The concept of village *Panchayat* or self-government at the village level is quite old in India. In its formal shape it dates back to the early days of British rule in India. Towards late 19th century the Indian nationalist leaders sought local autonomy or self-rule from the British. The colonial rulers, however, did not agree to meet the nationalist demand but conceded to the extent of giving self-government to Panchayats in rural areas and to municipalities in the cities. These powers of self-government at the lowest levels were granted to Indians under various local names through different enactments such as the Bengal Local Self-Government Act 1885, the Bengal Village Self-Government Act 1919 and the Bengal Municipal Act, 1884 etc.

In the Government of India Act 1935, the power of legislation was vested in the Provincial Legislature. As a result many new acts were enacted by many states besides Bengal which gave powers of administration to the Panchayats. When India became independent in 1947 and a Constituent Assembly set out to frame the Constitution of Free India, the new leadership felt that Panchayat Raj should be strengthened further by giving it more powers. As a result the following directive was included in Article 40 of the Constitution:

> The state shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

But despite this constitutional directive, the Panchayat Raj did not fare well in India. In fact, the story of local self-rule has seen numerous ups and downs. We can say that it has passed through at least four distinct phases in its not so long
span of life. The first phase was one of the ascendancy of Panchayat Raj during the period 1959-1964 which was followed by the second phase which may be described as the phase of stagnation (1965-1969). The third was the phase of decline (1969-1983) during which Panchayats had become defunct. The fourth is the phase of revival of Panchayat Raj when Rajiv Gandhi tried to infuse new life in it. This phase of revival may be considered to be still continuing. Some people are of the opinion that the phase of revival started much before 1983. They trace the beginning of the phase of revival to the experiment of Panchayat Raj by the West Bengal Government. However, the fact is that the Karnataka Zilla Parishads, Taluka Panchayat Samitis, Mandal Panchayats and Nayaya Panchayats Act, 1983 did start the movement for the revival of self-government at grass roots level in India. The then Prime Minister, Rajiv Gandhi gave the movement the required punch or impetus when he constituted the L.M. Singhvi Committee to write a concept paper on the system of local governance or Panchayat Raj in India in 1985.¹

Today it is widely acknowledged by every section of the Indian society that Panchayat Raj or self-governing institutions at grass roots levels are extremely necessary not only to ensure national growth but also to enlist people’s participation in developmental activities. In fact, the deeper feeling is that these institutions must become an integral and essential part of the democratic process. “Grass roots of Democracy, based on small units of government, enables people to feel a sense of responsibility and to inculcate the values of democracy. At the same time, it also offers a unique opportunity to participate in public affairs, including development work. In a vast, diverse and complex subcontinent, decentralization is also a political and administrative imperative.”²

It may also be kept in mind that from the very beginning the Panchayati Raj system has been viewed as self-governing local bodies working mainly in rural and semi-rural areas. They have also been looked at as institutions of democratic decentralization. When Panchayat Raj was first introduced in 1959, it was hailed
as a political and administrative measure of far-reaching importance and consequences. People, then, rightly saw it as a means of rural empowerment and as a mechanism of popular participation in the democratic process of the country. In the late 1950s thinking people were also of the opinion that these local bodies would awaken people politically specially in the rural areas where political backwardness was a major handicap. These bodies were also expected to enlist larger participation of people in the democratic process of the country. This initial expectation was not out of place as people indeed took keen interest and participated enthusiastically in the elections for local bodies and their elected representatives also showed a great deal of interest and participated actively in local political affairs as well as in developmental activities. Their lively spirit, however, gradually declined when the bureaucracy began to frustrate their aspirations.

Even today many people have doubts if the revival of Panchayat Raj would work and deliver. In fact some are so cynical that they say that it has already failed miserably. There is another school of thought, however, which believes that, in fact, Panchayat Raj system has rarely been allowed to function the way it should have done. They further say that it has yet not been tried and tested properly and hence the judgement of its failure is not only harsh but also premature. The Asoka Mehta Committee has however, tried to find a balance. The following remarks of his report are specially relevant here:

Panchayati Raj should not be viewed as a God that has failed. It has many achievements to its credit, the more important of which may be identified here. Politically speaking, it became a process of democratic seed-drilling in the Indian soil, making an average citizen more conscious of his rights than before. Administratively speaking, it bridged the gulf between the bureaucratic elite and the people. Socio-culturally speaking, it generated a new leadership which was not merely relatively young in age but also modernistic.
and pro-social change in outlook. Finally looked at from the developmental angle, it helped a rural people cultivate a developmental psyche.4

Gradually more and more people began to realize that pessimism about the Panchayati Raj was not only misplaced but also discouraging the spirit of experimentation. Instead, people began to think that further constitutional safeguards should be provided to strengthen the self-governance at the grass roots level. For this purpose the Indian Parliament passed the 73rd amendment in the constitution in 1992 which has since then provided constitutional status to the Panchayat Raj institutions. After the passage of this 73rd amendment Act almost all the states and union territories except Jammu and Kashmir, Delhi and Uttarakhand have framed and passed their own laws. Likewise, all the states and Union Territories except Arunachal Pradesh, Delhi and Pondicherry have organized elections for local bodies.

Holding local bodies elections has been a great exercise indeed. After 73rd Constitutional Amendment till now, about 2,32,278 Panchayats at village level; 5,906 Panchayats at intermediate level and 499 at district level have been convened all across the country. There are 2,920,000 elected representatives who manage these local bodies. No country in the world has such an elaborate and broad-based representative-democratic set-up. India can, therefore, be genuinely proud of what it has achieved through the Panchayati Raj system.

Panchayati Raj: Origin and Scope

Mahatma Gandhi, the Father of the Indian Nation, is credited to have said that India lives in its villages. Despite phenomenal growth in urbanization, a great majority of Indians still lives in villages many of them deprived of the fruits of development. The freedom fighters, who later on framed the constitution, had the belief that unless and until rural India was developed, no real national progress
would ever be achieved. That rural India must come alive, if the nation as a whole had to progress as a modern developed country, rightly feel a good number of concerned Indians.

At the time of India's independence in 1947, perhaps one-third of its villages had one or another kind of Panchayat but they were not effective vehicles of self-governance at grass roots level. As a result most villages had remained backward in the true sense of the word. The first independent government led by Congress Party as well as all its top leaders were of the opinion that village Panchayat was important and that it would be used in future as a vehicle for rural development. This was the thinking that prompted or caused the inclusion of Article 40 in the Constitution which has burdened the state with organizing village Panchayats. "The aim", writes Fadia, "was to foster democratic participation, to involve villagers in the development effort and to ease the administrative burden on the states."  

