CHAPTER – II
EVOLUTION OF PANCHAYAT RAJ INSTITUTIONS IN INDIA

This chapter is intended to discuss the Evolution of Panchayati Raj system in ancient India, medieval period and British period. It also considers in short the glimpses of development of Panchayati Raj system after independence.

Evolution of Panchayati Raj System in Ancient India

Panchayati Raj is not a new concept to India. Panchayats have been a part of rural cultural heritage of India. From time immemorial, panchayats have enjoyed the confidence of the people. The system has survived in spite of turmoils and changes, because the village folk were fully confident of their own capabilities of sound thinking and right approach to their problems.

Panchayat literally means an assembly (yat) of five (panch) wise and respected elders chosen and accepted by the village community. They were considered as the incarnation of God (panch parameshwar). Panchayats had a wide spectrum of activities covering executive, administrative, developmental and judiciary. They breathed health in to the rural society.

Villages of Ancient India

The autonomous village is best described by Sir Charles Metcalf: The village communities are little republics, having nearly everything they can want within themselves. Dynasty after dynast tumbles down; revolutions succeed revolution, but the village community remains the same. This union of village communities, each one forming a separate little state in itself, has
contributed more than any other to the cause of the preservation of the people of India and the enjoyment of freedom and independence.¹

In ancient India people were living in joint families. The patriarch of the joint family wielded very wide powers over its members. A federation of such small families were living in a village. The senior most member of the senior most family in the village was regarded with great reverence by the village community and was entrusted with the governmental functions.

The institutions of joint family thus gradually led to the evolution of kingship. Since ancient times, the village has been the unity of administration. Its importance was naturally very great in an age. When the means of communications and transport was slow and raids were frequent. Villages in ancient India were productive and prosperous and as such their importance in a state or kingdom was very significant. Vedic hymns frequently prayed for the prosperity of villages. Kings like Bimbasara used to convene a meeting of village headmen to discuss important questions of administrative policy.

Dr. Altekar sums up aptly that. "There is no doubt that villages were the real centres of social life and important units in the country's economy. They sustained the edifice of national culture prosperity and administration".²

India has been the cradle of rural local government which continued to flourish from the time of Vedic civilization to the advent of British rule. In the Indian history the village was the basic unit of Government, whether
the central authority was monarchical or republican. The rural local government is the very foundation stone on which every empire in India has been reared. The village in India has been considered as the basic unit of the local self administrations since Vedic times.\textsuperscript{3}

The village has been the mainstay of rural India throughout the countries. The term for the village was the "grama" "ksetra" and "usvara" which from rigvedic denoted plough land. The villages were prosperous the Gramik or Gramini and other village elders were responsible for village defence. There was little interference by the state in their activities. The village communities were always self sufficient, self reliant and independent.

The village administration was carried on under supervision and direction of the village headmen. Verilly called grama or gramika or grameyaka in northern India, munuda in the eastern deccan, gramukata, or govunda in Karnataka and Mahattaka or Mahantaka in the U.P.

References to such a highly organized system of local government can also be found in the Vedas, in the Epics - of Ramayana and Mahabharata, Manusmriti, in the literature of Buddhist and Jains and in Koutilyas Arthashastra. The Vedas (Rig Vedas in particular) reveal that prime used to live in small traditional guilds; which where generally controlled and regulated by popular institutions.\textsuperscript{4}

The control of the state over the village continued to be mentioned in the later days of the Manusmriti in which the king used to place a company of soldiers, commanded by a trusted official, in the midst of two, five or
hundreds of villages. The king was empowered to appoint a lord for each village as well as a lord for ten villages (Deshi).

During the period of Buddhism and Jainism villages were classified according to the size and mode of habitation. The villages were self sufficient and self dependent. The village headman was known as Bhojak. His duty was to collect the revenue for the state and to organize the constructive programmes. The Bhojak was selected by the villagers on the basis of local customs and traditions.

During the rule of Mouryan Emperors, the process of village administration underwent some changes. Under Chanakya's rule villages were classified according to the population. The village administration during this period (324-236 B.C.) was closely linked with agriculture. The size of the village varied from 100 to 500 families. The following officials composed the village administrative staff.

