

The concept of political decentralization is as old as the concept of democracy. Bringing government closer to the people is the theme behind the decentralization. Returning the power to the people¹ is the main slogan being the democratic decentralization. The Indian Local Self System, which is known as Panchayati Raj system in an innovative mechanism to bridge the gap between the rulers and the ruled. Again it is the system which fills up the organizational gap between the master and the governing national elite. It is regarded as the foundation for 'extension of democratic form of government'.

Andhra Pradesh, which was one of the pioneer states to introduce the Panchayati Raj Pattern of administration in 1959. Since then state-wide elections conducted to more than 15,000 Panchayats and 300 Panchayats sanities in the state. The little 'general' election as it was popularly called represented the first election of its kind conducted to these bodies in any state after the adoption of Panchayati Raj at the district, block and village levels. It seems, therefore, somewhat appropriate to take stock of the situation and to review the discernible trends in the evolving pattern of Panchayati Raj administration in the state as a significant forerunner to the other states working on a similar pattern.

The Panchayats in Andhra Pradesh were functioning on the basis of two Acts. The Madras Village Panchayat Act 1950, that was in force in the Andhra Pradesh districts which had been a part of the former Madras state till 1953 and the Hyderabad Gram Panchayats Act 1956, which applied to the 'Telangana' region. Apart of the erstwhile princely state of Hyderabad on January 18, 1964, an Integrated Act known as the Andhra Pradesh Gram Panchayats Act. 1964 was enacted to consolidate the Acts relating to the Panchayat administration in the state and the recent elections were conducted on the basis of the integrated act.

The Panchayat samities and the Zilla Parishad were originally constituted under the Andhra Pradesh Panchayat samities and Zilla Parishad' Act of 1959 though some modification was done in 1961. It was in 1963 that substantial changes were introduced through the Andhra Pradesh Panchayat Smithies and Zilla Parishads (Amendment) Act of 1963. Besides these statutory amendments a high power committee was constituted in October 1963 with Shri M.P. Pai, I.G.S. Chief Secretary as chairman to review basic administrative problems such as territorial jurisdiction and staffing pattern of the community development blocks. A number of administrative changes in the size and staffing of the blocks have been made on the recommendation of the committee and the total number of the blocks in the state has been reduced from 448 to 321. Thus, as a combined result of statutory and administrative modification, important changes have been effected in the Panchayati Raj pattern of administration in the state.

Before describing and discussing some of the important changes that have been introduced in the Panchayati Raj pattern. It is worthwhile to outline briefly the salient features of the pattern existing in the state. This is essentially, similar to the scheme of democratic decentralization advocated in the Balwant Rai Mehta Report on the subject consisting of three-tier structure at the village (Panchayat) block (Panchayat samiti) and the district (Zilla Parishad) levels. These institutions are organically related by a system of indirect elections by which presidents of Panchayat became members is provided at the block and district levels. But in the

latter, there is also a large group of legislators belonging to the state legislatures and the central parliament.

The Panchayat samities and Zilla Parishads function largely through standing committees, the decision - making power is vested and the executive authority is exercised, through government officials functioning as secretaries of these bodies. On unique feature of the system in Andhra Pradesh is the role allotted to the district collector who is not merely the only official member of the Zilla Parishad but is also the chairman of the all standing committees. While there have been some criticisms on the score that an official cannot head a purely elective body. The method has worked well in practice and the Zilla Parishad has gained greatly through the active involvement of a key functionary such as the district collector in its deliberations.

Unlike in Rajasthan, another pioneer state in the Panchayati Raj pattern of administration, Zilla Parishads in Andhra Pradesh have been endowed with primary responsibility in two important sectors of development, secondary education and major communications. In most other matters, however, the Zilla Parishad merely distributes grants made available by government departments to the various sanities in the district and exercises little or no control over their working. Although their administration reports, budgets and targets are subjected to the approval of the Zilla Parishad. In the first five years, there has been an increasing tendency to delegated functions performed by government departments to the Panchayat sanities, which have emerged as the strongest unit of the three-tier pattern.

The supervision and inspection of the Panchayats were originally vested in a department of local administration which dealt with both the Panchayati Raj bodies and municipalities; there functions have been transferred to revenue officers, the district collector for supersession of the Panchayat and Revenue divisional officer for the removal of the president of the Panchayat. These officers are assisted by district Panchayat officer at the district level and divisional Panchayat officers at the sub-divisional level. In the case of Panchayat samities the power of

inspection is vested with the district collector and the revenue divisional officers while the Zilla Parishads are to be inspected by members of the board of revenue of the rank of division commissioners.

It may be stated at first that the basic pattern of Panchayati Raj administration is unaffected by the recent statutory and other changes. The three-tier system is retained as also the methods of indirect election to the bodies at block a district levels. Although it at one time to elect the president of a samiti by all the members of the Panchayats in the samiti and similarly the chairman of a Zilla Parishad by the members of all the Panchayat samities in the district. The position of the district collector as the chairman of all the standing, committees of the Zilla Parishad has also been retained. No significant changes have been made in the functions allotted to these institutions or in the manner in which these functions are to be discharge. Although the radical features of the Maharashtra and Gujarat schemes were available. It was felt that the pattern worked out in the state during the last five years was suitable to the conditions prevailing in the state and that no large scale changes were either necessary or desirable.²

In order to minimize this conflict in the actual implementation of policy of central, state and local governments the Andhra Pradesh Panchayat Samities and Zilla Parishads act and the Andhra Pradesh Gram Panchayati Raj Institutions both as units of local self-government and as agency of the state government in respect of activities and schemes transferred to them. It may now be desirable to review in the light of these two assumptions the describe trends in the evolving pattern of Panchayati Raj Institutions in regard to their autonomy and their supervision and guidance by the state government.

The study of the relationship between the local authorities and the state government gives rise to the basic question of distribution of authority between them. There is no absolute principle of division there can be none. It is no local government versus state government, but the two working together for the promotion of the welfare of the people. Indeed the growth of administrative system since independence has been

conditioned by the realization of the twin objectives of development and popular control. It is against this background that partnership between the state governments on the one hand and local authorities on the other will have to be studied.

In Andhra Pradesh as in other states, the tree-tier Panchayati Raj setup is the creation of the state legislature. Thus, the Andhra Pradesh Panchayat Samities and Zilla Parishads Act 1959 and the Andhra Pradesh Gram Panchayats Act 1964 have broadly laid down their constitution, composition and functions. Each of the Panchayati raj bodies has been referred to by these Acts as a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and may be its corporate name sue and be sued. These bodies are charged, subject to certain limitations, with the administration of the areas within their jurisdiction. The officers and the staff employed in connection with the administration of their respective areas are subject to the respective Panchayati Raj bodies. The Panchayat samities and the Zilla Parishad are authorized to create (although) with the previous approval of the state government. Such posts of officers and other employees, as they may consider necessary for carrying out the administration of the areas within their jurisdiction, like wise they are to frame and pass their annual budgets showing the probable receipt and expenditure during the following years, subject, however, to the approval of the immediately higher administrative bodies.

These bodies at all levels, have the power to the levy any tax or fees, as may be transferred to them through legislation. In addition to the legislative and executive powers whether transferred under these Acts or delegated by the higher administrative bodies to those at lower level.³ The Panchayati Raj bodies are also to act as advisory agencies.⁴ Thus they are to advise those at higher levels on all matters relating to (i) development activities whether undertaken by local authorities or government. (ii) the allocation of work among bodies at lower levels, and (iii) the implementation of any statutory or executive order specially

referred by government to them. Underlying all these activities in association is the recognition of the fact that in spite of the ways and means available with the real departments. Such as the greater skills and wider experience of the field officers, the departments need local roots, local understanding and local inspiration to produce the most fruitful results.

So much about the status and functions of the Panchayati Raj bodies and now their control and guidance by the state government before the aims and objects of the state control and guidance of the Panchayati Raj institutions are examined. It is desirable to touch briefly on the variations of state control and guidance of local bodies. Perhaps no aspect of local government is as much controversial as the subject of guidance for local authorities. There are two schools of thought representing two divergent views. There are those who hold that local authorities are and should be meant for making the local people self-governing. Therefore, external interference should be minimum. Say it should be limited to the state government's check of items in the carts. At the other extreme stands what Maddick calls the "control everything" school.⁵

Rise and Decline of Panchayat still 1977

India's development in the early fifties was planned without taking cognizance of Gandhiji's idea of gram swaraj. It did not take long to realize the folly of this line approach. The community development projects, inaugurated in 1952 and modeled after the experiments at Marathadam, Shantiniketan, Baroda, Etowah and Nilokheri, soon found themselves in a blind alley in the absence of effective instruments for people's participation. In order to suggest an institutional set up to secure such participation in the community development and national extension service programmes the committee an plan projects in 1957 constituted a team for the study of the two programmes.⁶ Real progress in rural development could not come about at all. Its recommendation that "public participation in community works should be organized

through statutory representative bodies"⁷ gave a fillip to the prevailing nationwide sentiments.