With a view to involving people in community development programmes, the First Five Year Plan, launched in 1952, designed and started a Programme of Community Development. The stated purpose of the Programme was to create awareness among the rural population so that they would take active interest in national schemes and programmes of economic planning and social reconstruction. But despite being launched with much expectations and right noises, this Programme of Community Development failed in its purpose. It specially failed in arousing the desired interest among the rural masses for participating in economic planning and development of the villages they were living in. But the government was not willing to accept defeat so easily, and as a result it set up Block Advisory Committees which were later re-designated as Block Development Committees. These Committees were expected to seek and enlist the cooperation of the villagers in implementing the schemes which were launched for their economic development. This initiative also met with failure. Politicians and government officers, at least the sincere ones like the first Prime
Minister Jawaharlal Nehru were worried and were always thinking as to how the rural people can be involved in government schemes for rural development. After much deliberations the concerned people came to the conclusion that the rural people just should not be given a scheme designed by some one else, rather they should also be involved at the time when the schemes are planned and formulated. And their involvement should not be one of a mute witness but they should fully and actively participate in planning the development schemes for their villages.

To further validate the new thinking the government decided to set up a study team. The purpose was to know how spark and enthusiasm can be aroused among the rural masses so that they would actively participate in rural development programmes. This study team was headed by Balwant Rai Mehta. Set up in January 1957, the study team’s brief was to review the working of the Community Development Programme. The government asked the team to study, *interalia*, “the organizational structure and methods of work with a view to securing a greater speed in the dispatch of business.” The Mehta Committee submitted its report towards the end of 1957 with the main recommendation being about democratic decentralization through the Panchati Raj. The Committee felt that it was necessary that the development machinery works under the supervision of the elected representatives of the village people, if the government wishes to secure their cooperation and sustain their enthusiasm. The Committee further recommended to decentralize the administrative machinery and to adequately delegate powers to the Panchayat Raj institutions. As the role of elected representatives was being highlighted by the Committee, it naturally recommended the setting up of elected and organically linked democratic institutions at village, block and district levels. Another important recommendation of the Committee was that the local elected bodies should have or they were made responsible for all planning and development activities in their areas. In view of the importance of the Mehta Committee’s recommendations, it would be appropriate to sum them up point by point.
1. There should be a three-tier structure of local self-government from the village to the district level with the village at the bottom and the district at the top with its intermediary link of institutions all organically related to one another.

2. There should be genuine transfer of power and responsibility to these institutions of local government.

3. Adequate resources should be transferred to these bodies to enable them to discharge those responsibilities.

4. All programmes of social and economic development formulated through the network of planning should be channeled through those institutions.

5. The whole system of Panchayati Raj should facilitate further devolution and dispersal of power, responsibilities and resources in the future.

The National Development Council accepted the above recommendations in 1958 and soon after various states began to implement the scheme of panchayati Raj. As elections for local bodies began to be held, there arose a great deal of enthusiasm all across the country. There was a general expectation that the people in villages should govern themselves in the real sense. Moreover, they must actively participate in the development activities concerning their agriculture, irrigation, animal husbandry, health and education etc. The idea behind the Panchayati Raj was also that the locally-elected representatives should have the power to make decisions about what they need or require. It meant that people in villages will now determine the local policies and execute their own programmes in conformity with the real requirements of the community. We can say that it was a great idea in that it was taking democracy to the grass roots level by empowering village people and entrusting them with the governance of the country.
Patterns of Panchayati Raj in India

When in 1958-59 the states began to implement the concept of Panchayati Raj by convening elections for local bodies, they faced some problems. A common problem was that there already existed one or another kind of local system of governance and they had their names in local languages. In 1959 it was, therefore, decided that while the broad patterns and fundamental features of the Panchayati Raj institutions should remain uniform, but no uniformity will be required in the details of the pattern. It was felt that the country was too vast to achieve any such uniformity.

Therefore the structure of Panchayati Raj institutions in India has been of different kinds from state to state reflecting regional thinking or traditions of one or another kind. The state legislatures, which passed laws for implementing the Panchayati Raj scheme, did not act in unison and preferred to go their own way. They, however, tried to capture the spirit of the scheme while legislating, and this is what was actually required. It hardly matters if some states adopted a 3-tier structure of Panchayats at the village, block and district levels and others preferred to have a 2-tier structure at only village and block levels or at village and district levels. A few states, in fact, adopted only a single-tier Panchayat system which operates only at the village level.

Rajasthan is the first state which started India's experiment with democratic decentralization or federalism through the Panchayati Raj system. The occasion was important and it had to be immortalized. It was none else than the first Prime Minister of the country who on October 2, 1959 inaugurated the Panchayati Raj system at Nagaur in Rajasthan. Rajasthan has a 3-tier Panchayati Raj system: Village Panchayat, Panchayat Samitis (which work at block levels) and Zilla Parishads. All three are statutory institutions or bodies. While the village Panchayat Act, 1953, the Rajasthan Zilla Parishad and Panchayat Samitis Act, 1959 was passed by the State Assembly to make provision for the two bodies.
For over three decades this 3-tier system has continuously worked in Rajasthan. The main panchayat or the kingpin of the Rajasthan model of Panchayati Raj is the block level Panchayat Samiti which has been given a number of institutional administrative and financial resources to carry out a variety of developmental projects, activities and programmes under the supervision and guidance of elected non-officials headed by the Chairman of the Panchayat Samiti called the Pradhan. Panchayat Samitis in Rajasthan thus enjoy executive power and also play an executive role whereas the Zilla Parishads, in comparison, have not been given any such power. They are primarily designated as 'advisory' bodies or institutions and exercise a modicum of supervisory and co-ordinating role over the Panchayat Samitis which have the real power. The Zilla Parishads, in a sense, act as a link mechanism between the Panchayat Samities and the state government.

Maharashtra and Gujarat, too, have a 3-tier structure of Panchayati Raj at village, block and district levels. These bodies are organically linked and well-integrated. However, in these two states the Zilla Parishads, unlike Rajasthan’s Panchayat Samitis, are empowered for designing policies and carrying out all activities relating to decentralized development administration. The middle tiers i.e. the bodies at block levels, do not have much power and usually work as the committees of the Zilla Prishads in Gujrat and Maharashtra. In both these states the Zilla Parishads are authorised to make all the decisions regarding the planning, development and administration of Panchayati Raj. In fact, in Maharashtra the Zilla Parishads enjoy more power; they not only implement the schemes that fall under the category of community development programme but they are also entrusted with carrying out the programmes of various other government departments which are assigned to them from time to time. It is thus a unique feature of Panchayati Raj experience in Maharashtra.

