CHAPTER II

HISTORICAL DEVELOPMENT OF PANCHAYAT RAY
WITH REFERENCE TO
UTTAR PRADESH

Village communities with communal functions
and ownership are the most common forms of early human
society since the beginning of emergence of mankind for
barbarism to civilization. This communal living ensured
their constant evolution into higher stages of existence
and social organisation.

The march of mankind towards civilisation may be
summed up as follows: First, the state of savagery, when
man predominantly lives on products in their natural state,
and for appropriating those natural products he prepares
the simplest and crudest instruments; second the state
of barbarism when domestication of animals commences, man
learns the art of farming and thus human efforts become
capable of increasing natural products; and finally,
civilisation when man’s mastery over nature increases,
industries and arts develop, classes become dominant and
their conflicts dominate the march of history.¹

¹. H.D. Malviya “Village Panchayats in India.” All India
Congress Committee, New Delhi page 11. 1956
Historical Resume

Village communities thus became the earliest forms of social organisations where mutual goodwill and cooperation reigned and remained supreme till such time as subsequent historical and economic developments disrupted them. The Report of Congress Village Panchayat Committee has said:1

"This institution of local self-government and village communities was also practised in different countries of Europe and Asia. In Greek, the City was a 'life in common'. The City State 'was at once a Parliament and a Government, and Executive, Legislature and Judiciary in one.'² A good account of the co-operative life practised in village communities in Europe is given by Prince Kropothkin in his well known book, 'Mutual Aid'. China and Japan have also been some of the oldest homes of such decentralised rural institutions.³" These institutions primarily engaged themselves in the development of agriculture.

Like many other countries the dawn of civilization also changed the course of Indian History. However the predominance of agriculture is borne out by numerous references in the scriptures. Due to great significance of agriculture the Vedic people recognised Kashetrapati as the God of Agriculture and prayed to him to keep the Kashetras (that is, the cultivated fields which today are commonly called Khet) fertile and prosperous. In Rig-Veda (IV.5.12), the first three Mantras are addressed to Kashetrapati, the Lord of the Field, and Indra, the mighty Rain-God of that hoary past, comes later in Mantra seven. And the final appeal is: "May the ploughshare break up our land happily, may the ploughman go happily with oxen; may the earth be watered with sweet showers happily; may prosperity be granted to us." 1

The agricultural operations need joint action: Thus organisations, assemblies and different institutions having the basic character of uniting persons for different purposes came into existence. In his pre-eminent study "Hindu Polity", Dr. K.P. Jayaswal says that national life and activities in the earliest times on record were expressed through popular assemblies and institutions. 2 Such gatherings are referred to as Samiti (Sam-Iti) meaning 'meeting together'. Such

bodies existed at all levels is indicated in Prithvi-Sukta (56) of Atharva-Veda. "In the villages and forests of the land, in the various meetings and assemblies to discuss problems, I should always, O Mother Earth, speak for your good, for your interest."

Even at this time India had come to be a nation of diverse people with different languages and religions, and the sense of unity in this diversity had developed, is made abundantly clear by Prithivi Sukta (45): This land which holds within its bosom men of diverse languages and religions as though they are people living in one household, should, like a milch cow, profusely give us wealth and riches.

In fact the ancient society had created various local bodies with different functions and of varying character is undisputed. Vedic society was, indeed, sufficiently developed and settled to admit of an elaborate differentiation of functions. As Dr. Mookerji has listed, the original texts use a number of terms to designate these popular local bodies, viz., Kila, ganj, jati, puga, vrata, areni, suha, samudaya, samuha, sambhuyasa-natthana, parishad, charana. Various references of the corporate unions known as guilds in which manual labourers and skilled workers were organised are found in Dharam.

1 & 2. H.D. Malviya, Village Panchayats in India, AICC, Page 43 (Hindi) N. Delhi.
Surtas, the Upanishads, the Epics and the Jatakas.

R.C. Majumdar has given a list of 27 such guilds, as the guilds of Muslim weavers, leather workers, painters, goldsmiths, stone-carvers, potters, dyers, jewelers, and money lenders etc. Each of these guilds formed a whole village of its own and each of the villages was a tiny, self-governing republic. The Hammayana of Valmiki gives an account of the village "Ghosh" and "Gram". Mahabharata also mentions about Ghosh and Brams. However, the task of presenting a connected, complete, and comprehensive account of these bodies specially with regard to their functions at the village level bristles with difficulties.

All conclusions to be drawn about these matters have necessarily to be based on the Vedas and the Brahmanical epics. There is one current of thought among eminent scholars which believes that "These represent very little the state of Indian culture "but" culture as in the imagination of the Brahmin authors".

The Maurya period witnessed an important change in the Indian political system. The great empire functioned through trained and organised bureaucracy, is clear from the accounts given by Megasthenes and in the Arth Shastra of Kautilya. Opinion differs about the

1. R.C. Majumdar, "Corporate life in Ancient India", pp. 4, 18, 19.
relation of the state with the village communities. Dr. R.C. Majumdar and Prof. R.K. Mukerji are of the opinion that village communities were not deprived of their old rights and responsibilities while Prof. B.K. Sarkar argues that "the defecto initiative and responsibility of the Mauryan Assemblies were not more real than was the Sham local self government enjoyed by the Municipalities and District Boards of British India at the back and call of the District Magistrate." The criticism may be correct but the reference of the corporate character of villages is also given in Kautilya's Arthashastra, who was a strong believer in an efficient and centralised monarchy. The Arthashastra reveals that the villages were collectively responsible for the maintenance of law and order, collection of land revenue and other state dues.

The feudal empire of Guptas came into existence in 4th century A.D. According to Fa-Hien the Chinese pilgrim (C.400-411) the government did not intervene in the affairs of local institutions and the village remained the lowest administrative division.

3. Vide Montague, Chelmsford Report, 1918 quoted by B.K. Sarkar in political Institutions and Theories of Hindus, p.58, 1922
A notable feature of this period is the crystallisation of professional guilds into hereditary castes. The guilds possessed some characteristics of a democratic organisation specially in the south. Another important feature is the frequent mention of Mahattaras the elders of a village. These village councils were fairly developed from the 4th century onward particularly in Central India, Bihar, Maharashtra, Rajputana and Karnataka. The village councils of North and South enjoyed extensive powers, though there was a marked difference in the village councils of North and South.¹

The most important function of these village councils was the administration of justice, but apart from the judicial powers they also exercised legislative and executive powers. "Their exclusive functions included those of Collector, the Magistrate and the Municipality of the present day".²

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1. For details and minute differences see :
   A.S. Altekar, "A history of village Communities in Western India", Madras, 1927.
The main interest in the political history shifts to Dacca and South India with the establishment of Chalukyas and Pallavas empires from the middle of the Seventh century to the twelfth century A.D.

Frequent mention of the village Assembly in the inscriptions of ninth, tenth and eleventh centuries A.D. provide an evidence that the village Assembly was the supreme authority in the village. In some places it consisted of all the male adults of the village, whereas in some places the members were the learned Brahmans and other distinguished men of the village.

The Village Assembly was the absolute proprietor of the village land and possessed a corporate property, which could be sold for public purposes. The payment of revenue to the government was also the responsibility of the Assembly. For the realisation of dues it had the right to acquire the property of the owner of the land. Apart from the regular taxes it was authorised to levy extra tolls for public purposes, regulation of markets, assignment of particular cities for particular commodities.

