Chapter 3

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3.1 The Indian Context

Panchayats provide the institutional frame to the concept of democratic decentralization in rural India. It is believed that the traditional panchayats\(^1\) had been in existence in agrarian communities in India since time immemorial. The British rule introduced profound changes in the system,\(^2\) so much, so that even the traditional system of local government 'ceased to exist in the village'. It is apparent that when the Indian establishment was brought under the direct rule of the (British) crown, "much work that was for ages associated with village panchayats...was being transferred to external official agencies". This included the ‘construction and maintenance of irrigation works’, the roads, relief distribution during famine, ‘payment of grants-in-aid to schools, the regulation of the villagers’, ‘right; to cut fuel or graze his cattle in the forest’, and so on (Venkatarangaiya and Pattabhiram, 1969:6-7).

It deserves mention here that centralization of power had started during the reign of the Mughals, much before the Ernst India Company managed to impose its

\(^1\) The term 'panchayat' owes its genesis to \textit{pancha}, a council of five village elders, vested with the authority to arbitrate disputes in the traditional village system. It is, however, difficult to say how old this \textit{village} panchayat system is. Malviya (1956), for instance, has referred to the mention of panchayats in ancient Indian Scriptures such as the Puranas and the Vedas. Similarly, referring to two sources—a book of the 10th century and, vaguely, some 'old inscriptions' in his discovery of Indians—Nehru (1991:248, 255) had also talked about the existence of these ancient and virtuous village panchayats.

\(^2\) Prior to their integration with the British system of administration, panchayats were part and partial of self-contained village communities. Sir Charles Metcalfe (the provisional governor-general of British India, during 1835-36) had described these self-governing village communities as 'the little Republics'. These Republics, however, were not democratic in their structure and orientation. Two remote successor of Metcalfe, Lord Mayo (in 1870) and Lord Rippon (in 1882), are credited for reorienting local self-governments by introducing structural changes in their domain. The Bengal Chowkidari Act. 1870, was a product of Lord Mayo's efforts, which authorized the district magistrates to constitute village panchayats with nominated members. These members were in turn empowered to levy and collect taxes to run the system of village watchmen. It should be noted that through these watchmen the British police used to keep an eye on all kinds of village-level developments. Lord Rippon's resolution, brought in 1882, was akin to a step forward in this direction. The resolution provided for setting up 'local boards' (rural boards in villages) comprising of a majority of non-official, elected members. The resurrection of panchayats began only around 1920. For details of pre-colonial panchayats and panchayats during the British period, see Malviya (1956), Tinker (1954). Maddick (1963. 1970). Mathur (1999) and Mathew (2000).
rule over India. This is not to deny, however, that the structural foundation of modern local self-government was laid down under British rule.

The concept of local self-government was further articulated by Mahatma Gandhi, who blended it with his overarching idea of gram swarajya (village self-government) during the long freedom movement. However, Gandhi’s views on decentralized power structure for independent India with panchayats at its base were rejected after India gained independence in 1947. As a matter of fact, panchayats did not find even a mention in the draft constitution. Gandhi himself described it as an ‘omission’, but when a large number of the Constituent Assembly members expressed their ‘sorrow, anger and disappointment’ over this issue, more particularly

Through several reform measures, such as Rippon’s Resolution (1882), the Royal Commission on Decentralization (1909) and the Montague-Chelmsford Reforms (1919)-the last two were partly due to the pressure built up by the Congress on the British government-village panchayat Acts were adopted by several provinces and princely states by the mid-1920s. The village panchayats thus resurrected were undoubtedly different from the traditional ones, but were to be transformed into a democratic body. Provincial autonomy as spelt out under the 1935 Government of India Act also contributed towards this end.

The idea of gram swarajya as propounded by Gandhi had all-encompassing political, economic and moral features. Economically, villages should be self-sufficient, ‘yet interdependent for any others where dependence is necessary’. Politically, the state should have least power, as it represents ‘violence in concentrated and organized form’, and rural communities should govern themselves through their elected panchayats. Under this system of governance, which he termed ‘panchayati raj’, the panchayats would discharge all such functions as can be discharged from that level, leaving residual functions to the authority of the state. Morally, everyone should try to attain swaraj by acquiring the ability to rule themselves. Through these basic postulates, Gandhi had provided a model for restructuring the Indian polity, which was based on ‘self-sustained’ village republics ‘capable of managing their own affairs and interacting with others outside their respective villages’. A compilation of the socio-political thoughts of Gandhi is available in Bose (1957). For an evaluation of the ideological contours of panchayats in India, also see Mathur (1999), Ghosh (2000), as also Ghosh and Kumar (2003).

The framing of a constitution for independent India had begun in the middle of December 1946, and just a few days after the former declaration of its independence in August 1947, a draft was placed before the Constituent Assembly for its consideration. The draft was examined by a Scrutiny Committee, comprising seven members, which came out with a revised draft in November 1948. During this intervening period of 15 months...one of the major issues which then, and subsequently in the Constituent Assembly, aroused considerable heat and anger was the place of the village panchayat in the polity which was envisaged. See introductory notes of Dharmapal in AVARD (1962).

<> ‘I must confess,’ wrote Gandhi, ‘that I have not been able to follow the proceedings of the Constituent Assembly... [The correspondent] says that there is no mention or direction about village panchayats and decentralization in the foreshadowed Constitution. It is certainly an omission calling for immediate attention if our independence is to reflect the peoples’ voice. The greater the power of the panchayats, the better for the people’ (Harijan, 21 December 1947, as cited in AVARD [1962]).
‘provoked by a reference to village India’ made by Ambedkar, a compromise was worked out.

Accordingly, to accommodate the village panchayat, ‘a new clause was inserted’ in the Directive Principles of State Policy (Article 40), which reads: ‘The state should take steps to organize village panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government.’ Since the clauses given under the Directive Principles were non-enforceable, the state governments did not feel obliged to organize and strengthen village panchayats.

The need for creating community-level institutions was keenly felt nearly a decade after independence, when the centrally driven community development and national extension programmes failed to evoke people’s participation. A study team, headed by Balwantrai Mehta, which reviewed the programmes, recommended the setting up of three-tier representative bodies below the state level. Emphasizing the need of an agency, which could mobilize the ‘entire community, assume responsibility and provide the leadership’, the study team argued, ‘So long as we do not discover or create a representative and democratic institution . . . invest it with

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7 Ambedkar was one of the strongest critiques of the idea of the village republic. In the course of the second reading of the draft constitution (4-8 November 1948), he mounted a scathing attack on this concept, saying, ‘I hold that these village republics have been the ruination of India. I am therefore surprised that those who condemn provincialism and communalism should come forward as champion of the village. What is a village but a sink of localism, a den of ignorance, narrow-mindedness and communalism? I am glad that the draft constitution has discarded the village and adopted the individual as unit.’ This profound contempt for village society reveals the mental make-up of the influential members of the Constituent Assembly.

8 By the time, the compromise was worked out and the idea of the village panchayat was accepted as an afterthought, the design of the state’s authority structure had already been given final shape. The dominant voices in the Constituent Assembly obviously were not inclined to redo the whole exercise. A note on this issue, prepared by the adviser to the president of the Constituent Assembly, is worth quoting: ‘Apart from the difficulties, this will take time and rather delay the passing of the Constitution further, it would seem better to relegate these details to auxiliary legislation to be enacted after the Constitution has been passed.’ This argument was accepted and the village panchayat was ‘relegated’ to the non-enforceable part of the constitution (see AVARD 1962; Ghosh 2000; Mathew 2000).

The ‘Community Development [CD] Programme’ was a comprehensive village development programme that covered all aspects of village life. Launched in early 1952, the CD programme was all encompassing, covering a range of development activities: agriculture, animal husbandry, minor irrigation, education, village industries and special programmes for children and women, as well as for the tribal people and the depressed class, with specific role for village and cooperatives. The CD programme was modeled after similar initiatives already taken at Etavah (in UP with the support from Ford Foundation) and Nilokheri (Punjab).
adequate power and assign to it appropriate finances, we will never be able to work local interest and excite local initiative in the field of development’ (GO! 1957:5-6).

Thus, the recommendations of the study team (headed by Balwantrai Mehta) gave birth to three-tier panchayati raj institutions (PRIs), located at village, block and district levels. On 2 October 1959, the newly created PRIs were inaugurated at Nagpur (Rajasthan) and a week later at Shadnagar (Andhra Pradesh). By the late 1950s and early 1960s, most of the states had passed their respective Panchayat Acts, and several of them had conducted elections for panchayat bodies.

However, stagnation of these institutions began following Nehru’s death in 1964. It was followed by a long spell of decline particularly in all states barring Gujarat and Maharashtra. Following the recommendations of the Asoka Mehta Committee in 1978, attempts to revive these local government institutions began. The Left Front government in West Bengal took the lead in 1978, even before the Mehta Committee had formally submitted its report, followed by the non-Congress governments in Karnataka, Andhra Pradesh and Kerala in the mid-1980s. The rural local government institutions thus revived were termed as second-generation panchayats. Notwithstanding these bold initiatives, second-generation panchayats, barring West Bengal, were upstaged once the political parties that had resurrected these institutions lost in the ensuing Assembly elections.

10 The recommendations laid down five fundamental principles, which were (1) there should be a three-tier structure of local self-governmental bodies. (2) There should be a genuine transfer of power and responsibility to these bodies to enable them to discharge their responsibilities. (3) Adequate resources should be transferred to these bodies. (4) All welfare and development schemes and programmes at these levels should be channeled only through these bodies. (5) The three-tier system should facilitate further devolution and dispersal of power and responsibility in the future. See (Report 1959).

11 The Madras (now Tamil Nadu), Mysore (now Karnataka), Assam, Orissa and Punjab state assemblies’ quickly adopted suitable legislations. See Dey (1961:83).

12 This Committee was constituted to examine the reasons that led to the decline and fall of panchayats and suggest remedies to revive them. It was set up by the Janata Party government, the first non-Congress government at the centre in 1977.