Panchyat Raj experience in Karnataka has been a bit different. "The PR Reform Act of 1985", writes Fadia, "had introduced a unique model in Karnataka, a model
different from the models given by Balwant Rai Mehta Committee and Asoka Mehta Committee. The Act provided a 3-tier PR system, the Zilla Parishad at the district level, the Taluka Panchayat Samiti at the Taluka/block level and Mandal Panchayat at the Mandal level. In Karnataka, all functions and functionaries of the development departments at the district and lower levels were transferred to Panchayati Raj institutions. All governmental registered societies and corporations dealing with the implementation of specific centrally sponsored schemes in the anti-poverty field, District Rural Development Agency (DRDA), for example, were merged with the Zilla Parishad. The concept of Mandal Panchayat had been taken from Asoka Mehta Committee Report, but adapted to local conditions. Karnataka was the first and so far the only state to give a concrete shape to the concept.

Karnataka's experience in Panchayat Raj has some other noteworthy features as well. There could have been no authenticity or genuineness in decentralization scheme unless and until there had been assured devolution of funds to the Zilla Parishads and Mandal Panchayats which they always need for implementing the schemes for rural development. In many states the state governments have failed to provide sufficient funds to the local bodies but Karnataka has gone a step ahead in this regard. The Karnataka government or the Assembly divided the state budget in two portions and thus provided a separate budget for Panchayati Raj institutions or bodies. This decision and action of the state's legislature, thus, facilitated or enabled the statutory and automatic transfer of over Rs. 900 crore annually, both on plan and non-plan accounts, to the Zilla Parishads and Mandal Panchayats. There are many other things which make the Karnataka system unique as well as interesting. In fact, in the days to come, it might prove to be a good example for other states to follow. "The extent of autonomy" writes Fadia, "statutorily conferred on the PRIs was noteworthy in Karnataka. No government official could suspend a resolution of Zilla Parishad on Mandal Panchayat. There was no provision enabling the Divisional Commissioner or for that matter, any other government official to exercise control.
over those bodies. The plans and budgets formulated by the Mandals could not be altered by the Zilla Parishad or the state government. Similarly, the district plans of the Zilla Paishads could not be touched by the state government. The coordination of the functionaries at the district level was sought to be achieved by the Karnataka experiment under the aegis of the Zilla Parishad rather than the legendary District Collector. The Zilla Parishad President was invested with the rank of a Minister and the Vice-President with that of Deputy Minister with the perks thrown in. In the popular parlance, the Zilla Parishad President was the District Chief Minister."^10

Panchayati Raj Institutions: Performance & Achievements

The relative success of Panchayati Raj system in Karnataka should be reason enough for a researcher to evaluate the working and performance of PR institutions in other states of India. We should specially focus on what they have achieved. It is not possible to make a thorough study. However, a bird's eye view of how Panchayati Raj system has fared in some states would give us insights into the structural and operational aspects of the system whose performance we are trying to examine critically. As we have already noted, the functions as well as structures of Panchayati Raj have been changing over the years, even they have differed from state to state. For example in Assam, shifts and changes have taken place in the tiers and functions allocated or assigned. In Andhra Pradesh, the Zilla Parishads, which have been given limited executive functions, have produced satisfying, even encouraging results specially in the field of education, and so has been the performance of Panchayat Samitis in Andhra, at least it can not be ignored, as any objective observer will surely notice it. In Rajasthan, the first state to introduce Panchayati Raj system, the Samiti tier worked with enthusiasm in the initial phase, and the results were encouraging. And in Tamil Nadu the Samitis have performed very well, specially in such fields as education, water supply, road construction and nutrition. The PR institutions' performance in Tamil Nadu in areas mentioned above, has been so good that it has received
wide appreciation within and outside the state. Gujrat and Maharashtra, as we have already noted, deviated a bit from the Balwant Rai Mehta Report and introduced a 3-tier structure with the first point of decentralization at the district level. Both in Gujrat and Maharashtra the slightly altered system has worked well, indeed it has performed well and functioned effectively. The PR institutions of Gujrat and Maharashtra have specially given good performance in the area of decentralized planning and development. It must be noted with appreciation that Gujrat is the one state where Panchayat elections have regularly been held, six times since 1965. Even during the dark days of emergency in mid 1970s when people's fundamental rights were suspended, Gujrat alone conducted Panchayat elections and thus enabled its PR institutions to work continuously.

The concept behind creating PR institutions was to empower the rural people, at least to make them feel that they matter specially in areas of their development. At least on this front the PR experiment has been quite successful. During the British rule, the village folk had developed deep-rooted fear of the officers which continued even after independence. One purpose of PR was to free people of the fear they had about the officers, for without being fearless they would not have participated in elections, primarily meant for their empowerment. In fact, one very important and encouraging result of the PR experiment has been the removal of fear from people's minds. As a result we see today that the village people fearlessly enter the offices of Block Development Officers and speak to them or discuss with them about what is going to be done for the development of their area or region. In Indian context, specially in view of the bitter experience of colonial rule this must be considered as a very big gain. It may be noted here that the Panchayat Raj was started, among other things, for ensuring people's participation in development programmes launched for the betterment of their areas. In view of the bitter experience the village people had of the colonial officers, they continued to fear authorities even after independence. The regular elections for PR institutions and their working have now removed the fear of authority from common people's mind. Moreover, the PR institutions were
created to awaken a spirit of self-help among the rural people through popular participation in the development programmes meant and designed for their areas, so that some basic services will be provided to them. All areas have surely not received the basic services, but people’s participation in elections for PR institutions has increased, and thus we can conclude that the democratic understanding of village people has also improved which is a gain a major achievement. The village people today feel that they are important, specially in changing their destiny and in improving their conditions.

