CHAPTER 1

PANCHAYAT RAJ INSTITUTIONS IN INDIA AND MAHARASHTRA.

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CHAPTER – 1

Panchayat Raj Institutions in India and Maharashtra

1.1 Meaning of Panchayati Raj:

Panchayati or Panchayat Raj may be paraphrased as rural local self government in India. The word Panchayat is a Sanskrit word and it can be broken into two parts; as ‘PANCH’ and ‘AYAT’ in order to understand its literal meaning.

The word ‘Panchan’ in Sanskrit means number five. In Indian Mythology number five is considered to be sacrosanct for one reason or the other. God created this word ‘Phanchan’ out of five elements, so that, five senses of an individual can be controlled and he/she, can achieve the ‘MOKSHA’, which is the highest aim of life of an individual.

Therefore, the villages considered the Panchas the five arbitrators as the representative of God and they speak for God.

‘AYATNAN’ is the other Sanskrit word which means place or house. In this sense, Panchayat means a bode of Panchas. Thus, it is house or bode of five members of village who take care of adjudication of disputes.

1.2 Panchayats in Ancient India:

Before the emergence of the state, it was a world of kinship groups and tribes. Their pattern being as varied as the patterns of culture. Their territorial
extent was relatively small and local. Thus the early vedic period presents a picture of relatively simple tribal monarchy. According to Pramthanath Banerjee; “In the early vedic times, the villagers themselves managed the simple affairs of the village, but the state being small, there was hardly any distinction between the central and local government. In course of time, however, it was found necessary to have a separate organisation for the management of local affairs; as the states grew larger, and larger in size and the distinction between the two kinds of governmental activities became more and more marked”

In this context N. V. Ghoshal is worth quoting on full. “The most remarkable feature of the early vedic policy consisted in the institution of popular assemblies, of which two, namely, sabha and samiti reserve mention amid the obscurity of the texts and their inconclusive interpretation by different scholars, we may draw the following general conclusions about the constitution and functions of these bodies. The samiti was the vedic fold assembly par excellence, which at least in some cases enjoyed the right of the electing the king. While the sabha exercised probably from the first some judicial functions. Both the samiti and sabha enjoyed the right of debate; a privilege unknown to the popular assemblies of other ancient peoples”.2
VEDIC PERIOD:

The Village Organisation functioned in ancient times as a centre of community life and used to discharge even such functions as related to internal defense and security independently of the state, which followed a policy of non-interference, so long as it received its share of land revenue. In those days, when means of communication were very poor, the importance of village was naturally very great. "The villages were formed out of the condition created by natural circumstances, so also the village institutions had their origin and growth out of these conditions of tribal life."³

Normally speaking "there was only one headman post for each village and it was usually hereditary, government having the right to nominate another scion of the family if the succession of the son was not approved. By caste, he was usually a non-Brahman. He was the leader of the village militant and, therefore, he may have often belonged to the kshatriya caste, some times, vaishyas too aspired for and obtained the post".⁴

His powers and responsibilities in relation to the village were comparable to those of the king in relation to the states as a whole. Thus, the granal was responsible for the defense of the village, collection of land revenues and other Taxes, maintenance of the internal peace. To discharge these functions he was endowed with necessary judicial power and welfare
activities in general. Therefore, the Gramani “was the keystone of the village structures, and was looked upon as father and mother”.  5

Since early times, the gramani, or village headman, being a nominee of the king was a key figure in the administration of the village, to whom advice of an informal body of elder’s gramavriddhas’ was available.

Prof. Macdonal says that “the Gramanis post may have been sometimes hereditary and sometimes nominated or elective ; there is no decisive evidence available”  6 The king was directly responsible for the administration, protection and management of the village communities in the states. On the basis of various ancient sources, we find that “each occupational group had its own separate Panchayat whose chairman was known as the shrashtha”  7

Prof. Alterkar observes “village councils appear to have evolved into regular bodies in the Gupta period at least in some parts of India. He also observed that village councils were known as Panchamandals in central India, and Gram Janapadas in Bihar”.  8 Panchamandals begin a council or board of five was apparently the ‘village Panchayat’ of those days. The village council comprising five persons and the Panchayat had the village headman.

Both in theory and practice, the village headman was normally known the pivot of village administration. In so far, as the village headman was a part of his village community and was regarded as its representative, there was an element
of self-government in the village. The village Panchayat, being in a sense projection of the caste Panchayat at the level of the village, commanded considerable moral authority; and provided a wider base to the 'self-government' mentioned above. But the functions could not normally be confused with the basic functions of government. The Moghals introduced a more elaborate administrative Machinery particularly in the field of revenue "with a highly bureaucratised hierarchy of officials called Mansubdars". Further the creation of Jagir system, Zamindari or feudal system by Moghals to collect land revenue through Malguzars or contractors who took away one of the important functions of village Panchayats viz. collection and payment of village land revenue to the Government by Panchayat. Gradually, the village Panchayats came under the spell of these feudal lords or intermediaries and they become the headman of the village. Thus, this title of village headman became not only hereditary but also an oligarchic body.

1.3 Local Self Government During British Period:

Rise of British Empire and the administrative policies of the British rulers had adversely affected the very existence of Panchayats in India. The British rulers in the initial stages of East India company Rule, were mainly interested in the expansion, consolidation and strengthening of their political power in India. Therefore, they brought in the system of centralized
administration. They also imposed a new system of land revenue under which land revenue was collected from each farmer than the village as a whole. They did not want to bear the loss of revenue even at the time of famines. Further, the development of rapid means of transport and communication which ultimately brought about the end of political isolation and economic self sufficiency or dependence of our villages. The British administrators soon realised the importance and necessity of local institutions as they wanted to be relieved of the heavy burden of the highly centralised functions of the government. Urban local government attracted the attention of the British Rulers long before the rural local government.

After the great revolt in 1857 financial administrative and social factors paved the way for the growth of local self governing bodies. The British crown by this time realised the inadequacy of highly controlled system of government and the need to channelise the energies of the more agriculture sections. The most pressing problem, however, was the relief of imperial finance which was in bad shape on account of great rebellion from the year 1857-61. The British Government had a deficit amounting to 36 Millions. It was therefore, thought desirable to decentralise authority and finance as an effective measure to meet the deficit. The resolution of lord Mayo (1870) on financial decentralisation also visualised the development of local Government institutions, but this was
subordinate to the need for tapping local sources of revenue and affecting economy by decentralised administration.\textsuperscript{10}

The real development of villages in the modern sense, started after the report of the Royal Army sanitary commission in 1863 and on the basis of report, village sanitation Acts were passed in many provinces.\textsuperscript{11} The urban local self government had established its sound base before 1850's, while rural self organisation were organised on solid basis between 1850 and 1860.\textsuperscript{12} One of the important proclamations of Queen Victoria made in 1858 gave certain assurances to Indian people to share in the administration. In view of this proclamation, immediately after two years ‘District Committees’ were constituted to meet the local problems of the people.

In Bombay province, ‘District Funds’ were established and they were controlled by officials only. These funds had power to levy a cess of one anna for every rupee of land revenue as financial source to come over the local problems. Similar funds were also set up in Sindh, Lower Burma and in Madras in 1865. They were authorised to levy education and road assess.

