CHAPTER I

DECENTRALISATION: CONCEPT, CONSTITUTIONAL PROVISIONS AND EVOLUTION

Introduction:

Tripura is a small hilly state in the North Eastern region of India and it is bounded on its three sides by the international border of Bangladesh and connected to the Indian mainland only in a way where the state has its common boundary with the Cachar district of Assam. The history of the state of Tripura as an administrative unit dates back to the days of the Kings when the area was a native state. In 1949, Tripura formally acceded to the Indian Union and it became a Union Territory in the year 1956. Tripura became a full fledged state on 21st January, 1972.

The history of Tripura proves that every community of the Tribal population in the village had the traditional panchayat system for solving the local disputes and for taking up other important matters of the village. Elections to the panchayats, till 1977, were held by raising hands and firstly in the year 1978, the system of secret ballot system had been started to conduct the elections. Another milestone in the states march towards democratic decentralisation laid in 1993. In conformity with the purpose, substance and direction of the Constitution, the 73rd Constitutional Amendment Act, 1992, the Tripura Panchayat Act, 1993 came into being with the desired goal of bestowing the Panchayats with functions and powers so as to enable them to function as vibrant institutions of local self-government with greater people’s participation in managing their own affairs. The new Act provided for a three tier Panchayati Raj System with Zilla Parishads at the district level, Panchayat Samitis at the block level, and Gram Panchayats at the village level.

Panchayats have been visualised as the vehicles of socio-economic transformation in rural India. Effective and meaningful functioning of these bodies would depend on active involvement, contribution and participation of its citizens both male and female. The aim of
every village being a republic and Panchayats having powers has been translated into reality with the introduction of the three-tier Panchayati Raj System to enlist people’s participation in rural reconstruction. To enable panchayats to function as vibrant institutions of democracy, and to strengthen the democratic processes and to ensure transparency and accountability in the functioning of the panchayats, the state government has taken further legislative and administrative measures by amending the Tripura Panchayat Act and Rules.

Panchayat in the state has been actively contributing to the social and economic development of the state. A number of activities had been undertaken in response to the felt needs of the people. In the mean time, some reforms were made in the election procedure since the election by show of hands tended to create law and order problem at the time of
election and thus the rules, namely The Tripura Panchayat Raj (Amendment) Rules, 1974, were framed on 3rd September, 1974. By 1977, 476 ‘Gram Sabhas’ and 138 Nyaya Panchayats were established.

In conformity with the 73rd Constitutional Amendment Act, 1992, the Tripura Panchayat Act, 1993 (Act No. 7 of 1993) was enacted and came into force since November 1993. This Act was enacted to reorganise Panchayats in rural areas of Tripura and to endow the Panchayats with functions and powers as to enable them to function as vibrant institutions of local self-government with greater peoples participation in managing their own affairs besides imparting, certainly, continuity and democratic contents and dignity aiming, among other things at the realisation of economic and social justice. With the advent of the Tripura Panchayats Act of 1993, the state government made necessary arrangements for conducting elections to the Panchayats for establishment of a three tier Panchayati Raj System in the state under the direct supervision and control of the State Election Commission (SEC). Accordingly, elections were held in the month of August 1994, and 525 Village Panchayats, 16 Panchayat Samitis and 3 Zilla Parishads were constituted for the first time in the state. At present, there are 591 Village Panchayats, 35 Panchayat Samitis and 8 Zilla Parishads.

**Statement of the Problem:**

With the introduction of the 73rd Constitutional Amendment Act, 1992 a uniform system has been established all over India with regard to rural local self-government. The Act empowers the state legislature to make laws for the organisation of Panchayat at the village level as well as at the higher levels of block and district as local government. On November 07, 1993, The Tripura Panchayat Act 1993 conforming to the 73rd Constitutional Amendment Act, 1992, has been enacted and brought into force. According to Tripura Panchayat Act, each block throughout the state will certainly have a Panchayat Samiti.

Panchayat Raj Institutions (PRIs), the grass root units of rural local self-governments have been proclaimed as the vehicle of socio-economic transformation in rural areas. In Tripura, the
implementation of rural development schemes is done by the PRIs with the help and cooperation of the local level bureaucracy. The success of Panchayat Raj Institutions and implementation of development planning mostly depends on people’s participation in planning and development activities. But in Tripura it has been noticed that people in general are found to be apathetic towards participation.

Awareness of common people has not increased much and most of the people are still not aware of the purpose of Panchayat Raj Institutions. Lack of awareness is one of the basic reasons for not being able to fully achieve the goals of decentralisation in Tripura. Lack of awareness of the elected representatives results in lack of interest which creates the hurdles in the way of smooth development. There exist many other problems that stand in the way of development of decentralised planning in the state, i.e lack of technical knowledge of financial management, lack of consciousness among the people, insufficient financial resources, under qualification of the elected representatives and empowerment of women etc. Again due to inadequate financial resources the PRI’s mainly depend upon the grant from the state government in Tripura. In the light of the above situation, this research work has been directed towards a holistic resolution of the existing problems vis-à-vis balanced decentralisation and development planning across the Panchayat Samitis in Tripura.

