Chapter VI
Panchayati Raj Institutions and Elementary Education: A Structural Framework
CHAPTER 6

Panchayati Raj Institutions and Elementary Education in West Bengal:
A Structural Framework

VI. 1. Introduction

An attempt has been made in this chapter to provide a macro view of how the education system and the Panchayati Raj Institutions in West Bengal have shaped up since 1950s and to examine the legal and structural changes therein over the period. Besides looking at the organizational structure, it also discusses various policies and interventions made in the two during the last five decades or so.

The 73rd Constitutional Amendment stands out as a significant intervention empowering local bodies in rural areas. However it would be immensely instructive to note whether the provisions espoused by the 73rd amendment have been put in place in West Bengal as it is the state governments that are expected to take necessary steps towards strengthening the process of decentralized governance. An attempt has also been made here to examine the experiences and functioning of the Panchayats in the state over the years in relation to the policy changes, trends of its achievements in several areas in the light of wider goals of rural development locating them in the context of changing structure of local politics and financial devolution in West Bengal and how education has been placed within the scope of the Panchayati Raj functioning. It discusses the constitution of Village Education Committees, their role, functions and constraints therein. It focuses on how these institutions could ensure universalisation of elementary education and how the impacts have varied across the districts of West Bengal.

VI.2. Elementary Education System: Looking Back.

An attempt has been made to examine the organizational structure of education system, major policies and administrative measures initiated by the government during the last few decades in West Bengal and their impact on the educational scenario. A cursory look at the history of the education system in West Bengal reveals that in 1930 a comprehensive Education Act came into existence with the provision for partially decentralizing the system of primary education management. After independence in 1950
major amendments were made to the Bengal (Rural) Primary Education Act 1930, as a step towards achieving the goal of universal and compulsory primary education in West Bengal.\(^1\) Government reports took note of the failures in introducing free and compulsory education in rural areas. After two decades of independence and several failures the government of West Bengal passed Primary Education Act 1973. It is strange that little initiative has been taken to achieve the objective of universal education in the state despite strong recommendations of Central Advisory Board of Education (1994).

The Primary Education Act of 1930s in fact brought education on to the political agenda of Bengal. Number of the primary schools and students increased quite substantially. It is worth mentioning that along side the issue of job security, working conditions and pay structure of teachers also gained momentum, which later became extremely politicized. This is well reflected in the recommendations of the Second and Third Pay Commissions.\(^2\)

The formal system of education during the post 70s was based on the Primary Education Act of 1973. Under the supervision and guidance of West Bengal Board of Primary Education (WBBPE), the District Primary School Council (DPSC) was assigning the responsibility of managing primary schools. The Board is responsible for formulating strategies, policies and taking decisions on issues related to primary education. The functions of the board as defined in the West Bengal Primary Education Act, 1973 are wide-ranging and diverse in nature. The West Bengal Primary Education Act, 1973 was further amended in 1992, which entrusted the Board to recognize all new Primary Teacher’s Training Institutes. They were made responsible to administer, conduct examinations and carry out other affairs relating to Primary school teacher’s training institutes. The District Primary School Council however is responsible to ensure complete and proper functioning of the schools at the district level. The District Primary School Council is the appointing authority for all the teachers of the state- financed primary schools. The council controls service- related matters such as transfers and pensions, it prepares plans and schemes and receives funds directly from the state

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\(^1\) According to the Septennial Review 1970 for the period 1957 to 1963-64 on the progress of education in West Bengal, only 81 percent of the children in the age group 6-11 years was attending school in the compulsory areas in 1963-64 as against 79.64 percent in 1960-61.
government. The District Primary School Council undertakes construction, extension and repair of schools – either directly or through local bodies i.e. Panchayats. Today it is argued that these bodies which were supposed to be elected but since 1981 continued to remain as nominated bodies. These bodies stand in the way of the more democratic Panchayats to play a meaningful role in education. The nominated bodies were composed of followers of the ruling political parties and thus the process of politicization of education was complete. ³

The SCERT under the direct control of the School Education Department, looks after the issues of educational management, research and training. Interestingly, the West Bengal Primary Education Act of 1973 provided for the establishment of statutory village level welfare committees comprising the head teacher, one assistant teacher elected by the teachers, four guardians elected by the parents of school going children, one person nominated by the teachers, four guardians elected by the parents of the school going children, one person nominated by District Primary School Council and one person elected by gram Panchayat. These committees were supposed to play a vital role in awareness generation, resource mobilization, school supervision etc. However welfare committees were not set up, though school level committees continued to function in some places. FigureVI.1shows the management system of elementary education in West Bengal.

