CHAPTER IV

GRASSROOTS DEMOCRACY: THE EMERGING PATTERN IN THE VARIOUS STATES
In the preceding chapter, we have discussed in detail the place and status assigned to grassroots democracy in the Constitution, the post-independence emphasis on village government and the corresponding enactment of Panchayat Act in every state with a special reference to the Orissa Grama Panchayat Act, 1948. Also, we have given an indepth analysis of the novel experiments like Community Development and National Extension Services in relation to grassroots democracy and subsequent institutionalisation of grassroots democracy - a process of institution building of three-tier interlocking institutions - from village level to district level as suggested by Balwantrai Mehta Committee.

The most significant, yet revolutionary, contribution of Balwantrai Mehta Committee is 'Democratic Decentralisation', a process and a principle which not only aim at democratising the district administration but a pivot around which the entire scheme of three-tier panchayati raj shall revolve. Thus the principle of 'Democratic Decentralisation', conceptually speaking, becomes the philosophy of newly conceived panchayatiraj which needs a detailed analysis with its theoretical implication in order to have a better understanding of Panchayatiraj. Therefore, in this chapter, our main concern is to highlight the important issues involved in the philosophy of democratic decentralisation and its subsequent implementation in different states of India.

Democracy, by its very nature, implies decentralisation since it derives its authority from the people for whom government
is meant. No democracy at the top can be successful without strengthening democratic elements at the grassroots. True democracy is consistent with the maximum decentralisation of power to the lower units of government. There institutions will ensure more effective and better participation of the people in the government, and that effectiveness of such participation is an index of the success of democracy, because no democracy worth its name can prosper on the indifference and apathy of the people.

Now the question is: If the idea of 'decentralisation' is there in democratic principle, why then the adjective 'democratic' is added to it? The adjective 'democratic' is added to impart a special meaning to the term. Again, it emphasises the purpose of decentralisation which means the government divests itself of certain duties and responsibilities and these are devolved on the institutions which are 'democratic', that is, to the institutions which are constituted of the representatives of the people. Thus, 'Democratic Decentralisation' is one of the modes of people's participation, associating people with the work of government to the maximum possible extent at the power levels of administration.

On a theoretical plane, democratic decentralisation means a radical attitudinal change of the people towards the power structure in the government. As a political concept, 'democratic decentralisation' therefore aims at, "widening the area of people's participation, authority and autonomy through dispersion of powers from the top to the bottom". 1

The word 'democratic' in democratic decentralisation distinguishes it from administrative decentralisation. Administrative decentralisation originates in a quest for efficiency in terms of initiative, performance and speed, particularly at the lower levels of operation, while democratic decentralisation aims at associating the people with the work of the government at all levels, more particularly local. Administrative decentralisation means delegation of powers to the subordinates to facilitate operating decisions, but administrative policy remains centralised. Democratic decentralisation on the other hand, "implies people's right to initiate their own projects for local well-being and the power to execute and operate them in an autonomous manner".\(^2\) This makes the scope and significance of democratic decentralisation wider than those of administrative decentralisation. While the former lays stress on people's participation, the latter on efficiency. Ensminger has rightly pointed out, "with democratic decentralisation the administrative orientation must shift quite completely from making decisions and issuing orders to helping the people make decisions through their panchayats, co-operatives and samitis".\(^3\)

The idea of democratic decentralisation is very often mistaken for 'delegation' or 'deconcentration'. Conceptually, decentralisation embraces the related processes of deconcentration, devolution and delegation. Deconcentration means, "the delegation of

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authority adequate for the discharge of specified functions to staff of a central department who are situated outside the headquarters. 4 And again, it "denotes more delegation to a subordinate officer of capacity to act in the name of the superior without a transfer of authority from him". 5 Devolution refers to "the creation or strengthening of sub-national, sub-state units of government, and the activities of which are substantially outside the direct control of state and central Governments". 6 Furthermore, devolution refers to the process of "the legal conferring of powers to discharge specified or residual functions upon formally constituted local authorities". 7 'Delegation' refers to "relations in which powers are formally conferred under law, as by the constitution itself, or by the legislative body to an executive agency, or by an administrator to a sub-ordinate, or from one level of government to another". 8 Thus, democratic decentralisation is not synonymous with delegation or deconcentration which is best illustrated by the Study Team on CP and NBS. The Study Team rightly comments, "It is not infrequently that delegation of power is mistaken for decentralization. The former does not divest the Government of the ultimate responsibility for the actions of the authority to whom

