CHAPTER - IV

PANCHAYATI RAJ SYSTEM IN KARNATAKA AND THE POLITICAL PROCESS OF BACKWARD CASTES

Before reorganization of Karnataka state on linguistic the parts of state were under Mysore state, Madras presidency, the Bombay presidency, and the state of Hyderabad. In all parts there was the working of local governments i.e., under Mysore local bodies acts 1902 there were three tier structure of Union Panchayat, Taluk Boards, and District Boards. In princely Mysore state the local governments were given limited powers. Though there was limited concentration on the development of rural areas.¹

Under Madras Presidency, the local governments were established by the Madras District Boards, Acts, 1920 and in the Madras panchayat Act 1920. These Acts facilitated only two tier systems of local governments i.e., District Boards were relating to education public health maintenance of roads etc. It is evident that all these powers are to concentrate on local problems and thus to achieve rural development. In the Bombay presidency the local governments were established and further enlarged by series of amendments. Such as the Bombay Village Panchayat Act 1920 facilitated the introduction of panchayat raj system in Bombay presidency. The other acts were 1928, 1933, 1939 and 1947.² These acts extended for the local bodies with the powers to supervise and the control of primary and secondary education. Since, the education is once of the instrument for development. In the State of Hyderabad, the local government institutions at village and district level were assigned a limited
developmental roles. But the village institutions were to collect the revenue from villages.

After Independence, the development of panchayat raj institutions in Karnataka has taken place in different phases. The recommendations of Balwantray Mehta committee and the implementation of its reports provided a new impetus and a new rationale for panchayat raj. Based on the recommendations of the Balwantray Mehta Committee, the government of Mysore enacted a new legislation in 1959 called as Mysore village panchayats and local body Act 1959 “the act facilitated for the three tier system of panchayat raj institutions in Karnataka. There are 1) Village panchayat, 2) Taluk board (these two are with directly elected representative’s), the third one was the constitution of the district development council (CDC, nominated members). This act further authorized with the powers and assigned functions only to village panchayat and taluk development board. The functions of village panchayats were limited and powers of levying some local taxes were assigned to village panchayats. On the other hand the primary power and functions were assigned to taluk development through TDB’s, the act provided powers to TDBs for collecting revenue. Unless and until the power of levying to taxes through the rural developmental programmes would not be implemented. The financial powers of levy a surcharge on stamp duty. The state government transferred 50 percent of land revenue collected in the local area and 10 percent of total collection of land revenue in the state to these local bodies. During this period there was
considerable popular enthusiasm among the people towards Panchayat Raj Institutions. It is mainly because of satisfactory functions carried by Panchayat Raj Institutions and these PRI’s were able to make people to participate actively in developmental process.

The Mysore Act was largely affected by the reorganization of states in 1956. And the impact of the new legislation of the Mysore Village Panchayats and Local Boards Act of 1959, revealed the striking differences between that of Mysore legislation and that of other states. Particularly, Andhra Pradesh and Rajasthan which derived their inspiration mainly from the Mehta Committee Recommendations. The Mysore Act though derived mainly from the recommendation of the two previous committees appointed under the government of Mysore was influenced by the Acts of Madras-Bombay and Hyderabad-Karnataka areas. Mr. Dubhashi rightly observes: “It would be correct to say that the Mysore Act is essentially in the matrix of the conventional legislation on the local governments with such mutations and modifications as arouse out of the recent thinking on the Mehta study team recommendations”.

With the enactment of the new act, the previous divergences were removed and a three-tier system of local self-government emerged with the panchayats at the base and the taluka development boards and the district development councils at higher levels. The entire state at present covered by the panchayat system.
The Act provides for the constitution of the basic institution of the panchayat for the area comprising a revenue village or a group of revenue villages with the population of 1,500 to 10,000, where the population of the villages is not less than 50,000. If the estimated income is not less than Rs. 10,000 the government may declare it to be a panchayat town. The membership of the panchayat consists of not less than 11 and not more than 19 members. All of whom are directly elected by adult franchise, seats are reserved for the representatives of the scheduled caste and the scheduled tribes and for the women, the representation of the former being not less than two. The members are directly elected from the constituencies into which the area within the jurisdiction of the panchayats is divided. Section 27 of the act provides for the election of the chairman and the vice-chairman of the panchayats from among its members for a period of four years. Section 80 empowers the government to appoint the secretary, the panchayats executive.

