A REVIEW OF THE STRUCTURE OF PANCHAYAT RAJ INSTITUTIONS IN KARNATAKA: DECLINE OR DEVELOPMENT?

The Mysore State ventured to undertake a bold democratic experiment in order to fulfill the great ideal of M.K. Gandhi, viz., Village Swaraj under the Act of 1959. It established a uniform pattern of rural Local Self Government in the State. There existed a three-tier structure of rural local Government under the Act of 1959. the District Development Council formed the apex Body or the top tier. The Taluk Development Board formed the middle-tier. And the Village Panchayats formed the lowest tier. Under this Act, the word “Grama Sabha” was not used, but there was however a provision for a meeting of all the adult voters in the village once a year to consider and approve the village panchayats administrative reports and budgets.¹

District Development Council

District Development Council covered the revenue District. There were 19 District Development Councils corresponding to 19 Districts in the State. It was composed of the presidents of all the Taluk Development Boards in the District de officio or of members so appointed by the Government Members of Lok Sabha in the District, members of Legislative Assembly representing either a small part of...
the whole of the District, Members of Rajya Sabha and members of Legislative Council normally residents in the District, District Level Government Officers such as Amaldars who were working in the District were nominated by the Government, the total not exceeding 15. Further, the Government nominated some members representing the Scheduled Castes and Women whose membership was fixed for a term as per Government order. The Deputy Commissioner of the District (Head of the District Administration corresponding to District collector elsewhere) was its ex-officio President. The State Government was empowered to appoint the District Development Assistant of the rank of Assistant Commissioner as its ex-officio Secretary. This Apex Body with its co-coordinating and supervisory powers conformed to the recommendations of the Blawant Rai Mehta Committee Report.

The duties of District Development Council included; reviewing the budget proposals of taluk development Boards and approving the, reviewing the work of Taluk Development Boards from time to time, extending assistance and guidance to Taluk Development Boards and fulfilling the whenever the taluk development boards had to perform some programme or function which related to more than one Taluk or outside a Taluk or if there was any function which had an impact on the matters relating to other Taluks. The District Development Council was to try and establish co-operation between the Taluk Development Boards to avoid disturbances in their normal functioning; to perform any other city which related to Taluk Development Board but assigned to District Development Council. To ensure that the District Councils functioned and conducted their business in
conformity with stipulated rules. Every District Development Council, after receiving the yearly report from all Taluk Development Boards that came under its jurisdiction, was to consolidate them along with its own observations in a report of the District. A copy of the consolidated report was to be sent to the commissioner and Government in prescribed form by a stipulated date. Further, the District Development Council had to meet once in 3 months. Apart from this regular meeting of the District Development Council, it was empowered if need be to meet more than once on a special occasion. Generally the District Development council met quarterly to pass the Budget proposals of Taluk Development Boards; to review their work, to co-ordinate in the Development programme in the District and to provide the Taluk Development Board with necessary guidance. There was a provision for the appointment of committee and sub-Committees within the stipulated powers to District Development Council, to discharge assigned functions.

**Taluk Development Board**

Taluk Development Board was established in each revenue Taluk. There were 175 Taluks under this Act. The Taluk Development Board was composed of elected members. Ex officio members. The member of Legislative Assembly and the Member of Legislative Council residing in the Taluk were its ex-officio members. If no representative was elected from scheduled castes and women there was a provision to nominate some to represent them in Taluk Development Board. The President and the Vice-President of the Taluk Development Board were
elected from amongst their members the Tahsildar of the Taluk was the Chief Executive Officer of the Taluk Development Board. However, where a development block was established in the Taluk the Block Development officer was designated the Chief Executive officer of the Taluk Development Board. It used to meet once in two months and it could also convey special meetings if necessary.

The functions of the Taluk Development Board included obligatory and discretionary functions. They were responsible for some assigned functions too, as per the circumstance and as assigned by the Government and the District Development Council.

**Obligatory functions included:**

1. Construction, repair and maintenance of public roads and other means of communication.
2. Establishment and management and maintenance of primary and pre-primary schools.
3. Taking measures for amelioration of schedule Castes and Schedule Tribes.
4. Construction, repair and maintenance of minor irrigation works which provided irrigation for an area not exceeding 10 acres of land.
5. Planning and preservation of trees along roads and in public grounds under its control.
6. Establishment, management, maintenance and inspection of hospitals, dispensaries, veterinary hospitals, markets, musafirkhanas (rest House), and other public institutions connected with these institutions; construction and repair of public wells, tanks and water works which serve more than one Panchayat.