**Review of Literature:**

Following literatures were reviewed for getting answer of the above mentioned statement of the problem:


Bhakta Pada Sinha Roy, in his book, discussed the role of Panchayati Raj Institutions in rural development in West Bengal. His book is an attempt at understanding the kind of changes brought about in the villages of West Bengal by the institution of state panchayats with political parties contesting with one another for control over them. Here different indicators of democratic decentralisation used for developmental activities being pursued, actual
participation of elected representatives as well as villagers in the decision making process and the extent of control exercised by political parties in the decision making activities of Gram Panchayats have been studied. An important message of this book is that after coming to power in 1977 the then Left Front regime in West Bengal, took the decision to hold the panchayat elections in the state on the basis of universal adult franchise. Therefore the Left Government implemented the West Bengal Panchayat Act passed in 1973 to ensure people’s participation, their engagement in the rural development programmes and to remove the domination of the traditional rural elites through the creation of a new type of leadership from amongst the lower section of the society. According to the author, the goal of the leftist ideology is to institute a system that would effectively ensure distributive justice in the rural areas. In his book, the author, tried to examine how far the above goal has been achieved.


In this book the author has focused on the evolution of Panchayat Raj System in India in general and Tripura in particular. The author has discussed the various features and provisions of the 73rd Constituional Amendment Act as well as the Tripura Panchayat Act 1993. He analysed the composition and structure of different PRIs in Tripura and also reviewed the existing structure of panchayat finance in the state. The book emphasised on the various development schemes of the Panchayat Raj Institutions and the implementation of the same in the state of Tripura. The book also showed the basics of village planning, ways of human resource development and cited many instances which depict the achievements of the PRIs in the state of Tripura.


The author has highlighted different aspects of both rural and urban local self-government and also traced the history of local self-government in India. The author has explained the
structure, personnel, finance and functioning of the local self-governments. He has suggested some important means of improving the system of local self-government in India.


Dr. Nityananda Das, in his book, put forwarded a detailed analysis of the theoretical concept of local self-governance in the western and Indian viewpoint, evolution and development of Panchayat Raj system in Tripura. Dr. Das also examined the election and voting pattern in the Panchayat in Tripura for the period of 1994 to 2004. The author has highlighted the socio-economic profile and the general awareness level of the emerging political leadership in the panchayat institutions in the state of Tripura based on the Panchayat Election of 2004 on the basis of findings drawn from four Gram Panchayats namely Laxmipur, Debichara, Mekhlipara and Barabhaiya – each in turn taken from one of four Panchayat Samitis. The book also gives a picture of the general problems faced by the panchayats in Tripura and some recommendations for their possible solution have been outlined.


In this book an attempt has been made to analyse the organisation, structure and functioning of Panchayti Raj in Sikkim. It has given a special focus on the issues such as women empowerment, devolution of powers, participation of weaker sections of people in the development process, resource mobilisation by the Gram Panchayats, role of bureaucracy etc. The author emphasised on the socio-economic and political backgrounds of the elected representative to determine their socio-economic status. The author has also made an attempt to study the emerging leadership pattern in the rural areas of Sikkim. In his research, the author found that there exists extraordinary realities in the Panchayat System in Sikkim. On one hand there is progressive legislation, policies and guidelines for the panchayat backed by
strong political will. On the other hand, the ground reality shows weak and ineffective implementation of the panchayat system leading to little progress on the path of real democratic decentralisation. He has proposed many valuable suggestions to strengthen the process of rural decentralisation in Sikkim.


Iqbal Narain in his book “Democratic Decentralisation: The Idea, The Image and The Reality”, gave an outline about the pattern of new leadership and according to him the new leadership is power oriented not development oriented. The author found out that Village Pradhans and Sarpanchs have become new monopolists of power. The leaders, according to him, are having political consciousness without civic consciousness. In this book it has been clearly mentioned and proved that though decentralisation is a way to make common people powerful but in reality the power has not percolated beyond the Village Pradhans and Sarpanchs.


In his “Decentralisation, Panchayat Raj and District Planning”, the author opined that development planning is a dynamic process which interacts with historical reality. According to Baldev Singh, historical reality means continuous flow of men, materials and products which aims at changing the historical flows in the desired direction. To develop a proper understanding of PRIs and district planning, the book analyses the fundamentals of Political Science, Economics and Public Administration. The book has four broad parts: Part I – Decentralisation, Part II – Panchayati Raj (Local Self-Government Institutions), Part III – Agro-Climatic Regional Planning Strategy, Part IV – District Development Planning Strategy.
In his book, Ao has thrown light on the human agricultural & social development in north-east India. He discussed about the dynamics and determinants of the rural non-farm economy. The book has examined women’s work in India and how huge numbers of women are devoted only to unremunerated work. He has also made an attempt to put forward details of rural development policy and tribal society of north – east India.

G. Palanithurai and V. Ragupathy in their book “Communities Panchayats and Governance at Grassroots” showed that there are opportunities, challenges and hurdles in operationalising the Panchayati Raj System. He has made an attempt to present the institutional pluralism at the grassroots and discussed how it affects the functioning of Panchayati Raj System. This book focused on the constitutional institutions created at the grassroot level and argued that these should be made vibrant and they have to shed their present character of unresponsiveness to the demands of the people. The author remarked that a constant drive should be maintained from the upper level governments to strengthen the constitutional structures and the elected leaders also have to be equipped to carry out the roles and the responsibilities of the grassroot institutions. Again the traditional institutions have to be democratised and they are to be integrated with constitutional panchayats. According to Ragupathy, panchayats have opened up opportunities for empowerment at the grassroot and for effective use of these opportunities a powerful social movement is required.
In his book, the author has discussed the working of the Panchayat Raj System in the various states of India. The author has made an attempt to analyse the structure and functional evaluation and viewed that only structural change in Panchayati Raj may not prove to be decisive. This book not only highlighted the drawbacks of the system but also suggested some reasonable solutions.


In this book Jayakumar has evaluated the various provisions of structure and functions of PRI’s in Sikkim under the different Panchayat Acts. In this article he included four tables dealing with the salient features of some Gram Panchayats, representation of members belonging to different categories in PRI’s and district wise breakup of PRIs. He also made an attempt to present the details of the powers and functions of Gram Panchayats and Zilla Panchayats as stipulated in the Sikkim Panchayat Act, 1993.