It also made provisions for educational and charitable institutions and acted as a trustee for public charities of all kinds. It paid special attention to the means of communication and irrigation. It exercised complete authority over the people of the village "persons who are qualified to do the service of accountancy, carpentry, etc., should take up such services in the village only. Those who engage themselves in these services beyond the village will be considered to have transgressed the law, to have committed a fault against the Assembly and to have ruined the village".

The village assembly performed its functions through one or more committees and Sub-Committees.

The Central government did not intervene in the internal affairs and in matters like gifts, sales, and mortgages of land and other properties and acted simply as a supervisor. "In Ancient India King was the head of the state and not of the society. He had place in the social hierarchy, but it was not the highest place. As symbol of the state, he appeared to the people like a remote attraction with no direct touch with their daily life which was governed by the social organisation." 

3. R.K.Mukerji, ibid, pp.235-248
4. ibid, p.4
Such social organisations; economically self-sufficient and politically self-governing unit won the admiration of many scholars.

Muslim period:

Conquest of Sindh was made by Muhammad Bin Qasim as early as 7th A.D. After that though there were subsequent invasions but a stable government was established only from the time of slave dynasty (1206-1290) and continued during the reigns of Khilji monarchs (1219-1321), the Tuglak dynasty (1321-1413) and the Lodhi dynasty (1451-1535), and onwards. Elaborate administrative and judicial arrangements were made during this period. The Muslim rulers divided the empire into Subas, Sarkars, and Parganas. Parganas were divided by Sher Shah into Mahals or groups of village for revenue purposes. But the arrangement did not effect the indigenous rural judicial administration. The Panchayats continued as before. In one way it can be said that Sher Shah gave more powers and laid responsibilities on the village headman by providing that the village headman will be responsible for the safety within his area, failing which the headman will bear the consequences. In fact the villages flourished during the Muslim rule. For the village community the changes of dynasty were little more than ripples

1. See Mohammad Bashir Ahmad, "The administration of justice in Medieval India", Aligarh, 1957, p.129
2. 
on the surface beneath which the water continued to flow steadily. It was also observed by J.G.Drummond, "During the troublous times, that set in with Mohammadan invasions, when Central governments were often paralysed, the villages had to rely to an even greater extent than before on the primitive operations of self-government which they had evolved in the course of centuries."

Akbar divided the empire into Subas and Suba was subdivided into Sarkars, each Sarkar comprised of a number of Parganas, which was actually a union of several villages. At every village there was village Muqaddam (headman) and the village Patwari; these men were not state employees but the servants of village community.

That the villages were not neglected is also confirmed by various instructions for the extension of cultivation, collection of revenue, and help to be given to peasants, contained in the Ain-i-Akbari, the Shahi Farmans and the Dastur-ul-Amals.

According to the observations made by Dr. Parmatma Saran village life was not distributed by the Mughals because "they had no better alternative to

1. Dr. I.H. Qureshi, "The administration of Sultanate of Delhi". Labour, 1952, p.205.
2. J.G. Drummond, "Panchayats in India" pp.4
3. Malviya, H.D., "Village Panchayats in India", pp.131-140, ICC, New Delhi
substitute in its place which would be calculated to serve the interests of the people so well. Hence they gave it a sort of legal standing by their tacit recognition of it, and encouraged it to cooperate with the government in its functions. As the state in those days was a military state it "contended itself with the police duties and revenue collection and did not undertake any socialistic work, nor interfered with the life of the villagers, so long as there was no violent crime or defiance of Royal authority in the locality".

In short the village republic continued to gain strength both during Hindu and Muslim period and the village community with its local government survived the wreck of dynasties and downfall of empires. However the various forces working spontaneously in the village communities were rendered feeble during the last days of Mogul administration, in spite of the fact that the Muslim rulers did not interfere too much with the old arrangements of village communities.

2. Dr. Beni Prasad, "History of Jahangir" Allahabad, 1930, p. 91
3. Dr. Altekar, "Village Communities in Western India," Madras, 1927, pp. 230-34.
Granting of large tracts in reward of military or political services occasionally made by Muslims and frequently by Maraththa powers effected them adversely. The greatest defect of the Jagirdari System was the absolute uncertainty of the duration of tenure which continued strictly during the pleasure of the emperors; specially after the reign of Akbar. (1605-1658) the period was of luxury and extravagance. The increasing needs of assignee, naturally resulted in the impoverishment of peasants. Most of the land went out of cultivation. Because changes of assignment were frequent and as the assignee endeavoured to make hay while the sun shone and to extract more than the normal yield of his grant, the effect on the peasantry was devastating. The imperial efforts to check the process of the land going out of cultivation, by use of force proved futile. Further "The wars and devastations of Mohammadans and Marathas, and Pindaris swept away the village institutions as well as every form of ancient proprietary rights". And finally the shocks of East India Company and the British rule not only damaged but shook the foundations of these indigenous institutions.

The establishment of East India Company and policy of excessive centralisation of executive and judicial powers in the hands of the government officials disintegrated the village panchayats by depriving the village functionaries of their age long powers and functions. This was the greatest disservice to the country although it prolonged the British rule over India. Hence it proved useful to British rulers. Mahatma Gandhi has said that “The British government, by its ruthlessly thorough method of revenue collection, almost destroyed these ancient republics which could not stand the shock of this revenue collection.”

Due to their policy of centralisation the British government made direct contacts with Zamindars and cultivators which discouraged the development of panchayats and laid the foundation of a unitary government. Slowly and gradually the functions performed by Panchayats passed to the administrative and judicial officers. Likewise the Tehsildars looked after the work of village headman. Thus the government officials became the spokesmen of the public. This created a gulf between public and master. The Britishers also realised that it was not possible for them to rule India effectively without the help and cooperation of Indian people living in tiny scattered villages.

1. Harijan, Poona, 28.5.1931.
In his evidence before the Famine Commission, Sir Richard Temple emphasised the importance of local-self government when he said "For the future progress of the country the encouragement of the principle of local-self government, by which business of all kinds should be left more and more to local direction, is of much importance and nowhere more so, than in dealing with local distress, and, however great be the difficulties in the way of its early practical realisation, it will be well never to lose opportunity of taking any step that may lead to it." It was followed by Lord Ripon's famous resolution on local-self government of 18th May, 1882. He considered local-self government as a means to popular and political education, and envisaged in his resolution of the 18th May 1882 a network of local bodies, both for rural as well as urban administration. But in India of 1882, Lord Ripon, the then Viceroy was a solitary figure in his liberalism, as the vast majority of local Anglo-Indian officials were conservatives and supporters of a paternal administration, so that the reforms projected by Ripon were ignored by the provincial governments and district officers who were responsible for putting them into practice. As a result the resolution remained a dead letter for a long time, with the exception of few acts passed in certain provinces. Notable among these were the

Sanitary Committee Act of 1889, in Bombay, Madras and the Central provinces; the United Provinces sanitation Act 1892, and the United Provinces Village Courts Act of 1892. In Bengal the establishment of Union Committee with certain powers, to improve the conditions of village placed under their charge was permitted by law.

Viscount Morely, the then Secretary of State (1901-10) took not only a serious note of over centralisation but also called it a great mischief, and attributed it as the main reason for the widening gulf between the officials and the public in India. Hence a Royal Commission to report upon decentralisation was appointed in 1907 under the chairmanship of Charles Hobhouse. The report of the Royal Commission which was published in 1909 devoted one full chapter to village organisation,¹ and made liberal recommendations for the establishment of village panchayats.

Though the suggestions of the Commission were favourably commended by the government the officials found a number of difficulties in their implementation.