The experiment of Panchayat Raj in India has another achievement to be proud of. It has brought the village people closer to, indeed it has involved them, in decision-making. By successfully involving people or by making them participate in development activities of their areas, it has also thrown up a new leadership at local levels everywhere in India. Some people allege that the elections for local bodies have politicized villages often leading to bloody clashes. There is no denying the fact that sometimes such clashes and untoward incidents happen. But what must also be realized is the fact that the PR institutions set up through local elections have enhanced the institutional capacity of local government enabling people to participate in the democratic process and in economic development of the rural areas they are living in. A noted political scientist of the calibre of Rajni Kothari has to say the following about the importance of the leadership thrown up by the PR elections or system:

Operating through these institutions, a new kind of political functionary has emerged at the local level who may, in the course of time, become more powerful than the elected representatives at the state and national levels. Politicians in the Congress – and gradually in other parties as well – are beginning to realize the potentialities of the new institutions. They often prefer positions in Panchayat Samities and Zilla Parishads, to being elected to the state legislature.\(^{11}\)
But the achievements of the PR institutions in India should not lead us to the conclusion as if they have no shortcomings or they have never or nowhere met with failures. Over the years many shortcomings have been noted in the working of the Panchayat Raj system in India. The most glaring shortcoming has been the lack of conceptual clarity at various levels. In fact, this lack of clarity concerns the very concept of Panchayati Raj and the aims and objectives for which it stand or should stand. Some people consider it as an administrative agency, nothing more nothing less. Then there are people who consider it as an extension of democracy at the village and small towns levels. And there are people who think that the PR system is meant to just provide rural local government. These differences of opinion exist at every level from top to bottom and often they coexist or go simultaneously and sometimes even work at cross purposes. But the beauty of the whole thing is that despite lack of conceptual clarity the system has by and large worked satisfactorily. About another shortcomings Dr. Fadia writes:

An overview of national scene would indicate that the activities of PRIs were meagre, their resources base weak and the overall attention given to them niggardly. The functioning of the PR system thus become discouraging. As this was not enough, some of the state governments would postpone the holding of elections or supercede some of the important tiers of PRIs for one reason or the other. The lukewarm attitude of the political elite at higher levels towards strengthening of the democratic process at the grassroots was generally the crux of the matter of particular significance in this regard is the relative cooling off of enthusiasm of MPs and MLAs in some states towards PR, because they would perceive a threat in emerging Panchayati Raj leadership to their position in their respective constituencies. In the ultimate analysis, all this led to a weakening of political support to PRIs and of the administrative will to work through them.
The negative role played by some sections of the bureaucracy has also contributed to the partial failure of PR institutions in some states. Due to one or another reason some bureaucrats felt bad in being compelled to work under locally elected leadership. They would, therefore, try their best to frustrate the working of PRIs by dissociating them from the development process. Instead of working with the elected local representatives, they would prefer to work with some one of the bureaucratic fraternity, for they seemed to have more faith in their own line of hierarchy structured so organically from top to bottom. The argument they offered for doing it was that primarily it is they who would be held responsible for results as well as for financial proprieties or whatever they would spend on one or another development project. One wonders why they would not trust an elected representative and instead would put/place all their faith in some one of their own fraternity. With such a thinking being prevalent among some bureaucrats, it is not surprising that some of them became suspicious, even averse to PRIs being entrusted with carrying out development activities and, therefore, created hurdles in their way of having access to the funds allocated for them. Being suspicious of the locally elected representatives some bureaucrats also found it difficult to work with them and thus by their omission or commission contributed to the failure of PR institutions in some states.

Another weakness or shortcoming of PRIs in India has been that often or for major parts they have been dominated by economically well off, educationally advanced and socially privileged members of villages and towns for which the PR system was created. In many parts of the country the upwardly mobile people among the village folk were the ones who alone benefited from the PR experiment and weaker or less privileged remained deprived as ever. "The performance of PRIs", writes Faida, "has also been vitiated by political factionalism, rendering developmental trusts either wraped or diluted. Corruption, inefficiency, scant regard for procedures, political interference in day to day administration, parochial loyalties, motivated actions, power concentration instead of service consciousness – all these have seriously limited the utility of
PR for the average villager". It, however, must be conceded that such a situation existed more in the initial stages of PR experiment. With the passage of time, and specially in states where elections for PRIs have regularly been introduced the situation has improved a great deal.

Some critics have pointed out that planning a development programme and its implementation require the skills of experts who can take quick decisions and sort out difficulties whenever they arise and make arrangement for a designed programme so that it does not suffer delay. As the PR bodies usually have representatives unskilled in matters of development and also they are not fully independent, hence they often affect the pace of development adversely and impede the improvement in the lives of the village folk for whose betterment the whole PR exercise has been undertaken. But this is a price that one must pay for wider participation of villagers in programmes of their development.

**Political Dynamics of Panchayati Raj**

It has been emphasized time and again that PR has played a significant political role at local levels as it has brought about a greater interaction between local and trans-local politics almost all over the country. This way, we can say, the political horizon of the villagers has widened, and it can be considered not only a major political consequence of the Panchayati Raj but also its great achievement. There are, no doubt, other agents of social and political change in India such as mass media, educated elite and such mass-based political groupings as trade unions and political parties, but the Panchayati Raj has proved to be more effective in this regard because it operates in such a way that involves adult franchise as a result of which the entire rural population participates in its working on such a wider scale that no other institution or an agent of socio-political change can ensure.
It can be rightly asserted that "PR in India has turned out to be a powerful engine of political change and the working of PRIs has been permeated with micro as well as macro politics. At the micro-level, the introduction of PR has had the following principal effects: (i) eclipse of traditional Panchayats; (ii) politicization of village factionalism; (iii) percolation of state and district political forces and actors; (iv) emergence of neo-traditional political motivations and calculations; and (v) increase in the political weightage of numerically dominant castes. At the macro level, the PR has produced several political consequences including: (i) establishment of vote nexus between local level leadership and political leaders at the state and district level; (ii) ruralization of political leaders in state and district politics, and (iii) emergence of local counteweights to district and state level political bosses."\(^{14}\)

It is said that the politics of elections for Panchayati Raj institutions has given birth to party politics and groupism in the otherwise peaceful villages. Often it has also been noticed that due to the Panchayat elections the villagers or various sections of villages are now caught in a kind of cold war and there always prevails an atmosphere of tension and disharmony. A case study of a Rajasthan village has painfully unearthed that factional politics and consequent tensions are on the rise. The rise in factionalism often erupts in violence specially during and after the elections for Panchayats. Moreover, these political divisions and tensions also affect the working and performance of the Panchayat institutions as the defeated parties not only refuse to cooperate but also actively work for their failure. Many a time the Panchayat meetings are disrupted, even members exchange abuses and blows leading to bloodshed. All these naturally impede the development activities\(^{15}\) in the area for which the PR institutions have primarily been created. But this basic purpose of Panchayat Raj is defeated if the elected representatives do not cooperate with one another and always indulge in leg-pulling. But despite these shortcomings one must realize that all Panchayats do not behave as depicted above. In fact the PR experiement has made Indian mind more democratic and pluralistic which in itself is a great achievement.
Top politicians, intellectuals, academics and high-level officers have not been unaware of the shortcomings the PR institutions suffer from. However, high-level deliberations resulted in a balanced assessment of the performance of the PRIs. A consensus emerged that just because of some shortcomings the PR experiment can not be swept under carpet as a big failure. It was also realized that there were reasons and factors beyond the control of villagers which also contributed to the lack of performance of the PRIs. When the Janata Party came to power at the centre in 1977, it decided to thoroughly review the working and performance of the PRIs. The government, therefore, appointed a high-level committee which consisted of 14 members belonging to different parties. The committee, constituted in December 1977, was to work under the chairmanship of Mr. Asoka Mehta. The committee took its work seriously and presented a thorough report in August 1978. The report had eleven chapters dealing with various aspects of the PRIs and it contained some 300 pages. The committee, after thorough research, came to the conclusion that it was wrong to think that the PR experiment had failed in the country. They conclusively said that the PR experiment can not be likened to a “god that failed”. Instead it concluded that the Panchayati Raj “has many achievements to its credit”, the fact of the matter is that PRIs have not been given a chance to serve as a vanguard of development in village India”, the PRIs have to be so designed that they can become effective channels of people’s participation in growth-economic, social and political.”