Above the panchayats there was the Taluka Development Board for a Taluka, consisting of each taluka consisting of members directly elected by ballot, by all the residents in the non-urban area of the taluka. The membership of this body varies depending on the population of the Talukas. The members varied from 15 members to 19 members, if the population in upto one taluka and more than our taluka respectively. The members of the State Legislative Assembly representing a part or the whole of the taluk whose territorial constituencies lie within the taluka and members of the State Legislative Council, ordinarily residents in the taluka
are entitled to take part in the proceedings and vote at the meetings of the taluka boards.Seats are reserved for the SC on the basis of their population and for women, however the number being not more than two. The election of the president and the vice-president of the taluk board is by and from amongst the members only. The term of all the directly elected members is limited to four years.

**District Development Council:**

The third tier was the constitution of district development council (DDC) leaded by the deputy commissioner. All the presidents of TDB, MPs and MLAs of the district and some officials were the members of DDC. There was a provision to nominate one SC or ST and are women member.

**The Karnataka Panchayat Raj Act of 1983**

When the Janata Party came to power in the State, the government introduced a bill called Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Bill in the State Assembly in August 1983. The Bill was referred to the Joint Select Committee of the state legislature. It received the assent of the President in July 1985. It was formally called as the Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act of 1985.

The Karnataka Panchayat Raj experiment had attracted nation-wide attention of people from all walks of life about the new experiment of institution building at the sub-regional level. The curiosity was mainly due to different interpretations given to the experiment. Some people viewed it as a
revolutionary change in the Indian political system and an important landmark in the history of its development. The Karnataka experiment puts an end to the administrative state and encourages people’ involvement in managing public affairs.

Main features of Panchayat Raj Act of 1983

Three-tier system is contemplated in the Act of 1983. The Mandal Panchayats, Taluka Panchayat Samities and Zilla Parishads exist under the Act.

I. Mandal Panchayats

1. The Mandal Panchayat shall consist of elected members at the rate of one member for every 400 population. 25% of the membership will be reserved for women in every Mandal Panchayat. Out of women representation, one seat would be reserved for women belonging to Scheduled Castes or Scheduled Tribes.

2. Seats in Mandal Panchayats will be reserved for Scheduled Castes/Scheduled Tribes in the same proportion as the population of SC/ST in the mandal bears to total population of the mandal not less than 18% of the seats. The Mandal Panchayat will be headed by Pradhana and will have Upa-Pradhana also.

3. A Mandal Panchayat will meet at least once in a month.

4. The function of Mandal Panchayats would be to look after as far as the funds at its disposal, allow all the matters relating to sanitation and health public works and amenities, agriculture and animal husbandry,
welfare of Scheduled Castes/Scheduled Tribes and Backward Classes and other matters like preparation of development plans. Promotion/improvement of cottage industries, etc.

5. The Mandal Panchayat will have its own fund in which proceeds from taxes imposed by the Mandal Panchayats and other grants and sums received from government to other bodies will be deposited.

II. Taluka Panchayat Samities

1. This body located at Taluka level and shall consist of members of the State legislature representing a part or whole of Taluka and Pradhan of Mandal Panchayats, President of Taluka Agriculture Produce Coop. Marketing Society, President of Primary Land Development Bank, and 5 members belonging to Scheduled Castes/Scheduled Tribe and backward classes and women opted by resolution of the Taluka Panchayat Samiti, provide not less than 18 percent of the member shall belong to the scheduled castes and scheduled tribes.

2. This body will be headed by Chairman who is Member of Legislative Assembly.

III. Zilla Parishads

1. For each district there shall be a Zilla Parishad.

2. Each Zilla Parishad shall consist of elected members from the talukas in the district. The reservations for Scheduled Castes/Scheduled Tribes will not be less than 18% of the total number of seats in Zilla Parishad and for women 25%. Every Zilla Parishad will have Adhyaksha and
Upa-Adhyaksha. Both elected from the members of Zilla Parishads.

The Adhyaksha would be executive head of Zilla Parishad.

3. The function of Zilla Parishad would be to oversee the development programmes as well as various sectoral programmes like agriculture, animal husbandry, communication, public health, irrigation, industries, fisheries, etc., as well as welfare of Scheduled Caste/Scheduled Tribes and Backward Classes.

