CHAPTER VIII

CONCLUSION & SUGGESTIONS
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India is a democracy and the largest democracy of the world. If the strategic goals of a democratic polity are to bring people closer to the centres of power, then Decentralisation is the mechanism, which can ensure a participatory, responsive and efficient government of the people. Democracy and decentralisation are complementary to each other and are mutually reinforcing. There is no second opinion to the fact that given the magnitude of diverse culture and tradition found in Indian society, decentralisation of the governance system has become a functional necessity rather than a matter of choice. Decentralisation can be seen as a process leading to dismantling of concentration of power and transfer of statutory authority to lower level governments to deal with their own affair. Thus in a sense, it embraces both the process of devolution and deconcentration. The decentralised government, like any state or national government, is produced by a combination of social historical, geographical and cultural tradition of a country. Decentralisation process across the world has been the positive outcome of either a liberal democratic and decentralised model like that of America and Britain or a centralising-departmentalised well controlled model like that of France or a combination of both having elements of centralised control as well as limited spheres of statutory autonomy that are characteristics of the third world developing countries. The British system of decentralised government found in numerous ‘counties’, ‘boroughs’ and ‘Parishes’ under Local Govt. Act, 1972 for example, is rooted in years of local tradition in decentralised governance. Local governments in United States have their genesis in ancient heritage. It can trace some of its antecedents to the city-states of ancient Greece, the direct democracy of the wandering tribes of pre-historic Germany and the federal system of Anglo-Saxon England. The Chinese model of decentralisation, on the other hand, is explained by a different set of social, historical and ideological conditions.

Our punctuated progress towards decentralised governance in India is conditioned by a plurality of forces including its own existing tradition of village panchayats and the imperatives of colonial experiences. During the time of Rig Veda (1200BC) evidence
suggest that self-governing village bodies called “Sabha” existed. Eventually these became panchayats or council of five persons. These council of five members (Panch) were closely equaled with Parameswar (God) and that God himself spoke through the pancha, a belief which has sustained the institution through the ages and continued, to some extent, despite all the politicking in India today. Series of dynastic rules and more than 200 years of colonisation ate into the function and power of these near autonomous local units and practically rendered them defunct. It was Gandhiji, for the first time, who through his vision of a village Swarajya, wanted to revive these independent yet interdependent village republics as the basis of Indian national polity. Our political landscape could have been very different had the opinion of the farmers of our Constitution, especially the chairman of the Constitution drafting committee Dr. B.R. Ambedkar, not weighed against making the villages as basic units of governance. Moving a motion in the constituent Assembly for consideration of the draft Constitution of India on 4th November 1948, Dr. Ambedkar observed ‘...What is the 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 its unit...’ Hot debate followed on including village panchayat in the draft Constitution and nothing was achieved except an amendment to article 31-A moved by K.Santhanam on 22 November 1948, which became Art.40 of our Constitution. Thus the sympathy of Constitution makers towards Gandhi and his vision of ‘Gram Swarajya’ managed to include the subject of village panchayats as a policy directive to the states in Art 40 which says ‘The state shall take steps to organise village panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government’. It is also important to note that the adoption of a strong centre vis-à-vis states, itself necessitated by the then prevailing brittle social fabric weakened by partition and other divisive forces, weighed heavily against more Decentralisation. Thus our model of Decentralisation embraces both the virtues of limited autonomy as part of our tradition in decentralisation and our colonial heritage of regulation and control from above. Even this little help from the Constitution makers towards decentralisation in the form of a directive to states resulted in the formation of panchayats in many states. It is a different
matter that these institutions suffered from multiple problems of state apathy, politicking and the like.

After independence, decentralisation got a push from Balwantray G. Mehta Committee (Nov 1957) report which recommended for democratic decentralisation and setting up of three tier Panchayati Raj System. Some other committee reports which had consequences for promotion of decentralised governance are the Ashok Meheta Committee (Aug 1978), G.V.K. Rao Committee (1985), LM Singvi Committee (1986) and Sarkaria Commission (1983) which recommended for uniform Panchayati Raj Institutions all over the country. Early attempt to Constitutionalise panchayati raj institutions was made by late Rajiv Gandhi who brought a bill (64th Constitution amendment bill) in the parliament in 1989 but could not succeed as it could not be passed in the upper house. After the National Front Government came to power in 1989, it introduced the 74th Constitution amendment bill providing for Gram Sabha in each panchayat and 1/3rd reservation for women. But it could not become an act due to dissolution of 9th Lok Sabha. A third attempt was made by Narsimha Rao government, which introduced the 72nd Constitution amendment bill in September 1991 and was referred to a joint select committee. The Lok Sabha passed the bill on 22nd Dec 1991 and Rajya Sabha passed it the following day. After ratification by more than half of the state assemblies and presidential assent, the act came into force by a government notification on 24th April 1993 as the Constitution (73rd amendment) Act-1992. The single most important gift of the Constitution amendment is the establishment of uniform three tier panchayati raj institutions throughout the country with Zilla Parishad at the district level, panchayat samiti at the block level and Gram Panchayat at the Panchayat level.