Moreover, the Asoka Mehta Committee made it clear that there was nothing wrong with the Panchayati Raj system nor was there any shortcoming in the concept itself. Therefore, the Committee after emphasizing the basic correctness of the concept of the PR recommended a well-prepared scheme for ensuring effective decentralization with a view to bringing about important changes such as organisation, technical competence and a capable leadership which would ultimately do justice to the dynamics of development. The main
recommendations of the Asoka Mehta Committee are briefly as follows: (1) "the
district should be the first point of decentralization, under popular supervision
below the state level; (2) below the district level, the people in development
management can be best achieved, by grouping a number of villages to
constitute Mandal Panchayats; (3) the preference of the Committee is for two-tiers
a district level Zilla Parishad and a Mandal Panchayat; (4) PR elections should
be conducted by the Chief Election Officer of the state in consultation with the
Chief Election Commissioner; (5) participation of political parties in PR elections
would ensure clearer orientation towards development programme and facilitate
healthier linkages with higher level political processes; (6) all the development
functions relating to a district which are now being discharged by the state
government would have to be placed under the Zilla Parishads; (7) the functions
of the Mandal Panchayats would have to be viewed from a new angle. They
would be responsible for implementation of the schemes and projects assigned
by the Zilla Parishad; (8) all developmental staff with the Zilla Parishad should be
placed under an officer to be designated as the Chief Executive of Zilla
Parishad."\(^{15}\)

The recommendations of the Asoka Mehta Committee did not go in vain, as
these were discussed thoroughly by the Chief Ministers of states in a conference
held in May 1979. The conference agreed that further increase in
decentralization was required and steps should be taken in this regard. However,
regarding the structural pattern of the PR there emerged difference of opinion as
many Chief Ministers emphasized the utility of the tiers of the PRIs which already
existed in their states. This difference of opinion may be considered quite natural.

73\(^{rd}\) Amendment and After

The activities of and debates about the PR experiment in the country ultimately
compelled the Central Government to amend the constitution so that the PRIs
get constitutional authority. Various efforts were made in this regard. In fact to
revitalize the PRIs Late Mr. Rajiv Gandhi, who was India’s Prime Minister in 1980s, introduced 64th constitutional amendment in the Parliament in 1989 and V.P. Singh, another former Prime Minister, introduced 74th Constitutional Amendment Bill in September 1990. The very fact that two successive Prime Ministers tried to amend the constitution for strengthening the Panchayat Raj clearly prove that the Central Government was quite serious in this regard. It is another matter that on both occasions the Parliament was dissolved and the amendment bills introduced by Rajiv Gandhi and V.P. Singh governments could not be passed. It was then left to the P.V. Narsimha Rao Government to introduce the 72nd Amendment Bill in Parliament in September 1991. The stated purpose of all the amendment bills introduced in the Parliament was to strengthen the Panchayati Raj system in India and take democracy to the grass-roots level. The bill introduced by the Rao government was finally passed as 73rd Constitutional Amendment Act 1992 by Parliament which was notified by the Central Government through Official Gazette on April 20, 1993 as it also received ratification by the state legislatures and the President of India gave his assent to it. After being notified in the official Gazette the PRIs have now got the constitutional legitimacy.

It would be quite appropriate here to describe in detail the outstanding features and characteristics of the 73rd Constitutional Amendment Act, for it is this Act which, in fact, shapes and affects the Panchayat Raj’s working in the country. These characteristics are presented below in brief:

The 73rd Amendment Act, 1992 enacted by Narimha Rao Government has given much more significance to the PRIs by adding a new Part IX which consists of 16 Articles and the Eleventh Schedule to the Constitution. The 73rd Amendment Act considers the Gram Sabha or village Panchayat as the foundation of the Panchayat Raj system. This Gram Sabha will perform functions and enjoy the powers given to it by the legislature or Assembly of the concerned state. The Amendment Act further provides for a three-tier Panchayat Raj system at the
village, block and district levels. This Amendment Act has also taken care of the small states. So the states with population numbering below 20 lakhs or two million have been given the option not to constitute the Panchayats at the block or intermediate level and have them only at village and districts level. The Amendment Act also provides that all the Panchayat bodies will be constituted for a five-year term; it also provides for a mandatory election after every five-year.

One thing, however, must be noted here. The 73rd Amendment Act has provided it for the state Assemblies to establish the Panchayats and delegate to them the necessary powers, so that they function properly and effectively. "In view of this", writes Fadia, "it may be said that the success of the Panchayati Raj Institutions as a unit of democracy and thereby ushering an all round development of rural areas will much depend on the intention and support of the State Governments. Without honest intention, these institutions would be misused by rural rich and the poor and illiterate masses will remain a mute supporters as it is happening in Parliamentary and State Assembly Elections in the country."\(^{18}\)

There are several other characteristics of the 73rd Constitutional Amendment Act, 1992 which deserve to discussed here. These are as follows:

**Gram Sabha:** Article 243A provides that the Gram Sabha may exercise such powers and perform such functions at the village level as the Legislature of a state may by law provided. Thus the 73rd Amendment envisions the village panchayat as the cornerstone of the Panchayati Raj system. Gram Sabha has also been clearly defined as to mean a body consisting of persons registered in the electoral rolls relating to a village comprising the area of Panchayat at the village level.

**Establishment of Panchayats:** Article 243B provides for a three-tier Panchayati Raj system. It clearly says that in every state there shall be set up Panchayats at
the village, block and district levels. As mentioned above, small states having less than two million people will have the option of not constituting the block Panchayat.