4. They will formulate and execute the district plans.

5. They shall operate the Zilla Parishad fund, which will be formed from funds transferred to Zilla Parishad out of the Consolidated Fund of State. Grants, fees and penalties, rents from lands, interests, etc.

6. The state government will constitute a Finance Commission consisting of a Chairman and two other members which shall see into the problems of income and expenditure in respect of the Zilla Parishad and recommend to the government as to the pattern of assistance, principles governing the grants-in-aid etc.

IV. Nyaya Panchayats

1. A Nyaya Panchayat shall consist of 5 members elected in accordance with the system of proportional representation by a single transferable vote by conduct, of which the Mandal Panchayats at least one member shall be each from women, Scheduled Castes/Scheduled Tribes and Backward classes.
2. The Mukhya Nyaya vicharaka shall preside over sitting of Nyaya Panchayat and will be assisted by Secretary of the Mandal Panchayat in performance of its functions.9

The Karnataka Panchayat Raj Act 1993-Salient Features

The 1993 Act establishes a three-tier Panchayat raj system in the state with elected bodies at Grama, Taluka, and District level for greater participation of the people and for more effective implementation of Rural Development Programmes. The three tiers of the Panchayat Raj System are:

1) Gram Panchayat/Village Panchayat.
2) Taluka Panchayat.
3) Zilla Panchayat.

Gram Panchayat

The area of Gram Panchayats will consist of a village or a group of villages. A Gram Panchayats will be constituted for a population of not less than 5000 and not more than 7000. The Act provides for one member for every 400 persons. It is clear that Gram Panchayat has replaced Mandal Panchayat. While, the Mandal Panchayat covered an average population of 8000 to 12000, Gram Panchayats would cover an average population ranging from 5000 to 7000. As a result, this provision the number of Grama Panchayat would be almost double that of Mandal Panchayats. The Gram panchayats to be headed by Adhyaksha and Upadhyaksha elected from among the members. The Gram Panchayats consisted of three standing Committees, namely:
a) Production Committee.

b) Social Justice Committee.

c) Amenities Committee.

Each committee consists of not less than three and not more than five members including the chairman. The Adhyaksha as ex-officio Chairman and also member of production committee and amenities committee. The Upadhyaksha shall be the ex-officio chairman and member of Social Justice Committee. The Social Justice committee shall consist of at least one member who is a woman and another belonging to SC/ST. The Committees are competent co-opt members.

The Production Committee was meant to perform functions related to agricultural production, animal husbandry, rural industries and poverty alleviation programme.

The Social Justice committee meant to perform functions related to promotion of educational, economic, social, cultural and other interests of Scheduled Castes and Scheduled Tribes, Backward Classes, and also welfare of Women, Children, and protection of people from social injustice and any form of exploitation.

The Amenities committee was entrusted with functions in respect of education, public health, public works and others.

The government gives a minimum of rupees one lakh to each panchayats per year. It can enhance its income from local taxes, levied by it. The Gram Panchayats will also get 80% of the funds of Jawahar Rojgar Yojana allotted to the state.
Taluka Panchayat

The Act provides that, for each taluka there shall be a taluka Panchayat. It consists of MLAs, MLCs, of the taluka, Member of Parliament, one-fifth of Adyakshas of Grama in the Taluka by rotation for a period of one year and also elected members. The number of elected members is at rate of one member for every 10,000 population. The Act stipulates that there shall be a minimum of elected members even if the population of the taluka is less then one lakh. The Taluka Panchayat will have an elected Adhyaksha with the authority to convene and preside over the meetings, and exercise supervision and control over executive staff of the taluka panchayat, shall meet at least once in two months:

The Taluka Panchayat will have three Standing Committees each with strength not exceeds six members they are:

a) **General Standing Committee**: The committee shall perform the functions relating to the establishment, matters, communications, buildings, rural housing, village extension, relief works and water supply.

b) **Finance, Audit and Planning Committee**: The committee will perform the functions relating to the finance of the Taluka Panchayats, framing of budget, scrutinizing the proposal for increase of revenue, verification of balance sheet, general consideration (Supervision) of proposal affecting finance, supervision of revenue and expenditure, co-operation and small savings schemes.
c) **The Social Justice Committee:** It is meant to perform functions relating to social justice to SCs/STs and Backward Classes, protecting people against social injustice and exploitation.

