a single unit of PRIs as an instrument of planning as well as implementation agency of different rural development programmes. There are many agencies in the rural scene that are engaged in development activities, there is no clarity about the role that PRIs should play. PRIs are still dominated by the people belonging to higher castes. That is why the benefits do not reach the needy ones. Finally there is no clear trend emerging in regard to the concept of power. There is a strong feeling that decentralisation of power and authority exists at the district level and down the lines. But at the same time, a number of central schemes and agencies, both in number and size have been emerging. These agencies are independent of PRIs leading to increasing conflict in their working. This trend has to be checked.

ii) Structures

While establishing PRIs, no uniform pattern is adopted for creating units and identifying the unit of planning and development. This may not be a cause for failure but structures that have been adopted by various state governments are just not capable of performing the role that is expected of them. The distribution of functions

and power a) among the PRIs b) between PRIs and state government and c) between PRIs and Central government have not been made on the basis of any sound principle. There is a great deal of confusion, overlapping and sometimes duplication in the function. The expertise available to the PRIs is very limited particularly in the field of planning, implementation or monitoring of various developmental schemes. Planning at the grassroot level remains on paper while there is a strong tendency towards centralisation in the country.

iii) Financial Resources

The most important problem faced by the PRIs is regarding finances. It is needless to mention that the quality and variety of activities which the PRIs are expected to perform will depend mostly on the resources at their command. The resource base depend on the local economy and partly upon the allocations made by the state and central governments. As things stand today, the local economy is very weak. It means, the PRIs have a very limited scope to improve their jurisdiction. In India, there is centralisation of revenue resources which is a bone of contention between the centre and states. Similarly the financial system in state is also of the same nature. The PRIs have to look towards the higher authorities for necessary grant. There is thus a real danger of imbalance between resources and responsibilities, more and more functions are being transferred to the PRIs. The centre or the states are not coming forward with the same vigour for transferring resources proportionately. Thus most of these bodies have to function in an atmosphere of lack of resources. The states have an agency through which they get their statutory share in revenues which they get as a matter of right. The PRIs on the other hand, do not get any share from the state shares, whatever amounts they receive from the state are largely discretionary in nature.

Socio-economic and Political Conditions

The existing socio-economic structure of the Indian society is a major factor which is responsible for the limited success of PRIs. It is proved beyond doubt that the elected members at all the levels of PRIs and the office bearers are normally from the rich dominant sections of the rural society. They have vested interests in preserving the existing system and would not do anything that would strengthen the position of the downtrodden in their areas. Thus the leadership of the PRIs does not let the benefits flow to the weaker sections of rural areas. Although reservations of seats at the different levels have been made in some states but the reservation concept has not been effectively adopted. It means there is no possibility of mass participation of the poor in the developmental process in our hierarchically stratified society where the weaker sections are almost completely unorganised. The concept of participation of people in the process of democratic decentralisation is highly difficult under such conditions. The instances of the poor participating in developmental activities are very few.

Position of Civil Service

An efficient, adequate, responsive and committed administration is the essential condition of success of Panchayati Raj. The functions of these bodies are too many and too complex. There is a need for expert technical personnel, proper orientation and commitment in the civil service. The aspirations of the citizens in the rural areas are getting stirred. There is a demand for improvement in the services. We find a different and a difficult situation as far as civil services in India is concerned. The bureaucracy is getting alienated. Several programmes have been introduced without involving PRIs in them. These programmes have become close preserves of bureaucracy, undermining and frustrating the PRIs as units of representative bodies and local self-government. As we know the head of the district council is an officer from All India Service i.e., IAS, who is assisted by other officers belonging to the state cadre. A number of studies have pointed out the strained relationship between the bureaucracy and the elected members of PRIs. It is seen that there is an atmosphere of mutual suspicion instead of mutual faith. The bureaucracy feels that the grassroots political executives try to strengthen their vested interests by breaking rules and regulations, while the members of the PRIs dislike the superior status of the civil servants. It is also pointed out that the officials are always loyal to their respective state departments and do not cooperate with elected members. In the first

instance, the ambiguity about the place of administration makes the official and staff feel that they are primarily responsible to the state government and not to the local elected members. Secondly, the plans and programmes implemented by the administration come from above. The intervention of PRIs is not taken very kindly by the civil servants.

Lack of Political Support

The elite and the so called higher levels generally do not provide political support to strengthen the democratic process at the grassroots levels. The members of parliament and state legislatures live in constant fear of Panchayati Raj domination, they are apprehensive about the emergence of Panchayati Raj leadership. Therefore, every effort is made by the state and central leadership to weaken the powers and functions of the grassroots leaders.

State Control and Supervision

Since the Panchayati Raj Institutions fall under the state subject and are created by the state there exists a superior-inferior relationship between the state and PRIs. The state governments always tend to exhibit a high degree of paternalism. There is on the one hand a commitment for decentralisation of power and on the other, there is suspicion and fear that such power would be misused by local bodies. As a result, a number of checks have been envisaged by the states in the statutes themselves. The control exercised by the state over PRIs is of a comprehensive character. There is practically no subject relating to PRIs over which the state cannot exercise powers of control. With the result, several states discovered a number of problems, real or imaginary, like structural weaknesses, organisational shortcomings, functional deficiencies, inept performance, lack of adequate resources etc. As an ad hoc measure the PRIs have been either suspended or superseded and quite often elections were deferred after the expiry of the term. On a number of occasions, an inconvenient office bearer is either suspended or dismissed by the state government under some pretext or the other. Thus several shortcomings have been highlighted and listed out by the states. It has become a regular feature in all the states and it needs corrective measure.

Absence of Statutory Provision

The success or failure of an institution depends mostly on the status, on the basis of which an organisation is established. According to Article 40 of the Constitution, "The state shall take steps to organise village panchayats...". Since it is included in the Directive Principles of State Policy (Chapter IV) it is not mandatory. It means the states may or may not constitute the PRIs. Similarly, in a number of states, elections have not been held regularly. The superseded bodies have not been revived and they were kept under the charge of special officers drawn from the civil service. Thus, the PRIs have been undermined with several constraints, particularly the constitutional constraints.

A lot needs to be done to tackle these problems. Our policy relating to PRIs should focus on identifying and rectifying these problems. Some efforts are being made and more need to be made to correct the lapses, let us have a look at them.

26.4.2 Efforts to Revitalise PRIs

It would be wrong to conclude that the PRIs have failed completely and that they have no future. It is a well established fact that there is no substitute for democratic decentralisation. As a matter of fact the PRIs have not been given a chance to serve as a vanguard of development in the rural areas of our country. With necessary corrective, the basic objectives could be achieved without much of a difficulty. Lot of steps have already been taken to revitalise PRIs. We will now discuss the measures that would be or have been adopted to strengthen the PRIs.

Conceptual Clarity

The first important aspect that needs immediate attention is that of evolving a comprehensive concept of Panchayati Raj. Its goals and functions have to be clearly defined. Firstly, the PRIs should be treated as the basic units of self-government. It implies that there is a need for decentralisation of administrative and political power. This would encourage self governance and mass participation in its working. Secondly, the PRIs have to contribute towards strengthening of the planning process.

at the micro level as well as overall development. Finally the members of the weaker sections should be given a chance to reach the highest level of decision-making bodies.

Protection of the Poor

In addition to conceptual clarity, it is necessary to strengthen the condition of the poor to protect them from the rural rich and their dominance of the benefits of the PRIs have to reach the poor and if the poor are to be associated with the PRIs, it is necessary to strengthen their position by adopting certain measures. It is necessary to identify the areas of dependence of the poor and find measure to stop exploitation, streamlining the public distribution system, social security measures, employment guarantee schemes, organisation of the rural poor are some of the measures which could be mentioned in this context. In addition, redistribution of assets in favour of the poor by implementing land reform laws and creation of assets for the poor could be another set of measures which would go a long way in preventing dependency of the poor on the rural rich.

Awareness among Panchayati Raj Functionaries

It is generally realised that the Panchayati Raj functionaries do not have sufficient knowledge about their new role. They are ignorant of several aspects of Panchayati Raj system. It is, therefore, necessary to provide an opportunity to them to know about the Panchayati Raj Acts, the objectives and role of PRIs, the rural situation, possible areas of growth and minimum spills of planning for overall development of their respective areas. It is necessary to train them so that they could perform their functions effectively. This would also help them to minimise the citizen's apathy towards the PRIs activities.

Financial Support

There is a need for sound financial base for PRIs. The establishment of a Panchayati Raj Finance Corporation could be the first step. Enlarged tax jurisdiction, sharing of revenues from selected state taxes and grants are the other possible alternatives to achieve the long-term objective. However, there is a growing demand for an institutional arrangement through which the distribution of the finances among the PRIs have to be made without further delay. A rational redistribution is necessary. As per the 1985 Act, the state government in Karnataka has to organise a state finance commission to work out the distribution of finances between the state and the PRIs. This step would go a long way in solving the financial problems of the PRIs. Along with this, the PRIs should also keep tapping its own resource base.