13 A crucial difference between the first and second generation of panchayats is the ‘shift in emphasis from development per se to local (self) government in its full meaning’. The development motif being central to panchayats was the idea of the Balwantrai Mehta team, whereas in case of second-generation panchayats, attempts were made to develop them as ‘genuine political institutions and thus the focal point of local self-government with all its ramifications, a microcosm of the state itself. See Mathew (2000:37).
Finally, advocates of decentralization in the country have felt that the safest and easiest possible way to ensure the continuity of panchayati bodies is to accord constitutional status to them. In fact, the Asoka Mehta Committee was the first to demand constitutional recognition for panchayats. The Committee even drafted a model Bill, which they appended with the report, seeking an amendment to the constitution along these lines. E.M.S. Namboodiripad, a member of the Committee, had gone one-step further and asked for the overall restructuring of democratic polity in the country. That was in 1978. Eleven years later, in 1989, when Rajiv Gandhi was Prime minister, the 64th Constitutional Amendment Bill was introduced in Parliament. It generated a lot of debate in both the Houses, but was eventually defeated in the Rajya Sabha.

However, as later events showed, the idea of amending the constitution for the stated purpose did not die. It eventually fructified three years later, in December

14 The arguments both for and against constitutional recognition of panchayats are presented in Mathew (2002:31-36).

15 The question of the unwillingness of states to devolve their power and authority to panchayats has been dealt with and considered at length by E.M.S, Namboodiripad (GOI 1978:156-70).

16 The mid-1980s turned out to be crucial for the panchayats. Two official committees (led by G.V.K. Rao and L.M. Singhvi) had recommended the constitutionalization of panchayats. Then in 1986-88, Rajiv Gandhi undertook several arduous trips to rural areas to acquaint himself with ground realities. Besides, he interacted with a large number of district magistrates in a series of workshops organized at his instance in different corners of the country. All these exercises led him to believe that the district administration was ‘unresponsive, inefficient, unsympathetic, often callous, and sometimes even cruel to them whom they are meant to serve’. In short, he realized that ‘democracy [had] not functioned at the grass roots’ (Bandyopadhyay 1996), and felt that these maladies could be remedied only by strengthening local democracy. Obviously, the instrument available for the stated purpose was panchayats, then lying almost defunct in most states. In order to resurrect these local-level institutions as well as to ensure their survival all through the country, he, therefore, decided to amend the Constitution.

17 The 64th Amendment Bill could not be properly discussed in the Lok Sabha as the entire opposition had resigned en masse because of the scandal over the purchase of vital defense equipment. The Bill was also opposed on three counts. First, it was felt that it was a serious attempt to undermine the states, as it was the centre’s instrument to deal directly with the panchayats. Second, it imposed a uniform pattern of panchayats throughout the country. Finally, the proposed Bill was introduced when general elections were round the corner.

18 During his short tenure, Prime Minister V.P. Singh’s government also brought a Bill on the subject (74th Amendment), but before it could be taken up for discussion, the National Front government had to resign. A caretaker government headed by Chandrasekhar remained at the helm of affairs until the next general elections held in the summer of 1991. Within a couple of months after assuming power, the Narasimha Rao government submitted yet another Bill (72nd Amendment) to this effect. The Bill was sent to a joint Parliamentary Committee (JPC) for its examination. The recommendations of the JPC, received in July 1992, were further discussed by the cabinet for two successive days. Eventually, barring a few, most of the recommendations
1992, when the 73rd Amendment was unanimously passed by both the houses of Parliament. The Amendment has given birth to a new era in decentralized governance in India. It has brought out uniformity in the structure, composition, powers and functions of local body institutions to achieve economic and social development. The Act has also ushered in change by providing wide-ranging powers and functions to local-level constitutional bodies and ordinary people for ensuring participation in planning and implementation for effective and efficient development.

The important initiatives envisaged for people’s participation are:

- Preparation of plans for economic development and social justice
- Implementation of schemes for economic development
- Power and function of Gram Sabha for reservoir of people’s power
- Regular elections to the panchayats
- Proportional seat reservation for SCs, STs and Women.

Pursuant to the passing of 73 Amendment Act to the Constitution of India, Manipur passed the Manipur Panchayati Raj Act, 1994 (Act No. 26 of 1994) which has come into force on 23.4.1994. The Act provides for a two-tier system i.e. Gram...
Panchayat (GP) at the village level and Zilla Pari shad (ZP) at District level. The Act extends to the whole of the state of Manipur excepting any area to which the Manipur (Hill Areas) District Council Act, 1971 (now the Manipur Hill Areas Autonomous District Council Act, 2000) or the Manipur (Village Authorities in Hill Areas) Act, 1956 extends including Cantonment and Municipalities Areas. In other words, the Manipur Panchayati Raj Act, 1994 extends to the rural areas of the valley districts of Manipur, viz. Imphal West District, Imphal East District, Thoubal District, and Bishnupur District.

However, in 17 villages in the Hill Districts of Senapati, panchayat bodies had been functioning under the U.P. Panchayati Raj Act, 1947. Thereafter, panchayati Raj bodies were established in these villages under the Manipur Panchayati Raj Act, 1994, but the latter Act shall extend to these 17 villages in view of its saving clause [The Manipur Panchayati Raj Act, 1994 S.I (2)].

3.2 The Manipur Context

Manipur, an erstwhile princely state and union territory, emerged as a full-fledged state of the Indian union on 21 January 1972, with the passing of the 1971 Northern Region (Reorganization) Act. The hill areas, comprising five districts of Senapati, Tamenglong, Ukhrul, Chandel and Churachandpur, were inhabited predominantly by the Naga and Kuki tribes with a sprinkling of the Nepalese in the immediate neighbourhood of the valley. In the valley districts of Imphal, Thoubal and Bishnupur lived the Meiteis (Manipuri Hindus), Pangals (Manipuri Muslims), the Nepalese and the business communities, like the Marwaris, Punjabis, Tamils, Biharis and so on. The Meiteis and the Bengalis (Muslims) inhabited the Barak basin (Singh, R.P. 2006:260).

Panchayati Raj System was in operation in Manipur, only in the valley districts of Imphal East, Imphal West, Thoubal and Bishnupur. In the hill districts, there existed District Councils and Village Authorities.22

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21 Imphal District was divided into two administrative units (i.e. Imphal East and Imphal West) in 1958, for administrative convenience and for greater decentralization of governmental machinery (Manipur Administration Report, 1959-60:6, Imphal: Government of Manipur).

22 In the hill areas of Manipur, local self-government was introduced in 1947 under Manipur State Hill People's (Administration) Regulation, 1947. The Regulation was enacted by the Care Taker Government (14.8,194-7-7.8.1948) which had also enacted the Manipur State Constitution Act, 1947. The Manipur (Village Authorities in Hill Areas) Act, 1956 repealed the Manipur State Hill
3.3 Evolution of Panchayats

Panchayats had been in vogue from times immemorial in this part of the country. In the village of Manipur valley, there were clubs named Lai hip resembling the Panchayats of Bengal, under the sirdar or head of the villages. Besides generally controlling village affairs, these Lallups used to adjudicate petty disputes in the villages. It must be noted that Monarchy was a form of Government in the early days of Manipur and the administration was highly centralized. The king administered his country in pursuance of a system called Lallup. For this system, the entire population was divided into Pannas. The pannas are like districts or sub-divisions in a modern state. Each Panna consisted of a number of families and tribes. The head of each family and tribe would select (from his family or tribe) a man, not below the age of 17 years, who can render service (Lallup) to the king for and on behalf of the Panna to which they belonged. Lallup covered all the works of the state - social, economic and military. The heads of the Pannas were the appointees from amongst the favorites of the king. Their offices were established in and around the palace. Besides, there was also a branch of Lallup called Khundin, the duty of which was to see that men liable to Lallup perform their work well. For due and efficient working of the Lallup, the Pannas were minutely divided into 107 divisions. Nearly all the divisions had an office known as the Lallup Chingba, which was an active intermediary between the officers at the capital and the men in the village. The Lallup system was abolished on


Lallup is a system of rendering service to the state free of cost. Every male in the state between ages of seventeen and sixty, irrespective of caste and creed, were to labour for the king for ten days in every forty. For details, see (Mataisang, 1992:2).

Nongda Laien Pakhangba established administrative units known as Lallup, Ahalup and Nahalup Shanglens. During the time of Meidingu Loiyumba, these three Lups were increased to six lups namely Luplen lup, Thouja hip, Konchea lup, Lupkhuba lup, Chingja lup and Khajia lup (Ktimbala, 1989:9). Lup might be the former name of Pana believed to be a Shan word.
29 September 1892 A.D. at the time of the coronation of Sir Churachand Singh (Singh Ibohal, 2007:21).

Besides the Lai l up system, there was another system of work- allocation called Yumnak Mashil (surname-wise assignment of work). Under this system, each Yumnak (household) of each of the seven Salais (clans) had its own Mashil (work).

Thus, Yumnak Mashil was the work done by each Yumnak and the name of the Yumnak was given according to the work that the Yumnak had been doing.

With the accession of Nongda Lairen Pakhangba (33-154 A.D.), the structure of centralised monarchy was established in Manipur. From the very beginning of the introduction of centralized administration, the kingdom was broadly divided into two categories i.e. the administration of the centrally located valley and the administration of the surrounding hills. The administration of the valley was again sub-divided into urban administration and rural administration. Again, administration of the urban area was divided into administration of inner urban area i.e. the capital city and administration of outer urban area. The unit of administration in the inner urban area was a Leikai (a group of families not necessarily of the same lineage). During the time of Nongda Lairen Pakhangba, there were four Leikais namely, Khurai, Wangkhei, Khwoi and Yaiskul. Then the outer urban area was divided into four Panas namely Ahallup, Naharup, Laipham and Khaham. In the year 1074, during the time of King Loiyumba, the number of Pana was increased to six by adding two more Panas namely Polscmgba and Hidakphanha. Out of the six Panas, the last two were regarded as inferior and debarred from Pana Lamchel. According to N. Ibobi Singh, these six

\[23\] From the archaic texts and other sources, it is known that the ancient kingdom of Manipur was composed of a number of chiefdoms and Principalities such as Heirem-Khunjan, Leira Khongnang, Thanga-Kambong, Ulok-Ushai, Haokha-Lokha, Ningon-Laton, Phantek-Khujon, Haorok-Konthu, Marding-Mora, Khwang-Mungyang, Keke-Nongjai, Heitao-Kangthil, Haoku Mangang and so on. In due course of time, these independent principalities merged with the already existed and newly migrated powerful people. Thus emerged the seven major clans of the Manipuri Meiteis viz. Chenglei, Khaba-Nganba, Angom, Luwang, Khuman, Moirang and Mangang/Ningthouja. Clans such as the Chenglei and Khaba-Nganba seemed to have lost their independent character practically after the accession of Nongda Lairen Pakhangba, whereas some clans and tribes continued to rule independently or with limited autonomy as late as the 15th century. The Angoms and Luwangs appeared to have shared the political power at Kangla with the Ningthoujas since the accession of Nongda Lairen Pakhangba thought they ruled independently from time to time. The Khumans and Moirangs maintained their independent status for a long time up to 14th and 15th century respectively. By the end of the 15th century hitherto, autonomous hill village chiefdoms, principalities and kingdoms were reduced to the ethnic clan status of the Manipuri nation thought they retain their respective cultural identities until today. For details of principalities and chiefdoms of Manipur, See Goshwami, H, 2004, ‘History of the People of Manipur’. 

