4.1. Introduction:

Women constitute roughly half of the World’s population. But they almost invariably constitute a small minority of those holding elected office in 1980 they made up just over 10 percent of the world’s parliamentarians and less than 4 percent of the world’s political participation, by women has been attributed by many researchers to the subordinate social and economic positions that women typically hold in most societies. The statement of the United Nations after declaring 1976-86 as the Decade for women development observed that women perform two thirds of the world’s work receive only 10 percent of the world’s income and only one percent of the means of production. Women are thus the world’s largest excluded category.

4.2. The UN Report on Women:

The scales of world’s equality are out of balance, the side marked women is weighed down with responsibility, while the side marked men rides high with power. Tilting first under rules that say women must do all domestic work the scales are tipped further by men’s greater opportunities to earn wages advantages builds on advantage until today they are titled so steeply that almost all of the world’s wealth is on mean’s side, while most of the work is on women’s.

In many industrial countries the development index is only around 80 percent of the males. Women participate inadequately in employment and in
some industrial countries women’s earnings are less than half those of men many developing countries exclude women from both political participation and productive work in the countries for which data are available female human development index is only 60 percent that of males. Indeed for decades, iife has changed very little for 500 million rural women in the developing world. The question of women’s participation in politics began to assume importance only in the twentieth century, the global concern for women’s participation, at feast in world, was noticed in 1975 when the united nations declared the decade as the women development decade and adopted some resolutions for it this was followed by the Nairobi conference in 1985 which, called on the participating countries to take steps for ensuring women’s participation in politics through reservation of 35 percent seats in all elections. In the developing countries women continue to face a variety of cultural, institutional and legal constraints that circumscribe their involvement in their respective societies and limit their participation in government the awful absence of women from the political process has generated doubts about how to identify and integrate women’s social and economic needs and priorities in the process of development women play a significant role in rural economy but there has been no effort to take into account there concern and skill while designing and implementing rural development programmes. There is no doubt that long term goal of social equity and full participation of women required increased political empowerment of women. Political empowerment means acquisition of the capacity as well as the adoption of needed strategies by women in order to exercise their powers more effectively and profitably for their own development and the development of the society.
4.3. The Indian Scene:

The question of political empowerment of women in rural India has assumed considerable significance recently because of the 73 constitutional amendment the amendment requires reservation of seats and posts of chairpersons for women in all grass root democratic institutions in the country side known as panchayats. This is a historic step of far reaching implications and significant repercussions on the political processes in rural India.

In viewing the problem of village panchayats in India, as indeed all our problems. We have to keep before us the outlook of integrated human growth and development. It is a signal contribution of our country’s heritage that only that growth survives and that developmental activity has a lasting value in which the process envelops all the aspects of human existence and works from within this has given our leadership a perspective of an integrated development of human personality in ibis process: the individual citizen, has to be provided with opportunities to evolve himself through his own selected mediums in the social economic and political fields in a vast country like India it would be impossible for the state to fulfil this function and hence the emphasis on village society and economy and village panchayat wherein the individual, while fulfilling his duty to his country, can also have an opportunity to evolve himself, village has been the base of our society and its economy, and village panchayat has been its medium through long, centuries. Similarly, the process of social integration can be attained imd its progress enhances only if it is simultaneously accompanied by a process of emotional integration.

It is because these basic approaches have always been present In the minds of Indian social thinkers from ancient times that we have beers able to maintain the fabric of India’s cultural integrity and polity, and that too despite
many a blasting hurricane. The British attempted a cultural conquest of the country as had never been done before, and as part of this attempt they destroyed as village panchayat system.

It is, therefore, necessary to reorient our minds. The village panchayat is not merely a decentralized form of administration. It is a medium through which we want the Indian people in the rural areas to express themselves on the administration, social and economic problem of the country and evolve an integrated Indian community through a process of emotional integration. It is not only that we want every citizen of the country in the rural areas to actively associate himself or herself with the Governance of the country through village panchayats, but we want to provide him or her with an opportunity to express himself or herself through village administrative system, and help him/her in the process to develop himself into an integrated citizen of an integrated state.

The soul of democracy is not merely mechanical rule of a numerical temporary majority. But it is the medium for transmitting a sense of participation in the process of evolution of Indian society, the Governance of the country and in the development thereof. At one time our rural areas were not only the bed-rock of our political stability and a source of our economic strength but also provided the initiative for our social and cultural growth.

The historical background of the panchayat system in India from the ancient age to the modern period or contemporary period is ascribed in this section of the research. The primary objectives of this section are to describe the changes undergone by the panchayats, ancient Indian institutions and to point out some constant features in its historical transition up to 2005. Thus overview shows the panchayat as a part of the existing culture base since the vedic age.
The little republics that are the village communities of India have a long and illustrious history. They have evoked the awe and admiration of both western and Indian scholars who have waxed eloquent on the nature and function of these local bodies. Radha Kumud Mukarjee said these little republics provides a sort of Noah’s Ark in which were safely protected the vital elements of Hindu civilization against the world-shaking catastrophic political movements to which Indian culture was frequently.

**Ancient India:**

The panchayat system was also prevailed in ancient age too, vedic and post-vedic source shows the Indian \iHage as a self-sufficient and autonomous miniature republic. This essential features has given Indian history a sense of continuity. It is a historical truth that Indian has undergone mere political and religious revolutions than any other country in the world. Yet, in the face of all these thunderous, devastating revolutions, India could preserve her culture and safeguard, her vitality because of these well-knit village communities. India has seen the decline of many a great civilization like the Greek, Scythian and Egyptian, which loomed large on the historical haviyon at a certain time and then perished. In India too, dynasties have tumbled down, revolutions have followed revolutions, but they have not much affected the calm and quite life of the village communities. Lord Metcafe and others have recognized this fact and opined that, one single factor that contributed most to the tranquility and happiness of the Indian village life is the well-knit, well-ordered life of the village community.

The village during the vedic age was administered by a respected official, advised by a council of elders. The Ramayana cites a village leaders of great prestige called Grammi. He was hold in high esteem “so much thai when
Rama killed Ravana, the happy gods, in singing praises to hi. compared him to a general and Gramini. That the Grammi enjoyed high status in the village can be noted furthermore in that at the royal consecration, the King’s entourage consisted of a Grammi, a Suia (charioteer) and a Bhagdugha (collector of taxes). As one Indian historian says a Gramini was probably at the head of the village administration. The post carried considerable prestige and is described to be the object of the highest ambition of a vaisya. The king exercised his powers over the village through the Gramini.

Valmiki’s Ramayana, mentions two types of villages, the gosh and the grama, the former being smaller than the latter. The officials of the local body were called the gosh Mahattar and the grama-Mahattar respectively. The Grainini was an other village official who was highly respected. The Mahabharata also mentions gosh and grama. The dweller in the gosh were known as gaps whose main occupation was animal husbandry and dairying.

Mamis writings also describe similar village. He calls the village officials gramik, who was regarded with much respect. The next higher official in the power hierarchy of the village was Visbant, who was head of ten villages. Next came shah or that gramadhipati who administered a hundred villages. Above him was the Sahashra gramadhipati who administered a thousand villages. The nature of appointment of these officials, to the offices is vaguely known. The opinion of the experts is divided on this issues. There are some who hold that the village officials were appointed by the king, and there are others who deny this and maintain that the officials of the village bodies were elected by the members of the village. There art; some others who opinion that the office was hereditary and passed down from lather to son.
Outcome of Maghadha empire in the 6th century B.C. the recorded history of India may be said to have commenced. “The picture of society that one gets at the close of the period seventh century is of growing kingdoms side by side with powerful tribal organizations keeping their independence. Some of the important kingdoms of that time were Magadha, Kaiisambi, Kosala, Avanti, etc. And some of the important tribal organization were hichcharis, Mallas and Sakyas. They too followed the village gel, and they believed that the traditional autonomy and sovereignty of village communities was maintained and the village continued to enjoyed full autonomy in their everyday internal affairs.

Village administration reached its climax during the Mausyan period. It was closely linked with agriculture. The village size ranged from 100 to 500 families. Boundaries were demarcated by river hills, fores!, ditches, tanks, bunds, and trees situated at one or two Rrosha (one Kxosha equals to 2 miles). Each village had its own administrative council consisting of Adhyakshi (Headman), Samkhayaka (Accountant), Sthamikas (local officials), Janghakarika (Village courier), Anikastha (Veterinary doctor), Chikitsaka (Sanitary official) and Ashwa-damak (horse-trainer) were also village leaders. All these officials were given land free of rent and taxes, but they were not allowed to sell or Mortgage the land. They enjoyed die fee! freedom over the village administration. They have to look alter the all the affairs of the villages with their respectful duties which they are bound to act.

Gupta village government was in many respects similar to that of the Mauryan period Basham’s discussion of Gupta village rule reveals this pattern. Both northern and southern India had the traditional leaders. The village headman and the accountant were still active under the Guptas, in addition, the watchman helped administer the village.
The next important period in Indian history was the reign of pratihara kings. Who ruled from the 6th to 10th century A.D. They are known among other things, for their despotic rule. Under them, much of the voluntary, participation of the people in the government was curbed. In order to keep total power in their hands, they encouraged the system of suzerains of feudalism. Even under these conditions, the village communities in India continued to govern themselves.

During the reign of the Chalukyas, each village had its own administrative body known as the Gram Sangha. The members of the village were known as Kautimbikas, and the village headman was known as pattakil. He was responsible for the collection of the state dues, which were traditionally fixed at 1/6 of the total produce of the village. That is why the king was known as Shadbhaglak.

The main responsibilities of the village council were village defence, settlement of disputes, collection of revenues for the government, organization of works for the public utility and acting a trustee for minors. The souther!! councils especially performed major role in social affairs, revenue collection assessments public works and wasteland management. They also settled village disputes on the judicial function. Majumdar believes that “Justice was administered by rovai officials with the help of the village council or assembly. In certain cases the assembly alone sat in judgement and passed sentence”.

In south India we notice a slightly different system of rural administration. There were two types of politital institutions one based ort territorial affiliation such as neighbourhood or common soil: the other, based on communal affiliation- The latter groups were not based on territorial affiliations
but on moral or spiritual factors. These two types of political institution co-existed in the village south of the vindhyas.

Lowest administrative units in south India were the Kurram (union of villages) grama (village) each under its own headman who was assisted by assemblies (or, mahasahha). In some villages, the assembly was made up the entire population. In some places, however, a few great men or Bralmans were chosen by ballot. Assembly appointed committees performed functions in definite sphere, such as those having to do with tanks, temples, justice etc. The work of these self-governing bodies was directed by royal officials called adhikari. During ancient period village administration played pivotal role in the empire building activities of kinks. They always maintained the smuth running of the administrative system in their judicial areas.

**Medieval India:**

Village administration or organization during medieval period, did not changed drastically, the followed the old system of ancient system. liven though little changes occurred The self governing communities under the Mauryans and the Guptas was still healthy and vigorous. The traditional officials, headman, accountant, and watchman, were still active not with standing the rise and fall of kingdoms and empires. The village, still the unit of administration.