Integrated Administrative Structures

There is need for remodelling the administrative organisation of PRIs. It is necessary that all the officials whose functions have been shifted to PRIs have to be placed under the respective institutions. It calls for a separate service called Panchayati Raj Service. The PRIs should be provided with necessary administrative help which has a primary loyalty towards them. The concept of specialisation should be introduced so that the technical needs of PRIs could be met without any problem. Appropriate measures should be taken to protect the civil servants from undesirable political pulls and pressures. An integrated administrative structures, thus becomes very essential.

Provision for Constitutional Status

It is observed that the states are not very keen to organise PRIs as they are not prepared to share power with so called lower local bodies. In fact, some critics pointed out that some state governments have grabbed the power back from PRIs gradually. Several committees and commission, appointed by the state governments from time to time highlighted the deficiencies in the functioning of PRIs. It is also felt that the PRIs in the coming years should be well equipped to manage democratic setup under the changing conditions in all spheres of rural life. Realising the need to restructure and revitalise these bodies the government came forward with a proposal to amend the constitution. We will study about this bill in our next section.

26.5 RECENT DEVELOPMENTS

decentralisation. PRIs have to be empowered with more resources and autonomy. The 64th Amendment Bill is a positive step in this direction. The Bill proposes, inter alia to:

- a) make it obligatory for all states to establish a three-tier system of panchayats at the village, intermediate panchayats and district levels; however, states having a population of less than 20 lakhs would not be obliged to establish panchayat at the intermediate level;
- b) provide for all seats in panchayats at all levels to be filled by direct election; however the state legislatures may provide for the representation in panchayats without voting rights of members of the House of People and the legislative assembly, and chairpersons of panchayats vote the immediately lower level;
- c) provide for reservation to ensure the due representation in the panchayats of the scheduled castes, the scheduled tribes and women;
- d) ensure a fixed tenure of five years for the panchayats. However, if a panchayat is dissolved before the expiry of its term provision is made for the conduct of elections within a period of six months of the dissolution to reconstitute the panchayat for the remainder of the term;
- e) provide for dissolution by the state legislature of powers and responsibilities upon the panchayats with respect to the preparation of plans for economic development and social justice and for the implementation of development schemes;
- f) provide for the sound finance of the panchayats by securing authorisation from state legislature for grants-in-aid to the panchayats from the Consolidated Fund of the State as also assignment to or appropriation by the panchayats of the revenues of designated taxes, duties, tolls and fees;
- g) provide for the constitution of Finance Commissions in the states every five years to review the finances of panchayats and recommend principles on the basis of which state legislature may determine the taxes to be appropriated by, or assigned to the panchayats, as also grants-in-aid to the panchayats from the Consolidated Fund of the State.
- h) vest in Election Commission the superintendence, direction and control of elections to the panchayats at all the three levels; and
- i) empower the Comptroller and Auditor General of India to cause the accounts of the panchayats audited in such a manner as he may deem fit.

Thus this bill proposed to ensure adequate powers and resources to panchayats, and streamline the three-tier structure, the election procedure, tenure fixation, audit system and participation of PRIs in development schemes. The then ruling party hailed the bill as a revolutionary act to enshrine 'democracy at the grassroots in the constitution to strengthen the foundation of Indian democracy, and to give power to the people and thus free grassroots democracy of the vice-like grip of the powerbrokers, the middlemen and the vested interests.

The bill raised a lot of controversy, to many observers, the bill was nothing but an election gimmick. The so-called constitutional protection of PRIs came to be revived as a subterfuge for establishing an authoritarian system. It was pointed out that the slogan of "all power to the people" would be meaningless unless there is an appropriate distribution of powers at various levels. Unless there is adequate devolution of power to the states and political stability at the state level, the instability syndrome will get transmitted to the PRIs as well. It has also been argued that the proposed measure would do further damage to the already damaged Indian federal policy by the virtual central take over of panchayati raj. The Bill has taken Panchayati Raj out of the state list and put it in the concurrent list so as to allow the union government to pass legislation in this area. The provision of holding panchayat elections under the supervision of the chief election commissioner, and not under state government, once again gives more powers to the Union government. The provision of providing finances to panchayats through the finance commission and not through state government also reduces the power of the states. The power of

dismissing panchayats will not vest with the governors, which also would increase central control over panchayat bodies. Finally, the provisions like 30 per cent representations to SC/ST, women, etc., which are decided at the centre without consulting state governments is another encroachment on the powers of state governments. Thus the bill to a great extent empowers most powers to the centre.

Besides this, there have been other developments. Karnataka ushered in a new era of democratic decentralisation with the establishment of Zilla Parishads (ZPs) and Mandal Panchayats (MPs) in 1987. These institutions came into existence as per the Karnataka Zila Parishad, Taluk Panchayat Samiti and Mandal Panchayat, and Nyaya Panchayat Act of 1983. The official machinery is headed by the Chief Secretary who is an officer drawn from IAS cadre, and invariably senior in the rank to the Deputy Commissioner of the district. The ZP has a planning cell headed by Chief Planning Officer. The ZP maintains a cadre for manning the ZP and MPs. It formulates district plan, frames and approves its budget and approves the budget of MPs. The government provides grant to ZP which will be shared among the ZP and MPs. This grant is intended to enable these institutions to take up development activities of their choice. The Act provides for constitution of a Finance Commission once in five years to determine the principles on which the resources are to be shared between state government and PRIs. Likewise, Kerala initiated a scheme of decentralisation in administration and planning in 1990 under the Kerala State District Administration Act, 1989. District Council, an elected body with membership ranging from 20 to 40 at the rate of one member for every 50,000 population, was established for each of the Districts. The members of the Council elect a President and Vice-President amongst them. Government have endowed these Councils with substantial powers by transferring several functions of the state government. The District Collector is the ex-officio Secretary of the Council. A Finance Commission has been appointed to go into the problem of income and expenditure in respect of Councils and make recommendations to the government regarding the pattern of assistance to District Council and the principles which should govern the grants-in-aid.

A notable development in 1991 was the introduction of two Constitution Amendment Bills (Seventy second and Seventy third) in Lok Sabha on 16th September, 1991. These bills are aimed at revitalising the PRIs and urban local bodies in the country. The Seventy Second Amendment Bill proposed to add a new part relating to panchayat in the Constitution to provide for among other things, gram sabha for a village or group of villages, constitution of panchayat samiti at intermediate level, direct election to all seats in the panchayat and reservation of seats for SCs and STs.

Certain salient features of the Bill are:

- i) a fixed tenure of five years for panchayats and holding elections within six months in the event of supersession of any panchayat;
- ii) disqualifications for membership of panchayats;
- iii) devolution by the state legislature of powers and responsibilities upon the panchayats with respect to the preparation of plans for economic development and social justice and for the implementation of development schemes;
- iv) sound finance of the panchayats by securing authorisation from state legislatures for grants-in-aid to the panchayats from the Consolidated Fund of the State, as also assignment to or appropriation by the panchayats of the revenues of designated taxes, duties, tolls and fees;
- v) setting up of Finance Commission within one year of the proposed amendment and thereafter every five years to review the financial position of panchayats;
- vi) auditing the accounts of Panchayats;
- vii) state legislatures to make provision with respect to elections to panchayats under the superintendence, direction and control to the chief electoral officer of the state; and
- viii) continuance of the existing laws and panchayats until one year from the

commencement of the proposed amendment and barring interference by courts in electoral matters relating to panchayats.

Besides these, in 1985, the G.V.K. Rao Committee was set up to suggest ways for revamping local government. The L.M. Singhvi Committee recommended a constitutional status to the PRIs in 1986. However, the Sarkaria Commission on Centre-State Relations (1988) has not forwarded it.

Thus, though a lot of attempts have been made in the direction of democratic decentralisation, the results have not been very satisfactory. Actually, it has to be kept in mind that all these efforts will remain on paper if adequate steps to implement them are not made. A review of experience of decentralisation in developing countries made by the World Bank reveals four main factors which affect the success or failure of decentralisation policies. These are:

- i) The degree to which central political leaders and bureaucracies support decentralisation and the organisation to which responsibilities are transferred.
- ii) The degree to which the dominant behaviour, attitude and culture are conducive to decentralised decision making and administration.
- iii) The degree to which policies and programmes are appropriately designed and organised to promote decentralised decision making and management.
- iv) The degree to which adequate financial, human and physical resources are made available to the organisation to which responsibilities are transferred.

In India, we have noticed that lack of proper leadership, people's participation, finances, adequate rules, skilled personnel, degree of decentralisation have marred the success of PRIs and sincere efforts need to be put into if positive results have to be achieved.

Check Your Progress 2

Note: i) Use the space given below for your answers.
ii) Check your answers with those given at the end of the Unit.