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lianas were again clubbed into three groups. Laipham and Khabam pana came to be known as Khunja, Ahallup and Naharup as Naija, Potsangba and Hidakphanba as Pana Khumei. The first four panas namely Laipham, Khabam, Ahallup and Naharup were to perform military duties and provide the king with certain kinds of vegetables, fruits and trees. They were also responsible for providing labour while constructing Shangs like Kangla Coronation Hall, Shumsang (Jail), Sinnai Shang (institution for learning different trades) and so on. The duties of the last two Panas besides others were to regulate the use of Hidak (Tpobacco), and Hidakphu (polished Hookah) by the king, the nobles and the common people. The second of these two panas were divided into two departments called Shanglen and Shangkhuba. Shanglen was consisted of Lakpa, Shelungba Ahal, Shingshuba Naha and Ketrungba and so on. The officers of the Shangkhuba were Lairen lakpa, Hanjaba, Hidang Lakpa, Naha Lakpa, Shingshuba Ahal and Shingshuba Naha. The core of administration was the administration of justice. Kuchu and Pacha were the courts existed during the reign of King Pakhangba. Kuchu was the highest court in the kingdom having comprehensive jurisdiction both in the civil and criminal. The king was the head of this court, with nobles assisting him. The wives of Ningthou Pongba Tara (ten Ningthou Pongba) were the members of this court. The role of Ningthou Pongba Tara was almost equivalent to modern day senior cabinet ministers. The court of Pacha judged had decided the form of punishment to be inflicted upon the female criminals.

Significant changes in the administrative system were also affected during the time of Khuyoi Tompok (154-264 A.D.), the son and successor of Pakhangba. Khuyoi Tompok created the post of sixty-four Phamdous (nobility). He had also introduced Nongdamba Sanglen and Nongdai Sanglen under the supervision of learned men called Maichous (Pathis). Besides the portfolios allocated to Ningthou Pongba Tara, Khuyoi Tompok had also established the post of Keirungba (officer in-charge of State Granary), Sharungba (officer In-charge of Animal Department), Ngarungba (officer In-charge of fishery Department), Shellungba (officer In-charge of Finance), Ningollakpa (officer In-charge of Women Affairs), and so on. Meidingu Loiyumba had also introduced a system of surename-wise assignment of works to Sageis (group of families of same lineage). This system was known as Shilyen (Shii=work, Yen=distribution). Since Loiyumba introduced this system, it came to be known as Loiyumba Shilyen.
After the defeat of Manipur in the hands of the British in the year 1891, many administrative changes had taken place. Churachand Singh, a minor boy of five years and a scion of Maharaj Nar Singh (1844-1850), was installed as king of Manipur with Major Maxwell as Regent. Maxwell was the Superintendent as well as the Political Agent thus representing both the State and the British Government. The basic principle of the colonial rule was to promote and enforce colonial interest. For about sixteen years (1891-1907), the British officers controlled the administration and ruled the country directly in the name of the Raja. From 1907 onwards, they pursued the policy of indirect rule. During this period, the king and the nobles exercised de-jure powers whereas, the British Officers exercised de-facto authority. However, from 1919 onwards, the system of administration had changed completely. The unique feature of the British colonial rule was the establishment of a four tier administrative system for the administration of the Hills, the Valley. The British Reserve and the Foreigner’s Reserve in the kingdom of Manipur. For the areas lying within the British Reserve, the Political Agent was the executive and judicial head. Another peculiar feature of the colonial rule was reservation of specific areas from Kanglatongbi to Kangpokpi including villages of Kuraopokpi, Koubrulaikha, Sapermaina and Keithelmanbi as exclusive region of the foreigners like the Nepalis and the British subjects of India. The Political Agent dealt matters relating to the settlement of the foreigners and even a separate office called Foreigners Office was established.

On the investiture of the Raja Churachand26 (before lie was sent to Ajmer), in April 1892, Major Maxwell abrogated the Lallup system on 29 April 1892. However, the Superintendent further imposed house tax of Rupees’ two for every house occupied by a male adult as valley House Tax. This was done as a substitute for the Lallup system. Land revenue was assessed on cultivated land in the Manipur valley only. The land revenue was fixed at Rs.5 per Pari (i.e. acres of land). Under the Superintendent, a sub-Deputy Collector was appointed for the purpose of revenue collection and related matters. Survey and Settlement operation in the valley in the

modern lines were initiated for the first time by Babu Raj Kumar Rai, Sub-Deputy Collector, Assam, from 2 August 1897 (A.R., 1897-98:1). The valley was divided into five Panas or Circles under the control of one Lakpa or Tahshildar for each circle. The first Cadastral Survey operation was completed in the valley in 1899-1900.

The court existed at the time were; 1. The Court of Political Agent, 2. The Court of Assistant Political Agent, 3. The Court of the Cheirap, 4. The Court of Panchayat. Panchayat Court was again sub-divided into town Panchayat, Village Panchayat, and Muhamadan Panchayat. Civil and Criminal matters relating to British subjects were tried by Court of Political Agent and the Asstt. Political Agent. All appeals from the court of Asstt. Political Agent and Cheirap Court lay before the court of Political Agent. This court may be taken as the highest court: in the kingdom. Above the court of superintendent was the court of Chief Commissioner of Assam, which had the powers, and functions as that of the High Court. The Cheirap Court comprised of five Magistrates and one Honorary Magistrate. All civil and criminal cases involving the subjects of Manipur valley were within the jurisdiction of the Cheirap Court barring those falling within the town and Village Panchayats. The Cheirap Court could tried and punished a person up to two years imprisonment and a fine of Rupees five hundred. Then for every one thousand-house village, a Circle Panchayat having five members was also established. Below the level of the courts, a Chowkidar was also appointed for every one hundred houses to conduct ordinary trials at village level. As per the new scheme of administration, the Political Agent became the de-facto head of the state. Thus, parallel to the native courts the British established the Court of Political Agent, Court of the Superintendent of the state.

3.4 Modern Panchayat System

The present panchayat system in Manipur was introduced in 1960. In the year 1960, the United Province Panchayati Raj Act, 1947 (U.P. Act No.26 of 1947) was extended to the state of Manipur (than in the status of union territory) excluding the H i 11 areas, municipal areas, cantonment areas and notified areas. Under the Act, a two-tier system of panchayats was established in the Manipur valley and jiribam area. Necessary rules were framed in 1962 for making applicable the various provisions of the act. Under the Utter Pradesh Panchayati Raj Act and the rules framed there under, the first General Election was held in the year 1962 wherein 227 Gram Panchayats and 43 Nyaya Panchayats were constituted. The number of these institutions increased
to 221 and 44 respectively after the second General Elections to Panchayats, held in the year 1970. It must be mentioned that out of 8 districts, it was only in three districts that Panchayati Raj structure was established while the other 5 Hill districts had Autonomous I...lill Councils. The three districts with Panchayati Raj set up were Imphal, Thoubal and Bishnupur. An amendment to the U.P. Panchayat Act, 1947 was however, necessitated as it was felt to be not living up to the aspirations of the people.  

After the attainment of statehood by Manipur in 1972, the state government enacted the Manipur Panchayati Raj Act, 1975, which provided for a three-tier system of Panchayats in the state comprising Gram Panchayats at the village level, Panchayat Samitis at the block level and Zilla Parishad at the district level, besides Nyaya Panchayats for judicial purposes (Singh, R.P. and Lai Den a, 2006:261). The Manipur Panchayati Raj Act came into effect from 9 May, 1975 and became operative from 10 January 1978. Under this Act, 107 Gram Panchayats, 37 Nyaya Panchayats and 6 Panchayat Samities were established and the third general election was held in May 1978 ushering in the era of two-tier system of Panchayati Raj. The fourth general election was held in 1985 pursuant to which 166 gram panchayats, 42 Nyaya Panchayats and 9 Panchayat Samities were constituted. The fifth general election to the Panchayats was held in 1991.

It would pertinent to comment here that in the absence of a third tier at the district level, the linkages between the state administrations with the two lower level tiers were fragile and the will of the people could not be voiced at the appropriate levels. Realizing this limitation and pursuant to the 73rd Constitutional Amendment  

27 The U.P. Panchayati Raj Act 1947, being a borrowed one, Gram Panchayats and Nyaya Panchayats established thereunder, could not function in tune with the desire of the people of Manipur, particularly for those living in the rural areas. Second, despite provisions in the Act empowering the local body institutions to levy tax, cess, rate and tolls, Gram Panchayats have not been able to exercise such powers for want of guidance, supervision and co-ordination from higher-tier panchayatiraj bodies like Panchayat Samitis and Zilla Parishads (the U.P. Panchayati Raj Act 1947 did not provide scope for the establishment of higher-tier Panchayati Raj bodies like Panchayat Samitis and Zilla Parishads). Thirdly, the powers given to the Nyaya panchayats in respect of civil and criminal cases under the U.P. Panchayati Raj Act ’1947 were inadequate so much so that there were only a few cases left with the Nyaya Panchayats to deal. Local people have to go to the higher courts for cases in civil matters of which the suit value was Rs. 100. In criminal cases also, the powers given to the Nyaya Panchayat was very meagle. The Nyaya Panchayat could not try petty criminal cases with the suit value of Rs. 50.
providing panchayats a constitutional status, Government of Manipur enacted the Manipur Panchayati Raj Act, 1994 which came into force from 23 April 1994 extending to all parts of the state barring the areas to which the District Council Act 1971 or the Manipur Village Authorities in hill Areas Act 1956 was applicable.