The recommendations of the Balwant Rai Mehta study team, favoring democratic de-centralization accelerated the pace of constituting Panchayati raj institutions in all the states. It may be recalled here that subsequently the National Development Council also affirmed the basic principles of democratic decentralization enunciated in the Balvant Rai Mehta report and left it to the states to work out the structures suitable to each state.

During this stage, the term "Panchayati Raj" came into vogue conceptually as a process of governance. It refers to a system organically linking people from the Gram Sabha to the Lok Sabha. Etymologically it is derived from Urdu. In one of his meetings with the author S.K. Dey had disclosed that the term was coined by Jawaharlal Nehru. It is distinct from the term Panchayat which connotes a local body limited to a geographical area.

Rajasthan was the first state to inaugurate Panchayati Raj after the Balvant Rai Mehta study team's recommendations. Prime Minister Jawaharlal Nehru inaugurated independent India's first Panchayati Raj on 2nd October 1959 at Nagpur about 260 kms from Jaipur, the capital of Rajasthan. Nehru hailed the system as "the most revolutionary and historical step in the context of new India."⁸ Democracy at the top would not be a success unless it was built from below. Nehru had felt. He expressed similar sentiments while inaugurating the new Panchayati Raj at Shad Nagar, about 60 kms from Hyderabad (Andhra Pradesh) nine days later. S.K. Dey, Minister for community development in Nehru's cabinet and the architect of Panchayati raj after independence, elevated the whole idea to a philosophical level and viewed it as an instrument which linked the individual with the universe. In the sphere of national democracy he visualized an organic and intimate relationship between the gram Sabah and the Lok Sabah.

By 1959, all the states had passed Panchayat acts, and by the mid-1960s, Panchayats had reached all parts of the country. More than

217,300 village Panchayats, covering over 96 percent 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 2,400 in two to three villages. There was enthusiasm in rural India and the people felt that they had a say in affairs affecting their daily lives. Those were the promising days of Panchayati Raj institutions in India. The report of the Ministry of Community Development had stated in 1964-1965 that younger and better leadership was emerging through the Panchayati Raj institutions and there was a fairly high degree of satisfaction among the people with their working.

In yet another comment, a study team, appointed by the Association of Voluntary Agencies for Rural Development (AVARD) in 1962 to evaluate Panchayati Raj in Rajasthan, had made the following observation.

It was reported that the 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 favors which were formerly under the control of the B.D.O. are now under their control. In this sense full advantage of democratic decentralization has been secured.⁹

Asoka Mehta Committee

The appointment of the Asoka Mehta Committee in 1977 marked a turning point in the concept and practice of Panchayati Raj. The Asoka Mehta Committee was set up to enquire in to the working of the Panchayati Raj institutions and to suggest measures to strengthen them so as to enable a decentralized system of planning and development to be effective. The committee's report (1978) is a seminal document which seeks to make Panchayats an organic integral part of our democratic process. The Panchayati Raj institutions which came into being in certain states after the Asoka Mehta Committee's recommendations could be considered the second generation Panchayats.

The second generation of Panchayati Raj Institutions can be said to have started when the West Bengal government took the initiative in 1978 to give a new life to its Panchayats on the lines of the Asoka Mehta

Committee's recommendations. West Bengal, Karnataka, Andhra Pradesh and Jammu and Kashmir either revised their existing Panchayat Acts or passed new acts, in theory accepting the Asoka Mehta Committee report. These states adapted the recommendations to suit their conditions and learnt from each other's experience in bringing forth new legislations or amendments to the prevailing acts.

The most important thrust of the second phase was that the Panchayats emerged from a development organization at the local level into a political institution. The emphasis shifted from the bureaucracy to the political elements. This was a welcome trend. The Balvant Ray Mehta study team had made development central to the Panchayat system. While in West Bengal, Karnataka, and Andhra Pradesh and later in Jammu and Kashmir following the Asoka Mehta Committee report. The attempt had been to make Panchayats into genuine political institutions. Thus they were a microcosm of the state itself with all its ramifications.

Need for Constitutional Support

It is well established that constitutional support and legislative measures are necessary for bringing about social change. But they are not a sufficient condition to achieve the goal or experience in the more than fifty-two years since independence bears witness to this fact. This is true of democratic decentralization as well. Of course, one can argue that there was no constitutional support for self-government below the state level till April 1993 and therefore, no state government took the process seriously. It may be stated here that along with constitutional guarantees, political will and people's political awareness are essential to bring about democratic decentralization below the state level. Therefore, a three dimensional approach - political will, people's awareness and building healthy conventions and traditions under girded by constitutional and legislative measures is a must for any far reaching changes to be brought about in our society, and when one of these is weak the entire measure may remain inform without content.

It was evident that the non-functioning Panchayati Raj Institutions brought disrepute to the entire concept and its practice. There was a

growing realization that it was lack of constitutional support that had led to the sad state of affairs. For instance, Malcolm Adiseshiah, while commenting on Tamilnadu not holding Panchayat elections for fifteen years, raised a pertinent question (Tamilnadu had announced elections twenty times and postponed them as many times, giving as many reasons.) "Why is it that we cannot have a constitutional amendment which will make it obligatory for local elections to be held on time?"¹⁰ He felt that all the twenty reasons given to postpone the Tamilnadu local elections could also be given for with holding elections to the Lok Sabha and the state assemblies. He continued "Here I add my plea that we should earnestly work for a constitutional amendment to put Panchayati Raj elections on the same footing as Lok Sabha and State Assembly elections."¹¹

Although state governments were not compelled to establish full-fledged Panchayati Raj without constitutional mandate, some states had gone ahead, as far as they could, in the devolution of powers to the Panchayats. However, they had felt that concentration of power at the centre was working as serious impediment. For instance, in 1985 Abdul Nazir Sab, the Minister for Panchayati Raj and Rural Development in Karnataka under the Janata Government, had stated that "Without a constitutional amendment guaranteeing the 'Four pillar state'. Our efforts may not be as fruitful as we desire."¹² At a seminar organized by the institute of social sciences in Delhi in 1985, Nazir Sab had pleaded with intellectuals to ponder over this question and to initiate a public debate on the necessity of a constitutional amendment.

It may be recalled here that the Asoka Mehta Committee made the first official recommendation for including Panchayati Raj in the constitution in keeping with its approach that Panchayats should be regarded as political rather than mere developmental institutions. This committee also favoured participation of political parties in Panchayat elections with their symbols.

Since the second generation Panchayats gave more powers to the local bodies and as their orientation was more political than

developmental, they evoked widespread enthusiasm both in their implementation as well as their working. The West Bengal pattern was considered a success story. The single major reason for the 1985 victory of the Janata Party in Karnataka was attributed to the party's commitment to implement the "power to the people" promise. Abdul Nazir Sab had said that he had witnessed a real awakening among the people when they realized that they could share power at the lower level. The remarkable enthusiasm among the ordinary people in West Bengal and Karnataka on the implementation of Panchayati Raj strengthened the moves to incorporate constitutional provisions for it.

It may be mentioned here that in the mid-1980s the idea of district government writings of Nirmal Mukarji on the subject during this period.¹³ In fact, it was Nirmal Mukarji who introduced for the first time the concept of "district government. The relative success of Zilla Parishads in West Bengal and Karnataka also gave the much needed boost to the district government approach.

The 73rd Constitution Amendment

By the end of 1988 a sub-committee of the consultative committee of parliament for the Ministry of Rural Development under the chairmanship of P.K. Thungon made recommendations for strengthening the Panchayati Raj system. One of its important recommendations was that Panchayati Raj bodies should be constitutionally recognized.

It was against this backdrop that on 15th May 1989 the Constitution (64th Amendment) Bill was drafted and introduced in Parliament. By and large, it was modeled on the bill (drafted by L.M. Singhvi) appended to the Asoka Mehta Committee report although the 1989 bill in itself was a welcome step. There was serious opposition to it on two basic grounds and due to its political overtones. These were (a) The bill over looked the states and was seen as an instrument of the centre to deal directly with the Panchayati Raj Institutions and (b) That it was imposing a uniform pattern throughout the country instead of permitting individual states to legislate the details, keeping in mind the local circumstances. There was an outcry against this bill not only from the political parties but also from

the intellectuals and concerned citizens. In response to this widespread criticism of the measure, the combine opposition under the national front appointed a committee headed by S.R. Bommai to prepare an alternative legislation. The report of this committee, which was released on 10th July 1989, gave the much needed focus to the issues and generated an intense debate.¹³ Its findings were reflected in the subsequent bills on Panchayats introduced in parliament.

Although the constitution (64th Amendment) bill got a two-thirds majority in the Lok Sabha, in the Rajya Sabha on 15th October 1989 it failed to meet the mandatory requirement by two votes. The National Front government introduced the 74th Amendment Bill (A combined bill on Panchayats and municipalities) on 7th September 1990 during its short tenure in office but it was never taken up for discussion.

