CHAPTER VII

COMMITTEE SYSTEM IN THE PANCHAYATS

It has been a fashion of modern Parliamentary form of Government to form committees for the smooth conduct of the business of the house. The house is a big and an unwieldy chamber where debates and discussion can take place but the committee is a compact body of the house which can give a cool and calculated consideration to a problem. The object of referring a matter to a committee by the House itself is to have the matter better dealt with by a smaller group of members or in a body which is not so much fettered by the technical rules of debate and procedure like the House itself.

The shortness of the office of the members of Parliament and the rotation of office have necessitated the growth of the civil servants who can gain a long and varied experience on different aspects of the administration of government departments. The Cabinet elected by the Parliament does keep a close touch between the officials and the members of Parliament. Thus, Cabinet in Parliamentary Government is a connecting link between the Parliament.

and the civil servants. Similarly, in the local
government the committees have been the controll­
ing agents of the civil servants. Mr. Finer observes
that "here in the local government to achieve
control over the administrative Departments it is obli­
ged to divide itself up into a number of committees.
Each of these committees is in direct contact with,
and control of the activities of the officials
themselves."

It is beyond the contemplation of the
Panchayat system in West Bengal that Gram Panchayat —
the basic executive organ for development and
planning — might have the authority to form committees
for the effective transaction of its business.
Under the Act only the Anchal Panchayat, a body
with less powers, has been favoured with the power
of forming the committees. Sec. 29 of the West Bengal
Panchayat Act 1957 has laid down that
"an Anchal Panchayat may after the election of its
Pradhan and Upapradhan, constitute by specific resolu­
tions at a meeting specially convened for the purpose
such committee or committees for such purpose or
purposes as it may specify and shall determine the
number of members of each such committee." In accordance
with the foregoing provisions the Anchal Panchayats
forms such functional committees as may be noted
hereunder:

(i) Agriculture committee to deal with matters concerning agriculture such as grow-more-food campaign, irrigation, bringing waste or fallow lands under cultivation, promotion of village plantations, cooperative farming, implementation of land reforms measures, assisting and advising agriculturists in the matter of obtaining state loan and its distribution and repayment; etc.

(ii) Resources Committee for augmenting the resources of the Anchal Panchayat through improved assessment and collection of taxes, fees, etc., and new sources of income.

(iii) Committee for prevention of encroachment of village roads.

In addition to the number of committees noted above the Anchal shall also have the power to form other committees. The actual number and character of such committees will depend upon local circumstances and local needs and may vary in different areas. The number of members of such committees would vary between nine and fifteen and it is laid down that the members of such committees are to be selected by the Anchal Panchayat from amongst its members preferably at the rate of one member from each Gram Panchayat.

1. Panchayat Executive Instructions, Part II, 1961, P-27
2. Ibid.
The Act in incorporating such a provision whereby the members of committees are to be selected from amongst the members of the council no doubt complies with the democratic principles and tradition, but it would have been, perhaps, better if the Act could make room for co-option to have the services of best experts. The democratic lack of responsibility and untrained popular will ought not to be carried too far to fulfil the purposes of self-rule and self-government. It goes without saying that cooption is undemocratic; it makes room for the defeated candidates and, thereby, it injects and associates unpopular hand with the council, but there is the other side of the question. Mr. Finer argues that even if representation is complete, it does not follow that the representative body would contain all the expertise necessary to wise decisions, for the principle of 'democratic election is not choice for knowledge or wisdom, but popularity'. Moreover, local councillorship is casual labour. Councillors do not possess all the fine requisite to a mastery of the work of the council, and it is beneficial that other people shall be added whose interest or expertise will be a constant spur to attendance. Thus, in England one of the remarkable features of the statutory committees is that the Central authority has pursued a

policy of making room for the appointment of people outside the body of elected councillors, and for a certain amount of territorial delegation.

The implicit territorial delegation of powers to the committees and the cooption or appointment of the members thereon - these two things - are hereby conspicuous by their absence in the Anchal Panchayat. The thing which draws also attention to the fact that an Anchal being small and a compact body consists of 10 to 16 members depending on the number of electorate thereon; and if a committee of the Anchal consists of members varying between nine and fifteen, the same member will definitely have an opportunity to serve in different committees though the powers exercised by the committees are of very limited in character.

