CHAPTER IX

CONCLUDING OBSERVATIONS
In the present study of "Grassroots Democracy: A critical study of the Panchayati Raj in Orissa in the Post-independence era", our task is to analyse, in a critical manner, the rise and decline of Panchayatiraj in Orissa and the recent trend of resurgence of a more viable and vibrant three-tier Panchayati-raj as a third-layer of governance under democratic control. Looking back over the preceding chapters, we have attempted in the introductory chapter to introduce the concept of 'grassroots democracy' to our readers and the sequence of events through which the present study has been developed. In the second chapter a theoretical analysis of the concept, 'grassroots democracy', has been presented. The genesis and gradual growth of the idea of 'grassroots democracy' right from the Vedic age to the post-independence days of India has been discussed.

The third chapter deals with the place and status assigned to grassroots democracy in the sovereign republican Constitution of India and the response it received in the first decade of Independence. In the fourth Chapter, we considered it necessary to discuss in some detail, the concept of decentralised democracy - the pivot around which the entire philosophy of grassroots democracy revolves and the measures taken by various states to implement it. In Chapter V, we have given a critical analysis of how Orissa, deviating from the All India pattern of decentralised democracy, abolished the apex tier - the Zilla Parishad - through a legislative enactment. Chapter VI has been devoted to the attempt made by
Central government to revamp grassroots democracy by constituting a national-level Committee, The Ashok Mehta Committee, in order to save it from indifference and decay. In Chapter VII we have tried to give a critical appraisal of Rajiv Gandhi's Policy of giving grassroots democracy a more serious and prestigious status. Although Rajiv Gandhi could not live to give his policy a legal shape, the Congress government under P.V. Narasimha Rao gave a constitutional status to Rajiv Gandhi's policy by enacting the Constitution (73rd Amendment) Act, 1993. Chapter VIII provides an elaborate delineation of the Acts, amendments to these Acts, and a variety of Rules made under the Acts made by the Government in order to revive in Orissa the full-fledged three-tier Panchayti Raj in the current decade.

Grassroots democracy or Panchayatiraj, in Indian context, is an old concept which got a new and enduring lease of life through 73rd Constitutional Amendment Act. The newly conceived system of governance by Panchayats is not only constitutionally recognised as units of rural government, but it also opened up new possibilities for the creation of a third layer of governance, or a sub-state federalism, in the Indian Federal Union. In order to strengthen the Indian Federal character, the new system should be considered neither an independent nor a dependent body, rather an inter-dependent one with the ultimate goal of functioning as the 'institutions of self-government' at and below the district level.
Now the question is: Does the reality, in the State of Orissa, bear out the image of 'institutions of self-government' as offered by 73rd Constitutional Amendment Act? At this stage, it is, indeed, a difficult task to answer this question as the newly conceived system has just started operating since the fresh Panchayati Raj elections of 1997. It would be therefore, better and more appropriate on our part to analyse the different trends and tendencies in the working of the new Panchayati raj system in Orissa.

Since, it was a Constitutional imperative, the conformity legislation was enacted by the Government of Orissa. But, a perusal of the new act would reveal that the new legislation on Panchayatiraj is just a modified version of the Orissa Grama Panchayat Act of 1964 and the Orissa Panchayat Samiti and Zilla Parishad Act of 1959 incorporating the mandatory provisions of 73rd Amendment relating to term, reservation of seats for weaker sections of the rural people, nature of duties and functions and allocation of funds.

Again, as per the 73rd Amendment Act, elections to all tiers of Panchayats had to be held within six months of its coming into force. The inordinate delay made by the Government of Orissa in holding elections to these tiers of Panchayats clearly indicates how the State of Orissa has betrayed a sense of disrespect to the
spirit of 73rd Amendment Act. The delay and dithering in holding the elections to the representative bodies at the three levels is a demonstration of reluctance and hesitation on the part of the party in power. Thus, while the new system is a 'much-discussed' item in other states of India, it is a 'least bothered' one in Orissa.