- 1) Throw light on any three problems of PRIs.
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- 2) Briefly point out the major steps needed to revitalise the PRIs.
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- 3) What are the major recommendations of 64th Amendment Bill.
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26.6 LET US SUM UP

This unit has given us an idea about the growth of Panchayati Raj system in India. Though many efforts have been made to revitalise the Panchayati Raj Institutions (PRIs) in the form of amendments to the Constitution, due to lack of necessary political will and people's participation, these just remain on paper. The PRIs confront various problems and a lot needs to be done to rectify the situation. The unit has discussed the different problems and the efforts required to solve them. It has also briefly highlighted the broad structure and functions of the PRIs.

26.7 KEY WORDS

Directive Principles of State Policy: Part IV of the Constitution consists of these principles which are certain ideals, particularly economic, that the state should strive for. These are obligations of the State towards the citizens. Though these principles are not enforceable by the courts, the State is expected to apply them while making laws.

The Government of India Act (1919): This Act is also known as Montague-Chelmsford Reform. Under these reforms, there was to be a gradual transfer of authority into Indian hands, for this a system of dyarchy was established. Under it, ministers responsible to the legislature held charge of such subjects as were transferred to popular control while the governor and his councillors were to be in charge of 'reserved' subjects. The transferred subjects included local self-government, medical administration and education etc. The Act laid the foundation of the provincial autonomy which came to be achieved in full in 1935.

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26.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

1) Your answer should include the following points:

- creation of a two-tiered system of panchayati raj.
- introduction of mandal panchayat.
- compulsory powers of taxation.
- a regular social audit system.
- the Committee treated rural development as a part of urban-rural continuum.
- creation of monitoring forums.

- 2) Your answer should include the following points:
- Broad structure of PRIs is a three-tier structure with zila parishad at the district level, panchayat samiti at the block level and village panchayat at the village level.
 - some states have gram sabha and nyaya panchayats.
 - the gram panchayat caters to the activities regarding sanitation, soil conservation, water supply, construction, maintenance of roads, hospitals etc.
 - the panchayat samiti handles the planning and execution of developmental programmes regarding agriculture, animal husbandry, irrigation, health etc.
 - the panchayat samiti also supervises the functioning of gram panchayats.
 - the zila parishads, in states where it has only advisory role, supervises the work of the samiti and advises the government on development activities.
 - in states where it is entrusted with executive powers, it prepares district plan, maintains roads, hospitals etc. in addition to its functions of advancing the government, approving the budget of the samities and supervising their work.

Check Your Progress 2

- 1) Your answer should include any of the following points:
- conceptual confusion
 - no uniformity in panchayati raj structures
 - lack of financial resources
 - conflict between the bureaucracy and heads of the PRIs
 - domination of high and rich castes in PRIs.
 - lack of political support
 - absence of Statutory provisions.
- 2) Your answer should include the following points:
- need for conceptual clarity
 - awareness among panchayati raj functionaries
 - protection of the poor
 - provision for constitutional status
 - allotment of adequate financial resources
 - introduction of panchayati raj service.
- 3) Your answer should include the following points:
- the Bill made it obligatory for all states to establish a three-tier structure of panchayats
 - direct elections to panchayats at all levels
 - it provided for reservation to ensure the due representation of SCs and STs and women
 - ensured a fixed tenure of five years for the panchayats
 - it provided for more powers and responsibilities to panchayats with respect to preparation of plans for economic development
 - provided for constitution of Finance Commission in the States every five years
 - Election Commission was given the powers to hold elections at all levels
 - the Comptroller and Auditor General was entrusted with the task of auditing panchayati accounts.

UNIT 9 PANCHAYATI RAJ AND GRASS ROOT DEMOCRACY

Structure

- 9.0 Introduction
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 - 9.2.2 Panchayati Raj System during Medieval Period
 - 9.2.3 Panchayati Raj System during British Period
- 9.3 Panchayati Raj System After Independence
- 9.4 Panchayati Raj System After 73rd Amendment
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9.0 INTRODUCTION

Local government in India falls mainly under two categories: rural self government and urban self government. Local government in rural areas is enabled by the Panchayat system of governance involving Panchayati Raj Institutions (PRIs). There are about 3 million elected representatives in Panchayati Raj Institutions (PRIs), about one third of them women, and there are more than 640,000 village panchayats, about 6000 intermediate bodies and 500 district level bodies. Panchayats cover about 99.6% of India's rural population. The powers and functions of PRIs vary from state to state. The Panchayat system exists in all states except Nagaland, Meghalaya and Mizoram. Panchayat system is provided for all states having a population more than 2 million. Function of the panchayat include, planning and implementation of schemes for economic development and social justice relating to the 29 subjects in the indicative list.

Decentralisation has been major instrument for the extension of the democratic process at the grass root level and to involve the local communities in decision making in matters concerning their basic civic and other needs. Right from the beginning in 19th century, the local-self government institutions (panchayats and municipalities) in rural and urban areas have remained the main instruments of democratic decentralisation in India. The panchayat in rural India and municipalities in urban India are defined in the constitution as institutions of local-self government. The popular saying of ‘panch-pardhan’ from the ancient times connotes that the panchayat had deep roots in the Indian culture. After the 73rd Amendment to the Indian Constitution, Panchayate Raj system has come to occupy a pivotal place in the Indian democratic system. With this landmark amendment, the local governments have become the third-tier in federal system after the union and the states. However even after more than a decade of passing of the historic constitutional amendment, of 1992, the local governments have not been made effective in many states. Their function varies from state to state and in many states, devolution of functions, functionaries and funds to the local government has not taken place as envisaged in Part-IX and IXA of the Constitution. On the other hand, considerable progress has been made in the member states of European Union in effective decentralization of powers and functions to the communities at the local level. In fact, unlike in India there are no separate local level institutions are regional and area based, covering both urban and rural communities.

9.1 LEARNING OUTCOMES

After reading this unit you will be able to:

- Explain the historical background of local self government in India;
- Describe the evolution of Panchayati Raj in India;
- Explain the three tier Panchayat Raj Institutions and Urban Local Bodies; and
- Describe the essence of landmark 73rd and 74th Constitutional Amendment.

9.2 HISTORICAL BACKGROUND

9.2.1 Panchayats in Ancient Times

The panchayats in India have a long history, before earning a covered place in the Indian Constitution. The significance of the system had been chronicled during different periods of Indian history. It is not a flight of fancy, but the truth is that, ancient Indian history has provided evidence of the existence of village panchayats comprising five informally elected elderly members to settle dispute in the village. A reference to an organised system of rural local self-government (panchayat) has been found in ancient Vedic literature. Rig Veda has mentioned about ‘Gramini’, the village head employed by the king for civil and military purposes; while Atharva Veda envisaged the institution of ‘sabha’, ‘samiti’ babhapati and ‘sabkasad’ primarily performing judicial functions. A mention of village institutions had been made in the great epics, the Ramyana and the Mahabharat, where the gramini was responsible for collecting statue dues, keeping village records, settling disputes and controlling crime. Kautaliya’s Artha Shastra gives a comprehensive account of the system of village administration prevailing in ancient India. Besides, evidence of the village panchayats is also discerned in the Maurya and Chola dynasties and during the golden era of the Gupta period.

9.2.2 Panchayati Raj System during Medieval Period

With the coming of the Muslim rule in India, local institutions received a setback, as they did not enjoy the same autonomy and prestige, as under the Hindu kings. Mughal government was highly centralised, and the crown was the decision maker for the entire administrative machinery. Where ever the government is absolute, the supreme authority concentrated in one man's hand, the means of communications between the districts becomes slow and difficult, transfer of local officers becomes frequent and no political life or local initiative is left to the people. The muslim rulers recognised local chiefs and zamindars as the repositories of local authority, to the exclusion of the people. "The villages and towns of the Mughal Empire enjoyed parochial self-government rather than local autonomy. The office of Kotwal was developed as the keystone of the municipal.

While the Mughlas did not initiate any positive measures of encouragement to local institutions, wherever such institutions existed, they worked in co-operation with that: official machinery of the rules and in certain respects became a part of it. Between the breakdown of the Mughal Empire and the coming of the British, there was complete anarchy and military despotism in most parts of the country. During this intervening period the tier of social framework were loosened, and in many places, local institutions had been perverted or sapped, before the British officials had an opportunity to assess their value. The medieval period was comparatively an uneventful period in the history of panchayat system in India. The system was largely ineffective during Mughal rule, except during Akbar's reign, it appears that no other Mughal ruler assigned importance to the panchayats.