1. The headman (Adyaksha).
2. The accountant (Samkhayaka).
3. The village officials of different grades (Sthanikas).
4. The village countries (Jamgha karika).
5. Veterinary Doctor (Anikartha).
6. Village Medical Officer (Chikitska).
7. Horse trainer (Ashwa Damok).

The above mentioned members of assembly were not elected but they were chosen by a sort of natural selection. The headman was the
The members of assembly were wholly responsible for the service of the community in their respective fields.

During the times of Harsha in the Sixth century these panchayats were active. There were panchayats for different occupational ground and one for the village as a whole during the post Mouryan period from 200 BC to 300 AD. Known as the "Dask period" the village continued to be smallest unit of the administration. The headman assisted by the council of elders, still played a prominent role in village life. The village under the Mouryan period was efficiently organized. The traditional elders found that the system and concepts of programmes of the Vedic age were still dominant, was also a feature of Gupta's rule.

The system did not change under the imperial Guptas, although it underwent certain changes in nomenclature. The district official was known as "Vishayapathi". He was a feudatory Maharaja owing allegiance to the emperor and enjoying autonomy in regard to internal matters. He was advised, by guild presidents, chief scribes and leading persons of locality. The villagers were governed by Gramapati (headman) assisted by the village assemblies. The assembly consisted of entire population of war. The male adults and some times Mahattaras (a body of selected elders). The assembly appointed a number of committees to look after the various aspects of village administration.
The village officers consisted of headman, accountant, watchman, school teacher, priest, supervisor of irrigation works and boundary man. All of them were paid according to the local customs either in the form of a grant of rent free land or share of crop at the harvesting time. The village had its own funds. The inference of police officials of the mining department was permitted in special cases but they were very rare.

Thus, in ancient India rural local government was omni competent, financially viable, practically autonomous and imbued with a gracious civic spirit. It was friction less machine and characterized by the high degree of efficiency, impartiality and integrity. The panchas has a sense of dedication to the service of the people who had both a sense of involvement and a feeling of independence.

**Medieval India**

A new chapter of Indian history and culture begins with the arrival of Muslims in India. The first Muslims who came to India were Arabs who conquered Sindh and Multan in 712 A.D. With the passage of time, the much-cherished independence of the village bodies began to diminish during the Muslims; particularly the Mughal rulers ultimately succeeded Hindu Rajas. The earlier districts and villages were put under the charge of the centrally appointed subedars, amatyagars, muquaddams and patvaris. The pattern of village local government however continued practically unaltered, thus keeping up the tradition of continuity of local government till the advent of British Raj.
Hugh Tinker says that, “The Mughals had interfered very little with the ancient customs of village government. They incorporated the village into the administration as a unit for revenue and police purposes only. The state through the headman or muqaddam who was held responsible for the maintenance of law and order and the restriction of their within that area of his authority. The Judicial powers of the village council, the panchayat were considerably curtailed, under the mughals, otherwise the local affairs remained unregulated from above and the village officers and servants were answerable primarily to the panchayats”.

Though Muslim rulers did not interfere with the working of local institutions very much, still due to the strict bureaucracy, the cultivators and to suffer very much in closing years of Shah Jahan’s rule, in fact, these nobles became more democratized, the peasants were more harassed by the provincial Government, their condition decorated and the evil of pauperism increased.

The villages lost all powers and the village assembly had no influence. There was no direct relationship between the villagers and the state. No attention was paid to the development of local institutions. But Akbar the great, was an exception who reorganized the whole revenue system by establishing direct relations of state with the cultivators. The village headsman that was known as Choudhari, or Mukhiya or Muqaddam, was treated as village servant and responsible for the public works. This muqaddam was the main link between the government and the village.
The government dealt with the peasants through him. It may be presumed that the village headman was the most important individual in the general economy of village.

One of the important features of the Mughal rule was the growth of urban centers. In the newly established towns, the development of the local government was more marked. The office of the Kotwal was created and the entire town administration was put under his charge. The rulers were very interested in the development of towns and as a result the village remained largely unaffected.

The Mughal system of administration was regulative, they hardly thought of welfare activities particularly in the villages. Further, the lack of means of communication made it difficult to have close links everywhere in the system of administration. The lack of rapid communication was helpful in eventual survival of local self-governments. It can thus be inferred that the very spirit and form of panchayats during the Mouryan and Gupta periods were present in the Muslim period. There was anarchy or military despotism throughout wide areas of India between the disintegration of the Mughal Empire and the advent of the British Raj.