The changed structure created again a two-tier system but deviating from the past, Zilla Parishad at the district level and the Village Panchayats at the village level. The elections for Panchayati Raj bodies were held towards the end of Jan. 1997 paving for the creation of 166 Gram Panchayats and 3 Zilla Parishads viz., Imphal, Thoubal and Bishnupur in March, 1997. The Imphal Zilla Parishad was bifurcated into two-Imphal East and Imphal West in Oct. 1997.

After the election 1998, 107 Gram Panchayats, 37 Nyaya Panchayats and 6 Panchayat Samitis were constituted. Though the Act provided for the establishment of three-tier system of panchayats, only Gram Panchayats and Panchayat Samitis were constituted (Singh, R.P., 2006:261). Out of the total area of 23,327 sq. km of the state, the area under Panchayati Raj Institutions was only 2,100 sq. km, forming the rural tracts in the valley districts including Jiribam area. On an average, a Gram Panchayat covered an area of 12.65 sq. km, the Nyaya Panchayat 50 sq. km, and the Panchayat Samiti 233, 33 sq. km.

3.4.1 Financial Resources

The Manipur Panchayati Raj Act, 1975, had provided for the establishment of a gram fund and a panchayat samiti fund raised through taxation, donations and contributions from the state and central governments. The state government allocated funds for the development of panchayati Raj Institutions under the five-year plans. Gram panchayats also received funds directly from the central government and from the state government for executing various rural and community development schemes.

In May 1996, the state government of Manipur constituted Manipur State Finance Commission consisting of chairperson and two other members. As prescribed once in every five years the government shall constitute a Finance Commission to review the financial positions of the Zilla Parishads and gram panchayats and to make recommendations to the government on the principles on which the financial soundness of the panchayats can be ensured.
3.4.2 Organizational Set-up

The secretary/commissioner supports the Minister of RD & PR and a director drawn from the state cadre officers who is assisted by one deputy director and one assistant director at the directorate heads the directorate of RD & PR. At the zilla parishad level, chief executive officer usually drawn from provincial service is the administrative head. Provision has also been made to have an additional CEO, also drawn from the state cadres. The CEO is assisted by one chief planning officer, chief accounts and the other lower level functionaries.

Through the Government order issued on August 30, 1997, reconstituting the governing body for the DRDA, the Adhyaksha (Zilla Parishad) was made the chairperson of the DRDA governing body. However, all the financial powers remain with the CEO.

Figure 3.1

Panchayati Raj Set-ups (Organizational Chart-I)

```
Governor
   |
Chief Minister
   |
Minister for PR & RD
   |
Zilla Parishad Adhyaksha
   |
Zilla UP Adhyaksha Members
   |
Pradhans of Gram Panchayat
   |
Vice Pradhan
   |
Members of Gram Panchayat
```
3.5 Post-73rd Constitution Amendment Development

Pursuant to the passing of 73rd Amendment Act to the Constitution of India, Manipur passed the Manipur Panchayati Raj Act, 1994 (Act No. 26 of 1994) on 23 April 1994 by repealing the Act of 1975. The new Act provides for a two-tier Panchayati Raj System in the three (now four) districts of the valley---the Gram Panchayat at the village level and Zilla Parishad at the district level. The Act extends to the whole of the state of Manipur excepting any area to which the Manipur (Hill Areas) District Council Act, 1971 or the Manipur (Village Authorities in Hill Areas)
Decentralized Governance in Manipur: An Overview

Act, 1956 extends, or which has been declared as, or included in a municipality under any law for the time being in force, or which has been or may be declared as, or included in a Cantonment under the Cantonment Act, 1924. Presently, only four districts of Manipur viz Imphal East, Imphal West, Bishnupur and Thoubal are covered under the Panchayati Raj Act. In other words, the Manipur Panchayati Raj Act, 1994 extends to the rural areas of the valley districts of Manipur, viz. Imphal West District, Imphal East District, Thoubal District, and Bishnupur District. However, in 17 villages in the Hill District of Senapati namely (1) Koubru Laikha, (2) Sapparmaina, (3) Charhajar, (4) Kanglatongbi, (5) Thunamba, (6) Tokpa Khul, (7) Santlabari, (8) Prasoi Basti, (9) Jogi Basti, (10) Kangpokpi Bazar, (11) Meitei Lengdaba Khul, (12) Turibari, (13) Kalapahar Workshop, (14) Kalapahar, (15) Kalapahar Chadraman, (16) Kalapahar Jugle Jhari, and (17) Sethi Khola, panchayat bodies had been functioning under the U.P. Panchayati Raj Act, 1947. Thereafter, Panchayati Raj Bodies were established in these villages under the Manipur Panchayati Raj Act, 1975. The Act is now repealed by the Manipur Panchayati Raj Act, 1994, but the later Act shall extend to these 17 villages in view of its saving clause [The Manipur Panchayati Raj Act, 1994 S. 108 (2)]

Table 3.1 Panchayati Raj Institutions in Manipur

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Level of Panchayat</th>
<th>Name used</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>District Panchayat</td>
<td>Zilla Parishad</td>
</tr>
<tr>
<td>2</td>
<td>Village Panchayat</td>
<td>Gram Panchayat</td>
</tr>
</tbody>
</table>

Source: Ministry of Panchayati Raj (Government of India) 2006

3.5.1 Grain Sabha; Its Composition and Membership

Gram Sabha means a body consisting of all the villagers of a village or a group of villages whose names are included in the electoral roll prepared for the last election to the Manipur Legislative Assembly as a part of the Assembly constituency concerned. However, no person shall be a member of more than one Gram Sabha. A person shall be disqualified for being a member of the Gram Sabha, if (a) he is not a

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28 See judgement and order dated 01.06.1979 passed by the Gauhati High Court; Imphal Bench in its Civil Rule No. 137/1978/15/78.

29 See The Manipur Panchayati Raj Act, 1994- Ss. 3(1) & 15 r/w S.2 (h) & (5)
citizen of India; or (b) he is of unsound mind as declared by a competent court; or (c) he is disqualified from voting under any law relating to corrupt practices and other offences in connection with election to the Manipur Legislative Assembly; A member of Gram Sabha shall also cease to be a member if he ceases to reside ordinarily within the Gram Sabha areas. On such cessation, he shall also cease to hold any office, which he held on election or appointment by virtue of his being a member of his Gram Sabha.

3.5.2 Powers and Functions of Gram Sabha

A Gram Sabha shall exercise these functions: (a) assistance in the implementation of development schemes pertaining to the village; (b) identification of beneficiaries for the implementation of development schemes pertaining to the village: (c) mobilization of voluntary labour and contribution in kind or cash or both for the community welfare programmes; (d) promotion of adult education and family welfare within the village; (e) promotion of harmony among all sections of society in the village; and (f) such other matters as may be prescribed.” The Gram Sabha may also form one or more vigilance Committee consisting of persons who are not members of the Gram Panchayat, to supervise the Gram Panchayat works, schemes and other activities and put up reports concerning them in its meeting.

A Gram Sabha shall meet from time to time but six months shall not intervene between the two meetings; The meetings shall be held in accordance with such procedure as may be prescribed. The quorum for the meeting shall be one-tenth of the total membership of the Gram Sabha; Every meeting shall be prescribed by the Pradhan of the concerned Gram Panchayat and in his absence, by the Up-Pradhan, and in the absence of both, by a Gram Panchayat to be chosen from amongst the members of the Panchayat. The Gram Sabha will have the power to discuss the agenda prepared by the concerned Gram Panchayat in relation to these matters, viz (a) The annual statement of accounts of the Gram Panchayat, the report of administration

See The Manipur Panchayati Raj Act, 1994 Ss. 3 (2)
See The Manipur Panchayai Raj Act, 1994 S.4
See The Manipur Panchayai Raj Act, 1994 S.11
See The Manipur Panchayai Raj Act, 1994S.12
See The Manipur Panchayai Raj Act, 1994S.5
See The Manipur Panchayai Raj Act, 1994S.6
See The Manipur Panchayai Raj Act, 1994S.7
See The Manipur Panchayai Raj Act, 1994S.8
of the preceding financial year and the last audit note and replied, if any, made thereto: (b) The budget of the Gram Panchayat for the next financial year, and (c) The report in respect of development programmes proposed to be undertaken during the current year/8

3.5.3 Basic Statistics Concerning Panchayati Raj in Manipur

Table 3.2 Number of Panchayat at each level

<table>
<thead>
<tr>
<th>Si. No.</th>
<th>Level of Panchayat</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Zilla Parishads</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>Gram Panchayats</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>169</td>
</tr>
</tbody>
</table>

Source: Ministry of Panchayati Raj (Government of India) 2006

Table 3.3 Number of Elected Panchayat Representatives at Gram Panchayat level

<table>
<thead>
<tr>
<th></th>
<th>No. of Elected Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Gen.</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Total No.</td>
<td>1627</td>
</tr>
<tr>
<td>Percentage</td>
<td>95.31</td>
</tr>
</tbody>
</table>

Source: Ministry of Panchayati Raj (Government of India) 2006

Table 3.4 Number of Elected Representatives in Zilla Parishad

<table>
<thead>
<tr>
<th></th>
<th>No. of Elected Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Gen.</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Total No.</td>
<td>57</td>
</tr>
<tr>
<td>Percentage</td>
<td>93.44</td>
</tr>
</tbody>
</table>

Source: Ministry of Panchayati Raj (Government of India) 2006

- See The Manipur Panchayai Raj Act, 1994S.9
3.5.4 **Gram Panchayat: Its Election and Terms**

Every Gram Sabha has its own Gram Panchayat. Such a Gram Panchayat is a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts, and shall by the said name, sue and be sued. A Gram Panchayat shall consist of a Pradhan and an Up-Pradhan and such number of directly elected members as may be notified by the Government of Manipur from time to time. One member for every 350 populations of the Panchayat area shall be elected as a member of such panchayat. For the purpose of the election of the members, a Gram Sabha areas shall be divided by the Deputy Commissioner concerned into a number of constituencies on the ratio that the population of each constituency and the number of seats allotted to it shall, as far as practicable, be the same throughout the Gram Sabha areas. Seats shall be reserved for SCs and STs in every Gram Panchayat and such Seats shall be allotted by rotation to different constituencies in such Gram Panchayat, in such manner as may be prescribed. Not less than one-third of the total number of seats reserved for SCs and STs shall be reserved for their Women. Not less than one-third (including the number of seats reserved for SC and ST Women) of the total number as seats to be filled by direct election in every Gram Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Gram Panchayat in such manner as may be prescribed. The term of Gram Panchayat is five years from the date of its first meeting. The election to constitute a Gram Panchayat shall be completed before the expiration of its term and in the case of dissolution, before the expiration of six months from the date of its dissolution. However, a Gram Panchayat re-constituted after its dissolution shall continue only for the remainder.

