

Panchayat Raj Institutions in India: A Comprehensive Review

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ABSTRACT

This paper highlights the Panchayati Raj Institution and the system of rural local self-government in India. Local Self Government is the management of local affairs. This paper explores the evolution of India's Panchayati Raj, from ancient village councils to its modern constitutional form, shaping grassroots democracy. This enhances the participation people can feel the real taste of democracy. Therefore the concept of democratic decentralization is liberal, democratic, political ideal-the concretized form of which is local self-government. Mahatma Gandhi always wanted the common man in India to have a decisive say in the management of state affairs.

Keywords: decentralization, liberal, democratic, political, system, institutions and government

INTRODUCTION

India is a country of villages. Most of its people live in villages or in small towns. These are often quite far from the seats of government. Therefore, in addition to the central and state governments, there is also a level of government, which is much closer to ordinary people. Villages have occupied an important position. They are the strengths of the nation. The Panchayats are the symbols of democracy at grass root level. They are the democracy what primary schools are to education. It is well said that a weak baby seldom grows into a healthy youth. Therefore the tradition which we establish at the level of village Panchayats shall be an index of elections to state legislative assemblies and the parliament.

Mahatma Gandhi had strong faith in the establishment of democratic system at the village level. It was Gandhiji's dream to revive Panchayats with democratic basis of their own so that the villagers could have a real sense of Swaraj or self-rule. He elaborated his views on village Panchayats as follows: "My idea of village Swaraj is that it is a complete republic independent of its neighbors for its own vital wants and yet independent for many others in which dependence is a necessity". He proposed that self-sufficient and self-governing villages shall be the basic unit of public administration in free India. Decentralization of power in free India was dear to his heart. Gram Swaraj and Sarvodaya were his favorite ideals. Mahatma Gandhi considered Panchayati Raj both as a means and an end. "Mahatma Gandhi advocated Panchayati Raj as the foundation of India's

Political system, as a decentralized form of government in which each village would be responsible for its own affairs" (Sharma, Manohar Lal, 83). He sincerely believed in its immense potential for democratic decentralization and devolving power to the people.

Thus village is a social reality all over India today. The public is fairly aware of Block, District and Panchayats. The three tier Panchayats are active to some extent. Members elected to Panchayats are accepted well by the society. In fact democratic decentralization is the central aim. It envisages people's participation as the foundation on which the whole edifice of local self-government rests. A closer look at the history reveals that after 1857 the first war of Indian independence, the institutions of Panchayat were crushed by Britishers especially when crown took over the Territory of East India Company in 1858. Britishers created the posts of Zaildar, Nambardar, Chowkidar, Patwari, Qanungo, Tehsildar for village management which gave a fatal blow to gram Panchayats. Furthermore, the autonomy of Panchayats have witnessed decline due to an establishment of local civil and criminal courts, revenue and police organizations.

It is significant to note that the Britishers soon realized their folly of destruction of Panchayat in first decade of 20th Century. Consequently Royal Commission on decentralization (1907) was appointed and it recommended the creation of village Panchayats in all provinces. It recommended that "it is most desirable, alike in the interests of decentralization and in order to associate the people with the local tasks of administration that an attempt should be made to constitute and develop village Panchayats for the administration of local village affairs". Thereafter Punjab Village Panchayat Act, 1912 was enacted. Similar statutes were enacted in other provinces too. But Britishers never wanted to restore the rule of panchayats. They never wanted to assign the important tasks of police and judicial administration to them. They wanted to reduce the financial burden of provincial government and hence created Village panchayats so that they could perform civil functions by mobilizing their own resources they were given very petty judicial powers.

In states like Punjab, Village Panchayat Act, 1939 was enacted but could not be implemented due to the outbreak of Second World War and adverse political climate. "Jawaharlal Nehru inaugurated Panchayat at

Nagaur on 2 October 1959. The day was selected on the occasion of Mahatma Gandhi's birthday. Gandhi wanted Gram Swaraj through Panchayati Raj”(Sharma, Shakuntla,131)

Furthermore, the Indian National Congress from the 1920s to 1947 emphasized the issue of all-India Swaraj and organized movements for Independence under the leadership of Mahatma Gandhi. However the task of preparing any sort of blueprint for the local level was neglected. There was no consensus among the top leaders regarding the status and role to be assumed to the institution of rural local self-government. There were divergent views on the subject. On one end Gandhi favored Village Swaraj and strengthening the village Panchayat to the fullest extent and on the other end, Dr. B.R. Ambedkar opposed this idea. He believed that the village represented regressive India, a source of oppression. The model state hence had to build safeguards against such social oppression and the only way it could be done was through the adoption of the parliamentary model of politics. Therefore, during the drafting of the Constitution of India, Panchayati Raj Institutions were placed in the non-justifiable part of the Constitution, the Directive Principles of State Policy, as Article 40.

