

Democratic Decentralization and Panchayati Raj

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It is an established fact that Panchayati Raj means vesting power in the people. It is an excellent example of democratic decentralization. There is no doubt in denying the fact that Municipal Institutions are the bedrock of democracy and in any country, the Central and provincial Governments cannot run administration in all spheres efficiently. The system of local self-government provides administrative training to the people and enhances their political knowledge, and hence, they become more responsible and self-dependent.¹

It is in this context that the role of the Panchayati Raj Institutions (PRIs) acquires importance as it provides an opportunity to undertake the implementation of coordinated action at the grass root level for the benefits of the disadvantaged sections of society. However, for such action to actually materialize, it is necessary that mechanisms to counter local power structures are built into the process of Decentralization. In the absence of rights based approach, the process of mobilizing the poor to have a voice in governance, PRIs will also be constrained by the pathologies that go with entrenched power structures. Clearly, measures are needed whereby the poor can participate more effectively through PRIs and local informal groups and people's movements. Measures are required for addressing the difficulties of institutionalizing the participation of the poor in PRIs functioning. This involves removing the legislative and procedural problems that contain Gram Sabha, greater devolution of funds, functions and responsibilities, putting in place mechanisms of audit and accountability and strengthening the participation of Women.²

HISTORY OF PANCHAYATS IN INDIA

In Ancient Times: Without any shadow of doubt, in India, the system of Panchayat can be traced since ancient ages. It has its existence in the Vedic age, though the term Panchayat was not prevalent. Those days, there used to be janpada in which everybody had a share. The great poet Balmiki has also used the term janpada in his epic. In Mahabharata, there are references to Gramsabha (Village Committee).

According to Shukraniti, the Village Panchayats used to be elected institutions. The village people used to elect five chiefs and confided into them. Their justice was considered to be God's justice. Every village was self-dependent.

Under British Rule: With the advent of the British Rule in India, the system of Panchayats got broken. The Britishers adopted the policy of centralization. However, due to the liberal policy of Lord Ripon, these institutions were revived. District Boards were set in 1882 and in 1909, The Royal Commission made recommendations about the village upliftment and recommendations of the Commission were incorporated under Montagu Reforms of 1919. The right to self-government was recognised. Special emphasis was given to the village panchayats. Under 'Dyarchy' of 1919 local self-government was transferred to a popular ministry. With this the development of Panchayats took place.

After Independence: On August 15, 1947, India achieved Independence. New Constitution of India proclaimed its objectives of achieving liberty, equality, fraternity and Justice-social, economic and political. The foundation of a welfare State was laid down by the Constitution. Under the dynamic leadership of Pandit Jawahar Lal Nehru, the Prime Minister of India, Indian Government realised the importance of economic and social planning to achieve better standard of living for Indian people. But awakening among the people was essential for the success of economic planning. To do so, the government sponsored programme of community development. In 1952, the community participation in the programme was envisaged.³

Community Development Programme: For Community development programmes, the creation of new administrative units became essential. The community development blocks were created. The B.D.O. (Block Development Officer) was assigned the responsibility of community development programme. He was to co-ordinate the service of extension officials in diverse fields of rural

development, such as, agriculture, animal husbandry, public health, education etc. With growing demand a complete network of national extension services for rural development came in to existence. But this sponsored programme by government failed to bring rural people within the orbit of planning, and they could not be made a willing party to plant implementation at the village level.

B.R. Mehta Committee Report: In January 1957, a study team was appointed under the leadership of Balwant Ray Mehta to review the working of the community development programme. The team submitted its report in 1957. It suggested the establishment of Panchayati Raj or the scheme of democratic centralization as referred to by the team. The survey team recommended the setting up of elected and organically linked democratic bodies at the village, block and district level, and entrusting of all planning and development activities to these bodies. Decentralization of authority became necessary to create popular enthusiasm for the institution.

Constitutional Provision: Art, 40 of the Indian Constitution (1950) has made following provisions about the establishment of village panchayats: "The state shall take step to organise Village Panchayat and endow them with such powers and authority as may be necessary to enable them to function as units of self-government"

The directive principles of State Policy, under Part 4 of the Indian Constitution, also refer to the establishment of village panchayats.

Mahatma Gandhi advocated Panchayati Raj as the foundation of India's Political systems, it would have been a decentralized form of Government where each village would be responsible for its own affairs. The term for such a vision was Gram Swaraj (Village self-Government).