In her Article, Dhamala focused on the Panchayat system in the State of Sikkim and a special emphasis was given on the issue of land management. The article talks about how The Sikkim Panchayat Act of 1965 established a firm Panchayati Raj System in Sikkim. The research showed how the system of land lord curbed away from Sikkim. An attempt has been made to discuss how the system of Panchayat been evolved in Sikkim and how it has changed the traditional way of land management. The author found that the local people started playing a vital role in the local governance after independence especially after the enactment of the Sikkim Panchayat Act, 1965.
Review of literature shows that few researches have been done on the Panchayat System and rural governance in Tripura. But the present study focused on the aspects of rural self-government of Tripura which was not done by the previous researchers. This study is based on the intermediate level, that is, Panchayat Samiti and its role in development planning.

**Research Questions:**

The research problem has been dealt to seek answer to the following research questions:

I. Why the PRI’s remain financially weak in spite of the fiscal decentralisation under Tripura Panchayat Act, 1993?

II. Will the background and awareness of the elected representatives ensure better planning and execution?

III. How effective and successful have the PRIs, especially the Panchayat Samitis been in planning and execution of the socio-economic development programmes?

**Objectives:**

The research work has been undertaken with some cardinal objectives which can be discussed in the following ways:

I. This research work seeks to examine the process of decentralisation in Tripura and to show how Panchayat Samiti has become a significant part of the local planning in Tripura.

II. The present study aims at exploring the background and awareness of the elected representatives of the Panchayat Samiti.

III. The study intends to recommend some meaningful and practical steps for strengthening and visualising the Panchayati Raj Institutions in Tripura in general and Panchayat Samiti in particular.
**Significance:**

This research work attempts to explore the importance and utility of Panchayat Samiti which is very much important for local self-government in Tripura. The socio-economic and developmental study of Panchayat Samitis (the intermediate level of the three tier Panchayat system) has its utility as Panchayat Samiti is the true essence of rural local self-government. This work highlighted the condition and position of the common people under PRIs and made an attempt to enhance their consciousness about democracy.

The significance of the study has been dealt in three domains: Local, Regional and National. Till now no systematic and serious study has been made on Panchayat Samiti in the state of Tripura, except some casual attempts. Thus this research work focused on the structure and functioning of the Panchayat Samiti in the state. This work is important in the sense also that central government, state governments and other local self government institutions may also trigger themselves to several development programmes by observing the particular study. This study is also significant as it tries to assess the awareness level of rural people and elected representatives, for without awareness people cannot actively participate in planning and developmental activities of Panchayat Samitis and other local self-governmental institutions. All these constitute a quite attractive panorama of study.

**Location of the Study:**

Out of all the districts, the development achievements of Dhalai district of Tripura have been comparatively lagging behind. This fact has been corroborated by a number of governmental findings and documents. There are many reasons of limited success of developmental planning in Dhalai district. Insurgency is one of the main reasons. However, to have a better understanding of the factors responsible for limited success of development planning in Dhalai district a thorough empirical research work is needed. Hence, Dhalai district of Tripura has been selected as the focus or area of study for this particular research work.
The research has been located on the experience of development planning through Panchayat Samitis (Ambassa PS and Salema PS) in the Dhalai district of Tripura.

Dhalai District was created in the year 1995 keeping in view the administrative necessity of providing effective and good governance to the largely tribal and inaccessible areas. The district is named after Dhalai River which originates in the district. Demographic indicators of the district as per Census 2011 are as follows:
# Table: 1.1

**Demographic Indicators of Dhalai District of Tripura**

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Particulars</th>
<th>Unit</th>
<th>Dhalai District</th>
<th>Tripura</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Area</td>
<td>Sq Km</td>
<td>2426</td>
<td>10,491</td>
</tr>
<tr>
<td>2</td>
<td>Total Population</td>
<td>Lakhs</td>
<td>3.77</td>
<td>36.71</td>
</tr>
<tr>
<td>3</td>
<td>Male</td>
<td>Lakhs</td>
<td>1.94</td>
<td>18.71</td>
</tr>
<tr>
<td>4</td>
<td>Female</td>
<td>Lakhs</td>
<td>1.83</td>
<td>17.99</td>
</tr>
<tr>
<td>5</td>
<td>Sex Ratio</td>
<td>Per 1000</td>
<td>945</td>
<td>961</td>
</tr>
<tr>
<td>6</td>
<td>Population Density</td>
<td>Per Sq Km</td>
<td>157</td>
<td>350</td>
</tr>
<tr>
<td>7</td>
<td>Literacy Rate person</td>
<td>%</td>
<td>96.79</td>
<td>96.82</td>
</tr>
<tr>
<td>8</td>
<td>Male</td>
<td>%</td>
<td>96.91</td>
<td>97.93</td>
</tr>
<tr>
<td>9</td>
<td>Female</td>
<td>%</td>
<td>95.69</td>
<td>95.71</td>
</tr>
<tr>
<td>10</td>
<td>SC Population</td>
<td>%</td>
<td>17</td>
<td>16</td>
</tr>
<tr>
<td>11</td>
<td>ST Population</td>
<td>%</td>
<td>59</td>
<td>31</td>
</tr>
</tbody>
</table>

Source: Office of the District Magistrate, Dhalai District, Tripura

**Methodology:**

For pursuing this research work, a combination of historical and analytical methods has been adopted. The rationale behind this eclectic approach lies in the fact that the focus of the research has been embedded in historical perspectives but at the same time the implications are futuristic as well as with bearing on the present happenings.
For collection, compilation and analysis of data, the following resources and techniques have been applied:

The data were collected from both primary and secondary sources. The primary data were collected from the elected representatives, electorates, officials or administrators and the influential persons who take interest and play important role in the working of the PRIs. The primary data were collected through interview schedules. Interview schedule was prepared for the elected representatives. Total number of respondents was 58 which includes elected representatives of Ambassa PS and Salema PS of Dhalai district including the Village Pradhans of the Villages under these two Panchayat Samitis.