This study, as has been made explicitly clear at the beginning, attempts an in-depth understanding of the local self-governance through Panchayati Raj institutions in its totality. Panchayats came into existence close to ten years since now through Constitution amendment. Though it has gone through years of halted growth, its emergence in the present form has no precedents in more than one sense. This is because local governments have never been so forceful and uniform throughout the country. The
word forceful indicate some elements of hesitation on the part of federal states to facilitate establishment of local government previously and uniformity of the present Panchayati Raj apparatus implies the previously existing varieties through out the length and breadth of the country characterized by an absence of national outlook. However, to say the least, the success of Panchayati Raj institutions is still not free from debate. The local self-government, established after 73rd Constitution amendment combines, at least, two elements, i.e. decentralization and strengthening of democracy. Decentralization involves de-concentration of power and distribution of authority at appropriate level to decide, execute and plan national reconstruction. Appropriate level of power is transferred to local authorities to speed up socio-economic development. Thus de-concentration of power seeks to promote at least two things; (a) More people are brought into the ambit of power and (b) speedy decision making at the local level. It is the ultimate objective of Panchayati Raj institutions to strengthen direct democracy. Panchayats at the local level provides people a forum to directly participate in their own governance. Thus association of more and more number of people in decision-making enhances the quality of democracy. Democracy in conjunction with decentralization ideally gives a design of living where (a) hundreds of decisions are taken in no time as decision making power in distributed (b) decisions are taken by all as it is taken through democratic process; (c) Everyone knows how and what decisions are implemented as they directly participate; (d) Every one is responsible for the success or failure of the system. It is against the above parameters that the consequences of local governance has to be evaluated. The findings of the present work is presented subsequently in the same sequence as the main body of the work, namely-

(a) Participation
(b) Decentralization
(c) Financial health of PRIs
(d) Structural functional constraints

1.1 participation in local self governance
Participation of people is, undoubtedly, the heart and soul of local self-government. In fact local self-government without popular participation is left with little or no content.
Precisely this is why this participatory content has received maximum attention in the Constitution amendment provisions. Participation however has to be seen as dependent on several other factors and not independent. The present works not only takes into account the participation of people in the Panchayati Raj Institution but also the nature and content of participation by the panchayat functionaries themselves. The question here is what makes people participate in panchayat election. The findings of the study points out that majority of panchayat functionaries aims to serve people by getting into Panchayati Raj bodies. There are also some functionaries who are attracted by the social respect and power that goes with becoming a panchayat member. However the desire to serve people cannot win them election. Majority of the male panchayat functionaries (70.2 percent) attributed their success in election due to the influence of organised political parties. Thus participation of panchayat functionaries in panchayat election evidently suggest its political character. Apart from participation in election, extent of active participation of functionaries in Panchayati Raj affairs is indirectly reflected from their knowledge on new provisions of 73rd amendment. Though Panchayati Raj act in Orissa had already included many of the new provisions even before 73rd amendment was passed, a significant proportion of male functionaries could only say only about reservation for women and weaker sections, from among the new provisions of the Constitution amendment. However majority of functionaries were of the view that they are aware that some changes have been introduced through Constitution amendment. Majority of the male functionaries also found to be unknown about all the 29 items included in eleventh scheduled. So in a nutshell panchayat functionaries get into these public institutions to serve people and sought the help of political parties to succeed. However their participation in these institutions is marked by a lack of adequate understanding of the Constitution amendment provisions.

One way to know about participation of people in general is to know about their knowledge and attendance in Gram Sabha. As of now, according to latest provisions there has to be six Gram Sabhas in a year. But most of the people are very unsure of the number of GS held in the proceeding year. Even a majority of people (64.5) could not hazard a guess. This is in a way reflective of the poor stake that people have in Panchayati Raj institutions. This general apathy among people is more pronounced
among women and illiterates. While 77 percent of illiterate people could not say anything this is more than 80 percent among women. Women, being confined to the four walls of their house, still continue to think these panchayat meetings to be the business of males. Information about the Gram sabha is also not easily accessible to the women.

There are elaborate provisions made to disseminate information about panchayat sittings. However it is found, to the contrary, that majority of people in general (62.8 percent) inform about unavailability of information about panchayat sitting in advance. Availability of advance information about panchayat sitting to women is particularly difficult. As women remain in private and do not go out frequently they remain in the dark about palli sabha/gram sabha. It was found in the study that 80.3 percent of women and 75 percent illiterate people never know anything before the gram/sabha is held. This is also partly explained by people's apathy and their preoccupation with agricultural work. However this also points to a grave failure in the conventional means of disseminating information and the need take up Panchayati Raj Institutions seriously in a campaign mode. It was also found from the study that those who get advance information, 77 percent of them normally get it from the concerned ward member. Use of mass media, public notices, drum beating fails to reach common people. Among the people from weaker sections like scheduled caste and scheduled tribe nearly 70 percent people do not get information in advance. The high percentage of ignorance about Gram Sabha among women and weaker sections particularly suggest a skewed pattern of information dissemination, which needs to be rectified through positive action.