It is important to mention that the concept 'democratic decentralization' was not easily understood by the people. Therefore, as decided by the then Prime Minister the three-tier administration was introduced in the name of “Panchayat Raj”. Panchayat Raj means the system of Government. It is a network of village Panchayats horizontally. Vertically, it is an organic growth of Panchayat rising up to national level. Panchayati Raj was easily accepted because it meant administration by mutual consultation consent and consensus. It fitted closely into the ancient cultural patterns in India.

The Panchayati Raj system as envisaged by the Balwantrai Mehta Committee had a three-tier structure, viz. at the village level there is gram Panchayat which is at the base, the Panchayat Samiti or Block Samiti covering a group of villages in the middle and Zila Parishad at the district level the top. These three levels are:

In post independence period, Panchayati raj had to go through various stages. The First Five Year Plan failed to bring about active participation and involvement of the people in the Plan processes, which included Plan formulation, implementation and monitoring. The 2nd Five Year Plan attempted to cover the entire countryside with National Extensive Service Blocks through the institutions of Block Development Officers, Assistant Development Officers, Village Level Workers, in addition to nominated representatives of village Panchayats of that area and some other popular organizations “keen-operative societies. But the plan failed to satisfactorily accomplish decentralization. Hence, committees were constituted by various authorities to advise the Centre on different aspects of decentralization.

This is exactly what Gandhiji feared and hence he put much emphasis on village industries which is otherwise also called cottage industries. Gandhiji was well aware of the native intelligence and native needs of the people and the utmost importance he attached to the charka represented the real native identity of the Indian citizen. When we followed the western model of democracy and fashioned our economy based on western thinking, the entire fabric of Indian society became a type of feudal “The system was modified in 1992 with the 73rd constitutional amendment” (Singh, Vijandra (2003: 84)

In 1957, Balwant Rai Mehta Committee studied the Community Development Projects and the National Extension Service and assessed the extent to which the movement had succeeded in utilizing local initiatives and in creating institutions to ensure continuity in the process of improving economic and social conditions in rural areas. The major recommendations of this committee were: the” establishment of elected local bodies and devolution on them necessary resources, power and authority, basic unit of democratic decentralization should be at block or Samiti level, setting up of three tier system of local self-governing bodies from village to district, the linkage between three tiers should be well defined and practical so that the duties can be discharged effectively, not too much control by the government or government agencies, duration of five years by indirect elections from the village Panchayats and that Zila Parishad, would play an advisory role.

With the coming of the Janata Party into power at the Centre in 1977, a serious view was taken of the weaknesses in the functioning of Panchayati Raj. It was decided to appoint a high-level Committee under the chairmanship of Ashok Mehta to examine and suggest measures to strengthen PRIs. The Committee had to evolve an effective decentralized system of development for PRIs. The major recommendations of this Committee were: that the district is a viable administrative unit for which planning, co-ordination and resource allocations are feasible and technical expertise available, PRIs as a two-tier system, with Mandal Panchayat at the base and Zila Parishad at the top, the PRIs are capable of planning lot themselves with the resources available to them, District planning should take care of the urban-rural continuum, the body must be constituted for four-year term, participation of political parties in elections is important and need of an intricate designing and greater coordination of all the tiers of the system.

The decade of 1980's witnessed the emergence of centrally sponsored schemes with an objective of strengthening the state level planning process. Two successive committees popularly known as Hanumantha Rao (1984) and GVK Rao Committee (1985) were appointed to look at various aspects of PRIs. Both the committees advocated for an institutional linkage in order to have an effective outcome. The GVK Rao Committee was of the opinion

that a total view of rural development must be taken in which Panchayati Raj institutions (PRIs) must play a central role in handling people's problems. The Committee favored three-tier structures for Panchayati Raj institutions. It wanted the Panchayati Raj institutions to be activated and given all the support needed so that they could become effective organizations for handling people's problems. Elections to these bodies should be held regularly.

L.M. Singhvi Committee (1986) studied Panchayati Raj. The Gram Sabha was considered as the base of a decentralized democracy, and PRIs viewed as institutions of self-governance which would actually facilitate the participation of the people in the process of planning and development. It recommended that local self-government should be constitutionally recognized, protected and preserved by the inclusion of new chapter in the Constitution, uniformity of law throughout the territory of India and non-involvement of political parties in Panchayat elections.

The basic form of the PRIs is identical across the states of India; it is described via different nomenclatures in different states. Panchayats in every state has its own characteristics and even election procedures to these institutions are at variance. At the District level there is Panchayat or Zila Parishad is co terminus with the district. Thus each district has one Zilla Parishad. Similarly at Block level there are block Panchayats or Panchayat Samitis and these are co terminus with blocks of the said district.

Gram Sabha is the bottom level body in Panchayati Raj system and even finds mention in 73rd Amendment, 1992 as well as under Article 243 (A) of Indian constitution. It is an organ of direct democracy. Its members are all adult residents of that village. All states invariably provide for the institution of the Gram Sabha but the functions assigned to them vary from state to state. It is a statutory body. It is an assembly of villagers. It is designed to facilitate direct participation of people in local activities.