Further, the Bombay province enacted the ‘Bombay Local Fund Committee Act’ in 1869 which had brought the principle of representation of rural life in the Bombay presidency. District and Taluka Fund Committees were set up as advisory bodies, each consisted of six official sides. The six non-
official representatives were Inamdars and Landlords. These committees were instituted for the convenience of the District Magistrate in that they would supply him information and help him to carry out the local duties. No other public service was rendered by the funds committee.¹³

Similarly, Bengal province had enacted ‘The Bengal Chaukidar Act of 1870’ which divided villages into unions comprising ten or twelve square miles, and this was placed under ‘panchayat’ which raised funds to pay for the villages. But this arrangement was useful only to Tahsildar, the official of the government and moreover there was no concrete plan for eliciting the cooperation of the village for implementing the concept of local democracy.¹⁴

After, Lord Mayos resolution was passed in the year 1870 for broadening the idea of decentralisation, he wanted to have decentralisation in economic sphere of the government. To the effect of his resolution some government departments such as education, sanitation and health were transferred to certain provincial Governments. Madras, Punjab and Bengal had passed the legislation as local self government. Moreover in 1870, considerable attempt was made by Mayo’s government to introduce provincial finance for local problems. An arrangement was also made to take the steps in the interest of local people for their education and sanitation.¹⁵
After Mayo, Lord Ripon made some efforts in this direction which were more significant than the Mayo’s resolutions. Lord Ripon had given prime importance to local government and declared his famous resolution on 18th May 1882. His concern was not primarily with an improvement in the administration. The resolution was chiefly designed as an instrument of political and popular education. He held that rural boards should be small subdivision, Tahsil or Taluka. They should be consisted of two-third majority of non-officials and election should be introduced gradually. According to him chairman should be from official side.\textsuperscript{16}

As far as the implementation of Ripon’s resolution is concerned certain provinces had established the District Boards with all funds and all functions of local government. But this was not applicable to Assam, Burma Central Province and Madras. Taluka Boards were constituted in Bombay province, Punjab Province and North Western Province. In central province, Tahsil boards were constituted and run effectively.\textsuperscript{17}

The spirit of the Ripon’s resolution was in conformity with the principle of local democracy, but unfortunately practice was different. It was because the Zamindars and Landlords dominated the non-official side of the rural boards and they were disinterested to represent the feeling of common Indian folk.
Tremendous amount of power was entrusted in District officer which killed the spirit of the common people’s participation in the administration.

After the unsuccessful implementation of Ripon’s Resolution in Bombay province, an Act was enacted known as ‘Bombay Local Board Act’ in 1884. By this act District and Taluka Boards were constituted. These boards had half the members from official side and other half from non-official side. The District Collector or Tahsildar, as the case may be, would be the chairman of the respective bodies. The franchise was very narrow. The voting was given to those who were paying forty-eight rupees as land revenue and owned the property worth Rs. 5000/-. They could contest and participate in the election of the local bodies.18

Similarly, the Taluka and District Boards were established in Hyderabad in 1885 by the ‘Berar Rural Boards Law’. In both the boards, members were partly elected and partly nominated and some of them were appointed by the divisional commissioner.19

In the same way, in Hyderabad State District and Taluka Boards were constituted by enacting the “Dastoor-ul-amal Regulation” in 1889. These Boards were performing functions related to public works, education, Medical relief. They were also allowed to collect local cess of one anna per rupee on land revenue.20
The process of strengthening of local self-government institutions received further impetus with the appointment of the Royal commission on decentralisation in 1907 headed by C.E.H. Hobhouse. The commission viewed that the local self-government should start from the village level instead of from the district level. It stated: “We consider, as the local self-government should commence in the villages with the establishment of village Panchayats, so the next step be the constitution of boards of areas of smaller size than a district. We desire, therefore, to see sub-district boards, universally established, as the principal agencies of rural administration.” District boards were retained with co-ordinating and financial powers. The commission recommended to grant some powers to Panchayats so that they can perform their duties independently.

These recommendations of the commission were certainly far reaching and conducive to the best interest of the villages. Thus, it was only subsequent to 1909 when this commission's report was published that the importance of the village Panchayat came to be recognised. Even the Indian National Congress at its 24th session at Lahore in 1909 passed a resolution on the subject and urged the Government of India “to take early steps to make all local bodies from village Panchayats upwards elective with elected non-official chairman and to support them with adequate financial aid”. But the Government did not respond to this call and remained deaf.
The years that followed after the first world war, saw the advent of leaders like Lokamanya Tilak and Gandhiji on the national political scene. On the one side, the people of India were awakened by the call made by Tilak who declared that ‘Swaraj is my birth right and I shall have it’. He was conscious that the local self-government in the real sense of the term was not possible till Swaraj was obtained. On the other side, Gandhiji who set the tone of the nationalist point of the Panchayat, declared that “the village Panchayats would be now a living force in a special way, and India would almost be enjoying self-government suited to its requirements.23

He evolved a new strategy of freedom struggle base on non-violence and non co-operation. All these developments strengthened the right of national self-determination. The need of the time was the freedom and a responsible independent government.

As a result of this political upheaval the British Government adopted a conciliatory strategy by making the historic declaration in August 1917 that “the policy of His Majesty’s Government, with which the Government of India is in complete accord is that of increasing association of Indians in every branch of the administration and the gradual development of the self-governing institutions with a view to the progressive realisation of responsive government in India, as an integral part of British Empire.24 Keeping this in view, the
Government of India made it clear that, the broadening of the base of local self-government bodies was one of the substantial steps to be in that direction. The local self-government was thus invested with definite significance in the wider process of the political advancement of the country. Before the introduction of Montague-Chelmsford constitutional reforms, the Government of India passed a resolution in May 1918, emphasising the need for separate legislation to accelerate the development of Panchayats. It stated that "the development of village Panchayat system should in any case, be secured by separate legislation unconnected with the Acts relating to the Municipal and Rural Boards."

It recommended an extension of the franchise to the whole body of rate payers; stressed the need for appointment of non-officials as chairman not only of urban councils but also for district boards; pleaded for the widening of the base of village Panchayats, so that they might become the natural expression of the corporate life of individual villages. This resolution served as a guide to ministers who under the scheme of dyarchy came as in-charge of local administration.

In 1919, Mont Ford reforms were introduced. The reforms towards local self-government recommended that by and large membership of these bodies be constituted by election. However, to give due representation to minorities, nominations should be made which would not be more than one fourth of the
total membership.\textsuperscript{28} Later, on the basis of the Chelmsford recommendation, Bombay province enacted a ‘Bombay Local Board Act of 1923’. According to this Act ‘District Boards’ were established. The members of Board were directly elected and franchise also became broadened although some property qualifications remained intact. By this Act, primary education in Western Maharashtra was handed over to local boards, and for its administration district school boards were constituted. This body was empowered to sanction budget, to supervise the school and recommend the text-books for syllabus.

With the introduction of responsible government as envisaged by Montague-Chelmsford Report, things moved little better as compared to the conditions existing during the implementation of the recommendations as put forth by Decentralisation commission. Acts, establishing Panchayats, were passed in the provincial state of Madras, Bombay, Bihar, Bengal and U.P. (1919 & 1920). Similar Acts were enacted by Assam and Punjab in 1925 and 1922 respectively.\textsuperscript{29} This was followed by a number of native states. The most significant development of this period was ‘the establishment of the village Panchayat in a number of provinces, no longer a mere ad-hoc judicial tribunal, but a representative institution symbolising the corporate character of the village and having a wide jurisdiction in respect of civic matters.\textsuperscript{30}
The development of local self-government took a new turn with the introduction of ‘Dyarchy’ which made the local self-government as one of the provincial transferred subjects under the responsibility of elected ministers. The ministers were concerned with the introduction of new legislation, the distribution of grants in-aid, the exercise of disciplinary control and in general, with the determination of policy. Any change at the provincial legislatures had a natural effect on the local governmental policy and practices. On the whole, the general performance of dyarchy was not encouraging, particularly with reference to the development of local institutions. It paved the way for the growth of different political parties and groups were formed around dominant personalities or in pursuit of class or caste interests. In general, the ‘Dyarchy’ ministers did not initiate any fundamental changes in the development of local government, they adhered to the broad lines of change laid down from 1918 to 1920.

In 1927, a common (Indian Statutory Commission) was appointed under the chairmanship of Simon to go into the details of the working of local self-government and also to enquire into the steps to be taken for bringing about a further advance in the system of responsible government under the Act of 1919. The commission made an exhaustive survey of the developments in the sphere of local government from 1920 onwards. The commission felt that the
development of responsible government after the passing of many resolutions, Act and reforms, was not a picture of unrelieved failure or unqualified success. In every province, while a few local bodies have discharged their responsibilities with undoubted success and others have met with conspicuous failure, the bulk lie between these extremes.  