Attendance of people in sufficient number in the gram sabha sitting in strictly required by the gram panchayat rules. There are also quorum provision (1/10 member) which is the minimum attendance without which panchayat can not take any decision. As a consequence of non-attendance, there has been a growing consensus among the panchayat functionaries about quorum as an obstacle to panchayat progress. From information collected from panchayat offices, it was found that in almost half of the Gram panchayats studied, there has been postponement of gram sabha sitting due to lack of quorum. From the pattern of attendance per gram sabha in a year, It is found to be better in interior areas than coastal area. From among the twenty six gram panchayats, the highest average attendance per gram sabha is found in Chandrapara GP in the interior
district of Koraput and the lowest in Talakia GP in the coastal district of Balasore. The women attendance over gram sabha sitting is very marginal, even less than 1 percent at times. While the attendance of scheduled caste and scheduled tribe population is substantial in interior districts, it is nominal in coastal districts. However 90.5 percent women from weaker sections do not attend gram sabha. From among the local key informants who could have been the good-will ambassador of this Panchayati Raj movement, only 35.9 percent found to attend gram sabha, the rest of the local key informants, citing reason of unawareness, don’t attend Gram Sabha.

Non attendance in Gram Sabha can be due to a combination of factors. Opinion of key informants were fairly distributed among the reasons like lack of political consciousness, preoccupation with household work, absence of proportionate reward and negative perception of PRIs. While more than one fifth of the key informants blame people’s preoccupation with daily work to be responsible for their non-participation, close to half of the key informants feel that wide prevalence of corruption in the panchayat bodies keeps people away from participation in Panchayati Raj institutions. As we see majority of the key informants blame the absence of necessary checks in the corrupt Panchayati Raj system for non participation of people nearly 60 percent of them opposed imposition of any penalty for non-participation. However the reasons for non-participation according to women from weaker sections puts emphasis on lack of awareness. Nearly 79 percent of people from weaker sections do not attend gram sabha and the figure is as high as 90.5 percent among women from weaker sections. Majority (61 percent) of women from weaker sections however feels that lack awareness about gram sabha is the reason that explains best their non-participation in Panchayati Raj institutions.

How participatory are the decisions taken in the panchayats? Decisions taken in the panchayats are found to be lacking in popular participation in this study. Majority of the functionaries (60 percent sarpanch, 80 percent Naib-sarpanch, and 57.4 percent ward members) informed that panchayat decisions are taken after taking due ratification of the Gram Sabha. However it was found from the study that there exists a strong preference on the part of panchayat functionaries to take decisions by themselves as consensus in Gram Sabha is always elusive. Rules of beneficiaries selection are bent to suit the
personal interest of the panchayat functionaries. Beneficiary lists are changed subsequently by panchayat functionaries in collusion with Govt. officials.

To what extent people belong to the Panchayat Raj institutions? It was found from the study that very few people received positive response to their different grievances. More than half of the general people (57 percent) could not even specify the attitude of the panchayat functionaries to their complains. This inability is more pronounced in case of illiterate females (86.2 percent). Women participation in PRIs is found to be suffering from multiple problems. 73.9 percent females feel that males dominate them. More than 80 percent SC and ST women inform that they are not represented in different panchayat committees.

1.2 Decentralisation of Planning through Panchayati Raj Institutions.

The introduction of Constitution 73rd amendment provided hope for a break from years of centralised development planning. Ever since India adopted a planned approach to social and economic development, Panchayati Raj institutions, for the first time, provided a meaningful institutional mechanism for direct participation of people in the planning process. Development planning through panchayati raj institutions is no more the job of a centralised body from the top, but of multiple people's bodies from bottom upwards. A crosschecking of this Decentralised planning process, starting from the gram panchayats in Orissa, reveals many interesting patterns. Majority of the panchayat functionaries themselves (66.8 percent) are of the view that panchayat action plan is being prepared in the Gram sabha, the grand assembly of the people where conflicting interests converge for development of the panchayat. However majority (95.4 percent) of people in general are found to be out of the panchayat planning process. It was also found that with increase in educational level there is some increase in participation in the panchayat planning process. On being asked the reason for non-participation, many people say that it is because of their dissatisfaction over the implementation of the plans that they are loosing interest to participate. Similarly, it is found that there is inadequate involvement
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of NGOs, educated youth and local key informants. Even one fifth of all the key informants are ignorant of the planning process. Many people in general feel that doing panchayat work is the responsibility of elected representatives. This is a pointer to lack of political education among people. Another feature of a Decentralised structure is the grant of adequate autonomy to each of the Panchayat Raj tiers. So far the as the independence of each of the three tiers of Panchayat Raj system is concerned, we find that there is high dependence of Gram-Panchayat on the block administration for its day-to-day functioning. From among the matters on which panchayats are dependent on the block, majority (45 percent) of the functionaries pointed out that it is the approval of various developmental work for which they depend on the on the block office. High dependence on the block office creates many problems for the panchayat functionaries. While inaccessibility to information is a major problem for most of the sarpanches (33.4 percent), majority of all functionaries (27 percent) say that non-cooperation from the government officials regarding different panchayat matters is the worst of all problems. More than three fifth of the panchayat functionaries are found to be not satisfied with the implementation of developmental programmes through the block administration. This points to lack of synergy and proper co-ordination between the three tiers of Panchayat Raj systems.