The other side of the picture is no better. The vast majority of weaker sections stand isolated and they are not in a position to reap the fruits of development. This is due to their illiteracy and miserable conditions of living below the poverty line. The opportunities of participation have not been utilised activity due to a sense of persistent alienation. Further, the leadership in rural areas continues to be in the hands of comparatively old, moderately educated, higher caste and rich people and have facilitated the emergence of oligarchic forces, yielding no benefits to the weaker section.

In conformity with the Constitutional provision, reservation has been made for SCs, STs, other backward classes and women. In actual practice, these deprived sections are found sub-ordinated to dominant caste members. The SCs and STs, eventhough freed from upper caste clutches, are also divided on party basis. Since, they are grouped under political parties, there is every possibility that they will, in future, work against each other, instead of working for their common cause.
Equally, the reservation of one-third seats for womenfolk presents a very dismal picture. Persistence of gender bias, social subjugation, lack of economic independence, male dominance, illiteracy, lack of political consciousness, class and caste divisions, feudal attitudes, patriarchal nature of the family, ethnic and religious separatism and above all the social environment and their physical insecurity, all these factors tend together to prevent them from discharging actively and vigorously their responsibilities in the Panchayat bodies. Unless the mental attitude and bias to rural womenfolk changes, only their representation through women representatives in Panchayatraj bodies may not bring about a qualitative change in the functioning of the grassroots institutions.

From the standpoint of organisational mechanism of village panchayats, the performance of two village bodies, the Grama Sabha and the Palli Sabhas, is of vital importance. The ground reality, in case of these two bodies, reveals that these two bodies are big democratic shows in case of the villages. Angry debates, and pandemonium are the regular features and no substantial transaction is taking place. All important decisions relating to developmental schemes and plans are usually taken by a coterie of influential persons. This poses the problem: how the overwhelming majority of village adults can enjoy more effective participation in the Gram Sabha and Palli Sabha.
From the standpoint of institutional mechanism, reservations for the political leaders such as M.Ps and M.L.As in the middle and apex tiers of Panchayats, is again becoming crucial. Apprehending the erosion of their own political influence and power in their locality, they very often influence the local leadership as well as the decisions of these panchayat bodies and their presence in these bodies, in practice, prevent these bodies to function effectively and independently. This poses a crucial question to ponder over: how the elected representatives at each level, at and below the district can wield in reality the powers vested in their respective local bodies.

Land is the most important factor in the power structure in rural areas and real socio-economic change can only be meaningful, if agricultural development can take place. The contribution of panchayat bodies to agricultural development however, remains a debatable issue. The big land holders conceal their actual holding. Land records are ill-maintained, neither they are correct nor uptodate. The implementation of Land-ceiling laws got bogged down in litigation. The agricultural wages are minimum. Again, the local touts made all efforts to defeat the implementation of these laws. They very often pressurised the implementing authorities to show undue favour to the land owners. These local political leaders acted as the saboteurs not to implement these progressive legislations. Therefore, the rural agrarian economy has
Another factor which contributes heavily for the degeneration of Panchayat bodies in Orissa, in particular, and other states of India, in general, is the paucity of funds. Even though, allocation of funds by the Central Government as well as the State Government is gradually becoming more in recent years, even then such funds never reach the rural poor. Initially, it was the leakage in the public distribution system which deprived the rural poor of their due share in the most essential commodities. And now, it is the misappropriation of funds by power brokers and intermediaries which deprives the rural poor to reap the fruits of development. The problem calls for effective resolution.

So far as the operational side of these democratic bodies at and below the district level is concerned, the mutual relationship between the elected members and the officials associated with these bodies, is becoming crucial which needs a closer attention. The consciousness of being a part of the government machinery, coupled with that of superior educational, social and cultural background and of having powers, tend to make the officials elitistic and make them exclusive in outlook. Moreover, the growing prominence and assertiveness of the elected members very often breed tension and conflict between these two segments, and as
a result, the purpose of Panchayatiraj is defeated. Only a healthier relationship between the elective and executive wing can realise the desired objectives.