Valuable light has been through on the village organization of South India of this period with the discovery of an inscription belonging to the 10th century. There existed in the 10th century a village by the name of Uttarmailur, presently situated in the Chingleput district of Tamil Nadu. At that time, the Chola king, parantaka-I, was ruling. The salient features of the village administrative set-up as recorded in the inscription are; There existed, several
committees for the village administration; life in the village was to a large extent in common. This is proved by the fact that each village owned a certain number of looms in common, and the weavers who worked on them were paid out of the village common fund. No private looms were allowed.

The village bodies had functions to perform, namely internal and external. One of the important internal functions of the local body was to maintain peace and order within the community and to safeguard the population from external aggression. This important function of maintaining peace and order within the community and defending it against external aggression necessitated maintenance of a military force. The villages which supplied the king with a necessary army were exempted from paying taxes.

The Mughal administration of Justice did not concern nearly three-fourths of the total population, because the people of the rural areas had their own courts. Every village had its panchayati which decided civil and crucial cases. There were also as many caste-panchayats in each village as there were castes inhabiting it. The member of the panchayats were elected by the people and the Punchas or judges were those who had rendered some auspicious service to their caste, or the entire village community. The decision of the panchayats were almost invariably unanimous and the punishment indicated were lines, public degradation or reprimand or ex-communication. No sentence of sentence of imprisonment or death was awarded, because there was no proper authority to execute these sentences and also because there were no jails in the villages. The prestige enjoyed by the panchayats was great and their authority was moral rather than political or administrative. The fear of public opinion was one of the most potent factors responsible for the prevention of crimes and hardly did any case go out of the boundaries of village. The law
administered by the panchayats was usually caste and tribal usage and the customary law of the land.

Little altered by the vicissitudes of Mughals, fviaharatta rule. Each villae had a number of hereditary native officials. The most important was the headman, usually-referred to as the patel, who collected the revenue and in-Madras was a petty magistrate and 50 civil judges, register of holdings, and records connected with the land revenue and She ehowkidar, or watchman, the rural policeman. During medieval period village panchayats played important role, medieval riders changed the village administration only by the .name and by action. They called the village is officials and administrators by different name and they followed the some system of ancient days.

Modern period:

Mughal rulers as a corapatetor, settled in India and they adjusted with the Indian soil as rulers of India. Yet the same time they followed the Administrative policies prevailed in Indian soil, by the rulers of Hindustan. ‘They followed the administration of justice, as ruled by Mauryan, Guptas, Cholas. Rastrakutas and Vijayanagar. They too followed local administration too. But after the decline of Mughal rule in Indian soil, panhayat or village administration, changed drastically, due to the western settlement in India.

During the British rule that the panchayat system slid into total decay. It can even he said that the establishment of courts of justice by the British sounded, the death – knell of the panchayat system in India. British regime in India has two purpose to present a “typical” Indian, village as perceived and described, by the British rulers and to .the basic political and economic change introduced and their impact on. village autonomy. Feature of village life
included as background material for British innovations includes the physical setting the staff of functionaries artisans, traders and the village council.

The typical Indian village has its central residential site, with an open space for a pond and a cattle stand. Stretching around this nucleus lie the village lands consisting of cultivated area and grounds for grazing and woodcutting. The arable lands have their several boundary marks and their little sub-divisions of earth ridges made for retaining ram of irrigation water. The inhabitants of such village pass their life in the midst of these simple surroundings, welded together in a little community with its own organization and government, which differ in character in the various type of villages.

Matthai enumerates the staff of functionaries, artisans and traders which governed the village. The list of officials and service groups, for example, in a Madras village is contained in a report of a select committee of the House of commons, issued in 1812;

1. The headman - who supervises village affairs, settles disputes, supervises the police and collects revenues within his village.
2. The accountant who keeps accounts of cultivation and registers everything connected with it.
3. The watchmen – of two kinds: The superior and the inferior. Superior watchmen gather information of crimes and offenses and escort and protect persons who go to other villages. Inferior watchmen general crops and assist in measuring them within the village.
4. The boundary man: Who preserves village limits or gives evidence respecting them in cases of conflict.
5. The superintendent of tanks and water-courses-who distributes water for agriculture.
6. The priest – who performs village worship.
7. The schoolmaster – who teaches children to read and write in sand.
8. The astrologer who proclaims lucky or unpropitious periods for sowing and threshing,
9. The smith and carpenter who manufactures agriculture implements and building dwellings of ryot
10. To 16 the potter, washerman, barber, cowkeeper, doctor, dancing girls, musician - poet.

The most, characteristic feature of the government of a village was the village council or pancayat (literally, council of five). In Matfhai’s view the village council might designate either a general meeting of the inhabitants or a select committees chosen from among them.

British always cautions not to interfere unduly in the sacred traditions of the village communities. They recognized the village community as the basis of their administration. The first civil act of newly established British rule with regard to the village administration was to formulated a policy regarding the settlement of laid ownership and revenue collection. The British were soon to realize that this was by no means an easy task. For there was too much around them in the form of customs, usages and traditions which seemed to complicated and too difficult for them to evolve unhesitatingly a definite policy regarding land tenure. Thus, the fixation and settlement of land tenure affected the village community life not only from the outside, but also from the inside, by determining the relation between the various cultivating groups, m the village, as the ownership mid right in the soil tended to desemiine the hierarchical organisation of these groups. The mere definition of the right of a particular class in the village considerably affected the fluid and floating order of the Indian village organization, where everything rested on oral tradition.
Therefore, the British started with the avowed policy of non-interference in village affairs. However, this policy they could not followed for a long time progressive centralization, of administration and the growth responsibility of governing a rapidly increasing domain, made interference in the affairs of the village unavoidable. One such interference was made with drastic consequences on the entire rural social organizations. The British established court of justice in every administrative district. These courts started functioning with the assumption of non-interference in the age-old customs that governed the life of the village. These courts collected the usages and customs from the testimony of the village elders, and these were immediately compiled in the record of Rights which contained various customs and usages regarding land, share in rent, etc., and administered on their basis. But this had a very adverse effect on the status of the elders in the village and also on the traditional institutions of which they were the guiding forces. When these elders were called upon to give evidence they lost their hereditary position. The panchayats constituted of these elders lost their position of help-judicial and half-legislative councils. “Thai which the elders and the panchayats affirmed as custom was henceforward to be sought from the decisions, of the newly established courts of justice, or from the record or rights or other official documents, for usages once recorded upon evidence given, immediately become fixed laws.

The non-inclusion of village communities as the effective units in the draft constitution prepared under the guidance of Dr. Arabedkar sparked a severe controversy in the country.”-After a bitter controversy both in the press and on the platform and inside the Constituent Assembly itself, it was decided to include a new Article declaring that the state should organise village panchayats and endow them with such powers as might be necessary to enable them to function as units of self-government. Dr. Ambedkar accepted the amendment. So in the Constitution of India as in force, Article 40, part IX,
under the heading “Directive Principles of State Policy’, reads; “The state shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of Self-Government.”

The incorporation of the panchayat idea in the Indian Constitution was an event of profound importance pregnant with great and far reaching consequences on the very structure of the state. The decision was hailed all over country. The Constituent Assembly decision no doubt gave impetus to the organisation of panchayats in different states. Even before the constitutional direction, some of the states had taken steps to enact panchayat legislation. The government of UP was the first to pass a comprehensive legislation as early as 1947, and thus set a precedence for other states. The Bombay Government had also taken steps, even before the Constituent Assembly decision, to amend the Bombay, Village Panchayat Act with a view to giving the panchayat sufficient power and financial help. In subsequent years almost all the state governments enacted panchayat legislation. Thus village panchayats began to spring up in villages all over India.

After Independence, in spite of our politiciansToud claims of making India a “Rama Raj” with an all powerful panchayat in every village, in practice very little was done. The village panchayats continued to languish, and their functioning fell far short of their aspirations. They continued in the same mutilated and degenerate form of the pre-Independence era. Crushed as they were under the overwhelming weight of the bureaucracy, they were unable to play any significant role in nation-building activities.
4.4. Mehta Commission 1957:

“Therefore, it was natural that the Committee on the Plan Project should have found the overall picture of the panchayats gloomy and discouraging. The implementation of the First Five Year Plan and the community development programme revealed that there was something basically wrong with the system and therefore some thorough change was felt necessary. This feeling led to the appointment of the Balwanta Rai Mehta Commission, whose recommendations ushered in a new era of rural government in India.

The team, under the Chairmanship of Dr. Mehta, set to work in the beginning of 1957, and it report was published on 24 November 1957. The Committee visited a number of blocks throughout India, held prolonged discussions with the local people, social workers, representatives of the people, leaders of the local organisations, government officials like collectors and secretaries to the governments, and produced the historical report which ushered in the Panchayati Raj in India.

Findings of the Commission

The team came to the conclusion that lack of popular initiative and participation in the community development programme was due to the absence of democratic institutions at power levels. With a view to harnessing local initiative for the implementation of the community development programme, a number of ad hoc bodies with nominated and official personnel were established. But the Commission felt that these ad hoc bodies at the block level were unable to deliver the goods. They failed to evoke enthusiasm. Districts Boards had outlived their usefulness and had become unwieldy and ineffective.
The Committee observed:

“The district boards might have served the purpose for which they were created, i.e., educating our young people in Self-Government; but they have neither the tradition nor resources to take up this work. They have also been handicapped by having too large a charge to receive their detailed attention. The chairman and the members of the district boards are not in a position to give any considerable portion of their time to the affairs of such a vast area. The very size of its charge compels delegation of a very large area of authority and discretion to its own officers, so that the effect is to replace state officers drawn from larger cadres by officers of limited experience in restricted fields. The tendency has been for the states to take over many of the functions of the district boards; even so there is a sort of overlapping dyarchy pervading certain aspects of administration”.

The Committee also found the working of the District School Boards and Block Advisory Committees unsatisfactory. In this connection the Committee observed: “Primary education in many states has been assigned to the jurisdiction of district school boards, which again are bodies with inelastic revenues collected by others, so that financially they are mainly dependent on the government and, therefore, can display very little initiative. The block advisory committees are generally nominated and never invested with the power of decision even though their recommendations are generally accepted, we have found that often they are unrepresentative of some important sections of the local public.”

In the light of these various defects, the Committee made some important recommendations. Some of them are:
A three-tier system of democratic decentralisation should be adopted in order to establish an organic link between the village panchayat and the administrative machinery at higher levels.

1. Decentralisation should be of both power and income.
2. The Committee felt that the village was too small a unit and the district too big a unit of administration.
3. Therefore, it felt that the Block should be the unit of planning and organisation. The Committee at the block level should be neither too big nor too small.
4. Zilla parishads should replace District Boards and panchayat samitis should replace Block Advisory Boards.

4.5. Panchayati Raj III - Tier:
I – Tier:
Village Panchayat:

The village panchayat is a statutory body covering one or more villages with an average population of 1,500 and an area about 6 square miles. Membership. The panchayat should be constituted of about 12 members who are elected by direct election on the basis of adult . franchise. There is also special provision to co-opt two women members and one each from Scheduled Castes and Scheduled Tribes wherever they can be represented. The chairman is either elected by the members of the panchayat or directly by the voters in the panchayat area.

It has also suggested the items of revenue available to the panchayat. The Committee recommended that those panchayats which possess a minimum efficiency in administration and development work should be used as an agency for purpose of collection of Land Revenue on commission basis. Each village
panchayat should be given a share up to seventy-five per cent out of the net land revenue assigned to the panchayat samiti. The panchayats, besides other works, should perform certain obligatory duties and act as agents of the panchayat samiti for executing schemes entrusted to them.