9.2.3 Panchayati Raj System during British Period

In the same vein, during the initial years of British rule, the autonomy of the panchayats gradually got diluted with the establishment of local civil courts, criminal courts, revenue and police administration. However the British rulers were well cognizant of the role played by self governing communities at the village level. Sir Charles Metcalfe, a British Governor in India during 1852 called panchayat as 'the little republic, but with some reservation because a caste ridden feudal system with power concentrated in the hands of a few landlords would be inconsistent with the sole mission of decentralisation. This is amply reflected in the East Indian Company Resolution of 1865 which said:"The people of this country are perfectly capable of administering their local affairs. The municipal feeling is deeply mooted in them. The village communities are the most abiding of Indian institutions. They maintained the framework of society while successive swarms of invaders swept over the country."

The initiative taken by the Viceroy, Lord Mayo, in 1870 although it was a resolution for decentralisation of power was aimed at improving administrative efficiency. In 1882 Lord Ripon resolved in favour of imparting political education to the people in general and rural people in particular. The Royal Commission on Decentralisation in 1907 recognised the importance of the panchayats at the village level, and recommended association of the people with the task of local administration. A few subsequent initiatives focused on decentralisation during British Raj are Montague Chelmsford Act, 1919; the Simon Commission report 1925 and Government of India Act, 1935. With these initiatives, by 1925 eight provinces had passed panchayat Acts and by 1926 six Indian princely states also

passed panchayat laws. By 1948, 20 other native states had village panchayat Acts.

When India was colonised, there occurred a sharp break from the tradition. The state system, after the advent of the British emerged as a highly centralised set up. Local institutions during the British period were more a creation of the government from whom they derived their autonomy rather than a process of spontaneous growth. No attempts were made to build up the system on indigenous foundations, although a good deal of indigenous taxation was retained in local finance. “The *chungi* of the muslim rulers, the *Sikh dharat*, and the *rnuhtarafa* of Maratha towns have a descendant in today’s systems. But from the structure and procedure of earlier local institutions, almost nothing has been incorporated into modern local government “The form adopted during the British rule was an admixture of the British and continental patterns. The history of local self-government in India under the British rule can be conveniently divided into four phases.” Local finance being a counterpart of local administration and its mainstay, has of course, been an expression of the purpose implicit in different phases of local government.” The first phase may be assumed to have ended in 1882, when Lord Ripon issued his well-known resolution on local self government.

The second phase covers developments from 1882 to 1919, when more powers were transferred from the centre to the provinces, and the recommendations of the Decentralisation Commission of 1907, besides discussing other matters, suggested some changes in local self-government. The third phase extended up to 1935, during which the Indian Taxation Enquiry Committee (1925) considered the problems of local taxation, along with central and provincial finances. The Simon Commission of 1930 reversed the process of decentralisation, by recommending strict control of the state over local bodies. The fourth phase covers developments up to 1947. During this phase, the struggle for independence was intensified and with the introduction of provincial autonomy in 1937, and coming into power of congress ministries in many provinces, local bodies, particularly village panchayats, received a great stimulus and there was democratisation of local bodies. But “local self-government became a mere annexe to the national political stadium, where the struggle for independence was moving towards its climax.” A rapid survey of local self-government and finances in India under the British rule reveals certain “well marked characteristics.” Independence opened a new chapter in socio-economic reforms, as embodied in the Directive Principles of State Policy, enunciated in the Constitution which established a federal system of public administration, provided universal adult franchise and the objective of welfare state. Article 40 of the Constitution lays down that the state would take steps to establish autonomous bodies in the form of village panchayats.

After reading this section, you will have gained an idea about the background of local self government in India. Now you should be able to answer the questions given in Check Your Progress I.

Check Your Progress 1

Note: 1) Use the space below for your answers.

2) Compare your answers with those given at the end of this Unit.

1. Describe the existence of panchayat during ancient period.

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2. Discuss the contribution of British rule to the panchayati system.

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9.3 PANCHAYATI RAJ SYSTEM AFTER INDEPENDENCE

After independence, the process of empowering panchayats gathered momentum. Mahatma Gandhi, the father of the nation, while emphasising on ‘Gram Swaraj (village autonomy) strongly advocated that; ‘Independence must begin at the bottom. Thus every village was expected to be a republic of panchayat having full power.’ The spirit and importance of panchayati raj system found place in Article 40 of the Directive Principles of State Policy of the Constitution of India, which says: “The state shall take steps to organise village panchayats and endow them with such powers and authority as may necessary to enable them to function as units of self-government”.

The first Prime Minister of India, Jawaharlal Nehru, considered panchayats as an important socio-economic and political institution at the village level. While inaugurating the panchayati raj in Rajasthan in 1959, he underlined the importance of people taking responsibilities: “To uplift millions of villages is not an ordinary task; the reason for the slow progress is our dependence on official machinery. An officer is probably necessary because he is an expert. But this can be done only if the people take up the responsibility in their own hands. The people are not merely to be consulted, but effective power has to be entrusted to them”.

The then Rural Development Minister Shri S. K. Dey, had stated, that “In Panchayati Raj System, the people of India would govern themselves through their representative institutions, from the Parliament and thus democracy would travel from Gram Sabha (village parliament) to Lok Sabha (Lower House of the National Parliament)”. Former Prime Minister Rajiv Gandhi, while emphasising on the significance of panchayats had remarked.”We must put an end to planning from above. We must put an end to priorities being conceived and decided at ethereal heights, far from ground realities”. While delineating a few functions of the local self-government, Jawaharlal Nehru, advocated that “The panchayati raj bodies should assume the responsibilities of looking after the needs of everyone in the village and thus become an insurance against illness, unemployment, illiteracy and other disabilities”.

The First Five Year Plan also recognised the need for disaggregated planning through a process of democratic decentralisation in incorporating the idea of a village plan and a district development council. The Government of India constituted several committees at different points of time to strengthen the local self-government institutions. The first one was the Balwantray Mehta Committee constituted in 1957, which recommended the urgency of democratic and elected institution at the lowest level and suggested a three-tier system. After this, Ashok Mehta Committee (1977) recommended a two-tier set-up at district and village level. The Sarkaria Commission on Centre-State relations appointed in 1983 recommended in its report that the objective of decentralised planning cannot be achieved unless panchayats play a major role of development and administration at village level. Instead of playing their role, ironically, these institutions have been allowed to stagnate. Elections to these bodies had not been held regularly and often they remain superseded for a long period. The Sarkaria Commission recommended that it was necessary to hold elections regularly and adequate funds devolved to these institutions. The G.V.K. Rao committee, in 1985, emphasised the need for regular elections to panchayati raj institutions (PRIs). A committee headed by P.K. Thungon, in 1986 recommended that panchayati raj bodies should be constitutionally recognized, and should have provision for timely and regular elections and their term should be for a period of five years. While the L.M. Singhvi Committee of 1987 recommended that the PRIs should get constitutional safeguards and financial resources should be devolved to them.

Since the beginning of the VI five year plan, a number of special programmes for poverty alleviation, employment generation and area development were launched in the country. At this stage, block level was considered important to implement rural development programmes through fuller utilization of local resources. In November 1977, a Working Group under the Chairmanship of M.L. Dantwala was appointed by the Government of India, to draw up guidelines for block level planning. At the same time, in December, 1977, a Committee on Panchayati Raj, headed by Ashok Mehta was also appointed. The Committee considered inadequacy of resources, mainly responsible for failure of PRIs and, therefore, recommended, inter alia, measures for strengthening the financial resources of PRIs. In the light of recommendations of the Committee, gradually PRIs were set up in almost all the states and were contemplated to be developed as instruments of development. Where as in Maharashtra and Gujrat, power was vested in district panchayats, in Madhya Pradesh and some other states, the responsibility for development was entrusted to the blocks. Another committee headed by Prof. C.H. Hanumantha Rao (1984) went into the questions of evolving methodology for district level planning and recommended that planning process at the district level should be sufficiently decentralised, having a good deal of autonomy, administrative and technical capability and financial adequacy.

The above discussion shows that there has been no dearth of ideas and expert opinion but what lacked was consistency in thinking and political will to implement the concept of decentralised planning and development in a multi-level framework, and create PRIs in that framework which are democratic, autonomous, financially strong, capable of formulating and implementing plans for their respective areas and provide decentralised administration to the people. Elections were not held regularly in a large number of states. Even after three decades since the Balwant Rai Mehta Committee had recommended 3-tier panchayati raj system as a form of rural self-government and as a mechanism for

democratic decentralisation, in most of the states, the position regarding PRIs remained unsatisfactory and no tangible action was taken to strengthen the local self-government system. Financially these bodies were weak and dependent largely on state governments which did not follow any consistent policies, with the result that most of the PRIs remained defunct or superseded.

The Constitutional Amendment Act, 1992, marked a water-shed in the history of local self-government in the country since it gave a constitutional mandate to the state governments to restructure and revamp rural local bodies in accordance with constitutional obligations. The Act provided for (i) the creation of three tier system of PRIs-gram panchayat at the village level, Janapud Panchayat at the block level and Zila Panchayat at the district level, with sufficient powers and functions contained in schedule XI of the Act; (ii) the creation of State Election Commission to ensure free, fair and timely elections after the expiry of every 5 years, and (iii) the creation of State Finance Commission after every 5 years to recommend devolution of financial resources from the state government to local bodies and also suggest measures for strengthening their financial position.