By this time all political parties through their statements and manifestos has supported constitutional amendment for strengthening Panchayats and a pro-Panchayati Raj climate was being created in the country. In September 1991, the congress government under Narasimha Rao introduced the 73rd (Panchayats) and 74rd (Nagar Palikas) constitutional amendment bills. These two bills were referred to a joint select committee on the parliament. The Lok Sabha passed the two bills on 22nd December 1992 while the Rajya Sabha passed them the next day. By the time the parliament passed the two bills their sequence changed to 73rd and 74th respectively. Following are the ratification by more than half the state assemblies. The president gave his assent on 20th April 1993. They came into force as the constitution (73rd Amendment) Act 1992 on 24th April 1993 and constitution (74th Amendment) Act. 1992 on 1st June 1993. These amendments to the constitution brought about a fundamental change not only in the realm of local self-government but also in India's federal character.

Thus the journey from the "Local Self-government" idea of Lord Ripon to the "institutions of self-government" concept in the 73rd Constitutional Amendment took more than a century. This evolution in the federal polity of the country must be specially underlined.

However, for the Panchayati Raj Institutions to function as institutions of self-government the essential prerequisites are (a) Clearly demarcated areas of jurisdiction, (b) Adequate power and authority commensurate with responsibilities, (c) Necessary human and financial resources to manage their affairs, and (d) Functional autonomy within the federal structure. Since the constitutional amendment opens possibilities for fulfilling these conditions the new Panchayats is seen as "third-tier" of government. Two fundamental changes, which have come about in Indian Democratic Polity need mention here.

First, the democratic base of the Indian Polity has widened. Before the Amendments our democratic structure through elected representatives was restricted to the two houses of parliament. 25 state assemblies and two assemblies of union territories (Delhi and Pondicherry) and they had just 4,963 elected members. Now there are more than 500 district Panchayats, about 6000 block/tehsil/mandal Panchayats at the intermediate level and 25,000 gram Panchayats in rural India where about 73 percent of India's population lives. Urban India with about 27 percent population has 96 city corporations, 1700 town municipalities and 1900 Nagar Panchayats. Today, every five years, about 30 lakh (3 million) representatives are elected by the people through the democratic process. Out of whom 10 lakh (one million) are women. Women head about 175 district Panchayats, more than 2000 block/tehsil/mandal Panchayats and about 85,000 gram Panchayats. Likewise, more than 30 city corporations and about 600 town municipalities have women chairpersons. A large number of excluded groups and communities are now included in the decision making bodies. As the Indian population has 14.3 percent SCs and 8 percent STs, about 6,60,000 elected members i.e., 22.5 percent of the total membership in the rural and urban local bodies, will be from scheduled castes and tribes.

Second, these amendments are bringing about significant changes in India's federalism. India is on the move to become a multilevel federation with elected local bodies at the district (Zilla) and below.¹⁴ Of course, only

when the subjects mentioned in the 11th (Panchayats) and 12th (Municipalities) schedules are brought under schedule VII, they will assume the status equal to that of union and state lists. It must be stated here that although the elected bodies have no legislative powers and de jure the union and states constitute the federal India, the qualitative changes that has come about in the Indian federal structure has far reaching consequences.

Our federal system is pregnant with revolutionary possibilities following the widening democratic base as well as the structural change brought about by the new Panchayats and municipalities. As coalition governments at the centre are here to stay. The centre depends on the states which are controlled by a number of state level or regional parties if the state governments ignore the Panchayati Raj Institutions. There is every possibility of their not getting elected again. That is to say, a state government's or state ruling party's popularity depends on the extent of its sincerity in devolution of power to the local bodies and strengthening them in letter and spirit of the constitution.

Janmabhoomi

In Andhra Pradesh Janmabhoomi programme has come as a big blow to the Panchayats. "Andhra is a company, people are shareholders and the chief minister the general manager" is the motto of the Janmabhoomi Programme launched on 1st January 1997, based on the South Koerean programme. Saemulundong (New Community Movement) During the nine rounds of the Janambhoomi, the state government had earmarked Rs. 975.95 crore. The state funds have been diverted from the allocations for central schemes such as employment assurance scheme, rural water supply scheme, Jawahar Rozgar Yojana integrated Tribal Development Agency, DPEP National Slum Development Programme etc, studies have shown that not prescribed for the utilization of these funds breached. Under the 10th round, funds are being used from health, medical and family welfare development and child welfare, rural development, labour, education, youth welfare sports, municipal administration, animal husbandry, agriculture, horticulture and

sericulture departments, sweeping powers a given to the 'nodal officers'. A study by the national institute of Rural Development (NIRD) Hyderabad concludes "The participation members of Panchayati Raj bodies belonging various political parties other than ruling party have been missing. It has side tracked the Panchayati Raj Institutions and other local bodies by maintaining parallel system of administration by according more importance to MLAs another politicians."¹⁵

The MPs Local Area Development Scheme (MPLADS)

The MPLADS was announced by the prime minister in both houses of parliament on 23rd December 1993. Each Member of Parliament had the freedom to suggest to the district collector, works to be done by a sum not exceeding Rs. 1 crore per year with in his or her constituency. Twenty-three specific schemes such as constructing school buildings, village roads, bridges, common shelters for the old, buildings for gram Panchayats, hospitals or cultural/sports activities, digging of tube wells, etc., besides any other scheme specified by the union government from time to time, come under the local area development scheme. Accordingly, the funds are being released to the district collector by the ministry of Rural Development which operates it. Rupees ten lakh was the maximum for any single work. Today, the total amount under the MPLAD scheme for a member of parliament is Rs. 2 crore obviously, the MPs local area development scheme is 'an assault' on the letter and spirit of the 73rd constitution amendment.¹⁶ The 11th schedule [Article 243G and 12th Schedule (Articles 243W)] contain the list of 47 subjects. The related programmes and works are the prerogative of the local governments. Strictly speaking even these are not exhaustive as the state legislatures are free to go to any length. Interestingly, all the 23 items of work meant to be implemented by the MPs with the MPLADs funds are from 29 subjects of the 11th schedule.

As mentioned earlier, according to article 243 ZD of the 74th constitution amendment a committee for district planning must be compulsorily constituted. But how can there be any planning when MPs have their own priorities and huge funds under their disposal? Several

reports have suggested that the MPLADs funds are being misused or have remained unutilized by the members of parliament.¹⁷

In some states, a similar scheme has been launched for the MLAs and MLCs as well dangerously enough several municipalities have started similar schemes for councilors (for example Rajasthan, Delhi). This is a dangerous portent and also a deplorable in road into the domain of local bodies.

Majority of the Panchayat members are little educated and even illiterate. Many of them, especially women, are first timers to Panchayat bodies not to say about public life. They naturally find it difficult to cope with the technicalities and were boldly in need of training. Government organizations like the National Institutes of Rural Development, Hyderabad, State Institutes of Rural Development (SIRDS) and some Non-Governmental Organizations (NGOs) are engaged in training the PRI members. A study conducted by the institute of social sciences shows that much remains to be done in this vital area. For instance, the training period was short, training institutes centres were in a bad shape, infrastructural support for training at the training institutes centres or for the training teams was far too inadequate, many of the trainers were an indifferent lot, lacking motivation, satellite training did not prove effective, there was no follow-up or an impact study there was lack of coordination among training agencies and between them and the government. Moreover, content as well as coverage have been inadequate. Training 30 lakh elected members every five years, or at shorter intervals for effectiveness, is a gigantic task. On their training depends the future of the working of democracy, democratic institutions at the district and below and training is a continuous process. Therefore, all infrastructural facilities, trainers and information technology under the command of the central and state governments, international development organizations working in India as well as NGOs must be harnessed to meet this big challenge.

Need for Amendments

In the light of experiences of the last seven years there is a general feeling that the 73rd and 74th Amendments in corporate in Part IX of the constitution need a fresh look to strengthen the provisions as well as to achieve the objectives set out in articles 243. The problem areas are:

- (1) The Gram Sabha and its jurisdiction, enhancing its utility and effectiveness.
- (2) The desirability of uniform three tiers and integration between different levels (organic linkage) of Panchayati Raj system.
- (3) Presence of MPs and MLAs and the Panchayats.
- (4) Reservation for OBCs since there is no reservation for OBCs in the state assemblies or parliament, should it continue in the Panchayats? (In several states this issue has led to controversies and litigations)
- (5) Which way should article 243(G) and the Eleventh schedule be modified to enable Panchayats to become institutions of self-government?
- (6) Nyaya Panchayat should a specific provision for Nyaya Panchayat be made in the constitution.

These and other issues must be widely discussed and debated before a comprehensive amendment bill is brought before parliament. Piece meal tinkering with this part of the constitution, as was done through the 87th amendment bill introduced in the Rajya Sabha in December 1999, is detrimental to the cause and dangerous to the growth of the nascent..cal bodies.

The new Panchayati Raj is opening up possibilities for a better flow of information. Information is power and the dominant classes kept the ordinary people in the dark. Transparency in public dealings was missing because everything official was secret and confidential. Panchayats come to break this centralized information system when 30 lakh elected members ask for information on a variety of matters that affect people's lives. By all indicators northern states like Uttar Pradesh, Bihar, Madhya Pradesh and Rajasthan are lagging behind in terms of social development.

One of the reasons for this is the absence of social reform movements that several other parts of the country have had from time to time. This historical gap could well be filled by Panchayats through motivation of the people to take charge of their own lives at the threshold of the 21st century the new Panchayats have the capacity to turn a new leaf in the life of the villagers of these states. Resistance will be high, it could even be violent. But democratization is a process that cannot be stopped by such outbursts once people taste power, they would yield to none.