The Adyaksha of Taluka Panchayats shall be the ex-officio member and chairman of first two committees, the Upadyaksha shall be the ex-officio member and chairman of Social Justice Committee. The Taluka Panchayats is provided with an executive officer and other staff. Thus, the Taluka Panchayats is not totally a directly elected body nor has any executive functions.

**Zilla Panchayat**

Each district will have a Zilla Panchayat having jurisdiction over entire district (except the municipal areas or corporation). The Zilla Panchayat consists of elected members and ex-officio members of MPs, MLAs, MLCs and the Adhyakshas of Taluka Panchayats of the district. The number of members to be elected is fixed in accordance with the scale of one member for every 40,000 population or part there of. The term of the office of the members is five years. The Zilla Panchayats shall meet at least once in two months. The elected members shall choose two members from among them to be Adhyaksha and Upadhyaksha. The Zilla Panchayats shall have five Standing Committees:

a) General Standing Committee.

b) Finance Audit and Planning Committee.

c) Social Justice Committee.
d) Education and Health committee.

e) Agriculture and Industries Committee.

Each standing committee should consist of not more than five elected members including the chairman. No member shall be eligible to serve on more than two standing committees. The Adhyaksha of the Zilla Panchayat shall be the ex-officio member and Chairman of General Standing Committee and Finance, Audit and Planning committee. The other two committees shall elect the chairman amongst their members.

**Functions of Standing Committees**

The general standing committee performs functions relating to establishment matters, communication, buildings, rural housing, village, extension and relief works. The finance and planning committee performs the functions related to finances, budget framing, scrutinizing and proposals for increase of revenue, examination of financial statements, general supervision of revenue and expenditure. It also performs functions relating to the plan priorities, small saving schemes, developmental outlays etc. The social justice committee shall perform functions relating to the promotion of interests of SCs, STs and Backward Classes, protecting them from social injustice and exploitation. The education and health committee performed the functions relating to education, adult literacy, cultural activities, health services, hospitals, water supply, family welfare and other allied matters. The agriculture and industry committees performs the functions relating to agricultural production, animal husbandry, co-operation, soil conservation, village and cottage industries, promotion of industrial development of the district.
Outstanding Features of 1993 Act

As a part from the creation of three-tier panchayat system in the state based on population as per published data of census, the features of 1993 Act are as follows.

1. The act facilities the constitution of grama sabha in each village.
2. It provides for reservation of seats in favour of SCs and STs in proportion of their population and subjected to minimum of 15 and 3% respectively at all levels.
3. The Act provides for reservation of 1/3 of seats to women at all levels.
4. It also provides for reservation of 1/3 of seats to persons belonging to Backward Classes.
5. The Act also provides for reservation of 1/3 of seats in each category (SCs, STs, and Backward Classes and General) at all levels for women. The seats reserved shall be allotted by rotation to different constituencies in panchayat area.
6. The office of the Chairperson and Deputy Chairpersons are also reserved at all levels for the persons belonging to SCs, STs and Backwards Classes and Women.
7. The Act envisages the constitution of state election commission, the finance commission and district planning committee. The finance committee is to recommend periodically the policy on finance to Panchayat Raj Institutions.
8. The new law stipulates that the elections to Gram Panchayat are to be conducted on non-party basis. This is intended to minimize the local conflicts during election time. However, participation of political parties has been allowed for upper level Panchayats.

9. The new Act substantially increases the power of State governments to supervise and control Panchayat Raj Institutions. The Secretary of Panchayat Raj Department and the Divisional Commissioner are empowered accordingly for this purpose. They are entitled to issue instructions, conduct enquiry, and call for proceedings of Zilla Panchayat and performance of Panchayat Raj Institutions. The government is also authorized to add or delete any programme or scheme in the functions of Panchayat Raj Institutions.

10. All the Adhyakshas of Taluka Panchayats can be members of Zilla Panchayats. All the MLAs, MLCs, and MPs can be Members of Zilla Panchayats and Taluka Panchayats.

11. As regards to finance, every Gram Panchayat will receive annual grant of rupees one lakh towards development activities.

12. The proceeds of heavy cash levy, on land revenue and surcharge on stamp duty will be passed on to Gram Panchayats and Taluka Panchayats. The Panchayat Raj Institutions will receive resources from State Government also.
References:


5. Ibid.


7. Ibid

8. Ibid