7. Supply of water from them and from other sources and preservation from pollution of water for drinking and cooling purposes.

8. Promotion of vaccination.

9. Measures necessary for the public health, sanitation and other local services affecting villages in different Panchayats and control of public health and sanitation during Jathras or festivals.

10. Management of such public festivals as may be entrusted to its charge.

11. Maintenance of any building or other property vested in the Board under this Act.

12. Organization of Conference, training centers, agricultural and industrial exhibitions for the benefit of the rural areas.


15. Regulation of fairs and festivals.

16. Establishment and control of studies, promotion and development of economic conditions with special reference to agriculture.

17. Supervision of control over buildings in accordance with the provisions of this Act.
18. Such other matters as are entrusted to the Taluk Board by the Government from time to time.

The Discretionary functions included:

1. Contribution towards the establishment and running of institutions.

2. Imparting primary and secondary education.

3. Encouragement and development of co-operative societies in the Taluk.

4. To promote development of economic conditions with special reference to industry and commerce.

5. Encouragement of local arts and industries and grant of loans for this purpose subject to such rules as might be made in this regard by the government.

6. Taking measures for improvement of cattle, fisheries and poultry.

7. Providing accommodation for any class of servants employed by the Taluk Board or to any institutions to which Taluk Development Board makes regular grants or loans. Further, with the prior approval of Government it could organize and maintain in times of famine or Scarcity, relief and local belief works, and shops or stalls for the sale of necessary supplies. It could contribute towards public fund raised for the relief of human suffering within or without the area under its control.

8. Provide automobile and other facilities for the carriage of public if it covers interest on capital or grant of loans for such purpose.
9. Establish and maintain industrial and trade or occupational institutions in the Taluk; and undertake any other measure not here in before cited.

There were certain plan and non-plan schemes which could be considered as assigned functions of Taluk development Board. The plan schemes included:

1. Rural water supply;
2. Drainage;
3. Grant of loans and subsidies for wells;
4. Supply of implements to rural areas;
5. Distribution of seeds, fertilizers, loans to farmers, animal husbandry and irrigation works.

The non-plan schemes included such programmes as:

Rural employment, Integrated Social Development Programme, Janatha Housing etc., handled by Taluk Development Board. The Taluk Development Board had several Committees viz., Study, Audit and Public Health, which came under what is known as obligatory Committees. The Social welfare, Agricultural, Industrial and High School Managing Committees were the other Committees which were classified as discretionary Committee, not specified in the Act but normally established.
In the areas where the community Development Blocks was established, the Taluk Development Boards were expected to supervise and control the activities relating to the administration of such blocks in accordance with the pertinent orders made by the State Government. The State had transferred a number of plan schemes to Taluk Development Board.

The Taluk Development Board of Karnataka had limited financial resources. These included:

The Taluk Development Board Fund composed of the portion of balance of the funds of the District Board in the District as allotted by Government to the Taluk Development Board concerned. All rates, cusses, taxes, fees, and penalties paid or levied by or on behalf of the Taluk Development Board under the Act. This included all fines imposed by a Magistrate under this Act or the Regulations framed there under. All rents from lands and other properties of Taluk Development Board. All interest, profits and other moneys accruing by gifts, grants, assignments or transfers from Government or private individuals or otherwise. All proceeds of land and other property sold by Taluk Development Board and all sums received by Taluk Development Board by virtue of this or any other Act. Levy of local Cess. Levy of taxes including tax on transfer of immovable properties by way of additional stamp duty. A tax on animals brought for sale in the markets established in any area within the jurisdiction of the Taluk Development Board. Apart from these, the Taluk Development Boards were getting 40 per cent of total land revenues and the Government discretionary grant. The biggest sources of fund for
Taluk Development Board was the funds allotted to it under several plan schemes and assigned responsibilities.