The major drawbacks in the working of local bodies were traceable to the factors such as the inability to realise the importance of having a competent and well paid official analogous to the Town clerk to the country council, failure to realise the need for control by the provincial governments over local self-governments authorities; the large size of an average district in India; inadequacy of financial resources, and lack of public spirit among many voters.

Having opposed the existing system of responsible government at the grass-root level, the Minister proposed reforms which marked a departure from the recommendations made by earlier committees and commissions. After making a close study of the working of existing local bodies, he felt that due to the evils of overbureaucratisation in the entire governmental machinery from top to bottom, 'the popular will' should be associated with all administrative matters. To cope up with these inadequacies, the minister suggested that "to secure the best which modern democratic methods can give us and combine it with highly trained administrative staff of official, so that both popular will and
efficiency may go hand in hand in the cause of public good and progressive administration.\textsuperscript{33}

Further evolution of the local self-government can be seen during the period of 1935, when the National congress under leadership of Pandit Nehru passed a resolution in Karachi; congress conference demanding the introduction of local self government and responsible government without delay. This resolution was considered by the British Government and provisions pertaining to local government incorporated in provincial subject list under the government of India Act 1935. The implementation of local government was done when popular ministers were sworn in various provinces in 1937.

In view of the implementation of the provisions under Government of India Act 1935, the Bombay provincial government had passed the Act regarding local self Government in the year 1938. Under this Act Bombay provincial government wanted to make local bodies truly representative in character. So the nomination of the members of the bodies were abolished. District Local Board had comprising elected members. Some seats were also reserved on the basis of the population for scheduled castes and Tribes. These Boards were functioning through the standing committee and Health committee. Similarly, under the central provinces and Berar Local self Government Amendment Act 1939, four-fifth of the members of the District
council were elected by the local boards, these in turn electing the remaining members from amongst residents of the district. Seats were also reserved for Muslim, Members of the scheduled castes and one woman.  

The British Government was looked as a dark period in the history of local government, and village Panchayats were totally ignored or completely neglected.

In spite of adverse developments in the arena of local government, the idea of Panchayat remained as a vital factor and also as a strategy for the struggle for independence. The main architect behind this was none other than Mahatma Gandhi who fought relentlessly for the cause of Swaraj. He viewed Panchayat as a ‘Swadeshi’ institution and later he wrote that ‘Village Organisation’ “ meant the organisation of the whole of India, in as much as India was predominantly rural”. He pleaded for the complete ‘Village Swaraj’ which is a complete republic, independent of its neighbours for its own vital wants, and yet interdependent for any others in which dependence is a necessity.

Immediately after the Second World War, the Interim Government was formed, the central provinces and Berar Panchayats Act 1946 was passed and published in c.p. and Berar Gazette on 28th Feb. 1947. This Act, for the first time in the history of Gram Panchayat in this region kept it on the sound
democratic footing making all the necessary provisions for giving it firm financial base. Appointment of paid secretaries was provided for the Panchayats. They were assigned eleven compulsory duties such as village sanitation, drinking water provision, registration of births and deaths, prevention of child marriage, maintenance of Panchayat property and so on and thirty six optional duties. Compulsory cess on the land Revenue or Assessment of survey number at the rate of 6 pies (3 paise of today) per rupee. Every Panchayat was compulsorily required to levy taxes on property, profession and trade within the area. Powers to levy other taxes at its option were also given to them.

1.4 Post-Independent Period:

The nature and functioning of local self government institutions in India were changed after the independence. Because, India has adopted the policy to attain socialistic pattern of society and to implement the concept of welfare state. It is the local self government which makes people and provides an opportunity to actively participate and associate themselves with the development process. In 1947, the number of District Boards was 176 covering population of 20,452,250. Within a small period of one and half decades after independence, the Panchayati Raj received a big momentum so to engulf 99 percent of rural population in the country.
The growth of Panchayati Raj has been sub-divided into four parts by Dr. S.C. Jain.

1) Periods of debate and constitutional recognition (1947-49)
2) Legislative activity (1950-53)
3) Growth of Development dimension (1954-58) and
4) Democratic decentralisation 1958 onwards.

This sub-division explains the nature of growth and expanse of Panchayat system in the country. It gives different stages of development of the supra-structure of Panchayat Raj. To this were added varied forces in the form of enquiry committees, commissions, conferences and study groups which provided a sound base in the form of recommendations. The plan provisions and especially community Development Project provided the infra-structure of the Panchayati Raj of today.

The Assembly debates reflect the dual picture of the importance of Panchayat in the constitution. Those who favored have considered Panchayats as schools of democracy and as instruments of village uplift and they recommended giving these institutions some financial resources and a measure of autonomy. Amendments were moved in this regard and commendable in this respect was that by M.A. Ayyangar and N.C. Ranga. It read: “The state shall establish self-government Panchayats for every village or a group of villages
with adequate powers and funds to give training to rural people in democracy and to pave the effective decentralisation of political and economic power”. In contrast to this a strong opposition came from persons like Ambedkar who had nothing but contempt for our villages. He was of the view that “What is the village but a sink of localism, a den of ignorance, narrow-mindedness and communialism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit. The overall feeling of the members towards the attitude of Assembly debates was that they were not satisfied with the amount of power given to the Central Government. Yielding to the feelings of the members, the Assembly could write into the Directive principles that it was the state’s duty to foster the development of Panchayats. And yet there existed a tendency towards retaining the centralised Draft Constitution which they (Assembly Leaders) believed to be necessary.

The incorporation of the provision for Panchayat as an Article under Directive Principles shows as though that it has been done under strong pressure. An amendment was moved on 22nd November 1948 by K. Santhanam and the Assembly adopted it and thus Article 40 came into the constitution. The Article read, “The state shall take steps to organise Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of local self-government”.
The aim of the Article has long been generally accepted, if India is to progress, it must do so, through reawakened village life. Commending on the importance of Panchayats in the constitution Henry Maddick writes that the “Panchayat Development under the constitution has had three main aims: to foster the involvement of individuals throughout the nation in the process of democratic government, to gain the villager’s participation in national development from the village level upwards (an aim which would, it was hoped, increase agriculture and village industrial production and thus promote an improvement in village conditions), and to lessen the burden of state administration though decentralisation.”

The impact of all these developments is seen in the launching of community development movement in 1952. Since then the development of Panchayats and Village Life has been undertaken by the State Government with the Union Government’s Ministry of Community Development acting as co-ordinator and the major source of funds and initiative. However, the fact remains that it is the responsibility of State Government to undertake developmental activities with the involvement of local level institutions i.e. PRIS. The purpose behind the creation of these institutions was to reach the rural populace with the development programmes in order to improve the social and economic conditions of the rural folk. Maddick opined that “the system is
sound and the will to make it work widespread. It should make for a great advance in Indian government and administration. And, the judgement continues, they should be a world wide example of democratic decentralisation.46

The constitution was being framed when a conference of the provincial ministers for local self government was held in New Delhi on 6th and 7th August 1948 which recommended the appointment of local finance enquiry committee. The committee was set-up on 2nd April 1949 under the chairmanship of Shri. P.K. Wattal and it submitted its report on 23rd December 1950. The committee studies the historical development of the finances of the local bodies and observed that.47

i) The local bodies were not utilising the existing resources fully;

ii) It was necessary to improve the machinery for budgeting, accounting, assessment and collection of taxes, recruitment and control of personnel, to utilize power to tax and

iii) It was necessary to give elastic sources of revenues to the local bodies, especially with regards to taxation.

Also, the committee recommended, twelve other taxes such as

1) land and building

2) mineral right
3) entry of goods into a local area for consumption use and resale
4) consumption or sale of electricity
5) non-news-paper advertisement
6) goods and passengers carried by road or on inland water-ways
7) vehicles
8) animals and boats
9) tolls
10) professions trades, callings and employment’s,
11) entertainment including amusement and
12) capitation tax.

