CHAPTER - 1
INTRODUCTION

The village has been the basis of socio-economic life and basic unit of administration in India, since time immemorial. In the old Sanskrit scriptures, there is a word ‘Panchayatan’ which means a group of five persons. In the Rigveda, there is a mention of ‘Sabha’, ‘Samiti’ and ‘Vidath” as local self-units. The Gramanees is mentioned in the Ramayan also (Ramayan: Yuddha Kanda). Self-government of a village finds ample expression in Mahabharata and Manusmiriti also. Manu has mentioned ‘Village’ as the smallest unit of administration. In course of time these village bodies took the form of ‘Panchayats’ (assembly of five persons), which looked after the affairs of the village. In Maratha administration, the village remained the primary unit of administration. ‘Sabha Parva’ of the mentions Gram Panchayats at that time, but it was not clear whether the Panches were elected by the people or nominated by the kings. Each village had a headman ‘Patel’ who came from peasant stock and who combined the functions of revenue officer, magistrate and acted as intermediary between village and the government officials. The Jatak stories too give us a faithful picture of the village life in India (Mudgal Rahul, 1998). The studies on Ancient Indian thought and institutions have recorded that their position remain more or less undisturbed during the rules of Mauryas (322 to 185 BC), Guptas and Vardhans. They are believed to have enjoyed the same status during the Hindu period of the Rajput rulers. The position of the Panchayats remained unaffected even when the Afgans and the Mugals ruled over India. The Mughals divided the whole country into villages for administration. In managing the affairs of the village, the members acted as body, their agents being the ‘headman’ chosen from among themselves according to the custom of the locality.
During the British rule, the autonomy of the Panchayats gradually got diluted with the establishment of local civil and criminal courts, revenue and police organization. However, the British rulers were well cognizant about the role played by self-governing communities at the village level. Sir Charles Metcafe, a British governor in India during 1852 called Panchayat as ‘the little republic’, but with some reservations because a caste ridden feudal system with power concentrated in the hands of a few landlords would foil the sole mission of decentralization (Goswami Dalia, 1999). The initiative taken by the Viceroy, Lord Mayo, in 1870 through a resolution for decentralization of power was aimed at improving administrative efficiency. Famine Commission appointed by the Government of India in 1880 (Ministry of Panchayati Raj, 2006) pointed the absence of local bodies as a major hindrance in delivering relief supplies to famine stricken people, and underlined the need to expand Local Self-Government in Villages. In 1882, Lord Ripon resolved in favour of progressive extension of local governing bodies with the declared purpose of imparting political education to the people in general and rural people in particular. Famine Commission appointed by the Government of India in 1880, pointed to the absence of local bodies as a major impediment in delivering relief supplies to famine stricken people, and underlined the need to expand Local Self-Government in Villages as well.

The Royal Commission on Decentralization in 1907 stressed the desirability of re-constituting village Panchayats for the purpose of administering local affairs. The Commission also wanted that Panchayats should be kept under a separate department. According to Montague-Chelmsford Reforms 1918, the Government of India proposes to direct its attention to the development of Panchayat system in the villages. The most significant development of this period was the establishment of the Village Panchayat in a number of provinces, no longer as mere adhoc judicial tribunals but as representative institutions symbolizing the corporate
character of the village and having a wide jurisdiction in respect of civic matters. Eight provinces and many Princely States passed Village Panchayat Acts after the implementation of the Government of India Act, 1919 in 1921. Besides, during Non-Cooperation Movement (1920-24); the congress organized the Village Panchayats to settle the disputes. The efforts by Congress workers resulted into the springing up of numerous Panchayats in various parts of the country. The inauguration of provincial autonomy under the Government of India Act, 1935, marked another crucial stage in the evolution of Panchayats. With the popularly elected governments, almost all provinces enacted legislation for further local institutions. These provided more opportunities for development of Local Self- Government institutions like Panchayats.