Unfortunately, forces against devolution of powers to the Panchayats as well as strengthening democracy at the grassroots are still powerful. One can discern deliberate attempts on the part of the vested interests supporting the status quo to create skepticism about the working of the local governments. Constructive criticism or creative action is absent. But the new Panchayati Raj is showing the way. A strong campaign to make Panchayats the integral part of people's lives is the need of the hour. The process is irreversible. This is the second chance to restructure the polity. The first was when we got a republican constitution.

India is destined to be a land of "Little Republics". It was so in ancient times and she retained this specific character for centuries. With the democratic revolution and liberating forces of modernity, the new "Little Republics" are bound to work for equality and prosperity of the people.

Panchayati Raj in Andhra Pradesh

The state Andhra Pradesh was formed in 1956 as a result of the reorganization of States in India. The states of Madras and Hyderabad were divided on linguistic basis, and 21 Telugu-speaking districts belong to three board regions – Coastal (Andhra), Rayalaseema and Telangana-were brought together. Though, each of the regions was characterized by district historical, geographical and economic.

The Panchayat Samithis created for each of the 324 development blocks consisted of the Sarpanches of the Panchayats of the area (ex-officio), members "of the state legislature representing the area (ex-officio) and co-opted members representing Scheduled Castes and Tribes and

women. Members of the samithis elected their President who was its political head. Most of the decision-making power was exercised by the 7 standing committees (later reduced to 5) over which the president of the samithi presided. The executive authority of the samithi was vested in the Block Development Officer (BDO) over whom the president exercised supervision and control/or the purpose of the implementation of the resolutions of the samithi and its committees. The BDO was assisted by a host of subject matter specialists known as Extension Officers (E.Os). At the village level a multi-purpose worker known as the V.L.W provided the last link to the structure of development administration. Besides supervising and coordinating the work of the Panchayats of the block area, the Samithi performed the important role of a development administration agency in rural Andhra Pradesh.

The membership of the Zilla Parishad created for each district comprised the Presidents of the samithis in the district besides in the state and national legislators elected from the district, all in ex-officio capacity. Representation to Scheduled Castes and Tribes as well as women was given through co-option. Though chiefly conceived as a supervisory and a coordinating body, the Zilla Parishad exercised by the Secretary appointed by the State Government over whom the Chairman of the Parishad elected by its members exercised administrative control and supervision. The District Collector was not only made an ex-officio member of the Parishads but also the Chairman of all its standing committees. He was to be the link between the Zilla Parishad and the district development officer of the State who were required to assist the Zilla Parishad in its development activities. In fact, the first draft of the Panchayati Samithis and Zilla Parishads Bill vitalized the Collector as the Chairman of the Zilla Parishad itself, but the provision was dropped at the select committee stage due to protests from non-officials.

The Andhra Pradesh Panchayati Raj Act, 1964

The Andhra Pradesh Panchayati Raj Act 1964 is one of the A.P Legislature after the formation of the State of Andhra Pradesh. The Act is intended to integrate law relating to Gram Panchayaties which was

obtaining in the Andhra and Telangana Regions of the state. In the Andhra Pradesh (Andhra area) Village Panchayats Act, 1950 and in Telangana area the Andhra Pradesh (Telangana area) Gram Panchayats Act, 1956 have been repealed by the Andhra Pradesh Gram Panchayats Act, 1956 were the laws but governed in local administration in the village. These two Acts have been repealed by the Andhra Pradesh Gram Panchayat Act, 1964 and the village Panchayaties that were constituted under the Andhra area Act and the Gram Panchayaties and Town Committee constituted under Telangana Area Act have automatically become Gram Panchayaties under the 1964 Act.

Between 1964 and 1981 several committees were appointed by Government examined the working of Panchayati Raj in Andhra Pradesh and made proposals for organization and revitalization of Panchayati Raj. They include the Administration Reforms Committee (1964-65), the Estimates Committee of the State Legislature (1965-66) the Committee of the Congress Legislature Party (1969) (Vengal Rao Committee) and the two High Power Committees of 1972 and 1981 (both under the Chairmanship of C. Narasimham, a former Planning Secretary). All the committees strongly favoured the Maharashtra Pattern and proposed the strengthening of Zilla Parishads at the district level. By and large they also suggested the widening of the financial base of the rural local bodies, decentralization of more functions and grant of more operational autonomy.

District Boards

Panchayati Raj Institutions received a major setback in 1967 with the creation of the District Development Boards. M.T. Raju Committee recommended their creation as the outcome of the Annual Conference of the District Collectors in 1967 with the District Collector as the Chairman and the Chairman of Zilla Parishad as a member, the Board became the local point for the preparation and implementation of the development projects of the district and pushed the Zilla Parishads to the background. The Vengal Rao Committee was highly critical of the setup and amidst mounting criticism from the non-officials, the Boards were abolished and

their functions entrusted to the Standing Committee of the Zilla Parishads.

The Andhra Pradesh Panchayati Raj Act, 1975

Two bills one each for amending the samithis and Parishads Act and the Gram Panchayaties Act were introduced in 1975 in the State Legislature. The former provided for some far reaching changes in the law. Provision was made for the district election of the Samithi President by all the voters of the area. He was to be a member of the Samithi in an ex-officio capacity. A new class of four nominated members with limited voting rights was also introduced. Following the Maharashtra pattern provision was made for appointment of a Chief Executive Officer for each Zilla Parishad from which the District Collector was totally withdrawn. Voting rights were conferred on all those above 18 years of age. The directly elected Sarpanch was made a member of the Gram Panchayati. The bills not only retained all powers of control over the Panchayati Raj bodies but some new proposals for control were also made. However, due to swift political developments in the state only the amendments to the Panchayati law actually came into force.

Meanwhile, the term of the Panchayati Raj bodies elected in 1970 expired in 1975 and the government extended their term by one year under the pretext of proposals for amendments. However, instead of holding elections in 1976 as promised, Samithis and Parishads were superseded and special officers were appointed to run their administration with the help of nominated advisory bodies.

After 1979 general elections, there was a change of party leadership in the State Government. It introduced some minor amendments to the Panchayati law and made preparations for holding elections in 1979 to “23000 Panchayaties, 326 Samithis and 22 Parishads at a cost of Rs.2.68 crores”. Again the elections were postponed on account of some legal writs filed in the High Court, challenging certain provisions of Panchayati Raj legislation.

During the period there were certain changes in the rural development policy of the Government of India. The centrally sponsored

schemes such as IRDP, DPAP etc. were launched for alleviation of rural poverty. For administration of these programmes separate organizational arrangements were made instead of being entrusted to Panchayati Raj Institutions. Asoka Mehta Committee had also submitted proposals for reorganization of Panchayati Raj so as to equip it to play a larger role in planning and implementation in the field of rural development.

The Government of Andhra Pradesh appointed a committee headed by Shri Narsimham to suggest requisite measures to reorganize Panchayati Raj to enable it to play better role in development planning and management. But only a few minor changes were actually introduced by the Government in the Panchayati Raj Institutions in the light of some of the recommendations of the Committee.

Elections were held to Panchayati Raj bodies in 1981 after a gap of decade on a non-party basis. One of the changes however made in 1981 was to lower the age of eligible voters from 21 years to 18 years.

In practice, there was no significant improvement in the performance of Panchayati Raj Institutions. Firstly, local bureaucracy continued to be indifferent and at times even hostile to Panchayati Raj, especially at the district level. Secondly, the rural elites largely belonging to the landed class, concerned most of the benefits including those intended for the rural poor. Thirdly, there was considerable factionalism among the local leadership which tended to constraint smooth and effective functioning of PR Institutions. Fourthly, development process was also constrained due to inadequate finances and insufficient competent staff to deal effectively with the problems of rural development processes of growing complexity. Finally, tight control of the State Government tended to inhibit the local leadership in making locally relevant decisions. The only silver lining on the rural horizon was increasing political awareness among many sections of rural people. This contributed to ongoing democratic processes in the rural society. However, the progress of these processes was still modest in the semi-traditional and in egalitarian rural communities in the state.

In 1983, the Telugu Desam Party headed by N.T. Rama Rao came to power in the state. The newly formed government wanted to take the administration to the door steps of the people and constituted Panchayati at the grass root level, the Panchayati Samithi at the middle level and the Zilla Parishad at the district level has evolved over the years and has played no mean role in the developmental activities in the district. There was absolutely no justification or warrant to disturb this wonderful three tier system of Panchayati Raj administration; nevertheless, the Telugu Desam Government either based on the conviction or with the intention of gaining publicity, decided to bring reforms in Panchayati Raj Institutions by introducing new Act named as A.P. Mandal Praja Parishads, Zilla Praja Parishads and Zilla Abhivrudhi Sameeksha Mandals Act, 1986. The Act introduced four tier system of Panchayati Raj in Andhra Pradesh. Gram Panchayati, Mandal Praja Parishad, Zilla Praja Parishad, and Zilla Abhivrudhi Mandali. The changes envisaged in the Act of 1986 clearly should be influences of the Ashok Mehta Committees major recommendations Gram Panchayaties however, continued to be governed by the Act.