**Village Panchayats**

The Village Panchayats were constituted under the Act of 1959 for areas comprising a single revenue village or a group of revenue villages with a population ranging from 1,500 to 10,000. However, where the population was less than 5,000 and the estimated income was not less than Rs. 10,000 the State Government could declare it to be a “Town Panchayat”. The total membership of a Panchayat was a minimum of 11 and a maximum of 19. The term of the members of Village Panchayats was five years. Universal adult Franchise with direct election through single and multi-member constituencies was the mode of election accepted for membership of village panchayats. Representation through reservation for the Schedule Castes and Schedule Tribes was in proportion to their population within the jurisdiction of the Village Panchayat. Seats were also reserved for women whose membership was in no case to be less than two. The State Government had the prerogative to appoint a Secretary, who was the executive authority of the Panchayat. The Chairman and Vice-Chairman were elected from amongst the members of Village Panchayat.

The village panchayats in Karnataka had both civic and developmental functions classified into obligatory and discretionary functions.
1. The obligatory functions of Village Panchayat mostly included the civic or municipal functions, such as construction and repair, maintenance of village roads, drains, pounds, bridges, public wells, and other public places.

2. Lighting of Village.

3. Maintenance and regulation of burning and burial grounds.

4. Removal of obstructions and projections in public streets or places.

5. Sanitation, registration of buildings.

6. Shops, eating houses and shows other entertainment houses.

7. Establishment and maintenance of cattle pounds.

8. Manure storing places.


10. Regulation of sales and preservation of meat, fish and other food articles.

11. Maintenance of public buildings; Grazing lands, and forest land vested with Panchayats.

12. Measures against epidemics, laying out village extensions.

13. Disposal of unclaimed corpuses including animals and other functions relating to sanitation, hygiene, public toilets, lavatories, other agricultural aspects and such other functions as entrusted to it by Government.

The discretionary functions included:

1. Construction and maintenance of slaughter houses.

2. Relief of destitute and sick.

3. Improvement and care of cattle and other livestock.

4. Establishment of granaries, village libraries and reading rooms.

5. Layout and maintenance of Dharmashalas, rest houses, for pilgrims and destitutes.

6. Implementation of plans and programmes of the Khadi village Industries commission or Mysore Khadi and Village Industries Board in respect of village and household industries.
7. Eradication of ownerless dogs, and other nuisances and pets.
8. Control of public bath systems.
10. Establishment of markets and their maintenance.
11. Dispensaries.
12. Village and crop security measures.
13. Watch and ward for village and crops.
14. Extending residential assistance to those who work under panchayat and their maintenance.
15. Taking care of small mazurained public works development works.
16. Encouragement of co-operation.
17. Organizing voluntary labjour for community work, preparing maps, maintenance of statistical details regarding the details of the village such as population etc. assisting skiing tanning and dyeing and using them.
18. Fire extinguishing works.
20. Controlling and examining dangerous aspects of employment and industry.
22. Assisting in village propagandas and shows.
23. And extending monetary contribution to medical and educational institutions of public utility at Rs.25/- in case of village Panchayats and Rs.50/- in the case of Town Panchayats.

In addition to these, obligatory and discretionary functions, the Taluk Development Boards had power to transfer some of their functions to the Village Panchayats. The State Government could also increase the functions of Village Panchayat. The Village Panchayats had regulatory powers to make by-laws on a wide range of matter concerning sanitation, market etc., to discharge these functions the Village Panchayats were required to meet at least once a month.
The finance of Village Panchayat consisted of tax proceeds, sale proceeds, income from property vested in Panchayats; sums contributed by Taluk Development Board and Government; amounts allotted to it by the Government under the Act such as a share in land revenue and loans raised by the Village Panchayats. The taxes and fees which the Panchayat was empowered to levy were: a tax upon building, professions, trades, callings, and employment, a tax on places of profitable trade or business, a tax on fairs, festivals, and entertainment, a tax on vehicles other than motor vehicles, fees on bus stands, markets, on cart stands and supply of water from water works belonging to Panchayat.

Gram Sabha

In Karnataka the term ‘Gram Sabha’ was not used in the 1959 Act, but there was a provision for the meeting of all adult voters in the village once a year.