II – Tier:

**Panchayat Samiti:**

The panchayat samiti at the block level constitutes the 2nd tier. It covers 250 square miles in area and 80,000 population. The samiti consists of members indirectly elected by the village panchayat. In addition, there is provision for special representation for backward classes, women, cooperative societies, municipalities, MLAs, etc. The members may also be directly elected. The president is elected by the members from among themselves. The samiti is assigned specific functions and also specific items of revenue.

III Tier:

**Zilla Parishad:**

The zilla parishad functions at the district level. It consists of the presidents of panchayat samitis, members of the state legislatures and parliament and all district level officers of the Development Departments. Generally, the district collector is the chairman. The president is elected by the members from among themselves.

The zilla parishad is to approve the annual budget of each panchayat samiti in its jurisdiction, to consolidate and forward to the government the demands for grants of the blocks, to ‘distribute funds allotted by the government among the blocks, to coordinate the Block plans and to guide the samitis activities.
Thus, the Committee visualised to create representative and vigorous democratic institutions to take charge of all aspects of development work in rural areas. These statutory institutions were to be elective, comprehensive in their duties and functions and were to be equipped with the necessary executive machinery and to be in possession of adequate resources. However, it should be taken care not to hamper their activities by too much control by the government or its agencies. These bodies must “have power to make mistakes and to learn by making mistakes.” Thus, in the ultimate analysis, they should be the instruments of expression of the local people’s will and aspirations.

Besides, the executive body, namely the panchayat. the Panchayati Raj makes provision for a grama sabha, consisting of the entire adult population of the panchayat area.

**Points of Emphasis:**

The Mehta Committee report was submitted on 24 November 1957. It was examined by the Central Government and then discussed at length at the meeting of the National Development Council. The findings as well as the recommendations of the Committee were generally endorsed by the Council. Then the Central Government instructed the state governments to consider their implementation. Almost all the state governments have adopted the recommendations of the Committee. Since there is absolutely no rigidity about any particular pattern, every state is free to implement the recommendations in its own way to suit local conditions. However, the following essential principles of the panchayati Raj are emphasised:

a) There is a three-tier structure of local self-governing bodies from the village level to the district level, the bodies being organically linked up.
b) There is genuine transfer of power and responsibility to them.
c) Adequate resources are transferred to these bodies to enable them to discharge these responsibilities.

d) All welfare and development schemes and programmes at these levels are channeled through these bodies alone.

e) These bodies being charged with various duties and functions, no higher body should have an opportunity to do what a lower body can do itself.

f) The three-tier system evolved is such that it facilitates further devolution and dispersal of power and responsibilities in future.

Various state governments have adopted these principles according to local conditions. Moreover, since there is no rigidity about the pattern, each state can add, alter or change the system in the light of its experience and gear it up to achieve the highest efficiency. Moreover, since the Panchayati Raj as visualised by the Committee is a growing concept there is nothing sacrosanct about it.

In conclusion, it is appropriate to record the views of S.K. Dey, an ardent advocate of democratic decentralisation, on the basic philosophy of Panchayati Raj. He writes “It is elementary that if one wishes to climb higher one must reduce the burden of avoidable weight on his shoulders. People who climb mountains know it at their cost. Our Central Government must function at a high level appropriate to the size, culture and the rich tradition. If this is to be so, the Centre must be relieved of responsibilities which the state governments should be able to discharge. State governments should be relieved likewise of responsibilities such as can be discharged by the Panchayati Raj institutions along the line – the Zilla Parishad, Block Panchayat Samiti, Panchayat, associate voluntary institutions and the individual families. Panchayati Raj will grow thus to be a way of life and a new approach to government as against a unit government. It will bring about a complete link-up of our people from
Gram Sabha to the Lok Sabha. The basic unit of our democracy will be the individual family. Panchayati Raj will make available to the individual family the highest guidance that is available all along the line from the parliament. It will protect the people from the weight of other people’s control in matters—which the people can handle themselves at a particular level”.

The Council Act of 1892, indicated the future lines of development and it was thought to be a preparing ground on expectation that India in the future would have a forehand experience of the training in the local self-government. The similar sort of trend continued in the former state of Mysore, which was emerging favorable to the development of self-governing institutions. The local fund in 1862 was framed for the construction of roads and other subsidiary work. The progress was transforming by the establishment of Local Fund Committee in each district. Non official elements of these committees consisted of one elected Inamdar and six nominated landholders. These committees had other members, like the assistant commissioner, the executive engineers and all the Amildars in the district. The working of these had proved serious defects because “the most important of which were the preponderance of the official members, absence of reasonable powers for the disposal of funds and the entire subordination of the committees to the government officers in the administration of the funds.”

Bearing in mind the defects and the remedy to be proposed, the Mysore Local Boards Act was passed in 1902 with the result that a three-tier structure of the local self-government was ushered in. This act provided for union Panchayats with a nominated Chairman, Taluka boards with sub-division officers as President and Zamindars as vice-presidents and district boards with Deputy Commissioners as Presidents. And one elected representative of each taluka board was included among the members. The term of membership was
fixed as three years. But they became only the consultative bodies and they failed to serve the purpose for which they were meant. The Village Improvement Committee was set up in 1914 with the objective of effective and speedy improvements in the villages. The Royal Commission on Decentralization emphatically noted that an attempt should be made to establish Village Panchayats for the administration of local affairs and thereby aiming decentralization and winning active association of people in the local affairs of administration. The foundation as per the commission was that the foundation of any stable edifice which shall associate the people with the administration must be the village.

At the twenty-fourth Lahore Session of the Congress, the Congress passed a resolution and urged the Indian government to take every possible measure to constitute elective local bodies from village panchayats upwards and support them with adequate funds. Even though the princely states passed the legislation, most of them never cared for the welfare of the people. The only two exceptions were Baroda and Mysore. Mysore had even taken the initiative before the reforms commission of the 1919. The enactment of the Mysore Local Boards and Village Panchayats Act in 1918, the elected element was increased to two-thirds in the district boards and one half in the taluka boards. The Act provided for the election for the non-official Vice-Presidents for both of this institution. The Union panchayats was converted into the village panchayats with adequate powers and duties including the execution of the village improvement scheme. In 1923 the government called for local bodies, the recommendations of the conference included the abolition of the taluka boards. Coupled with this, the broad policy laid by the British Government after the 1919 resulted in the enactment of the Mysore District Boards Act and the Mysore village Panchayats Act in 1926. As the consequence, the taluka boards established on the basis of the Mysore local boards Act of the 1902 and the
Village improvement scheme introduced in the 1914 came to an end and the village improvement schemes introduced came to an end. Only two types of local bodies consisting of the village panchayats and the district boards were constituted with the additional powers, functions and resources.

4.6. Post-independence period:

Gandhi was of the opinion that the common man could rise to the level of their own in their local affairs. This would include even the richer section of the community to work according the principles of the community as per the wishes of the people as a whole. The government of Mysore introduced the scheme of concentrated propaganda in 1936 and another called Hobli drive in each district every year and improve the conditions of the villages within that area with the help of trained workers called gramasudharakas and thus cover the whole state within five years. A new scheme of rural development with taluka, district and central committees attending all aspects of the rural welfare was introduced in 1948. In 1950, the rural industrialization scheme sponsored by Dr Vishweshwariah was introduced in two districts of the state with a view to increase the production and income from the industries and to maximize gainful occupation, simultaneously encouraging special working habit self-help and collective effort among the rural population. The objective was to make the each village group unit a self-administrative community so far as its economic activities were concerned. In this scheme the district was treated as a unit for the whole of the country. The rural area was divided into 40 to 60 groups of villages called group circles each consisting of 15 to 25 villages with a combined population ranging from 10,000 to 25,000. By the July 1955 the schemes came into affect in the remaining eight district of the state which gave tremendous opportunity for the co-operative work. The villages throughout the
nation felt the need for the Panchayat programme and even programmees like the CDP.

**The Mysore Act:**

Even before the inauguration of the CDP, the Mysore government appointed the integration and co-ordination committee for the local bodies under the chairmanship of the then Speaker of the Mysore Legislative Assembly. It submitted its report on June 12, 1950 and the local boards enquiry committee headed by Shri D. Chandrashekhariah, which submitted its report on August 28, 1954. The terms and references of the first committee included the examination of the issue of co-ordination the work of the local bodies and other institutions of the rural development. The committee reported that “the keen desire manifested in the local areas for the suitable opportunities for the exercise of the initiative, experience of the country”.

The committee favored the two-tier structure of local self-government with group panchayats and district boards, the members of the latter being elected indirectly by the directly elected members of the panchayats. The Mysore Act was largely affected by the reorganization of states in 1956. This new Act also bears the influence of the existing legislation in Madras, Bombay and Hyderabad–Karnataka areas. In Madras–Karnataka region area the district boards were governed by the Madras District Boards Act of 1920, as amended from time to time.

The progressive features of this act included the directly elected president and members, the former being the executive authority of the board and responsible for its routine administration. The functions of these boards included the maintenance of roads, education, medical relief, and public health measures. The panchayats in these areas were functioning according to the Madras Village
Panchayats Act 1950, election to the village panchayats act was on the basis of adult franchise. The president of the panchayat was elected directly by the whole electorate of the village and vice president was elected from among the members of the panchayat. The Bombay- Karnataka area was defined in the Bombay Act of 23 of the 1928, under which the taluka boards were abolished partly because they proved useless in practice and mainly to strengthen the village panchayats. The district boards became true representative bodies when the system of nominating their members was dispensed with. The president and vice presidents were to be elected from amongst the members only.

The panchayats in this area were governed by the Bombay- Village Panchayats Act of the 1923 as amended the establishment of the elected panchayats all over the state. The panchayat received 15 % of the revenue of land revenue collection of their area. In Hyderabad-Karnataka region, although the Hyderabad district boards 1941 provided for the election of members for the district boards and the Hyderabad District Boards Act of 1955 extended the franchise hardly any elected body was functioning.

The nominated bodies only with the district collectors as their chairman continued to function. The panchayats were governed by the Hyderabad Gram Panchayat Act 1956. It was a progressive legislation, in the sense that it envisaged the constitution of Gram Sabhas stipulated directly the Panchayats and provided them with enlarged functions and increased finance. The impact of the new legislation the Mysore Village Panchayats and Local Boards Act of 1959, revealed the striking differences between that of Mysore legislation and that of other states. Particularly Andhra Pradesh and Rajasthan which derived their inspiration mainly from the Mehta Committee Recommendations.
The Mysore Act though derived mainly from the recommendation of the two previous committees appointed under the government of Mysore was influenced by the Acts of Madras-Bombay and Hyderabad-Karnataka areas. Mr. Dubhashi rightly observes: “It would be correct to say that the Mysore Act is essentially in the matrix of the conventional legislation on the local governments with such mutations and modifications as arouse out of the recent thinking on the Mehta study team recommendations”.

With the enactment of the new act, the previous divergences were removed and a three-tier system of local self-government emerged with the panchayats at the base and the taluka development boards and the district development councils at the higher levels. The entire state at present covered by the panchayat system.