After independence, there was a fierce debate among the members of the Constituent Assembly on the issue of giving a primary place to Village Panchayats in the Constitution. There was a view of Gandhiji who wanted that panchayats should be made responsible for the total development of the villages. But in the first draft of the Constitution, no mention was made of the Village Panchayats. It was mainly due to Dr. B.R. Ambedkar who was of the opinion that village communities have survived surely on a low and selfish level. He mentioned that the village republics were responsible for ruination of India. According to him the village is a sink of localism, a den of ignorance, narrow mindedness and communalism. After a good deal of thought, Mahatma Gandhi’s influence has been most prominent in regard and at the insistence of Alladi Krishnaswami Aiyar, N G Ranga, K Santhanam, Shibbanlal Saxena and others, results under Directive Principles of State Policy, included in Article 40 of the Constitution of India which lays down that ‘The state shall take steps to organise village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.” The inclusion of the Panchayats in the Constitution gave a new impact to the
growth of this institution. Every State enacted Panchayat Acts with a view to democratizing the structure of each Village Panchayat and also to vest more and more powers of rural development in it.

To make in practise better Balvant Rai Mehta Committee 1957, recommended a three-tier Panchayati Raj (PR) System: the Gram Panchayat at the village level, the Panchayat Samiti at the inter-mediate level and Zila Parishad at the district level and recommended that the entire development works should be transferred to these bodies (Singh Hoshiar, 1997). The report was accepted by the Central Government in 1958 and the states were asked to evolve a three tier system of Panchayati Raj adopting the common principles as per local conditions and requirements. Rajasthan was the first state in the country to introduce the Panchayati Raj system based on three tiers. It was inaugurated by Pt. Jawahar Lal Nehru at Nagaur on 02nd October, 1959. Other states also followed the suit, however, the honeymoon period of Panchayati Raj was short and immediately after demise of Pt. Nehru in 1964, the institution started stagnating and then declining in almost all states after mid-sixties. Adequate powers and finances were not given to them and the bureaucracy remained in the control of the situation. Concerned over the declining position of decentralization, the Janta Government in 1977, appointed Ashok Mehta Committee which recommended a two-tier system with Zila Parishad as apex body at district level and Mandal Panchayat (a group of villages) at the base level in place of Gram Panchayat. But, in changing political equations, these were ignored by the Government of India and the political leadership of most of the states. M.L. Dantawala Working Group (1978) on ‘Block level Planning’ identified remoteness of district level planning from actual scene as the main flaws in planning process due to mismatch of actual financial allocations with location specific needs. Planning Commission in the Sixth Five Year Plan (1980-85) emphasized strengthening by devolution of all such functions to each level
of PRIs, which were capable of being planned and implemented at that level. Involvement of PRIs was emphasized in the planning and execution of Integrated Rural Development Programme (IRDP) and National Rural Employment Programme (NREP), and prominent role in District and Block level Planning and in ‘the planning of Minimum Needs Programme (MNP) for their area of operation. Sincere efforts were in the making to revive the decentralization, since the middle of the eighties. C.H Hanumantha Rao Working Group on District Planning (1983) emphasized the need for decentralization of planning process and recommended the district as a unit of decentralized planning. The G.V.K Rao Committee appointed by the Planning Commission in 1985 to review the existing administrative arrangements for rural development also strongly recommended revival of the Panchayati Raj Institutions (PRIs) all over the country by highlighting the need to transfer power of the state to democratic bodies at the local level. The committee headed by Dr. L.M. Singhvi, 1986 also suggested a constitutional provision to ensure regular, free and fair election for the Panchayati Raj Institutions and recommended viability of Gram Panchayats and according them Constitutional base by mention of its main features in the constitution itself. Sarkaria Commission (1988) set up to study Centre-State relations did not favor Constitutional status to PRIs. The Commission advocated that the power of enacting any law on the Panchayats vests under entry 5, list II exclusively with states. In 1988, The Thungon Committee set up to study the conferring of Constitutional status on PRIs also recommended that these be accorded the same (Singh Puran, 2010). A watershed in the history of Panchayati Raj Institutions, the Constitution (73rd Amendment Act, 1992) envisages states to establish a three-tier system of strong, viable and responsive Panchayats at village, intermediate and district levels (Article 243B). States are expected to devolve adequate powers, responsibilities and finances (Article 243H) upon these bodies so as to enable them to prepare plans and implement schemes for economic
development and social justice (Article 234G) It setting up the State Election Commission and State Finance Commission. The 11th Schedule has been inserted in Part IX of the Constitution consisting of 29 subjects to be assigned to PRIs. The provisions in the Article 243G of the 73rd Amendment states that “Subject to the provisions of the Constitution, the legislature of the state may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as Institutions of Self-Government and such law may contain certain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level”.It was a landmark for achieving rural development through democratic decentralization. The Institutions of Self-Governance were accorded Constitutional status.