¹. Report of the Royal Commission upon Decentralisation, 1909, part III, Chapter XVIII.
Evolution of rural local-self institutions in U.P.

The history of the constitutional evolution of the U.P. district boards fall into three periods, namely from 1883 to 1905, 1906 to 1921 and 1922 to the present day. During the first of these periods the district boards consisted of the aggregate or certain selected representatives of the members of the local or the tahsil boards within the districts. The second period saw the abolition of the Local boards, and during it the district boards consisted of members partly nominated by the provincial government, and partly elected by a small nominated electorate. The third and the last period witnessed the re-organisation of the district boards on popular and democratic lines.

The Royal Commission on Decentralisation (1909) after reviewing the working of the local and the district boards in the various provinces of the country came to the conclusion that due to their unrepresentative character and inadequate powers, these bodies have not been a success. To remove the defects of the boards' constitution, the Commission recommended the creation of a genuine electorate consisting of the members of the village panchayats, the provision for an elective majority on all the boards, and a due representation of minorities through nomination.

1. Sharma, M.P. "Evolution of the Rural local self-government and Administration in the Uttar Pradesh, the All India Institute of Local-self government, II Horniman Circle, Fort Bombay, 1957, p.46
The Commission also recommended the formation of village panchayats and resuscitation of the local boards where they had been abolished, so that local self-government might be built up from the bottom.

These recommendations received the attention of the Government of India in their resolution on local self-government 28th April, 1915. The principle of elected majority on the boards was accordingly accepted, but the resolution gave no lead on the question of the reform of the board's electorates. It conveniently overlooked the fact that the so-called elective majority on the U.P./Board was returned by a tiny nominated electorate, and so in practice, indistinguishable from the nominated element.

As regards the Panchayats this Resolution fully endorsed the view expressed by the Decentralisation Commission, and laid down certain guiding principles with a view to achieve the desired success. But no practical developments were made, due to the pressure of the First World War.

Following the declaration of 1917 in the House of Commons on August 20 announcing substantial reforms in the direction of responsible government, and the publication of Montague-Chelmsford report (1918) containing the proposals for immediate political advance, a new significance come to be attached to the question of local self-government. "If our proposals for changes on higher levels" said the Montague-Chelmsford report, "are to be a success, there must be no

2. Indian Local-self government policy, being a resolution issued by the Governor General in Council on 28th April, 1915.
hesitation about changes in the local bodies. Responsible institutions will not be stably rooted until they become broad-based; and far-sighted Indian politicians will find no field in which their energies can be more profitably thrown than in developing the borough and the communes of their country. The report also revealed that ever since 1916 the Government of India had been considering the proposals for further advance in local bodies.

The Government of India Resolution of 1919, looked upon Panchayats not as mere mechanical adjustment of local self-government but as associations designated to develop village corporate life on the basis of the intimacy existing between the inhabitants who had not only common civil interest but were also kept together by traditions and blood.

The Government of India Act, 1919 made local self-government a 'transferred subject' which earmarked the growth of these bodies under the patronage of elected ministers. When local self-government was made a transferred subject under the Act of 1919 Panchayati Raj Acts were passed in different states including, Assam, Bengal, Madras, Bombay, the Central Province, Bihar Punjab, United Provinces, etc. In U.P. the Panchayat Raj Act of 1920 was enacted to revive panchayats, the working of functioning more or less under the District Magistrate. Their jurisdiction was limited to simple, injury, assault, mischief, insult,

2. Ibid, para 193
petty theft etc; and to a civil claim not exceeding rupees twenty five. Subject to certain limitations the jurisdiction of the panchayats was non-concurrent and non-appealable. These bodies were not bound by the law of evidence or procedure except what was laid down in those Acts. The Village Panchayat Act, 1920, formed the basis of the constitution and working of Panchayats in the United Provinces. Under this Act, Panches were to be appointed by the Collector in the prescribed manner and were to hold office for such period as may be prescribed. It was stated that the number of Panches shall not be less than five and not more than seven as the Collector may deem fit from time to time. At least two of these Panches were required to be able to read and write. The Sarpanches (Presiding Officers) of the Panchayat were to be appointed by the Collector, who were to be vested with the prescribed powers and functions. There were also provisions of suspension of Panches and Sarpanches from the Panchayats by the Collector on some misconduct, incapability, negligence of duty or any other sufficient cause. The quorum of the meeting was fixed as three Panches including the Presiding Panch. Vacancies in the Panchayats due to deaths, resignation, removal etc. were filled in by the Collector. Records and registers of the proceedings of the Panchayat were also maintained in the prescribed manner.

1. The U.P. Village Panchayat Act, 1920, Section 21, Sub-section 1.
2. Ibid, section 5.
3. Ibid, section 7.
4. Ibid, section 7.
Thus, the constitution of the panchayats in U.P. was such that the Panchayats remained purely official bodies and there was no scope for them to be responsible to the villagers in general.

In the beginning Panchayats under the U.P. Village Panchayat Act VI of 1920, were established in July 1921, in Agra and Mathura Districts. By the end of March 1921, 1,134 Panchayats had come into existence. By the end of March 1922 their number increased to 3,830. By the year 1922, all the Divisions with the exception of Kumaun had a large number of Panchayats. However, the number of Panchayats varied widely from District to District.

The great inter-district variation in the number of Panchayats all over the province was the natural result of the government policy and of the different views taken by the various District Officers when the movement had started. The matter was left entirely to the District Officers who were instructed not to establish more panchayats than they could effectively control. Some were more cautious than others. Special difficulty was
felt in the selection of suitable sarpanches on whom depended
to a great measure the just and harmonious working of
Panchayats. Further, it was not found easy to understand
the simple rules and maintain record Registers. Every stage
of progress received the personal attention of District
Officers concerned. In most of the districts a Deputy
Collector was appointed for this special work. From 5,576
Panchayats in 1922-23, their number rose to 6,104 in the year
1923-24. The population within their area of jurisdiction
was about six and a half million.

In spite of the establishment of new Panchayats in
various villages, there was a decline in their numbers in
later years. For instance the number of Panchayats declined
from 4,765 in 1930-31 to 4,180 in 1937-38. This increase
and decline in their number continued till 1940-41 when their
number rose to 4,733. The decline in the number of Panchayats
was obvious because of their hasty establishment, which
resulted in lack of supervision by the tehsil staff. In
addition, owing to party feelings and similar other
reasons they could not succeed and were, therefore,

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1. Report of the Administration of the United Provinces of
Agra and Oudh, 1921-22, the Superintendent, Government
Press, Allahabad, paragraph 113.
2. Ibid, Paragraph 115
3. Ibid, paragraph 113
5. Ibid, 1932-33, Chapter II, p.35
* In 1968-69 the number of village Panchayats stood at
72265, while the Nyaya Panchayats rose to the figure
87295. Statistical Diary, 1910, p.1. Economic and Statistics
discontinued.* The slow progress made by the Panchayats shows the apathy of the then Government. Deploiring the slow progress made by the government in the establishment of Panchayats, Iqbal Narain Gupta remarked in the Legislative Council in 1929, "what is needed is that the government should appoint a special officer to organise and establish Panchayats more rapidly. If in seven or eight years, government has been able to establish Panchayats only in less than 4 percent of the villages, it will take this blessed government to have Panchayats all over the provinces in not less than 200 years.1

As public opinion was pressing hard for local-self government, Panchayats drew the attention of political leaders also. Gandhiji recommended that rural reconstruction is possible through panchayats. Vinoba Bhava and Rabinder Nath Tagor also held the same view. Some experiments were made at Baroda, Mathanand and Gurgaon. However, a new life was given to Panchayats after the Simon Commission which studied the working of United Provinces Panchayats and remarked in its report published in 1930 that the village Panchayats or Urban board is of special interest and importance as being an attempt to reach the village.