Since independence, several commissions and committees have been constituted for examining the working of the educational system and for suggesting reforms. In order to discourage drop outs, no- detention policy was introduced in 1981 at primary level. Also old curriculum and syllabi were comprehensively revised in 1981. Greater emphasis was laid on health and physical education, environment studies etc. Finer refinements and modifications in pedagogical issues are being made continuously. The old examination system has been replaced by the introduction of continuous and comprehensive evaluation system. The most wide-ranging changes that have taken place

³Veron R, Glyn Williams, Stuart Corbridge and Manoj Srivastava, (2000): “State Access, the Employment Assurance Schemes and primary Education in West Bengal”, Paper presented at the Inception Seminar-cum- Workshop of the DFID funded action- oriented project “ Enhancing Pro- Poor Governance in West Bengal and Bihar” by Leete University, in collaboration with State Institute of Planning and Rural Development, SIPRD, Kalyani, West Bengal.
in the educational landscape since 1977 was in the primary education sector. The entire education system has been decentralized into separate tiers. Effective implementation of the contents in non-scholastic areas etc. has been given particular emphasis since 1986 when the implementation of National Education Policy and Program of Action both as refined in 1992 were adopted.\textsuperscript{4} The Program of action aims at realizing the following objectives: universal access to primary/elementary education, universal enrolment in primary schools or in the alternative schooling system with equivalent quality and universal retention of the enrolled children. It is to be mentioned that recognizing education as a fundamental right (83\textsuperscript{rd} Amendment) has posed a new thrust has been added to the prospects of elementary education. It is contended that not withstanding the recommendations, the essential character of the education system in West Bengal more or less remained unchanged. There were attendance committees to check non-attendance at school.\textsuperscript{5}

The West Bengal School Service Commission Act, 1997 (West Bengal act of 1997) was enacted by Notification NO.936 1997 and came into effect from Nov. 1997. Since 2001 appointment of the teachers are made through the School Service Commission. Under the revised Recruitment Rules of Primary Teachers (Second Amendment Act, 2001 under section 9A) no untrained candidate can be appointed as school teachers.\textsuperscript{6} To address the problem of high incidence of untrained teachers, W.B. Primary Education Act, 1973 has recently been amended [W.B. Primary Education (Amendment) Act, 2002] with a view to allowing NGOs to establish and run Primary Teachers’ Training Institutes in the State without financial assistance from the State Government West Bengal Board of Primary Education. Certificate of Training has been made a necessary requirement for selection and recruitment of teachers under the revised recruitment rules that came into effect from January 2002. As already mentioned several reforms and policies has been introduced in order to promote enrolment and enhancing the quality of elementary education in the state. Keeping in view the objective of DPEP

\textsuperscript{4} The educational goals of the Government of West Bengal seem not different from the national goals formulated in the Programme of Action (POA 1992).
\textsuperscript{5} According to Quinquennial review 1959:p.4,5 on the progress of education in West Bengal attendance committees seldom take any measure against nonattendance.
\textsuperscript{6} Annual Report (2003-2004): Department of School Education; Government of West Bengal; Bikash Bhavan; Bidhan Nagar; Kolkata pp.19.
interventions in ensuring quality education two types of activities were undertaken. At macro level, emphasis were laid on in-service training of primary teachers and training of CLRC personnel, Resource personnel, support of supply such as Modules for Teacher’s Training, TLM grants, school grant and monitoring. Micro level activities like School based Learning Improvement Programme/ Integrated Learning Improvement programme were introduced since 2002 in the DPEP districts. The changes and the impact of these policies will be discussed in the course of our analysis.

One of the major drawbacks of the system is that the government policy of education has suffered from a good deal of inconsistencies and confusions. Although amendments have been made, these did not amount major policy changes. As stated earlier the goal of state level program of action of West Bengal is not very different from the national level Programme Action. It is contended that it has only has the status of a set of expert recommendations with little impact on actual policies at the state level. Also the provision of the educational facilities remains completely out of line with the stated goals of universal school education until the age of 14. Similar inconsistencies of ends and means can also be found in the recommendation of several commissions and eventual policy statements that appeared since 1947. It is contended that though the Indian Education Commission of 1964-66 recommended the establishment of an Indian Education Service to improve the efficiency of the ministry and state departments, this proposal did not find favour with the state government. Next section will discuss the structural framework of Panchayati Raj Institutions in West Bengal.