The secondary data were collected from books, literatures, newspapers, journals, and various reports available at the offices of the Block Development Officer, Panchayat Samiti Offices, Office of the Panchayat Officer and Statistics department.

**Decentralisation - Conceptualisation:**

The meaning of the term decentralisation is different to different group of people. The basis of the concept of the decentralisation is that the human activities, programmes and institutions can be so devised that it is possible to delineate their various parts, to plan and implement various programmes. It is believed that the smaller the units of decentralisation, the better and more direct is the participation of those who are directly affected by it. According to Pfiffner and Sherwood, “In some respects, decentralisation has come to be a gospel of management. Firstly it is regarded as a way of life to be adopted as least partially on faith; secondly it is an idealistic concept, with ethical roots in democracy; thirdly it is in the beginning a more difficult way of life because it involves a change in behaviours running counter to historically-rooted culture patterns of mankind. Men find it difficult to delegate, to think in terms of the abstractions required by long-term planning, to listen rather than give orders, to evaluate other men and their work in terms of overall results instead of irritations and tensions
of the moment. Yet this is the very key to the behavior required of leaders in a decentralised organisation.”

Decentralisation is a process through which authority, responsibility and functions are transferred from a ‘higher’ governmental unit to a ‘lower’ governmental unit. This involves planning, management and resource raising and allocation at the lower level governmental unit. Decentralisation ultimately is a political decision implementation of which reflects in a political process of a nation. It is means to the achievement of a participative democracy that goes beyond traditional electoral methods of intermittent representation. According to L.D. White, “Decentralization is a twin process of deconcentration and devolution.”

Contemporary thinking of decentralisation can be looked at from three angles. Firstly, it is thought of as a means to spiritual enrichment and growth of the individual both as worker and citizen. Decentralisation offers opportunity to participate in decision making. For an individual, it is an aid to the growth and development of personality. Secondly, decentralisation has an instrumental value as a means of improving organisational performance. Public administration is related to the operational aspects of government. The operations are better done through decentralisation which provides access to local information and data, and creates conditions for local popular support to administrative action. Administration is opened up in a decentralized system, as it no longer remains a secretive operation of proud specialists.

Thirdly, the current thinking, very importantly, reflects a paradigmatic shift in public administration as a discipline. The bureaucratic model which has so long dominated the field seems inadequate to explain the contemporary politico-administrative situation. As Thompson pointed out, the Weberian formulation has no concern for the client. As an inward-looking mechanistic construct, it has set up an organizational model without reference to the catchment area of the organization that determines its locus standi. The decentralization-participation debate introduces a new perspective in public administration and calls for its reconstruction. There are many Indian scholars too who have discussed the meaning of decentralisation from Indian context. They say that decentralisation can be administrative or political and political decentralisation implies the setting up of a new level of government.
Decentralisation has various aspects such as Political, Administrative, Territorial, Functional, Panchayat Raj system in India is related to the political aspect of decentralisation. Decentralisation is a process which creates institutional opportunities for local people to actively take part in government. Participation involves the people in planning, implementation, monitoring and local development initiatives. Local rural people can initiate various plans to solve their economic problems. A key factor in this process has been the adoption of the 73rd Constitutional Amendment, enacted in 1992. It has ensured the participation of rural people in development. This amendment has created a Three-tier Panchayat Raj System (Village Panchayat at the Village level, Panchayat Samiti at the Block level and Zilla Parishad at the District level). It provides for reservation of seats for SCs and STs at all levels and also provides for reservation of one-third of seats for women. Through this Act, Panchayat Raj Institutions have been entrusted with preparation of plans and implementing schemes for economic development with social justice and with regard to 29 items listed in the 11th schedule. The state legislature may authorise Panchayats to levy, collect and appropriate taxes, duties, tolls and fees. According to the Act, the government can allocate grants-in-aid to the Panchayats at all levels from state consolidated fund. It has ensured Constitution of Finance Commission after every five years to review the financial status of the Panchayat Raj Institutions.

**Development Planning:**

Development planning refers to the process of planning, policies and actions that promotes the concept of development in a particular area. In other words, development planning means the preparation of the development plans and various policies which creates the base for decision making and development. The development plan is the main public statement of planning policies for the local community. It sets out the land use, amenity and development objectives and policies of the planning authority, for a period. The plan consists of a written statement of objectives and a map or series of maps (PL 8, The Development Plan, p.1). Development planning in the context of local self government in India involves the people of the grassroots level in the formulation and implementation of the plans. The introduction of the 73rd Constitutional Amendment Act provided the opportunity to the rural people to
participate in the formulation of development planning in the rural areas. That is why it is considered as a most important step towards the establishment of democratic decentralisation in India where common people become the part and parcel of the development planning and implementation.

**Decentralisation in India - Evolution and Constitutional Provisions:**

The institution of local government has deep roots in Indian history. From time immemorial local government has been existed in India. The Rig Veda, Manusamhita, Dharmashastras, Upanishads etc. refer extensively to auto local administration. Then after villages were self ‘sufficient’ and small republics and was administered by a village leader who was known by various names as ‘Gramini’, ‘Grambhojaka’, ‘Gramika’, ‘Grampati’, ‘Vrijpati’ etc.