In short, the Enquiry Committee made exhaustive recommendations with regards to allocation of resources to the local bodies, the government grants, budgeting, accounts, audit, finance of Villages Panchayats, financial aid to Education and communication and such other things.

**Community Development Project:**

The Community Development Project provided the launching pad for the Panchayati Raj in India.

Community Development was regarded as a method and the National extension service as an agency through which the social and economic transformation of village life was to be brought about under the first five years
In order to enable the local communities, build amenities and added self-help basis an additional provision for staff was designed. On 2nd October 1952, the 52 projects were started in the different parts of the country under the country development projects.

The enthusiasm aroused by the first series of the projects was so tremendous that the very next year a decision was taken to set up National Extension Service Block with a provision of Rs.7.5 lakh per stock three years. The provision for a community development block was reduced to Rs.1.5 lakhs. During the first five year plan, 1,114 blocks, covering approximately 1,63,000 village with population of nearly 11 million, were started in the programme. The rapid expansion posed new problems to the administration which consisted, that time, an administrator and his staff. Because it was guided by a central committee with the Prime-Minister as Chairman, and the Minister of Agriculture, co-operation, etc. along with the members of the planning commission as members. It resulted that, the community development programme was heavily criticised for lack of co-ordination, non-official organisation and slow progress. Hence the community development programme had not achieved the proposed goals of the development of rural masses.

Keeping in view the failure of the Community Development Programme in the first five year plan, and the heavy allocation for the second five year plan,
the national development council appointed a committee on the projects in 1957 under the chairmanship of Shri Balwantrai Mehta to study the working of community development and National Extension service and to make suitable recommendation with regard to economy and efficiency. The Mehta committee recommended the 'phase of Democratic Decentralisation' a part of community development programme. The committee has recommended that:

1) The priorities should be given to the aspect of economic development such as agriculture, drinking water supply, rural industries.

2) Committee recommended a three-tier system of local self institutions upon which all the development work within the jurisdiction should be developed.

i) The Panchayat at village level should be formed of an elective basis with reservation for women and the member of the scheduled caste and scheduled tribe.

ii) The Panchayat Samiti, at block level, should be set up on an elective basis.

iii) A Zilla Parishad, at the district level, composed of the president of Panchayat Samiti and some district officers should be constituted with the Collector as chairman.
The Report of the Mehta Committee was welcomed throughout the country since it had given broader scope for the elective bodies for the people's participation. The establishment of three-tier system of local self government with full powers to assume responsibility for local development was the core of the Mehta Committee recommendation. As a result, "Rajasthan was the first state to establish Panchayat Raj. The Rajasthan introduced a legislation on 'Democratic Decentralisation' which came into force on 2nd October 1959". After the Rajasthan, a number of other states including Punjab, Uttar Pradesh, Bihar, Gujarat, Madhya Pradesh, etc. had started Panchayat Raj.

The concept behind Panchayat Raj is that the people in the villages should undertake the responsibility of governing themselves. This is a great ideal to be achieved. People in the villages should actively participate in the development activities regarding agriculture, public health, education, irrigation, animal husbandry, etc. Not only the rural people should participate in the implementation of programmes but also they should have the authority to take decisions regarding their requirement and necessities. Panchayati Raj confers on the rural people the power of decision-making regarding development activities. People through their chosen representatives determine the local policies and execute their own programmes in conformity with the real requirements of the community. This is democracy at the grass-roots. The
people at the lowest level are associated with the governance of the country. The peoples institutions have been entrusted with the responsibility of taking decisions and supervising the implementation of programmes. Decentralised democracy or Panchayati Raj in India confers on the rural people the authority to manage their own affairs. It makes democracy broadbased. Active participation and association of the rural people is achieved in development activities through the Panchayati Raj institutions. The local people will not only decide the policy, but also control and guide its implementation and administration. The Balwantrai Mehta Team observed: "Admittedly, one of the least successful aspects of the Community Development and National Extension service work is its attempt to evoke popular initiative".  

The planning commission on the first plan rightly observed that although there are exceptions, the Panchayat as an institution had not yet become the instrument of village community yet. In practices, few Panchyat discharged all the functions entrusted to them and the activities of many of them suffered from local functions, lack of resources and want of guidance. The planning commission further added, "unless a village agency can assume responsibility and initiative for developing the resources of the villages, it will be difficult to make a marked impression on rural life. As the village agencies of the state Government cannot easily approach each individual villager separately progress
depends largely on the existence of an active organisation in the village, which can bring the people into common programmes to be carried with the assistance of the administration”.

An important development during this period was the association of Panchayat with the rural community development programme. The involvement of the Panchayats was secured and the Panchayats were represented on the Block Development Committee (formerly Block Advisory Committee). They were also made the agency for executing local development works. A Panchayat extension officer was added to the block staff, to educate and advise the Panchas regarding their duties and opportunities with regard to the community development programmes. The Panchayats were visualised as the base agencies for carrying out social and economic transformation. The village Panchayat institutions, therefore, continued their existence more or less under the laws and Acts passed by the government as were in pre-independence days till the acceptance of ‘Democratic Decentralisation’ proposed by the Balawantarai Mehta Committee in 1957.

The question of democracy at levels below the state become the most crucial point of discussion after independence. The provision was made in the constitution for the establishment of village Panchayat in the rural areas, Article 20 of the Directive Principles of state policy says “the state shall take steps to
organise village Panchayats and endow them with such powers as may be 
necessary to enable them to function as units of local self Government”.

Mehta committee provided a stimulus to policy makers. Democratic 
Decentralisation meant the delegation of important powers and functions of the 
government to the lower bodies and agencies which are democratically elected. 
It implies transfer of important powers and functions in the sphere of 
development from the bureaucratic administration to the elected representatives 
of the people. Mehta Committee involved a scheme of systematisation and 
reorganisation of the structure of rural local self government as an agency for 
rural development.

The report on Panchayati Raj (with Ashok Mehta as a chairman) desired 
that “there should be administrative Decentralisation for the effective 
implementation of the development programme and that the Decentralised 
administrative system should be under the control of elected bodies”.

Earlier Balwantra Mehta committee report observed that development cannot progress 
without responsibilities and powers devolution.

In the second five year plan, the planning commission observed that 
recommendation had not been carried out to any great extent, however certain 
principles in this behalf were suggested. The second five year plan stressed, 
“the need for creating within the district a well organised democratic structure
of administration in which the village Panchayat would be organically linked with popular organisations at higher level. "In such a structure the functions of the popular body would include the entire general administration and development of the areas, other than such function as law and order, administration of justice and certain functions pertaining to the administration. Reorganisation of the local self governing bodies and decentralisation of important powers and functions below the state level was the trend of thought based on the practical experience in the field of "development administration". This trend of thought represented in the scheme of Mehta Committee's recommendation under the name of "Democratic Decentralisation". The committee on the planned projects rightly pointed out, "It is not theory or dogma which is impelling as to make these recommendations, but practical considerations. Democracy has to function through certain executive machinery, but the democratic Government Operating over large areas through its executive machinery cannot adequately appropriate local needs and circumstances".  

Panchayati Raj is an attempt to device a method of bringing the democratic government to the doors of the people; where they can take continuous and persistent interest in the working of various bodies. In a way Panchayati Raj fulfils all the functions of a local self-government and acts as a
"Primary School of Democracy". True democracy is consistent with the maximum decentralisation of power to the lower units of Government. These institutions will help more effective and better participation of the people in the Government and needless to say that effectiveness of such participation is an index of the success of democracy. Panchayat Raj thus, is an attempt in the direction of democratizing the district administration. The people's institutions have been entrusted with the responsibility of taking decisions and supervising the implementation of programmes. But in Maharashtra state, a committee was set up to examine the questions of all aspects of Democratic Decentralisation under the chairmanship of the chief minister Mr. V. P. Naik. The committee submitted its report on 15th March 1961. In its concluding paragraph, the Naik committee observed, "we cannot overemphasise the need for adopting healthy conventions in the working of the local bodies. It is not the letter for the law or rules or orders that ultimately ensures the successful working of human organisations wholly but it is the spirit in which these are followed from day to day that will really determine the success achieved in their allotted tasks. We convinced that convention and traditions will always play a vital part in the functioning of our local bodies. They have to be built on the acclaimed foundations of sincerity, spirit of service and sense of responsibility". The Maharashtra Government accepted all major recommendations of the Naik
Committee and immediately enacted the Maharashtra Zilla Parishad and Panchayat Samiti Act 1961.