Decentralised Planning is one of the key objectives of strengthening the Panchayati Raj institutions through 73rd Constitutional amendment. Twenty-nine subjects are specifically listed in eleventh schedule of the Constitution for panchayat planning. All the subjects, in Orissa, have been devolved to panchayat bodies through executive orders along with fund and functionaries in some of the subjects. However it was found that panchayats neither have necessary training nor skilled manpower to develop healthy plans of socio-economic development. Majority of the local key informants (48 percent) feels that panchayats don't have the capacity to perform their role of development planners.

Apart from inadequate Decentralisation between the three-tiers of Panchayati Raj system, the functioning of the Gram Sabha, which is central to the people's governance system, is found to be centralised and marked by unilateralism. One of the most visible activities in the Gram Sabha is the selection of beneficiaries for different development schemes. The
study found that majority of people, ignorance about the selection process apart, says that
the Sarapanch ultimately decides the names of beneficiaries. Evidently there are
complaints of widespread favouritism and politicisation. The beneficiary lists finalised in
the Gram Sabha is often changed unilaterally by the functionaries. Nearly one fifth of
people say that the beneficiary lists are changed afterwards and 70% people could not say
with conviction that there is no change. Similarly more than half of people (54.7%) opine
that selection process for different schemes through panchayats is very discriminatory.
This beneficiary selection process seems to be more unfavourable to people from weaker
sections. Majority of the people from weaker section (53.8%) feels that it is the
influential and powerful people who are benefited from the Panchayati Raj system. A
large Number (64.6%) of key informants also felt that Panchayati Raj bodies are meant
for a group of influential people. Only 0.2% people from weaker sections opined that rich
people are benefited from the local governance system. This indirectly implies that poor
people benefit from the panchayati raj system. However extent of political influence,
among the poor is a deciding factor in availing benefits. It is therefore not surprising that
half of people belonging to weaker sections feel that Panchayati Raj system does not
serve any of their needs. However it was observed that needs here are restricted only to
individual needs, because people tend to exclude community benefits and see them as not
their own benefits.

Apart from beneficiary selection, other decision-making powers seem to be not
fairly shared among people. A large proportion of common people (60.5%) think that
Panchayati decisions depend on the political and social composition of the panchayat
members. Similarly in case of execution of different development works though majority
of people opine that contractors are decided by the village committee, one fourth people
feel that people from outside the panchayat who are in good touch with high places
manage to go away with contracts. Another factor, which largely contributes to a skewed
people’s participation in the Panchayati Raj institutions, is its politicization. A large
number (73.1%) of local key informants, who are thought to be in a position to reflect on
the functioning of the Panchayati Raj system, feel that it is politicization of development
issues that keeps people away from Panchayati Raj institutions. Thus there seems to be
democratic deficit in the decentralised governance through Panchayati Raj system.

1.3 Financial health of PRIs:
Financial autonomy is an integral part of any meaningful local self-governance system. In
fact, if the Panchayati Raj structure constitute the arteries, than funds for the panchayats
constitute the necessary life- giving blood. Sources of panchayat finances can be divided
into three categories, namely, own source, assigned sources and grants in aid. Own
sources include license, fees, leasing of ponds, reclamation waste-land, service charges
for water, drainage etc. which has a local resource base and best left to panchayats for its
mobilization. Assigned sources include cess on land revenue, kendu leaf grant etc. which
are levied and collected by the government and assigned to the panchayats. Thirdly there
are grants-in-aid given by the government from the consolidated fund of the state. So far
as internal mobilization of resources by the panchayats from own sources is concerned
66.9% panchayat functionaries are found to be dissatisfied with existing level of fund
mobilization. Many of the panchayat sources of income remain untapped due to the
continuation of old unrevised rates, which is decided by Government. The small rate does
not allow the panchayats for an economically viable mobilisation drive For majority of
the functionaries (78%) the main problem in resource mobilization lies in the
unremunerative nature of own revenue sources and their little elasticity over a period of
time. Many of the functionaries also see some hope in earnings from trade expansion and
auctioning of weekly market for augmenting panchayat finance. Internal mobilization of
panchayats also widely varies across the state depending on the varying resource base.
This points to the uneven financial health of panchayats in the state.