After reading this section, you will have gained an idea about the term, rural development. Now you should be able to answer the questions given in Check Your Progress 2.

Check Your Progress 2

Note: 1) Use the space below for your answers.

2) Compare your answers with those given at the end of this Unit.

1. Describe the first five commission constituted by Government of India for strengthening of Panchayati Raj Institutions.

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9.4 PANCHATI RAJ SYSTEM AFTER 73rd AMENDMENT

The 73rd amendment of the Constitution is an epoch making event in the history of democratic decentralisation in India. While introducing the constitutional amendment bill in Parliament on December 1, 1992, the then Cabinet Minister of Rural Development had thus observed “This casts a duty on the centre as well as the states to establish and nourish the village panchayats so as to make them effective self-governing institutions and by introducing this Act, the government was fulfilling Mahatma Gandhi’s dream of Gram Swaraj.” As a result, 2, 32, 278 panchayats at village level; 6,022 panchayats at intermediate level and 535 panchayats at district level were constituted in the country. These panchayats are being manned by about 29.2 lakh elected representatives of panchayats at all levels. This is the broadest representative base that exists in any country of the world developed or underdeveloped. The main features of the Act are (i) a 3-tier system of Panchayati Raj for all States having population of over 20 lakh; (ii)

panchayat elections regularly every 5 years;(iii) reservation of seats for Scheduled Castes, Scheduled Tribes and women (not less than one-third of seats); (iv) appointment of State Finance Commission to make recommendations as regards the financial powers of the panchayats and (v) constitution of District Planning Committees to prepare development plans for the district as a whole. As per the Constitution (73rd Amendment) Act, the Panchayati Raj Institutions have been endowed with such powers and authority as may be necessary to function as institutions of self government and contains provisions of devolution of powers and responsibilities upon panchayats at the appropriate level with reference to:

- a. the preparation of plans for economic development and social justice; and
- b. the implementation of such schemes for economic development and social justice as may be entrusted to them.

India today has the world's largest functioning democracy at the grassroots, with 496 panchayats at the district level, known as district panchayats (DP)/ zilla parishad (ZP); 5905 at the intermediate level, known as block samitis/intermediate panchayat (IP); and 230762, at the village level known as gram panchayat (GP). These elected democratic institutions are manned by 3.4 million Scheduled Castes and 0.26 million Scheduled Tribes (Kurukshetra, 2002). In conformity with the Constitutional amendment, all the states have amended their state Acts by repealing the then existing ones. Today, the PRIs constitute the potential instruments for effective implementation of India's rural development and poverty alleviation programme. It is true that, if effectively empowered, the PRIs have the potential to build a progressive India (which veritably lives in its villages) in harmony with the felt needs and aspirations of the people.

The structure of the PRIs of a few Indian states is given in Table 1. It is interesting to note that in Kerala on an average one panchayat caters to the needs of 23,785 rural populations, whereas in Punjab one panchayat deals with 1289 rural population. Each panchayat in Kerala and in Karnataka consists of wards, which are looked after by ward members of the panchayat. The division of panchayat into wards thrusts responsibilities on the ward members to look after the needs of their ward population. This results in effective functioning of panchayat in Kerala and Karnataka.

Table 9.1: Structure of Panchayati Raj Institutions in a Few Indian States

State	Average rural population per gram panchayat	Average number of village per gram panchayat	Average number of gram panchayat per panchayat samities	Average number of panchayat samities per zila parishad
Gujarat	2294	1.3	73.1	-
Karnataka	6152	5.2	4.7	9.0
Kerala	23,785	1.4	-	-
Madhya Pradesh	2010	2.5	41.0	10.2
Maharashtra	1952	1.5	82.8	10.3
Punjab	1289	1.0	92.8	9.8

Sow- *As per census 2001.

** Panchayati Raj Institutions in India, Ministry of Rural Development, 1991

9.5 KEY FEATURES OF 73rd CONSTITUTIONAL AMENDMENT

The main feature of the 73rd Constitutional Amendment are: (i) Establishment of a three-tier structure: village panchayat (gram panchayat); intermediate panchayat (panchayat samiti) and district panchayat (zilla parishad); (ii) Regular elections every five years; (iii) Reservation of seats for the Scheduled Castes and Scheduled Tribes in proportion to their population; (iv) Not less than one-third reservation of seats for women at the three different levels of PRIs; (v) Establishment of State Finance Commissions to recommend measures to improve the finances of panchayats; (vi) Establishment of State Election Commissions to conduct election to the PRIs; (vii) Establishment of District Planning Committees to prepare development plans for the districts; (viii) Preparation of plans of economic development and social justice and implement 29 subject listed in the 11th Schedule of the Constitution; (ix) Establishment of grama sabhas (village assemblies) and their empowerment as a decision making body at the village level; and (x) Rotation in accordance with the reservation of seats for women and the Scheduled Castes in the PRIs. Their key features as envisaged in the 73rd constitutional amendment are given in Table 9.2.

S.No.	Key Features	Provision in the Act
1.	Three Tier Structure at the District Level	Article 243-B envisages, Gram Panchayat at village level, Intermediate Panchayat at the Block Level and Zilla Parishad at the district level.
2.	Elections at every five years	Article 243-E tells, Every Panchayat shall continue for five years from the date of its appointment.
3.	Reservation of seats for Scheduled Castes and Scheduled Tribes	Article 243-D envisages, reservation of seats for the Scheduled Caste and Scheduled Tribes in proportion to their population for membership of panchayat.
4.	Reservation of seats for women	Article 243-D (3), provides that not less than one for women third (including the number of seats reserved for women belonging to Scheduled Castes and Scheduled Tribe) of the total number of seats to be filled up by direct election in every panchayat shall be allotted by rotation to different constituencies in a panchayat.
5.	Establishment of State Finance Commissions	Article 243-I provides for constitution of States Finance Commission to review financial position of the PRIs and to make recommendations to the Governor and distribution between the state and the PRIs of the net proceeds of the taxes, duties, tolls and fees leviable by state.

6.	Establishment of State Election Commissions	Article 243-K provides for the establishment of State Election Commission. The Superintendence, direction and control of the preparation of electoral rolls for and the conduct of all elections to the panchayats shall be vested in the State Election Commission.
7.	Establishment of District Planning Committee (DPCs)	Article 243 ZD provides for the constitution of DPCs to consolidate the development plans prepared by the gram panchayat.
8.	29 Duties and responsibilities	Article 243(G) made addition of Eleventh Schedule and assigning duties and responsibilities on 29 subjects.
9.	Establishment of Gram Sabha	Article 243 provides for Gram Sabha to exercise such power and perform such function at the village level as the legislature of a State may be law provides.

With the enactment of 73rd constitutional amendment and formulation of Panchayati Raj Acts by different state governments, the State Election Commissions have been established, helping the state governments in holding periodic elections to PRIs. Almost all states have constituted State Finance Commission; despite the fact that their recommendations are being poorly implemented by many state governments. A large number of women, Scheduled Caste and Scheduled 'Tribe have been elected to these bodies and a tradition of justice and gender equality in political representation has been widely established (Table 9.3). Recently, Bihar Government has declared 50 per cent of seats reserved for women in PRIs.

Table 9.3: Representation of Women, SCs, and STs in PRI and on 1.4.2004

PRIs	Scheduled Castes	Scheduled Tribes	Women
Gram Panchayati	346002	233765	838227
Intermediate Panchayat	22333	8210	47455
District Panchayat	2201	1322	4923
Total	370536	243297	890605

Source: website of Ministry of Panchayati Raj, Government of India

Thus, village-level democracy became a real prospect for India in 1992 with the 73rd amendment to the Constitution, which mandated that resources, responsibility and decision-making be devolved from central government to the lowest unit of the governance, the Gram Sabha or the village assembly. A three-tier structure of local self-government was envisaged under this amendment. The nationwide euphoria that greeted this about-turn in bureaucracy was seen again with the extension of the 73rd amendment to the Scheduled Areas, through Provisions of Panchayats Extension to Scheduled Areas Act, 1996 (here in after PESA or Central PESA or the Tribal Self Rule Law as it is variously called). Scheduled Areas are those, which are under the Fifth Schedule of the Constitution

of India where the tribal populations are predominant. It is also imperative to understand here that the founding fathers of the Constitution of India had envisaged a special scheme of administration in the scheduled areas where general laws would not be applicable unless the Governor deemed it fit to enforce such laws. It was thought that these areas are inhabited with people who have resided on the basis of their own customary practices and traditional beliefs and culture and thus general laws of the land would be inappropriate with their customary laws and ethos.