power is delegated; thus authority is under the control of the
Government and is in every way subordinate to it. Decentralization,
on the other hand, is a process whereby the Government divests
itself completely of certain duties and responsibilities and devolves
them on to some other authority". Democratic decentralisation, on
the other hand, is an extension of democratic principles to the
grassroots level, allowing people to manage their own affairs in a
local area without any interference from regional or national
authorities. Hence, while democratic-decentralisation stands for
enjoyment of real power by the people, administrative delegation or
deconcentration is the result of administrative expediency. Thus,
to quote Iqbal Narain, "While democratic-decentralisation embodies a
right, delegation is at best a concession".  

In the foregoing analysis, so far, we have defined the
concept, democratic-decentralization, in a negative manner,
analysing what it is not. Now, our task is to see what it is. The
word 'democratic' explains the nature and purpose of the concept
and the word 'decentralisation' indicates the method to realise the
goal as contained in the word 'democratic'. Thus, the word
'decentralization' does not necessarily have a democratic content
and the word 'democratic' enriches the content of decentralisation.

A pattern of local self-government had been experimented
during British Raj. But this pattern was discarded by the

Balwantrai Mehta Committee and in its place, a new pattern of democratic-decentralisation was advocated. It becomes therefore necessary to draw a line of comparison between the two in order to know and assess why the pattern of democratic decentralisation was preferred by the said Study Team.

The two terms - democratic decentralisation and local self-government are not identical and at the same time they are also not vitally different from each other as they basically refer to the same institutional pattern. Both aim at greater degree of participation by the people and more autonomy to them in the management of their affairs and to limit the control from above. What are the points of dissimilarities between the two? It can be pointed out that, "democratic decentralisation is a political ideal and local self-government is its institutional form". Democratic decentralisation seeks to democratise local self-government to enable the local unit to exercise powers in its own right and independently execute its own decisions. Thus, democratic decentralisation puts stress upon local initiative and decision. Since the pattern of local self-government experimented during British Raj was only an institutional form with a limited franchise, the idea of democratic decentralisation was preferred in its place which not only creates statutory bodies of democratic local government at and below the district level of administration, integrating from through popular representation but seeks to maintain an organic linkage between

these local democratic bodies.

The idea of democratic-decentralisation, thus, is the guiding principle through which local bodies are created with powers and functions local in character. These local bodies are the institutional expression of grassroots democracy. These local bodies provide a training ground for developing a sense of civic duties and responsibilities. And again, these local bodies, being very near to the people, are in the best position to know the needs of the people and, as a matter of fact, provide the best agencies for realising the welfare purpose. Only what is needed, is the awakening of the people. Once this is achieved, the rural people will be in a position to make and shape their own destiny by successfully abating the tyranny of the petty officials and landed gentry. A.D. Gorwala, an experienced civil servant is right, when he remarks, "Many are the shibboleths of modern times to which, in order to show modernity of his mind, a man must make obeisance. Of these, one of the most powerful today is democratic decentralisation".12

Democratic-decentralisation, later known as Panchayatiraj, thus started with enthusiasm, laudable objectives and hopes. It was widely thought that Panchayatiraj would bring democracy to the doors of the rural people. It was expected also to evoke people's participation in the decision-making in order to manage their own

affairs and that it would put the bureaucracy under local popular control, accelerating the process of social and economic development.

IMPLEMENTATION

Soon after the state Governments evolved patterns of Panchayatiraj suitable to local conditions in the light of these principles. Panchayatiraj has revolutionised administration and called for new codes of administrative relationships and behaviour. Each state stands to benefit from the experience of the other and can add, alter or change its own system in order to improve its working. The entire approach is pragmatic as Panchayatiraj is a growing concept and there is no finality or rigidity about the pattern or system evolved at any time.