VI. 3. Panchayati Raj Institutions: Continuity and change.

The West Bengal Legislative Assembly had passed a Panchayat Act in 1956. The then existing structure were replaced by a two tier structure the “gram Panchayat” and the “anchal Panchyat”. By 1963, 50 percent of the villages comprising 60 percent of the state’s rural population had been covered by the Panchayati system. During the third five year plan period, the West Bengal Zilla Parishad Act was passed, whereby a four-tier structure consisting of ‘Zilla Parishad’, ‘Anchalik Parishad’, “gram Panchayat” and the

“anchal Panchyat” was created. However, the first two institutions did not last long and the other two did not play an effective role as institutions of local governance, excepting token involvement in disbursement of relief, collection of Chowkidari tax and payment to Chowkidars and Dafadars.

The state has experienced a series of political changes during the sixties and worsening of law and order situation. The state annual report for 1967-68 observed that even 10 percent of the 19,662 gram Panchayats in the state were not functioning effectively. The Congress Government took the next step in the creation of the panchayat system in 1970. It enacted a consolidated piece of legislation called the “West Bengal Panchayat Act” in 1973. This Act was passed annulling the previous laws and provided for the three-tier Panchayat System comprising gram Panchayat at the village level, Panchayati Samiti at the block level and Zilla Parishad at the district level, following the Balwant Rai Mehta Committee’s recommendations. This committee has also recognized the significance of people’s participation in decision-making process and political and financial autonomy of the local bodies for development.

As a framework for decentralized governance, the 1973 Act was a major improvement over the previous legislations in ensuring organic linkage between various tiers, improving executive efficiency through a system of standing committees, and providing greater clarity regarding the functions. Its aim was to reorganize and assign to them a major role in planning and implementation of development programmes at the local levels.

The Left Front came to power in 1977 after a period of sustained political upheaval in the state for about a decade. Operating within the framework of a capitalistic state with its highly centralized constitutional and political structure as well as feudal culture, the Left Front Government embarked upon a programme of rural resurgence on two promises—reorganization of Panchayat system and introducing structural changes through land reforms. The second generation of the Panchayati Raj changes started when the West Bengal government opted for “political Panchayats” on the lines of Ashok

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Mehta Committee’s recommendations in 1978. Agrarian reforms and decentralization have been persistent themes since then. Panchayats have been made part and parcel of the agrarian reforms program whereby redistribution of land from landed elites to small farmers and landless poor has been channelized through Panchayati Raj Institution. This has considerably weakened the hold of the big landlords who had traditionally been the dominant forces in rural areas of the state.

Following the Ashok Mehta Committee’s report, West Bengal was the first state in the country to hold elections to the Panchayats with participation of political parties in 1978 and since then at regular intervals of five years; the sixth in series culminating in May 2003. This marks a turning point in the prospects of Panchayati Raj Institutions. Direct elected representatives at all the three tiers of the Panchayati Raj structure can be considered as a major achievement of the left front government.

In 1985, the G.V.K. Rao Committee on Panchayati Raj recommended that district be the basic unit of planning and called for regular elections to the panchayati institutions. The committee also suggested that women should form a sub-committee in the Panchayats to oversee the functioning of child and women welfare programmes. The importance of Seventh Five Year Plan document lies on emphasizing on the need for planning at village and block level. It also stressed for providing substantial funds and autonomy to Panchayati Raj bodies. The Singhvi Committee set up in 1986 also made recommendations for the revitalization of the Panchayati Raj Institutions. The Constitution (Sixty-Fourth Amendment) Bill, 1989 proposed that the legislature of a state may, by law, endow Panchayats with powers and authority to enable them to function as institutions of self government. Article 243 B lays down that ‘there shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the Provisions of Part IX. Section (15 b) of the Principal Act. The West Bengal Panchayat (Amendment) Act, 1994 says “Panchayat” means an institution of self government and includes Gram Panchyat, Panchayat Samiti and Zilla Parishads. Following section will examine the linkages between the Panchayat and education system in West Bengal.

VI.4. Linkage between Panchayat Raj Institutions and Education System:

It was realized that the problems of education could not be solved through sponsored schemes and government efforts alone. It was felt necessary to involve community in educational planning. So far as exploring the linkage between the two, it is useful to take a look at the processes and the institutional structures of the same. As noted earlier, major amendments were made to the Bengal (Rural) Primary Education Act since 1930s, as a step towards achieving the goal of universal and compulsory primary education in West Bengal. Parallel institutions in the form of West Bengal Board of Primary Education and District Primary School Council (DPSC) at the district level managed primary education of West Bengal since 1973. The Panchayats were not responsible for implementing the task of universal elementary education in West Bengal. It is surprising to note that still today there is no act for introducing elementary education in West Bengal on the Panchayati Raj agenda in any significant manner despite the recommendations of the Central Advisory Board of Education (1994). More surprising is that there is no clearly defined relation between the bodies at different levels in the Panchayat and that of primary education like District Primary School Council neither in the West Bengal Primary education Act nor in the West Bengal Panchayat Act. There was provision for constituting ‘Shiksha, Sanskriti and Krira Sthayee Samiti’ at the Panchayat Samiti and zilla parishad levels for taking care and looking after the development of primary education and granting funds in the respective areas. But no such provision is currently in place defining relation between the gram Panchayat and the education authorities. Despite this, the Panchayats have over the years made investments in many places for improving the physical infrastructure of the schools. Also in the late 1980s and early 1990s, Panchayats played active role in implementation of the literacy mission.