**British Period**

With the fall of Mughal Empire, a disorder overtook the country and western traders used this time for their own fortification and establishment. In this period the panchayats continued to function quite vigorously and were fully respected by the then government.
The panchayats were quite strong and active before the English took over the administration of this country. The British rule resulted in a direct attack on the institution of panchayats. The panchayats were ordered not to interfere in the administrative and judicial functions of the state. Then the administrative field was so much extended that every function of the panchayat fell within its jurisdiction. In a short time, the village organization of autonomous nature in all spheres of life i.e., panchayats also disappeared. In fact, the whole of the old and ancient structure trembled down to the utter misery and poverty of the poor village.

India became a market place for British goods and storage of raw materials for the British industries. Indians were forced now to completely depend upon the foreign markets for most of these bare needs. The authority of the panchas and sarapanchas to deliver Justice locally was covertly taken away and was vested in the centrally created imperial courts. The Lambardar was a selected representative from the property holding group. Though the office of the Lambardar was hereditary, in some cases the villagers could remove him. In practice, his office got much power and practically no one dared to oppose or criticize him.

However, a few Presidencies Government still made some attempts here and there to keep these institutions alive. The Charter Act 1793 was the first statutory enactment regulating municipal administration for the presidency towns. Outside the presidency towns the first attempts to introduce municipal government was made through the Bengal Act of 1842,
enabling the inhabitants of any locality to make better provisions for public health for which they were asked to pay the taxes levied for the purpose. The Act of 1850 allowed the government to create municipalities into those towns where the inhabitants desired them.

The most remarkable innovation proposed by Lord Rippon in 1882, was the establishment of rural local bodies. It created a two-tier system with district boards and sub-district boards based on either the sub-division or the tashil. These district boards composed of officials and elected members, and encourage the establishment of active village panchayats. But the innovation did not bear much fruit. It had organization and control but lacked the vital spirit of democracy. The boards came under the control of district officers of the provinces and the panchayats received only lukewarm support from the Indians themselves. Lack of cooperation in implementation killed the Rippon proposals and the great intentions of the originator remained ineffective for a long time to come.

The main object of the British in India being the exploitation of the country, the panchayats were dissolved and completely suppressed. By the abolition of these institutions there was no institution left through which a strong link between the government and the villages could be established. With such objectives the government appointed a Royal commission in the year 1907 on decentralization process.

The Commission was presided over by C.E.H. Hobhouse, as its Chairman. The Commission was set-up by the liberal government to inquire
into the financial and administrative relations of the government of India and
the provincial government and of authorities subordinated to them, to report
whether by measure might be simplified and improved.

The committee submitted its report in 1909 and with this a new form of
local self-government under the British rule in India began. The report also
explored the disappearance of villages long enjoyed. The commission wanted
that the panchayats should be kept under a separate department. The report
also suggested on average five members with village headman as ex-officio
chairman of the panchayats who must be elected by the villagers.

In August 1917 Montague the Secretary of State for India, who
enunciated the future policy of the British government, promised the gradual
development of self-government institutions for progressive realization of
responsible government in India. The report on the Indian constitutional
reforms (1918) remarked. “There should be, as far as possible complete
popular control in local and largest possible independence of them of outside
control”. It also stated that, “The government of India proposes to direct
attention to the development of panchayats”.7

With the passing of India Act 1919, Local Self-governments were
transferred to Indian ministers who were anxious to make the pattern of Local
governments more effective. A number of acts were passed by the Provincial
Legislative Councils between 1921–26. The Panchayat Acts were passed in
Assam, Bengal, Madras, Bombay and the Central Provinces. These acts aimed
at lowering the franchise at increasing the elected members in local bodies and at passing executive direction into the non-official hands.

The panchayats were re-shaped to make their composition and functioning more democratic. Where the panchayats did not exist at all, effective steps were taken to establish them. In this way, the panchayats came to be recognized as the basic unit of self-government. The vast tracts of land in the village panchayats and the institution itself needed to be radically restructured on the democative terms.