In India, The Panchayati Raj now functions as a system of Governance in which Gram Panchayats are the basic units of local administration. The system has three levels: (i) Gram Panchayat (village level) (ii) Block Samiti or Mandal Parishad or Panchayat Samiti (block level), (iii) Zila Parishad (district level). It was formalized in 1992 by the 73rd amendment to the Indian Constitutions.

Various Committee in Panchayati Raj:

1. Balwant Rai mehta: Estd. 1957
2. V.T. Krishnamachari: Estd. 1960
3. Takhatmal Jain study Group: 1966
4. Ashok Mehta Committee: 1977
5. G.V.K. Rao Committee:1985

6. Dr. L.M. Sighvi Committee:1986

The Balwant Rai Mehta Committe was a appointed by the Government of India in January 1957 to examine the work of the Community Development Programme (1952) and the National Extension Service (1953) and to suggest measures for their better work. The committee recommended the establishment of the scheme of 'democratic decentralization' which finally came to be known as Panchayati Raj.⁵

Establishment of a 3-tier Panchayati Raj system Gram Panchayat at the village level, Panchayat Samiti at the block level, and Zila Parishad at the district level.

The Panchayat Raj system was first adopted by the state of Rajsthan in Nagaur district on 2nd Oct. 1959. The second state was Andhra Pradesh, while Maharastra was the Ninth state. This system was adopted by state governments during the 1950s and 60s, as laws were passed to establish panchayats in various states. It also founded backing in the Indian Constitution, with the 73rd amendment in 1992 to accommodate the idea. The Amendment Act of 1992 contains provision for devolution of powers and responsibilities to the panchayats, both for the preparation of economic development plans and social justice, as well as for implementation in relation to 29 subjects listed in the eleventh schedule of the constitution.

The panchayats receive funds from the sources:

1. Local body grants, as recommended by the Central Finance Commission.
2. Funds for implementation of centrally sponsored schemes.
3. Funds released by the state governments on the recommendations of the State Finance Commissions.

On 24 April 1993, the Constitutional (73rd Amendment) Act 1992 came into force to provide constitutional status to the Panchayati Raj institutions. This act was extended to Panchayats in the tribal areas of eight states, namely Andhra Pradesh, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Odisha and Rajasthan. Currently, the Panchayati Raj system exists in all the states except Nagaland, Meghalaya and Mizoram and in all Union Territories except Delhi.⁶

The 73rd and 74th Amendments envisage the village panchayat/ward council as a forum and action point where local solutions to local problems will remedy lacunae in bureaucratic, top-down schemes. Although national goals and aspirations are supportive of decentralisation.⁷

Administrative procedures: Several constraints in the institutionalization of Panchayat Raj stem from the fact that the rationalization of laws, administrative procedures and system has not kept pace with the constitutional sanction to local governance bodies. There is need to tailor government rules, administrative structure and procedures so that the local bodies have the necessary wherewithal to carry out their mandated duties. States such as Kerala and Madhya Pradesh have placed line departments in several sectors under the control of local bodies, a factor that has contributed to the resilience of their decentralization initiatives.

Strengthening the Gram Sabha is another important step in this direction. Taking government closer to the people, to ensure that the Gram Sabha serves as the empowered and proximate forum for local democracy, especially in regions characterized by a dispersed pattern of settlement is an essential step. The Panchayat Extension to Scheduled areas Act, 1996, has taken a step ahead in this direction, by making the Gram Sabha the cornerstone of people's empowerment. The momentum of this initiative needs to be built upon to ensure that the village assembly/ward council becomes the centre-piece of local democracy.⁸

The Panchayati Raj system has come to stay. It cannot be said that the system functions effectively in all the states of India. Though it is fraught with a lot of Administrative and bureaucratic wrangles, it is gaining ground in almost all states in India barring a few.⁹

Critical Appraisal of the Panchayati Raj System: It is evident from the above discussion that there are some radical provisions in the 73rd Amendment Act. They seek to address some of the problems encountered by Panchayati Raj Institutions in previous years, such as (a) granting Panchayati Raj Institutions a constitutional status; (b) empowering socially and economically disadvantaged groups, like the Dalits, Adivasis, and women; (c) ensuring free, fair, and regular elections; (d) keeping terms fixed; (e) identifying a list of items which would fall under the jurisdiction of Panchayati Raj Institutions; and (f) addressing the issue of Panchayati Raj Institution finances. Thus, the act has provided for a significant degree to fiscal, administrative, and political decentralization from state to local levels.