The Act of 1986 made significant changes in the Panchayati Raj system. It abolished 330 Panchayati samities and created 1,104 Mandal Praja Parishads (MPPs) in their place. The population of a Mandals varied from 35 to 50 thousand. The main and foremost objective of mandal system was to minimize the gap between the officials and the common man. The intention was to bring the administration at the door-step of the rural people. In fact, the mandal headquarters had been established at a walk able distance to the surrounding villages. It was intended that all important departments like revenue, police, cooperation, education, health and agriculture would operate at this level.

The Sarpanches, MLAs and MPs were made members of the Mandal Praja Parishad. The president was to be directly elected by the voters in the mandal. In addition to the earlier reservation of 15 per cent and 6 per cent respectively for the SCs and STs, a further quota of 20 per cent and 9 per cent was reserved for the Backward Classes (BCs) and women

respectively. Thus, the total reservation quota was raised from 21 per cent to 50 per cent.

The Mandal President convenes presides over the meetings and exercised administrative control over the Mandal Development Officer. The government could remove the President/Vice-President of a mandal if he misused his powers or refused to carry out its orders. The major sources of income for the mandal were government grants and funds relating to various schemes. It also got a share of the land revenue and other state taxes.

The Chairperson of the ZPP was to be directly elected by the voters of the district and had the status of a minister of state. Out of 22 posts of Chairpersons in the state, 10 were reserved for the weaker sections (STs-1, SCs-3, BCs-4, women-2). All the presidents of the MPPs in the district, MLAs and MPs of the district were members of the ZPP.

One member belonging to either a linguistic or a religious minority could be co-opted, while the District Collector was also retained as a member. Six standing committees carried out the work of this body. The new Act had diluted the powers of the district Collector by divesting him of the position of ex-officio chairperson of all the standing committees, unlike in the old Act.

The District Development Officer was its Chief Executive Officer, and was responsible for implementing its resolutions as well as the standing committees. The ZPPs examined and approved the budget of the MPPs in the district and supervised their activities. It also distributed the funds, and coordinated the plan of the Mandals. Its Chairperson convened and presided over the meetings. He exercised administrative control over the District Development Officer.

The important sources of income of the ZPP were Central and State Government funds, share of the land cess and other taxes and donations and income from endowments. The government had the power to remove or suspend the Chairperson, Vice-Chairperson or members of ZPP in case of misuse of power by them on their inability to comply with its orders.

Each district, excluding Hyderabad, had a statutory Zilla Pranalika Abhivrudhi Sameeksha Mandal (ZPASM) charged with the functions of advising and reviewing the developmental activities undertaken by the ZPP from time to time. This body was headed by a Minister nominated by the Chief Minister. The ZPP Chairperson, the District Collector, all the legislators from the district and some expert members nominated by the government were the members of the body. The District Collector was its Member-Secretary.

It was observed: "Due to criticism from the general public about the creation of such a nominated body over and above the ZPP, the government has initially thought of lowering the position of the ZPASM, but it could not do so because of considerable pressure from the ministers and legislators of the State".

Even after reforms under the Act of 1986, rules and regulations made there in issuing GOs from time to time, the problems of bureaucratic domination (e.g. role of Collector), excessive supervision and control by the government (including suspension and removal powers), formation and continuation of the ZPASM (considered unnecessary as the source of weakening the PR), persisted and criticism from different corners started mounting.

Reservations for the weaker sections to the extent of 50 per cent and women had substantially affected the traditional relationships, particularly PR leadership in a number of pieces. Cases of social tension between the reserved and not reserved classes had been reported.

Further, creation of mandals in a large number led to different kinds of problems of 'administrative realignments'. They lacked accommodation, infrastructure and sufficient personnel in addition to 'role displacements and conflicts'.

As referred to earlier, the objective behind the creation of the mandals had been to take administration to the door step of the common man. Interestingly the Gram Panchayati system remained intact.

With the defeat of the Telugu Desam Party and the return of the Congress (I) to power in 1993, serious doubts were expressed whether the

mandal system could achieve its objective. Scarce resources and inadequate staff, as some micro-level studies pointed out, had been serious impediments to the realization of the objective for which mandals were created. No doubts, the mandals proved to be more accessible to the people than the earlier Panchayati Samities.

Party based direct elections for the post of Chairperson (ZPP) and president (MPP) and the ex-officio membership to these bodies created a number of operational problems, sometimes leading to deadlock. The 'in-built conflictual mechanism' was thus being realized in the system.

In view of operational problems and mounting criticism of the PR system, the government appointed an expert committee headed by BPR Vittal, to study and make recommendations on the structure, content and mode of elections of PRIs in the state. A few significant recommendations are: (i) the creation of 500 to 550 talukas in place of the existing 1,104 mandals; (ii) elections to PRIs to be fought on a non-partisan basis; (iv) prohibition on political use of party symbols in elections; (v) indirect elections for the post of Chairperson of the Zilla Parishad.

The committees major recommendations received favourable response of the government. These developments led to the postponement of PR elections repeatedly on one pretext or the other.

In 1992, the ZPPs and the MPPs were dissolved on expiry of their normal terms of 5 years, and administrators had been appointed to manage these institutions. In view of the analysis made so far, the experiences of Andhra Pradesh in regard to the institution building at the grass-roots (PRIs) during the period 1959-2012, can be summarized as follows:

- (i) Panchayati Raj movement, in the sense of institution building at the grass-roots has been a story of ups and downs. Broadly speaking, irrespective of temporal accuracy, it passed through four phases viz., phase of dynamism (1959-64), Phase of stagnations (1965-69), Phase of decline 1970-85, and phase of reform (1986-1992), preceding the place of Constitutionalization of Panchayati Raj.

- (ii) A number of committees, including high power committee, had been constituted from time to time by successive governments with a view to suggest improvements in structure and functioning of PRIs. Many perceived meaningful recommendations at the different points of time were incorporated in the concerned statutes. But certain issues and problems continued to defy stable solutions. The major ones to count, are direct Vs. indirect elections of the Chairpersons presidents, party Vs party less elections, place and role of MPs and MLAs, place and role of the Collector in relation to PR, half-hearted approach on the part of ruling state level elites and bureaucracy towards 'genuine devolution' of powers and functions to these institutions, excessive and rigid control and supervision over PRIs by the government, inadequate finances and insufficient personnel in number and skills, furthermore, development programmes relating to the economy, the tribal people, the SCs and women had continued to be implemented by special agencies. This has bypassed and undermined the importance of PRIs in the process of rural development.
- (iii) The mandal system (middle-tier) under the Act of 1986 was quite innovative and apparently well intended but a feeling that acquired prominence with the passage of time was that this major reform in the overall PR system had been mainly motivated by political consideration (party building effort at the grass-roots) of a first ever non Congress (I) government in the state. Village Panchayati (third-tier) was left untouched, and at the apex tier changes were of cosmetic nature. Furthermore, the mandal system created realignments much could not be achieved in terms of stability of the PR system.
- (iv) Interactions between PR system and rural social structure and environment started giving indications of social change especially shaking off traditional local power structure mainly

determined by 'dominant castes' phenomenon. In the process, the change, however slow, also brought tensions, conflicts, factions and a struggle for concerning material benefits, raising the issues of equality, equity and social justice.

- (v) It is not that PR system has failed in A.P Various micro-level researches conducted past and present, had shown both success stories and failure stories. The success stories were few and far between. No doubt, as a whole, it had modest contribution to economic development, but its contribution to bring democracy at the grass-root had been tremendous, based on indicators (qualitative and quantitative) of democracy and political development.

However, in the absence of any real independent powers, these primary democratic bodies are only proved to be the replica of their real sense and exercises in futility. The centre has taken note of this and to provide a uniform basic democratic structure throughout the country, it has got enacted an amendment to Constitution (i.e. 73rd Constitution Amendment) according to which all the states have their own Acts to their conditions and in conformity with the Constitutional Amendment. Along with other states the Andhra Pradesh state had also amended Panchayati Act in 1994.

Andhra Pradesh Panchayati Raj Act, 1994

In conformity with the constitutional amendment the Andhra Pradesh legislature related of its earlier acts and enacted a new Act namely the Andhra Pradesh Panchayati Raj Act, 1994. Under the new Act the Mandal Parishad has been restrained as a unit at intermediate level in the three-tier system of Panchayati Raj in the state. The other two-tiers are Gram Panchayati at Village level and Zilla Parishad at the district level.

The Act also provides for the constitution of Gram Sabha at the village level. The first ordinary elections to PRIs in the state, after the implementation of 73rd Constitution Amendment Act were held in 1995. The subsequent elections were conducted in 2001, 2006 and 2013.

Gram Sabha

The village assembly is called Gram Sabha. According to the Andhra Pradesh Panchayati Raj Act 1994, a Gram Sabha needs to be constituted in every gram Panchayati. It consists of all registered voters in the Panchayati Area. The Sarpanch presides over the meetings of gram Sabha. All the ward members need to attend the meetings of the Gram Sabha. It is mandatory for the Gram Sabha to hold at least two meetings in a year. The Sarpanch needs to answer the questions raised by the villagers. Gram Sabha not only provides a deliberative platform to the Gram Panchayati for discussing the plans it wants to formulate and implement in the ensuing year with the villagers but also helps it in gathering public support. It ensures people's participation and avoids conflicts. The 73rd Constitution Amendment Act granted constitutional status to the gram Sabha.