As per the Eleventh Schedule, accompanying the 73rd Constitutional Amendment Act, the responsibilities with regard to primary education had to be transferred to Panchayats. Besides 73rd Amendment, 93rd Amendment Bill also emphasizes the sharing of education related responsibility across various levels of governance. The functions and

\[\text{\footnotesize\textsuperscript{11} Panchayati Raj Institution in Select States- An Analytical Study (1995); National Institute of Rural Development, Hyderabad., pp. 231-275.}\]
responsibilities of primary education has since become a Constitutional obligation of the gram Panchayats. It was expected that the direct involvement of Panchayats in primary education would make the education system more accountable and transparent as Panchayats remained in close proximity with community and answerable to the community through the gram sabha. It would addresses the issues of social and economic access as well as quality of educational facilities. But it was left to the respective state governments to decide the powers to be devolved to the Panchayats. Though it took a long time, a major breakthrough in the history of India’s education took place when the Lok Sabha on 28th November 2001 passed the 93rd Constitutional Amendment Bill, making education a fundamental right. Education was placed in the Concurrent list, which implies that individual states were responsible for the expansion and growth of education in their respective areas with specific directions and policy guidelines from the central government.

It emerged that Indian Constitution has been amended to facilitate the process of decentralization of educational management through Panchayati Raj. According to 73rd and 74th Amendments of Indian Constitution the Panchayats was conceived as third layer of government. They were entrusted with responsibility of implementing universal and compulsory education. Major amendments were made in 1992, 1994 and 1997 in West Bengal Panchayat Act of 1973 to bring in conformity with the 73rd and 74th Constitutional Amendment Act. It aimed at reform of the institution in West Bengal. By enhancing the responsibility of the elected representatives in the management of education, it enabled Panchayats to functions as more responsive and effective institutions of self government.

VI 5. Structural changes in the institutions:
The West Bengal Panchayat (Amendment) Act, 1992 was sought to make some significant changes in the structure of the Panchayati raj in the State. For better discharging of rural development functions, ten working groups were constituted as model Sthayee Samitis (Standing committees) of Panchayat Samitis and Zilla Parishads.\(^\text{12}\)

The amendment of 1992 strengthened the role of the Karmadhyakshas of the Sthayee Samitis of both zilla parishads and Panchayat samitis. The chairman elected by the members of a standing committee from among themselves is known as Karmadhyakshya. They were made responsible for the ‘financial and executive administration’ of the programmes. Also they were given some administrative power. But there were no Sthayee Standing committees at the gram Panchayat level. Previously entire executive responsibility was vested on the head of the gram Panchayat. The amendment made provision to delegate some powers and duties to the ward members to assist the pradhan. The amendment made an attempt to distribute the executive functions among pradhan, upa-pradhan and ward members of the gram Panchayat. This was an indication of shift towards a cabinet-type executive structure. It will be interesting to see how this structure has evolved at micro level and their functioning. However scholars found that the provisions remain unfulfilled and the panchayats remain chairperson centric. Another important development by the 1992 amendment was that the chairperson, vice-chairperson of Zilla Parishads and Panchayat Samiti and karmadhyakshas of Zilla Parishads were made full time functionaries. Even the offices of pradhan and upapradhan of gram Panchayat were made full time by functionaries. It indicates that due importance that was given to the local bodies in the governance of the state. The significance of the amendment was that it recognized the role of elected representatives in local self-governance. In respect of line departments West Bengal had chosen a rather innocuous process of indirect control as the district level officers were nominated to various Standing Committees (known as Sthayee Samitis). Accordingly Siksha Sthayee Samitis (Section 171 of West Bengal Panchayat Amendment Bill 1992) were constituted in West Bengal for programmatic convergence.

One of the positive developments since the Constitutional Amendment of 1992 was that the state acts provided seats in all the three tiers of the panchayat in favor of schedule caste/schedule tribes in proportion to their population in respective panchayat

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areas. It also provided for reservation of women to the tune of not less than one thirds. Further 1994 Amendment also provided for reservation in the offices of both chairperson and vice chairperson of all the three tiers for women as well as the scheduled caste/scheduled tribe. The Panchayat elections of 1993 and 1998 in West Bengal were held in accordance with the respective state amendment acts. These changes have paved the way for women empowerment by providing political spaces.