The introduction of Panchayat Raj system in the State undoubtedly resulted in increased political consciousness amongst the rural masses. The democratic mode of elections, adult franchise, secret ballot, all contributed to the political wakening of the rural masses. However, the working of Panchayat Raj Institutions in the State under this Act was not very encouraging. An analysis of the deficiencies in the working of the Panchayat Raj institutions revealed that they were inherent in the Act. The efficiency of an institution depends on its capacity to avail of the opportunities and to overcome the constraints to attain development.
goals. The Panchayats Raj institutions under this Act lacked this kind of dynamism hence, change in this defectives system was a need felt and not forced. The Committee on Panchayat Raj also underlined the need for reconstructing and revamping the Panchayat Raj system in Mysore in order to enable them to carryout the development works. The Government appointed the Kondajji Basappa Committee in 1962 to review the working of the Panchayat Raj. The Committee submitted its report to the Government on 25th May 1963. It affirmed its faith in Panchayat Raj. The major recommendations of the committee pertained to the restructuring of three-tier system with a District level executive body viz., the Zilla Parishad. A middle tier viz., the taluk Development Board and the Village Panchayats as the lowest tier. It also recommended the strengthening of the Grama Sabhas and the Nyaya Panchayats which were not working effectively.

The proposal to establish an executive body at the District level with non-official as its head, the proposal to establish Taluk Development Board as an organic link between the higher and the lower tiers to make it useful in matters of planning at the local level, the proposal to strengthen the Grama Sabha and Nyaya Panchayats as statutory bodies were the main features of this proposed Act.

To implement the major recommendations of the Kondajji Basappa Committee; the Government of Mysore introduced a Bill in the Legislature on the 8th July 1964. this bill included 6 parts, 72 chapters and 425 sections with a view to strengthen and restructure the Panchayat Raj system. The Bill was referred to the joint Select Committee presided over by Sri Ramakrishna Hegde, who was the then
Minister for Development and Co-operation. After considering the Bill the Committee submitted its report on 15th January 1965. This bill did not get the full support from the Legislators because they developed apprehension about the envisaged role of Zilla Parishad and other bodies. Two congress leaders in Mysore, T.P.Boriah and D.Jayadevaraje Urs said that the proposed Zilla Parishad would have reduced the importance and role of Members of Legislative Assembly. According to them this fear was shared by all Members of Legislative Assembly. Hence, this bill did not get support and it lapsed with the dissolution of the State Assembly in 1967.

The New Act of 1983

The Janata Government which came to power in Karnataka in 1983 gave top-priority to Panchayat Raj system to achieve the twin objectives namely rural socio economic development and to build a political base for the Janata Party in the rural areas. It appointed a Committee under the Chairmanship of Sri Abdul Nazir Saab, who was the then Minister for Panchayat Raj and Rural Development. The Committee toured extensively and audited Panchayat Raj Systems in west Bengal, Maharashtra, Gujarat, Rajasthan and Andhra Pradesh. It recommended the strengthening and revamping of Panchayat Raj institutions in Karnataka. Based on its report a Bill was prepared and placed for public debate and discussion. The Bill was introduced and passed in the Legislative Assembly after the approval of the joint Select Committee and obtained the assent of the President of India. This Act is divided into 15 chapters, 319 sections and 5 schedules.
The structure of Panchayat Raj institutions under this Act is quite revolutionary and progressive. It is a true exposition of democratic decentralization. The spirit of the earlier Acts and Regulations passed in Mysore can be seen in the matrix of this Act without many changes in the establishment of Grama Sabha and Nyaya Panchayats. This Act envisages the following Panchayat Raj bodies.

Zilla Parishad

The Zilla Parishad can be said to be the most revolutionary and powerful body at the District level under the new Act. This body is elected for a term of 5 years by the adults who have attained the age of 18. The person contesting for the membership of this body should be of 25 years of age. A member of Zilla Parishad generally represents a population between 15,000 to 35,000. Apart from the elected membership there are ex-officio members consisting of Members of Legislative Assembly, Members of Legislative Council and Members of Parliament with voting right. The associate membership is generally given to the President of District Central co-operative Bank without voting right. There is a provision for reservation for women, Scheduled Castes and Scheduled Tribes, other than the provision for them to contest in the election. The members are entitled to allowance as admissible to Group ‘A’ officers of Government with a sitting fee of Rs.30/- a day for attending Committee meeting or those of the Zilla Parishad.10
Each Zilla Parishad elects its own President and Vice-President known as Adhyaksha and Upadhyaksha for 5 years term. However, they may be removed through no confidence motion earlier. They are equal in the status to the ministers of State and Deputy Ministers of the State Government respectively. The Zilla Parishads are required to meet once a month. A Chief Secretary will assist them in their works and he will be assisted by a Chief Accounts Officer and a Deputy Secretary. The Government appoints an officer not below the rank of a deputy Commissioner (belonging to the Senior IAS Cadre) of a District as the Chief Secretary to this body.