* Lack of means of communication also stood in the way of Government officers in making frequent visits to the villages to supervise and to acquire the knowledge of the defects of the working of village Panchayats and needs of the people; Reports on the working of the District Boards in the United Provinces Agra and Oudh from 1930-41, The Superintendent, Printing and Stationery, Allahabad.
as a unit of self-government. Later on the Government of India Act of 1935 provided opportunity for the establishment of panchayats. In 1937 when the Congress assumed office, many legislative measures were taken to reconstitute the existing panchayats. In U.P. also the popular ministry was anxious to take up the matter in 1937 although the short span of its life did not allow it to take effective measures. But the ball was set rolling. A committee was appointed in 1938 under the presidency of A.G. Kher on local self-government. The report of this committee was submitted in 1939. On the basis of this report the bill entitled 'The U.P. Gaon Mukumat Bill of 1942' was introduced in the U.P. legislative assembly on August 15, 1946. It was referred to a select committee which submitted its report on Feb., 7, 1947. The Committee recommended some changes in the bill and also renamed it as 'The Panchayat Raj Bill' as the title of the bill was somewhat misleading. But this could not be discussed during British Raj because of many difficulties, specially, Muslim League Party in the House wishing for the protection of minorities. No doubt all this gave an opportunity to take lead in passing the Panchayat Raj Act, September, 1947.

Meanwhile India got independence on August 15, 1947.

* See Appendix A showing the progress in establishing Panchayats from 1930-41.
U.P. PANCHAYAT RAJ ACT 1947

This act was an attempt to develop the spirit of self reliance and common endeavours necessary for the prosperity of the masses, who were too much dependent on government support. As the people were aware of the defects of Village Panchayat Act of 1920, this act was designed to satisfy the growing aspirations of the people by removing the defects of the previous Act. It extends to the whole of Uttar Pradesh, and under the Act, every village not included in any Municipal Board, Town Area or Notified Area, irrespective of its size or location has either a Gaon Sabha of its own or has been grouped together with a neighbouring village or villages for forming a Gaon Sabha, consisting of all adult members, whether male or female, ordinarily residing within the area. The Gaon Sabha elects its own Pradhan (President) and Up Pradhan (Vice-President) to preside over the meetings and to perform

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1. In 1947, the Act was extended to the whole of Uttar Pradesh (then known as the United Provinces) except the Jaunswar Bawar Pargana of Dehra Dun District and the portion of Mirzapur District, south of Kaimur range; but since 1952 even in these areas the Provisions of the Act have been extended. The newly established Panchayats in these areas started their proper functioning with effect from December 15, 1953.

2. Generally, Gaon Sabhas have been established in every village having a population of 1,000 or more and villages were combined if the population fell short of this specified number. The total number of Gaon Sabhas of single village, two villages three or more was 7,920, 7,300, 6,515 and 14,404 respectively. After the amendment Act XI of 1955 the single village unit system was adopted and accordingly the present number of Gaon Sabhas increased to 72,428.
other important business. It gives a corporate status to each Gaon Sabha by virtue of which, it has perpetual succession and possesses a common seal with a power to acquire, hold, administer and transfer property both moveable and immovable, to enter into a contract and to sue and be sued.¹ In its half-yearly meetings it passes the budget prepared by its executive body, examines the account of the preceding year, reports on the working of Panchayats and suggests imposition of taxes.² In addition the Act provides that a number of Gaon Sabhas can work together, if necessary, in general interest.

A Gaon Panchayat, the executive body of the Gaon Sabha, conducts the village administration with an elected president (Pradhan), Vice-President (Up-pradhan)³ and members (whose number varies according to population)⁴, directly elected on the basis of adult franchise and joint electorate,⁵

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1. Section 4 UP Panchayats Raj Act, 1947
2. Quoted from Panchayats in Uttar Pradesh by Dr. (Km) Vijai Lakshmi Purwar, 1960 page 97
3. Pradhan and Up-pradhan of Gaon Sabha are also the ex-pfific Pradhan and Up-pradhan of Gaon Panchayats (sub-clause 2 of section 12 of P.R. Act., 1947
4. Before the Panchayati Raj Amendment Act II of the 1958, the number of members of a Gaon Panchayat could be from 30 to 51 according to the population, but as a result of the Amendment the number of elected members of Panchayats has to be form 15 to 50 prescribed in proportion to the population.
5. It is really a remarkable feature of the U.P. Panchayat Raj Act that it did not recognise the system of communal representation by means of separate electorate which was so strongly demanded by Muslim Community (Specially belonging to the Muslim League Party). Experience has shown that nothing has proved more harmful and pernicious to the well-being and political advancement of the country than the introduction of this baneful system of the communal representation. This communal representation was internationally introduced to prevent the formation of a unified national consciousness.
with reservation of seats for the minority community\(^1\) and schedule castes.\(^2\) Thus the Panchayat established under the Act of 1947, are purely a people’s institution, free from official control (so far as appointment of their members is concerned) and any sex discrimination.\(^3\)

1. It may be noted that under the present Amendment Act II of 1958, there is no more reservation of seats for a minority community. 'Minority Community' was defined in sub-clause(i) of section 2 of the Panchayat Raj Act 1947, to mean Muslim or non-Muslim community if according to the latest government census the total population was not more than 45 percent of the whole population of the area within the jurisdiction of the Gaon Sabha.

2. Section 12(7) dealing with the reservation of seats for the scheduled castes, has been provided with a definite view to safeguard the interests of the scheduled castes and to encourage them to participate in the works of Panchayats. It was apprehended that if such reservation was not given, the Panchayats might tend to overlook the interests of these backward section of society. By the Panchayat Raj Amendment Act II of 1958, provisions have been added in par with the Constitution of India that Section 17(7) shall cease to have effect on and from the 20th day of January, 1960.

3. It is to be noted that in previous Village Panchayat Act of 1920 a female member was not deemed eligible to become a Panch, but no such distinction is made under the present Act.
The system of Panchayats Adalat was also introduced under this Act. For the first time in the history of our organised legal system, democratic opinion had been given the right to express itself on the suitability of a particular person for an office in the village court i.e. Panchayati Adalat, members of which are popularly elected.1

To help the Gaon Sabha in carrying out its activities the Gaon fund was introduced. The Act made provision for a Gaon Fund.2 The various sources which constitute the Gaon fund are taxes and fees imposed by Panchayats,3 sums credited to Gaon Fund under the order of a court, sums paid by way of compounding fee, sale proceeds of dust, dirt, dung or refuse including the dead bodies of animals collected by the servants of Gaon Panchayats (but not the sale proceeds of sweeping and refuse of village to which a private person is entitled), such portion of the rent or other proceeds of nazul property, as the State Government may direct to be placed to the credit of the Gaon Fund, sums contributed by any District Board, or other local authority sums assigned by the State Government, and sums received from the collection of taxes and other dues for proprietors.4

1. Ibid. Section 39 of Panchayati Raj Act U.P.
2. Ibid. Section 37 and Rules 22, 223.
3. Ibid. Section 10.
4. Ibid. Section 24.
All this indicates that the U.P. Panchayat Raj Act is a definite improvement on the Village Panchayats Act of 1920. It can be said as the right step in the direction of conferring substantial rights on the people living in village.