High power committee under the chairmanship of Ashok Mehta was set up by the central Government in 1977 to suggest measures for strengthening those Panchayat Raj bodies.

1. The committee has suggested that district should be a key unit of development administration below the state level. Its recommendations are modelled on Maharashtra and Gujarat experiments.

2. Every Zilla Parishad should have a planning cell directly under the supervision of chief executive officer. It should prepare a comprehensive plan for the district. Such a cell should have economist, cartographer, agronomist, engineer, industries officer and credit planning officer as members.

3. The committee has also recommended that the Zilla Parishad should function through committees, committees of agriculture, education and small industries being important among them. The chief executive officer should function as secretary of all these committees.

4. Mandal Panchayat should be a free organisation for execution of projects. These Mandal Panchayats shall immediately be below Panchayat Samiti. Mandal Panchayat should be organised covering
population of 15,000 to 20,000. These Panchayats should provide necessary institutional supervision, co-ordinate and implement the field level projects.

5. The collector, apart from the regulatory functions of the collecting revenues, has been assigned a greater role in the Panchayat Raj by this committee. The collector should conduct a social audit of these bodies as a representative of the government.

6. As regards finance, the committee suggested the plans and projects with funds on a formula of giving weightage to backward areas. The committee recommended complete transfer of land revenue to these bodies in phased manner.

7. The importance of human resource is stressed by the committee. Human resources development must become a primary object of these bodies. The committee has much attention to training programme of officer and other functions of the Panchayat Raj Institutions.

8. The Zilla Parishad should be made a ministry government at district level. It should be given more power to raise its resources through taxation. 59

The blueprint as provided by the Balwantrai Mehta Study Team, gave motivation to the constituent unit of the Indian Union to enact necessary
legislation to implement the Panchayat Raj system as a form of local self-government. In this process, Rajasthan and Andhra Pradesh were the first to adopt the Panchayat Raj in 1959. The Rajasthan State legislature passed the Panchayat Samitis and Zilla Parishads Act on 2nd September 1959. The scheme was inaugurated by the Prime Minister on 2nd October, 1959. Later in 1959, Karnataka and Orissa introduced the same in their respective states and other states followed suit. However, the organisation Pattern of Panchayat Raj followed by different States differs in respect of the number of units (tiers) adopted. For instance, states of Kerala, Jammu and Kashmir and Sikkim have only one tier i.e.; Village Panchayati; States of Himachal Pradesh, Madhya Pradesh, Haryana and Manipur have adopted two-tier system i.e. Village Panchayat and Panchayat Samiti; and the states of Meghalaya, Nagaland and Mizoram are yet to introduce Panchayat Raj. Except these states, the remaining 11 states have full-fledged three-tier system i.e. Village Panchayat, Panchayat Samithi and Zilla Parishad.

As far as Union Territories are concerned, only Chandigarh and Arunachal Pradesh have adopted three-tier system of Panchayat Raj and other Union Territories have only one tier of Panchayat Raj i.e. Panchayat.

The statistics relating to the distribution of Panchayat Raj institutions in the country is fairly impressive. The statistics collected for the year 1980-81
shows that the number of Village Panchayats were 2,16,051, Pachayat Samitis 4,521 and Zilla Parishads 291.

THREE TIER STRUCTURE OF PANCHAYATI RAJ IN INDIA

The above pattern of Panchayat Raj institutions has made according to the Balwantrai Mehta Report. The constitution of ‘Village Panchayat’ should be purely on an elective basis with the provision for the co-operation of two women members and one member each from the scheduled castes and scheduled tribes. The budget of the Panchayat will be subject to scrutiny and approval of the Panchayat Samiti. The duties of the Village Panchayats should
be: provision of water supply, sanitation, lighting, maintenance of roads, land management, collection and Maintenance of records and other statistics and the welfare of backward classes. It will also act as an agent of the Panchayat Samiti in executing any scheme entrusted to it.

Panchayat Samiti has the intermediate tier in Panchayat Raj Institution. It should be constituted by indirect election from the village Panchayats. The functions of the Panchayat Saimti should cover the development of agriculture, public health, welfare work, primary education, promotion of local industries, improvement of cattle and collection and maintenance of statistics. The annual budget of the Samiti should be approved by the Zilla Parishad.

The Zilla Parishad is the third and the highest tier of the Panchayati Raj institutions in India. To ensure necessary co-ordination between the Panchayat Samitis, a Zilla Parishad should be constituted consisting of the presidents of these Samitis, M.L.As. and M. Ps. representing the area and the district level officers. The collector will be its chairman and one of his officers will act as secretary. No executive functions have been assigned to Zilla Parishad. It is a co-ordinating and supervisory body. It maintains liaison between the state Government and Panchayats and Panchayat Samitis. It supervises and co-ordinates the activities of Panchayat Samitis, examines Panchayat Samiti
budgets, distributes Government grants among Samitis; and advises the state Government on matters relating to Panchayats and Panchayat Samitis.

The pattern of Panchayat Raj in Rajasthan is certainly a pioneering effort in the direction of rural self-government. However, there are wide variations in the pattern of Panchayat Raj system followed if various state have devised a system best suited to local conditions. The most important variation is a co-ordinating and supervisory agency. In Maharashtra, the Zilla Parishad is the strongest of the Panchayat Raj institutions. The following differences can be noted in the scheme of Panchayat Raj institutions in Rajasthan and Maharashtra. There are:

a) The Panchayat Samiti at the block levels is a powerful unit of Panchayat Raj in Rajasthan. In Maharashtra, the Panchayat Samiti is a week unit of the scheme. The Panchayat Samiti has to perform some delegated functions, and has to prepare “an overall plan of works and development schemes to be undertaken in the Block for enabling the Zilla Parishad to prepare its development plan”.

b) The Zilla Parishad in Rajasthan is a co-ordinating and supervisory body, while in Maharashtra, it is directly concerned with the planning and execution of development task in the district.
c) In Rajasthan, there are direct elections only at the Village Panchayat level. The Panchayat Samiti and Zilla Parishads are indirectly elected. In Maharashtra, the Zilla Parishad is directly elected by the people of the district.

d) The Zilla Parishad is elected for three years in Rajasthan and for five years in Maharashtra.

After studying the structural pattern of Panchayat Raj in India, it is essential to note some of the problems involved in it. There are important sociological, economic, political and administrative problems involved in Panchayat Raj. Some of the important sociological obstacles in the way of achieving the objectives are as follows.

a) Illiteracy of the people.

b) Lack of Political consciousness.

c) Lack of availability of selfless leadership.

d) Inertia and laziness of the people

e) Feudal, caste and religious loyalties.

f) Undemocratic, social and family structure in India.

g) Domination of the powerful sections of village society over the weaker sections like the scheduled castes, tribes, etc. Efforts are to be made to fight against these social obstacles.
Panchayat Raj requires continuous evaluation and study. Its working should be studied thoroughly so that the defects and the drawbacks can be removed. In evaluation of its working, the following tests may be kept in mind. The tests for a successful Panchayat were defined by the Annual conference on community Development and Panchayat Raj held in Hyderabad in July, 1996. These ten point tests are:

1. Production in agriculture as the highest national priority during the Third Plan.
2. Promotion of rural industries.
3. Development of co-operative industries.
4. Development of local resources including the utilization of manpower.
5. Optimum utilization of resources available to Panchayat Raj institutions such as money, staff, technical assistance and other facilities from higher levels.
6. Assistance to the economically weaker sections of the community.
7. Progressive disposal of authority and initiative, both vertically and horizontally, with special emphasis on the role of voluntary organisation.
8. Understanding and harmony between the people's representatives and the people's servants through comprehensive training and education and a clear demarcation of duties and responsibilities.
9. Progressive increase of competence both in officials and non-officials.