Democracy is never complete unless there is active involvement of the people and participation of the people at all levels is assured. The institution of democracy at the national and state level has gained considerable strength since independence. Recognizing the importance of democratic decentralization articles 40 the part IV Directive Principle of state Policy of the constitution states: "The state shall take steps to organize village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as unit of self- government. But the institution at district, block and village levels have not been able to acquire the status and dignity of viable responsive people's bodies.

The village Panchayat is the basic unit of the three tier system. It is an executive body of the village. It consists of representatives elected by the people of the village. The elected chairman of the Panchayat is

popularly known as 'Sarpanch' and he occupies an important place in the Panchayat. Intact the size of the Gram Panchayat varies widely from state to state. In Punjab under the Punjab Panchayati Raj Act, 1994 a Gram Panchayat consists of a Sarpanch and such number of Panches as given in the each slab of population under Section 10(IC) of the Act.

The second tier of the system consists of representatives of various gram panchayats came to be known as the Panchayat Samiti. The chairman of the Panchayat Samiti is generally a non-official and is elected by the members of the Samiti. He is commonly known as 'Pradhan'. The main function of the Panchayat Samiti is to co-ordinate the work of the various Panchayats within its jurisdiction. It also looks after the developmental works within the area. Thus it is responsible for the preparation of plans for developmental projects.

The Zilla Parishad stands at the apex of the three-tier structure and is the highest developmental agency in the district. The district shall be the unit of planning with the Zila Parishad consisting of a majority of members elected directly by the people and the rest from the Panchayat Samitis. M.L.As and M.Ps should be associated with their respective Samitis as well as the Zila Parishads. This body is empowered to levy taxes and also collect land revenue, which it should share with the lower tiers of Panchayati Raj bodies. There is also provision for special representation of women, members of scheduled castes and scheduled tribes.

Each block Panchayat under a Zila Parishad elects one/two/three members directly (depending on number of voters within it). Presidents of all the Block Panchayats are also ex-officio members of the ZP. In some states the Member of Legislative Assembly (MLA) and Member of Parliament (MP) of the district/constituency are also ex-officio members.

It is universally accepted that local self-government is the fundamental infrastructure upon which the super structure of democracy is built. The concept of local self government manifested itself in various societies with its own local characteristics down the centuries. But local self-government among a particular people is not borrowed from elsewhere. In other words, in each society, it has emerged in consonance with the particular socio-political background. However, in its practical functioning it might have acted and reacted on each other.

Of course election to Panchayats are not conducted on party lines but in the higher level local bodies this has been allowed and this would create an unfortunate situation of dividing the people and very objectives of the Panchayat Raj system is likely to get defeated by this arrangement. It is important the basic village units of society should be a cohesive one and should not be given by divisions of any kind. Effective Panchayat Raj system would give the people a sense of

Participation in building the nation and when village become viable independent economic units, scope for exploitation would be much reduced. "The sarpanch (head of five) is its elected head. The members of the gram panchayat are elected directly by the voting-age village population for a period of five years. The Gram Panchayat President, also known as Sarpanch often presides over the Sabha meetings" (Seetharam, Mukkavilli 1990: 34).

The Constitution visualizes Panchayats as institutions of self-governance. However, giving due consideration to the federal structure of our polity, most of the financial powers and authorities to be endowed on Panchayats have been left at the discretion of concerned state legislatures. Consequently, the powers and functions vested in PRIs vary from state to state. These provisions combine representative and direct democracy into a synergy and are expected to result in an extension and deepening of democracy in India. Hence, Panchayats have journeyed from an institution within the culture of India to attain constitutional status. This is one the biggest democracy in the world where village level democratic structures are functioning for their development. "The Panchayats, throughout the years, have relied on federal and state grants to sustain themselves economically. The absence of mandatory elections for the Panchayat council and infrequent meetings of the Sarpanch have decreased the spread of information to villagers, leading to more state regulation"(Dwivedi, Ritesh; 2013)

In the Tenth Five –year Plan (2002-2007), it has been brought necessary to make development a people's movement; initiative and participation must become the key element in the whole process of development. A lot in the area of education, health, family planning, land improvement, efficient land use, minor irrigation, recovery of wasteland, afforestation, animal husbandry, fisheries and agriculture, etc can be achieved by creating people's institutions accountable to the community. Therefore, the focus of attention will be on developing multiple institutional options for improving the delivery systems by using the vast

potential of the voluntary sector. The plan also aims to (1) give functional responsibility for provision of local public goods to local authorities 2) Devolve fund and functionaries (posts) to these institutions. 3) Give them the right to levy local taxes within some specified bounds (Minimum and maximum rates).

CONCLUSION

The local self government is not free from challenges. Generally the local initiative and the independent actions are undermined by the state governments and the 'matter is settled.' Secondly, due to the growth of large parties at the centre, the scope. of local initiatives has taken a back seat. Big decisions are at the higher level. A uniform level of service calls for action by the centre. Thirdly, at the municipal level highly specialized experts and institutions are urgently required in order to provide optimum efficient functioning of modern utilities such as electricity, transport, cleanliness etc.

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