Functions of Gram Sabha

It is the duty of Gram Panchayati to place for consideration following matters before the Gram Sabha.

- ▶ Annual budget and audit report of the Panchayati.
- ▶ Report on the administration of the preceding year.
- ▶ Proposals for fresh taxation or for proposals for enhancing the existing taxes.
- ▶ Selection of beneficiaries and locations.
- ▶ Any other matters considered necessary.

Village Panchayati

Gram Panchayati is the basic unit of PRI. It consists of elected representatives of the people. Gram Panchayati is the managing body the village. Gram Panchayati is elected directly by the registered voters of the Panchayati area for duration of five years. The members are elected directly by the registered voters on the basis of single member territorial towards or constituencies through secret ballot. The number of wards range between 5 and 21 depending on the population of the village. Seats are reserved for SCs, STs, BCs and women.

Sarpanch

The Sarpanch is elected directly by the people of the village. The Sarpanch presides over the meetings of the Panchayati. After the 73rd Constitutional Amendment, as the Sarpanch is being directly elected by the people and therefore there is no provision of no-confidence. The Sarpanch presides over the meetings of Gram Sabha. The Sarpanch needs to answer the question raised by the villagers during the Grama Sabha. He presides over the meetings of the Gram Panchayati. The Sarpanch is responsible for the maintenance of the records of Gram Panchayati. He is responsible for financial and executive administration of the Gram Panchayati and to appoint its committees. These meetings are generally held once in a month or as and when they are necessary. However the time gap between two meetings should not be more than three months. They should be held at least once in three months. The proposed works of the GP are discussed and approved by the members in these meetings. The budget of the GP is also approved in such meetings. The competence of the Sarpanch lies in getting these proposals approved. Otherwise he may have to face dire consequences in the village. The number of employees working in the GP depends on the population of the village. Major Panchayaties will have an executive officer and minor Panchayaties will have a Panchayati Secretary. They act as a liaison between the GP and the government.

Upa Sarpanch

Upa Sarpanch is elected by the ward members from among themselves. As his election is indirect there is a provision to propose a no-confidence motion against him. He acts as the Sarpanch in his absence.

Functions of Gram Panchayati

It has two types of function. They are:

1. Mandatory functions.
2. Discretionary functions.

Mandatory Functions

Sanitation, conservancy and drainage, prevention of public nuisances, drinking water, construction and maintenance of village roads, construction and repairs of public buildings, registration of births and deaths, sinking and repairing of wells, rural electrification, preparation of annual budget and development plants etc.

Discretionary Functions

Poverty alleviation programmes, maintenance and opening of cremation and burial grounds, public parks and play grounds, cattle sheds slaughter houses etc.

Sources of Revenue

Gram Panchayaties have been empowered to levying taxes or fees on subjects like housing and building profession, trade, employment, registration of vehicles, tax on slaughter houses, hostels, restaurants etc. They also get a share off funds from the state on the basis of the recommendations of State Finance Commission with regard to distribution of taxes between state and village Panchayaties, assignments of taxes to the Panchayaties and grants-in-aid.

Mandal Parishad

All the middle level there is a Mandal Parishad for each mandal. Mandal Parishad consists of members directly elected from the territorial Constituencies each consisting of population between 3,000 and 34,000. The members of Lok Sabha and MLAs representing a constituency, which comprises wholly or partly of the mandal, and the member of Rajya Sabha who is a registered voter in the mandal are also members of Mandal Parishad. One person belonging to the minorities is also to be co-opted by the elected members. The elected members of the Mandal Parishad alone are eligible to contest or vote in the election to the office of President/Vice-President of a Mandal Parishad.

There is reservation of seats for SCs and STs in proportion to their population in the mandal by rotation between different constituencies. One third of the seats are reserved for BCs by rotation, which was enhanced later to 34 per cent. Similarly one third seats are reserved for

women (this includes one third seats allotted to women in each of the reserved category).

The President and Vice-President of the Mandal Parishad are elected members from among themselves. Posts of Presidents and Vice-Presidents Mandal Parishad in the state are reserved for SCs and STs in proportion to their population. One third of seats are reserved for women and 34 per cent of posts for BCs.

Some of the important functions of the Mandal Parishad are: community development, agricultural development, animal husbandry, rural health and sanitation, irrigation, roads, elections, education, anti-poverty programmes, women and child welfare. They get grants from center and state government under various schemes. The other sources of income are: share in the land cess and other taxes, contribution from Panchayati, income from remunerative enterprises and other annual grants from governments.

Zilla Parishad

The 1994 Act provides for a Zilla Parishad (ZP) for each district (except Hyderabad). Zilla Parishad consists of members elected by the voters from territorial constituencies. For this purpose, the area of a mandal is considered as a territorial Constituency. In addition, the members of Lok Sabha and Legislative Assembly whose constituency falls partly or wholly in the district, and member of Rajya Sabha who are registered voters in the district are also members of ZP. Two members belonging to minorities are co-opted by the elected members of the Zilla Parishad.

The Chairpersons of the District Co-operative Marketing Society, the Zilla Grandhalaya Samithi and the District Co-operative Central Bank and all Presidents of the Mandal Parishads in the district are permanent invitees to the meetings of the Zilla Parishad but without voting rights.

The Chief Executive Officer (CEO) of the Zilla Parishad, who is appointed by the State Government, is responsible for the implementation of the resolutions of the Zilla Parishad and its standing committees. Every Zilla Parishad has seven standing committees. They are: (i)

Planning and Finance; (ii) Rural Development; (iii) Agriculture; (iv) Women's Welfare; (v) Education and Medical Services; (vi) Social Welfare; and (vii) Works Zilla Parishad Chairperson and the Vice-Chairperson are ex-officio members of all the committees. The Chairperson nominates the other members. The decisions of the standing committees have to be ratified by the general body of the Zilla Parishad).

The important functions of the Zilla Parishad are: examining and approving the budgets of the mandal Parishads in the district, distributing funds allotted by the governments to the mandals in the district, coordinating and consolidating the plans of all mandals and preparing a district plan, implementation of plans and schemes, supervising the activities of mandals, establishing and maintaining secondary, vocational and industrial schools.

The Zilla Parishad gets income from different sources. Important among them are: Central and State Government funds, grants coming from various bodies for rural development, small scale industries, share of the land cess, local cess, state taxes, income from remunerative enterprises, endowments or trusts administered by the Zilla Parishads, contribution from mandals and annual grants from government.

The government can cancel or suspend any resolution of the Panchayati bodies in case there is any misuse of the provisions of any Act. The government can dissolve any Panchayati Raj body if there is abuse of powers. The government also has powers to dismiss a head of any Panchayati Raj body in case of misuse of power.

GP has no power either to allocate or reallocate the grants/amount sanctioned by the Central government, state government and public contributions. The higher level bodies i.e. line departments and Mandal Praja Parishad or Zilla Parishad sanction the scheme to the village and allocate the budget. The formulation schemes and budget allocation for the schemes is being done by the higher level bodies and GP remains merely a watch-dog of the schemes.

In the case of financial resources generated through taxes, the GP has the power to allocate and reallocate the budget for development of the

village. However, this is also subject to the approval of higher level bodies/officials.

Further, the GP which is the basic unit of rural governance has no adequate powers, functionaries and finances to bring overall development in the village. The state, instead of devolving more powers, functionaries and finance to the GP, is creating parallel institutions which are weakening the GP and also violating the very purpose of creation of democratic institutions. Whatever schemes are launched in the village are imposed by the line departments of state government and the involvement of the GP is only to supervise or endorse the work done in the village.