The overall growth of panchayats till 1935 was not very encouraging. The Government of India Act of 1935 replaced the diarchy system in the provincial government by provincial autonomy. All provinces enacted legislation for further democratization of local self-governments. But the provisions of the act could not be fully implemented successfully due to diverse concentration towards Second World War, despite this, certain positive developments took place. They include enlargement of functions in larger bodies, abolition of nomination system, widening of franchise, valuable experience of the working for the representative principle as the technique of committee work and law making. During British regime, the glory and autonomy of ancient and medieval panchayats system was lost. No doubt, the British tried to introduce certain western concepts but no serious and whole-hearted attempts were made for improvements and effective decentralization. However, due to strong pressure from the national movement for autonomy and independence, halfhearted and superficial attempts were made for the
development of local self-governments throughout the struggle for independence. Mahatma Gandhi clearly advocated strengthening of panchayat raj institutions. His views on Grama Swaraj, Poorna Swaraj and Swadeshi movements had the blend of ideal democracy with decentralization concept. He believed in the supremacy of people and insisted on the people’s democracy and sovereignty at the grass roots level.

**Rural Development Process**

The introduction of Panchayat Raj system as a main instrument for Rural Development in independent India may be attributed to several factors - India's past history, the teachings of Mahatma Gandhi, the Directive Principles of the Constitution, the Five Year Plans with their endorsement of popular participation and the scheme of Community Development introduced in 1952. The Union Government had appointed a Committee under the chairmanship of Balwant Ray Mehta which is popularly known as the team for the study of community projects and National Extensive Service (NES). It had submitted its report in 1957. It had outlined three main findings. They are (i) The Community Development and National Extensive Service programme had failed to evoke popular initiative; (ii) Local bodies at a level higher than the Panchayat had evinced but little enthusiasm in the Community Development Programme; and (iii) Even the Panchayat had not come into the field of Community Development in any significant way. The Mehta Committee strongly recommended for decentralization of responsibility and power to two levels of below the State. It recommended
"devolution of power to a body which, when created will have enticed the change of all development work within its jurisdiction, the Government reserving to itself the function of guidance, supervision of higher planning and when necessary providing extra finance.  

**Balwant Ray Metha Committee Report 1957**

After independence, India wanted the development of villages. Therefore planning commission prepared social and economic plans for the whole India. The various purposes of the plans were to remove illiteracy, poverty, backwardness etc, and also to increase the political participation of people at the local level.

In March 1950, planning commission came into existence. The planning commission entrusted the panchayats with new responsibilities. Therefore planning commission launched the community development and national extension service programmes (CDP and NES) on Oct. 2nd 1952 with the 55 community development projects. The CDP has been the biggest rural reconstruction scheme and it was directly connected with the democratic decentralization. It was a comprehensive programme, touching all aspects of community life. It was a conscious effort to bring about an all round improvement in living standard of rural population. It was really a concept of all sided development, as distinguished from the development of particular aspects of rural life like agriculture, education, health, animal husbandry, Sanitation etc. CDP aimed at solving all the major problems of villages. It was considered as basically and substantially a programme of the people, for the people and by the people.
However, CDP could not make a satisfactory head way, because people's participation was not coming forth to a desirable extent. Instead of being a people's programme with the assistance of the government, it was becoming more and more a government programme with varying degree of the people's participation. Therefore, Balwant Ray Mehta Study team was appointed on 1957 to study the CD and NES programmes; especially from the point of view of assessing the extent of popular participation. This committee submitted its report in late 1957.

It opinioned that the popular participation in CDPs enlisted through adhoc advisory bodies was not adequate and it also felt that a separate set of institutional arrangement would have to be statutorily created to make the popular participation meaningful and effective. Accordingly the committee observed "Admittedly one of the least successful aspect of the CD and NES as we don't discover or create a representative and democratic institution which will supply the local interest, supervision and care necessary objects conform with the needs and wishes of the locality in rest it with adequate powers and assign to it appropriate finances we shall never be able to evoke local interest and excite local initiative in the field of development".11

Thus, it appear, that the committee wanted development work in rural areas' must be looked after by the vigorous democratic institutions; and such bodies were must be statutorily elected and they should have the comprehensive duties and functions with the adequate resources and only then these bodies become an instrument of expression of local peoples in
regard to local development. In this connection the committee suggested the
democratic decentralization. In the view of committee decentralizations was a
process where by the government divests itself completely of certain duties
and responsibilities and devolves them on to some other authority. Further
the committee while commenting on decentralization said - "it is true that
devolution of responsibility cannot be complete without a complete
devolution of all the control over the necessary resources and admittedly such
devolution cannot be completely feasible in any country".\(^{12}\)