Composition of Panchayats: Article 243C states that subject to the provisions of this part the legislature of a state may by law provide for the composition of Panchayats. It, however, should be clear that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayats to be filled by election shall, so far as practicable, be the same throughout the state.

All the seats in a Panchayat will be filled by persons elected directly by people from territorial constituencies in the Panchayat area. To achieve this goal, each Panchayat’s area shall be divided into territorial constituencies in such a way that the ratio between the population of each constituency, and the number of seats allotted to it, so far as practicable, be the same throughout the Panchayat area.

Moreover, the assembly of a state may by law provide for representation of following persons in Panchayats:

1. The chairman of the Panchayat at the village level, in the Panchayat at the block level or in the case of a state having less than two million people and therefore not having intermediate Panchayats, in the Panchayats at district level.

2. The chairman of the Panchayat at block levels in the Panchayats at the district level.

3. The members of the Lok Sabha and the Legislative Assembly of the state representing constituencies which comprise wholly or partly a Panchayat area at the level other than the village level, in such Panchayats.
4. The members of the Rajya Sabha and Legislative Council of the state where they are registered as electors.

Article 243C also provides that the chairman of a Panchayat and other members of a Panchayat whether or not elected directly from territorial constituencies in the Panchayat area shall have the right or will enjoy the right to vote in the meetings of the Panchayat.¹⁹

Moreover, the chairperson of a Panchayat at the village level shall be elected in such a way as the assembly of a state by law provides. The chairman of a Panchayat at the block level or district level shall be elected by, and amongst, the elected members thereof.

Disqualifying the Members: A person shall be disqualified for being elected as, and for being a member of Panchayats provided:

a) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the legislature of the state concerned;

b) if he is so disqualified by or under any law made by the legislature of the state.

However, no person will be disqualified on the ground that he is less than 25 years of age (which is the age for being qualified to be elected for Assemblies and Parliament) under clause (a), if he has attained the age of 21 years.

If any question arises as to whether a member of a Panchayat has become subject to any of the qualifications mentioned in clause (1), the question shall be referred for the decision of such authority and in such manner as the legislature or assembly of a state may, by law, provide.
Reservation of Seats in Panchayats

In Indian context reservations for scheduled castes and scheduled tribes in government services, Parliament and Assemblies is a foregone conclusion. It was obvious that reservation will be provided to them in the Panchayats as well. However, here they will get reservation in proportion to their share in the population of the area concerned. Some see that Article 243D binds Panchyats to reserve seats for scheduled castes and scheduled tribes. "The number of seats so reserved shall be, as nearly as may be, in the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the SCs and STs in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat."

In Panchayats women have succeeded in getting reservation which they have been trying hard to get in Parliament and state assemblies. So we see that out of the total number of seats reserved under clause (10) not less than one-third seats will be reserved for SC and ST women. In other words one-third of one-third seats reserved for SCs and STs is reserved for women belonging to Scheduled Castes and Scheduled Tribes. Women belonging to castes other than SCs and STs, generally known as women of general categories have also got reservation in Panchayats. In fact, one-third of the total seats (including those of SC and ST women) has to be reserved for women. Such seats may be allotted by rotation to different constituencies in a Panchayat which means no one seat will be reserved permanently for women and thus the male population of constituencies so reserved will not be denied permanently their right to contest elections for Panchayats.

The SCs, STs and women have got reservation for the office of chairpersons as well. The legislature or Assembly of any concerned state will provide by law these reservations to the SCs, STs (including one third of their women) and the
women belonging to the general category. "The number of offices of chairpersons reserved for the SCs and STs in the Panchayats at each level in any state shall be, as nearly as possible, in the same proportion to the total number of such offices in the Panchayats at such level in proportion of the total population of the SCs and STs in the state. However, not less than one-third of the total number of the offices of chairperson in the Panchayat at each level shall be reserved for women. The number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level." It should also be clear here that the seats reserved under clauses (1) and (2) and the offices of chairpersons (other than the reservation for women) under clause (4) will cease to be effective on the expiry of the 50-year period specified in Article 334 (clause 5).

The backward classes of citizens, generally known as Other Backward Classes (OBC) may also get their seats reserved in Panchayats at every level. In fact, the legislature of a state which is authorized or empowered under clause (6) to reserve seats in any Panchayat or to reserve office of chairpersons in Panchayats at all levels for the OBCs.

**Time-Span of Panchayats**

It has already been mentioned that all Panchayats will have a five-year term. Article 243E says that all Panchayats will last for five years from the date fixed for their first meeting. They may cease before completing the five-year term if they are dissolved early under any law for the time being in force. However, no amendment of any law in force shall have effect of causing dissolution of Panchayat at any level which is functioning before such amendment till the expiration of its normal period of five years. The following points are also important in respect of holding election for the Panchayats. That an election to convene a Panchayat must be held and completed:
1. before the expiry of its duration

2. before the expiration of period of six months from the date of its dissolution.

However, if a Panchayat is dissolved at a time when the completion of its normal five-year term is less than six months, no election will be held to constitute a Panchayat for the remaining period. In other words if "the remainder of the period for which the dissolved Panchayat would have continued in less than six months, it shall not be necessary to hold any election under this clause for constituting the Panchayat for such period."

Powers and Responsibilities of Panchayats

Article 243G has stated in clear words that what powers and authority the Panchayats will enjoy or command, and what responsibilities they are expected to fulfil. It has been mentioned therein (Article 243G) that subject to the provisions of this Constitution the legislature of a state may, by law, confer on the Panchayats such powers or give them such an authority, as may be necessary to enable them to function as an institution of self-government. Such a law may have provisions for the delegation of powers and authority as well as responsibilities to the Panchayats at all levels subject to such conditions as may be specified therein in respect of the following:

1. the preparation of plans for economic development and social justice;

2. the implementation of schemes for social development and social justice as may be entrusted to them including those in relation to matters listed in the Eleventh Schedule.

It is important and appropriate here to know what matters have been listed in the Eleventh Schedule. They are as follows:
1. Agriculture, including agricultural extension

2. Land improvement, implementation of land reforms, land consolidation and soil conservation.

3. Minor irrigation, water management and watershed development.

4. Animal husbandry, dairying and poultry.

5. Fisheries

6. Social forestry and farm forestry

7. Minor forest produce

8. Small-scale industries, including food-processing industries.

9. Khadi, village and cottage industries

10. Rural housing

11. Drinking Water

12. Fuel and fodder

13. Roads, culverts, bridges, ferries, waterways and other means of communication.

14. Rural electrification, including distribution of electricity.

15. Non-conventional energy sources.

17. Education, including primary and secondary schools.

18. Technical training and vocational education.

19. Audit and non-formal education.


21. Cultural activities.

22. Markets and fairs.

23. Health and sanitation, including hospitals, primary health centres and dispensaries.

24. Family welfare.

25. Women and child development.

26. Social welfare, including welfare of the handicapped and mentally retarded.

27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.