VI. 6. Composition of the Panchayats:

The gram Panchayat normally consisted of five to twenty-five members directly elected by the people residing within the area. Members of a gram Panchayat elected from among themselves a pradhan and an upapradhan. The pradhans of all the gram Panchayat within the area and local MLAs and MPs were also members of Panchayat samiti. The members of the Panchayat samiti elected from among themselves one sabhapati and one sahakari sabhapati. Sabhapatis of all the Panchayat samitis of the district as also the MLAs and MPs of the district were ex-officio members of the zilla parishad. Members of the zilla parishad elected from among themselves the sabhadipati and the sahakari sabhadipati. The term of elected members of the tiers was five years. Both the Panchayat samiti and zilla parishad had to constitute a number of Sthayee Samitis, each consisting of three to five members elected by them. Members of each Sthayee Samiti at both level elect from among themselves a chairperson called Karmadhyaksha. The 1992 amendment also made provisions for representation of the lower body to the higher body and vice versa. Accordingly, chairperson of the gram panchayat was ex-officio member of Panchayat samiti and chairperson of the latter was ex-officio of zilla parishads. A member elected to the Panchayat samiti from the constituency comprising any part of the gram Panchayat should be ex-officio member of the said gram panchayat. Similar provision exists with the zilla parishad also.\(^{17}\) Thus West Bengal Act provided for both backward and forward linkages between the lower and the higher tiers within the vertical structure of the Panchayati Raj institutions. But there were no clearly defined horizontal linkages in the provisions between the District

\(^{17}\) Clause 3 of Article 243C of the Constitution
Primary School Council, District Inspector of schools, Sub Inspector of Schools and the Karmadhyakshya of Sthayee Samitis at the district and block levels.

The law provides that the Sabhadhipati or Sabhapati is responsible for the financial and executive administration of the Zilla Parishads of the Panchayat Samiti (Section 165 of the West Bengal Amendment Bill 1992). But this was not reflected in the financial and auditory rules that were framed (as well as the orders and clarifications issued).\(^{18}\) This means that instead of curbing the power of bureaucracy, this in effect curbed the powers and legitimate role of the elected representatives; a counter-tendency amounting to strengthening interventions of the bureaucracy. Obviously, this has negative implications for both the capability of the Panchayat and its accountability to the local people rather than to the bureaucracy. The legal-administrative framework may therefore need to be altered in order to preserve and strengthen the basic goals of decentralization.

VI.7. Functions of the Panchayati Raj Institutions:

The main lacuna of the 73\(^{rd}\) Amendment is that instead of clearly specifying the functions and powers of Panchayats, it was left to the discretion of state governments. Article 243G of the Constitution intended that functions relating to 29 items of the eleventh schedule would be transferred to Panchayats and they would have autonomy over the functions thus transferred. The West Bengal Panchayat Act 1994 entrusted the gram Panchayat with three types of functions- obligatory, delegated and discretionary. Subject to the availability of funds, the gram Panchayats had obligatory functions to provide for sanitation, conservancy, drainage, maintenance and repair of public streets etc. They had to perform functions assigned to them by the state government in respect of primary, social, technical or vocational education, rural dispensaries, maternity and child welfare centers, irrigation etc.\(^{19}\) Also the Panchayats under direction of the state government would take up the discretionary functions. Therefore devolution of functions to Panchayats had not yet taken place on anticipated lines. Rather older method of state-


local concurrent functions continued to prevail even after the 1994 amendment. Thus real
time decentralization remains elusive in several respects and on various counts. However,
decentralization in the nature of "de-concentration of power has taken place, devolution
primarily financial decentralization has not materialized.

V1.8. State Panchayti Raj Acts with regard to education:
8. (i) Powers and functions provided to Panchayats:

As per Eleventh schedule (points 17 to 21 deal with the mass education),
accompanying the 73rd Constitutional Amendment Acts the responsibility of primary
education was to the Panchayats transferred. This has provided certain measure of
scope in improving the educational structure in tune with local needs. The West
Bengal Panchayat Act provides for primary, social, technical, vocational, adult or non-
formal education to be among "other duties" of the gram Panchayat. They were
given responsibility for establishing libraries, sports facilities, physical training and
cultural activity. They also had the responsibility of ensuring supply of textbooks to
schools. Section 32A of the West Bengal Amendment Bill, 1992 says "Delegations
of Powers and Duties of Gram Panchayat to its members". However, one of the major
drawbacks of the 73rd Amendment is the absence of a clear functional jurisdiction for
the Panchayats vis-à-vis the organs of the educational development.