In the Muryan period (324BC – 236BC) villages were recognized as important social units of administration. They were self-governed and had their own ‘Sabha’, means Assembly. The role of the village headman was very important in that society.

During Gupta period the village council continued to be the basic and significant unit of administration. That time village council enjoyed the legislative and executive power. For different communities different law courts were established where the offenders were punished through regular trials and judgments.

The system of local government was in existence during the period of Mughal rule in India. The administration of a town vested in the person called Kotwal. Kotwal performed many functions besides exercising supreme authority in all magisterial, administration and police matters. He had the power to appoint a headman for each ward of the village who had to keep a register of houses and frequented roads. Moreover he had many other functions to perform, like controlling markets, supervising prices, levying taxes, market dues, transit dues etc. ‘The Muslim rulers intervened n the functioning of village councils and used the judicial powers of
the panchayat according to the needs of the state. Even under Mohammedan rulers where their interests were involved, the ruling monarch enforced the decision of a panchayat, which is a sufficient proof to show that the power of the state was always behind the village councils’ (Samant: 1957). 17

From the above discussion it is very much clear that since ancient times Panchayats were playing a vital role in the village administration. It had both executive and judicial powers in its hand and local government became the very important part of the village life. After the collapse of Mughal rule the Britishers captured India and they tried to build a local administrative system of their own.

**Decentralisation in British Period:**

This is true that local government was existed in ancient India and was playing a vital role in the village life but in real sense local government was established during the British rule in our country. “Local self-government in India, in the sense of a representative organization, responsible to a body of electors, enjoying wide powers of administration and taxation, and functioning both as a school for training in responsibility and as a vital link in the chain of organisms that make up the government of the country, is a British creation. The ancient village communities were constituted on a narrow basis of hereditary privilege or caste, and protection of life and property were their main functions – and were neither conscious instruments of political education nor important parts of the administrative system” (Brar: 2010). 18

The first step towards the establishment of local government during British period was taken in 1687 when a municipal corporation was set up for the city of Madras. But in real sense the local self-government started in 1793. In the same year municipal administrations were established in the three presidency towns of Madras, Calcutta and Bombay by the Charter Act of 1793. This act authorized the Governor General of India to appoint Justices f Peace in these three towns. These municipal corporations had the authority to perform the administrative
functions in their respective areas. Till now we have seen that there were many ups and downs in the growth of local self-government in India. But from 1870 India saw the dawn of representative local institutions. In that year Lord Mayo introduced the scheme of financial settlements with the provinces and emphasized on bringing about some changes in the framework of the local self-government. Mayo’s resolution made provisions for raising funds locally by municipal and rural boards to meet their requirements. Up to this period local self-government institution of India was utilized to give relief to the imperial finances and to serve British interests, means local government had a non-Indian character. The most important step in the development of local-government in India was Lord Ripon’s resolution of 18th May, 1882. It advocated the development of the local self-government institutions not only to improve their administrations but also because of their political and popular educational instrumentability. He wanted to make the urban and rural bodies practically self governing and so he offered a system where local boards will consists of majority of elected non-official members and will be presided over by non-official chairman. The Royal Commission report of 1909 was another important part of the evolution of decentralization in India. That report clearly pointed out the authority and responsibility of local governments. A significant change in the outlook of the government was found in the Montegue Chelmsford Reforms Act in 1919 which made local self-government an elected body.

**Decentralization in Independent India:**

After the independence, the local self-government entered into a new phase. To intellectuals, scholars, even to the common public local self government especially panchayats became a big issue of debate. In this connection Mahatma Gandhi said, “True democracy cannot be worked by twenty men sitting at the centre. It has to be worked from below by the people of every village.” With the objective to develop the rural areas “The Community Development Programme” was launched in 1952. Then the National Extension Service was established under the Community Development Programme. The Panchayati Raj system of local government has received much attention from the central Government in 1950’s. Though many states had created separate departments for panchayats and enacted State Panchayati Raj Acts, the panchayats could not achieve much success in developing villages. But it had
left an impression in the mind of people and succeeded to spread awareness among the rural people about the necessity and importance of decentralized government.

**Constitutionalisation:**

The government of India had realized the significance of decentralization of power in giving Indian democracy a concrete shape. Since, the fifth decade of twentieth century, many committees, workshops and study teams were appointed by the government to make detailed study of the prevailing framework of operations of panchayats, finding out its limitations and also consider the suggestive measures that would facilitate them to work more effectively and successfully in the rural sector of the Indian economy. Some of the important committees are:

i) Balwant Rai Mehta Committee, 1957.
v) L.M Singhvi committee, 1986
v) Sarkaria Commission, 1988
v) Thungan Committee, 1988

**Recommendations of Balwant Rai Mehta Committee, 1957:**

To analyse the working of the Community Development Programme (1952) and the National Extension Service (1953) and to suggest measures for their better working a committee has been appointed by the government in January 1957. The chairman of this committee was Balwantray G. Mehta. The committee submitted its report in November 1957 and recommended the establishment of the scheme of ‘democratic decentralisation’ which ultimately came to be known as Panchayati Raj (Laxmikanth, M: 2007). The recommendations made by it are:

(i) Establishment of a three-tier Panchayati Raj system – Gram Panchayat at the village level, Panchayat Samiti at the block level, and Zila Parishad at the district
level. These tiers should be organically linked through a device of indirect elections.

(ii) The village Panchayat should be constituted with directly elected representatives, whereas the Panchayat Samiti and Zila Parishad should constituted with indirectly elected members.

(iii) All planning and development activities should be entrusted to these bodies.