Table-4.1

Number and Coverage of Panchayats in Mysore State

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1.</td>
<td>Number of Panchayats</td>
</tr>
<tr>
<td>2.</td>
<td>Number of Villages covered</td>
</tr>
<tr>
<td>3.</td>
<td>Rural Population covered (in lakhs)</td>
</tr>
<tr>
<td>4.</td>
<td>Percentage of villages covered</td>
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<tr>
<td>5.</td>
<td>Percentage of rural population covered</td>
</tr>
<tr>
<td>6.</td>
<td>Average number of villages per Panchayat</td>
</tr>
<tr>
<td>7.</td>
<td>Average population per Panchayat</td>
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</tbody>
</table>

### Table-4.2

**Number and coverage of Taluka Development Boards and District Development Councils in Mysore State**

<p>| | |</p>
<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>1. Number of Districts</td>
<td>19</td>
</tr>
<tr>
<td>2. Number of Talukas</td>
<td>172</td>
</tr>
<tr>
<td>3. Number of delimited Blocks</td>
<td>268</td>
</tr>
<tr>
<td>4. Number of District Development Councils</td>
<td>19</td>
</tr>
<tr>
<td>5. Number of Taluka Development Boards</td>
<td>172</td>
</tr>
<tr>
<td>6. Number of Panchayats</td>
<td>7,450</td>
</tr>
<tr>
<td>7. Number of Taluka Development Boards per District Development Councils</td>
<td>9.1</td>
</tr>
<tr>
<td>8. Number of Panchayats per Taluka Development Board</td>
<td>43.3</td>
</tr>
</tbody>
</table>

**Source:** Kurukshetra, October 2, 1963, p. 99.

The Act provides for the constitution of the basic institution of the panchayat for the area comprising a revenue village or a group of revenue villages with the population of 1,500 to 10,000, where the population of the villages is not less than 50,000. If the estimated income is not less than Rs 10,000, the government may declare it to be a panchayat town. The membership of the panchayat consists of not less than 11 and not more than 19 members. All of whom are directly elected by adult franchise, seats are reserved for the representatives of the scheduled caste and the scheduled tribes and for the women, the representation of the former being not less than two. The members are directly elected from the constituencies into which the area within the jurisdiction of the panchayats is divided. Section 27 of the act provides for the election of the chairman and the vice-chairman of the panchayats from among its members for a period of four years. Section 80 empowers the government to appoint the secretary, the panchayats executive.
The next higher rank is the taluka development board consisting of each taluka consisting of members directly elected by ballot, by all the residents in the non-urban area of the taluka. The membership of this body varies depending on the population. Talukas with a population of less than one lakh according to 1951 census can have 15 members and those having one lakh and above can elect 19 members. The members of the State Legislative Assembly representing a part or the whole of the taluk whose territorial constituencies lie within the taluka and members of the State Legislative Council, ordinarily residents in the taluka are entitled to take part in the proceedings and vote at the meetings of the taluka boards. Seats are reserved for the SC on the basis of their population and for women, the number being not more than two. The election of the president and the vice-president of the taluka board is by and from amongst the members only. The term of all the directly elected members is limited to four years.

As the success of the panchayats in the ancient India was the adherence to the principle of uncontested elections. The congress village committee gave importance to the need of unanimity in the panchayats elections. No such provision is made in the panchayat act regarding providing cash incentives.

Taluka Development Boards:

The taluka for Mysore as in Gujarat replaces as the middle tier. This necessitated by the historical background of the delimitation of the blocks. In most of the cases, talukas were natural geographical units as against the artificially carved out blocks. Accordingly, the taluka was retained as the unit of administration and blocks were allotted to each taluka according to the population. There was a system of allocating fractional blocks like the one half, one fourth, and one half, but this was discontinued gradually. One BDO was appointed for each taluka irrespective of the number of blocks in it.
Each taluka board comprises of one, two, and three blocks in it. Of the 172 talukas 83 were with one block and 79 with two blocks, 4 with three blocks, 2 with four blocks and an exceptional case, one block covered 3 talukas. No separate block was allotted to one taluka (mallapuram taluka of bellary district), this background supported by the recommendation of the local bodies enquiry committee led to this deviation in the Mysore pattern. Secondly, the difference is that the members of the middle tier are directly elected by the electoral collage, consisting of the members of all the panchayats within its areas. This was made for the scope of experiments. The Mysore system of direct elections had many advantages for strengthening the organization at the taluka level.

**District Development Council:**

The structure of the DDC in Mysore had led to a considerable discussion. It is being criticised for the position occupied by the Deputy Commissioner in this body. Mr. Narasimhan criticised the position occupied by the Deputy Commissioner in the panchayat raj set up of Mysore and Madras. It emerged as pattern and association of the Deputy Commissioner with the highest tier of Panchayat raj in different states. In the case of Madras and Mysore, he was the chairman of the District Development Council. The Mysore Act was criticized for the inclusion of the Legislators and the Members of the Parliament as the members of the District Development Council. Mr. P. L. Shastri directly attacked the bill on the grounds that there was no provision to prohibit the political parties from associating with these institutions. Therefore he observed: “It would be very unreasonable if anybody could not be expected that this kind of political vice would not go deep into the village panchayat and spoil the very life of the rural folk”
Functions and powers of Panchayat raj in Mysore District:

The Mysore Act does not envisage a wide range of functions to the highest tier, the district development council, which is only a coordinating and supervising body without any executive functions. Its main duties are scrutinizing and approving the budgets of the taluka boards giving guidance wherever it is sought. Reviewing their work from time to time, coordinating their work where the work or the programme pertains to more than one taluka and any other duties entrusted by the government relating to the work of the taluka boards.

In order to give a sense of reality to this co-ordinating power, the government distributes funds in respect of the plan and non-plan schemes, which are transferred to the taluka boards through this body. The district council receives the funds with a specific responsibility of apportioning them to taluka boards considering their needs and potentials. The Bassappa Committee suggested the replacement of the present district body by the Zilla Parishad with the executive powers. As it “would provide an opportunity for the participation in the public life to many talented and enthusiastic persons”.

The Mysore Resource and Economy Committee stressed the necessity to establish a strong local body at the district level even before the Bassappa Committee was constituted. The government accepted the committees recommendations and a new bill was drafted on the basis of the suggestion made by the committee.
The focus and stress on Amenities:

The committee felt the distinction between obligatory and the discretionary functions was unnecessary. It wanted the duties of the panchayats towards the funds at its disposal in relation to the matters related to sanitation, and health and public works including amenities agriculture and animal husbandry, welfare of the SC /ST and backward classes and miscellaneous functions.

The taluka boards were to make the following provisions for the matters such as agriculture, animal husbandry, forestry, health and rural communication, social education, industries co-operation, welfare of the women and children, rural housing, welfare of the SCs/STs and other backward classes, minor irrigation, fisheries, rural water supply and miscellaneous functions.

The Committee also suggested that the responsibility of furthering the education should be entrusted to the panchayat raj bodies. The committee also suggested the establishment of reallocation of the panchyats and taluka boards; the panchayats may be empowered to set up a production committee, a committee of the welfare of the SC/ST and other backward classes and an amenities committee. The taluka board may be authorized to appoint a standing committee an education and health committee, a committee for the welfare of the SCs and STs and other backward classes and a production committee.

Gram Sabha:

The committee also felt for the need that the Panchayat must give due consideration to the suggestion of the Gram Sabha. All the meetings of this body should be presided over by the chairman of the Panchayat.
Naya Panchayats:

Another important factor, which draws one’s attention, is the question of constituting a statutory recognized elected body with limited civil and criminal jurisdiction at the village level. The belief that those who support this view is that it is widely accepted in a number of countries both from the point of view of justice and honesty, as well as efficiency that the judiciary and the police should not become a local service but should remain at least at the state level. In 1958, the government proposed to bring a separate bill for the establishment of Naya Panchayats and consequently the government of Mysore postponed all further thinking on the subject till the study teams report was out. The 1961 Bassappa Committee suggested the establishment of a separate Naya Panchayats for every village consisting of five members elected from the members of the village communities. The minimum age limit was 30 years and the minimum qualification as ability to read and write in the regional language freely and fluently. It also stressed on the necessity of the reservation of seats for the women and another for the representative of the Scheduled Caste.

Supervision and control:

The Mysore Act gives considerable powers, supervision and control to the state government and its officers particularly the commissioner the deputy commissioner and the assistant commissioner. The rule making power, which conditions the bye-laws of these institutions is vested in the government. The taluka board has to take prior permission of the Deputy Commissioner for diverting or discontinuing or closing a road. The deputy commissioner is also the directing authority for the closure of the places for the disposal of the dead. The DC must approve the rules of the taluka boards regarding the levying of taxes on the transfer of immovable property. The taluka board accounts are the
subject to the audit and the commissioner can surge any person responsible for the improper payments. The DC is the ex-officio chairman of the district development council.

4.7. Evolution of Panchayat Raj in Karnataka:

Mysore State has a long history of local self-government. In 1862, ‘Local Fund’ was formed for the construction of roads and other subsidiary work. The progress was seen by the establishment of a local fund committee in 1874 under the chairmanship of the Deputy Commissioner consisting of one elected Zamindar and six nominated landholders. The other members of these committees were the Assistant Commissioners, the Executive Engineers and all Zamindars in the district. The working of these committees proved defective in many respects, “the most important of which were the preponderance of the official members, absence of reasonable powers for the disposal of funds, and the entire subordination of the committees to the Government officers in the administration of the funds.”

In 1902, the Government introduced Mysore Local Boards Act, which provided for a three-tier structure of local self-government. At the Panchayat level, there were Union Panchayats with nominated Chairmen, at the Taluka level, where Taluka Boards with subdivision officers as Presidents and Zamindars as Vice-Presidents and at the district level, there were District Boards with Deputy Commissioners as Presidents. “The functioning of these bodies did not come up to the expectation. Instead of becoming instrumental to the development of rural areas, they became only consultative bodies.”

In 1918 the Mysore Government enacted the Mysore Local Boards and Village Panchayat Act which for the first time made elected element in these
bodies meaningful. The number of elected members was increased to two-third and one-half in the District and Taluka Boards respectively. The Act also provided for the election of non-officials as Vice-Presidents of both bodies. After the 1918 Act, the Government of Mysore enacted the Mysore District Boards Act and Mysore Village Panchayats Act in 1926. With only two types of local bodies i.e., District Boards and Village Panchayats were sanctioned through this enactment as the rural local government institutions.

The Recommendations of the Venkatappa Committee became the basis of the Mysore Village Panchayats and District Boards Act of 1952. Clearly the operation of the Act threw practical difficulties, that prompted the Government to appoint another Committee almost immediately thereafter. This committee was called the Local Boards Enquiry Committee under the Chairmanship of D. Chandrashekaraiah. It was used to examine the details of the functioning of local bodies. The committee submitted its report on August 28, 1954. It recommended a three-tier structure of local self-government with district boards at the apex level, taluka boards at the middle and village Panchayats at the base with a strong elective component for each. The Committee suggested that both the Taluka boards and district boards should function as executive bodies. Besides this the committee recommended the constitution of a special agency to carry out public works of these bodies.

However the recommendations of the Chandrashekaraiah Committee, which could not be implemented on account of the imminence of the reorganization of states. But these efforts were not in vain, they had their impact on the new legislation, the Mysore Village Panchayats Local Boards Act, 1959. The Panchayat raj system in a revitalized form was introduced in Karnataka with the passing of the Mysore Village Panchayats and local boards act, 1959. (Hereafter referred to as the Act of 1959). The Act provided for a
three-tier structure. There were village panchayats at the village level, Taluka Development Boards at the taluka level and District Development Councils at the District level. In all three were 8380 Panchayats including, 175 Taluka Boards and 19 District Development Councils in the state.