9.6 PANCHAYATI RAJ INSTITUTIONS: TYPES AND FUNCTIONS

Panchayati Raj Institutions comprise of three institutions namely gram panchayats, panchayat at samitis and zilla parishads, the constitution and functions of these three organisations are given below:

9.6.1 Gram Panchayat

A gram panchayat consists of a sarpanch and five to 13 elected panches depending upon the population, and are elected for a period of 5 years, and is elected by the Gram Sabha. The members of village panchayats are elected by the same Electoral College, which elects members of the Legislative Assembly of the state and the Lok Sabha (the lower house of Parliament). The State Election Commission prepares the election roll for PRIs elections. The Sarpanch or Chairperson is the head of the Gram Panchayat, and the Sarpanch and Deputy Sarpanch are usually elected directly by the people. The annual budget and development schemes for the village are placed before the Gram Sabha for consideration and approval. Gram Panchayats can be established in villages with a minimum population of 300, if individual villages have small populations, they can be grouped together to form a group-gram panchayat.

Functions of the Panchayat: Important functions of the gram panchayat include preparation of annual development plans, its budget; construction, repair and maintenance of community assets; khadi and village industries; rural housing; rural electrification; non-conventional sources of energy; poverty alleviation; education; public health and family welfare; adult and non-formal education; cultural activities, fairs and festivals; promoting agriculture, including animal husbandry; dairying and poultry; fisheries; social and farm forestry; women and child development; social welfare and public distribution system. The main source of income for panchayats is property tax, other sources include profession tax, taxes on pilgrimage (if applicable), animal trade etc. Besides this, the panchayats receive grants from the state government as well as Zilla Parishads.

9.6.2 Panchayat Samiti

The panchayat at the intermediate level is known as Panchayat Samiti. It works at the Tehsil or Taluka level, also known as Development Block. The Panchayat Samiti acts as the link between the gram panchayat and the district administration. The Panchayat Samiti is also known as Mandal Parishad, Taluka Panchayat, Mandal Panchayat. The main source of income of the Samiti is grants and loans from the state government. There is a panchayat samiti in each development block, a compact development area. Its membership comprises: 15 to 25 directly

elected members from territorial constituencies. The Panchayat Samiti is composed four types of members, the Ex-officio members: all sarpanch has of the Development Block, the MPs and MLAs of the area and Sub-Divisional Officer (SDO), Co opted members: representatives of SC/STs and women, associate members: one farmer, one representative of cooperative societies and one representative of marketing services, and elected members. The samiti is elected for a period of 5 years, there is a Chairman and a Deputy Chairman, and there is an officer in charge for every department of the Samiti including administration, finance, public works, agriculture etc.

Functions of the Panchayat Samiti: The important functions are agricultural improvement, land improvement, establishment of primary health centres and primary schools, supply of drinking water, sanitation, and construction/repair of roads, establishment of cooperative societies, and establishment of youth organisations, irrigation and water management and promotion of animal husbandry and dairying and poultry, fisheries, social services, social welfare, technical training, poverty alleviation and rural electrification, and development of cottage and small scale industries.

9.6.3 Zilla Parishad

Every district has a zilla parishad, having jurisdiction over the entire district excluding the areas included in a municipality or a cantonment board. Sources of income of Zilla Parishad are from the taxes on water, pilgrimage, markets etc, money from the state government for works and schemes assigned to the Parishad, and fixed grant from the state government in proportion to the land revenue. The Additional Deputy Commissioner (Development) of the district is the ex-officio Chief Executive Officer of the zilla parishad. The other members of the zilla parishad are:

- Directly elected from demarcated constituencies;
- All chairpersons of panchayat samities;
- Members of Parliament/Member of Legislative Assemblies whose constituencies fall in the jurisdiction and geographical area of the zilla parishad;
- The members of the Zilla Parishad are Chairmen of the Panchayat Samitis fallings under the area, they serve for a period of 5 years;
- Zilla Parishads have min 50 and maximum 75 members;
- Seats are reserved for SC/STs, backward classes and women.

Function of the Zilla Parishad: The functions include planning and execution of development projects for the district, provide essential services and facilities to the rural population, agriculture projects such as supply of seeds, irrigation, new techniques of farming etc, ground water resources and watershed development; horticulture; Statstics; rural electrification; distribution of essential commodities; soil conservation; animal husbandry and dairying; fisheries; small-scale industries including food processing industries; rural roads; health and hygiene; rural housing; education projects such as setting up and running of schools, adult literacy, running libraries, establish primary health centres, hospitals, mobile health centres, carry out vaccination drives and family welfare campaigns, construct/repair bridges and roads, development plans for SC/STs,

hostels for SC students, ashramashalas for adivasis, encourage entrepreneurship in small scale industries such as handicrafts, dairy farms etc.

9.6.4 Twenty Nine (29) Functions of the PRIs as per Eleventh Schedule of the Constitution

The 29 functions and responsibilities given to the PRIs, under the 11th Schedule of the Constitution of India are listed below:

1. Agriculture, including Agricultural Extension Agriculture,
2. Land Improvement, Implementation of Land Reforms, Land Consolidation and Soil Conservation
3. Minor Irrigation, Water Management and Watershed Development
4. Animal Husbandry, Dairying and Poultry
5. Fisheries
6. Social Forestry and Farm Forestry
7. Minor Forest Produce
8. Small Scale Industries, including Food Processing Industries
9. Khadi, Village and Cottage Industries
10. Rural Housing
11. Drinking Water Water Supply and Sanitation
12. Fuel and Fodder
13. Roads, Culverts Bridges, Ferries, Waterways and Other Means of Communication
14. Rural Electrification, including Distribution of Electricity
15. Non-conventional Energy Sources
16. Poverty Alleviation Programme
17. Education, including Primary and Secondary Schools
18. Technical Training and Vocational Education
19. Adult and Non-formal Education
20. Libraries
21. Cultural Activities
22. Markets and Fairs
23. Health and Sanitation
24. Family Welfare
25. Women and Child Development
26. Social Welfare, including Welfare of the Handicapped and Mentally Retarded
27. Welfare of the Weaker Sections, Scheduled Castes and the Scheduled Tribes
28. Public Distribution System
29. Maintenance of Community Assets

In order to ensure that Panchayati Raj Institutions function as instruments of local government, it is important that their functional and financial autonomy is guaranteed and transparency in their functioning is ensured, and this has to be accomplished in most of the states. The role of the Gram Sabha is, perhaps, the most important in ensuring the success of Panchayati Raj Institutions at the village level. The role of local people in conducting social audit and fixing responsibility on panchayat functionaries will be effectively ensured with Gram Sabha becoming active. It is essential that the village community perceives meetings of the Gram Sabha as useful. The most important factor for that is the empowerment of the Gram Sabha. Another important factor for the success of the Panchayati Raj system is the need for transparency in the functioning of these bodies. Panchayats being closer to the people, their right to information and accessibility to the panchayats must be ensured.

9.7 THE 74TH CONSTITUTIONAL AMENDMENT ACT AND ULBs

The 1992 Act provided for the Twelfth Schedule which listed the functions of urban local bodies, along with their planning, regulation and development powers. It made provision for ward committees in areas exceeding 300,000 and the specification of the powers and responsibilities of municipal units and the ward committees. There is a requirement made therein for the holding of timely periodical elections and for the reconstitution of a municipal government within six months. Sources of municipal finance and their periodic review by a statutorily constituted State Finance Commission were also provided by the Act, which also made it obligatory for the Central Finance Commission to recommend steps to support state resources for the assistance of municipal governments. The Act also provided for reservation of one-third of the seats for women and scheduled castes in municipal bodies. State Governments were to adopt the 74th Constitutional Amendment Act with reference to their respective municipal bodies to affect its purpose within their jurisdictions.

9.7.1 Role of PRIs and ULBs in 73rd and 74th Amendment Act

In order to impart certainty, continuity and strength to the Panchayat Raj Institutions (PRIs) and Urban Local Bodies (ULBs), the 73rd and 74th Amendments have come into force in 1993. These amendments of the Constitution of India, provided for empowerment of Panchayats and Nagarapalikas by way of reserving 33% seats for women; and for the citizens belonging to the Scheduled Castes and the Scheduled Tribes in proportion to their population. Articles 243G & 243W and 11th & 12th Schedules of the Constitution indicate the subjects to be devolved to the Panchayats and Nagarapalikas respectively. While the Eleventh Schedule of Constitution deals with evolution of functions to different tiers of Panchayats in respect to twenty nine subjects including education-primary and secondary schools, Article 243W of the Constitution of India, specifies the powers, authority and responsibilities with respect to Municipalities. The 18 major functions to be performed by Municipalities are mentioned in Article 243W of the Constitution of India.

9.7.2 Salient Features of the Constitutional (74th Amendment) Act, 1992

Salient Features of the Constitutional (74th Amendment) Act, 1992 with regard to ULBs are summarised as:

Continuity: CAA has ensured continuity of the municipalities with five years duration for an elected municipality and re-election of municipalities before the expiry of the five-year term or within six months of their dissolution.