A look at the Panchayati Raj Acts reveal that Panchayats have following functions:
construction and maintenance works, control and management of primary schools,
creation of public awareness, conducting enrolment drives, implement schemes like
noon meals etc. In West Bengal, gram Panchayats have been providing land for
construction of primary school buildings. Panchayat Samiti have been given power to
make grants in aid to schools, within the block. They were entrusted to establish and
administer informal education centers called Sishu Shiksha Kendras, an alternative
form of education for children who did not attend schools.

and Patterns, 2002
Appraisal", Kurukshetra, April-6, pp.35-38

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VI. 8.(ii). Financial devolution:

Various Committees and commissions were constituted for suggesting measures for establishing financial autonomy to the Panchayats. Ashok Mehta Committee (1978) on Panchayati Raj expressed concerns over the unsound resource base of the Panchayats. In the light of the suggestions made by several committees State made appropriate provisions in the Panchayati Raj Acts. However, in spite of the sound intentions the real functioning of the panchayat seems to have been greatly affected by recurring phrases such as “within the limits of its funds”, “to the extent its funds allow to perform”, “as far as the funds allow to perform within their areas,” and “funds at their disposal”. These provisions had circumscribed the role of Panchayats because access to financial resources was crucial to their effective functioning.\(^24\)

In West Bengal the state government determines the financial powers. Article 40 in the Constitution of India states that “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 units of self-governance”.\(^25\) The funds under the central and centrally sponsored schemes pertaining to the District sectors should at least after the Constitutional act, be chanelised and spent by the Panchayati Raj bodies.\(^26\) A critical review of the State Panchayat Acts revealed that in the light of Article 243 G of the Constitution, little was devolved to these institutions in terms of granting autonomy. In fact, still no power and authority was transferred to the rural local bodies as intended by the constitution\(^27\). In West Bengal, Section 46(1)(a), 46(1)(b), 46(5), 47(7), of the West Bengal Panchayat Act of 1973 lays down the provision of collection of various taxes that shall contribute to their main source of income. According to Oomen and Datta (1995) these provisions were not utilized for the last seventeen years and it was for the state


government to frame appropriate rules and enforce the provisions. In this connections, guidelines for the utilization of local bodies grants recommended by the 11 Finance Commission issued by the ministry of finance is worth mentioning. “The local bodies shall raise matching resources amounting to not less than 25 percent of the grant received from the central government in case of Panchayati Raj Institutions”. One of the most important recommendations of State Finance Commissions was to transfer 16 percent of the net proceeds of all tax collected by the State in year for local bodies.

However Jena (1996) stressed that this was inadequate and appears to be arbitrary decision without any basis of scientific analysis based on data. The State Finance Commissions had not suggested any effective mechanism for Panchayati Raj institutions to generate their own revenue. The recommendations were not based on a clear statement of spending responsibilities to the local bodies. It has failed to take a comprehensive view of resource sharing between the state and local bodies. It has been rightly pointed out that weak-kneed political will and reluctance of the state government hampered the making and implementation of laws and rules even after 73rd Amendement Act. The Ninth plan (1997-2002) also emphasized on providing the Panchayats with adequate finance and extending assist them in preparing plans for village development themselves. The working group on the state resource mobilization “the suggestions of the first generation State Finance Commissions if fully implemented will go a long way in improving the revenue generation capacity of local bodies”.

VI. 9. Structure and Functions of Village Education Committee:

Literature shows that the Village Education Committees is the key institution providing for the essential relationship between the school and the local community and functioning

fairly well. It ensured local participation in functioning of the village schools. The functions suggested by the Central Advisory Board of Education were - supervision over adult education, early childhood care and education, non-formal and primary education, supervision of the upper primary schools under delegation of authority from Panchayat Samiti, generation and sustenance of awareness among the village community ensuring participation of all segments of populations, promote enrolment drives in primary schools and persuade parents of non-attending children to send their wards to schools, retention of dropouts in primary schools by initiating appropriate measures for retention, assistance in smooth functioning of primary schools, seeking support of teachers, youths and women and others for educational and other linked health and welfare programmes, mobilising resources and helping schools to have water supply, urinals, playgrounds, and other facilities, preparing plans and resources and development of education in the village and present reports and proposals to the Panchayat samities etc. According to provisions of the Panchayati Act, Village Education Committee was reconstituted in 1998.

The constitution of the Village Education Committee (VEC) includes the Panchayat Standing Committee on education, the Chairman of the Panchayat, one member of the scheduled caste and scheduled tribes, backward classes and minorities, representative of parent-teacher's association, two anganwadi workers, a person interested in education from the local community. The Headmaster of the school is the member – secretary of the committee. This committee consists of partly elected members and partly nominated members.