The Zilla Parishad is entitled to levy fees and rent but not any tax. The Zilla Parishads are held responsible for all the responsibility of supervision, coordination and integration of developmental schemes at Taluk and at District levels. For preparing plans for the Development of the District. They are held responsible for matters of specific executive temperament with regard to agriculture, animal husbandry, Scheduled Castes, Scheduled Tribes and other Backward Classes Welfare, Buildings and communication, Public Health, Irrigation and ground water resources, Industries and Cottage Industries, Agriculture, Co-operation, Education and Social education, Statistics, Fisheries, Rural electrification and distribution of essential commodities.
Taluk Panchayat Samithi

Below the Zilla Parishad is the Taluk Panchayat Samithi. The constitution of this body includes Ex-officio members headed by the member of Legislative Assembly representing the major part of the Taluk. And if no Member of Legislative Assembly is available or if he becomes a Minister, the Taluk Panchayat Samithi is to elect a Chairman from amongst its own members. Ex-officio members include: the Zilla Parishad Members, Member of Legislative Assembly, the Pradhan of Mandal Panchayat in the Taluk, President of the Taluk Agriculture Produce Co-Operative Marketing Society, President of Primary Land Development Bank, 5 members belonging to scheduled Castes, Scheduled tribes, Backward Classes. Further, women co-opted by a resolution of Taluk Panchayats and approved by the Zilla Parishad should form not less than 18% of the total membership of the Taluk Panchayat Samithi.12

This is mainly a supervising and co-ordinating body assisting the Zilla Parishad and Mandal Panchayat. It discharges such other functions as may be assigned by the Government and the Zilla Parishad. It has to review the work of Mandal Panchayat from time to time. There is no independent sources or power to this body except those granted by the Government or Zilla Parishad.13
Mandal Panchayat

The third and the lowest tier is the Mandal Panchayat. It is at the village level. They are being constituted for a single village or groups of revenue villages having a population of not less than 8,000 and not more than 12,000. But in respect of Malnad or hilly regions the Government may declare a Mandal Panchayat by notification.

The members are elected for a term of five years. One member represents about 500 persons. 25% of the seats are reserved for women. Based on the population of scheduled castes and scheduled tribes, seats are to be reserved in the Mandal panchayats for them in case no Backward class representatives get elected their nomination is allowed through the Government. The Mandal Panchayats elect their Pradhans and Upa Pradhans respectively. They get an allowance of Rs.15/- which is given as sitting fee per meeting, to be held at least once a month. The Pradhan and Upa Pradhan are entitled for a monthly salary of Rs.300/- and Rs.150/- respectively.

The functions of Mandal Panchayats are varied and wide. They include Municipal functions such as public health, sanitation, public works and amenities. The developmental functions such as agriculture, animal husbandry, village forests, welfare of Scheduled Caste/Scheduled Tribes and Backward classes, Village Cottage Industries, Library, Co-operatives, and Mandal area development plans. Further, they have the assigned functions. The Act Provide for a compulsory grant
to every Mandal Panchayat by Government at Rs.15/- per head of the population in the areas of Mandal Panchayats as per the latest census figures available and published. 25% of this grant is to be paid by the Government to the Zilla Parishad.

In addition to these guaranteed resources, a Mandal Panchayat is authorized to levy taxes on buildings, entertainment, vehicles, bus stand, fees, markets, cattle grazing in Mandal panchayat owned lands and tax on water supplied etc.

**Gram Sabha**

Chapter II and Section 3 of the Act of 1983 speaks of Grama Sabha. This is established in a revenue village and is composed of all persons whose names are included in the electoral list. This is expected to meet at least once in 6 months. The functions assigned to Grama Sabha include:

1. Preparation and promotion of developmental schemes for the villages.
2. Organizing sanitation and drainage schemes of the village.
3. Mobilization of voluntary labour and contributions in kind and cash for the community welfare programmes; and
4. Assistance to Mandal Panchayats in the implementation of developmental schemes pertaining to the villages and discussing matters regarding annual report which the Mandal Panchayats present to them.
Nyaya Panchayats

Nyaya Panchayats in the State are to be established according to the provisions in the Act, under its Chapter XI. They are to be established by the Government. The Government has postponed the establishment of Nyaya Panchayats owing to some reasons best known to it. Their composition is to be as follows.