Three-tier system: A uniform structure of three tiers municipal corporations for large urban areas, municipal councils for small urban areas and nagar panchayats for transitional areas has been provided. The constitution and composition of the municipalities has been left to the wisdom of the state, subject to all seats being filled by elected persons from the respective municipal constituencies.

Reservation of seats: In every municipality, reservation of seats for the Scheduled Castes/Scheduled Tribes (SCs/Sts) has been provided in the CAA on the basis of proportional representation. Such seats may be allotted by rotation to different constituencies in a municipality and not less than one-third of the seats so reserved are further reserved for woman belonging to the SCs/STs. And also, not less than one-third of the total number of seats in a municipality are reserved for women and such seats may be allotted by rotation by different constituencies in a municipality.

Power, authority and functions: The CAA has provided for states to endow municipal powers and authority to enable them to function as institutions of self-governance. The municipal functions envisaged under Article 243W are of development nature. The performance of functions and implementation of schemes including those in relation to matters delegated through the Twelfth Schedule may be entrusted to the ULBs.

Constitution of Ward Committees: The CAA makes it mandatory to constitute ward committees in municipalities with a population of over 3 lakh with representation of women, SCs/STs and citizens' groups. The major objective of constituting the ward committees is to bring governance closer to the people and enhance their participation in local affairs including those listed in the Twelfth Schedule.

Constitution of District Planning Committees: The CAA provides for the constitution of the DPCs with representation of elected local representatives to effect spatial and economic development by integrating rural and urban plans at the district level.

State Finance Commission: The CAA mandates the constitution of a State Finance Commission (SFC) every five years to strengthen the financial domain of the ULBs. The Commission reviews the financial position of the urban bodies, their revenue and capital account requirements, recommends devolution of taxes, charges, fees, toll, duties, shared revenues, inter-government transfer and grants from the state to the municipalities and suggests measures for the mobilisation of municipal resources.

State Election Commission: The CAA provides for the constitution of a state election commission (SEC) every five-year to regulate municipal elections. It is

a progressive step towards ensuring democratic process at the local level. The SEC has a mandate to oversee, direct and control the preparation of electoral rolls and conduct elections of municipalities. The SEC will also ensure that elections to municipalities dissolved by the state government are held within six months.

9.8 URBAN LOCAL BODIES

The urban population of India has increased in recent years at rapid rates. In 1961 about 79 million persons lived in urban areas of the country; by 1991, their number had increased to over 217 million, registering an increase of over 250 per cent in the last three decades. Almost all population projections indicate that India will enter the 21st century with an urban population of about 300 million, which will further increase to over 400 million in the year 2011 and 553 million in the year 2021. The trends of urbanisation in India are presented in Table 9.4. The municipal governance in India was first introduced in Madras in 1688. The Madras Municipal Corporation was the first municipal body in the Commonwealth outside the UK. The Bombay and Calcutta Corporations were established in 1726.

Table 9.4: Trends of Urbanization in India, 1951-2021

Census Year	Total population (in million)	Urban Population (million)	Parentage of Urban Population to total population	Decadal Urban Growth Rate(%)	Annual Compound Growth Rate	
					Total	Urban
1951	361.08	62.44	12.29	-	-	-
1961	439.23	78.93	17.97	26.41	1.98	2.37
1971	548.15	109.11	19.91	38.24	2.24	3.29
1981	683.32	159.46	23.34	46.15	2.23	3.87
1991	846.30	217.61	25.71	36.47	2.16	3.16
2001	1048.15	296.97	28.33	36.47	2.16	3.16
2011	1298.15	405.26	31.22	36.47	2.16	3.16
2021	1607.77	553.04	34.40	36.47	2.16	3.16

- Projected figures.

Source: NIUA Urban Statistics- Handbook 2000, National Institute of Urban Affairs, New Delhi, January

The urban local bodies look after the affairs of the development of urban areas. According to Census of India, 1991, there were 3255 Urban Local Bodies (ULBs) in the country; classified into four major categories of municipal corporations, municipalities (municipal council, municipal board, municipal committee), town area committee and notified area committees. The municipal corporations and municipalities were fully representative bodies, while the notified area committees and town area committees were either fully or partially nominated bodies.

- Excluding Cantonment Board (57) under the Ministry of Defence, Established by a separate Act of Parliament.

Based on the 74th Constitution Amendment Act, there are now only three types of ULBs: (i) Municipal Corporation (Nagar Nigam) (ii) Municipality (Nagar Palika) (iii) City Council (Nagar Panchayat). According to the Act, there needs to be a City Council for areas in transition from rural to urban, a Municipality for small urban areas and a Municipal Corporation for large urban areas. The functions and powers of ULBs vary from state to state. Now, there are three kinds of Urban Local Bodies in India (i) Municipal Corporation (ii) Municipal Councils and (iii) Nagar Panchayats, demarcated on the basis of population, revenue generation, area and economic importance as follows:

- i. Municipal Corporation:** for a larger urban area with a population exceeding 50,000 and generating annual revenue exceeding Rs. 2 crores for the local administration and which has been declared to be a municipal area.
- ii. Municipal Council:** for a smaller urban area (urban) with population exceeding 5000 and generating annual revenue exceeding Rs. 20 lakh for local administration.
- iii. Nagar Panchayat:** for a Transitional Area with a population exceeding 2,000 and generating the revenue of Rs. 5, 00, 000 for local administration.

Most states have amended their municipal laws in conformity with the Constitution Amendment Act (CAA). However, variations are found in the definition of small and large urban areas, as well as in transitional areas. States like Tamil Nadu has used the income criteria, some using only population, and others sing additional criteria such as density and percentage of non-agricultural employment. The amended Municipal Act of Andhra Pradesh provide for all three types of municipal bodies, viz; Nagar Panchayats; Municipalities and Municipal Corporations. In addition to population criteria, the Andhra Act also follows density of population, percentage of employment in non-agricultural activities, etc.

9.9 URBAN LOCAL BODIES – TYPES AND FUNCTIONS

The first municipal mechanism created during British rule was the Municipal Corporation introduced in Madras (Chennai today) in 1688, which was followed by municipal corporations in Bombay (Mumbai today) and Calcutta (Kolkata today) by 1762. Subsequently, Lord Mayo's Resolution of 1870 called for the introduction of an elected President in the municipalities. The current form and structure of municipal bodies is based on Lord Ripon's Resolution on local self-government adopted in 1882. Since then the structure of municipal bodies has essentially remained the same, even though the urban areas multiplied along with their increasingly complex problems.

Statutory provision for creating a municipal unit was available in two forms.. First, by statute that provides for the establishment of a municipal authority, as for instance in the form taken in the case of the Bombay Municipal Corporation Act in 1888, the City of Nagpur Corporation Act of 1948 and the Delhi Municipal Corporation Act of 1957. The other route was through statutory provision empowering State Government creation. The Bombay Provincial Municipal

Corporations Act of 1949 and the Gujarat Municipalities Act of 1964 are both examples of the latter. Generally, these statutes confer significant control and supervisory powers on the state government. In this context, it can be said they were creation of state government.

Municipal election provisions in different states were not uniform. In some, arrangements for election are made by the state government; while in others Municipal Commissioners (executive officers) make the arrangements. Prior to the passage of the 1992 Act, urban local government was defined generally by the Municipal Corporations, Municipal Councils, Town Area Committees and Notified Area Committees. In this context, the Structure and composition of municipalities varied considerably, with wide differences in definition and structure between states. Hence, the 1992 Act attempted to instill some uniformity in the constitution of the municipal bodies by classifying them as Municipal Corporations for large urban areas, Municipal Councils for smaller urban areas and what are termed Nagar Panchayats, suburban government bodies.

Municipal governments in India have been in existence for many years. The first municipal corporation was created by a Royal Charter in Madras in 1688. In the present form and structure, the municipal bodies owe their existence to what is known as the Lord Ripon's Resolution adopted on May 18, 1882. According to Census of India, 1991, there are 3255 urban local bodies (ULBs) in the country, classified into four major categories of municipal corporations, municipalities (municipal council, municipal board, municipal committee), town area committee and notified area committees. The municipal corporations and municipalities are fully representative bodies, while the notified area committees and town area committees are either fully or partially nominated bodies. As per the Constitution (74th) Amendment Act of 1992 (CAA), the latter two categories of towns are to be designated as municipalities or Nagar Panchayat with elected bodies. Until the amendments in state municipal legislations, which were mostly made in 1994, municipal authorities were organised on the basis of the 'ultravirius' principle and the state governments were free to extend or control the functional sphere through executive decisions without an amendment to the legislative provisions.