Regarding the external sources of panchayat finance, all panchayat pradhans are
unanimous that external funding of panchayats is inadequate, irregular and untimely.
With increase in political conciseness , the demand for development has increased
proportionately. The expectation from Panchayati Raj institutions is skyrocketing day by
day. Majority of panchayat functionaries view that in the backdrop of increasing demand
from people from Panchayati Raj bodies, the funds made available by government is
utterly inadequate and come in pea-nuts. Secondly the availability of fund to panchayats is highly unpredictable. This kills the initiative for prior planning and preparedness. By the time fund reaches after passing through the labyrinthine of bureaucracy it is already late for its execution. Majority of the functionaries also agreed that there is a dying need of additional staff for execution of different panchayat works.

Local self-government, like any other government, has many important economic decisions to make. The present work also looked into the transparency of these economic decisions taken by the panchayat regarding its income and expenditure. An overwhelming 98.3% people in general are found to be unaware of the income and expenditure of the gram panchayat. Despite elaborate provision in the Orissa Panchayati Raj act in this regard people's participation in economic decisions are not found to be satisfactory. This is found to be restricting the panchayat finance from being broad based. The proportion of ignorance is particularly higher among woman (91.1%). Moreover 61.1% people could not say anything about new sources of panchayat income. More than half of local key informants (52.9 percent) are of the opinion that funds available with the panchayats is not sufficient for their growing needs. Majority of local key informants blame the inability and unwillingness of the state government to do the needful of transferring due panchayat share. More than half of the local key informants (54.2 percent) are found to favour the view that panchayats should try to tap new areas of revenue generation like entertainment taxes, opera house (Theatre), and technology driven ventures like information technology etc. This according to the key informants, will lessen the culture of dependency prevalent in the panchayats and make them self-sufficient.

In a nut shell financial health of panchayats needs a lot of corrective measures. While external sources of panchayat income depend on factors which are beyond the control of Panchayati Raj bodies and more funds from external sources needs pro-active advocacy for devolution of more funds, there are about seventeen internal sources of income which are well within the control of the panchayats. Tanks and minor forest produce, for example, are given on lease to private parties by the panchayat. If panchayats can manage them directly they can yield rich dividend for the respective panchayats.
1.4 Structural-Functional Constraints In Panchayati Raj Institutions:

Historically, local politics has given birth to prominent leaders who played prominent role in the national freedom struggle. Party based politics had been an integral part of any local government system existing in Orissa. However, keeping the holistic nature of socio-economic problem in rural areas in view, membership of Panchayats at the lowest level was made non-party based through 73rd Constitution amendment. This was intended to keep rural development above party politics and approach rural development as a common and collective exercise. However this was found out to be the first casualty in the Panchayat election process. Majority (68 percent) of panchayat functionaries are affiliated to political parties, albeit unofficially. It is an open secret during panchayat election in a village regarding who stands for which party. This party affiliation is found to be more pronounced in case of SC/ST candidates who face little competition due to dearth of candidates and who has better chance of winning election. Another constraint regarding the composition of panchayat functionaries emanates from their lack of previous experience. Majorsities of the functionaries are new to the Panchayati Raj system and many of them are found to be not having any family background in politics. A deficit is also observed in the training of newly elected functionaries. Out of the total functionaries interacted 91 percent ward members and 38.9 percent Sarpanches have received no training in decentralized governance.

The Euphoria over the importance given to these Constitutional bodies (Panchayati Raj institutions) seems to be contrary to the existing laws in operation. Laws which continues to upheld bureaucratic control in content has failed to keep pace with change in the status of Panchayati Raj Institutions. Panchayats are entitled to mobilize resources from internal sources, but the respective department decides the rate of mobilization. Infrastructural development in the responsibility of the panchayat, but skilled engineers rests with the state government. Education remains with panchayat, but the educational staff with the department. In many such other instances the rules and regulations remain anti-panchayat in sprit and content. It was found that 55.5 percent
Sarpanches sees the exiting laws as hindrances to effective strengthening of panchayats. Another direct replication of business transaction in the parliament and state assemblies is the provision of standing committees in panchayats. Five standing committees on five subjects are already fixed in the act, which have little decisions to take, as there is no activity on those subjects. Consequently majority (58.4 percent) of functionaries, consisting of mostly ward members who are supposed to be members of these committees, are not aware of any standing committee in their panchayat. However standing committees on subject, which are relevant to the locality like peace committee in Singarpalli GP (Nuagaon block, Puri District), is found to be vibrant.

Another of the functional problem of the panchayat stems from the statutory requirement of participation of people in Gram Sabha. Majorities of all functionaries (69.7 percent) opin that panchayat works are frequently held up due to absence of quorum and unsatisfactory people's participation. Information regarding Gram sabha, for whatever reasons, fail to reach every one evenly. Caste identity also promotes skewed participation among people. Lack of Political consciousness on the part of people also contributes to their apathy who thinks that panchayat matters are to the headache of elected representatives. It is also found that majority of the functionaries (68 percent) are not in favour of any punishment for non-participation in Gram Sabha.