Another vital issue which needs a realistic approach is: Are the people of Orissa aware of the newly conceived system of governance by Panchayats? The general mass of Orissa including the rural poor, even today, think this new system to be one of the programmes of the government. And since, it is a government affair, they consider it wise to sit idle in their homes and the government shall interfere in their day to day life and shall do everything for them. The rural youth, unaware of the past tradition of Panchayatiraj, think this system to be a political game and they derive pleasure in involving themselves in this game and are found to be satisfied with some temporary gains without realising the onerous responsibilities that the new system has brought on them. Greater awareness needs to be created among the village folk relating to their own role and responsibilities in the effective working of panchayatiraj bodies.

However, initial failure should not lead one to adopt an unduly pessimistic view of the future of the Panchayatiraj system in Orissa. For this various remedies and correctives have been suggested to make it more meaningful and a true tier of governance at and below the district level.
Revamping the Grama Sabha

To begin with, the pressing need of the hour is the activisation of Grama Sabha in order to make grassroots democracy more vibrant and viable and to secure maximum participation of the people in these village assemblies for their active involvement in planning and implementation of village development programmes. Eventhough, statutory status has been accorded to it by the constitution, yet it should be ensured that it is organized mandatorily in each and every village. Further, it should be for the village panchayats to ensure its meeting at least twice a year and to see that villages are made the centre of all activities. In our considered opinion, in order to secure maximum participation of the people in these village assemblies, the State Government should offer some incentives in the form of sanctioning link roads, primary health centres, primary schools, water supply etc. to such village or villages whose Panchayats made Grama Sabha an effective platform for people's participation. Likewise, incentives in the form of recognition certificates, cash awards, preferential sanction of loans and electric connections, subsidy on fertilizers and seeds etc. should be given to those villagers who regularly and effectively participate in the meeting of the Grama Sabha. Such measures are likely to motivate others to participate in a more competitive spirit in the discussions and deliberations of the Grama Sabha thereby making it a true unit of participatory democracy.
Decentralised Judiciary

In the light of the 114th Report of the Law Commission of India (August, 1986) and following the footsteps of the neighbouring states like West Bengal, in the second place, it has been suggested to make provisions for judicial structure at the grassroots level in the form and shape of 'Grama Nyayalaya' or 'Nyaya Panchayats' which are simple, fair and inexpensive to make justice available to the common people. It is further suggested that the State Government should take adequate steps for the formation of a 'State Panchayat Tribunal' to consider the omissions and commissions of the Panchayat bodies at and below the district level.

Decentralised Police Administration

In the third place, in our opinion, provision should be made for a system of decentralised police administration at the grassroots level for the maintenance of peace and order in the village areas and for a smooth execution of Panchayat laws and collection of taxes and fees. Further, such a decentralised Police administration should be kept at the disposal of the Panchayat bodies.

Decentralised Management of Education

In the fourth place, it has been suggested for a system of decentralised management of education at the grassroots level in order to enable the unlettered villagers to be literates. As a result, not only democratic values shall be inculcated in them,
rather these rural people shall be made conscious of their rights and duties for a meaningful functioning of grassroots democracy. In order to make decentralised management of education effective, State Acts relating to education should be amended and education upto secondary level should be brought under the control of Panchayats. Further, the appointment, transfer and payment of teachers and the entire administration relating to education should also be brought under rural local governments in order to make the system of decentralised management of education effective which would help in making the rural people responsible citizens and voters and future representatives.