10. Cohesion and co-operative self-help in the community.

The success of the experiment of Panchayat Raj will depend on our vigilance and capacity to face the issues boldly and courageously. In the initial stages, the officials have to play a very active role in helping and guiding the Panchayat institutions to achieve their objectives. The officials have to adjust themselves to the changes taking place in the countryside in India. All the same time, we should not entrust those functions to the Panchayat Raj institutions, which they cannot perform. Only such responsibilities should be transferred to these bodies, which they can properly shoulder. At the same time, the State Government should exercise supervision and control over Panchayati Raj institutions. The feeling should not grow at any quarter that with the establishment of Panchayat Raj all problems have been solved. Faith in future, and confidence in the capacities of the rural people will make this experiment success. As Balwantrai Mehta observed: "The people of rural India may be illiterate but they are the inheritors of a great heritage and a great culture and in course of time they are sure to come with their own. If we have faith in Panchayati Raj, in our rural people, and in their capacity to put their latent strength to productive uses, we are sure the success will ultimately be theirs."
Panchayati Raj may have many weaknesses today, but it is a vital force of tomorrow.\textsuperscript{65}

1.5 The Present Structure of Panchayat Raj Institutions in Maharashtra

1) Introduction:

The term Panchayat Raj refers to a three tier structure of rural local self-government in each district. The Panchayat Raj came into existence in Maharashtra on 1\textsuperscript{st} May, 1962 by the Maharashtra Zilla Parishads and Panchayat Samitis Act 1961. This Act was entirely based on the recommendations of the committee on Democratic Decentralisation, popularly known as the Naik Committee of 1961.

The Zilla Parishad and Panchayat Samiti Act 1961 was adopted by the Government of Maharashtra “to provide for establishment in rural areas of Zilla Parishads and Panchayat Samities, to assign them local functions of certain work and development Schemes of the states, five year plan to such bodies and to provide for the decentralisation of powers and functions under certain enactment’s to those local bodies for the purpose of promoting the development of democratic institutions and securing a greater measure of participation by the people in the said and local government affairs”.\textsuperscript{66}
2) **Principle of Panchayat Raj Institutions**

The Panchayat Raj is based on the following five principles:

1. That there should be a three tiered structure of local self-government bodies form village to district levels, with an organic link from lower to the higher ones.

2. There should be a genuine transfer of power and responsibility to these bodies.

3. Adequate financial resources should be transferred to these bodies to enable them to discharge these responsibilities.

4. All development programmes at these levels should be channelled through these bodies.

5. The system evolved should be such as to facilitate further decentralisation of power and responsibility in future.

3) **Structure of Panchayat Raj System in Maharashtra:**

```
  Zilla Parishad
   (District level)

  Panchayat Samiti
     (Tahsil level)

  Gram Panchayat
     (Village level)
```
The Panchayat Raj institutions are based on bottom to top approach: village Panchayat, Panchayat Samiti and Zilla Parishad. The territorial units are: the village, Taluka (or block) and top level is district.

A) Zilla Parishad:

In the Maharashtra, the Zilla Parishad is the strongest of Panchayat Raj institutions. The Zilla Praishad is working at apex level in Panchayat Raj institutions. It is directly concerned with planning and execution of development works in the district. The real executive powers have been given to the Zilla Parishad. The Zilla Parishad is directly elected by the people in the district. The Zilla Parishad consists of:

a) Councillors chosen by direct election from electoral division in the district being not more than sixty in number and not less than forty, as may be notification in official gazette, be determined by the government.

b) If the elected councillors do not include women, two women are co-opted by the councillors elected under clause. (Now 1/3 seats will be reserved for women)

c) The chairman of all Panchayat Samitis in the district, ex-officio members.

d) The chairman of such federal co-operative societies being societies which as far as practicable conduct business of activities in the division
in relation to i) credit ii) land development iii) Marketing iv) industrial co-operative training and education.\textsuperscript{67}

For the purpose of election of the members of the Zilla Parishad, district is divided into electoral division, each electoral division consists about 3500 people. The member of the Parishad are elected for five years. The scheduled castes and the scheduled tribes get representation on the basis of reservation according to the population norm.

**The Office Bearers:**

The president and vice-president of Zilla Parishads are elected from among the elected councillors and they adorn office for the period of their term as councillors. Committee systems are one of the important component parts of Zilla Parishad administration. The affairs of the Zilla Parishad are managed through seven committees of the Parishad:

1) standing committee (The president of Z. P. The chairman of the standing committee with seven elected members.)

2) finance committee
3) works committee
4) Agriculture committee
5) Education committee
6) Health committee
7) social welfare committee.

**The official wing:**

The Zilla Parishad has four categories of the official staff: class I officers deputed by the state government from different department or from
among the officers from All India service. Class II officers of the state government are drafted from different departments. Class III category servants consisting of technical staff and other staff. Class IV servants selection is made by the selection committee formed under sec. 249 & 250 of the Z. P. & P. S. Act 1961.  

Every department in Zilla Parishad has class I officer as its Head of the Department and he is an ex-officio secretary of his concerned subject committee. The staff of the Z. P. is distributed among the Panchayat Samities as per the staffing pattern.

B) Panchayat Samiti:

Panchayat Samiti is one of the important units of Zilla Parishad which is comprised of:

1) the councillors of the Zilla Parishad elected from the block
2) Co-opted councillors if residing in the block
3) Chairman of the purchase-sales union in the block (as associated Member)
4) Chairman of the Co-operative Society
5) Co-opted members of the scheduled caste and tribe if not already included
6) Two members being Panch (member of village Panchayat) or Sarpanch, elected by Panchayat members.
A Panchayat Samiti in Maharashtra works as an area committee of Zilla Parishad. It is a non-corporate body and cannot levy taxes. It, therefore, provides downward ex-officio membership for the elected representatives in the Parishad from the constituencies in the block. There is a provision for co-option of scheduled castes tribes representatives and co-option of a woman member on the lines similar with the Zilla Parishad. Block development officer helps to carry out the functions of Panchayat Samati.

C) Village Panchayat/Gram Panchayat:

The nature of Village Panchayat is independent because it is government by the Bombay Panchayat Act of 1958. Functionally Panchayats are closely related to the Zilla Parishad in order, to receive grant in aid from Zilla Parishad.

Village Panchayat is a directly elected body with membership between 7 and 15 Panchas who are elected wardwise. There is a provision for co-option in case of women representative and representatives from the scheduled castes/tribes on the lines similar with those of Panchayat Samiti. The 1993 Act also provided for reservation of seats, for the scheduled castes and scheduled Tribes in the proportion to their percentage to the total population of a Panchayat. The Act also provides that one-third of the seats in the Panchayats at all level will be reserved for women including SC & ST women. The Act directed the states that reservation be carried out by rotation in each and every
Panchayat at each level. Now Village Panchayats form the basic unit of the local self government administration in the district.

The Sarpanch is high power in Village Panchayat who is elected from amongst the Panchs. The Secretary of the Village Panchayat is called 'Gram Sevak' who is appointed by the state government. The sources of income to Panchayat are, property tax, building tax, pilgrim tax and profession tax and grant received from Zilla Parishad.

1.6 Functions and Powers of Panchayat Raj Institutions in Maharashtra:

The functions and powers are given to Zilla Parishad and Panchayat Samiti according to the Maharashtra Zilla Parishad and Panchayat Samiti Act 1961. Village Panchayats are working according to the Bombay Village Panchayat Act 1958. The important functions of Panchayat Raj Institutions are given below.