The legal functions of the Village Education Committee were as follows:

- Legal functions of Village Education Committee were:
  --- maintaining children's register at Village Education Committee level
  --- identifying out-of-school children
  --- issuing green card
  --- organizing regular meetings at Village Education Committee
  --- monitoring of utilization of school grant
  --- organizing folk media campaign with help of Panchayat
  --- collecting money and materials for building construction, toilets etc

V1. 10. People's Participation:
Till the early nineties, the gram Panchayat had little formal accountability to the people. But the situation has changed subsequent to the 73rd Amendment. The West Bengal
Panchayat (Amendment) Act 1994 in spirit of the 73rd Amendment India, created three fora for people’s participation—gram sabha, gram sansad and beneficiary committee. All the voters of a gram Panchayat constituency ward form a gram sansad. The gram sansad met twice a year in the month of May and November to guide and advise the Panchayat in matters related to economic and social development undertaken or proposed in the area. It would identify the beneficiaries according to the felt needs of the village; constitute beneficiary committees for ensuring people’s participation in implementation and maintenance of schemes, mobilize mass participation for community welfare programmes and programmes for adult education, family and child welfare etc. The gram Panchayat was required to place its budget, annual report and audit report to the annual or half yearly meetings and gram sansads give recommendations or suggestions to take action on the same. This was done to ensure accountability and transparency of functioning on the part of Panchayat members to the electorate and actually transforming Panchayat bodies as responsive and effective units of self-governance. Gram Sabha (Section 16 A of Amendment Bill, 1992)—the general body of the village, meets once in a year in December. It was presided by the pradhan and deliberates on the resolutions and recommends tasks to the gram Panchayat. Gram Sabha could be an effective forum for mobilization of masses for community activities and social audit. Therefore West Bengal has given extensive powers to these bodies.

V1.11. Planning process:
From 1978 until 1985 the work of the Panchayats remained primarily confined to implementation of the state policy and programs that came from the state or central governments. They were not located within a formally constituted planning structure with an explicit function of their own. Since the mid eighties state government made attempt to decentralize the planning activities. A number of reforms were introduced in the planning process onwards to ensure the participation of the local bodies in the planning process. The Seventh Five-year Plan document had mentioned the extremely peripheral status of Panchayats. It emphasized on the need for providing substantial funds and

autonomy to Panchayati Raj bodies. This has been tried through the institutional structure composed of State Planning Board (SPB) and State Planning Department at the apex. It was followed by District Planning and Coordination Committee (DPCC) and District Planning Committee at the district level and Block level Planning Committee at the Block level headed by sabhapati of Panchayat samiti and sabhadhipati of zilla parishads respectively (according to Article 243ZD of the 73rd Amendment to the Constitution). This was one of the most important steps towards devolution of power and resources to the Panchayat bodies in rural areas since 1985. However, the main focus of the decentralized planning introduced from the state level was limited to the integration or coordination of the district- specific schemes of the departments at district and block level (West Bengal Human development Report, 2004). At the village level there was no formally constituted planning structure. The Panchayats had no power to determine the inter - sectoral and intra-sectoral priorities in allocations. Their role was limited only in selection of beneficiaries. Till 1993, the Line Departments and their officials from Directorates to village level functionaries were handling the development programmes in a vertical structure. After the 73rd Amendment the scope of Democratic Base has widened enormously enabling horizontal planning and implementation of development programmes. Another gap area is that the administrative requirements imposed upon the Panchayats did not take into consideration of the geographical coverage that varies in the districts.

V1.12. Panchayats in mobilization of resources and expenditure in education:
Another disturbing feature of West Bengal’s Panchayats was the failure to raise resources locally. Since 1980s the government took notice on this issue. As an incentive to resource mobilization the sate government introduced in the seventh plan period a scheme of matching grants i.e. grants equivalent to the amount of total tax collection by gram Panchayats. The government also launched a scheme of decentralized resource mobilization in the district since 1992. The State Act had empowered the Panchayat Raj

Institutions of all the three tiers to constitute fend bearing the name of the Panchayat Raj body to which all contributions, grants, loans received from the central and the State government were credited. No attempt had been made by the panchayats to raise non-tax revenue, to generate local contribution etc. As a result they have to depend totally on the grant of state government. As a result Panchayats in West Bengal remained essentially a part of delivery system of state government rather than emerging as self-government institutions.