(iv) The Panchayat Samiti should be the executive body while the Zila Parishad should be the advisory, coordinating and supervisory body.

(v) The district Collector should be the Chairman of the Zila Parishad.

(vi) There should be a genuine transfer of power and responsibilities to these democratic bodies.

(vii) Adequate resources should be transferred to these bodies to enable them to discharge their functions and fulfill their responsibilities.

(viii) A system should be evolved to effect further devolution of authority in future.

Recommendations of Ashok Mehta Committee:

A committee on Panchayati Raj institutions under the chairmanship of Ashok Mehta was appointed by the Janata Government in 1977. It submitted its report in August 1978 and made 132 recommendations to revive and strengthen the declining Panchayati Raj system in the country. Its major recommendations made by the committee are (Laxmikanth, M: 2007).

(i) The three-tier system of Panchayati Raj should be replaced by the two-tier system, that is, Zila Parishad at the district level, and below it, the Mandal Panchayat consisting of a group of villages covering a population of the 15,000 to 20,000

(ii) A district should be the first point for decentralization under popular supervision below the state level.

(iii) Zila Parishad should be the executive body and made responsible for planning at the district level.

(iv) There should be an official participation of political parties at all levels of Panchayat elections.
(v) The Panchayati Raj institutions should have compulsory powers of taxation to mobilize their own financial resources.

(vi) There should be a regular social audit by a district level agency and by a committee of legislators to check whether the funds allotted for the vulnerable social and economic groups are actually spent on them.

(vii) The state government should not supersede the Panchayati Raj institutions. In case of an imperative supersession, election should be held within six months from the date of supersession.

(viii) The Nyaya Panchayats should be kept as separate bodies from that of development Panchayats. They should be presided over by a qualified judge.

(ix) The Chief Electoral Officer of state in consultation with Chief Election Commissioner should organise and conduct the Panchayati Raj elections.

(x) Development functions should be transferred to the Zila Parishad and all development staff should work under its control and supervision.

(xi) The voluntary agencies should play an important role in mobilizing the support of the people for Panchayati Raj.

(xii) A minister for Panchayati Raj should be appointed in the state council of ministers to look after the affairs of the Panchayati Raj institutions.

(xiii) Seats for SCs and STs should be reserved on the basis of their population.

**Recommendations of G.V.K. Rao Committee:**

The Planning Commission of India appointed the committee on Administrative Arrangement for Rural Development and Poverty Alleviation Programmes under the chairmanship of G.V.K. Rao in 1985. The committee came to conclusion that the developmental process was gradually bureaucratized and divorced from the Panchayati Raj. This phenomena of bureaucratization of development administration as against the democratisation weakened the Panchayati Raj institutions resulting in what is aptly called as ‘grass without roots’. Hence the committee made the following recommendations (Laxmikanth, M: 2007).

(i) The district level body, that is, the Zila Parishad should be of pivotal importance in the scheme of democratic decentralization. It stated that “the district is the proper
unit for planning and development and the Zila Parishad should become the principal body for management of all development programmes which can be handled at that level.”

(ii) The panchayati Raj institutions at the district and lower levels should be assigned an important role with respect to planning, implementation and monitoring of rural development programmes.

(iii) Some of the planning functions at the state level should be transferred to the district level planning units for effective decentralised district planning.

(iv) A post of District Development Commissioner should be created. He should act as the chief executive officer of the Zila Parishad and should be in charge of all the development departments at the district level.

(v) Elections to the Panchayati Raj institutions should be held regularly. It found that elections became overdue for one or more tiers in 11 states.

**Recommendations of L.M. Singhvi Committee:**

In 1986, Rajiv Gandhi government appointed a committee on ‘Revitalisation of Panchayati Raj Institutions for Democracy and Development under the chairmanship of L.M.Singhvi. The recommendations of the committee are (Laxmikanth, M: 2007)):

(i) The Panchayati Raj institutions should be constitutionally recognized, protected and preserved. For this purpose, a new chapter should be added in the Constitution of India. This will make their identity and integrity reasonably and substantially inviolate. It also suggested constitutional provisions to ensure regular, free and fair elections to the Panchayati Raj bodies.

(ii) Nyaya Panchayats should be established for a cluster of villages.

(iii) The Villages should be recognised to make Gram Panchayats more viable. It also emphasised the importance of the Gram Sabha and called it as the embodiment of direct democracy.

(iv) The village Panchayats should have more financial resources.

(v) The judicial tribunals should be established in each state to adjucate controversies about election to the Panchayati Raj institutions, their dissolution and other matters related to their functioning.
Some other study teams, working groups and committees appointed by the government for the development of local government are mentioned below:

iii) Study Team on Panchayati Raj Administration, 1961.
iv) Study Team on Nyaya Panchayats, 1962.

vii) Study Team on Panchayati Raj Finances, 1963
ix) Study Team on the Audit and Accounts of Panchayati Raj Bodies, 1965.
xi) Study Team on Involvement of Community Development Agency and Panchayati Raj Institutions in the Implementation of Basic land Reform Measures, 1969.

xiii) Committee on Community Development and Panchayati Raj, 1976.

On the basis of the recommendations of the L. M. Singhvi Committee the Ministry of Rural Development drafted the 64th constitutional Amendment Bill and introduced the same in the Parliament in July, 1989. Although the Bill Passed in the Lok Sabha, but it failed to get the approval of the Rajya Sabha. Again the National Front Government, in September 1990, introduced the Constitutional Amendment Bill (to strengthen the Panchayat Raj Institutions) in the parliament. But the Bill was lapsed due to the fall of the government.