Panchayat Personnel

Since these devolved democratic bodies at the district level and the levels below it are expected to function as institutions of self-government, it is argued and suggested that these bodies should have their own recruitment board to recruit right type of personnel for its administration. It is therefore, suggested, in the fifth place, that the Panchayats should have their own service cadre for Class III and Class IV employees. In our considered opinion, the Government of Orissa, following the footsteps of Gujrat and Rajasthan, should make a provision for the creation of "Orissa Panchayat Service Selection Board" for the recruitment of Class III and Class IV employees in order to ensure administrative autonomy of these bodies.
Financial Autonomy

Sound financial base of the Panchayat bodies determines their effective functioning. In the past, we have observed that financial anaemia was the major factor for the degeneration of these bodies. Regular flow of finance, either from the Centre or from the state shall help these bodies to function effectively. In order to ensure a sound financial base of these bodies, it has been suggested that the State Government, as per the provision of the Constitution (Art.243-H), shall authorise these Panchayat bodies by law, to levy, collect and appropriate suitable local taxes. For this purpose, Panchayat bodies need to evolve and strengthen an administrative apparatus to assess and collect in full the local taxes, fees etc. objectively and honestly. It has been further suggested that the State Finance Commission should function in a right direction in reviewing the financial condition of these bodies and making necessary recommendations to the State Government and the Government should take immediate steps for the redressal of financial instability of such bodies.

Care for Weaker Section

Reservation provisions made for SCs, STs, women and other backward classes in the Panchayat bodies, seem to be a step in the right direction. In order to make this provision more effective, it is our suggestion that the Government as well as the Panchayat
bodies should take urgent steps to ensure economic independence for such deprived sections. For this, in our considered opinion, the Government has to take suitable and effective administrative steps to provide land to the landless cultivators of these categories. Further, it has to encourage more vigorously the establishment and promotion of cottage and small scale industries and the Panchayat bodies have to initiate certain measures for the protection of making such industries viable. In this context, the Panchayat bodies may pass a resolution banning fully or partially the sale of goods or articles except those produced by such village industries and implement it in letter and spirit. Again, the panchayat bodies along with the co-operative societies and non-governmental organisations are required to motivate the people especially the youth from these categories to make full use of the different schemes of the government meant for the improvement of economic standards such as Jawahar Rozgar Yojana, Training of Rural Youth for Self-Employment, Integrated Rural Development Programme etc.

Women : Steps for their effective Role Performance

Equally, the reservation provision made for women in the Panchayats is no doubt a revolutionary step for their political empowerment. In order to make this provision meaningful and successful, necessary steps should be taken by the government to make them conscious of their rights and duties. For this, in our opinion, the government should initiate comprehensive and
meaningful training programmes for women representatives to perform their constitutional duties and responsibilities as members of Panchayati Raj Institutions. In this context, it is our suggestion, that the Faculty members of State Administrative Training Institutes, State Institutes of Rural Development and similar other institutions should be identified to hold training programmes for women and to impart information on issues relating to the kind of role they have to play and the problems they are likely to face in male dominated Panchayat bodies. Further, it has been suggested, that efforts should be made to provide functional literacy to female panchayat members. A mechanism should be devised at the district level to identify illiterate women Panchayat members and to make them functionally literate within six months of their election. In addition, it has been suggested, that the elected women representatives should meet periodically in a common forum to exchange their ideas and views for the development of their leadership qualities. Again, the male members should give due weightage and attention to their views by encouraging them to come forward to stand as candidates when the elections are announced in order to play an active role in the meaningful functioning of grassroots democracy.

**Bureaucracy**

One of the main objectives of Panchayati Raj system is to transfer power to the people for management of their local affairs.
The bureaucracy should realise this while serving the rural poor by identifying themselves with rural life. So what is required, in our opinion, is attitudinal and behavioural changes in their style of functioning while taking steps for the implementation of development-oriented and people's-oriented programmes and schemes. In addition, in our humble opinion, training for the bureaucrats especially attached with Panchayati Raj institutions has to be reoriented and restructured in such a way as to enable them to understand the true philosophy underlying the Panchayati Raj and mould their role accordingly. Then only, Panchayati Raj shall flourish as self-governing institutions with co-operation and guidance of bureaucrats and not under their control.