3.5.5 **Pradhan and Up-Pradhan: their powers and Functions**

The Pradhan of a Gram Panchayat shall be prescribed. A Gram Panchayat shall elect an Up-Pradhan from amongst its member at meeting held for the purpose. The term of their office is co-extensive with that of the Gram Panchayat. They shall be entitled to such honoraria and other allowances as may be prescribed. They may resign by writing to the prescribed authority. An Up-Pradhan shall vacate his office if he ceases to be a member of his Gram Panchayat. A Pradhan and an Up-Pradhan may

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105 See The Manipur Panchayati Raj Act, 1994- S. 13-14, S. 19-20, Ss.15-18, 21 & 26
be removed from office by the Government of Manipur for misconduct, negligence, incapacity etc. in the discharge of their official duties.

The Pradhan shall - (a) convene the meeting of Gram Sabha as well as Gram Panchayat and preside over it; (b) maintain the records of the Gram Panchayat; (c) be responsible for the financial and executive administration of Gram Panchayat; (d) exercise administrative supervision and control over the work of the staff of Gram Panchayat; (e) exercise such powers and functions of Gram Panchayat as are not required by the rules made under the Act, to be performed by it at its meeting; and (f) exercise such other powers and functions as are directed by Gram Panchayat by general or special resolution or by the Government of Manipur under the rules made in this respect.  

3.5.6 Powers and Functions of Gram Panchayat

**Administrative Functions:**

_A Gram Panchayat shall discharge the following administrative functions:-_

1) General functions, such as, preparation of annual plans for the development of the panchayat area; preparation of annual budget; mobilization of reliefs in natural calamities; removal of encroachments on public properties; organization of voluntary labor and contribution for community works; maintenance of essential statistics of village and so on.

2) Agriculture including Agriculture Extension, such as, promotion and development of Agriculture and Horticulture; development of waste lands; development and maintenance of grazing lands; promotion of land improvement and soil conservation measures; promotion of measures for implementation of land reforms and land consolidation.

3) Animal husbandry, Dairying and Poultry, such as, improvement of breed of cattle, poultry and other livestock; promotion of Dairy farming, Poultry and Piggery; grassland development

4) Development of Fisheries in the villages

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See The Manipur Panchayati Raj Act, 1994 S.20, 21, 24, 27, 28(1), 28(2) & 30(2), 41 See Ibid. S.35
5) Social and Farm Forestry, Minor Forest produce, Fuel and Fodder, such as, plantation and preservation of roadside trees; Fuel plantations and Fodder development; promotion of farm forestry and development of social forestry.

6) Khadi, Village and Cottage Industries; promotion of rural and cottage industries; organization of awareness camps, seminars and training programmes, agricultural and industrial exhibitions for the benefit of the rural areas, and identification of traditional skills in the area to develop small scale industries and popularization of food processing units.

7) Rural Housing, such as, implementation of house building programme and maintenance of records relating to the houses, sites and other private and public properties,

8) Drinking Water, such as, construction, repair and maintenance of drinking water wells, tanks and ponds; prevention and control of water pollution; and maintenance of rural water supply schemes.

9) Roads, buildings, culverts, bridges, ferries, water ways and other means of communication such as, construction and maintenance of village roads, drains and culverts; maintenance of buildings transferred by any public authority; and maintenance of boats, ferries and waterways.

10) Non-conventional energy source such as, promotion and development of non-conventional energy schemes; maintenance of community, non-conventional energy devices including biogas plants; and propagation of improved chullas and other efficient energy devices.

11) Poverty Alleviation Programme such as, promotion of public awareness and participation in poverty alleviation programme; selection of beneficiaries for various programmes through Gram Sabha; and participation in effective implementation and monitoring of these programmes.

12) Education including primary schools and secondary schools such as, promotion of public awareness and participation in primary and secondary education; and ensuring full enrolment at attendance in primary and secondary schools.

13) Adult and non-formal education i.e. Promotion of Adult literacy.

14) Libraries i.e. Village libraries and reading rooms.
15) Cultural activities i.e. Promotion of social and cultural activities.

16) Markets and fairs i.e. regulation of fairs (including cattle fairs) and festivals.

17) Rural Sanitation such as, maintenance of general sanitation; cleansing of public roads, drains, tanks, wells, and other public places; maintenance and regulation of burning and burial grounds; and bathing ghats.

18) Public health and family welfare such as, implementation of family welfare programmes; prevention of epidemics; regulation of sale of meat, fish, and other perishable food articles; participation in programmes of human and animal vaccination; regulation of eating and entertainment establishments; destruction of stray dogs; regulation of curing, tanning and dyeing of skins and hides; and regulation of offensive and dangerous trades.

19) Woman and child development i.e. participation in the implementation of women and child welfare programmes, and promotion of school health and nutrition programmes.

20) Social welfare including welfare of the handicapped and mentally retarded such, as, participation in the implementation of the social programmes including welfare of the handicapped, mentally retarded and destitute, and monitoring of old-age and widows pension schemes.

21) Welfare of the weaker section in particular the Scheduled Castes and Scheduled Tribes and other weaker sections; and participation in the implementation of specific programmes for the welfare of weaker sections.

22) Public distribution system (PDS): promotion of public awareness with regard to the distribution of essential commodities; and monitoring the PDS.

23) Maintenance of community assets, preservation, and maintenance of other community assets.

24) Construction and maintenance of Dharmashala, Chatras and similar other institutions.

25) Construction and maintenance of cattle sheds, pounds and cart stands.

26) Construction and maintenance of slaughterhouses.

27) Maintenance of public parks, playgrounds.
28) Regulation of manure pits in public places.

29) Establishment and control of sandiest.

30) Irrigation, water management and watershed development: promotion of measures for construction and maintenance of minor irrigation works and watershed development programmes; development of ground water resources; and provision for timely and equitable distribution of irrigation water.

31) Rural electrification including distribution of electricity: promotion of extension of electricity to unelectrified areas; help in prevention of illegal tapping of electricity; and help in the recovery and collection of electricity due.

32) Such other functions as may be entrusted to the Gram Panchayat.

33) Management and maintenance of forest situated in the panchayat area; management of wastelands, pasture lands or vacant lands belonging to the Government of Manipur situated within the panchayat area; collection of land revenue and maintenance of records connected therewith; and any other functions as transferred/entrusted to the Gram panchayat with its concurrence by the Government of Manipur.  

General Powers:

A Gram Panchayat shall have powers to do all acts necessary for or incidental to the carrying out of the functions entrusted, assigned or delegated to it, and to exercise all powers specified by the Act but without affecting its above-mentioned administrative powers and functions.

Power of Taxation:

A Gram Panchayat shall the power to impose yearly tax on lands and building situated within its local jurisdiction, but subject to such rules as may be made in this respect. Subject to such, maximum rates as may be prescribed by the Government of Manipur, a Gram Panchayat may levy within its local limits (a) a fee for providing sanitary services at the places of worship and pilgrimage, fairs and meals; (b) a rate

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42 See The Manipur Panchayati Raj Act, 1994 S. 36
43 See The Manipur Panchayati Raj Act, 1994 S. 40
44 Ibid. S. 40
for lighting is made by the panchayat; and (c) a conservancy rate where arrangement for cleaning private latrines, urinals and cesspools is made by the panchayat.

Power to make bye-laws:A5

Subject to the provisions of the Act and the rules made thereunder and with the previous sanction of the Zilla Parishad, a Gram Panchayat may make bye-laws to carry out the purposes of the Act. in making such bye-laws, the Gram Panchayat may provide that conservation thereof shall be punishable with such fine as may be prescribed. Such a bye-law may also provide that a conservation of the same may be required to remedy the mischief, if any, caused by such convention.

Staff of Gram Panchayat:

A Gram Panchayat has its own staff headed by a Secretary who shall be appointed as per the rules made for the purpose and given his salary and allowance from the Gram Panchayat Fund. The Secretary shall be in charge of the office of the Gram Panchayat and shall exercise all the powers and functions given to him by the Act or the rules or bye-laws made thereunder. The Government of Manipur shall make rules regarding the method of recruitment, the terms and conditions of service, the pay scale etc, of the Secretary of a Gram Panchayat.46 The Gram Panchayat shall, however, submit to the chief Executive officer of the Zilla Parishad concerned for his approval the category of its employees specifying the designation and grades and the salaries and allowances payable to them except the Secretary.47 Subject to these provisions, with the prior approval of the Chief Executive Officer of the Zilla Parishad concerned, a Gram Panchayat appoint its other employees and pay their salaries from its fund, but in making the appointment, the Gram Panchayat shall observe the rules relating to the reservations for the SCs, STs, and other socially and educationally backward classes of citizens.48

45 The Manipur Panchayati Raj Act, 1994 S. 79
46 Ibid. S. 45
47 Ibid. S. 46
48 Ibid. S. 47
3.5.7 Standing Committees:

A Gram Panchayat shall elect these standing Committees, viz, (i) Production Committee, (ii) Social Justice Committee, and (iii) Amenities Committee.

Production Committee: This committee shall perform functions relating to agricultural productions, animal husbandry and rural industries and poverty alleviation programmes. This committee shall consist of 3 to 5 members including the Pradhan and Up-pradhan. The Pradhan shall be the ex-officio member and chairperson of this committee. A representative from the co-operative societies situated in the Panchayat areas shall be co-opted to this committee.

Social Justice Committee shall perform functions relating to (a) promotion of education, economic, social, cultural and other interests of the SCs and STs and Backward classes; (b) protection of such castes from exploitation; and (c) welfare of women and children. This Committee shall consist of 3 to 5 members including the pradhan and up-pradhan. The Pradhan shall be its ex-officio members and chairman. This Committee shall also consist of at least one-woman member and one SC/ST member.