One will read the functions of the committees in Great Britain with great interest. The committees in Great Britain are the real workshops of local Government where policy is decided, resolutions are made either for immediate action or for the approval of the council, a general control over the activities of the staff is exercised, and the estimates of expenditure for the relevant departments are

2. It is found that a big Anchal containing even population of seven thousands or more has only 16 members.
All these functions are carried out by the committee in direct contact and consultation with the chief and assistant chief of each department. The departmental chief is the servant of the council and the servant of the committee. He gives his technical advice, he provides statistics, plans, explanations, reports, and answers questions and criticisms. The committee is so powerful in England that the statutes in some cases do not even permit the council to embark upon a policy except upon the receipt and consideration of a report made by the committee.

The fact that the committees of the Anchal are practically powerless, as the former has no control over the officials or public servants engaged in rural welfare work, is an established fact. In the committees of the Anchal not a single officer of the Block is associated with them and the committees of the Anchal have no power to criticise and to put questions on the activities of the officers attached to the Block but the committees of the Zilla Parishad or the Anchalik Parishad exercise some kind of check over the officials as the latter are associated with the committees of their respective areas and the members of the committees can criticise

1. Finer - English Local Govt. 1950, P-239.
2. Ibid, P-237.
the policy and line of action taken by them and also put censure if such occasion would arise.

Under the Act both the Zilla Parishad and the Anchalik Parishad have the authority to form the committees as stated hereunder:

(i) Finance and Establishment Committee.
(ii) Public Health Committee.
(iii) Public Works Committee.
(iv) Agriculture and Irrigation Committee.
(v) Industry and Co-operation Committee.
(vi) Public and Social Welfare Committee.
(vii) Primary Education Committee and
(viii) Such other committee or committees as might be necessary.

It is also laid down that no person except the Chairman or the Vice-Chairman shall be member of more than two standing committees. Such provision is not to be found in the committees of the Anchal Panchayat.

On the nature of the composition of the committee the general principle is that, firstly,

in the Zilla Parishad the number of members to be elected to each committee from amongst the members of the council shall not exceed nine - thus, a maximum limit has been fixed in the Zilla Parishad there being no the minimum limit; in the Anchalik Parishad, on the other hand, the figure has been fixed at five and the Anchalik Parishad has no power of varying the figure. In contrast with the committee system of West Bengal in Great Britain the size of a committee is determined by the council. But this proposition may not be true in the case of the Watch committee. Secondly, the members appointed by the State Government to each committee from amongst the officials both in the Zilla Parishad and the Anchalik Parishad will not exceed two and it is also observed that such officer shall not be eligible for election as Chairman of the Standing Committee and shall not have any right to vote.

In the case of the appointment of members from amongst the officials it is found that in the Zilla Parishad the finance and establishment committee will have special officer, planning and Development and District Panchayat Officer whereas in the Anchalik Parishad the aforesaid committee has Block Development Officer and Panchayat Extension Officer as its associates.

The differences in composition relating to appointed members from government officials in different committees of the two organs may thus be conveniently laid down in tabular form:

<table>
<thead>
<tr>
<th>Zilla Parishad</th>
<th>Anchalik Parishad</th>
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<tbody>
<tr>
<td><strong>Public Health Committee</strong></td>
<td><strong>1. District Health Officer</strong></td>
</tr>
<tr>
<td></td>
<td><strong>2. Asstt. Engineer</strong>, <strong>Rural Water Supply</strong>, charge of nearest Primary Health Centre, and if there is no Primary Health Centre nearby, the Sub-divisional Health Officer</td>
</tr>
<tr>
<td></td>
<td><strong>1. Executive Engineer</strong>, <strong>Public Works</strong>, charge of the Block</td>
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<td></td>
<td><strong>2. District Engineer</strong>, <strong>Public Works Deptt.</strong> in charge of the Sub-division</td>
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<tr>
<td><strong>Agriculture Committee</strong></td>
<td><strong>1. Executive Engineer</strong>, <strong>Veterinary Assistant Surgeon</strong></td>
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<tr>
<td></td>
<td><strong>2. District Agricultural Extension officer</strong></td>
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<tr>
<td><strong>Irrigation Committee</strong></td>
<td><strong>2. District Agricultural Extension officer</strong></td>
</tr>
<tr>
<td></td>
<td><strong>2. District Engineer</strong>, <strong>Irrigation</strong></td>
</tr>
<tr>
<td><strong>Industry &amp; Co-operation Committee</strong></td>
<td><strong>1. Asstt. Registrar of Cooperative Societies</strong></td>
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<td></td>
<td><strong>2. District Industrial Officer</strong></td>
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<td><strong>3. Extension Officer</strong>, <strong>Industries</strong></td>
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Under the Act in the District level the District School Board will function as the
Education Committee of the Zilla Parishad; so the Act does not contemplate for the formulation
of a separate primary Education Committee for the same; but the Act, on the other hand, has authorised
the Anchalik Parishad to form a Primary Education Committee in the aforesaid manner with two of its
appointed members viz. Thana Sub-Inspector of Schools & Muksha Sevika.