**Village Panchayats**

The Act provided guidelines for the formulation of the basic institutions. A village panchayat covered the area comprising a revenue village or group of revenue villages with a population ranging from 1500 to 10,000. Each village Panchayat consisted of not less than 11 and not more than 19 members. All members of the Panchayats were directly elected from multi-member constituencies of two or more members on the basis of universal adult franchise. Seats were reserved for the representatives of the Scheduled Castes and Scheduled Tribes in proportion to their population in the area and for women, whose membership was not to be less than two. According to the Act, the Chairman of a Village Panchayat was elected from among its members. The term of office of all the members was 4 years. The executive officer linked to the Panchayat was known as Panchayat Secretary.

As per the Section 51(1), (2), (3) and (4) of the Act, every Panchayat was required to constitute three committees by election. In order to carryout the functions entrusted or delegated to it, towards agriculture, public health and sanitation and promotion of village industries in all the areas within the jurisdiction of the Panchayats. These Committees were:

1. Agriculture Committee
2. Health Committee
3. Village Industries Committee.
In addition to these Committees, every Panchayat was also required to constitute a Social Justice Committee consisting of Scheduled Caste and Scheduled Tribe Members.  

**Finance:**

The Panchayats could levy taxes on lands and buildings (excluding agricultural land). The Taxes could also be levied on professional trades, calling and employment. Further, Panchayats could levy taxes on fairs, festivals, entertainment, vehicles (other motor vehicles) and fees on bus stands, markets, cart-stands and work vesting in Panchayats.

**Functions:**

The 1959 Act prescribed two types of functions for the village Panchayats.

(1) Obligatory; and

(2) Discretionary functions.

The obligatory functions included construction, repair and maintenance of village Roads, public wells, tanks, street lighting, sanitation and conservancy, aiming at the control of epidemics and maintenance of cattle ponds. The discretionary functions included protection of local people and property of the village community. The village panchayat also undertook civic functions like providing medical relief, maintenance, relief, maintaining markets, and compiling statistics and developmental functions by maintaining cooperatives, and also by providing welfare of Scheduled Castes and Scheduled Tribes. The Panchayats also had agency functions assigned to them by the Taluka Development Board or the State Government. The regulatory powers of
Panchayats were also quite extensive. The Panchayat could make laws on a wide range of matters concerning sanitation, buildings, markets and the like.

**Taluka Development Boards**

The next higher tier was the Taluka Development Board (TDB). These Boards were constituted for each taluka, with members were directly elected. The strength of each Taluka Development Board was 15 for a taluka with a population of less than 1 lakh and 19 members for a population of 1 lakh and above. The seats were reserved for Scheduled Castes and Scheduled Tribes on the basis of their population and for women, the latter being not more than two. The Members of the Legislative Assembly and Legislative Council were entitled to participate in the proceedings and also vote in the meetings. The term of elected members was 5 years. The Presidents, Vice-Presidents of the Taluka Development Boards were elected by its own members.

Every Taluka Development Board was required to constitute four committees by election and through co-option: (1) Standing Committee, (2) Audit Committee (3) Public Health Committee and (4) Social Justice Committee.

**Functions of Taluka Development Boards:**

The functions of the Taluka Development Boards were categorized into two, obligatory and discretionary. The Taluka Development Board was assigned specific obligatory functions, like the construction and maintenance of public roads and public wells, construction of primary school buildings, hospitals, markets and rest houses. Also, like the organisation of agricultural and industrial exhibitions, arranging rural publicity and propaganda, construction of minor irrigation works which provide irrigation facilities for an area not exceeding 10 acres of land, providing for social education and
promotion and development of economic conditions with special reference to agriculture. The discretionary functions included establishing and running of institutions, imparting primary and secondary education, the development of co-operative societies, industries and commerce, and so on.

Finance:

The Act of 1959 provided for the constitution of a Taluka Board fund similar to the Panchayat fund. The Taluka Development Boards were mostly dependent on government grants of various kinds as they had a highly restricted and narrow tax base. The taxes assigned to the Taluka Development Board were figured two in number. They could levy duty on the transfer of immovable property in the shape of an additional stamp-duty and a tax on animals brought for sale at the markets.

District Development Council

District Development Council was the highest body, under the 1959 Karnataka Panchayat Raj System. The Act provided for a District Development Council at the district level. There was 19 District Development Council in the state.

The District Development Council consisted of the Deputy Commissioner of the district, the members of the Loka Sabha and State Legislative Assembly representing a part or the whole of the district. The members of the Rajya Sabha and Sate Legislative Council, who are ordinarily residents of the district, presidents of the Taluka Development Boards in the district, members of scheduled castes, a women member and members nominated by the state government.
The District Deputy Commissioner was the ex-officio president of the District Development Council. The Secretary of the District Development Council was appointed by the government. The District Development Council was simply a co-ordinative and supervisory body without executive functions.

The functions of the District Development Council were:

1. Scrutiny and approval of the budget of the Taluka Boards.
2. Reviewing the works of the Taluka Boards from time to time.
3. Providing guidance assistance to the Taluka Development Boards when sought.
5. Any other duty which was entrusted to it by government.

The District Development Council had the power to appoint committees to deal with and report on any matter referred to them. The District Development Council generally appoints committees, such as the Agricultural Committee, the Amenities Committee, and the Social Education Committee. The District Development Council was also required to prepare its annual report by consolidating the annual reports of Taluka Development Boards and forward the same to the government.

The District Development Council was not assigned any independent source of revenue. No provisions were made in the Act for the constitution of a fund at the district level. The District Development Council depended entirely upon the government for its expenditure.

4.8. Panchayat Raj System in Karnataka: Janata Party Model:

When the Janata Party came to power in the State, the government introduced a bill called Zilla Parishads, Taluka Panchayat Samithis, Mandal
Panchayats and Nyaya Panchayats Bill in the State Assembly in August 1983. The Bill was referred to the Joint Select Committee of the state legislature. It received the assent of the President in July 1985. It was formally called as the Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act of 1985. As a consequence the Act made provision for a three-tier structure instead of the two-tier one originally planned.

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

**Gram Sabha**

The Act of 1985 provided specifically, the constitution of Gram Sabhas. All the adults of a village are members of the Gram Sabha. The Gram Sabha is to meet at least twice a year to, discuss developmental programmes relating to the village. Every meeting is to be presided over by the Pradhana/Upapradhana of the Mandal Panchayat. Gram Sabha is the link between the village and Mandal Panchayat essential for effective planning.

**Mandal Panchayat**

Karnataka is the first State in India to legislate for the creation of Mandal Panchayats on the basis of the Ashok Mehta Committee Report. The Mandal Panchayat is constituted in any area comprising a revenue village or a group of villages having a population of 8000 to 12,000. In Malnad district the Mandal
Panchayat may be constituted for a population of not less than 4000. Further, the Act also empowers the Deputy Commissioner of a district to declare any area comprising a village or group of villages having a population of less than 8,000 or more than 12,000 to be a Mandal, with the permission of the Government. The area of a Mandal could be enlarged or diminished by the Deputy Commissioner at the request of the Mandal concerned. The Mandal Panchayat consists of such number of elected members at the rate of one member for every 400 populations or part thereof of the Mandal.

In the Mandal Panchayat seats were reserved for women and Scheduled Castes and Scheduled Tribes. 25 percent of the seats are reserved for women. Out of this, one was reserved for women belonging to Scheduled Caste/Scheduled Tribe. The number of seats reserved for Scheduled Caste and Scheduled Tribe in the same proportion to the total number of seats in the Mandal Panchayat as the population of Scheduled Castes and Scheduled Tribes in the Mandal bears to the total population of the Mandal. Such reservations were not to be less than 18 percent of the total number of seats in the Mandal Panchayat. In case of Backward Classes, where no person is elected to a Mandal Panchayat, the Zilla Parishad could nominate two persons belonging to these classes. The Mandal Panchayat elected two members as Pradhana and Upapradhana respectively.

The Mandal Panchayats had three kinds of functions, namely, obligatory, discretionary and transferred functions. The Chapter IV of the Act of 1985 gives a long list, composed of civic, regulatory, promotional and directory functions. The Mandal Panchayat formulated the “agricultural production plan”. An important duty cast on the Mandal Panchayat was the promotion of education, economic, social, cultural and other interests of the Scheduled Castes, Scheduled Tribes and Backward Classes.
Finance:

The Act of 1985 provided for a ‘Mandal Panchayat Fund’ which consists of allotment of funds by the Government or the Zilla Parishad, grants and loans by these agencies, proceeds from tax on buildings, entertainment, markets, water, etc. In addition to these, the government was to make a grant at the rate of Rs. 10/- per person residing in the Mandal. However, the Government shall pay 25 percent of the amount so granted to the Zilla Parishad.

A. Nyaya Panchayats

The Act of 1985 also provided for the constitution of Nyaya Panchayats at the Mandal level. For the disposal of cases specified in Chapter XII (like suits for money due on contracts, suits for compensation and the like) Government might by notification and on the recommendation of the Zilla Parishad, establish a Nyaya Panchayat for every Mandal to be known as Mandal Nyaya Panchayat.

Nyaya Panchayats consisted of five members elected accordingly with the system of proportional representation by single transferable vote by the Mandal Panchayat concerned. At least one member shall be a woman and one shall belong to the Scheduled Castes or Scheduled Tribes, and one member shall belong to a backward class. The term of office of the members of Nyaya Panchayat was twenty months. The members elect the Mukhya Nyaya Vicharaka to preside over the sittings of the Nyaya Panchayat. Nyaya Panchayats tried civil and criminal cases.
Taluk Panchayat Samiti (TPS)

The Act of 1985 also provided for the creation of Taluka Panchayat Samithis. The Taluka Panchayat Samithis only advise and co-ordinate the activities of Mandal Panchayats. What follows the reviewing of the work of the Mandal Panchayats is not clear. It is also not certain how and with what expertise, the guidance and assistance to the Mandal Panchayats can be provided with Taluka Panchayat Samithi being constituted with representatives from Zilla Parishad, Mandal Panchayats and the whole. The Taluka Panchayat Samiti has power of supervision, review and co-ordination. The Block Development Officer is the Secretary of the Taluka Panchayat Samithi.

Zilla Parishad

The democratic component of the district level organization does show an improvement over the Act of 1959 under which District Development Council was not a directly elected body and which was entrusted mainly with advisory powers. The Act of 1985 has created a directly elected body corporate at the district level. Each district now has a Zilla Parishad and it will be a body corporate like the Mandal Panchayat. The Zilla Parishads comprise of (1) elected members, (2) associated members and (3) nominated members.

For election to Zilla Parishads, both territorial and population criteria are employed. Members are elected at the rate of one member for 35,000 population generally, and 15,000 population in respect of Kodagu district, which has less density of population. Nominated members constitute the Members of Parliament, Members of the Legislative Assembly and Legislative Council. To qualify for nomination M.Ps, M.L.As and M.L.Cs should be representing a part or whole of the district whose constituencies lie within the jurisdiction of the Zilla Parishad. The M.L.Cs not elected from the territorial
constituencies but is ordinarily residents in the district, are also entitled to participate in the proceedings and to vote.