Amenities Committee: this Committee shall perform functions in respect of education, public health, public works and other functions of the Gram Panchayat. This Committee shall consist of 3 to 5 members including the pradhan and up-pradhan. The Pradhan shall be its ex-officio member and chairperson.

Each Committee can co-opt members of farmer’s club, mahila mandals, yuvak mandals and other similar bodies recognised by the Government of Manipur. The co-opted members shall have such rights and liabilities as may be prescribed.

3.5.8 Zilla Parishad: Its Composition, Election, Members and Term

A district shall have a district level panchayati body, viz Zilla Parishad. A Zilla Parishad shall be a corporate body bearing the name of the district for which it is established and shall have perpetual succession and common seal. It may sue and be sued in its name. It may also acquire, hold and dispose of property, movable, and

Ibid. S. 38
immovable, without and within its local limits. It may also enter into contracts and do all the acts necessary for the proper performance of its functions under the Act.30

A Zilla Parishad consist of (a) members directly elected from its territorial constituencies; (b) members of the Lok Sabha and members of the Manipur Legislative Assembly whose respective constituencies partly or wholly fall within the local limit of the Zilla Parishad i.e. the district for which it is established; and (c) 10% of the pradhans of the Gram Panchayat established/constituted within the district. But if the total number of the Lok Sabha member and Manipur Legislative Assembly members and Pradhan members exceed the total number of directly elected members, then only one-third of Pradhan members shall be selected on rotation for one year by lots as the Government of Manipur may decide from time to time and district to district. A Pradhan member so selected shall not be eligible for selection for the second term during the same term of his office as a Pradhan. All the members of the Zilla Parishad whether elected or not shall have the right to vote in all its meeting except in the election of its Adhyaksha and Up-Adhyaksha.51 For the purpose of a Zilla Parishad members, the district concerned shall be divided into a number of territorial constituencies on the ratio that the population of each constituency and the number of seats allotted to it shall, as may be practicable, be the same throughout the panchayat areas and each such constituency elect one or more members through direct election, keeping in view the total population of the district. The Government of Manipur shall by notification in the official Gazette, determine the number of the members to be directly elected from the territorial constituencies of the district at the ratio of one member for every 15,000 populations or part thereof.52

Seats shall be reserved for (a) the Scheduled Castes and (b) the Scheduled Tribes. At least one-third of these reserved seats shall reserved Scheduled Caste and Scheduled Tribe woman. Besides, at least one-third (including the seats reserved for SC/ST woman) of the total seats to be filled by direct election in every Zilla Parishad shall be reserved to different constituencies in a Zilla Parishad, in such manner as may be prescribed.37

30 The Manipur Panchayati Raj Act, 1994 S.48
31 Ibid. S. 49
32 The Manipur Panchayati Raj Act, 1994 S. 50
33 Ibid. S. 52
The term of a Zilla Parishad is five years from the date of its first meeting. Election shall be held to constitute a Zilla Parishad before the expiry of its term and in case of dissolution, before the expiry of six months from the date of its dissolution.  

3.5.9 **Adhyaksha and Up-Adhyaksha: Their Powers and Functions**

A Zilla Parishad has its own Adhyaksha and Up-Adhyaksha elected from amongst its members. The Government of Manipur shall reserve the offices of the Adhyaksha and Up-Adhyaksha of the Zilla Parishads in the state for the SCs and STs in the district concerned and such reservation shall have the same proportion to the total number of offices in the Zilla Parishads as the population of the SCs and STs in the state bears to the total population of the state. Beside, at least one-third of the Adhyaksha in the state both reserved and unreserved shall be reserved for SCs, STs and women. The reservation of the offices for SCs, STs and Women shall be allotted by rotation to different Zilla Parishads. The term of the office of the Adhyaksha or Up-Adhyaksha is co-extensive with that of the numbers of the Zilla Parishad.  

The Adhyaksha and Up-Adhyaksha shall be entitled to salary and allowances. While every member of the Zilla Parishad shall be entitled to sitting fee and allowances.  

The Adhyaksha may resign his office by writing to the commission. Development and Panchayati Raj, Government of Manipur and the Up-Adhyaksha by writing to the Adhyaksha.  

The Adhyaksha shall -(a) exercise all the powers and functions conferred on him by the Act or the rules made thereunder; (b) convene, preside over, and conduct the meetings of his Zilla Parishad; (c) control and supervise the chief Executive officer of his Zilla Parishad and other staff members through him; (d) exercise such powers and functions as are delegated to him by his Zilla Parishad by its general resolution or the Government of Manipur; (e) supervise the financial and executive administration of his Zilla Parishad by putting to it all the connected questions and by calling for the connected records from it; and (f) have power to accord sanction upto  

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54 Ibid. S. 53  
55 Ibid. S. 54  
56 Ibid. S. 55  
57 Ibid. S. 57
Rs. 100000/- in a year for providing immediate relief to the victims of natural calamities in his district. However, his Zilla Parishad at its meeting must ratify the sanction;"

The UP-Adhyaksha shall - (a) in the absence of the Adhyaksha, preside over the meeting of his Zilla Parishad; (b) exercise such powers and functions as are delegated to him by the Adhyaksha from time to time under the rules made in this respect; and (c) pending the election of the Adhyakshas or in his absence from his district or due to his leave for more than 30 days, exercise the powers and functions of the Adhyakshas.59

3.5.10 Powers and Functions of Zilla Parishad

A Zilla Parishad exercises the following powers and functions: (i) Administrative functions, (ii) General functions, (iii) Financial power, (iv) Power of taxation, and (v) Power to make regulations.

Administrative functions:50

A Zilla Parishad shall discharge the following administrative functions:-

1. Agriculture and Agriculture Extension, viz. (i) promotion of measures to increase agricultural production and popularization of the use of improved agricultural implements and adoption of improved agricultural practices; (ii) establishment and maintenance of godowns; (iii) conducting agricultural fairs and exhibitions; (iv) training of farmers; (v) land improvement and soil conservation; and (vi) promotion of agricultural extension works.

2. Irrigation of ground water resources and watershed Development, viz. (i) construction, renovation and maintenance of minor irrigation works and lift irrigation; (ii) provision for timely and equitable distribution and full use of water under irrigation schemes under the control of Zilla Parishad; (iii) development of ground water resources; (iv) installation of community pump sets; and (v) water shed development programme.

58 The Manipur Panchayati Raj Act, 1994- S. 56 (1)
59 Ibid. S. 56 (2)
60 Ibid. S. 61
(3) Horticulture, viz, (i) promotion of rural parks and gardens; (ii) promotion of cultivation of fruits and vegetables; and (iii) promotion of farms

(4) Statistics, viz. (i) publication of statistical and other information relating to activities of Gram Panchayats and Zilla Parishads; and (ii) periodical supervision and evaluation of project and programmes entrusted to the Gram Panchayats and Zilla Parishads.

(5) Distribution of essential commodities.

(6) Soil Conservation and land reforms, viz. (i) soil conservation measures; (ii) land reclamation and land development works; (iii) promotion of implementation of land reforms and land consolidation.

(7) Marketing, viz. (i) development of regulated markets and marketing yards; and (ii) grading and quality control of agricultural products.

(8) Social forestry, viz. (i) organization of campaign for tree planting; and (ii) planting and maintenance of trees.

(9) Animal Husbandry and Dairying, viz. (i) improvement of breed of cows and pigs; (ii) promotion of poultry farms, duck farms and goat farms; (iii) promotion of fodder development programmes; (iv) promotion of dairy farming, poultry and piggery; and (v) prevention of epidemics and contagious disease.

(10) Minor forest product, Fuel and fodder, viz. (i) promotion of social and farm forestry, fuel plantation and fodder development; (ii) management of minor forest product of the forests raised in community land; and (iii) development of waste land.

(11) Fisheries, viz. (i) promotion of fish seed production and distribution; (ii) development of pisciculture in private and community tanks; (iii) development of inland fisheries; (iv) promotion of fish curing and drying; (v) assistance to traditional fishing; (vi) organizing fish marketing co-operatives; and (vii) welfare schemes for the uplift and development of fishermen.

(12) Household Industries (including food processing) such as (i) identification of traditional skills in the locality and promotion of household industries; (ii) organization of training programme for craftsmen and artisans; (iii) liaison to top bank credit for household industries; (iv) popularization and marketing of fished products; and (v) organizing Khadi, handloom, handi-craft and village & cottage industries.
(13) Rural Roads and Inland water ways, viz. (i) construction and maintenance of roads other than National, State Highways and other District roads; (ii) bridges and culverts under roads mentioned in item no. (i); (iii) construction and maintenance of office buildings of the Zilla Parishads; (iv) identification of major link roads connecting markets.; and (v) organization of voluntary surrender of lands for new roads and for widening of existing roads.

(14) Health and Hygiene, viz. (i) implementation of immunization and vaccination programme; (ii) health education activities; (iii) organizing health camps with Gram Panchayats; and (iv) measure fairest environment pollution.

(15) Rural Housing such as (i) identification of houseless families; (ii) implementation of house building programmes in the district; and (iii) popularization of low-cost housing.

(16) Education such as (i) promotion of educational activities including the establishment and maintenance of primary and secondary schools; (ii) planning of programmes for Adult Education and Library facilities; (iii) propagation of technical work: and (iv) propagation of science and technology to rural area.

(17) Social welfare and welfare of weaker Sections and Handicapped persons, viz. (i) promotion of social welfare programmes and activities with emphasis on handicapped and mentally retarded persons; (ii) organizing nursery schools, balwadies, night schools and libraries to eradicate illiteracy and impart general education; and (iii) organizing co-operative societies of SCs and STs.

(18) Poverty Alleviation programmes, viz. planning, supervision, monitoring and implementation of poverty alleviation programmes.

(19) Drinking Water, viz. (i) construction, repair and maintenance of drinking water wells, tanks and ponds; (ii) prevention and control of water pollution.

(20) Rural Electrification, viz. (i) promotion of electrification of rural unelectrified area: (ii) prevention of illegal taping of electricity; and (iii) help in the recovery and collection of electricity dues.