The Nyaya Panchayat is to be constituted by 5 members elected by the Mandal Panchayat on a proportional representation system of single transferable vote. Women have a reservation of one seat, as also one to scheduled castes and scheduled tribes. Another seat is reserved for backward classes. 40 years is the minimum age limit prescribed; residential qualification is another. These two are the essential qualifications to be a member of Nyaya Panchayat. The term of office is 20 months. No restriction is placed on their re-election. The Nyaya Panchayat will be headed by a Mukya Nyaya Vicharaka elected from amongst themselves. In case they fail to choose their leader the Deputy Commissioner may appoint any member as Mukya Nyaya Vicharaka. He presides over the Nyaya Panchayat. Its powers include trial over civil and criminal cases. The jurisdiction is for trying civil cases dealing with disputes not exceeding the value of Rs.1,000/- Suits will be admitted concerning contracts, recovery, compensation for injury to movable property, and damage by trespassing cattle. This is in Schedule III of the Act. Its power of punishment is limited to imposing a maximum penalty of Rs.501/-. It has no power of imprisonment. The suits once entertained in one particular Nyaya
panchayat and decided is not liable to be entertained in other courts of Nyaya Panchayat.\(^{16}\)

Thus, the introduction of the new set of Panchyat raj institutions in Karnataka has resulted in three-tier traditional structure with liberal powers and finance to work for the rural upliftment. Many recommendations of the Ashok Mehta Committee Report have been incorporated in this latest Act.

It is now 3 years over since this new structure started to function. These years of its service has only given rise to a mixed reaction amongst the general public, while in the political circles, the future and the independence of these institutions seems to be yet undecided. But certainly a remarkable changes being initiated at the rural local level in the State for which the credit definitely goes to this new Panchayat Raj institutions in the State although it has not worked miracles or has reached to the level of expectations. There is already a proposal in the present Congress Government to bring about certain amendments to this Act.

The acclaim which the Karnataka model received internationally was reflected in an important international symposium held in 1992 in the capital on “Perspectives on India’s Development in the 1990s.” The president of the Ford Foundation, Franklin A. Thomas, had spoken in his address about Karnataka’s decentralization as a very promising experiment. He had said:
"A first step towards building a more supportive institutional structure for development in India must involve government decentralization. A very promising experiment with state local decentralization has been taking place in Karnataka. Under the Karnataka set up, local elected councils have been given real decision-making power over local development plans and programs. Initial evaluations of this system show that the elected councils have been more responsible to their constituents' needs than the appointed administrators were under the previous system. The district and sub-district councils have also played an important role in nurturing new political participants, especially women and members of disadvantaged castes. It seems clear that the concept of democratic decentralization has been proven effective in Karnataka and deserves to be considered more widely.

It is nobody's case that the Karnataka panchayat raj act of 1983 is sacrosanct. The evaluation committee (K.S.Krishnaswamy committee) appointed by the Karnataka government, in its report submitted in 1989, was of the view that panchayat raj, as visualized by the 1983 act, should be tried for some time before any major change in it attempted, since both the state government and the local governments had not had enough time to get attuned to the new situation. An independent study made in 1990 by the Institute of Social Sciences, New Delhi, had come to the conclusion that at that point of time, it seemed a little premature to suggest major changes in the panchayat raj act, considering the fact that the new panchayat raj had been functioning only since April 1987. It would have been more appropriate to give it a chance, and let it function for at least one full term (i.e., till
1992) before amending the act. Bangarappa and his ministerial colleagues, of course, decided to move in the opposite direction.

It is common knowledge that after Nehru no one in the Congress party really believed in panchayat raj; to the contrary all possible efforts were made to concentrate power in Delhi. When the seventy second constitution amendment bill (which had several positive suggestions for strengthening local self government) was introduced in parliament by the government headed by Narsimha Rao in 1991, it was hailed as a bold step in the correct direction. Yet, although one year passed following its introduction, it was not taken up for debate, as it remained its introduction, it was not taken up for debate, as it remained with the select committee. One would, at the time, have like to give the benefit of doubt to Prime Minister Narasimha Rao. But then, one fails to understand why the same prime minister did not raise any objections to his Karnataka Chief Minister's misadventure with local self government? Why these double standards?