As regards representation to the weaker sections of the society, the Act envisages 25 per cent reservation of seats for women. Seats are also reserved in a Zilla Parishad for Scheduled Castes and Scheduled Tribes and the number of seats reserved shall bear, as nearly as may be, the same proportion to the total number of elected members in a Zilla Parishad as the population of the Scheduled Castes/Scheduled Tribes in the district bears to the total population of the district. Such reservation shall not be less than eighteen percent of the total number of seats in the Zilla Parishad.

All the activities of the Zilla Parishad were implemented through 9 committees, namely:
(1) General Meeting Committee.
(2) Finance and Audit Committee.
(3) Planning and Development Committee.
(4) Public works and Amenities Committee.
(5) Social Justice Committee.
(6) Agriculture and Animal Husbandry Committee.
(7) Health Committee.
(8) Education Committee and
(9) Industries Committee.

The Mysore Panchayats and Local Boards Act of 1959 was based on the varied experience with different patterns of rural local government. The pattern of the Panchayat Raj in Karnataka is strikingly different from other states of the Indian union, the explanation lies in the historical circumstances and the adoption of a synthetic approach. The Panchayat Raj legislation was influenced
in various degrees by the recommendation of the two committees appointed by the Government of Mysore, the local government legislation of the erstwhile Madras, Bombay and Hyderabad states and the bold and imaginative recommendations of the Balawatray Mehta study team. In this regard the comment of P.R. Dubhashi appears relevant, that the Mysore Act is essentially in the matrix of the convention a legislation in local self-government, with such materials and modifications as arose out of the recent thinking on the Mehta study team recommendation. The first general election to Village Panchayats and Taluka Development Boards was held in the year 1960 and they started functioning. In 1963 Government appointed Kondajji Basappa Committee to examine the functioning of Panchayati Raj system. That Committee recommended for the establishment of Zilla Parishad instead of District Development Council, with the elected Chairman at its head and the continuation of Taluka Development Boards and village panchayats in their existing form. It further suggested that there would be special representation for women and scheduled casts and scheduled tribes on all the three bodies and transfer of more funds to theses bodies. It also suggested for the constitution of Nyaya Panchayats in the state and to establish a ‘State Council’ to review the working of the Panchayat Raj bodies, to advise Government on all general questions relating to Panchayat Raj Administration.

In 1964 Joint Select Committee on the Panchayat Raj Bill was constituted. It consisted of 21 members. Sri Ramakrishna Hedge, the Minister for Development of Panchayat Raj and co-operation was the Chairman. It also recommended three-tier system. Village Panchayats, Taluka Board and Zilla Parishads and even for the constitution of Nyaya Panchayats and Gramasabha. On the basis of the recommendations of these two committees the Government of Karnataka proposed certain amendment to the 1959 Act in 1970. But the idea of Zilla Parishad was dropped in the amendments.
The second election to Village Panchayats and Taluka Boards were held in the year 1978 and third in the year 1988. Originally their term was four years but later amended to five years. In 1983, on the expiry of their term the Government appointed administrators. Thus Karnataka had only three Panchayat elections in the course of 25 years and it did not work satisfactorily.

The Karnataka Zilla Parishads, Taluka Panchayat Samithies Mandal Panchayats and Nyaya Panchayats Act, 1983 attracted nation-wide attention due to its radical provisions relating to the devolution of power to the districts and villages. This Act provided for the constitution of Mandal Panchayats for a group of villages with a population of 8000 to 12000. The members of the Mandal Panchayat are directly elected, one member representing a population of 500. In every Mandal 25% seats reserved for women, 18% for scheduled castes and scheduled tribes. The elected members of the Mandal Panchayat indirectly elected the Pradhan.

Thus both the Zilla Parishads and Mandal Panchayats were executive bodies, with substantial powers and plan. They executed developmental activities. Zilla Parishad like mini government at the district level vested with large powers and resources to plan and execute development and welfare programmes. All the development department and agencies of the district had been brought under the preview of the Zilla Parishad. Deputy Commissioner was kept out of the system and made responsible for law and order and collection of revenue. A senior officer above the Deputy Commissioner known as the Chief Secretary works under the overall supervision and control of the Adhyaksha of Zilla Parishad. Elections were held to these bodies in January 1987 and now it is functioning with new leadership and new spirit. There are 2523 Mandal Panchayats, 175 Taluka Panchayat Samithies and 20 Zilla Parishads in Karnataka. Abdul Nazir Sab the then Minister for the PR and
Rural Development, comments on the Karnataka model in his own words: “….So long as you do not create a linkage between the higher tier and the lower tier, the lower tier always will suffer; that means the villagers suffer. In spite of the three-tier system, in actual practice only the second tier and the third tier work (at the taluka level and at the district level). That has been our experience. In our scheme, the third tier will be a transition tier. It will have to supply technical help for as long as we are not able to give them technical assistance at the Mandal level. The transition period will enable us to coordinate the Mandal work and provide technical services from the taluka level. This is the meaning of the three-tier in our Act”.

4.9. The 73rd Amendment as a landmark in democratic decentralization:

For the first time in 1989 and that too after organizing several workshops for District Collectors throughout the country and convening a Conference of Sarpanchs to the PRIS. The late Shri Rajiv Gandhi, sincerely tried to provide PRI constitutional status. After facing many a storms, PRIs got constitutional status in April 1993 by way of 73rd Constitution Amendment Act.

The Seventy-third Constitutional Amendment Act of 1992 was passed by the Parliament on December 22,rd 1992 which was notified by the Central Government through official Gazette on April 20, 1993 as it got rectification by the State Legislatures and assented by the President of India. After notification the Panchayat Raj Institutions have now got constitutional legitimacy. The salient features of the Seventy-third Constitution Amendment Act may be summarized as follows.

After part VIII of the Constitution, a separate part IX has been added to the Constitution with the addition in Article 243A to 243 O on a fresh Schedule called Eleventh Schedule enumerating the powers and functions of Panchayat
Raj Institutions has been incorporated. The Gram Sabha has found its legitimate place in the Act as a three-tier model of Panchayat Raj except for the states having less than twenty lakh population has been adopted. The provision for one-third reservation of seats for Scheduled Castes/Tribes and the similar number of seats for women included the Scheduled Castes/Tribes women.

The term of office for all categories of Panchayat Raj representatives has been fixed for five years and if such bodies are dissolved within the five years period, the fresh election for the remainder of the period will take place within six months from the date of its dissolution.

Even the offices of the chairpersons were reserved for Scheduled Castes/Tribes and women. In regard to powers and functions of Panchayat Raj bodies, the Act says that apart from the functions listed in the Eleventh Schedule, the State Legislature, law may assign the preparation of plans for economic development and social justice and their implementation to Panchayat Raj institutions. For the audit of Panchayat Raj accounts the Act says that the state machinery will audit the Panchayat Raj accounts.

The Act also provides for constituting a Finance Commmination for each state to look after the financial position of Panchayat Raj institutions. Similarly in regard to Panchayat Raj elections the Act suggested that State election Commissioner would hold Panchayat Raj elections. To provide for Finance Commission Article 280 of the constitution has suitably been amended. (Seventy-third Constitutional Amendment Act as passed on December 22, 1992 by the Parliament). After having a minute observation of Constitutional 64th Amendment Bill, and 74th Amendment bill, and the Seventy-third Amendment Act, one may come to the conclusion that the Act is just an amalgamation of the 64th and 74th Constitutional Amendment Bills. The controversial provisions of
the 64th Constitutional Amendment Bill have been dropped from the Act and similarly the clauses of 64th Amendment Bill, which found acceptability by most of the political parties have been incorporated in the Act. Moreover, it would be said about the present Act that it is a replica of the 64th Amendment Bill, except for the fact that the 64th Amendment Bill was quite elaborate. Every provision was clearly spelt out in the Bill, whereas in the present Act the provisions have been left to be defined by the State Legislatures. In other words, the 64th Amendment Bill was loaded in favour of Central Government, as most of the powers were vested in the Governor, a representative of Central Government; whereas the 73rd Act has given more powers to State Legislature in the sense that every thing has to be decided by the State Legislature.

The demerits of the Act are that it has not clearly defined the role of political parties. Nowhere, it mentions that those political parties can enter into election arena in their formal capacity. It is completely silent over the relationship between Panchayat Raj Institutions and local level bureaucracy. Our personal observation is that even after passing of the 73rd Constitutional Amendment Act, success of the Panchayat Raj institutions will depend on the intention of the State Governments. But after the 73rd Constitutional Amendment Act the Panchayat Raj Institutions have got constitutional legitimacy. However, this does not mean that it will prove as the hope for future challenges are still ahead in regard to their functioning under statutory provisions to be laid down by the state legislatures.

The Karnataka PR Act provided for the decentralization of powers and functions “for the purpose of promoting the development of democratic institutions and securing a greater measure of participation by the people”57. Despite the fact that, following the Constitution (73rd Amendment) Act 1992, the Karnataka Act was repealed and replaced by a new Act on May 10, 1993,
the system this Act had established deserves a closer look from the point of view of its adaptability else where. We shall, therefore, examine the details of the Karnataka model, which came into being during 1987 and functioned for a full term of five years thereafter.

Though the Karnataka Act was largely based on the recommendations of the Ashok Mehta Committee is as much as it provided for only two elected tiers of decentralization, there were as many as five different layers in the system that finally became fully operational on April 1, 1987. The Gram Sabha (village council) was the basic unit of the system and comprised all eligible voters, that is, all persons above the age of 18 year of that village. The Gram Sabha, which by law had to meet at least twice a year, was expected to discuss and review all development problems/programmes of the village, select beneficiaries for all beneficiary programmes transferred to the Panchayat Raj system, plan for local improvement, including minimum needs, welfare and production oriented programmes including the cropping pattern for the season for the village, etc. And to constitute the land army consisting of all able bodied persons to whom employment would have to be provided under the various development schemes taken up in the locality. It was presided over by the Chairman of the Mandal Panchayat, to which the village belonged.

The Mandal Panchayat was the first elected tier of the system. It was entrusted all civic functions and powers and responsibility for development and welfare programmes with an intra-Mandal orientation. It covered a group of villages with a population, as per the 1981 census, between 8,000 and 12,000 suitably reduced for the hill areas (on an average a Mandal covered approximately 10 to 11 villages and the distance between the Mandal headquarters and any of its villages did not usually exceed 10 kilometres). Every 400 population (or approximately 80 households) elected one
representative on party basis for a term of five years, 25 percent of the membership had been given for women (SC/STs depending upon their actual population within the Mandal. Its members elected the Chairman and the Vice-chairman of the Mandal. Karnataka under this system had 2,536 Mandals with 55,188 elected members.

A hallmark of the Karnataka system is the clear dividing line between the regulatory and the development aspects of the district administration, keeping the Deputy Commissioner (Collector) out-side the purview of the development arena. The Zilla Parishad Adhyaksha, having the status and emoluments of a Minister of State, is by statute, the direct Panchayat Raj institutional framework. The efforts have been made to ensure that the equation between he Deputy Commissioner and the Panchayat Raj bodies is based on mutual respect and appreciation of the complementarily of each other’s role to secure the maximum public good. The Deputy Commissioners and the other Government officers at the district level are required to attend the ZP meetings whenever, invited to do so.