The implementation of different development programmes are found to suffer from many inherent constrains, which are sometimes beyond the control of the panchayat. In fact the role of panchayat is very restricted on the implementation issue. To start with, in case of individual beneficiary schemes, the panchayats are only responsible for identification of beneficiaries according to predetermined criterias. Even at times, beneficiaries recommended by the panchayat are replaced by others who do not figure on the list previously on different pretences. Beyond beneficiary identification panchayats have no role to play in monitoring, evaluation and follow up action on the beneficiary. Similarly in implementing anti-poverty programmes, the role of panchayats is limited to preparation of action plan. Execution of action plan is severely limited in Orissa by the ceiling of work upto Rs. 15,000/- . Works involving expenses beyond Rs. 15000/- need to
be duly approved and monitored by block officials. As most of the panchayat work costs beyond Rs. 15000/- the implementation of development work is remotely controlled by the block and panchayats continue to work as local development agent without any effective control over implementation. This also results in fragmentation of work contributing to the failure in attaining any development objective.

One of the most progressive features of the Constitution 73rd amendment is the one-third reservation for women. In fact women reservation in panchayat bodies is an imposition rather than a consequence of any mass movement. This is borne by the findings of this study where it was found that 86.1 percent of women panchayat functionaries say that had there been no reservation they would not have contested election. In case of majority of the women Sarpanches (66.7) decision of candidature is taken by family members whereas in case of majority (55.2 percent) of women ward members it is the collective decision of the village. Many of the female functionaries also agree that there was dearth of women candidates for the panchayat election. In the light of disadvantageous position that a woman enjoys in Indian Society, Women Panchayati Functionaries had to face multiple hindrances in their functioning. As with the male functionaries, 87 percent female functionaries are new members of PRIs. Again a small portion (25 percent) of them hail from families having political background. In fact provision of women reservation has started showing up positive result in terms of bringing in new women to the PRIs with little political experience. However women functionaries have to contend with the all-pervasive male domination within these institutions. Majority (68 percent) of female functionaries says they feel dominated by males in their functioning. However 75 percent of women panchayat functionaries are found to be not inhibited to interact freely with others. However majority of women who are not able to interact freely, depend on husband and family members in performing their role. Majority of the female functionaries are semi-literate and under metric. Most of the illiterate women functionaries are found to be dependent on husband/family members. All female functionaries face difficulty in taking panchayat decisions. Though majorities of female Sarpanches are found to take decisions in consultation with fellow
PRI member, half of all female functionaries depend on family members in taking decisions.

Though there are visible signs of emerging women leaders in Panchayati Raj Institutions, one third of female Sarpanches are still found to be uncomfortable in interacting with government officials. Not only government officials but also fellow PRI functionaries also sometime find it uneasy to cooperate with female panchayat functionaries. Being a women panchayat functionaries, makes it particularly difficult for them to move about freely in our conservative society. While all women Sarpanches are found to be going to blocks 55.2 percent ward members said they never go to block office. As revealed from the study majority (51.9 percent) women functionaries also face a lot of problem in effectively implementing panchayat plans. One of the major problems of women functionaries in this regard is the attempt by others to bypass their suggestion and opinion on different panchayat matters.

Another visible problem associated with the functioning Panchayati Raj System is the marginalisation of the people from weaker section. Majority (83 percent) of them complain of problems in getting information about different panchayat work. The success of local self-government system is also severely affected by the absence of enlightened leadership. Majority of people in general (85.5 percent) says that none listens to their problem after the elections to these local bodies are over. 87 percent people in general are not satisfied with the functioning of local self-government.

Thus to conclude our experience with local self-government through Panchayati Raj Institutions has been a mixed bag. While there has been some gain in limited aspects, there seems to exist a democratic deficit in may other aspects. Has it taken us closer to higher realization of self-rule? Opinion of peoples is found to be divided in perceiving Panchayati Raj Institutions as instruments of self-rule. While majorities of people in general (39.3 percent) do not see PRIs as self-rule many of them fail to opine specifically.
1.5 Suggestions:

i. The success of Panchayati Raj system depends mainly on the nurturing of a politically conscious and vibrant group of people who are actively aware of the window of opportunity provided by the provisions of 73rd Amendment. People must be, in the first place, educated about their responsibility and the rights they are being offered through Panchayati Raj Institutions. Then only can Panchayati Raj Institutions work as third stratagem of local self-governance. This points to the need of imparting training to Panchayat members as well as general people. Mass awareness among people has to be built up in a campaign mode to sensitise people about the promises that PRIs has in store for us and the ways of realising it. People has to realise the relevance of their contribution towards the success of Panchayati Raj System.

ii. Panchayats are more vulnerable to misappropriation. Safeguards must be adopted in Panchayati Raj legislation to prevent corruption in Panchayat affairs. Rules have to be made more stringent in order not to allow by passing of Quorum, changing of beneficiary list, supervision and monitoring of Panchayat works etc.

iii. A review of roles and responsibilities of the Gram Sabha in the Panchayat rules (Amendment) 1999 reveals that the nature of Gram Sabha is advisory in nature. The Gram Sabha resolutions are changed with ease at different levels. The authority to sanction Gram Sabha proposals lies outside the Gram Panchayat. Instead of an advisory body, the Gram Sabha should be made an approving/sanctioning authority for taking up any developmental programmes at the village level.