I) Village Panchayat:

The Village Panchayats in Maharashtra are constitutionally independent of the Zilla Parishads, being governed by the Act of 1958. But, functionally, they have close constants with the Zilla Parishad, because they receive grants from them for various development works and schemes.
The Sarpanch is the Chief Executive of Village Panchayat, its Secretary being a Government official. The Secretary/Gram Sevak is keeping all records of Village Panchayat according to the Bombay Village Panchayat Act 1958. This Act provides the list of 85 functions for the Village Panchayat under section 41 to 48. The Village Panchayat’s functions are civic and developmental in various fields. It is made responsible for improvement of agriculture, Village Industry, communication, Water supply, Sanitation, spread of education, Medical facilities in the village.

II) Panchayat Samiti:

The working of Panchayat Samiti is made according to the schedule of the Maharashtra Zilla Parishad and Panchyat Samiti Act. 1961. This schedule provides 74 functions including agriculture, animal husbandry, forests, social welfare, education, public works, health, industries, communication, rural housing and several other.

The Panchayat Samiti is the real machinery through which the Panchayat Raj system functions because various development schemes are executed through Panchayat Samiti. The Panchayat Samiti is entirely responsible for the Block Development programme. Panchayat Samiti is the main agency of the Zilla Parishad. It has to work under direct instructions of the Zilla Parishad and the State Government as well. The works entrusted to the Panchayat Samiti can
be executed either through contract or departmentally as the Zilla Parishad so decides in this behalf. It has to supervise, inspect, and instruct, accept or suggest Panchayats an amendment to the Panchayat budget, provide expert advice and administrative assistance to the Panchayats.

Panchayat Samiti is not empowered to tax. However, Samiti can adopt its own budget like the Zilla Parishad. The B.D.O is the captain of the whole team of workers of the Panchayat Samiti. He co-ordinates the activities of the various extension workers, removes their difficulties, and exercises administrative control over the entire staff of the Panchayat Samiti.

III) Zilla Parishad:

The functions of Zilla Parishad are according to the Zilla Parishad and Panchayat Samiti Act 1961. This act has assigned a number of responsibilities on the Parishad. “Section 100, (1) (a)”. It shall be the duty of Zilla Parishad so far as the district fund at its disposal will allow, to make reasonable provision within the district with respect to all or any of the subjects enumerated in the first schedule as amended from time to time under sub-section (2) (in this Act referred to as “the District list”) and to execute or maintain works or development schemes in the District relating to any such subject. 70

The above section has assigned administrative powers and duties to Z.P. The district list has included 123 functions with several sub-divisions. The Z.P.
has to execute all schemes transferred to them by Government Departments. All works and development schemes relating to agriculture, animal husbandry, social welfare, education, medical, public health, building and communication, publicity, community development programme have been transferred to Z.P. in 1963-64. It is the exclusive power of Z.P. to give the following financial sanctions, for the items in the district list.

1. In all cases where the estimated non-recurring expenditure on works and development schemes exceed Rs.1 lakh and recurring expenditure exceeds Rs.50,000/- per annum.

2. In respect of acceptance of tender or contract in respect of works and schemes costing more than 2 lakhs.

3. Acquisition of movable property the value of which exceeds Rs.50,000/-

4. The sale or transfer of movable property exceeding the value of Rs.25,000/-. 

5. Acquisition of immovable property above 1 lakh.

6. Sales and transfer of immovable property excepting trees and grass the power of which has been given to the standing committee.

The financial function of Zilla Parishad is that the Zilla Parishad can charge profession tax, general tax on land (including those on which a cess is levied) or building and public market tax. In addition to this State Government
grants funds up to the 80 percent of the income of the Z.P., grants is the main financial source of the Z.P. It covers 11 items e.g. grants of 70% of land revenue, equalisation grant, purposive grant, incentive grant, establishment grant etc. For all purposes, the Zilla Parishad have been empowered with almost all the functions of the State Government at district level except those relating to law and order, justice, national and State highways and university education.

The powers and functions of Z.P. can be classified into two categories,

1. Executive and Administrative functions

2. Supervision and co-ordination of activities of Panchayat Samities.

"Section 106, subject to the provisions of Maharashtra Zilla Parishad and Panchayat Samitis Act 1961 and the rules made there under by the state Government and Zilla Parishad may :

1. Do all things necessary for the proper discharge of the functions and duties imposed on it by or under the Act.

2. Sanction works or development schemes within the district.

3. At any time, call for any proceedings of the standing committee or any subject committee, or for any return, statement, account or report concerning or connected with any subjects allotted thereto :
4. Require any of its officers or servants to attend any meeting of the Z. P. and tender advice on any matter which concerns the department under which such an officer or servant is working; and every such officer or servant shall comply with such requisition.

5. Exercise administrative control over officers and servants holding office under it and

6. Supervise generally the execution of all duties and functions under this Act.  

The section 106 has assigned the power and functions of Zilla Parishad. Now in the Maharashtra State, all Zilla Parishads are working on the direction of this section of the Act 1961.

1.7 Present Scenario of Zilla Parishad in Maharashtra

The important functions of Zilla Parishad are planning and execution of all development programmes. Such as establishment and maintenance of primary, basic and secondary schools, distribution of fertilizers, agricultural implements, improved seeds, improvement of live stock and veterinary aid, educational and economic development of backward classes, maintenance of dispensaries, primary health centres, construction and maintenance of roads, parks, promotion of local industries, water supply, drainage, rural housing etc. There is a planning branch in the general administration department under the
control of the class I officer. Not only this, but a Model job chart for the planning officer has also been provided for the guidance and work.

The Zilla Parishads have been functioning through committee, such as finance committee, work committee, Education committee, Health committee, Standing committee etc. The work of the committee involves decision in respect of selection of development schemes, their location etc. This work can be done with more unanimity and helps in making planning successful. The Z. P. inconsistency with the directives of the Government the state plans and the development of the district, it decides on the priorities to be allotted to the different schemes and on the means and methods to be employed in securing the objectives of the plan. In doing so, the Z. P. in its turn is guided by the requirements and potentialities of each of the blocks. In the district covered to it through the Panchayat Samiti plans. The role of the Z. P. is, thus, to take stock of the needs, resources and potentialities at the blocks in the district on the one hand, and the state policy and plan on the other, put the one into the other and evolve a plan of development for the district as a whole.

Now in the Maharashtra State, 33 Zilla Parishads, 320 Panchayat Samitis and 27594 Gram Panchayats are working for the development of rural area. Table No. 1.1 shows the total members of each Zilla Parishad along with total number of Panchayat Samitis and Gram Panchayats etc in the year 1997-98.
Table No. 1.1
Members of Zilla Parishad Alongwith Panchayat Samitis and Gram Panchayats In Maharashtra State (Year 1997-98)

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<th>Sr.No.</th>
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<th>No. of Gram Panchayats</th>
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Source: Varshik Prashasakya Ahawal of Zilla Parshads
During the study period in the year 1997-98 the five Zilla Parishads have been newly established in Maharashtra State: Thane, Nandurbar, Hingoli, Washim and Gondhiya. Also 1010 Gram Panchayat have been established according to the needs of rural people.

1. **Supervision and Guidance:**

Throughout the country this function of the Zilla Parishad is very important, the Mahta Committee also recommended the Z. P. to be a supervisory body. Zilla Parishads approval for Panchayat Samiti budgets is essential. The Z. P. supervises the activities of Samiti under its Jurisdiction, specially agricultural programmes, works programmes and employment programmes. No Zilla Parishad has the powers of inspection and can ask for required information from Panchayat Samitis. The proper utilisation of the grants given to Samitis is also supervised by the Z. P. In case the Samiti is inactive and is not functioning properly, the Z. P. extends advice and guidance to the lower level bodies through the agency of its official and non-official functionaries. It has been argued that Z.P.s have not been effective because they have no power to enforce advice and supervision. This applies to state where Z. P. is not an executive body. In Maharashtra Z. P. is an executive body and therefore this does not apply. It should be noted that community development block grants are given to Samitis through Zilla Parishad, as samitis are not
corporate bodies and therefore have no funds of their own. Apart from spending
the Block funds within the limits set out by the National Extension service
schematic budget, these Samitis perform agency functions on behalf of Z. P.
Certain types of works are executed by them through the agency of Panchayats.
Samitis have the power to sanction the budgets of Panchayats.