The concept of imposing the District Magistrates (Collectors) on the development arena, represented by the Prime Minister directly having meeting with them, had evoked a sharp reaction from Mr. Ramakrishna Hegde. The Karnataka Zilla Parishads, Taluka Panchayat Samities, Mandal Panchayats and Nyaya Panchayat Act 1983 has the distinction of putting the concept of district government of the map of India’s federal polity. In a way, it was the processor of the 73rd Amendment to the constitution, which has introduced the concepts of institution of self-government. This Act ushered in decentralization on a scale not seen earlier in the state or probably in the country. It is considered as a revolutionary model both in theoretical framework and practical utility.
Karnataka Panchayat Raj system based on 1983 Act has been recognized as the most far-reaching effort in democratic decentralization. The Act gives status and stature to the Panchayati Raj bodies, entrust them with all those welfare, development and civic functions and responsibilities whose ambit lies within their respective jurisdiction equips them with resources by way of budgetary support, staff and powers to performe these entrusted tasks satisfactorily with statutory autonomy of decision making. The act also called for full participation of the people and their deep involvement in socio-economic rural development with distributive justice. Elections under the new Act were held in January 1987. The elected Panchayat Raj Institutions started functioning from April 1987.

4.10. Main features of Panchayat Raj Act of 1983:


I. Mandal Panchayats

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

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

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

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

II. Taluka Panchayat Samities

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

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

III. Zilla Parishads

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

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

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

4. They will formulate and execute the district plans.

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

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

IV. Nyaya Panchayats

(a) A Nyaya Panchayat shall consist of 5 members elected in accordance with the system of proportional representation by a single transferable vote by conduct, of which the Mandal Panchayats at least one member shall be each from women, Scheduled Castes/Scheduled Tribes and Backward classes.

(b) The Mukhya Nyaya vicharaka shall preside over sitting of Nyaya Panchayat and will be assisted by Secretary of the Mandal Panchayat in performance of its functions.

The main features of the Panchayat Raj Institution system as per 1983 act can be summarized as follows:
1. The Act provides for the three-tier system with very large powers devolved mostly upon the bottom tier Mandal Panchayat. The intermediate tier, Taluka Panchayat Samiti has been assigned the supervision and coordination of mandal panchayats. It is to be noted that village panchayat has replaced the earlier village, panchayat. The earlier Taluka Development Board which was having vast power earlier has been replaced by Taluka Panchayat Samiti with only supervisory role. In effect 1983 Act has only two types on the concept of democratic decentralization.

(i) The Mandal Panchayat is ordinarily to cover population ranging from 8000-12000. A Member of Panchayat is to be elected for every 400 of the population or part there of the elected members will elect from among themselves a Pradhana and a upapradhana.

(ii) All the enrolled voters of a village constitute Gram Sabha which meets at least twice a year, presided over by Pradhana. Its duty is to suggest improvements on development activities.

(iii) Taluka Panchayat Samiti comprises ex-officio and coopted members. It is empowered to advise, guide, assist, review and coordinate the work being done by mandal panchayats. The samiti is not vested with powers to levy taxes. It depends upon the growth form Zilla Parishad for expenditure.

(iv) Zilla Parishad consist of directly elected members on the basis of adult franchise. One member is to be elected to represent 28,000 population or part there of. It also consists of ex-officio members like MLAs, MPs, and MLCs belonging to the district concerned.

(v) A person 18 years of age and above is eligible to vote and persons with 25 years of age and above are eligible to contest. The tenure of Panchayat Raj Institutions is 5 years.

(vi) The members of the parishad are to elect two of the elected members as Adhyaksha and Upadhyaksha for normal terms of 5 years. The Adhyaksha has been empowered to be the executive head of the Zilla Parishad.
2. The Act provided for direct elections to Zilla Parishads and Mandal Panchayats and nominations/indirect elections to the Taluk Panchayat Samiti.
3. The minimum age for eligible voters has been lowered from 21 to 18 years.
4. The weaker sections of rural people have been given increased representation on Panchayat Raj Institutions. At least 18% or to the population, in proportion reservation has been provided for SCs and STs.
5. The Act provided reservation of 25% for women in Panchayat Raj Institutions, of which at least one shall be for SC/ST community, thus providing representation to weakest amongst the rural women folk in Panchayat Raj Institutional setup.
6. The Act also provided representation to the Backward Class in the form of nomination of two persons of this category to the mandal Panchayats.
7. There is separation of district development administration headed by the elected chairman (ZP) and general district administration headed by the Deputy Commissioner.
8. The chairman and the vice-chairman have been given high political status and large powers as equivalent to minister of state and deputy minister respectively.
9. The Zilla Parishad administration is headed by a senior civil servant designated as Secretary to provide administrative assistance to the parishads and chairman. All the developmental administration of the district has been brought under the ZP. Hence, the ZP controls the coordinated Districts Development Administration.
10. The Act provided for the setting up of State Development Council, chaired by the Chief Minister and comprising the Adhyakshas of the ZP and six ministers as its members. The purpose was to provide a forum for continuous review and direction of Panchayat Raj movement in the state.
11. The Act has mentioned that a Finance Commission is to be appointed every five years to examine the financial needs of Panchayat Raj Institutions and make suitable recommendations to government. It also provided for substantial devolution of finances (about 9000 crores per Annum) form the government to Panchayat Raj Institutions.

12. The Act provided that the resolutions of Mandal Panchayat may be disallowed by the Zilla Parishad on prescribed grounds, but must be within six months. Similarly, states retained over the Zilla Parishad’s only power of dissolution for excess or abuse of their powers, persistent default or incompetence in performing their statutory duties. However, reconstitution of that body through election is mandatory within six months. This was to safeguard against frequent practices of long term dissolution on political grounds. The said provision was to allow the functioning of mandal Panchayats independent of Zilla Parishad and that Zilla Parishad should function independent of state government in the point of autonomy in functioning.

13. The Act consists of an anti-defection law to prevent defection of members of panchayat raj institution from their respective parties. This was meat to contribute stability to Panchayat raj institutions and to discourage, corrupt practices or political horse-trading.

14. The Adyaksha of Zilla Parishad by statute was also the Chairman of the Districts Karnataka Development Programmes Committee, to review all plan process and developmental activities. The membership of this committee included all district heads of departments, semi-government departments, banks, and other services under takings.

15. Decentralization of planning was another important aspect of the Karnataka model. Zilla Parishad as the final planning and implementing authority in the districts.
16. In order to provide more stability for Adyaksha and Upadyaksha of Zilla parishad, two thirds (2/3) of the members support was fixed as a requirement for passing no confidence motion.

17. To secure speedy and non-expensive justice in civil and criminal matters of minor nature, Nyaya Panchayats were envisaged under this act. Its membership was fixed as five of whom, three shall belong to SC/STs Backward Classes and Women.

18. The Act provided for the real process of decentralized planning integrated with state planning. The distribution of state plan outlay transferred to Zilla Parishads was made among the various districts on the basis of weightages and indicators, in order to achieve regional balance. The weightage given were as follows:

   a) Population Weightage 50%.
   b) Mandal area 15%.
   c) Dry land area 15%.
   d) Agricultural labour population 10%.
   e) Per capita resources raised by mandal Panchayat weightage 10%.

   Thanks to these radical and progressive provisions, the Panchayat Raj Act 1983 attracted nationwide attention and generated considerable debate in the country, not only in political circles but also in the intellectual and academic world. The popular response of the nation to this Act of Karnataka was also taken note by the national leadership. This Act created a renewed interest in Panchayat Raj.

   The amendments initiated by Sri. Bangarappa then Chief Minister of Karnataka was stalled temporarily. The state government during this period seems to have cut down the share of the district plan in the state plan outlay. The role of Zilla Parishads in the field of co-operation, agriculture, and public
distribution system was made weak. Although, the government planned preparations for holding elections to Panchayat Raj Institutions in January 1992, the Government superseded the Zilla Parishads and Mandal Panchayats and appointed administrators through an ordinance.

The State government attempted to amend the 1983 Act with a view to setting up of village panchayats in place of mandal panchayats, curtailing large powers and functions devolved upon Panchayat Raj Institutions and introducing some other changes. However the government sponsored bill for the said purpose failed to get passed by state legislature (before March 1993).

The Constitution Act 1993 (73 Amendment) became effective from April 24th, 1993. Article 243 B makes the constitutional formation of three-tier Panchayat Raj Institutions by the state compulsory. According to Article 243 N, it was mandatory for the states either to amend the existing Panchayat Raj Act if any or to abolish the existing ones and to introduce new Act within one year of the enactment of 73rd Amendment Act.

Accordingly, Karnataka Government introduced a new bill to replace existing Act on April 1st, 1993 in Legislative Assembly. It was passed on April 7th 1993. The legislative council also unanimously passed the Bill on April 13th, 1993. It came into force from May 18th, 1993. This Act is commonly known as the Karnataka Panchayat Raj Act 1993. This Act replaced the Karnataka Zilla Parishads, Taluk Panchayat Samitis, Mandal Panchayats and Nyaya Panchayats Act 1983. The Karnataka Panchayati Raj Act, 1993 has 321 Sections arranged in XVII Chapters and contains five schedules.
1. The Karnataka Panchayat Raj Act 1993-Salient Features

The 1993 Act establishes a three-tier Panchayat raj system in the state with elected bodies at Grama, Taluka, and District level for greater participation of the people and for more effective implementation of Rural Development Programmes. The three tiers of the Panchayat Raj System are (1) Gram Panchayat/Village Panchayat, (2) Taluka Panchayat (3) Zilla Panchayat.

Gram Panchayat

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

a) Production Committee.
b) Social Justice Committee.
c) Amenities Committee.

Each committee consists of not less than three and not more than five members including the chairman. The Adhyaksha as ex-officio Chairman and also member of production committee and amenities committee. The Upadhyaksha shall be the ex-officio chairman and member of Social Justice Committee. The Social Justice committee shall consist of at least one member who is a woman and another belonging to SC/ST. The Committees are
competent co-opt members. The Production Committee was meant to perform functions related to agricultural production, animal husbandry, rural industries and poverty alleviation programme.

The Social Justice committee meant to perform functions related to promotion of educational, economic, social, cultural and other interests of Scheduled Castes and Scheduled Tribes, Backward Classes, and also welfare of Women, Children, and protection of people from social injustice and any form of exploitation. The Amenities committee was entrusted with functions in respect of education, public health, public works and others. The government gives a minimum of rupees one lakh to each panchayats per year. It can enhance its income from local taxes, levied by it. The Gram Panchayats will also get 80% of the funds of Jawahar Rojgar Yojana allotted to the state.