DEMOCRATIC DECENTRALISATION IN UTTAR PRADESH

After the Mehta Committee report, the government of Uttar Pradesh gave a serious thought to introduce democratic decentralization. In the beginning the government decided to make Zila Parishad the vital link in the process of Democratic Decentralisation. Thus an ordinance was promulgated on April, 29, 1958 which was later on replaced by the 'Uttar Pradesh Antarim Zila Parishad Act' assented by the Governor on August 22, 1958. In this way the Antarim Zila Parishad took over the functions of existing District Boards and District Planning Committees.

In 1959 the Zila Parishad bill was introduced in the legislature. After the passing of this bill known as 'Uttar Pradesh Kshettra Samitis and Zila Parishads Adhiniyan' 1961, Uttar Pradesh Government committed itself to the task of democratic decentralization in the State. No doubt the Panchayat Raj Act of 1947, the Uttar Pradesh Zamindari
Abolition and Land Reforms Act 1951 had done the spade work in strengthening the concept of Democratic Decentralization, the 1961 Act can be said the last cementing force to establish perfect foundation for the same after about two centuries of Central Administration by the alien government.

The Third Five Year Plan of Uttar Pradesh introduced necessary changes to implement the programmes by establishing three-tier Institutions with Zila Parishad at the apex level, Kshettria Samiti at the centre and village panchayat at the base. This plan laid down the following objectives of Democratic Decentralisation.

1. Panchayat Samiti and Panchayat should make the effort to mobilise local manpower and other resources and services available at the right time according to the accepted programmes and preventing losses due to waste or mis-application of funds should be emphasized and nothing should be done to blur this chain of responsibility;

2. Panchayat Samitis and Panchayats should give special attention to measures for raising the level of living of the less privileged sections to the level of other sections in the community.

3. Panchayat Samitis and Panchayats should place their main emphasis on increasing agricultural production;

The Uttar Pradesh Panchayat Raj Act, 1947 gave statutory sanction for the organisation of Panchayats while the Uttar Pradesh Kshettra Samitis and Zila Parishad Adhiniyam 1961 provided for the other two tiers at the Block level known as Kshettra Samiti and District level known as Zila Parishad as shown in the chart given on page 78.
CHART No. 1
PANCHAYATI RAJ SYSTEM
ZILA PARISHAD
(District)

Presidents of Panchayat Samitis & Co-opted Members

<table>
<thead>
<tr>
<th>Sub-Committee</th>
<th>Sub-Committee</th>
<th>Sub-Committee</th>
<th>Sub-Committee</th>
<th>Sub-Committee</th>
<th>Sub-Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Niyójan</td>
<td>Karya</td>
<td>Shiksha</td>
<td>Nirman</td>
<td>Jan Swasthya</td>
<td>Vitta</td>
</tr>
<tr>
<td>Samiti</td>
<td>Samiti</td>
<td>Samiti</td>
<td>Samiti</td>
<td>Samiti</td>
<td>Samiti</td>
</tr>
</tbody>
</table>

KSSETRA SAMITI
(Block)

(Sub-Committee) | Sub-Committee | (Sub-committee) |
Karyakarini     | Utpadan       | Kalyan Samiti   |
Samiti          |               |                |

VILLAGE PANCHAYATI
(Village or Group of Villagers)

16-31 Members elected directly by voters

GRAM SABHA

Adult residents in the Village Panchayat area.
GRAM SABHA

The Uttar Pradesh Panchayat Raj Act provides that there shall be a Gram Sabha in every village or group of villages having a population of not less than 1000.* The membership of the Sabha in Uttar Pradesh is restricted to those adult members whose names exist in the register of members of Gram Sabha. Persons who may be otherwise qualified to be members but whose names are not entered in the members register are not members and are not entitled to be elected as Pradhans.¹

* In Aligarh the formation of Panchayats is divided into four stages, first for every village with a population of 500 - 1000, second for villages with a population between 1000 - 2000, third villages with a population 2000 - 3000, fourth for villages with a population of 3000 - 4000.

The Uttar Pradesh Panchayat Raj Act, 1947 has laid down certain qualifications for holding office of Gram Sabha or Nayaya Panchayat which are as follows:

1) If he is for the time being not a member of the Gram Sabha concerned;
2) Holds any office of profit under a state government or the central government or a local authority (other than Gram Sabha or Nayaya Panchayat);
3) Is a salaried servant of Gram Sabha or Nayaya Panchayat;
4) Has been dismissed from the service of a state government, the Central Government or a local authority or a Nayaya Panchayat for misconduct;
5) Is in arrears of any tax, fee or rate due by him to the Gram Sabha;
6) Is suffering from leprosy;
7) Is an undischarged insolvent;
8) Has been convicted of an offence involving moral turpitude;
9) Has been ordered to give security for good behaviour (under section 10-D or 110 of the code of criminal proceedings, 1898);
10) Has been sentenced to imprisonment for a term exceeding six months;
11) Is convicted of an election offence;
12) Is convicted under the U.P. Removal of Social Disabilities Act 1947, or the Untouchability Offences Act, 1955;
13) Is blind or dumb.

According to the Uttar Pradesh Panchayat Raj Act the Gram Sabha meetings should be held twice in a year - one at the harvest of 'Rabi' and the other on 'Kharif' harvest.

1. U.P. Panchayat Raj Amendment Act, 1955, op.cit., section 5A.
Over and above this a special meeting can be called on the requisition of 1/5th members in a prescribed manner. Except for adjourned meeting a quorum of 1/5th of the total membership is necessary.

**GRAM PANCHAYAT**

Gram Panchayat is the basic unit of local government. It is a statutory body embracing one or more villages with an average population of 1,500 and an average area of about six square miles. The members of Gram Panchayat are elected by entire adult population of the village, generally through secret ballot. In addition to the elected persons some seats are reserved for schedule caste, schedule tribes and women.

Gram Panchayat is the executive committee of Gram Sabha as directed by the Uttar Pradesh Panchayat Raj Act, 1947. The Panchayat with 16 to 31 members is a directly elected body. Before 1960, the members of Gram Panchayats were elected by show of hands and Pradhans were elected by ballot paper. According to a recent amendment now Panchayat elections are to be held under secret ballot, throughout the State.
The scheduled castes are given representation in the Panchayats and seats are reserved for scheduled castes and tribes in proportion to their population. Women have also come forward to participate in the working of Panchayats, though there is no special provision of their representation in the Act at this level. It calls for an amendment of the Act to reserve at least two seats for women members in order to encourage their active participation in the administrative and welfare activities at the village level.

**PANCHAYAT SAMITI**

The middle organisation working at the block level is known as Kshettra Samiti in Uttar Pradesh. The Uttar Pradesh Kshettra Samitis and Zila Parishads Adhiniyam 1961 provides that the Government may constitute Kshettra Samiti for a specified Khand (Block area) by notification. It is also provided that every Kshettra Samiti is a corporate body having perpetual succession and common seal. However, it is subject to any restriction or qualification imposed by any other enactment on the power to acquire and dispose of property and to enter into contracts. No doubt its position as a corporate body to sue or be sued is unchanged.

The administration of all these blocks is in accordance with the Adhiniyam.
Each Khand covers different number of Gram Panchayats under it. Although, the number of members in each Kshettra Samiti is different throughout Uttar Pradesh, but the general composition is more or less the same. Kshettra Samitis, in most cases, are indirectly elected; Pradhans of the constituent Panchayats being its members.