(21) Non-conventional Energy Sources, viz. (i) promotion of non-conventional energy scheme; and (ii) propagation of efficient energy devices.
(22) Social Reform Activities, viz. (i) promotion of women’s organization and welfare; (ii) organization of cultural and recreation activities; (iii) encouragement of games and sports, construction of rural studio; (iv) promotion of thrift and saving through; (v) promotion of saving habits; (vi) small savings campaign; and (vi) fight against spurious money lending practices and rural indebtedness.

(23) Other administrative works, viz. (i) management or maintenance of any work of public utility or institution entrusted to it (i.e. Zilla Parishad); (ii) acquisition and maintenance of village huts and markets; (iii) sanction of grants to Gram Panchayats; (iv) relief works for people in distress; (v) co-ordination and integration of development plans and schemes prepared by Gram Panchayats in the district; (vi) undertaking/execution of any scheme for the whole of the district or part thereof; and (vii) taking over the maintenance and control of any rural bridge, tank, ghat, well, cannal or drain belonging to a private owner or any other authority under agreement.

(24) Undertaking and execution of any development scheme jointly with the Zilla Parishad of the adjacent district under agreement.

(25) Execution of any other function transferred to it (i.e. Zilla Parishad) by the Government of Manipur.

(26) Preparation of annual development plan of the district after including the development plans of the Gram Panchayats within its jurisdiction and submission of the same to the district Planning Committee.61

General functions61

A Zilla Parishad may (a) sanction expenditure on educational or medical relief outside its local limits; (b) carry out any work, which would, permits the welfare of the inhabitants of the district; (c) contribute to the association of all India, state or Inter-State level concerned with the promotion of local government and hold exhibition, seminars and conference within the district in relation to the activities of Gram Panchayat and Zilla Parishad; (d) render financial or other assistance to any activities carrying out in the district which is related to any of the function of the Zilla Parishad; and (e) do all the acts necessary for the due exercise of its powers and functions under the Act.

61 The Manipur Panchayati Raj Act, 1994 S. 61
62 Ibid. S. 62
A Zilla Parishad also has the power to do the work signed to it by the Government of Manipur or the work assigned by the Central Government to the Government of Manipur.

Financial Power:

A Zilla Parishad may (a) raise from time to time, with the approval of the Government of Manipur, loans for the due discharge of its powers and functions under the Act and create a sinking fund for the repayment of such loans; and (b) borrow money from the Government of Manipur, from banks or other financial institutions for the performance of the schemes drawn up by it (Zilla Parishad). A Zilla Parishad shall also have the power to prepare its own budget for the following year and submit the same to the Government of Manipur for approval. The Government may either approve the budget or return it to the Zilla Parishad for modifications. On modification being made, the Zilla Parishad shall resubmit the budget to the Government for its approval and if the Zilla Parishad does not receive the approval by the last date of the financial year, the budget shall be deemed to be approved by the Government. A Zilla Parishad shall not, however, incur any expenditure unless its budget is approved by the Government of Manipur.

A Zilla Parishad shall maintain its account in the prescribed manner and the account shall be audited by the authority prescribed by the Government of Manipur.

Power of taxation:

A Zilla Parishad may levy (a) tolls on persons, vehicles or animals or any class of them at any toll-bar established by it on any road except kutch road or any bridge vested in it or under its management; (b) tolls in respect of any ferry established by it or under its management; (c) road cess and public work cess; (d) fees on the registration of boats or vehicle, on sanitary facilities at such places, pilgrims, fairs and mela within its jurisdiction as may be notified by the Government of Manipur, on licence for fair or mela and rates of lighting of streets/places and supply of water. However, the levy of these tolls, fees, cess, rates and so on, shall not exceed the

References:
- « Ibid. S. 63
- 64 Ibid. S. 71
- 65 Ibid. S. 72
- 66 The Manipur Panchayati Raj Act, S. 73 & 74
- 67 'the Manipur Panchayati Raj Act, 1994 S. 70
maximum rates prescribed by the Government of Manipur and the scales, terms and conditions of such tolls, fees, cess, rates etc. shall be regulated by the Government of Manipur,

*Power to make regulations:* 68

A Zilla Parishad may make regulations to carry out its powers and functions under the Act, but the making of the regulations shall be (a) by notification; (b) subject to the provisions of the Act and the rules framed thereunder; (c) with the previous sanction of the Government of Manipur; (d) subject to the previous publication in the prescribed manner.

3.5.11 **Standing Committees of Zilla Parishad: Their Composition, Powers and Functions**

A Zilla Parishad shall have these standing Committees.69 (a) General Standing Committee; (b) Finance, Audit and Planning Committee; (c) Education and Health Committee; (d) Agriculture and Industries Committee; (e) Social Justice Committee; and (f) Works Committee.

**General Standing Committee:**

It shall consist of members not exceeding five including the chairperson elected by the Zilla Parishad from amongst its members. The Adhyaksha shall be the ex-officio member and chairperson of this committee. The chief Executive Officer shall be its ex-officio Secretary. The General Standing Committee shall perform functions relating to the establishment, communication, buildings, rural housing, village extensions, relief against natural calamities and allied matters and all other matters.

**Finance, Audit and Planning Committee:**

It shall consist of members but not exceeding five including the chairperson, to be elected by the Zilla Parishad from amongst its members. The Adhyaksha shall be the ex-officio member and chairperson of this Committee. Finance, Audit and Planning Committee shall (a) frame budget of the Zilla Parishad; (b) scrutinize proposals for increase of revenue; (c) examine receipts and expenditure statements;

Ibid. S. 80

*+* Ibid. Ss. 65, 66, 67

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'(d) consider all financial proposals of the Zilla Parishad; (e) scrutinize the revenue and expenditure of the Zilla Parishad; (f) do works relating to plan priorities, allocation of outlays to developments, implementation of guidelines issued by the Government of Manipur, regular review of planning programmes, evaluation of important programmes and small saving schemes etc.

Social Justice Committee:

It shall consist of members not exceeding five including the chairperson to be elected by the Zilla Parishad from amongst its members. The UP-Adhyaksha shall be the ex-officio member and chairperson of this Committee. The Deputy Secretary nominated by the chief Executive officer shall be its ex-officio Secretary. Social Justice Committee shall (a) promote socio-economic, educational, cultural and other interests of the Scheduled Caste, Scheduled Tribes and Backward Classes; (b) protect them from social injustice and all other forms of exploitation; (c) ameliorate the Scheduled Caste, Scheduled Tribes and Backward Classes; (d) secure social justice to the SCs, STs, women and other weaker sections of the society.

Education and Health Committee:

It shall consist of members not exceeding five including the chairperson who is to be elected by the Committee itself from amongst its members. The members shall be elected by the Zilla Parishad from amongst its members. A Deputy Secretary nominated by the chief Executive officer shall be its ex-officio Secretary. Education and Health Committee shall (a) perform all education activities of the Zilla Parishad; (b) undertake educational planning in the district within the national and state educational plans and policies; (c) survey and evaluate the educational activities of the Zilla Parishad; (d) perform works relating to education, adult literacy; and (e) do works in respect of health, hospital, water supply, family welfare and other related matters within the district.

Agriculture and Industries Committee:

This Committee shall consist of members not exceeding five including the chairman, to be elected by the Zilla Parishad from amongst its members. The chairman shall be elected by the Committee itself from amongst its members. A Deputy Secretary nominated by the chief Executive officer shall be its ex-officio Secretary. Agriculture and Health Committee shall discharge functions to (a)
agricultural production, animal husbandry, co-operation, contour funding and reclamation; (b) village and cottage industries; and (c) promotion of industrial development of the district.

Works Comm idee:

This Committee shall consist of members not exceeding five, including the chairperson to be elected by the Zilla Parishad from amongst its members. The chairperson shall be elected by the Committee itself from amongst its members. A Deputy Secretary nominated by the Chief Executive officer shall be its ex-officio Secretary. This Committee shall perform functions relating to the maintenance of (a) road including district roads, bridges, culverts; (b) maintenance of building under its control or transferred by the Government of Manipur or by any other public authority; and (c) maintenance of boats, ferries and waterways.

3.5.13 Procedure of the Committee

The chairperson of each Committee shall, in respect of the works of that Committee, have the power to call for any information, return statement or report from the officer of the Zilla Parishad and to enter on and inspect any immovable property of the Zilla Parishad of any works in progress concerning the Committee. Each Committee shall also be entitled to acquire the attendance at its meeting of any officer of the Zilla Parishad who is connected with the work of that Committee. The executive officer shall be responsible for securing the attendance of the said officer by issuing notices. The Chief Executive Officer shall be entitled to attend the meeting of all the standing Committees.

3.5.14 Staff of Zilla Parishad: Chief Executive Officer and other Officers

A Zilla Parishad has its own staff, which comprises these officers and employees, viz. (a) Chief Executive Officers (CEO) not below the rank of Deputy Commissioner of the district concerned; (b) Additional Chief Executive Officer (ACEO); (c) Chief Accounts Officer (CAO); (d) Chief Planning Officer (CPO); (e) Officers of group A, B and C services of the state (posted by the Government of Manipur from time to time); and (f) Officers of an All India Service (allotted to serve under the Government of Manipur and posted by it to serve at Zilla Parishad). The Government of Manipur may transfer the officers and employees of a Zilla Parishad to another and may constitute services for a Zilla Parishad.
The Chief Executive Officer shall - (a) carry out the policies and directions of his Zilla Parishad; (b) discharge his duties under the Act or the rules and regulations made there under; (c) control his staff members under the general control of his Zilla Parishad Adhyaksha; (d) be the custodian of the office documents and records of his Zilla Parishad Fund; (e) attend and participate in every meeting of his Zilla Parishad, but without the right to move resolution or vote; (f) point out any illegality found in any proposal before his Zilla Parishad for its notice.\textsuperscript{70} The Additional Chief Executive Officer shall assist the Chief Executive Officer in the performance of his duties.\textsuperscript{71} The Chief Accounts Officer shall advice his Zilla Parishad in its financial policies and shall be responsible for all matters relating to the accounts of his Zilla Parishad including preparation of its accounts and budget.\textsuperscript{72} He shall also ensure proper and lawful expenditure by his Zilla Parishad.\textsuperscript{73} The Chief Planning Officer shall advice his Zilla Parishad in the formulation of its plan and shall be responsible for its planning works including the preparation of plans of economic development and social justice and annual plan of the district.\textsuperscript{74}