**Taluka Panchayat**

The Act provides that, for each taluka there shall be a taluka Panchayat. It consists of MLAs, MLCs, of the taluka, Member of Parliament, one-fifth of Adyakshas of Grama in the Taluka by rotation for a period of one year and also elected members. The number of elected members is at rate of one member for every 10,000 population. The Act stipulates that there shall be a minimum of elected members even if the population of the taluka is less then one lakh. The Taluka Panchayat will have an elected Adhyaksha with the authority to convene and preside over the meetings, and exercise supervision and control over executive staff of the taluka panchayat, shall meet at least once in two months: The Taluka Panchayat will have three Standing Committees each with strength not exceeds six members they are:
a) **General Standing Committee:** The committee shall perform the functions relating to the establishment, matters, communications, buildings, rural housing, village extension, relief works and water supply.

b) **Finance, Audit and Planning Committee:** The committee will perform the functions relating to the finance of the Taluka Panchayats, framing of budget, scrutinizing the proposal for increase of revenue, verification of balance sheet, general consideration (Supervision) of proposal affecting finance, supervision of revenue and expenditure, co-operation and small savings schemes.

c) **The Social Justice Committee:** It is meant to perform functions relating to social justice to SCs/STs, and Backward Classes, protecting people against social injustice and exploitation.

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

**Zilla Panchayat**

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

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

**Functions of Standing Committees**

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

**Staffing Pattern**

The Chief Executive Officer (C.E.O.) not below the rank of Deputy Commissioner is the administrative head of the Zilla Panchayat. The C.E.O. will not work under the control of Adhyaksha, and assigns duties and supervises Zilla Panchayat officials in accordance with the rules made by the state government. He is to report directly to the government. The Act reduces the position and powers of Adhyaksha merely to convene, preside and conduct meetings.

**Outstanding Features of 1993 Act**

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

1) It provides for reservation of seats in favour of SCs and STs in proportion of their population and subjected to minimum of 15 and 3% respectively at all levels.

2) The Act provides for reservation of 1/3 of seats to women at all levels.

3) It also provides for reservation of 1/3 of seats to persons belonging to Backward Classes.

4) The Act also provides for reservation of 1/3 of seats in each category (SCs, STs, and Backward Classes and General) at all levels for women. The seats reserved shall be allotted by rotation to different constituencies in panchayat area.
5) The office of the Chairperson and Deputy Chairpersons are also reserved at all levels for the persons belonging to SCs, STs and Backwards Classes and Women.

6) The Act envisages the constitution of state election commission, the finance commission and district planning committee. The finance committee is to recommend periodically the policy on finance to Panchayat Raj Institutions.

7) The new law stipulates that the elections to Gram Panchayat are to be conducted on non-party basis. This is intended to minimize the local conflicts during election time. However, participation of political parties has been allowed for upper level Panchayats.

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

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

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

11) The proceeds of heavy cash levy, on land revenue and surcharge on stamp duty will be passed on to Gram Panchayats and Taluka Panchayats. The Panchayat Raj Institutions will receive resources from State Government also.
Panchayat Raj Institutions: New Voice for the People:

Karnataka Panchayat Raj Act 1993 came into force from 10\textsuperscript{th} May 1993, within a few days of the commencement of the 73\textsuperscript{rd} Constitutional Amendment Act. Under the 1993 Act, 5640 Gram Panchayats have been established and on an average, each Gram Panchayat has a population of 5300. Elections to 5640 Gram Panchayats were held during 1993-94. The Government of Karnataka has amended the Karnataka Panchayat Raj Act 1993 on 28-1-99 to provide for constitution of larger Panchayats. As per the amended Act, a Gram Panchayat can be established for an area comprising a village or a group of villages having a population of not less than 10,000 and not more than 16,000. Pending completion of the process of re-organization of Panchayats as per above amendment, administrative committees have been constituted by the Deputy Commissioners, in place of the Gram Panchayats whose term has expired.

\textit{The salient features of this Act includes:}

Establishment of three-tier Panchayat Raj Institutions;

a) Constitution of a Gram Sabha in each village

b) Reservation of seats for SCs, STs, BCs and women

c) Reservation of Offices of Chairperson of Panchayat bodies for SCs, STs, BCs and women

d) The Constitution of the State Election Commission

e) The Constitution of State Finance Commission once in every 5 years to review the financial position of panchayats and make suitable recommendation to the State on the distribution of funds between the State and Local bodies

f) The Constitution of the District Planning Committee in each district.
According to the 1991 census, the population for every constituency of the Zilla Panchayat is 40,000 (in Chikmagalur and Uttara Kannada districts one seat is earmarked for a population of 30,000 whereas in Coorg District this proportion is (1: 18, 000.) There are 175 Taluka Panchayats in the State and population for one Taluka Panchayat constituency is 10,000. The following table shows details of seats allotted to various categories for elections to Zilla Panchayats, Taluka Panchayats and Gram Panchayats. ⁶⁷
### Table-4.3

**Distribution of Members**

<table>
<thead>
<tr>
<th>Panchayat Level</th>
<th>SC No.</th>
<th>F</th>
<th>ST No.</th>
<th>F</th>
<th>A Group No. (F)</th>
<th>B Group No. (F)</th>
<th>Others No.</th>
<th>F</th>
<th>Total No.</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zilla Panchayat</td>
<td>165</td>
<td>(63)</td>
<td>47</td>
<td>(22)</td>
<td>24 (87)</td>
<td>63 (21)</td>
<td>401</td>
<td>(142)</td>
<td>919</td>
<td>(335)</td>
</tr>
<tr>
<td>Taluk Panchayat</td>
<td>601</td>
<td>(261)</td>
<td>169</td>
<td>(104)</td>
<td>89 (39)</td>
<td>22 (51)</td>
<td>1453</td>
<td>(537)</td>
<td>3340</td>
<td>(1343)</td>
</tr>
<tr>
<td>Grama Panchayat</td>
<td>1791</td>
<td>(737)</td>
<td>575</td>
<td>(593)</td>
<td>OBC 26828 (10722)</td>
<td>OBC 2830 (6)</td>
<td>8062</td>
<td>(7)</td>
<td>5675</td>
<td>(-)</td>
</tr>
</tbody>
</table>

Similarly the seats reserved for the post of President and Vice President are as follows:

### Table-4.4

**Category of President and Vice President**

<table>
<thead>
<tr>
<th>Panchayat Level</th>
<th>SC No.</th>
<th>F</th>
<th>ST No.</th>
<th>F</th>
<th>A Group No. (F)</th>
<th>B Group No. (F)</th>
<th>Others No.</th>
<th>F</th>
<th>Total No.</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zilla Panchayat</td>
<td>5</td>
<td>(2)</td>
<td>1</td>
<td>(-)</td>
<td>7 (2)</td>
<td>2 (1)</td>
<td>12</td>
<td>(4)</td>
<td>27</td>
<td>(9)</td>
</tr>
<tr>
<td>Taluk Panchayat</td>
<td>32</td>
<td>(11)</td>
<td>9</td>
<td>(3)</td>
<td>46 (15)</td>
<td>12 (4)</td>
<td>76</td>
<td>(26)</td>
<td>175</td>
<td>(59)</td>
</tr>
<tr>
<td>Grama Panchayat</td>
<td>1030</td>
<td>(1)</td>
<td>297</td>
<td>(-)</td>
<td>OBC 1886 (-)</td>
<td>2462 (-)</td>
<td>5675</td>
<td>(-)</td>
<td>(-)</td>
<td>(-)</td>
</tr>
</tbody>
</table>
Category of President and Vice President:

The Section 206 of Karnataka Panchayat Raj Act has provision of an annual grant of Rs. 1.00 lakh for each Gram Panchayat. As per Section 205 of the Act, a provision for levying surcharge on stamp duty has been made, but this amount has to be given to the Taluka Panchayat. The State Government has been effecting from its budget a massive transfer of resources to the Zilla Panchayats, Taluka Panchayats and Gram Panchayats. Allocations made to these institutions have increased from Rs. 916.57 crores to Rs. 3010.00 crores during the period 1987-88 to 1998-99. During the year 1998-99, Rs. 645 crores under plan and Rs. 2365 crores under non-plan were transferred to the Panchayat Raj Institutions. This constituted 35.20% of the Non-Loan Gross Revenue Receipts of the State for the Year 1998-99.

The State Government after examining the recommendations of the expert committee in the light of the wide-ranging public debate that took place on the subject has made the following amendments to the Karnataka Panchayat Raj Act, 1993 in the year 1997-98.

1) The President of the Taluka Panchayats and Zilla Panchayats have been made executive heads of those panchayats with explicit powers of supervision and control over the administration.

2) The term of office of President, Vice President and standing committees of the Taluka and Zilla Panchayats is now fixed at 20 months to provide rotation of these offices among different categories of reservation at least thrice in a period of 5 years.

3) The State Election Commission is made responsible for delimitation of constituencies, reservation of seats for different categories, reservation of offices of President and Vice President of Panchayat Raj Institutions.
4) A member of Panchayat Raj Institution is required to construct a sanitary latrine for the use of his family members before six months from the date on which the amendment was brought into force (20.10.1997), otherwise he is liable to be disqualified from membership.

5) No confidence motion against the President and Vice President of Grama Panchayat shouldn’t be moved within 1 year from the date of election and in the case of Zilla Panchayat and Taluka Panchayat within 6 months.

6) Certain mandatory functions have been prescribed for the Panchayat Raj Institutions.

7) Any resolution of Zilla Panchayat or Standing Committee or order of the President, which is inconsistent with the provisions of the Act, rules or guidelines, shall be implemented after obtaining clarification/orders from the Government.

8) The Gram Panchayat may be dissolved by the Zilla Panchayat for persistent default in the performance of duty.

9) The President of Zilla Panchayat shall be the Chairman of the District Planning Committee.

10) A State Panchayat Council has been established under the Chairmanship of the Chief Minister.


**Members Monthly Allowances:**

The State Government has introduced the system of paying monthly allowances of Rs. 1,000/- to the members of Zilla Panchayats and Rs. 500/- to the members of Taluka Panchayats to enable these elected representatives to cover their incidental expenses.
**Gram Sabhas:**

The Section 3 of the Karnataka Panchayat Raj Act 1993, makes it mandatory for the Gram Panchayat to convene a Gram Sabha in every village at least twice in a year. The Zilla Panchayats and the Taluka Panchayats have to take the recommendations of the Gram Sabha into consideration during the process of preparation of action plans.
References:
2. Ibid, p. 2.
5. Altekar, State and government, p. 309.
8. I5(P.T.)
15. P.T., p. 17.
17. PT, p. 18.


26. Ibid.


30. Mehta Report, Section 189.


32. Ibid, pp. 54-56.


35. The Mysore Village Panchayats and Local Boards Act, 1959
   (Department of Law and Parliamentary Affairs, Govt. of Karnataka,
   Bangalore.)


38. B.S. Bhargava, Panchayat Raj Institutions: An Analysis of Ashok Mehta


42. B.S. Bhargava, Op. Cit., p. 44.

43. B.S Bhargava, Op. Cit. P. 46

44. The Karnataka Zilla Parishads and Taluka Panchayats Samitis , Mandal
   panchayats and Nayay Panchayats Act, 1985 Dept. of Law and
   Parliamentary Affairs, Government of Karnataka, Bangalore.

45. Ibid,

46. Ibid,

47. Ibid, Chapter-III, Section 5.

48. Ibid, Chapter-V, Section 114.

49. Ibid Chapter-V, Section 114.

50. Ibid, Chapter-VIII, Section 139.

51. Ibid, Chapter-VIII, Section 142, 143.

52. Ibid, Chapter-VIII, Section 197.

53. Quoted in G. Rama Reddy, Patterns of Panchayati Raj in India, the
   Macmillan India Limited, 1977, p. 130.


58. “Karnataka shows the way”. District governments and decentralised planning, Govt. of Karnataka Publication, 1988, p. 7.