There is provision for cooption or reservation for women, scheduled castes and Schedule Tribes and for special interests like cooperative societies and banks. The M.L.A.s representing the constituencies of which the Panchayat Samitis form part, are ex-officio members generally without voting rights. The term of Panchayat Samitis is concurrent with that of Panchayats. Its President and Vice-President respectively called Pramukh and Up-Pramukh, are selected from amongst the elected members. The composition of Kshettra Samiti is as follows:

1. All Pradhans of constituent Gaon Sabhas;
2. Chairman of each town area committee and President of each notified area committee within Khand;
3. One representative of block unions and cooperative societies;
4. All members of Zila Parishad elected under section 18;
5. Local M.P.s, M.LAs and M.L.Gs.;

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The following are coopted members:

1. Persons, not exceeding two, interested in planning and development;
2. Women up to a maximum of five;
3. Members of Schedule Castes not exceeding eight.

The Panchayat or Kshettra Samiti according to the Act has given powers to enter into contacts which may be necessary for any purpose of this Act.

1) All public buildings of every description which have been constructed or are maintained out of the Kshettra Samiti;
2) All public roads which have been constructed or maintained out of the Kshettra Nidhi and the stones and other materials implements provided for such roads;
3) All land and other property transferred to the Kshettra Samiti by Government or by gift, seal or otherwise for local purposes; and
4) All tanks and wells and all adjacent lands, buildings, materials and things connected therewith or appertaining thereto within the Khand, not being private property and being maintained or controlled by Government or by a local authority other than Antarim Zila Parishad.

Each and every Block has been covered by one Kshettra Samiti which looks after the administrative and developmental activities of this Khand. The Kshettra Samitis is generally an indirectly elected body; Pradhans of the constituent panchayats being its members. Thus every village is represented.

1. UP Kshettra Samitis and Zila Parishad Adhiniyam, op.cit., Sub-section 3, of section 5.
COMPOSITION OF ZILA PARISHAD IN UTTAR PRADESH

The members of Zila Parishad are in most cases, indirectly elected. According to the Adhiniyam, 1961, the composition of Zila Parishad in Uttar Pradesh shall be as follows:

Ex-Officio

1. All Premukhs of Kshettra Samitis established in the District are members of Zila Parishad
2. Members of the Parliament from the district;
3. M.L.A.s from the district;
4. All members of the council of the State (M.L.C.) who have their residence in the district;
5. The District Collector (a non-voting member);
6. Presidents of all municipal boards in the district;

By Nomination

7. Members chosen by the Kshettra Samiti out of its members in the prescribed manner. In this connection the State Governments have specified the number of persons which each Samiti shall choose as members of the Zila Parishad concerned.

*The UP Govt has superseded all the Zila Parishads working in the State through an ordinance. The Zila Parishad will remain suspended till necessary and suitable amendments are made in the Act. These Parishads functioning in 51 out of 54 districts of the State, the three remaining districts of Uttarkashi, Pithoragarh and Chamli in the border region still having Antarim Zila Parishads, bodies formed in 1958 all over the State as predecessor to the formation of full fledged Zila Parishads, following the dissolution of the district boards, which had come into existence as early as in 1914. By the ordinance promulgated on March 23, 1970 declaring the presidents, the Vice-Presidents and the members of Zila Parishad ceased holding office and their functions are discharged by the District Magistrates. However to preserve the development of the democratic values, it is desirable that the new Act is passed in the light of the present trends, as soon as possible and the various development programmes are planned and implemented through these representative bodies, not through the bureaucratic machinery of the government.
By-Co-Option

The following persons shall be coopted as member of the Zila Parishad in the manner prescribed by Government:

a) So many women as will bring their number, including the women member, if any, mentioned in sub-section(1) to three in case of district having not more than seven khands and five in the case of any district; and

b) So many persons belonging to Schedule castes, if any among the members mentioned in sub-section (1), which shall neither be less nor more than three in the case of district having seven khands or less and in case of a district having more than seven khands, the number of such members, shall not be less than five or more than ten.

The total number of members under sub-section (1) of section 18 shall not be less than twenty. No person whose name is not registered as an elector in the assembly rolls from the district, or is disqualified under section 26 or any other provision of the Act, shall be chosen a member.

The composition and the number of members of the Zila Parishad in Aligarh District is as follows. This indicates the pattern which is more or less the same throughout Uttar Pradesh.
<table>
<thead>
<tr>
<th>Category of Members</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Adhyaksha Zila Parishad</td>
<td>1</td>
</tr>
<tr>
<td>2. Parmukhs of Kshettra Samitis</td>
<td>17</td>
</tr>
<tr>
<td>3. Members chosen by each Samiti out of its members</td>
<td>17</td>
</tr>
<tr>
<td>4. Presidents of Municipal Boards</td>
<td>4</td>
</tr>
<tr>
<td>5. Local M.Ps</td>
<td>2</td>
</tr>
<tr>
<td>6. M.L.As</td>
<td>9</td>
</tr>
<tr>
<td>7. M.L.Cs</td>
<td>2</td>
</tr>
<tr>
<td>8. Shakari Samiti's members</td>
<td>2</td>
</tr>
<tr>
<td>9. Women Members</td>
<td>5</td>
</tr>
<tr>
<td>10. Members nominated by State Government</td>
<td>3</td>
</tr>
<tr>
<td>11. Representative from Scheduled Castes</td>
<td>7</td>
</tr>
</tbody>
</table>

**Total number of members.** 69
Panchayati Raj and Gandhian Impact

Gandhiji favoured a 'stateless and classless society' in which every one is his own ruler. However Gandhi himself regarded these ideas as utopian and realized the impracticability of such a society. Hence he advocated a society based on non-violence which can be achieved only by having self-governing village communities. These ideas were embodied in the January 1946 and January 1948 plans submitted by Gandhiji to the Committee charged with the framing of a constitution of the Congress party. In these plans Gandhiji suggested to the Congress an organisation based on nation-wide panchayats. He had already helped, in 1939, in drafting the Constitution of Aundh (a princely state) based on panchayat system with an indirectly elected government hierarchy leading upward to a paternal Prince.

Gandhiji's principle was, "Violence logically leads to centralisation, the essence of non-violence is decentralisation". He wanted that self-sufficient and self-governing villages should be the basic units of public administration in free India. These primary political units should elect, by adult suffrage, a panchayat, ordinarily of five persons, for a period of three years. The functions of the
Panchayats should be comprehensive, covering almost all aspects of social, economic and political life of the village community, so that village can enjoy a large measure of local autonomy. They should have administrative control over all the employed personnel. They should also assess and collect land revenue, provide cheap and speedy justice, education, recreation and medical facilities and supervise co-operative farming, irrigation and khadi and village industries.