Planning

It is further advocated that planning should be made more scientific and rigorous. India's development plans have been criticised as not reflecting the priorities of the people. Neither the urban-born experts drawing up the plans, nor many of the top leaders laying down the priorities have any touch with the problems people face in their day-to-day lives in the rural areas. Thus, in our considered opinion, people in the rural areas should be taken into consideration while preparing the plans and their active involvement is required in the preparation of plans for village, block and district level. It is, again, our suggestion that village planning committees are to be constituted having a definite
linkage with district planning committees as well as State Planning Commission. Again, the plans should have the people's active support both at the stage of formulation and implementation or else these plans might appear ambitious but remain unrelated to the real needs and aspirations of the people living in the villages.

Political Elements - M.Ps and M.L.As

The association of M.Ps and M.L.As in the middle and apex tiers of Panchayat bodies again needs to be reviewed. Instead of considering themselves as big bosses in rural areas, they should think themselves as friends, philosophers and guides of the rural people. The time has really come that they should bring about a change in the style of their functioning and attitudes towards these bodies. Instead of falling prey to petty gains for their supporters and areas, they need to look towards the much larger interests of the rural people. For this their personal attendance in the meetings of the Samitis and Parishads, is of vital importance. They may not be available during the sessions of Parliament or the Assembly, but during the recess of Parliament or Assembly, they should come personally and should attend the meetings of such bodies as their very presence will definitely carry weight.

State Level Reviews

For a successful working of grassroots democracy and in order to bring out a meaningful socio-economic change in rural
areas, it is again suggested that there should be a state level appraisal of the functioning of the Panchayat bodies from time to time and such reviews should be published in vernacular and should be made available free of cost. Such periodic reviews shall, no doubt, enlighten the rural people about the actual functioning of these Panchayat bodies.

**Mass Media**

It is further suggested that the Government of Orissa should take steps for the installation of low power transmitters in the village areas and necessary arrangements should be made to broadcast up-to-date information relating to the functioning of Panchayat bodies of other states of India as well as that of Orissa, under the caption "PANCHAYAT SAMACHAR". Such an arrangement shall definitely create interest among the rural people and their active participation will get a chance of increase.

**Training**

It has also been suggested for holding orientation courses and training for the benefit of both elected members and officials of the Panchayatiraj bodies. The State Government should begin training programmes for the elected members and the officials of Panchayatiraj bodies. These training programmes should impart information on various aspects and issues of Panchayatiraj system relating to development and realisation of welfare objectives.
Successful training programmes will properly orient the officials and the elected members to the systemic goals by bringing about a change in their attitude and behaviour so as to make them work harmoniously with each other.

Awareness Camps

It is again argued and suggested that 'Awareness Camps' should be organised from time to time in the villages in order to enlighten the rural people about their rights and responsibilities. This task should be taken up by the University teachers, activists and NGOs. Regular seminars, Panel discussions on TV and the radio, publicity measures by the public relations agencies of the government are certainly going to educate the rural people in this direction. The whole exercise will not only evoke interest among the people towards Panchayatiraj system, but help them to perform their roles in a more responsible way.

Attitudinal Change

Finally, the need of the hour is that the rural people should develop a strong faith in the new system by bringing about a change in their attitude and behaviour towards the restructured institutions of Panchayatiraj as the efficacy and efficiency of the new system in delivering goods to the people depend on how it is perceived by the people. The rural people, therefore, in the present scenario, should develop a firm faith in the new system by
giving up the idea that this system is imposed on them from above rather they should move in the right direction by taking the system as their own - a system for their own prosperity. They are required, further, to discharge their responsibilities and obligations more voluntarily than required under the law in the spirit of self-discipline, self-governance, community adjustment and group accommodation.

A beginning has been made. The under-nourished democratic baby of independence days, has just got a new life through 73rd Amendment. People should realise this and should come out of the leisure of their daily routine life to make it a people's movement - a movement for their empowerment and not to make it a cant phrase; or else grassroots democracy, in spite of a number of prescription for its ailment, shall simply be a greeny grass, beautiful to look at, without a solid root to sustain it.