iv. It is also found that most of the Panchayat activities are concentrated on beneficiary schemes and implementation issues, leaving little time for serious long term planning for socio-economic development. Whatever annual plans are developed they are based on availability of expected funds and thus lack continuity. Therefore, they fail to consolidate on the cumulative development of past years. So it will be
prudent to develop the skill and capacity of Gram Sabha in developing long-term five-year plans for social and economic development.

v. A Gram Sabha for several villages is not a practical proposition. Distance becomes a barrier for an aged person or women to participate in Gram Sabha meetings. There is thus a need to redefine Gram Sabha. In order to take grassroots democracy to the doorstep of people a smaller group of villages should have a Gram Sabha, which is physically accessible and communicable.

vi. Given the diverse conditions of living across the landscape of Orissa it is impractical to preset some procedures for conducting Gram Sabha business. Gram Sabha should be allowed to function the way our Parliament functions and should evolve its own procedures for conducting its own business.

vii. Participation of women and weaker sections is found to be taken lightly by our male dominated society in general and Panchayat functionaries in particular. In order to ensure participation of disadvantage groups and women the quorum for holding a Gram Sabha necessarily should include 33% participation/presence of women. They 25 key figures identified from each ward need to be informed about the sitting of Gram Sabha without which there cannot be any sitting. However many of them even if informed does not come. So the attendance of these 25 key figures (or at least half of them) be made a pre-condition for the sitting of Gram Sabha. Rules should also be amended to include half of these key figures in the ward from among women. Provision should also be made for proportional representation from every ward of the Gram Panchayat.

viii. Government servants responsible for development of the block make the most of the opportunity provided by ignorance of people. So they have a vested interest in maintaining the status quo. Service conduct rules of government servants need to be suitably changed to hold them responsible for keeping people in the dark about
Panchayati Raj system. Provisions of leave to allow them attend their Gram Sabha sitting in their respective Panchayat should also be introduced.

ix. Educated unemployed young people in the Panchayat must be designated as voluntary Panchayat Ambassador to spread information on Panchayati Raj system among people.

x. We have observed that Palli Sabhas are held ward-wise but in reality it is found that in many cases, wards consisted of more than one hamlet/Sahi. So when Palli Sabha is held in a particular hamlet (generally according to the convenience of ward members), the people of other hamlets do not come there and therefore are eliminated or deprived of the decision making process. So when discussions take place regarding the community development projects allotted to a particular hamlet, in practice the people of other hamlets decide it. This implies non-involvement of actual beneficiaries. It is therefore, suggested that Palli Sabhas should be held in each hamlet & not on ward basis. Selection of VWRs for development work should be confined to the concerned hamlet/sahi in which the work will be executed/implemented.

xi. Many people are not able to attend the meeting due to inconvenient timing of Palli/Gram Sabha. It has been seen that a particular time is maintained in all the seasons. Time for gram sabha/palli sabha should be fixed keeping in view the seasonal engagement of the local people in the locality concerned.

xii. At least one or two meetings of Palli/Gram Sabha in a year should be organised in the presence of BDO/Collector. This will encourage people's participation in the meetings where they can present their views directly to the higher officials. This will also ensure more transparency in the functioning of PRI's.

xiii. From our study it was found that selection of Village Works Representative (VWR) becomes a major problem for the G.P. level functionaries. At the time of such VWR
selection occasions of conflicts are very common. The selected VWR is usually not technically sound to take up the developmental projects. According to block officials, many VWRs are not able to complete the work due to lack of finance (initial investment) and thus the process becomes very slow for which it is difficult for the block to utilise the allocated fund within stipulated time. Therefore, tender work is preferable than executing the work through VWR to make the process speedier.

xiv. The information on Gram Sabha/Palli Sabha is communicated/announced through notice in the important public places and beating of drum. The same process is also followed regarding other activities of Panchayat. Hence people are unable to differentiate as to which is for Gram Sabha & which is for Palli Sabha. Therefore, communication for Gram Sabha should be issued in a separate mode and that mode should not be followed for other communications.

xv. Apart from the discussion on developmental works and individual oriented schemes in the Gram Sabha/Palli Sahi, the PRI functionaries and government representatives should discuss on the importance of Gram Sabha and necessity of people’s participation in the planning process of Panchayats.

xvi. It is found that many Panchayati Raj functionaries are not aware of there powers and functions in the Panchayats for which they are not able to convince people regarding any development schemes. They are not equiped with latest circulars / instructions of government with regard to any change or modification in the laws. So initiative should be taken by the government and non-government organisations for developing training facilities and capacity building of PRI members. Though there is provision by the government and many non-government organisations organise training for PRI members, it should be made compulsory for all PRI members and periodic orientation/ training should be imparted to the PR functionaries.