Gandhiji had further elaborated the concept\(^1\) and suggested that to guide, advise, supervise the work of lower panchayats and to perform functions of a local nature, there should be taluka (tehsil), district, provincial and national panchayats connected with one another, the president of the all India Panchayat should be the head of the state and government. "There are seven hundred thousand villages in India, each of which" hoped Gandhiji, "would be organised according to the will of the citizens, all of them voting. Then there would be seven hundred thousand votes. Each village in other words would have one vote. The villagers would elect the district administration; the district administration would elect the provincial administration and these in turn would elect the president who is the head of the executive". He would have the power to appoint

ministers from outside the membership of All India Panchayat, who would be responsible for defence, currency, customs, running of key industries and coordinating economic development plans. Thus Gandhi envisaged complete political and administrative decentralisation at the village level, with an indirectly elected government at the top. 3

Gandhi also desired that the gram panchayats be entrusted with the judicial work so that there was no wastage of time and energy in litigation. This, he said, would result in simple, prompt and cheap administration and would give a 'just' system. He was against multiplicity of courts, as according to him, that had given an expensive, time-consuming and complicated system of justice, had sapped the morale of the people and had promoted dishonesty and falsehood. Clearly, he also envisaged a decentralised administration of justice. 2

The members of the Constituent Assembly, however, did not favour the plan to base the constitution on the village and its panchayats and erecting upon them a super-structure of indirect, decentralised government. On the other hand after a careful consideration the Assembly preferred a parliamentary form of government. 1

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1. Ibid page 3.
2. Ibid pages 3 & 4.
favouring an atomic society in which individual is the base; instead of communitarian society. The drafting committee thus did not make any mention of the panchayats. Dr. Rajendra Prasad wrote to Sir B.N. Rau in May 1948 that the constitution should begin from village and go up to the centre. But this was rejected by Sri Rau due to its impracticability. Gandhiji also wrote about it in the Harijan saying that "there is no mention of village panchayats and decentralisation in the fore-shadowed constitution. It is certainly an omission calling for immediate attention, if our independence is to reflect the people's voice. The greater the number of Panchayats the better for the people." This was violently questioned by the pilot of the new constitution "That the village Panchayats have survived" argued, Dr. Ambedkar, "through all vicissitudes may be a fact. But mere survival has no value. The question is on what plane they have survived. Surely on a low, on a selfish level. I hold these village republics have been the ruination of India. I am, therefore, surprised that those who condemn provincialism and communalism should come forward as champions of the villages. What is the village but a sink of localism, a den of ignorance, narrow mindedness and communalism. I am glad that the draft constitution has discarded the villages and adopted the individual as its unit".


2. C.A.D., VII. page 38.
The language is strong and represents the sentiments of those who did not share the Gandhian view on the subject. But the viewpoint of the protagonists of the village Panchayats could not be ignored altogether. So a Directive principle of the state policy was added. At the time of the discussion of the non-justiciable Directive Principles of State Policy most of the members spoke in favour of the development of village panchayats. None of these members, however, sought to make panchayats, the basis of indirect and decentralised system of government as envisaged by Gandhiji. They argued the cause for the development of the village panchayats only within the framework of the parliamentary form of Government. Moving an amendment for inclusion of new clause, 31-A, in the Draft Constitution, Shri K. Santhanam, supported by others stressed that the State should take steps to organise panchayats so that they might serve as an instrument for village uplift, development of rural economy and of local self-government. It was in the light of these arguments that Dr. Ambedkar and the Assembly accepted the addition of the new clause, which took the form of Article 40 of the Constitution. The Article reads "The State shall take 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." Then was followed a somewhat confusing order in which things happened. "First breaking the historic village communities, second Community Development Programme for communities so broken up or
are breaking up; third when the Community Development Programme failed, to give power to the communities, whose communitarian spirit was becoming fast a thing of the past!

The Panchayati Raj in the form and content as seen today owe its origin to the report of the Balwant Ray Mota Committee appointed to evolve and evaluate the functioning of the Community Development Programme and the structure that would be appropriate for its effective working. The organisation of Panchayati Raj is not identical with the organisation of Panchayats as envisaged in the constitution. The present day panchayats far from being "units of self-government" have been degenerated to the rank of mere executive agencies of the strong Sanitis or Zila Parishads. "There can be no doubt that the stability and security of the Indian democracy depended largely on the successful functioning of village panchayats which have to become its real back bone. But the fact is that the village panchayats today are nowhere near that position and it is doubtful whether they in near future develop themselves to assure such a role".

What has been the impact of the new forces released by the Panchayati Raj set up, is a separate discussion but one thing is quite obvious- it is not relevant to talk about the historical continuity of the village communities and to compare the present secular and democratic rural institutions with the so called autonomous ancient republic whose autonomy was the natural expression of the conditions of an age having no proper means of communications. More than that it was the autonomy for the higher caste that used it to maintain an effective control over the lower castes especially the untouchables. The 'village council' called the Panchayat is an old traditional heritage of India no doubt, but the modern concept of Panchayati Raj is not a copy of the ancient 'village council' which was undemocratic, communal and caste ridden organisation.

The planned development of a socialist rural India called for an organisational set up, which came into being as Panchayati Raj of the modern age of parliamentary democracy, which is neither a historical product, nor a Gandhian heritage.

1, A. P. Sen, "Panchayati Raj some defects" The Times, 29/10/69
2, M. V. Pylee, "Constitutional Govt. in India", Asia Pub. House p.16
Democratic decentralisation and the task ahead:

The 'village council' called the panchayat, is an old traditional heritage of India. But the modern concept of Panchayati Raj is not a copy of the ancient 'village council' which was undemocratic, communal and caste-ridden organisation. It is the product of modern democracy which came into being to serve the various ends. Mr. K.S.V.Raman has listed three different objects of Panchayati Raj:

1. As a vital part in the building up of the right relations between the individual and his community through introduction of self-management of problems of his community, a sense of participation in his society and the political education of the villager in the citizenship of his country;

2. As a method of establishing local self governing agencies for governments, in order to vitalize and expand the machinery of public administration for the purposes of enormously expanded tasks of a welfare government in working out a planned economy;

3. As a political stunt, partly for diverting the attention of the public from the serious lapses in administration, the intention being not the delegation of real power to

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1. 'Krukshetra', Director, Publications Division, Patiala House, New Delhi 1, October 1962, page 46.
people at large, but to regain the hold of the political party down to the village - the hold that some parties have lost.

OBJECT OF PANCHAYAT RAJ

These divergent views illustrate the nature of the problems in evaluating Panchayati Raj its aims and impact on rural India. However, the following aims of Panchayati Raj are well known, and non controversial:

1. Democratic base:

Democracy derives its authority from the individual and thus decentralisation is a pre-requisite to the success of democracy. In a country like India where more than 82 percent of the population lives in villages democracy cannot succeed without strengthening democratic system at the grass roots. It was felt that the parliamentary democracy in India (at the centre and states) has failed in arousing the enthusiasm of the people. The Committee on Plan Project has rightly pointed out that "It is not theory or dogma which is impelling us to make these recommendations, but practical considerations. Democracy has to function through certain executive machinery but the democratic government operating over large areas through its executive machinery can not adequately appreciate local needs and
circumstances. Thus in view of the committee the Panchayat Raj is an attempt to devise a method of bringing the democratic government to the doors of the people. In other words Panchayat Raj is the 'primary school of democracy'.

In the context of India, where Britishers have left a traditional bureaucratic system of administration unsuitable for a democratic set up it was all the more important to keep the rural life active in order to overcome the problem of moral, social and cultural degeneration in the society. With the introduction of Parliamentary government at the top, the higher level administration had become responsible to the elected ministers and through them to the Legislatures and ultimately to the people. But the district administration remained more or less untouched. Its power was further enhanced by the inauguration of the era of planned development. Panchayat Raj, thus is an attempt in the direction of democratizing the district administration. Through Panchayat Raj the interest of the rural folk has been kept alive by providing them an opportunity to take the responsibility of taking decisions and supervising its implementation. The need for such an agency was felt during the first plan when planners and beneficiaries were seen poles apart. Thus the second five year plan (1956-1961) felt the need for orientation of the district administration and suggested for strengthening of the people's bodies at the local levels.