As has been mentioned, there are no two opinions that Karnataka's panchayat raj had several firsts to its credit and its achievements were not mean by any measure. At a metting of Zilla parishad and Mandal panchayat pradhans, convened by the Bangalore rural Zilla parishad in the first week of January 1992 to evaluate the performance of the pradhans (this writer was also present at the two day function), and to bid adieu to a system which had been subverted by Bangarappa, it was a delight to witness rustic leaders (men and women) from allover the state coming up and addressing the gathering. Their leadership, boldness
and sense of achievement were specially noteworthy. There was general agreement that in the last five years resource mobilization had been excellent, and sources untapped earlier had been tapped. Works, which had not been taken up for thirty to forty years, had been implemented during the term in office of these leaders. A woman member from Neelamangala had recounted that till the new panchayat raj came into existence she was the only woman in that area who used to come out in public and the people used to laugh at her for doing so. But after five years of panchayat raj the situation had changed dramatically; many women now participated in the affairs of the village, as now a congenial ethos existed for it.

The question of corruption at the Zilla Parishad and Mandal Panchayat levels has been mentioned again and again. For instance, “misappropriation and misapplication of funds” was given as one of the four major irregularities attributed to zilla parishads and the mandals and to set it right the Congress(I) government had found it necessary to bring amendments to the 1983 act. There is no doubt that there is corruption below the state level. Earlier corruption occurred without the people knowing about it. Today also this can be found in the panchayat institutions, but now people are in the know of things. Since the districts and mandals are smaller units, but with a large number of people’s representatives functioning as watchdogs, nothing can be hidden from their watchful eyes. If a case is built up by using charges of corruption in order to scrap the system or diminish the importance of people’s representatives, this is tantamount to throwing the baby away with the bath water. After all, in a democracy, isn’t it the people who should punish their corrupt and wicked representatives as and when the next elections take
place? Instead, these very elections are postponed indefinitely. What kind of logic is this?

The suppression of panchayat raj in Karnataka, and related issues, has brought another crucial aspect to the forefront which has a bearing on the development of our future political process. This relates to the exemplary role of the judiciary in upholding the principles of grassroots level democracy. When legislatures, possessing the brute majority of the ruling parties, become blind to social realities, they tend to ignore constitutional necessities and sometimes make laws which violate the civilized existence of societies. The judiciary in India has been setting things right whenever legislatures have been acting arbitrarily.

The Karnataka Panchayat Raj Act, 1993, is a severe blow to the ideal of transforming panchayats into units of self government and revitalizing them, as visualized in the seventy third constitution amendment act of 1992. This had been the essence of this constitutional amendment. Those who wanted to throw out the much acclaimed Karnataka model of decentralization (enshrined in its 1983 act), have done it lock, stock and barrel, and with a vengeance, notwithstanding the promises given on the floor of the Legislative Council by the government that suitable amends will be made in due course. What the state has got ultimately in the name of panchyat raj is form without content.

What are the obnoxious features of this bill which subverts the essence of the local government system? The Directive Principles of State Policy in the
constitution (Article 40) and the seventy third amendment are categorical that panchayat raj institutions are “units/institutions of self-government”. So governance through local bodies below the state level is the crux of the problem. But the recent Karnataka act, in its preamble, has ignored this vital principle and reduced the panchayat bodies to the level of Social Development bodies. It says that the panchayats are being established “for greater participation of the people and more effective implementation of Social Development programmes”. It is important researchers to study if this is truly so?
End Notes:


2. Ibid., Sec. 187 (c).

3. Ibid., Sec. 187 (c).

4. Ibid., (e).

5. For details see 'Administrative Report of the Taluk Development Board and District Development Council Mysore District for the year 1967-68

6. Ibid., Sec 87 (c).


8. Ibid., Sec. 98 and 99.

9. Ibid., Sec. 98 and 99


11. See for details, Ibid.,


13. See for details, Ibid.,


15. See for details, Ibid.,

16. See for details, Ibid.,

17. Op.cit., Sec 95 (1)

18. Government of Mysore 1959 Act, Sec.95 (1)