1. The striking feature in AP is that the administrative line of control of gram Panchayati is direct and is different from that exercised at the MP and ZP level. The gram Panchayats are under the control of the District Panchayati Officer (DPO). The Executive Officer of the gram Panchayati works under the Extension Officer (EO), Divisional Panchayati Officer and District Panchayati Officer who are answerable to the Collector. The other two bodies, i.e., MP and ZP are administered by the CEO. This arrangement is peculiar to AP alone.
2. The present status of functional devolution in A.P shows that its position is lowest among a few important states. It transferred functions in respect of sixteen subjects of which five are with funds (agriculture, drinking water supply, minor irrigation tanks, social forestry, primary and secondary education and khadi and village industries) and only two are with functionaries (drinking water supply and minor irrigation tanks) number of functions yet to be transferred remain thirteen, with funds twenty four and with functionaries twenty seven subjects.
3. There are no standing or functional committees at the mandal it is necessary to create committees at the MP on lines more or less similar to the ones prescribed at the ZP, viz., (a) standing committee for planning, finance and works, (b) Rural development; (c) agriculture, (d) women and social welfare and (e) education and

- medical services. The Chairperson of the ZP now heads four of the standing committees, this should be reduced to two planning and finance works. The fee allowance, etc. are already in vogue and can be followed by adding on representation of the CBOs.
4. The Standing Committees at the mandal can perform the role of (a) monitoring and (b) arbitration, monitoring cannot only be regulatory also if incentive, encouraging the CBOs to perform better by arranging for monetary incentive, the committees at the MP arbitrate when there is dispute between different GPs due to overlapping of functions and jurisdiction (watershed area). The functional committee of the GP should be into planning and implementation, for those activities at the MP that also involves implementation, the fund release options similar to the ones described for the GP can be followed.
 5. “APPR Act, 1994 provides for six functional standing committees at the GP level. The seven to ten Self-Help Groups (SHGs) operating at the village level also represent more or less the same or similar types of activities. The gram sabhas shall co-opt one or more representatives of the SHGs into the respective standing committees of the Gram Panchayati. For instance, members of the Village education committee will be co-opted as members of the standing committee on education at the gram Panchayati level. From amongst the co-opted members in the standing committees on education in all the Gram Panchayatis (GP), in a mandal, the Mandal Panchayati (MP) will co-opt in an open meeting of the MP Samithi a member/members onto the standing committee on education of the MP. The Zilla Parishad in turn will co-opt, in an open meeting of the Zilla Parishad from amongst the co-opted members of standing committees on education of all the mandal Panchayats in the district. The mechanism for selecting members in the other standing committees from the SHGs sworn is similar, starting from the Gram Panchayati level to the Zilla Parishad level”.

The success of the benefits flowing from attaining the symbiosis between SHGs and PRIs will depend to a large on three things: (i) strengthening of PR institutions themselves, (ii) bringing convergence of development programmes and institutions being implemented in the state by different agencies and line departments and (iii) building the capacity of the SHGs.

Devolution of Powers and Functions

The state has not attempted so far to devolve the powers and functions with regard to the 29 items listed in the XI schedule of the Constitution. To add the ingredients of the Constitutional Amendment, the state has initiated steps towards proper devolution of powers to the PRIs. A Committee of Secretaries was constituted with the Principal Secretary as the Chairman. The Principal Secretary, Panchayati Raj and Rural Development, MLAs and Heads of the departments are the members of the committee to study the pattern of devolution of powers and functions. This attempt is to take steps cautiously after a thorough examination of the issues involved and an in depth study of existing field conditions so that the ultimate arrangement could be made to achieve durable results. In Andhra Pradesh, agencies like DRDA, SC & ST Welfare Corporations, District Industries centre, BC Welfare Corporations are involved in the implementation of poverty alleviation programme. therefore, the transition, of devolution of powers and functions should go relating to the empowerment of PRIs, deployment of field level functionaries, of the activities of various agencies presently involved in the areas of rural development so that there is no let up or slowing down of the process of durable development and therefore to say to the transfer of programmes and schemes to PRIs is yet to take place. The first meeting of the committee was held on 14th July 1998. The action taken with regard to the suggestions made in the meeting is yet to be initiated.

Issue of Autonomy

PRIs in Andhra Pradesh are not autonomous, neither functionally nor financially. Out of three-tier are at the district level is stronger and the other two levels of Panchayats i.e. the Mandal Parishad and the Gram

Panchayats are treated as the subordinates to ZP. Thus, the Panchayats at the mandal, gram level are not independent. While analyzing the functioning of ZP, it is understood that ZP is autonomous functionally and financially, but not politically. This means that for each district, one member of state legislature is appointed as the Minister of the district. For instance, Nalgonda district has got the Home Minister of the State Cabinet as the Minister of the district. By this, the state policy is riding the house of Zilla Parishad. The Chairman of Zilla Parishad is brought under the control of the political party in power. The autonomy of the PRIs is limited through the mechanism of Collector and DRDA in the state. PRI has absolutely no role to play either in planning or in preparing budget.

Special Features of the Act

- One of the innovative features of PR system in the state is limiting the qualification of members of PRI who has more than two children. By this provision in the PR Act, the state has made attempt to implement to bring down the population has made attempt to implement to bring down the population in the state and also introduced that the members of the Panchayati or the public leader or a political should be made to the society.
- PRI in Andhra Pradesh has provided organic linkage between the three-tiers which means that all Sarpanches of the Gram Panchayats attend the general body meeting of the GP attend the general body meeting of the Mandal Parishads. Similarly, all the Presidents of MPs attend the general body meetings of the Zilla Parishad. But they have no right to vote.
- a member who is absent for three consecutive meetings becomes disqualified and there by insisted regularity of the members in attending the meetings to and in effective the functioning of Panchayats.

- Joint cheque power for operation of Gram Panchayaties fund has been provided to the Sarpanch of the GP along with any one member purposively selected by the GP.
- The grant-in-aid of the state government is being still operated through the government treasury only.
- The scheme of selection of best GPs is an another unique feature in the state. Committees have been at the state, Zilla and Mandal level for the selection of best Gram Panchayaties and incentives are provided to encourage the Panchayaties. All the state, district and mandal level committees are formed for a purpose. At the state level the Commissioner will act as the Chairman to Panchayati Raj and rural development. The Commissioner of Agriculture and Engineer-in-Chief are the members. The Commissioner, PR is the Member-Secretary. At the district level the Chief Executive Officer, ZP is the Chairman, District Panchayati Officer and the Executive Engineer, PR are the members. The mandal level team includes the Mandal Parishads, Development Officer as the Chairman and the Divisional Officer and the Extension Officer, Panchayaties are the members. Statement-I provides the norms fixed for the selection of the best GP.
- The power to call information from Village Development Officer (VDO) has been entrusted upon to the GPs.
- Co-option to minorities is given to provide adequate representation to all sections of the community in the village.

Issues Related to Performance

A number of issues come up in the functioning of the Panchayaties.

The Size of the gram Panchayati

The size of the Gram Panchayaties varies from 5,000-50,000 population in the state. This limits to rising of income of the Panchayaties and for a Panchayati with a small size of population it cannot be feasible to hold any developmental activity specifically. It is, therefore, necessary

to regroup the Panchayaties with the size of population, which the state government may feel appropriate to make the Panchayati viable.

The Grouping of Panchayaties

All the Gram Panchayaties in the state have been classified as notified and non-notified based on the income of the Gram Panchayati that is Rs.40,000 which has been fixed in the year 1972. There are members of Panchayaties having income of more than Rs.40,000 which does not fall under notified Panchayaties. Moreover, at present an average income of any Gram Panchayati including JRY funds account to be 5-6 lakhs. Therefore, the classification of Panchayaties needs re-grouping.

Representation of Members in the Higher Level

The representation provided to the Sarpanches of the Gram Panchayats in the general body meetings of the Mandal Parishad and to the presidents of the Mandal Parishads in the general body meetings of the Zilla Parishads seem to be incomprehensible and duplicated. For the constitution of Zilla Parishad one member is being elected from each mandal which is otherwise known as (ZPTC), there by representation from each mandal is being already provide by the Act. This accounts to a huge crowd including the officers. For example, Nalgonda Zilla Parishad has nearly 250 members in its general body. Suitable formula should be worked out to limit the persons to participate in the general body meeting of the Mandal Parishad and Zilla Parishad, so that a better platform could be provided to the members for more meaningful participation.

Appropriate Legislative Measures

The text of PR Act, 1994 includes that necessary orders, guidelines and instructions may be issued by the government for further implementation by many activities. The Gram Panchayaties constituted have not any committee for its functioning for the reason that legislature has not passed any further orders.

Profession Tax

Profession tax was compulsory until the year 1987 and was taken over the government. The state collects the tax and distributes to local

bodies. After the state taking over the collection of profession tax the collected tax has increased more than two times. Even then, the eligibility of a particular democratically elected body has been sized. Therefore, the Gram Panchayati should be given powers of implementing such taxes so that the procedural delay in transferring money to the local bodies can be avoided.

The Staff of Gram Panchayati

The staff of Gram Panchayaties are still placed under Nominal Muster Roll (NMR) system which was introduced in 1985. Payment to the Panchayati staff has not been regular. The Public Water Supplier (PWS) collects his own payment from the water uses which cause inconvenience to the PWS since not all the water users are genuine in paying and regular PWS is placed at the money of the water users.

The Village Development Officer

The VDOs are under the control of the revenue department and should be brought under the control of gram Panchayaties so that issue of caste, income certificates can be made regular.

The Problem of Teachers

Since the subject of primary education has been dealt by the Mandal Parishads the transfer and appointment of teachers in the state became a puzzle.

Problem of Group Executive Officer

There is Executive Officer for more than one Gram Panchayati and called as Group Executive Officer, which is another hurdle in the functioning of the Panchayaties. The Group Executive Officers are found nowhere and do not hold any responsibilities of any Gram Panchayati. Therefore, the Sarpanch, who have Group Executive Officer felt that each Gram Panchayati should be given an Executive Officer.

Overlapping of Functions

The Andhra Pradesh Panchayati Raj Act did not make any attempt to avoid the overlapping between the obligatory and the discretionary functions.

Role of District Panchayati Officer

The District Panchayati Officer has been appointed when the Gram Panchayaties were considered as the viable unit of development in the sixties. But in the present context of the functioning of the PRIs where the ZP is made as the unit of implementing all the development programmes the role of the District Panchayati Officers have not been defined so far.