However, for giving a practical shape in consonance with the spirit to the Act left with the states. Haryana state has also passed ‘The Haryana Panchayati Raj Act, 1994’.

Gram Panchayat in Haryana

Gram Panchayat is not new concept to Haryana. The traditional Panchayats dominated by the land owning communities and castes which are traced from the Vedic period, existed in this region. The origin of statutory Panchayats in this area could be traced to the Punjab Village Panchayat Act of 1912, which was enacted during the British period for setting up of Village Panchayats as judicial organs not as units of local self government. The Panchayat Act of 1921, which replaced the Act of 1912, provide Panchayats on a more sound status but it also failed to produce the desired results. The Government of Punjab passed, The Panchayat Act of 1939, provide wide judicial powers to Panchayats both civil and criminal. Efforts were also made to improve the financial resources of the Panchayats through government grants equal to judicial fees and fines credited by the Panchayats to the government treasury. Panchayats were
also allowed to levy taxes with prior sanction of the Government. But despite this, the Panchayats could not make any headway in the pre-independence period.

Immediately after independence, the Gram Panchayats were set up in this region through the enactment of Punjab Gram Panchayats Act 1952 which replaced the Act of 1939. But, these could not develop into institutions of participatory governance due to traditional caste structure of Haryana’s society in which the poor, socially backwards and marginalized had no voice. Moreover, the institution of Gram Sabha, which was required to pass Gram Panchayat budget, prepare development plan of the Panchayat and review the progress of work, existed only on paper despite the fact that it had the status of a body corporate with a right to perpetual succession and a right to hold, purchase and dispose of Gram Panchayats property. The Panchayati Raj System was set up here in conformity with the Balwant Rai Mehta Committee’s recommendations by amending of the Punjab Gram Panchayats Act, 1952 and adopted a three-tier system i.e., Gram Panchayat at the Village level, Panchayat Samiti at the Block level and Zila Parishad at the District level. The above system of Panchayati Raj was inherited by Haryana after its formation in 1966. The three-tier system worked in Haryana, till July 1973, when the Zila Parishads were abolished on the recommendations of an Adhoc Committee (1972) constituted by the Government. Haryana had only a two tier Panchayati Raj system from 1973-1994 and the three tiers system was revived through Haryana Panchayati Raj Act, 1994.

**Haryana Panchayati Raj Act (HPRA), 1994**

It came into force on 22th April, 1994 to restructure Panchayati Raj Institutions to the requirements of 73rd Constitutional Amendment Act, 1992.
Three-Tier System

It restored the three-tier structure of Panchayati Raj – the Gram Panchayat at village level, Panchayat Samiti at Block level and Zila Parishad at District level.

Gram Panchayat

Section 7 and 8 of the Act provide that the Government shall by notification establish a Gram Panchayat by name in every Sabha Area constituted for any village with a population of not less than 500. The Gram Panchayat shall consist of a Sarpanch elected by Gram Sabha from amongst its voters, by secret ballot and rule 3 provides 6 to 20 Panches on the basis of population.