Congress Government under the Prime Ministership of P.V. Narasimha Rao again raised the hope of the introduction of a new bill regarding the development of the Panchayati Raj System in the country. After modifying the controversial provisions of the 64th Constitutional
Amendment Bill, the congress Government introduced the 73rd constitutional Amendment Bill in the Parliament in September, 1991, which was passed by the Lok Shaba on 22nd December, 1992 and by the Rajya Shaba on 23 December, 1992. Then the bill got the approval of the majority state governments and the assent of the President of India on 20th April, 1993 and became an Act. The 73rd Constitutional Amendment Act came into force on 24 April, 1993, and following this Act all state governments also enacted new Panchayat Act or amended the existing Panchayat Acts of their states. The 73rd Amendment Act has inserted in part IX of the Indian Constitution which consists of provisions from article 243 to 243-0. Through this Act, article 40 of the constitution of Indian has got a proper shape. Article 40 says, “The State shall take steps to organize Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self – government.” Various provisions of Indian Constitution related to the Panchayati Raj System are shown in Table 1.2.

### Table 1.2

**Articles (Constitution of India) Related to Panchayats at a Glance**

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<tr>
<th>Sl.No.</th>
<th>Article</th>
<th>Subject Matter</th>
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<td>243</td>
<td>Definitions</td>
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<td>2</td>
<td>243A</td>
<td>Gram Sabha</td>
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<td>3</td>
<td>243B</td>
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<td>4</td>
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<td>5</td>
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<td>6</td>
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<td>8</td>
<td>243G</td>
<td>Powers, authority and responsibilities of Panchayats</td>
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<td>9</td>
<td>243H</td>
<td>Powers to impose taxes by, and funds of, the Panchayats</td>
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</table>
This act states that there shall be three tiers of Panchayats at the Village, intermediate and district levels. It also says that only states having population not exceeding twenty lakhs have the discretion not to constitute Panchayat at the intermediate level. The 73rd Amendment Act is considered an important landmark in the evolution of decentralized institutions in Indian as it gave a constitutional status to the Panchayati Raj Institutions (PRI’S) and has made an attempt to transfer the representative democracy into a participatory democracy.

The union Government under the Prime Ministership of P.V Narasimha Rao also passed the 74th Constitutional Amendment act in 1992 which has added part IXA to the Constitution. It consists of provisions from article 243-P to 243-ZG. Local self-government, constituted through people’s participation, is the essence of the 74th Constitutional Amendment Act.

Introduction of 73rd & 74th Constitution Amendment Acts made the local government the third stratum of government. Thus rural local government, PRI’S, and urban local government are now considered as the vital component for the successful working of democratic system in India.

### Decentralization in Tripura

Tripura is one of those states of India which has accepted the principle of democratic decentralization. The state is spread over 10,491.69 Sq Kms of area and has total population

| 10 | 243I | Constitution of finance commission to review financial position |
| 11 | 243J | Audit of accounts of Panchayats |
| 12 | 243K | Elections to the Panchayats |
| 13 | 243L | Application to Union Territories |
| 14 | 243M | Part not to apply in certain areas |
| 15 | 243N | Continuance of existing laws and Panchayats |
| 16 | 243O | Bar to interference by courts in electoral matters |

Source: Constitution of India
of 3671032. It is situated in the north-eastern region of the country and suffering from economic backwardness due to its geographical position. Tripura has its own origin of local government and has the urban and rural local government system almost before independence. One important feature of local government of Tripura in the past was that they were more social units than political ones.

King Bir Chandra first introduced the urban local government in Tripura in 1871. Then after many acts related to urban local government were passed in succession, in the years 1874, 1912 and 1939. The act of 1939 was modeled on the Bengal municipal act, 1932 was extended to Tripura by the central government. From 1971 to 1978 many Municipal Acts were passed. But it is important to note that during this period maximum time the local government was not an elected body. In the year 1978 elections held to Agartala municipality. Government of Tripura enacted the Municipal Act, 1994 by following the provisions of the 74th Constitutional Amendment Act. Up to 1995 Agartala was the only urban local body came under the Municipal Act. But since 1995 ‘Nagar Panchayats’s (NP) also came into existence.

Earlier in Tripura the traditional village level institutions were present which took important decisions on matters pertaining to the community as a whole and on disputes occurring among its members. But one cannot call these traditional village level institutions democratic because the members were not elected and women, who are the half of the total member of the society, were denied participation in these institutions. But the rulers made many attempt to make these institution more organized. For instance King Bir Bikram also tried to organize the local government in villages. For this purpose in 1929 he passed an Act. Under this Act a number of contiguous villages were grouped together to form a Gramya Mandli to which members were nominated by the king.’

Panchayati Raj was first introduction in Tripura in 1959 through an act named Tripura Panchayat Raj Act, 1959. This Act was adopted from Uttar Pradesh Panchayat Raj Act with some modifications.

According to the United Provinces Panchayat Raj act of 1947, in May 1962 the first statutory Gram (Village) Panchayat established in Jirania (Tripura). The method of election of
the members of open panchayat was the method of open voting through show of hands. Gram Sabha was the basic unit of planning and development the elected Gram Panchayat was the executive body of the Gram Sabha. There was a big change in the rural local government from 1978 when election to panchayats was held through secret ballot for the first time. From the beginning the village panchayats of the state had single tire, but in 1978, the left front government created a two-tier panchayat system by passing the Tripura Block Panchayat Samitis Act. Again in 1983 the Tripura panchayat Raj act, 1983 was passed.