The success of a democratic government lies in its leadership as without enlightened leadership neither effective policies can be framed nor implemented. The leadership for the top cannot be developed through lectures in schools or Colleges. This can be done through participation at lower level i.e. local self-government, which provides working knowledge about the democratic government and strengthens the abilities of the trainees and enables them to take positions in the state legislatures and Parliament according to their capabilities.

Dr. S.K. Dey viewed Panchayati Raj as an important event, linking the individual with the universe. In the sphere of national democracy he visualised an organic and intimate relationship between Gram Sabha and Lok Sabha. He maintains that "Panchayati Raj will grow thus to be a way of life and a new approach to government as against a unit of government. It will bring about a complete link up of our people from the Gram Sabha to the Lok Sabha."

As an instrument of Social change:

Rural India is wedded to an undemocratic system of feudalism, casteism and traditional hierarchy. Village life has been conditioned to stagnant and a
backward outlook. The caste ridden communities do not permit rapid growth. Their fatalist outlook rather help them content, with whatever they get and thus people lack initiative and push needed for the economic change and social transformation. Under these circumstances any right type of political, economic and social leadership, which may guide the newly independent India cannot be developed. It was thus necessary to bring change in the society by shaking the foundation of these evils which were created by the feudal lords or capitalists to serve their interest. No doubt Panchayati Raj cannot succeed on the face of these deep rooted evils in a limited period but it can bring a silent revolution in the thinking of the masses and can strengthen the weaker sections of the society. Therefore, the Panchayat Raj should be viewed as a basic institution for social change which is necessary for breaking stagnation in the society.

Economic Revolution:

The social change is bound to create economic awareness while economic uplift helps in bringing social reforms. Panchayati Raj equally encourages both the activities and help them simultaneously. The cooperative
movement is now working under the guidance of Panchayats. The service cooperatives, Cooperative Farming Societies and various other Agricultural credit and non-credit societies, working in the villages (although run by the elected Managing Committees) finance the agriculturists in accordance with the production plan prepared in consultation with the Panchayats. The rural uplift programme is based on the successful implementation of the cooperative plans. During the Fourth Five Year Plan the Central and State Governments propose to spend Rs.246 crores on the development of Cooperative Agricultural Sector. Besides, Central Assistance, Institutional agencies like commercial banks and the Agricultural Refinance corporations are expected to finance agricultural cooperatives. The Land Mortgage Banks will also invest crores of rupees during the Fourth Plan. During 1970-71 they are expected to lend Rs.150 crores on a long term basis. The programme of agricultural development is to be accompanied by a programme of rural industrialisation. If all the investment for economic development goes in the right direction, under the guidance of Panchayats the rural India will mark a tremendous change.

As an agency of a welfare state:

India is wedded to the establishment of a Welfare state which can be achieved by accelerating the tempo of

progress in all the different fields of activities. This is possible when the beneficiaries of developmental activities are given an opportunity to plan for progress and execute the plan. The Directive principle of the constitution under article 40 about the establishment of Panchayats coupled with other programmes of Welfare State, such as right to work, to public assistance, to raise the level of nutrition and the standard of living, equal wages for workers and free and compulsory education for children etc, explains that the goals of Panchayati Raj are identical with our plans. Panchayati Raj as an agency of the state is closely allied with planned development and is "visualised as an improvement in the process of economic development to utilise local resources and man power, through local institutions for the execution of plans."\(^1\)

Panchayati Raj and Developmental Activities:

The first five year plan earmarks the modern independent India from the rest of her history. In order to

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develop the economy of the country and boost food production
the 'Grow More Food Campaign' was strengthened, Cooperative
Movement was revitalised and later on community Development
programme, Intensive Agricultural District Programme etc., were
implemented under the plan. In fact Community Development
programme embraces all the activities undertaken previously
under various other programmes of rural uplift. For example,
the primary objects of Grow More Food campaign was to increase
production which is also the main activity under Community
Development programme. It is a matter of degree and not of
kind which separates these programmes from one another. One
had limited objectives and therefore, taken into account the
results of limited activities while the other is broad based
and visualises the achievements in broad perspective. Likewise
Cooperative Movement helps the development programmes in the
achievement of their objectives by providing financial help.

The purpose of Panchayat Raj was, in fact, to take
care of the implementation of the Community Development
Programme. It was expected that the Community Development
programme would instill a new enthusiasm among the people and
break their traditional indifference. Once the people's
participation was assured, a systematic process of self-
sufficient automatic growth could begin. However, from the
very beginning, the villagers looked upon the programmes as one
of the many schemes of the Government and the official agencies
found to their dismay that the desired response and cooperation
from the people was not forthcoming. The members of the
Adhoc Committees, district official and other agencies utterly
failed in attracting the village people to participate in the
gigantic programme of rural uplift. As the country's fortune
was at stake, therefore, a Study Team was appointed by the
Committee on Plan Projects to study various aspects of the
Community Development Programme with a view to economy and
efficiency. The recommendations of this committee gave birth
to the idea of Democratic Decentralisation i.e. the modern
concept of Panchayat Raj. Thus the organisation of
Panchayati Raj followed the Community Development work.
Moreover, Panchayati Raj has been developed in such a way
which indicates that it has followed the steps of Community
Development Programme. It recognised the importance of
village Panchayats to initiate the work, Block Samitis to
look into the work of Blocks and Zila Parishad for the over
all development within a district. India is in fact a
collective name of more than 5.5 lakhs villages which are
scattered over plains, dense forests, mountains, snowy
peaks and deserted lands, not well connected by means of
communication; unexposed to the modern world and
still surviving, as independent, self contained units.

The message of freedom and its fruits cannot be shared by them until and unless they are provided the amenities which are the privilege of a free nation. Panchayat's supremacy cannot be doubted or challenged in this field. The desire to work mostly depends on the ability to work which demands the basic necessities fulfilled. Facilities like pure water, medical facilities, education and reasonable wages are some of the factors which can create desire to work. Panchayats have the capabilities of doing all this. Nehru rightly emphasised that Panchayati Raj bodies should assume the responsibility of looking after the needs of every one in the village and thus become an insurance against illness, unemployment and other disabilities. The study group on the welfare of the weaker sections of the society (1961) also placed the responsibility of their uplift on Panchayati Raj. This is quite natural. Because the government cannot reach to each and every individual family and remedy its problems.

In fact the Panchayati Raj is in a way a transfer of programme of Community Development to the local bodies, as the agencies for the achievement of its aims.

Dr. S.K. Dey has summarised this in saying that 'Community Development is the end and Panchayati Raj, March, 1962, p. 16, New Delhi.'
Raj is the means. Thus Panchayati Raj can be viewed as an institutional device to carry the Community Development, giving it new financial dimension, yet with all its basic objectives remaining unaltered. No doubt Panchayati Raj has other functions too which may change with the tempo of economic development and political changes.

Conceptually speaking Panchayati Raj may be treated as an improvement over the community development movement in more than one ways - firstly, Panchayati Raj basically remains a character of rural local government - secondly Panchayati Raj is broader and far more comprehensive in objective than community development programme. The triple objectives of Panchayati Raj are modernization, politicization and democratization, while community development programme embodies in itself, at best, a preparatory stage for modernization.¹

In the context of these objectives the next chapter deals with the comparative study of the administrative machinery, designed for the effective realisation of these broad objectives.

¹ For details see Panchayati Raj, Planning and democracy, Edited by V.M.Mathur and Iqbal Narain, P.XVII, Asia publishing house, New Delhi.