In this way need for the decentralization and meaningful popular
participation was effectively stressed by Mehta study team. Hence, the
committee suggested the creation of such institution through which popular
participation can be achieved. It is popularly known as panchayati Raj. It is
nothing but a institutional building experiment. In his report, regarding this
aspect, Mehta Suggested the three tier system of elected and organically
linked democratic bodies through out the country through necessary
legislation in states and Union Territories (UT), namely Village Panchayat,
Panchayat Samiti, and Zilla Parishad. Here the committee wanted the
entrustznent of all planning and development activities to these bodies.
The committee however was not in favour of rigidity as regard to the uniform
pattern of Panchayati Raj throughout the country.

**Ashok Mehta Committee, 1977**

The rural developmental programmes being implemented through the
Panchayat Raj Institutions. These PRIs were based on the recommendations of
Balwant Ray Mehta Committee. During 1965-70 there was the integration in the working of Panchayat raj system. It standard declaring in the position and the working. The reasons and food deficit, internal emergency and the number of certainly sponsored schemes was included for rural development.

In view of the allowed mentioned reasons, the new government which came to power in 1977 appointed a committee leaded by a distinguished public leader i.e., Ashok Mehta. The committee was in review and restore the importance of Panchayat Raj Institutions. Particulars it was to suggest measures to strengthen the Panchayat Raj Institutions. “So as to enable a decentralized system of planning and development to be effective”.

The committee submitted its report in 1978, and mentioned that panchayat raj institutions had been weakened due to certain adverse factors. Scholar, the structure of Panchayat Raj on adequate and the Gout support was measure. Therefore, these institutions was capable to perform developmental role effectively in a changing socio-economic environment.

The committee also notice that in have states the Panchayat Raj Institutions were performing there role on account of structural adequately and appropriate state governments support.

For the effective of functioning of Panchayat Raj Institutions, the Ashok Mehta committee suggested the following measurers.

1. More genuine and effective devolution of power of Panchayat Raj institutions should talk place.
2. Primary unity in the panchayat raj system should be zilla parishad and not the panchayat samittee, as the zilla panchayat has better leadership and resources to play a saptenational developmental role.

3. The Mandal panchayat with appropriate powers and resources and covering same areas development block and larger are that village panchayat should replace the panchayat samittee and the panchayats has it would be more effective in management of development schemes.

4. Administrative wing of zilla panchayat in particular and also that of mandal panchayat should be suitably staffed appropriates led by well qualified senior civil servant.

5. Below the mandal panchayat this should be village community including substantially weaker sections of people to perform function allocated it by the mandal panchayat.

6. Co-ordination between rural development and urban development was sought municipal bodies should have representation in zilla panchayat and mandal panchayat.

7. Political parties should take part in elections of panchayat raj and participate in its working.

8. For improving the capabilities and reorienting the attitudes of peoples. Representatives as well as of bureaucracy within panchayat raj a mass programme of education and training should be set up in place of existing limited one.
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.\textsuperscript{13} 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’s involvement in managing public affairs.\textsuperscript{14}

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.15

G.V.K. RAO COMMITTEE (1985) (CAARD)

(Committee on Administrative Arrangements for Rural Development)

Therefore the planning commission and the Government of India appointed a committee under the chairmanship of G.V.K. Rao in March 1985, to review the existing administrative arrangements for rural development, poverty alleviation programmes and to recommend appropriate structural mechanism to ensure that these are planned in an integrated manner and effective implementation.
This important recommendations of the committee for as concerned to panchayati raj system are:

The committee observed that, the inadequate resources, irregular elections were the main reason of the failure of the panchayati raj institutions. The committee was of the view that, prime minister would also request to all the chief ministers to hold the regular elections to the panchayati raj institutions whenever due, to give them administrative powers and financial back up to made them popular participation in the development process.

The committee felt that democratically elected local level bodies become responsible to the people there will be effective and meaningful participation of the people in the planning and implementation process. Therefore, Rao committee suggested the regular elections for these institutions.