28. Public distribution system

29. Maintenance of community assets.
We have already noted that Article 243G is subject to the provisions of the Constitution. This implies that the normal distribution of powers under Articles 245 and 246 cannot be effected by the state legislature while conferring powers and authorities on the Panchayats.

Under Article 243H a state legislature is entitled to make provisions for Panchayats with a view to empowering them to impose taxes etc. Such a law, made by the state legislature, may, among other things:

(a) authorize a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;

(b) assign to a Panchayat such taxes, duties, tolls and fees levied and collected by the state Government for such purposes and subject to such conditions and limits;

(c) provide for making such grants-in-aid to the Panchayats from the Consolidated Fund for the states; and

(d) provide for constitution of such funds for crediting all moneys received, by or on behalf of the Panchayats and also for the withdrawal of such money there from.

Finance Commission: Article 243-I seeks to set up a Finance Commission to review the financial condition of the Panchayats. This is a very important aspect of the 73rd Amendment. According to it the Governor of a state has been bound to set up a Finance Commission within one year from the commencement of the constitution (73rd Amendment) Act, 1992. The Governor is to do the same; constituting a Finance Commission at the end of every five-year. The State Assembly may by law, provide for and decide about the composition of the Commission, the qualifications, essential or desirable, for appointment of its
members. The Assembly will also provide for the criteria and the manner according to which the members of the Commission will be selected.

The Finance Commission’s main duty would be to review the financial position of the Panchayats and make its recommendations to the Governor. Among other things the Commission would also recommend/suggest to the Governors the principles which would govern:

1) the distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the state, which may be divided between them under this part and the allocation between the Panchayats at all levels of their respective shares of such proceeds;

2) the determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by, the Panchayats;

3) the grants-in-aid to the Panchayats from the Consolidated Fund of the state.

The Commission may also suggest to the Governors the measures required for improving the financial health of the Panchayats. It may also give its recommendations about any other matter which may be referred to it by the Governor in the interests of the finances of the Panchayats. The Commission has the right to determine its procedures and will enjoy such powers in performing its function as the state legislature may, by law, confer on it. The last important thing to be noted in this matter is that the Governor will see to it that every recommendation made by the Commission, together with an explanatory memorandum as to the action taken thereon, are placed before the Assembly of the state.

Audit of the Panchayat’s Accounts: The legislatures of the states have been entrusted with the function of making provisions for the maintenance of accounts
by the Panchayats and for the auditing of such accounts. This is necessary to make the Panchayats more responsible in respect of their finances.

Elections to the Panchayats: "Under Article 243-K the superintendence, direction and control of the preparation of electoral rolls and conduct of all elections to the Panchayats shall be vested in a state Election Commission consisting of the State Election Commissioner to be appointed by the Governor. Subject to the provisions of any law made by the state legislature, the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine. The State Election Commissioner shall not be removed from his office except in like manner and on like grounds as a Judge of a High Court. The conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment. The Governor of state shall, when so requested by the State Election Commissioner, make available to Commission such staff as may be necessary for the discharge of its functions. The state legislature may, subject to the provisions of this Constitution, by law, make provision with respect to all matters relating to or in connection with elections to the Panchayats".20

Areas Excluded: There are certain parts of the country where this Amendment Act will not apply. Article 243-M clearly says that Part 9 shall not apply to the following areas:

1) the scheduled areas referred to in clause (1) and tribal areas referred to in clause (2) of Article 244;

2) the State of Nagaland, Meghalaya and Mizoram;

3) the hill areas in the State of Manipur for which District Councils exist under any law for the time being in force;
4) to Panchayats at the district level of the hill areas of the District of Darjeeling in the State of West Bengal for which Darjeeling Gorkha Hill Council exists under any law for the time being in force;

5) shall affect the functions and powers of Darjeeling Gorkha Hill Council constituted under such law.

There are two more points which need to be noted here.

Notwithstanding any thing in this Constitution,

(a) the State legislatures of Nagaland, Meghalaya and Mizoram may, by law, extend this Part to these States, except the areas referred to in clause (1) if the Legislative Assembly of that state passes a resolution to that effect by a majority of the total membership of that House and by a majority of not less than two-third of the members of that House present and voting;

(b) Parliament may, by law, extend the provisions of Part 9 to the Scheduled areas and Tribal areas referred to in clause (1) subject to such exceptions and modifications as may be specified in such law, such law shall not be deemed to be an amendment of this Constitution for the purposes of Article 368.

Existing Laws and Panchayats

There might be laws which may contradict one or another provision of the 73rd Amendment or these may be about a Panchayat. These laws will continue as such unless rendered null and void by competent bodies and authorities. Article 243-N clearly states that “notwithstanding any thing in Part 9 or any provision of any law relating to Panchayats in force in state immediately before the commencement of the Constitution (73rd Amendment) Act, 1992, which is
inconsistent with the provisions of Part 9, shall continue to be in force until amended or repealed by a competent legislature or other competent authority or until the expiration of one year from such commencement, which ever is earlier."

"However, all the Panchayats existing immediately before such Government shall continue till the expiration of their duration, unless sooner dissolved by resolution passed by the Legislative Assembly of that state or in a state having a Legislative Council, by each house of the Legislature of the State."

**Court's Non-Interference in Electoral Matters:** The Courts are not to interfere in electoral matters of the Panchayats. Article 243-O has barred the courts from interfering in electoral matters relating the Panchayats at any level. It further says that notwithstanding anything in this Constitution the validity of any law concerning the delimitation of constituencies made under Article 243-K shall not be challenged in any court.

Likewise the validity or legality of an election to any Panchayat can be called in question only through an election petition before such authority and in such way as provided by any law made by the legislature of a state.

**Panchayats and the Eleventh Finance Commission**

Finances have been the bane of the Panchayat system in that these bodies rarely had sufficient fund to work effectively for realizing the goals they were created/constituted for. The Central Government, therefore, has decided to provide funds to the PRIs so that they may carry out developmental activities in their areas.