Conclusions:

The objective of this chapter was to examine the legal and structural provisions and changes therein with respect to the education system on the one hand, and the Panchayati Raj Institutions on the other during the last five decades. In the light of 73rd Constitutional Amendment Act this study has attempted to take a critical look at the experiences and functioning of Panchayati Raj Institutions in relation to policy changes and how education was placed within the scope of Panchayati Raj functioning. The findings are as follows:

1 Although amendments to West Bengal Primary Education Act of 1973 have been made, those did not amount to meaningful policy changes. It was contended that the amendment had only the status of a set of expert recommendations with little impact on actual policies at the state level. Also the provision of the educational facilities remained completely out of line with the stated goal of universal school education. Similar inconsistencies of ends and means were noted in the recommendations of several committees.

2. The 73rd Constitutional Amendment Act has transferred the responsibilities of management of primary education to the local bodies. This had provided certain measures of scope in improving the educational structure in tune with the local needs. Therefore it enabled Panchayat to function as more responsive and effective institution of self-government. The West Bengal Panchayat Act provided for primary, social, technical,

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vocational, adult or non-formal education to be among "other duties" of the gram Panchayat.

3. The State Directorate of Panchayats and an array of state functional directorates in administrative, financial and technical aspects exercised more greater control over Panchayats decision-making process. The decision hierarchy starts with the executive functionary and moves to statutory committees. Thereafter it passed through the states field officers at the sub-district and divisional levels depending on the tier of the Panchayat. Finally it traveled to the state directors and the state government. The authority of the Panchayats therefore was getting undermined.

4. As a framework for decentralized governance, the 1973 Act was a major improvement over the previous legislations in ensuring organic linkage between various tiers, improving executive efficiency through a system of standing committees, and providing greater clarity regarding the functions. Its aimed to reorganize and assigned them a major role in planning and implementation of development programmes at the local levels. The West Bengal Panchayat (Amendment) Act, 1992 therefore made some significant changes in the structure of the Panchayati Raj in the State. Sthayee Samitis (Standing committees) of Panchayat Samitis and Zilla Parishads were constituted for better discharging of rural development functions. The amendment of 1992 strengthened the role of the Karmadhyakshas of the Sthayee Samitis by giving administrative and executive functions.

5. The state government has made collector an ex-officio executive officer of zilla parishads, an officer of the rank of additional district magistrate as additional executive officer and a senior state civil service officer as secretary of zilla parishads. At the intermediate level the Block development officer was made ex-officio chief executive officer of Panchayat samiti. Thus West Bengal Act provided for both backward and forward linkages between the lower and the higher tiers within the vertical structure of the Panchayati Raj institutions.

6. Provision was made for 'Shiksha, Sanskriti and Krira Sthayee Samiti at the Panchayat samiti and zilla parishad levels for looking after the development of primary education and granting funds in the respective areas. Although the Karmadhyakshas were given administrative powers but there was no defined relation between the Karmadhyaksha
and the bureaucracy of education department at the district level. As a result, lack of reciprocity of the accountability on the part of the bureaucracy remained the gap areas in the decentralized model. Their cooperation was sought through standing committees at district and Panchayat samiti level in which they were made members. Therefore they are not accountable to the Panchayati Raj Institutions. The departments of the state governments work under the vertical command structure and coordination between these departments remained a major area of concern.

7. A critical review of the State Panchayat Acts revealed that in the light of Article 243 G of the Constitution, little was devolved to these institutions in terms of granting autonomy. In fact, still less power and authority was transferred to the rural local bodies as intended by the constitution. As a result they have to depend totally on the grant of state government. Panchayats in West Bengal remained essentially a part of delivery system of state government rather than emerging as self- government institutions. The provision had therefore circumscribed the role of Panchayats because access to the financial resources was crucial to their effective functioning.

8. One of the positive developments since the Constitutional Amendment of 1992 was that state acts provided seats in all the three tiers of the Panchayat in favour of Schedule castes/Schedule tribes in proportion to their population in respective Panchayat areas. It also provided for reservation of one-third seats to women at all levels of Panchayat. It therefore provided political space for disadvantage groups and women.

9. The West Bengal Panchayat Act in spirit of 73rd Amendment had given extensive powers to the local bodies to ensure people’s participation through institutions like gram sansad and gram sabha in matters related to economic and social developments.

10. According to provision of Panchayat Act Village Education Committee was reconstructed in 1998 for ensuring essential relation between the school and the local community in order to bring universalisation of education.

11. The Act 1993 says that there is an “imperative need to ensure in the Constitution certain basic and essential features of Panchayati Raj Institutions to impart certainty, continuity and strength to them” (Pal 2004). To what extent this certainty, continuity and strength have been imparted to local institutions can be evaluated from the functioning of the Panchayats at the ground level. This will be examined by in the next
chapter with reference to participation of people in decision-making, extent of devolution of powers and responsibilities to the panchayats, functioning of the Village Education Committee at the local levels, and how its impact between the two sample districts.