The left front government, coming into power in 1978, constituted 689 Gram Sabhas and 191 Nyaya Panchayats under different blocks that were in existence during that period. After reorganisation of Gram Sabhas, elections were held by secret ballot for the office of the members and Pradhans for the first time in the history of Panchayati Raj in Tripura, dispensing with the procedure of election by show of hands. At the block level, Block Development Committee (BDC) was constituted with the elected pradhans of the Gram Sabhas. MLA’s and MDC's (Member of District Council under 6th schedule area) elected from the block area. The Gram Panchayat was associated with implementation of all development and welfare activities at the village level. With increasing powers and responsibilities, over the years, the Panchayats have grown in stature at the village level and have since been regarded as the foremost agency to meet the growing aspiration of the rural people.

The Tripura Panchayat Act of 1983 was brought into force in January 1984 repealing the United Provinces Panchayat Raj Act of 1947, as extended to Tripura. The earlier concept of Gram Sabha and the Nyaya Panchayat (NP) were not considered in the new Act because of the fact that the Gram Sabha meetings could not be convened regularly and the experience of the state in this regard was not encouraging. Further, the NPs were found to suffer from various limitations and were unable to realize their full potential as per expectation. Provisions were also made for representation of ST and SC communities through reservation of seats for these communities. Under the Act, election to 704 Gram Panchayats was held on a single day throughout the State under the then 17 Development Blocks and 1 sub-block in 1984. Subsequently, areas of 6 Gram Panchayats were transferred to notified areas forming
urban local bodies and the number of Gram Panchayats stood at 698 comprising the entire rural area of the State.

In June 1988, the then State Government led by Congress-TUJS alliance superseded all 698 Gram Panchayats by issue of notifications in the official Gazette. The BDO’s were appointed as authorities to carry out the functions of the Gram Panchayats under the Act. After supersession, nominate Development Committees were setup in each Gram Panchayat to render advice and assistance to BDO’s. The work of reorganization of Villages was taken up by the then state government and the number of villages was increased to 910 from 698. Out of 910 villages, 408 fell within the jurisdiction of TTAADC.

Another important step towards decentralization was the establishment of Tripura Tribal Area Autonomous District Council in the year 1982. Firstly it was under 7th schedule of the constitution of India. To make TTAADC more responsible and to attach more power with it provisions of the 6th schedule to the constitution of India were extended to Tripura April 1, 1985 This provisions were extended through the 49th amendment of the constitution of India.

After the enactment of the 73rd Amendment to the Constitution, the Tripura Panchayat Act 1993 was passed in conformity with the former which replaced the other Panchayat Raj Acts. New rules were framed under the provisions of this new Act. This act established a three-tier Panchayat System in Tripura with the Gram Panchayat at the village level, Panchayat Samiti at the intermediate or block level and Zilla Parishad at the district level. It has also added Gram Sabha which is considered as the basic unit of the Panchayat Raj System and expected to meet annually to make sure the participation of the common people in the development process. The organizational structure of the PRIs is as below:
Panchayat Samiti is situated in the intermediate level of the three-tier system of Panchayat Raj which acts as a link between the village administration and district administration. According to the act of 1993 each block of the state will have a Panchayat Samiti. In other words, a number of Village Panchayats of a block constitute a Panchayat Samiti which activities are confined to the concerned block.
The Municipal area and TTAADC will not be included in the working of Panchayat Samiti. Each Panchayat Samiti consists of the elected representatives of the local area, member of the legislative assembly and the Gram Pradhans (Head of Gram Panchayat) of the Block. The total number of the elected members of the 2nd tier shall not be more than 15 and the election of the Chairperson at this level will be through indirect election. It provides the provision for reservation of seats for Scheduled Castes and Scheduled Tribes as per the proportionate ratio of their population in the total population. It also includes the provision of reservation of one third of seats for women. Block Development Officer of the concerned block will be the Officer-in-Charge of Panchayat Samiti.

The Panchayat Raj Act of 1993 provides for functional standing committees at the block level (Panchayat Samiti). These are as follows:

1. Finance Committee.
2. Education and Health Committee.
4. Industries Committee.
5. Agriculture Committee.
7. Works Committee.

The tenure of Panchayat Samiti is five years and before the completion of the tenure if it gets dissolved then election needs to be held within six months to form the new Panchayat Samiti. In its first meeting all elected members elects the Chairman and vice-chairman from among themselves. Members of legislative assembly and the heads of village panchayats cannot caste vote for electing the chairman and vice-chairman. The meetings of Panchayat Samitis are supposed to held in every two month e.g. notice should be issued for general meeting and emergency meeting ten days and seven days in advance respectively. The Panchayat Officer and Panchayat Extension Officer acts as the secretary of Panchayat Samiti. It can appoint other employees by following the norms and regulations of the state government. No post can be created or deleted without the prior permission of the state government. Each Panchayat
Samiti has the power to acquire and transfer property, but regarding the acquisition and transfer of immovable property permission of the state government is compulsory. Moreover each Panchayat Samiti can create its own fund and it also receives fund on account of contributions and donations. Grants given by the state government, land revenue, aids received from Zilla Parishad etc. are the sources of its income. The important functions of Panchayat Samiti are as follows:

i. To plan and implement agricultural development;

ii. Expansion of medical facilities;

iii. Development of animal husbandry;

iv. Providing for rural sanitation;

v. Construction and maintenance of roads;

vi. Facilitate the education of village people through establishing various organisations;

vii. Development of cottage and small scale industries.

In addition to all these functions, Panchayat Samiti supervises the work of Gram/Village Panchayats. From the above discussion it is clear that Panchayat Samiti, as a creation of 73rd Constitutional Amendment Act and as a part of the three-tier Panchayat Raj system, has a vital role to play especially in a state like Tripura.

References:


20. Ibid., p.527.

21. Ibid., p.528.

22. Ibid., p.529.