The Constitution, after 73\textsuperscript{rd} Amendment, requires the Central Finance Commission (CFC) to suggest/recommend steps for augmenting the Consolidated Fund of a state to supplement the resources of the Panchayats in
the state on the basis of the recommendations made by the State Finance Commissions (SFC). The Tenth Finance Commission, in the absence of reports from the State Finance Commissions, had made an ad-hoc arrangement of Rs. 4,381 crore to the Panchayat Raj institutions for a four-year period between 1996-2000. Substantial amount of the allocated fund were released to the states for helping the Panchayats. In 1996-97 the states were given an amount of Rs. 1,095 crore, which were to be given to the 3-tier Panchayats all over the country. During the period between 1996-99 the states were given Rs. 2249.65 crore to be distributed among the Panchayat Raj institutions at every level. And during 1999-2000 only Rs. 575.41 crore were released for financially assisting the PRIs in all the states.

The Eleventh Finance Commission has decided to sanction Rs. 1600 crore annually for Panchayats at all levels and operating in almost all the states. One may wonder if the amount of Rs. 1600 crore annually for nearly 2.6 lakh Gram Panchayats, 6000 block Panchayats and 500 Zilla Parishads scattered all over the country is adequate or not. However, the Eleventh Finance Commission deserves praise for giving enough viable proposals as to how to enhance and increase the financial capacity of the Panchayats at every level.

The Eleventh Finance Commission made another very important recommendation which pertains to increasing the revenue of the local bodies through property tax and house tax, octroi/entry tax and user charges. The Eleventh Finance Commission has noted that the property and house taxes are not revised, as they ought to be from time to time. Octroi is a contentious issue but there is a need for "a suitable tax that is buoyant and can be collected by local bodies". The above proposals or recommendations may be good but it must be acknowledged that until now the local bodies have been avoiding to raise funds and resources, for they fear unpopularity due to which they may pay a heavy political price in the next elections.21
After having elaborated the salient features of the 73rd Amendment Act, it is time now to make a final critical evaluation of this constitutional provision for local self governance. There is no denying the fact that the 73rd Amendment Act has many good features which are playing their role in strengthening the Panchayati Raj in India. While appreciating the good things of the Act we should also keep in mind that it has some major shortcomings. For example it has not defined the role of the political parties as a result of which often problems arise. The Act mentions nowhere if political parties can participate in elections in their formal capacity with their flags, slogans and programmes. Moreover, it does not speak about or has not explained what kind of relationship there should exist between the Panchayati Raj institutions and the bureaucracy operating at the local level. As can be imagined the lack of clarity on this subject is destined to create problems, the fact is that already a sort of tense relationship exists between the PRIs and the local bureaucracy. The result is that at many places the working and utility of the PRIs have adversely been affected.

Before the passing and implementation of the 73rd Amendment Act, 1992, the most important problem, which had naturally generated a lot of heat, was giving constitutional recognition to the Panchayati Raj institutions. But now at least this problem has come to end, because the 73rd Amendment Act, 1992 has conferred on the PRIs their due legitimacy. Another problem, which was also hotly debated till recently, was the functioning of Panchayati Raj institutions which was not smooth always due to lack of uniformity in the structure of the Panchayats. However, the 73rd Amendment Act, 1992 has now made it clear that it will be a 3-tier structure. "It is heartening" writes Fadia, "to note that the present Amendment Act will help accelerate not only uniformity in structure but will also achieve that basic philosophy of checking the growing importance and interference of affluent sections of society."

Before the Amendment Act the most chronic problem the PRIs, faced, and because of which they had also failed to perform satisfactorily, were irregular
elections and frequent supersession and suspension. Now that grave problem has been solved by the 73\textsuperscript{rd} Amendment Act and now it may rightly be expected that the PRIs will prove themselves to be effective and viable institutions of grassroots democracy as periodic elections within a time frame have to be conducted as a constitutional requirement.

The 73\textsuperscript{rd} Amendment Act has also taken care of the love-hate relationship between the local level bureaucracy and the elected representatives of the Panchayati Raj Institutions. The roles of the two were previously not defined, and as a result they both often used to move in different directions. And if they had not such a tense relationship, they at least did not show the kind of cooperation and coordination which was necessary for the effective working of the PRIs. Scholars have rightly remarked that this problem was one of the important causes of the failure of the PRIs. The 73\textsuperscript{rd} Amendment Act has not solved this problem outright but has provided a mechanism for its solution. It has authorized and entrusted the state legislatures to make suitable provisions to end the tension between the local level bureaucracy and the elected representatives of the PRIs. However, it would have been better, if the 73\textsuperscript{rd} Amendment Act itself had solved this problem. Because the state bureaucracy plays a major role in formulating laws and, therefore, it might succeed in making a law which will favour them and may not allow the elected representative to function freely and smoothly. Then, there may not be uniformity in laws governing the relationship between the local bureaucracy and the elected members of the PRIs, for these laws will be made by different state legislatures.

In conclusion we may agree with what the Finance Commission has concluded about the efficacy of the 73\textsuperscript{rd} Constitutional Amendment Act, 1992: it has not significantly changed the functional status of the Panchayats at every level. That the Panchayats today are just slightly better off than what they were before the 73\textsuperscript{rd} amendment. The Finance Commission has, therefore, rightly concluded that both the Centre and the states have marginalized the Panchayats by financing
development schemes and programmes for rural development without associating the PRIs in planning and implementation.\textsuperscript{23}

To sum up we may say that the 73\textsuperscript{rd} amendment has provided constitutional legitimacy to the Panchayati Raj institutions and perhaps has paid the way for delegation of power from the Central and State Governments to the local bodies. But as the Panchayats at every level are dependent upon the Centre as well as the State Governments for meeting their financial needs, they hardly work as effectively as they should for the genuine development of the rural areas. With their fingers on the purse strings both the Centre and the state Governments have once again marginalized the PRIs. If the Panchayati Raj system has to succeed in India as a mechanism of self-governance, of grassroots democracy and as a vehicle of genuine rural development, the politicians of India have to prove it by their deeds, and not by their words, that they are really committed to the welfare of the rural people through the PRIs they have elected. For Panchayats to succeed in their mission it is essential that both the Centre and the State Governments sincerely decentralize and delegate genuine powers to the Panchayati Raj institutions.

Notes and References


6. As quoted in B.L. Fadia, Loc-cit, p. 563.


8. Ibid., p. 564.


10. B.L. Fadia, op.cit, p. 565.


12. B.L. Fadia, op.cit., p. 566.

13. Ibid.


18. B.L. Fadia, op. cit., p. 568.

19. Clause (4) of Article 243C.

20. B.L. Fadia, op. cit., p. 572.


22. B.L. Fadia, op. cit., p. 574.

23. See George, Mathew, op. cit.