Thirdly, over and above the elected and appointed members to a standing committee as said
hereto-before the said committee contains not more than two persons having knowledge of, and experience
in, the subjects assigned to the standing committee nominated either by the Zilla Parishad or the Anchalik
Parishad as the case may be. Lastly, the Chairman and the Vice-Chairman of the Zilla Parishad and President
and Vice-President of the Anchalik Parishad are

1. On the appointment of Govt. officials to different standing committees of the Zilla Parishad and the
Anchalik Parishad see the Zilla Parishads (Election, constitution and Administration) Rules, 1964, Nos.
64 & 65.
associated in each committee of the Zilla Parishad or the Anchalik Parishad, as the case may be.

A Standing Committee of each organ has been authorised to elect a Chairman from amongst the members of the Committee provided that the Chairman of the Zilla Parishad and President of the Anchalik Parishad shall be ex-officio Chairman of their respective Finance and Establishment standing Committees.

In both the cases of the elected or nominated members to a Standing Committee a definite time limit has been fixed for their tenure of office in the committee. Generally they are to hold the office for four years. But in the case of the appointed members it is peculiar to observe that no actual time limit has been laid down for their tenure in the committee. The Act has made it clear that an officer appointed as a member to a committee shall hold office until another officer is appointed to replace him.

FUNCTIONS OF THE COMMITTEES:

It is laid down that a Committee shall exercise such powers, perform such functions and

1. Ibid.
The duties as assigned to each Committee may be stated thus:

1. Finance and Establishment Committee of each organ shall deal with:
   - Finance, Budget, Taxation, Administration, Establishment, Planning, Co-ordination and Supervision.


3. Public Works Committee - Roads including Bridges and Culverts, construction and maintenance of Public Buildings, Works and Properties, Rural Housing.

4. Agriculture and Irrigation Committee - Agriculture, Food Production, Irrigation, Forest and Fisheries, Animal Husbandry, Poultry and Veterinary Services.

5. Industry and Co-operation Committee - Marketing, Warehousing, Food processing, Co-operative Societies, Rural Credit, Small Savings, Cottage Industries.

6. Public and Social Welfare Committee -

1. Secs. 37 & 83 Ibid.

7. Primary Education Committee - Primary Education.

In order to discharge their respective functions, each standing committee shall hold a meeting at least once in a month on such date and at such time as the Chairman may fix after giving at least ten clear days' notice to the members of the Standing Committee. In its meeting the committee reviews and considers its past activities and lays down the future course of action to be undertaken over the subjects allotted to it. A maximum financial limit has been put upon each committee up to which the said functionary shall be competent without any reference to the Zilla Parishad or the Anchalik Parishad to accord administrative and financial sanction to a scheme. But if the financial involvement of a scheme exceeds the maximum allotted to a Committee the said project is to be placed before the council with its recommendation thereon and it shall be the duty of the committee to carry out the decision of the Zilla Parishad or the Anchalik Parishad on such items and execute the schemes according to such decisions.

The analysis of the aforesaid facts make it clear that a standing committee is, as it is intended to be, a functionary to act in accordance with the advice and direction of the council. Herein lies the true democratic

1. The Zilla Parishads (Election, Constitution and Administration) Rules, 1963 No.66.
2. Ibid. No.68.
spirit of the committee system in governmental organisation. In England also all actions of committees are to be reported to the whole council either for approval or for record. In West Bengal all the committees are not of equal status. It is found after observation that all the Standing Committees as said beforehand the Finance and Establishment Committee has got pre-eminence over the rest. It is laid down that each Standing Committee shall obtain the views of the Finance and Establishment Committee prior to acceding administrative approval and financial sanction to a scheme and every item of cost or expenditure sanctioned by a Standing Committee is to be placed before the Finance and Establishment Committee for information.