2. **Co-ordination:**

Co-ordination of plans made by Samitis and Co-ordination of work of
Panchayats and Samitis is also an important function of the Parishad, for this
purpose, it scrutinises and sanctions the budgets of Panchayat Samitis. The
Z.P.s are empowered to suggest modifications which the Panchayat Samitis
would consider. The budget is discussed in the Zilla Parishad.

The Zilla Parishad has to keep balance between national priorities and
local priorities. It is widely recognised that district is an important unit of
planning both from the point of view of administration the as well as economic
resources. Planning at the district level has to be viewed into different aspects,
Viz.

1. As part of state plan, the Z. P. is the principal point of contact between
the policies and plans of government and of local bodies.

2. As a process of integration of local plans based on local requirements
and resources. There is need for co-ordinating the planning in several
blocks. The Z.P. assists lower level local bodies in matters requiring coordinated action and constantly advises them to keep national priorities in the forefront. Section 110 authorises Z. P. to undertake any work jointly with the another Z. P. or Municipality or Municipal Corporation. The Act has also authorized Z. P. to vary necessary taxes jointly with the above bodies and connect them.

3. Welfare Functions:

The welfare function in relation to Z.P. means welfare of economically and socially backward classes of the people called the weaker sections of the society. The constitution of India has provided for the protection and promotion of the educational and economic interest of the weaker sections of the people and in particular of the scheduled castes and scheduled tribes. Besides this the directive principles of state policy and numerous other constitutional provisions and statutes make the state to protect the interests of the weaker sections. In order to promote welfare of the population including scheduled castes and scheduled tribes, and backward class people, Social Welfare Department, has been created by Maharashtra Government. Naik committee recommended that Social Welfare Department should be transferred to Z. P. In the opinion of Naik committee "The local bodies will be in a better position to adjudge local needs
and attend to them promptly. We consider that most of the schemes of this department should be transferred to them.” 73

Referring to the role that the Panchayat Raj Institutions can play in improving the conditions of the weaker sections, a report of the committee on plan projects observed that “with a view to ameliorating the social and economic conditions of the weaker sections, it was considered necessary to associate the weaker sections with the Panchayati Raj institution. Accordingly, provision has been made for representation of Backward classes, scheduled castes and scheduled tribes in the Panchayat Raj legislation. In all states, except U.P. and Punjab the Panchayat Raj institutions have appointed committee to look after the interest of weaker sections, for meeting the special need of the backward classes, equalisation funds have been constituted at state level in a few states such as Assam, Andhra Pradesh, Gujarat and Maharashtra. In Gujarat and Maharashtra such funds are provided to the Zilla Parishads”. 74

According to a recent amendment to the Z.P. Act, each Z.P. has now a separate social welfare subject committee presided over by a councillor belonging either, to a scheduled caste or a scheduled tribes. The district social welfare officer of Z.P. is the ex-officio secretary of this committee. In the first schedule of section 100 of Maharashtra Z.P’s and P.S’s Act 1961 covers the
subjects of activities which are enumerated as the activities of social Welfare Department of Zilla Parishad.

The power and functions of president, Vice-President and other official and non-official authorities of the Zilla Parishad among others are detailed below.

a) **President:**
   i) The president shall convene, preside at and conduct meetings of the Zilla Parishad.
   ii) The President shall watch the financial and executive administration and submit to the Parishad all questions connected there with which shall require its orders.

   The President of Zilla Parishad receives an honorarium of Rs.5000/- per month with rent free residential accommodation.

b) **Vice-President:**
   i) The Vice-President shall in the absence of the President, preside at the meetings of the Zilla Parishad.
   ii) The Vice-President who is the Chairman of two subjects committees gets consolidated honorarium of Rs.4000/- per month along with rent free residential accommodation.
c) **Chairman of Standing Committee or Subjects Committee:**

Subject to the provision of the Act, and the rules made there under by the State Government, the Chairman of standing committee or subjects committee shall convene, president and conduct meetings of the committee and the chairman of any such committee may in relation to subjects allotted to the committee.

i) Call for any information, return, statement, account or report form any officer employed by or holding office under the Zilla Parishad.

d) **Chief Executive Officer:**

i) The Chief executive officer shall lay down the duties of all the officers and servants under the Zilla Parishad in accordance with the rules made by the State Government.

ii) The Chief executive officer shall exercise supervision and control over the acts of officers and servants holding offices under the Zilla Parishad in matters of executive administration and those relating to accounts and records of the Zilla Parishad.
e) **Head of the Departments:**

i) Every head of the Department of Zilla Parishad may in respect of works and development schemes pertaining to his department, accord technical sanction thereto.

ii) The head of the department specified in this behalf shall be the secretary, ex-officio, of such subjects committees as the Zilla Parishad may direct.

**CONCLUSION:**

During the British Raj the ‘Local Self Government’ were not properly developed in India. The Indians learnt the foreign lessons of politics through these sansthas started by Lord Ripon’s. The members in local self government were the Land-Lords, Money-Lenders and rich people. As they were appointed by the government, they were in favour of the British. In these days a person who payed revenue Rs.48/- or earned Rs.500/- per year was a voter. Till 1934, women were prohibited to participate in the local self government.

After Indian Independence these local self governments were somewhat modified and restructured and many changes were observed in the nature and functions of them. As an effect of this change the Panchayat Raj Institutions became prominent and within 15 years (in 1962) almost 99% of rural population was covered by them.
When the process of decentralisation of democracy started, the Rural Development programmes were implemented with a view to solving the problems of the people. In such programmes the emphasis was on providing the people with their basic needs. After the decentralisation of power from the centre to the state governments according to the Indian constitution, it was implied that a third-party-institute should not rule or control it. Therefore many committees were formed from top to bottom, i.e. central and state levels, for example: Balwantrai Mehta Committee, Vasntrao Naik Committee, V.T. Krishnamachari District Administrative Report; Taktamal Jain Study Committee; Ashok Mehta Committee; Bongirwar Committee; Ministers’ sub-committee; G.V.K. Rao Committee, and P.B. Patil Committee of 1986.

Many good recommendations and instructions were given in these Committee Reports. But the established ‘Power-Politics’ handled the situations with tricks and tactics and never lost its firm grip on these local-Swaraj sansthas. Although they were compelled to form the local-Swaraj sansthas, they cunningly used them as their ‘agencies’ and never treated them as the real independent Swaraj Sansthas.

During the Janata-Party-Government, a committee like Ashok Mehta Committee had strongly recommended drastic changes even by amending the Indian constitutions. It was necessary to set-up a third-type of Government at
District level in order to have the real decentralisation and people's real-participation in the development of social life. On April 24, 1993, the Narasimhrao Government amended the Indian constitution and finally made the room, in the true sense of the word, for these local self governments in Indian Government. According to this 73rd amendment in the constitution, all the State Governments in India have to perform the following activities:

1. A Three-tier structure of Panchayat Raj: The Establishment of Zilla Parishad, Panchayat Samiti and Gram Panchayat whose members are elected by people.

2. To create an independent 'Election-system' based on the instructions received from the central Election Commission and to have regular elections after every five years.

3. 33% Reservation for women at all three levels.

4. The establishment of 'finance commission' with a view to deciding the share of these Panchayat Raj Institutions from the total income of the state.

5. To allocate the area of development for such Institutions.

Formerly, near about 5000 elected members of the state and central legislative assemblies used to work in the Government. However, as per this 73rd amendment some 22.5 lakhs elected members have started working in the Government.
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