Rao committee knew that Government machinery (Bureaucracy) alone could not be assigned the responsibility for achieving economic development and social justice, therefore committee in favour of entrusting functions to encompass all social and economic development activities to the different agencies at the field level. The committee considered the panchayati raj institutions as a effective agencies of rural development, here the committee clearly stated that “the fight against poverty can be meaningful only in terms of many sided and total policy thrust and intervention to replace exploitative in egalitarian and oppressive system by a new system oriented to the needs of the poor in key sectors, both on a short term and long term basis”.

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According to the committee, Zilla Parishad was to be work with the help of the number of departments. Accordingly, the committee proposed the participatory democracy by giving the participative opportunity to the members of the zilla parishad as a member of the one or other committee. Members of the committee’s were to be elected by the members of zilla parishad from among themselves on the basis of proportional representation by means of a single transferable vote. The committee suggested the followed committees of the Zilla Parishad.

- Finance standing committee: It look after the finance, framing of budget, considering proposals for increase in revenue, consideration of proposals affecting finances, examination of receipts and expenditure, internal audit.
- General standing committee: It was to looks after establishment and miscellaneous residuary matters.
- Planning committee: It was to be look after the integrated planning.
- Antipoverty programme committee: It was to be responsible for the programmes of IRDP, NREP, RLEG etc.
- Public works and Amenities committee: It was to be concerned to the minor irrigation, district and rural roads, buildings, rural housing, village extensions, rural water supply etc.
- Agricultural and animal husbandry committee: It was to look after the agriculture, soil and water conservation, agriculture extension, dry land development, command area development, horticulture etc.
• Education committee: It was to be responsible for to look after primary and adults education except academic matters.

• Health committee: It was to look after the hospitals, dispensaries, nutrition, rural health and sanitation, rural water supply and family welfare schemes.

• Industries committee: It was suggested fro the small scale, village and cottage industries, promotion, training, provision of inputs and marketing.

• Social forestry committee: It looks after programmes of form forestry, minimum needs programmes of rural domestic cooking energy.

• Social justice committee: It was concerned to the institutions and programmes for the welfare of SC, ST, Social and women welfare and schemes for other weaker sections of society.

At the lower level the committee, suggested the two different models for the consideration of the state government. One was panchayat samiti another one was mandal panchayat.

**L.M. Singhvi Committee**

In 1986 the Rajiv Gandhi then prime minister of India to appointed a committee under the chairmanship of L.M. Singhvi. The committee was to measures for extending the constitutional status to panchayat raj institutions.

The committee enquired about the reasons responsible for the decline of panchayati raj institutions, the committee felt that, lack of conceptual clarity, absence of political will, denial of national priority, lack of continuous
process of research, evaluation and feedback were responsible for the decline of panchayati raj institutions.

In the view of the committee panchayati raj institutions are basic unit of self-government and gram sabha as the embodiment of directed to achieve community and social mobilization transcending the barriers of caste, religion sex and disparities of wealth and surmounting social disabilities and disadvantages.

**P.K. Thungon Committee**

In the year 1988, planning commission appointed a working group on district planning and the Tuhngon committee was a sub committee of the working group. It was mainly assigned to recommend ways and means to strengthen the panchayati raj institutions. The committee gave some suggestions to revitalize the panchayati raj institutions.

This committee also proposed the reservation policy for the weaker sections of the society on the basis of population. It also suggested the 37% reservation of the seats of chairman and vice chairman for the scheduled caste and scheduled tribes at each level of panchayati raj institutions. In the case of small size institution, the committee suggested for only one seat for a women member.

**64th Constitutional Amendment Bill (1989)**

To provide the constitutional support to the panchayati raj institutions, a Constitutional Amendment Bill was introduced in 1989 by Sri. Rajiv Gandhi then P.M., with an intention of transferring power to the people. It relates to
part IX of the constitution. This bill was passed by the Lok Sabha on the 10th August 1989. However, it failed in Rajya Sabha and could not become the part of the constitution.

The main objectives of the bill as pointed out in the statement by the Rajiv Gandhi were, to remove the inadequacies such as, failure to hold regular and periodic elections, prolonged suppressions, inadequate representation to the weaker sections like the SC and ST and Women, lack of financial resources and inadequate devolution of powers and responsibilities on them. Prime Minister Rajiv Gandhi claimed that this bill was a historic and revolutionary bill and its introduction in Lok Sabha was the single greatest even after the enactment of the constitution.