As early as 1957, Madras started on an experimental basis a pilot block of democratic-decentralisation in its own way, and Andhra introduced it in 20 selected blocks - one in each district. To Rajasthan goes the credit of being the pioneer in launching the scheme on all-state basis. It was on Gandhiji's birthday, 2nd October, 1959, that Prime Minister Jawaharlal Nehru inaugurated Panchayatiraj by lighting a lamp at the desert town of Nagaur. Then followed Andhra Pradesh with full scale implementation of the new scheme in November, 1959. These two states followed the recommended model with the block level institution as the main point of decentralisation. Tamil Nadu, Assam and Karnataka also
introduced the system in 1960. Punjab and Uttar Pradesh followed in 1961, Maharashtra in 1962, Gujurat in 1963 and West Bengal and parts of Bihar in 1964. Deviating from the structural model suggested by the Mehta Study Team, the first point of decentralisation at the district level was organised in Maharashtra and Gujurat. In Tamil Nadu and Karnataka the Zilla Parishad was not endowed with any executive functions but the Panchayat Samitis and Taluk boards had functioned well. West Bengal started with a four-tier structure (two tiers at the village level) but later adopted a three-tier structure. In Uttar Pradesh, the Zilla Parishad was endowed with very limited powers and functions. Thus the quantitative progress of Panchayatiraj was quite impressive. By 1959, all the states had passed panchayat Acts and by the mid-1960s, Panchayats had come up in all parts of the country. More than 217,300 village Panchayats, covering over 96 per cent of the 579,000 inhabited villages and 92 percent of the rural population, had been established. On an average, a panchayat covered a population of about 2400 in two to three villages. 13

The foregoing description of the implementation of the three-tier Panchayatiraj by the different states in the wake of the recommendations of Balwantraï Mehta Study Team needs a detailed analysis in respect of the choices available to them while making institutional innovations or structural reforms.

The main thrust of the Mehta Study Team was on integrating these three institutional tiers in order to maintain an organic linkage among them. But the practice that had been followed by the various states reveals that they, while giving legal effect to the recommendations of the Study Team, proceeded to institutionalise Panchayatiraj not under one integrated legislation encompassing all the tiers but under two Acts one dealing with village panchayats and the other making a provision for Panchayat Samitis and Zila Parishads. This 'Two Acts' approach was followed by the various states for the simple reason that the Act dealing with village Panchayats was already in force and no state legislature saw the need for repealing an existing Act and enacting a new integrated legislation to deal with all the tiers of Panchayatiraj. They, therefore, made the provision for the enactment of only one new piece of legislation providing for the establishment of Panchayat Samitis and Zila Parishads.

This 'Two Acts' approach adopted by different states poses crucial questions which require debate and discussion and need clarification:

First, can the constitutional validity of village Panchayats (Art.40) be extended to Panchayat Samitis and Zila Parishads?

Second, why our policy makers fail to amend Art.40 so as to have one integrated Act encompassing the three institutions as suggested by Mehta Study Team?
Third, how was the linkage established between the first Act on village panchayats enjoying constitutional protection and the second Act on Block and District level institutions created in terms of Balwantrai Mehta report?

Fourth, what can be decentralised through the provision of these two acts in the context of developing countries like India which have chosen the path of planned development, an essentially centralised process?

In the state of Orissa, while giving legal basis to the recommendations of Balwantrai Mehta Study Team, the Government of Orissa followed the same 'Two Acts' approach adopted by the different states. The Government of Orissa thus introduced the scheme of 'democratic decentralisation' in the state by enacting the 'Orissa Panchayat Samiti and Zila Parishad Act, 1959' (Orissa Act 7 of 1960) as the Grama Panchayats had already been established by the 'Orissa Grama Panchayat Act, 1948'. But, while introducing the three-tier Panchayati-raj system, the Government of Orissa did not take any step to make a fresh Act relating to Grama Panchayats as per the recommendations of Grama Panchayat Enquiry Committee even though it was constituted by the Government to rectify the defects of Grama Panchayats, nor also as per the requirements of Balwantrai Mehta Study Team.

Terminological Diversity

There is some difference in the nomenclature of various.
institutions and functions. There is no substantial difference about the village level body. It is generally known as Grama or Gaon Panchayat. But the middle tier at the block or taluk level bears many names. The Mehta Committee suggested 'Panchayat Samiti' for its name and same has been adopted by six states. But, in Assam, it is known as 'Anchalik Panchayat'; in M.P. 'Janapada Panchayat'; in Madras (Now Tamil Nadu) 'Panchayat Union Council'; in Jammu and Kashmir 'Block Panchayat Board'; and in U.P. as 'Kshetra Samiti'. Gujarat and Mysore have accepted Taluka as the Intermediary base and there the Unit is known as 'Taluka Panchayat' and 'Taluka Development Board' respectively.