Term

Section 3 of HPRA, 1994 provides that every Panchayat unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer and if superseded in mid-term, a mid-term election within six month. The reconstituted Panchayat will serve for the remaining period of five year term only (Section 3 (2)).

Reservation

Provision has been made for the reservation of one-third seats of members and Sarpanch/Chairpersons for women in all the three-tiers. Reservations have also been made for the Scheduled Castes in proportion of their demographic strength in the State (Section 9). There is also a provision for reservation of seats for Backward Classes in Gram Panchyats having a minimum backward class population of 2 percent (Section 9(6)) (Election Report, 1994-2004).

Elections

After enactment of the Act, the Haryana government has met all the mandatory provisions of this Act such as election commission has been

**Duties Functions and Powers of Gram Panchayat**

The State of Haryana through its Panchayati Raj Act, 1994 has mentioned all 29 functions included in the Eleventh Schedule of the Constitution, Section 21 has given wide functions and vast duties to the Gram Panchayats to make arrangements for carrying out the requirements of Sabha area within the limits of the funds at its disposal related to 29 subjects. Besides, the general functions like preparation of the annual budget and annual plans for the Panchayat area, removal of encroachments from public places, mobilizing relief in the time of natural calamities, organization of labour and voluntary donations for the community works and maintenance of general statistics, the planning and implementation of works related to 29 subjects included- (i) agriculture and agriculture extension, (ii) animal husbandry, dairying and poultry, (iii) fisheries, (iv) social and farm forestry, minor forest produce, fuel, fodder, (vi) khadi, village and cottage industries, (vii) rural housing, (viii) drinking water, (ix) buildings and water ways, (x) rural electrification including distributing of electricity, providing for and maintenance of lightening of public streets and other public places, (xi) non-conventional energy sources, (xii) poverty alleviation programmes, (xiii) education including primary and secondary schools, (xiv) adult and non-formal education (xv) libraries, (xvi) cultural activities, (xvii) markets and fairs, (xviii) rural sanitation, (xix) public health and family welfare programmes, (xx) women and child development, (xxi) social welfare including welfare of handicapped and mentally retarded, (xxii) welfare of weaker sections and in particular of scheduled castes, (xxiii) public distribution system, (xxiv) maintenance of community assets, (xxv) construction and maintenance of
Dharamshalas and similar institutions, (xxvi) construction and maintenance of cattle sheds, (xxvii) ponds and cart stands, construction and maintenance of slaughter houses, (xxviii) maintenance of public parks and play ground etc, (xxix) regulation of manure pits in public places and other functions as entrusted by the government have been assigned to the Gram Panchayats.

**Rural Development and Gram Panchayat**

Development of rural areas has been at the core of planning process in the country and also in the State. Rural development is a broad, inclusive term which takes in its consideration socio-economic and political development of the rural areas. It includes measures to strengthen the democratic structure of society through the Panchayat Raj Institutions as well as measures to improve the rural infrastructure, improve income of rural households and delivery systems pertaining to education, health and safety mechanisms. According to The Ministry of Rural Development (Government of India) “rural development implies both the economic betterment of people as well as greater social transformation. In order to provide the rural people with better prospects for economic development, increased participation of people in the rural development programmes, decentralization of planning, better enforcement of land reforms and greater access to credit are envisaged.” Initially, main thrust for development was laid on agriculture, industry, communication, education, health and allied sectors but later on it was realized that accelerated development can be provided only if governmental efforts are adequately supplemented by direct and indirect involvement of people at the grass root level. Keeping in view of the needs and aspirations of the local people, Panchayati Raj Institutions have been involved in the programme implementation and these institutions constitute the core of decentralized development of planning and its implementations. The Ministry is also
strongly pursuing with the State Governments for expeditious devolution of requisite administrative and financial powers to Gram Panchayats as envisaged under 73rd Amendment Act of the Constitution of India.