Now that the democratic decentralization experiment is with us for more than two decades, it is necessary to evaluate the experiment, which is often euphemistically called the 'silent revolution'. It is to therefore, interrogate the democratic decentralization experiment by asking a few important questions; Are we really ready for decentralization? Is democratic decentralization an end in itself? Does democratic decentralization truly empower local community?

These questions require a lot of introspections. This section critically appraises the role of democratic decentralization in delivering development and social justice.¹⁰

Despite much accolade and fanfare, Panchayati Raj Institutions have failed to bring about the much-needed transformation in India's society and policy. In fact, several shortcomings have surfaced within a decade of its functioning. First and the foremost is Panchayat, as the institution of local self-government, has been suffering from an identity crisis as the meaning of self-government has not been clearly articulated. Second, Panchayati Raj Institutions have inherited a culture of subservience, which was deliberately inculcated by the colonial era, and this has gone against the fullest realization of decentralization in post-Independent India. Third, though the new Panchayati Raj Institutions have an avowed stand on gender empowerment-as the 73rd Constitution Amendment Act has envisaged one-third reservation for women-in actuality, however, Panchayats are witnessing a typical phenomenon of proxy participation, where male family members of the women candidate wield power on her behalf. The infamous pradhan-pati syndrome is a case in point. Fourth, another major weakness of this system is the over-politicization of the Panchayats. In a parliamentary democracy, thanks to it being in power for many years, often Panchayats administration and party administration have become identical and inseparable, leading thereby to an overlapping of responsibilities. Consequently, Panchayat administration became the extended branch of party administration as the same set of persons simultaneously discharge both the duties, leading thereby a lot of confusion. However, politicization is nothing unique, as the Indian Panchayati Raj system has allowed political mobilization. In a democratic system, competitive political mobilization could have enhanced the status of community, if political parties are allowed to mobilize freely. For, in this system political parties always wanted to outpace their contenders by improving quality of services. Distortions occur only when any political parties or combination of parties hold powers unilaterally for a long time. Fifth, over-reliance on the Panchayati Raj Institutions, as the Institutions of local governance, often leads to 'system overload' as too many developmental projects vying for attention in the Panchayats. Sixth, a strong centralizing tendency with the centrality of development state has been implicit in the decentralization initiatives in Independent India. Starting from the Balwantrai Mehta Committee to the recent 73rd Constitution Amendment Act, there has been distinct tradition of centrality of nonetheless.¹¹

The functioning of the new Panchayati Raj system reveals the fact that though the legislative and

election formalities have been completed in almost all the states, at the operational level, there are large variations among them. The 29 subjects mentioned in the 11th Schedule do not give power to legislate the local bodies, but only to take decisions. The State Finance Commissions recommendations are not mandatory in nature. It is completely up to the state government to devolve or not to devolve, functions, functionaries, and resources on the local bodies as per constitutional scheme. As of 2007, only three of India's 28 states had passed executive orders devolving all 29 functions to the local level, as required by the Constitutional Amendment. The high handedness of bureaucracy, with a few exceptions, over the collector autonomy still prevails. The experience gained so far is that, at the district level, various department and agencies still implement programmes and functions under the overall supervision and control of the district collectors. The Panchayati Raj Institutions, therefore, have to be content with backseat driving.

Inadequate financial resources are another crucial constraint in effective functioning of decentralized governance. The Panchayats have to depend on the devolutions and grants-in-aid from the state governments and they have not developed any independent sources to raise revenues. Besides most of the states have not transferred funds for the subjects transferred to these local bodies. The limited fiscal autonomy of Panchayats render them excessively dependent on the central and state governments.¹²

Conclusion In this way, after making a hurried and incisive study and analysis of different aspects of democratic decentralization of Panchayati Raj, we can safely and rightly aver that the main purpose behind the implementation of Panchayati Raj Institutions was to provide proper form to the concept of democratic centralization, but due to some discrepancy it could not get success in its purpose and motive. So, the need of the hour is that these discrepancies may be sorted out as soon as possible, so that the Indian people can watch Gandhiji's dream, of Gram Swaraj and democratic decentralization completely.

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