3.5.15 Control over Gram Panchayat and Zilla Parishad

The Manipur Panchayati Raj Act, 1994 has provided for control over the functioning of the Gram Panchayats and Zilla Parishads as follows:

(i) Under the provisions of the Act and the rules framed thereunder and after making previous publication of the draft for at least one month, the Government may make model regulations and bye-laws for Zilla Parishads and Gram Panchayats respectively. A Zilla Parishad and a Gram Panchayat may by resolution adopt the model regulations and bye-laws respectively.\textsuperscript{75}

(ii) When the local limits of a Gram Panchayat or a Zilla Parishad are altered, the Government of Manipur may dissolve such panchayat or Zilla Parishad constituted or established for the area or district concerned.\textsuperscript{76} The Government of Manipur may also dissolve a Zilla Parishad if it exceeds or abuses its powers or is incompetent to

\textsuperscript{70} The Manipur Panchayati Raj Act, 1994 S. 76 (1) & (2)
\textsuperscript{71} Ibid. S. 76(5)
\textsuperscript{72} Ibid. S. 76 (3)
\textsuperscript{73} Ibid. S. 76 (4)
\textsuperscript{74} Ibid. S. 76 (6)
\textsuperscript{75} Ibid. S. 81
\textsuperscript{76} Ibid. S. 82
perform its duties under the Act or under any other law in force for the time being. A Zilla Parishad may dissolve a Gram Panchayat on any of the said grounds.77

(iii) The Government of Manipur may, at any time for reasons to be recorded in writing, order an inquiry into the affairs of a Gram Panchayat or Zilla Parishad. The officer holding the inquiry shall have the power of the civil court under the code of civil procedure, 1908 to take evidence and to compel attendance of witnesses and production of documents for the purposes of the inquiry. The Government may make orders as to costs of the said inquiry, as to the parties by whom and the funds out of which they shall be paid and such order shall be executable like Commissioner, Development and Panchayati Raj, Government of Manipur or of any person named in the said order.78

(iv) The Government of Manipur through an officer or person authorized by it may periodically inspect any work or development scheme with a view to ensuring efficient and economic execution of such development scheme.79

(v) The Government of Manipur shall have the power to issue direction to any Gram Panchayat or Zilla Parishad in matters relating to state and National policies and such directions shall be binding the Gram Panchayat or Zilla Parishad.80

(vi) The Commissioner, Development and Panchayati Raj, Government of Manipur shall have the power to supervise the functioning of a Zilla Parishad or its Committee may dully discharge its duty. The Zilla Parishad may appeal to the Government of Manipur against the order within thirty days from the date of its passing. The Chief Executive Officer of the Zilla Parishad concerned shall have the same power in respect of Gram Panchayat situated within the local limits of his Zilla Parishad. The Gram Panchayat may appeal to the Commissioner, Development and Panchayati Raj, Government of Manipur against the order made by the chief [Executive officer within thirty days from the date of its passing.81

(vii) On complaint or otherwise, the Government of Manipur shall have the power to order performance of its duty by a Zilla Parishad if it has made default in such

* Ibid. S. 83

76 The Manipur Panchayati Raj Act, 1994 S. 84

77 Ibid. S. 85

78 Ibid. S. 86

79 Ibid. S. 87
performance. Similar power shall be exercised by the chief Executive officer of the Zilla Parishad concerned in respect of a Gram Panchayat situated within the local limits of his Zilla Parishad.82

(viii) Zilla Parishad shall have the power to suspend the executive of any order or resolution of a Gram Panchayat within its jurisdiction if the executive of such order or resolution is found unjust, unlawful, and improper or is likely to cause public injury or annoyance or breach of public peace. "83

3.5.16 District Planning Committee84

The Government of Manipur shall constitute for every district a District Planning Committee to consolidate the plans prepared by the Zilla Parishad, Gram Panchayat, Nagar Panchayat, Municipal Council and Municipal Corporation in the district and to prepare a draft development plan for the district as a whole.

Composition:
The District Planning Committee shall consist of (a) Members of the House of the people (Lok Sabha) whose respective Constituencies partly or wholly fall within the district; (b) Members of the Manipur Legislative Assembly whose respective Constituencies partly or wholly fall within the district; (c) Adhyaksha of Zilla Parishad; (d) Mayor or President of the Municipal Corporation or the Municipal Council respectively having jurisdiction over the headquarters of the District; (e) members elected in the prescribed manner from amongst the members of the Zilla Parishad, Nagar Panchayat and Councilors of the Municipal Corporation and the Municipal Councils in the district (upto fourth-fifth of the total number of the Committee’s members) and the election must maintain proportionate ratio between the population of the rural areas and that of the urban areas in the district; (f) Chairman of the District Co-operative Banks and the Land Development Banks as permanent invitees; (g) Chief Executive Officer of the Zilla Parishad as the Secretary of the Committee; and (h) Deputy Commissioner of the District as Chairman of the Committee.


82 Ibid. S. 88
83 Ibid. S. 89
84 Ibid. S. 96
The District Planning Committee shall consolidate the plans prepared by the Zilla Parishad, Gram Panchayat, "Nagar Panchayat, Municipal Council and Municipal Corporation in the district and prepare a draft development plan for the district as a whole. While preparing the draft, the Committee shall (a) have regard to (i) the matter of common interest between the Zilla Parishad, Gram Panchayats, Nagar Panchayats, Municipal Corporation and Municipal Councils in the district and (ii) the extent and type of available resources whether financial or otherwise, (b) consult: such institutions and organizations as the Government of Manipur may by order specify. The Chairman of the District Planning Committee shall forward the development plan, as recommended by the Committee, to the Government of Manipur.

3.5.17 Finance Commission for Panchayats

The Governor of Manipur shall constitute every five years a finance Commission to review the financial position of the Zilla Parishads and Gram Panchayats and to make recommendations to the Government of Manipur as to (a) the principles which should govern - (i) the distribution between the state and the Zilla Parishads and the Gram Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the Government of Manipur and allocation between the Zilla Parishad and the Gram Panchayat of their respective shares of such proceeds; (ii) the determination of the taxes, duties, tolls and fees which may be assigned to or appropriated by the Zilla Parishads and the Gram Panchayats; (iii) the grant-in-aid to the Zilla Parishads and the Gram Panchayats from the consolidated Fund of the state; (b) the measure needed to improve the financial position of the Zilla Parishads and the Gram Panchayats; and (c) any other matters referred to the Commission by the Governor of Manipur in the interest of second finance of the Zilla Parishads and the Gram Panchayats.

Procedure:

The Commission shall determine its procedure. In the performance of its duties, it shall have the power (a) to call for any record from any officer or authority: (b) to summon any person to give evidences or produce records; and (c) such other powers as may be prescribed. The Governor of Manipur shall cause every recommendation of the Commission together with an explanatory memorandum as to

85 The Manipur Panchayati Raj Act, 1994 S. 97
the action taken thereon, to be laid before the Manipur Legislative Assembly for discussion.

3.5.18 The State Election Commission

The Governor of Manipur shall constitute a state election Commission for superintendence, direction and control of the preparation of electoral rolls for the conduct of all elections to the panchayat bodies in the state of Manipur under the Act and the rules framed there under [The Manipur Panchayati Raj (election) Rules, 1995],

The Commission shall consist of a state Election Commissioner to be appointed by the Governor of Manipur. The Government of Manipur shall also provide sufficient staff to the state Election Commission in order to enable it to discharge its functions under the Act.

3.5.19 Election Tribunal

The Government of Manipur shall constitute an election Tribunal consisting of one member to be appointed by the Government in order to dispose of (i) all election petitions challenging elections to a panchayat; (ii) matters relating to disqualification of a member of the panchayat; and (iii) any other matter. The Headquarter of the Tribunal shall be at such place as may be notified. The decision of the Tribunal shall be final. However, the decision of the Tribunal shall be subject to the jurisdiction of the High Court under Article 226/227 of the constitution of India and of the Supreme Court under Article 136 of its constitution.

3.6 Panchayati Raj Bodies in Manipur

There are 4 Zilla Parishads, 9 CD (Community Development) Blocks and 166 Gram Panchayats distributed across the four valley Districts of Manipur. For administrative convenience each of the four districts are sub-divided into Community Development Blocks. Thus Imphal West District with one Zilla Parishad is divided into 2 CD Blocks viz. Imphal West-1 CD Block consisting of 29 GPs and Imphal West-11 CD Block consisting of 15 GPs; Imphal East District has three CD Blocks viz. Imphal East-1 CD Block with 25 GPs, Imphal East-II CD Block with another 25

86 The Manipur Panchayati Raj Act, 1994 S. 98
87 Ibid. S. 103 r/w RR. 70-75 of the Manipur Panchayati Raj (Election) Rules, 1995
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GPs and Jiribam CD Block with 6 GPs; Thoubal District has 2 CD Blocks viz. Thoubal CD Block with 27 GPs and Kakching CD Block with 15 GPs; and Bishnupur District has 2 CD Blocks viz. Bishnupur C.D. Block with 12 GPs and Moirang C.D. Block with another 12 GPs. District-wise distribution of Panchayati Raj bodies is given in the table hereunder.

Table 3.5 District-wise Distribution of Panchayati Raj Bodies in Manipur -

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>District</th>
<th>No. of Zilla Parishad</th>
<th>No. of Blocks</th>
<th>No. of Gram Panchayat</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Imphal West District</td>
<td>1</td>
<td>2</td>
<td>44</td>
</tr>
<tr>
<td>2</td>
<td>Imphal East District</td>
<td>1</td>
<td>3</td>
<td>56</td>
</tr>
<tr>
<td>3</td>
<td>Thoubal District</td>
<td>1</td>
<td>2</td>
<td>42</td>
</tr>
<tr>
<td>4</td>
<td>Bishnupur District</td>
<td>1</td>
<td>2</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>4</strong></td>
<td><strong>9</strong></td>
<td><strong>166</strong></td>
</tr>
</tbody>
</table>

3.6.1 Imphal West District (44 GPs)


3.6.2 **Imphal East District (56 GPs)**


3.6.2c **Jiribam C.D.Block (6 GPs):** (1) Hilghat, (2) Dibong, (3) Sonapur, (4) Latingkhal, (5) Boro Bekra, and (6) Jakuradhor.

3.6.3 **Thoubal District (42 GPs)**


3.6.4 Bishnupur District (24 GPs)