Since independence, the Planning Commission of our country accorded the highest priority to rural development. It has designed various programmes and schemes to improve the socio-economic life of rural people. The first in it was launching of the Community Development Programme (CDP) in 1952 as an attempt to tackle the problems of rural development. Its objectives were to improve all aspects of village life and to mobilize local initiative and resources through self-help and co-operation for the betterment of rural conditions. After its failure to enlist people’s participation, it was supplemented by the National Extension Service Scheme in 1953 (Singh Puran, 2010). A new administrative innovation, known as Community Development Administration was created for this purpose. It was subsequently decentralized and democratized in 1959 on the recommendation of Balwant Rai Mehta Study Team (1957) for ensuring people’s participation in it by setting up the three-tier structure of democratically elected and organically linked Panchayati Raj Institutions at the village, block and district levels.

In the meanwhile, various Poverty Alleviation Programmes were designed in the 1970s for different target groups like the small and marginal farmers and the agricultural labourers, the women and children, the scheduled castes and the scheduled tribes. Besides, the area-specific programmes like the Hill Areas Development Programme, Drought Prone Area Programme and Desert Development Programme were also devised in that decade to combat the problems of unemployment which was the root cause of the wide-spread and deep-rooted poverty in the rural areas. The Government of India kept on making new additions and modifications in these programmes in the 1980s and the 1990s. It also created new
administrative mechanisms such as the District Rural Development Agency for implementing these programmes. It spent mind-boggling amount of money running into billions of rupees for this purpose. These programmes achieved considerable success in improving the condition of women and weaker sections, alleviating poverty, developing backward areas and in generating employment opportunities. However, the achievement of these programmes did not correspond to the amount spent on them. Involvement of people at grass root level was, therefore, considered as the most effective means to meet the aspirations of the people and to ensure that the benefits actually reach those who really deserve them. In view of the above, the central Government decided to accord the Constitutional status to Panchayati Raj Institutions and as a result, the 73rd Amendment came into force which provided constitutionally and legal status to Panchayati Raj Institutions. The Planning Commission of India has been consistently laying stress on planning for village development by grassroots institutions since the First Five Year Plan (1952-57). However, it has also been of the view that the official machinery would guide and assist them in this process.

Need and Justification of the Study

The Gram Panchayat is nothing new; we have recorded its existence from the ancient times. Empires have been built and destroyed by invaders, but the villages have retained their identities. Even today, the village still continues to be the pivot for all administrative purposes. Now the Gram Panchayat is the smallest and most important unit at grass-root level. In approx 75 percent of total annual devolution of funds to PRIs, is distributed and expended through Gram Panchayats. That is why the development of rural areas and success of Panchayati Raj System lies in the success of Gram Panchayats but, the question is how to make Gram Panchayats more effective and successful. The answer of this question needs deep analysis.
Moreover, no specific study on Gram Panchayat and Rural Development in Haryana, has ever been conducted. In this study an attempt has been made to know whether development activities such as infrastructure development, education, health and welfare, housing, water-supply and sanitation etc can be handle effectively by Gram Panchayat or not. The present study is a moderate one and it will fulfill the gaps of the earlier studies.

The present study has examined the opinion /perceptions/views of the three sets of district respondents, namely elected representatives of Gram Panchayats, members of Gram Sabha and officials about Gram Panchayat and rural development in Haryana. An impact assessment of perception and performance of Gram Panchayat as well as multiple programmes of rural development has been done in this study. The study has also examined the role and performance of the officials in the working of Gram Panchayat and rural development programmes, which has hitherto been remained un-investigated. The study has further examined the problems/bottlenecks in the way of Gram Panchayat in the working for rural development and the meaningful discharge of their functions such as the planning and implementation of the programmes for rural development. In fact this study presents a clear picture of Gram Panchayat in the term of its role and performance in the eyes of its related officials and people.

Therefore, besides a broad analysis, it has focused on the working of Gram Panchayat and its development functionaries closely associated with the implementation of these programmes. This study could be able to assess the participation of the members of Gram Sabha in different activities of Gram Panchayat and rural development programmes. Therefore, the present study will be added a new dimension to the existing field of knowledge.