xvii. Besides capacity building among PRI functionaries there should be provision for training of the members of youth clubs, local women organisations as these are the
focal groups of the village who play an important role in the socio-economic development of rural areas. Training on Panchayat Acts will enable them to guide the PRI functionaries in the functioning of Panchayats.

xviii. During the study, different groups were asked to express their views on whether there is any need for prescribing minimum educational qualification for PRI representatives. According to them prescriptions of minimum educational qualification is necessary for the political representatives. Many functionaries are of the view that they are not able to follow the constantly changing government circulars and interact with the senior level government officials for which the smooth functioning of Panchayati Raj institutions suffers.

xix. Article 243 of the 73rd Constitutional Amendment indicates the powers, authority and responsibilities of Panchayats and reads as follows: “subject to the provisions of the Constitution, the legislatures of a state may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified there in, with respect to –

- The preparation of plans for economic development and social justice,
- The implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule”.

The main objective of this article is that the state legislature should ensure that Panchayats function as institutions of self-government. The Orissa Gram Panchayat Act, the Orissa Panchayat Samiti Act and the Orissa Zilla Parishad Act have not endowed the power to prepare plans for economic development and social justice although section 374A of the Orissa Municipal Act 1950 has vested such powers and authority. Further, Section 62A and 62B of Orissa Municipal Act have legal provision to form a District Planning Committee, which is yet to become operational in Orissa.
Conclusion & Suggestions

xx. Looking at the functional Domain of Panchayats, Article 243G speaks of devolution of powers and responsibilities to Panchayats. The Orissa Gram Panchayat Act 1964 gives the list of obligatory and discretionary functions, which may be entrusted to Gram Panchayats. The list of obligatory functions also includes the nine items shown in the Eleventh schedule. But after probing this in the field, it is seen that no Gram Panchayat is able to take up the listed functions due to various reasons. It is clear that the obligatory functions are yet to be defined clearly in accordance with the 73rd amendment.

xxi. There is no uniform system of election process in the three tiers. In the lower tier, the Sarpanch is directly elected by the people whereas the Samiti Chairman and Zilla Parisad President are indirectly elected by the people. Many PRI functionaries opined in favour of uniformity in the election process in all the three tiers.

xxii. Samiti members have no right to interfere in the Panchayat matters whereas Sarpanches have the statutory right to attend the Samiti meeting. Similarly, Chairmen of the Samities are the members of Zilla Parisad but Zilla Parisad members are not entitled to sit in the Samiti meeting. If the principle is to prevent the interference of higher political representatives then it is desireable to exclude MLA’s and MPs from being member of these tiers (PS and ZP).

xxiii. The post of Panchayat Secretary in the Gram Panchayats is very much important, as he is the only representative on behalf of govt. who works out all projects. He should therefore, be technically/professionally qualified or should be a government staff with a cadre.

It is clear from the study that there is an urgent need for expanding the resource base of Panchayats in order to improve their fiscal condition. In view of this, the following measures are suggested for better financial state of Panchayats.
xxiv. Whatever resources now being provided by government for development of the local area through its agencies like DRDAs and other departments at the district level and below, should be pooled together into an unified and untied fund and made available to the Zilla Parisads and Panchayats with full authority to utilise these funds in their respective areas.

xxv. Exploitation of new sources of income is necessarily required to augment the financial status of PRIs. Therefore, importance should be given for generating more income from these sources. For this to happen, local people's participation and their views should be reflected in the planning process of PRIs. It is important to consider the views of women because their ideas on obtaining financial resources and their utilization can help a lot. Further, PRIs need support from other development institutions, which have necessary expertise in this matter.

xxvi. The accounting and auditing system of the PRIs should be more transparent & systematic.

xxvii. The right of PRIs to raise financial resources through tax and non-tax measures as per the existing Panchayati Raj Act should be enforced. Panchayats should be provided with sufficient staff and infrastructural facility to enforce the tax laws.

xxviii. Panchayats get minimum income from the weekly markets, which are managed by RMCs, but it has been observed that many of these markets are not handed over to the direct control of Panchayats. These Regulated Market Committees gives a part of their income to the Panchayats, which is much less than what they would get if handled by them independently. So it is suggested that the Panchayats should manage all the village markets.

xxix. Since Government fund is insufficient to fulfil the aspirations of the Panchayats necessary arrangement should be made for external fund raising through other Non-Governmental development organisations.
xxx. Proper maintenance of existing Panchayat resources is required to enhance internal income of Panchayats. There should be adequate provision for funding by the state government for maintenance of the existing assets of Panchayat.

xxx.i. PRIs should get a share of more elastic and productive taxes (like sales tax). They may be assigned all or part of sales tax proceeds of the area under their jurisdiction.

xxxii. The vehicle tax has become obsolete in the Panchayat areas and is not expected to yield any net income. This is because the same tax rate is in vogue since 1975 and the cost of license plates itself has increased manifold. Similarly license fees for industries and factories including dangerous and offensive trades, which were fixed by the Government in November 1950 needs to be enhanced and revised. In many cases Gram Panchayats do not provide services for which they have been authorised to collect taxes.