Weak Social Auditing

Technically the Panchayaties do not have adequate expertise, manpower, and skill to plan and implement development schemes and projects. Thereby they are increasing their dependence on the state apparatus. This puts them on the defensive while facing social auditing by the community.

Politicization of PRIs

Many sarpanches contest elections under the patronage of national and regional political parties, as it facilitates their political advancement. This has promoted the use of money and muscle power and even communal clashes have taken place in Panchayati elections. Politicization of the Panchayaties is also responsible for the dismal functioning of gram sabhas.

Centralization of Power in the Hands of Sarpanches

Centralization of power in the hands of sarpanches dilutes the objective of de-concentration of power. The power of the village council is totally concentrated in the hands pradhans (Presidents), for all practical purposes, and the president is a powerful man. Sarpanches did not take the ward members into confidence while performing the functions of Gram Panchayaties such as spending government grants, selecting the beneficiaries of welfare schemes and implementation of development programmes.

Growth of Parallel Bodies

The parallel bodies taking away functions of PRIs are a growing concern. Water user groups, joint forest management committees and expert committees are a few examples of the working of parallel

institutions in different states. A parliamentary standing committee commented that these parallel bodies were undermining the decision-making powers of the Gram Sabhas and the Gram Panchayaties. Even the youth clubs, mahila mandals and other village level organizations that get direct grants from the government were undermining the role assigned to the PRIs by the constitution.

Relationship between Panchayati Raj and Parallel Bodies

The government of Andhra Pradesh created several parallel bodies such as SHGs, watershed committees, school education committees etc. These bodies emerged as self-government units for planning for social justice and economic development. This led to a debate about the friction between legitimacy and capacity of existing popularly elected body at the other structures said to be designed for the same functions.

The irony is that many of these specialized bodies take up the tasks mentioned in the eleventh schedule which provided for a list of 29 subjects in which Panchayaties has to be given primacy (along with two higher level governments). Especially the areas which are crucial for human and natural resource management were de-linked from the ambit of Panchayaties. Once again the argument against Panchayaties hinged around inefficiency and lack of capacity. In fact Panchayaties are sparingly capacitated compared to these parallel bodies. With the advent of this specialized body focus has shifted to build capacity of those stake holders than to the popularly elected bodies. This is the current state of marginalization of constitutionally mandated institutions for democratic decentralization the parallel bodies have enhanced stakeholder understanding of the scheme of things.

General Characteristics of Parallel Bodies (Parallel Bodies)

They are financially stronger than any average Panchayaties. For example any watershed committee of minimum 200 hectors would have finance resources of Rs.12 lakhs (GOI 2008) for a period of five years.

- They are accountable to small group of stake holders and the officials of line departments associated.

- they have exclusive focus on specific tasks as stake holders. For example many times the Village Organization (VO) a body elected from small WSHs in the village feels that the business of thrift and credit is a private affair which need not be discussed at gram sabha.
- Many of these bodies are creatures of executive orders.
- They generally keep away from the function process of Panchayaties.

Reasons for Conflict

- Parallel bodies completely undermining the Panchayats and function independently.
- The need and mandate for convergent action with PRIs is violated thus leading to duplication and pilferage.
- The exclusive patronage of technical support of the line departments to the parallel bodies associated with their activities.
- Sharing of the information and resources and the results of the tasks is not taking place. This opaqueness leads to doubts and mis-understanding.
- there is no organic link established-between PBs and Panchayaties (occasionally there is a notional membership of sarpanch in some of these parallel bodies which is reality did not hold any substance).

These characteristics keep the parallel bodies and Panchayaties in an unhappy relation.

The local self-government institutions (rural) in Andhra Pradesh, after the 73rd Constitutional Amendment of 1992, are governed by the Andhra Pradesh Panchayati Raj (APPR) Act, 1994. However, even more than a decade after passing the APPR Act, 1994, many of its clauses have not been implemented in letter and spirit, resulting in ineffective functioning of the PRIs in the state.

The PRIs at the different levels have not been delegated duties and responsibilities as envisaged in the Constitution and the APPR Act, 1994.

Only supervising functions of six departments out of the 29 listed in the 11th Schedule were transferred to the PRIs. This transfer does not confer any financial power or functions or functionaries to the three tiers of the PRIs.

The Panchayati Raj Act (1994) confers wide ranging functions on the gram Panchayats, Mandal Parishads and Zilla Parishads, but sufficient powers and resources are not devolved (economic decentralization) onto these institutions. Moreover, the way functions are given in the Act leaves much scope for overlapping, repetitiveness and confusion. Functions and tasks to be performed at a particular level, should have been specified, in the absence of which clarification for operational problems (mostly administrative in nature) are generally settled by issuing Government Orders (GOs) after GOs.

There has been a lack of political will on the part of successive governments to enact legislation on empowering the PRIs to recover taxes as provided in the A.P Panchayati Raj Act. The income of the PRIs from taxes is low for want of willingness of the government to authorize village Panchayats to recover taxes. There is need for legislation regarding the levy and recovery of taxes and also expansion of the tax base of the PRIs.

The Panchayati Raj system in the state cannot function effectively unless the issue of devolution of powers and functions is resolved speedily. All the 29 items include in the Eleventh Schedule of the Constitution are to be transferred to the PRIs. Panchayati Raj Institutions should be handed with responsibility (implementing, monitoring etc.). In the case of core functions like drinking water, education, health etc., in the case of welfare activities they should be given the intermediary responsibilities with partial involvement in the implementation such a division of responsibilities between PRIs and Community Based Organizations (CBOs) while avoiding the over burdening of PRIs, would ensure proper governance mechanisms on the part of both PRIs and CBOs. The question of the functional efficiency of Panchayati Raj Institutions is intertwined with the issue of resources placed at their disposal. The Panchayati Raj Institutions in Andhra Pradesh are

authorized to levy taxes on a large number of items. The yield from them is, however, small, these are inelastic sources of revenue. The Panchayati Raj Institutions are depending heavily on the grants from government. The funds sanctioned by the Finance Commission were not released to the Panchayati Raj Institutions regularly. The state Government should, therefore, allocate needed financial resources to the Panchayati Raj Institutions. The implementation of the recommendations of the state Finance Commission has to be expedited.

It is increasingly believed that any system of Panchayati Raj (resultant of an Act) to be democratic, genuinely decentralized and reasonably functional should conform to the following principles.

- (i) Elected representative of PRIs should not be subordinate to government officials.
- (ii) Elected representatives should be enabled to exercise superintendence and control over the bureaucracy.
- (iii) Much stricter requirements of financial accountability of PRIs than hitherto provided
- (iv) for should be designed by the Comptroller and Auditor General.
- (v) The power of dissolution as well as accountability of lower level Panchayati units must rest with the next higher level of Panchayaties and not with the bureaucracy, so that peer group accountability is established.

References

1. Mukhargee, R.K., 'Local Government in Ancient India', Motilal Banarasidas, Delhi, 1958, p. 85.
2. Vijayandra Singh, Panchayati Raj and Village Development, Sarup & sons, 2003, New Delhi, pp. 61-63.
3. The Andhra Pradesh Panchayat Samitis and Zilla Parishads Act. 1959 (as amended up to 15 January 1963) Section 47(vii).
4. Ibid. (viii) to (x).
5. Henry Maddick, Op.Cit., pp. 202-203.
6. Government of India, Report of the Team for the Study of Community Projects and National Extensions Service (Chairperson, Balwant Ray Mehta), Committee on Plan Projects, National Development Council (New Delhi, November 1957) vol. 1, p. 23.
7. Ibid
8. The Hindustan Times (Delhi), 3rd October 1959.
9. Association of Voluntary Agencies for Rural Development (AVARD), Report of a Study Team on Panchayati raj in Rajasthan (New Delhi, 1962).
10. Mal Colm S. Adiseshiah, "The need for constitutional Safeguards" in George Mathew (ed), Panchayati Raj in Karnataka Today. Its National Dimensions, Concept Publishing Company (New Delhi, 1986), p. 25.
11. Ibid, p.25.
12. Abdul Nazir Sab, "Towards a four-pillar state", in George Mathew, Op. Cit., p. 53.
13. The Basics of Democratic Decentralization Report on Panchayats and Self-government, Janata Dal Publication (New Delhi, 1989).
14. George Mathew, "Institutions of Self-government in India towards Multilevel Federalism". Review of Development and Change, Vol. II, No. 2, July-December 1997, Madras Institute of Development Studies, Chennai.

15. Janmabhoomi, An innovative approach to participatory development in Andhra Pradesh NIRD, Rajendra Nagar, Hyderabad, 1998, p. 38.
16. E.S. Venkataramaiah, "MPs' constituency development scheme assaulting the constitution" The Indian Express, New Delhi, February 13, 1997.
17. Panchayati Raj Update, Institute of Social Sciences, New Delhi, July 1998. Also see M.A. Oommen and Mahi Pal "Local Area Development Scheme, Dangerous portent" Economic and Political Weekly, Vol. XXIX No. 5, January 29, 1994. pp. 223-25