Again, the district level body (except in Assam) is generally known as Zila Parishad; but Madras and Mysore call it "District Development Council"; in Gujarat it was 'District Panchayat', and in Madhya Pradesh the term 'Zila Panchayat' was preferred. Assam has sub-divisional bodies known as 'Mohkuma Parishads'.

Difference is again found in the nomenclature of functionaries. The chairman of the village Panchayat is either 'Sarpanch' or 'Mukhiya'. The President of the Samiti is called 'President' in Andhra Pradesh, Assam, Gujarat, M.P. and Mysore; and Chairman in Maharashtra, Madras, Orissa and Punjab. In Rajasthan he is known as 'Pradhan' and in U.P. as the 'Pramukh'.

15. Ibid., P.28.
Assessing Committees

Due to the growing interest in Panchayatiraj institutions, several states, later on, set up committees to assess the progress made by Panchayats and to suggest measures for their improvement. The Purshottam Pai Committee (1964), Ramachandra Reddy Committee (1965), Narasimhan Committee (1972) in Andhra Pradesh; Basappa Committee (1963) in Karnataka; Naik Committee (1961), Bongiwar Committee (1963) in Maharashtra; Mathur Committee (1963), Sadiq Ali Committee (1963), G.L.Vyas Committee (1973) in Rajasthan; and Govind Sahai Committee (1959) and Ram Murti Committee (1965) in Uttar Pradesh are some examples in this regard. Although the setting up of these committees was rather too early from the standpoint of actual operation of the Panchayati Raj institutions, they reflect the keen interest evinced by the different State government in these institutions.

Now the scheme of three-tier Panchayati-raj with the underlying principle of 'Democratic Decentralisation' had touched all the parts of India. People in rural India, in fact, became more enthusiastic about the system and felt that they have a say in the affairs affecting them.

Evaluation studies on the functioning of Panchayatiraj reveals that these bodies enabled the people to participate in their own affairs. A study team constituted by the Association of Voluntary Agencies for Rural Development (AVARD) in 1962 observed, "...People felt that they had sufficient powers to enable them to..."  

mould their future... They are fully conscious of the fact that such privileges and favours which were formerly under the control of the B.D.O. are now under their control. In this sense, full advantage of democratic decentralisation has been secured.\footnote{17}

Thus there are the promising days for Panchayatiraj institutions in future as the new institutions will constitute a new political outlet for the increasing competitiveness of Indian rural life.

A new age has ushered in - the foundation stone of "Panchayat Democracy" is firmly erected in the Indian soil - a Pan-Indian model of governance is in motion which will urge the rural people of India to come out of the pleasures and comforts of a routine life and to plunge themselves into a life of sustained and creative effort.

Summary and Observation

Now, we may attempt a brief summary of our analysis in this chapter.

Democratic decentralisation as an idea and a concept emerged out of the recommendations of Mehta Study Team. On a theoretical plane, we have ventured to define it negatively by analysing what it is not. And from a negative definition, we have

proceeded to establish the possible salient features of the concept.

Seen in the Indian context, one question having contextual relevance comes to our mind in course of our analysis: Is it really 'democratic decentralisation' or a model of 'decentralised democracy'? And, we have observed, keeping in mind, the importance of grassroots democracy in particular and panchayatiraj in general, the latter lays more stress on democracy than the former and a better and appropriate substitute for democratic decentralisation in the Indian context.

In course of our search, we have observed that with the guiding principle of democratic decentralisation, Panchayatiraj as a Pan-Indian phenomenon was introduced in each and every state along with the creation of a cluster of inter-meshing and inter-locking institutions. Experiences in different States would reveal that the various state governments gave a legal basis to the recommendations of the Study Team by enacting a second act entitled as 'Panchayat Samiti and Zila Parishad Act' as the acts relating to village Panchayats were already there.

While analysing the implementation of three-tier panchayatiraj in the various states of India, we have noticed that there appears a difference in the nomenclature of various institutions and functionaries leading to a more crucial terminological diversity. Thus, comparisons become difficult and
sometimes misleading impressions can be gathered. Thus, arbitrary use of same terms in different meanings adds to the confusion. However, it is to be noted that the diversity of terminology did not mark any departure from the substance of recommendations of the Mehta Committee.

Again, it was then hoped and believed that the newly conceived system of three-tier Panchayatiraj would provide a base for local democracy, a forum for popular people's participation in order to determine their destiny. Now it is our task to examine and analyse in the subsequent chapters how far these institutions imbibe the spirit of democratic decentralisation or will operate as a mere conduit of both Central and State governments.