The main provisions of the proposed constitution Amendment bill were as follows:

1. There will be three tier system of panchayats at village, intermediate and district levels of states.
2. Regular elections after every 5 year would be held under the supervision of the chief election commission. If a panchayati raj body was dismissed for some reason it must be reconstituted through election with in 6 months.
3. All seats of panchayati raj bodies would be filled by direct elections. State legislature may appoint MPs, MLAs and other as ex-officio members of Panchayati raj institutions without the voting power.
4. 30% seats would be reserved for women in panchayati raj institutions. And reservation of seats for SC/ST would be in proportion to tier population in the total population.

5. Preparation of plans for economic development and social justice of the people by the panchayati raj institutions.

6. To provide the adequate financial resources to panchayati raj institutions by the state government in the form of grants. And panchayati raj institutions also be empowered to levy some taxes, duties, toll and fees for their resources.

7. State finance commission would be set up to review the finance of the panchayats and it also recommend the principles on the basis of which state legislature may determine the taxes to be appropriated by or assigned to the panchayats.

8. To supervise the accounts and audit of expenditure of panchayats by the comptroller and Auditor General.

After the defeat of both the bills, another bill that is 73rd constitution amendment Bill was introduced in the Lok Sabha.

73rd Constitutional Amendment Act

The attempt extending the constitutional benefits to the panchayat raj institutions, thoroughly the 64th Constitutional Amendment Act of 1988 and 74th Amendment Bill of 1990 did not succeed. Another attempt was made by introducing the Constitutional Amendment Bill on 16th September 1991. After the series of discussions in the parliament, the matter was referred to

**Salient Features of 73rd Amendment Act**

The Constitutional (73rd Amendment) Act provides for establishment of three tiers of Panchayats as units of local self-government. It also contains provisions regarding regular elections to Panchayat bodies, setting up of a State Election Commission and a State Finance Commission, reservation for SCs, STs and women, enabling provisions for the reservation for backward classes and citizens, etc. Sufficient powers and responsibilities were to be developed upon these institutions at appropriate levels to enable them to prepare and implement the schemes for economic development and social justice.

**Gram Sabha:** The Gram Sabha has been envisaged as the foundation of the Panchayati Raj system. It shall perform such functions and exercise such powers as may be ensured to it by the State legislatures.

There shall be three tiers of Panchayats at the village, intermediate and district levels. So, only those states having population not exceeding 20 lakhs have the discretion not to constitute the panchayats at the intermediate level.
Under Article 243 the president can make special dispensation for Union Territories.

Direct elections: All seats in a panchayat at every level are to be filled by direct elections from territorial constituencies demarcated for this purpose, with the ratio between the population of such constituency and the number of such constituency and the number of seats allotted to it being the same throughout the Panchayat area. Reservation of seats: There shall be reservation of seats at every level for SC/STs in proportion to their population in a given Panchayat area and for women to the extent of not less than one-third of the total number of seats. Likewise, the office of the Chairpersons in the Panchayats at each level shall be reserved for women, to the extent of not less than one-third of the total numbers in the office of Chairpersons of Panchayats. In addition, the legislature of any state can make provision for reservation of seats in any panchayats at any level in favour of the backward class.

Five year term: The term of office of panchayat at every level shall be for five years and if dissolved earlier or on expiry of the term, elections must be completed within six months from the date of dissolution or expiry.

Finance commission: By 24th April 1993, that is, the coming into the effect the constitutional (73rd Amendment) Act, 1992 and thereafter at the expiration of every fifth year, a finance commission shall be constituted in every fifth year. A finance commission shall be constituted in every state to go into the governing principles of the distribution and revolution of financial
resources between the state and the panchayats at every level and the measures to improve the financial position of the panchayats.

State election commission: The direction and control of the preparation of electoral rolls and the conduct of all elections in the panchayats shall be vested in a state election commission, to be constituted by the state concerned.

Eleventh Schedule: Finally, the XI Schedule comprising 29 items has been added to the Constitution which ought to provide an effective role to the PRIs in the planning and implementation of works of local significance. Activities ranging like drinking water, agriculture, land and water conservation to communications, poverty alleviation programmes, family welfare, education, libraries and cultural activities, maintenance of community assets etc.