9.9.1 The Municipal Corporation (Nagar Nigam)

This model is also known as the Commissioner system, taking its name from the role of the city administrator who is generally a state-appointed officer. In such a system the Mayor in the Municipal Corporation is usually chosen through indirect election by the councillors from among themselves for a term of one which is renewable. The Mayor generally lacks executive authority. This is due to the British roots of the system that remain from the time when the administrator was the representative of the colonial power, not to the fact that it operates under a council-manager system (the subject of another article by this author on this website) whereby the executive would be accountable to the elected representatives. In this context, the indirect election of the Mayor combined with his short one-year tenure renders the role little more than that of a figure head. Councillors act by committee, the most powerful being the Standing Committee with its role of the steering committee exercising executive, supervisory, financial and personnel powers. It is composed of elected members varying in number between seven and sixteen through a system of proportional representation of councillors.

The executive arm of the corporation is the Municipal Commissioner, who is the chief Executive Officer and head of the executive arm of the Municipal Corporation. All executive powers are vested in the Municipal Commissioner.

Although the Municipal Corporation is the legislative body that lays down policies for the governance of the city, it is the Commissioner who is responsible for the execution of the policies. The Commissioner is appointed for a fixed term as defined by state statute. The Commissioner's term in office can be extended or reduced. The powers of the Commissioner are those provided by statute and those delegated by the Corporation or the Standing Committee. This is the closest that India has come to the council-manager system, with the critical difference of accountability of the manager to the elected arm of government; and the fact that the power of the unelected executive arm of government is thus weighted in its favour.

Municipal Corporations are established in cities with population greater than 1 million. The Municipal Corporations function under the provisions of the Corporation Act 1835, the Corporations are elected directly by the people. Elected members serve a term of 5 years. Municipal Corporations provide necessary community services such as health care, educational centres etc. It also interact directly with the state governments, the head of the Corporation is the Mayor. The principal executive officer is the Municipal Commissioner (an IAS Officer). The sources of income of Municipal Corporation are from (i) taxes on property, water, markets, entertainment, (ii) taxes on vehicles, and (iii) grants from the state government.

Functions of the Municipal Corporation: The important functions of the municipal corporations are urban planning and management, providing health services, establishment of primary health centres and primary schools, supply of drinking water, sanitation, and construction/repair of roads, street lighting, establishment of cooperative societies, and establishment of youth organizations, water management and waste disposal, social services, social welfare, technical training, poverty alleviation and electrification, providing fire records of birth and death.

9.9.2 Municipality (Nagar Palika)

Some of the important features of Municipality are as follows:

- A municipality administers an urban area of population 200,000 or less
- Municipalities interact with the state government through the Directorate of Municipalities or the District Collector
- Members of Municipalities are elected for a period of five years
- The head of the Municipality is the President, elected by and from the members
- The state government also appoints a Chief Officer and other officers such as Health Inspector, Sanitation Inspector, etc to assist the President
- Their sources of income and functions are similar to that of Municipal Corporations

9.9.3 City Council (Nagar Panchayat)

Some of the features of City Council are as follows:

- City Council administer urban areas having population greater than 30,000 and less than 100,000
- However, as an exception, all previous Town Area Committees (more than 5000 less than 20,000) have been reclassified as City Councils
- City Councils have a Chairman and ward members
- Ward members included elected members (min. 10) and nominated members (min. 3)

9.9.4 Functions of Urban Local Bodies

18 functions and responsibilities ensured to the ULBs under the 12th Schedule of the Constitution are as follows:

- Urban Planning including town planning Urban Development Authority
- Regulation of land use and construction of Buildings
- Planning for economic and social development
- Roads and Bridges
- Water supply for domestic, industrial and commercial purposes
- Public health, sanitation conservancy and solid waste management
- Fire Services
- Urban forestry, protection of the environment and promotion of ecological aspects.
- Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded
- Slum improvement and up gradation
- Urban poverty alleviation
- Provision of urban amenities and facilities such as parks, gardens and playgrounds
- Promotion of cultural, educational and aesthetic aspects.
- Burials and burial grounds, cremations, cremation grounds and electric crematoriums.
- Cattle ponds and preventions of cruelty to animals
- Vital statistics including registration of births and deaths
- Public amenities including street lighting, parking lots, bus-stops and public convenience
- Regulation of slaughterhouses and tanneries.

After reading this section, you will have gained an idea about the background of urban Local Bodies in India. Now you should be able to answer the questions given in Check Your Progress 3.

Check Your Progress 3

Note: 1) Use the space below for your answers.

2) Compare your answers with those given at the end of this Unit.

1. Describe the types of urban local bodies in India after 74th Constitutional Amendment.

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2. Discuss the functions of Municipal Corporations (Nagar Nigam).

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9.10 LET US SUM UP

The panchayat in rural India and municipalities in urban India are defined in the constitution as institutions of local-self government. The popular saying of ‘panch-pardhan’ from the ancient times connotes that the panchayat had deep roots in the Indian culture. After the 73rd Amendment to the Indian Constitution, Panchayate Raj System has come to occupy a pivotal place in the Indian democratic system. With this land mark amendment, the local governments have become the third-tier in federal system after the union and the states. Village level democracy became a real prospect for India in 1992 with the 73rd amendment to the Constitution, which mandated that resources, responsibility and decision-making be devolved from central government to the lowest unit of the governance, the Gram Sabha or the Village Assembly. A three-tier structure of local self-government was envisaged under this amendment. Based on the 74th Constitution Amendment Act, there are now only three types of ULBs: (i) Municipal Corporation (Nagar Nigam) (ii) Municipality (Nagar Palika) (iii) City Council (Nagar Panchayat). The functions and powers of ULBs vary from state to state.

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9.12 CHECK YOUR PROGRESS: POSSIBLE ANSWERS

Check Your Progress 1

1. Describe the existence of panchayat during ancient period.

Answer: Ancient Indian history has provided evidence of the existence of village *panchayats* comprising five informally elected elderly members to settle dispute in the village. A reference to an organized system of rural local self-government (*panchayat*) has been found in ancient Vedic literature. Rig Veda has mentioned about 'Gramini', the village head employed by the king for civil and military purposes; while Atharva Veda envisaged the institution of 'sabha', 'samiti', 'sabhapati' and 'sabhasad' primarily performing judicial functions. A mention of village institutions had been made in the great epics, the Ramyana and the Mahabharat, where the *gramini* was responsible for collecting statue dues, keeping village records, settling disputes and controlling crime. Kautaliya's *Artha Shastra* gives a comprehensive account of the system of village administration prevailing in ancient India.

2. Discuss the contribution of British rule to the panchayati system.

Answer:. The history of local self-government in India under the British rule can be conveniently divided into four phases. "Local finance being a counterpart of local administration and its mainstay, has of course, been an expression of the purpose implicit in different phases of local government."

The first phase may be assumed to have ended in 1882, when Lord Ripon issued his well-known resolution on local self government. The second phase covers developments from 1882 to 1919, when more powers were transferred from the centre to the provinces, and the recommendations of the Decentralisation Commission of 1907, besides discussing other matters, suggested some changes in local self-government. The third phase extended up to 1935, during which the Indian Taxation Enquiry Committee (1925) considered the problems of local taxation, along with central and provincial finances. The fourth phase covers developments up to 1947. During this phase, the struggle for independence was intensified and with the introduction of provincial autonomy in 1937, and coming into power of congress ministries in many provinces, local bodies, particularly village panchayats, received a great stimulus and there was democratisation of local bodies.

Check Your Progress 2

1. Describe the first five commissions constituted by Government of India for strengthening of Panchayati Raj Institutions?

Answer: The first five commissions constituted by Government of India for strengthening of Panchayati Raj Institutions are i) Balwantray Mehta Committee constituted in 1957 ii) Ashok Mehta Committee (1977) iii) The Sarkaria Commission on Centre-State relations appointed in (1983) iv) GVK. Rao committee (1985) v) P.K. Thungon (1986) and vi) L. M. Singhvi Committee (1987).

Check Your Progress 3

1. Describe the types of urban local bodies in India after 74th Constitutional Amendment.

Answer: Based on the 74th Constitution Amendment Act, there are now only three types of ULBs: (i) Municipal Corporation (Nagar Nigam) (ii) Municipality (Nagar Palika) (iii) City Council (Nagar Panchayat). According to the Act, there needs to be a City Council for areas in transition from rural to urban, a Municipality for small urban areas and a Municipal Corporation for large urban areas. The functions and powers of ULBs vary from state to state. Now, there are three kinds of Urban Local Bodies in India (i) **Municipal Corporation** (ii) Municipal Councils and (iii) Nagar Panchayats, demarcated on the basis of population, revenue generation, area and economic importance.

2. Discuss the functions of Municipal Corporation (Nagar Nigam)

Answer: The important functions of the municipal corporations are urban planning and management, providing health services, establishment of primary health centres and primary schools, supply of drinking water, sanitation, and construction/repair of roads, street lighting, establishment of cooperative societies, and establishment of youth organisations, water management and waste disposal, social services, social welfare, technical training, poverty alleviation and electrification, providing fire records of birth and death.