Of course, it is also true that in any case of disagreement between a Standing Committee and the Finance and Establishment Committee over the financial sanction and行政 and administrative sanction and approval to a project the matter shall be referred to the Zilla Parishad or the Anchalik Parishad, as the case may be, for a decision.

The fact that the Finance and Establishment Committee has got some pre-eminence over the other committees is established when one comes across some additional functions of the Finance and Establishment Committee which other Committees have been unfortunately denied. The recommendation for the creation of posts under the Zilla Parishad or the Anchalik Parishad, as the case may be; the recommendation for appointment and transfer of staff of the Zilla Parishad or the Anchalik Parishad as the case may be the formulation

of budget and supplementary budget of the fund of the Zilla Parishad or the Anchalik Parishad, as the case may be; the consideration of budgets of Anchal 'anchayats or the Anchalik Parishads, as the case may be; the recommendation for levy of rates, fees and tolls etc. have been some of the examples of the additional functions of the Finance and Establishment Committee.

During the regime of the District Board only the latter had the power to form committees and the committees thus formed by the District Board would not occupy the same position and exercise the same authority in their administration as the committees of the county councils in England. But these days are over. Today the useful role of the Committees which is played in England is totally reorganised and they have been made as powerful and effective as they are at present in England. England is the home of modern democracy with its capitalist foundations. India, first of all, borrowed the general principles of the British constitution, but the thing is that she is not even contented with that. She has today borrowed the entire structure of rural self-Government or the Panchayat system with some necessary modifications, of course.

On advantages of the administration by the committee, it is pointed out, firstly, that the use of a committee instead of an individual is a safeguard against the abuse

1. No.67 of the Zilla Parishad (Election, Constitution and Administration) Rules Rules, 1933.
2. N.C.Stey - Rural Self Govt. in Bengal, 1936, p-55.
of power by an individual. Secondly, the committee system ensures that the local councils, which are abbrevs of democracy, do play their educative role effectively, by providing an opportunity for a considerable number of people to get some administrative education and some education in political life. Thirdly, the existence of the committee system compels the officials to act with greater care and responsibility since they know that they have to explain and justify their actions to a group of persons of very different interests and capacities. The responsibility of the officials to the councils is also observed in the committee system of both the Anchalik and Zilla Parishads in West Bengal.

In West Bengal, with the passage of the Zilla Parishads Act, 1963 it has been the duty of the official members to take necessary actions on the decisions reached at the meetings of the Standing Committees of each Parishad. Moreover, it has also been the duty of the officials to forward, as soon as possible after a meeting of the Standing Committee is held, a copy of the proceedings of the meeting to the Executive Officer or the Chief Executive Officer, as the case may be, for placing the same for information at a meeting of the Zilla Parishad or the Anchalik Parishad. Fourthly, the introduction of the Committee system means the application of the economic principle of division of labour in the methods of administration.

As the division of labour in economics leads to

specialisation in production as does the committee system ensure specialisation in administration.

Lastly, Committee system offers a very democratic method of Government because of its unique feature of associating the opposition, not only with the process of policy formulation, but with decisions upon the details of administration. Here the job of the opposition is not only to criticise the actions of the majority group, but also to take part in administration. But this opportunity of the opposition members to be associated with the administration is generally denied to them in India especially in the local administration in West Bengal. Due to the prevailing system of the composition of committee where members of the Committees of both the Anchalik Parishad and the Zilla Parishad are elected by majority of votes obtained by them, the opposition has very little chance of having access to any of the committees of the aforesaid organs.

It can be undoubtedly said that in the committees resolutions are adopted, executed and enforced by a small and compact body and this ensures efficient and better administration. It is also true that committee means prompt and hasty action and it is an action by the best administrative experts. But there are also obvious dangers; firstly, a committee sometimes comes to think of itself as a separate authority. If so, it keeps as much of its work as possible from the

notice of other members of the council, and fails to co-operate with other committees. Secondly, a committee may degenerate into officialism. If it is too small, it may be captured by a despot. Thirdly, committee system of administration means delay in administration.

Lastly, it also makes administration irresponsible. It has been told that "in the committee room members are more likely to become irresponsible and to forget their principles and their constituents; so the government may well be less strictly representative where administered through committees, than when the council delegates as few of its powers as possible."

1. John P.R. Maud - Local Govt. in Modern England, 1932, p-127.
2. Ibid, p-130.