States and areas kept out of the Act: The Constitutional (73rd Amendment) Act, 1992 does not apply to the States of Meghalaya, Mizoram and Nagaland and certain other areas as specified in the Article 243 M. These areas include Scheduled Areas under Article 244(1), tribal areas under Article 244(2), Hill Areas of Manipur for which District Councils Acts exists and the district of Darjeeling in the State of West Bengal, for which Darjeeling Gorkha Hill Council exists. It is interesting to note that the hill areas of Manipur which comprise the entire State except the three valley districts of Imphal, Thoubal and Bishnupur are neither covered by the V Schedule nor by the VII Schedule to the Constitution.
Governor's power: While pondering over this issue, the powers given to the Governor in the V Schedule to the Constitution provides that the Governor may, by public notification, direct that any particular Act of Parliament or of Legislature of the state. Which shall apply or shall not apply, with such exemptions and modifications as may be specified, to the Scheduled Areas or to any part there of. It is obvious that the new Panchayat Raj legislation passed by the respective States can be straight way extended by the Governor of the State concerned to the Scheduled Areas with such modifications as may be deemed necessary, after consulting the respective Tribal Advisory Councils.

Clause 5(2) of the V Schedule provides that the Governor may make regulation for peace and good government for any area in the State, which, for the time being, is a Scheduled Area. This provision is, therefore, contained in the Constitution to cater the need of peace and good government in these areas and in this regard the Governor alone can decide its necessity. The Governor's power to legislate extends to all the three lists of the VII Schedule to the Constitution.

Restriction: The only restriction on the exercise of the powers conferred under clause 5 of the Schedule is that the regulation must be in prior consultation with the Tribal Advisory Council, if there is any such Council and should be submitted for the President's assent. Without the President's assent a regulation under Clause 5(2) would not have any effect.
Universal application: Article 245 (1) of the Constitution provides that an Act of Parliament or the State Legislature applies of its own force, to the whole of the territory of India or the State, as the case may be.

The alternative

While this is the substantive position obtaining from the V Schedule, the provisions contained in Article 243 M (4) (b) empowers Parliament to extend by law, the provisions of Part IX of the Constitution to the Scheduled Areas and the tribal areas referred under Article 234 M (1), subject to such exception and modification as may be specified in such law. No such law shall be deemed to be an Amendment of the Constitution for the purpose of Article 368.


The intention of the constitution appears to extend to these areas suitable measures to be evolved after considering the special circumstances prevailing there. This could be achieved by the special provision to be introduced by the Governor under Clause 5 for the
V Schedule to the Constitution or through a Central law to be passed by Parliament under Article 243 M (4) (b). This purpose of the Constitution does not appear to have been adequately appreciated by the States because Governors have rarely exercised the powers under Clause 5 of the V Schedule. This prompts the perception that Parliament should legislate under Article 243 M (4) (b) although it sounds paradoxical that a Central law for decentralization is favoured.

In short, it can be said that the act provides for establishment of three types of Panchayats as units of local self government. It also contains provisions regarding regular elections to Panchayat bodies, setting up of a State Election Commission and State Finance Commission, reservation for SCs/STs and women, provision for reservations for backward classes of citizen's etc. According to the latest position,

Panchayat Raj institution system has been statutorily provided fully or partially in 22 out of 25 States and in 6 out of 7 Union territories. In remaining three States and one Union territory there are traditional tribal councils. And of the 22 states, only 15 states have three-tier system. These states are Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Gujarat, Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Punjab Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal. The two-tier system has been statutorily provided in the states of Kerala, Haryana, Manipur and Sikkim. In Goa, Jammu and
Kashmir and Tripura there is only one-tier system. There are 217,300 village panchayats, existing in 22 states and three union territories, covering about 96% of 5,79,000 villages. It covers nearly 99.6% rural population.

There has been an increasing trend in some states to re-empower the PRI, to undertake special development programmes along with the usual civic and welfare functions. Many states are yet to provide state finance commission.

The actual status and functioning of PR continues to be uneven across the states. Maharashtra, Gujarat, West Bengal, Karnataka and Andhra Pradesh have had a good record of effective functioning of PRI. Other states are yet to gear up their machinery for the success of PRI.

The Union Government had taken steps towards the implementation of 73rd Amendment Act. It convened a Conference of State Ministers and Administrative Secretaries in charge of PR to evolve an action plan. The Communication of Prime Minister regarding the significance of the PR Act, has been communicated to all the chairman of PRIs.
References:


14. Ibid.
