CHAPTER 6

DECENTRALIZATION IN KERALA, 1950 - 1970

Indian Independence was a great stimulus to the concept of local self-government and its extension to remote areas. States under the Indian Union were saddled with the new responsibilities assigned to them by Directive Principles of State Policy. Article 40 of the Indian Constitution specifically directs all State Governments to take steps to organise Village Panchayats and to endow them with such powers and authority as may be necessary to enable them to function as units of self-government. Following this, the First Five Year Plan enunciated the role of local bodies in development programmes and suggested that the general direction of policy should be to encourage and assist them in assuming responsibility for as large a portion of administrative and social services within their areas as possible. Consequently, State legislatures throughout India enacted a series of Panchayat laws in consonance with local conditions and the proliferation of Village Panchayat ensued swiftly.

6.1.0. Stimulus to the Concept of Local Bodies in Kerala

In Kerala too, local government in general and Panchayat in particular made rapid strides in their growth and progress. The integration of Kerala State into a single unit, the functioning of democratically elected government in the State, the heightened civic consciousness and demands for economic and social transformation, the acceptance of the welfare concept, the adoption of a socialistic pattern of society and the impact of Gandhian concept in the conceptual plane, an earnest desire for local bodies - all these contributed to the great stimulus to the concept of Panchayat.
6.1.1. Main Features of this Phase

The efforts at decentralization of the Panchayat administrative system in Kerala, between 1950 and 1970 are specially marked by the appointment of three statutory committees for the purpose - the Administrative Reforms Committee (1958). The Commission for Delimitation of Panchayat Areas (1959), and the Administrative Re-organization and Economy Committee (1965). The recommendations of the committees were accepted with some amendments made to the provisions, after marathon discussion in the State Legislative Assembly. The remarkable features of this period are:

* Enactment of the Panchayat Act of 1960 replacing all the earlier Panchayat Acts, Regulations and Proclamations that prevailed in Travancore, Cochin and Malabar;

* Enthusiastic endeavours at the government level, cutting across party lines for a Gandhian model of Gram Swaraj in Kerala villages;

* Attempts at democratization of Panchayat bodies in the State;

* Enactment of the Panchayat and Zilla Parishad Acts in 1964 and 1967;

* The initiation of a Kerala District Administration Act (1971).

Generally stated, the issue of democratization of power at the Kerala Panchayat level was in high spirit, and the most distinguishing feature was a plea for Gandhian vision of Gram Swaraj in


Also see, Background Materials of the Kerala District Administration Bill, 1971, Kerala Legislative Assembly, July 1978, Trivandrum, p.58.

2. The term ‘democratization’ implies a variety of meanings. It is a process of making any system democratic or popular. It means a governing system when referred to the form, a situation of safeguarding freedom of speech, opinion, religious rights and the assertion of rule of law when referred to the features. When referred to the style of functioning, it is known as participatory or representative, a form of functioning indicating a situation in which all the adult members exercise their right to rule. When referred to the social aspects of democratization process, it means a system which assures equal treatment of all, warranting respect for the minorities as well as the weaker sections. Democratization is indispensable to create a feeling of involvement among the people. When referred to the Panchayat system in Kerala, the term ‘democratization’ is used both in its generic and specific senses. However, for the sake of brief presentation, the term is more used in the specific sense, i.e., to assess the extent of Panchayats' popularity.

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policy directives. In fact, the fervour for remodelling the Kerala *Panchayats* in consonance with the Gandhian vision was greater than the present day ardour in favour of Gandhian concept in the re-organization of rural local bodies.

However, during the period under reference, one can find a clear deviation in the approach of the government as well as political parties towards a structural formation of the district administrative system and this swings in favour of institutionalization of the *Panchayati Raj* further amplified in 1980’s.

6.1.2. Background

After the merger of Travancore with Cochin (1949) a *Panchayat* Act was enacted in 1950 because the Government took notice of the difference then existed between the Travancore and Cochin systems. According to the provisions of the Act, the State was split into 548 *Panchayats*, out of which 52 *Panchayats* belonged to the newly found Madras State. In Malabar area, after the Madras Village *Panchayat* Act of 1950, the District Boards were deprived of their control over the *Panchayats*. At the time of state’s re-organization the number of *Panchayats* that became operational stood at 893.

6.1.3. Three Categories of *Panchayats*

The structural pattern of the *Panchayats* was laid down on the basis of their annual income. *Panchayats* with an annual income of Rs.15,000/- and above were classified under Grade I, those having an annual income of less than Rs.15,000/- and more than Rs.5,000/- were listed in Grade II, while the rest were grouped under Grade III. The number of members for each *Panchayat* was determined by the government through an act on the basis of population, but subject to a maximum of fifteen and a minimum of seven. Provision for reservation of one seat in a *Panchayat* for Scheduled Castes and Scheduled Tribes was provided, if their population was not less than 5% of the

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total electorate in that area.

The term of an elected member was for a period of three years. The administration of the Panchayat was vested with a committee comprising of the president, the vice-president and all the members of the Panchayat with the president as the chairman.

6.1.4. Powers of Panchayat President and the Committee

The president as the executive authority was vested with some emergency powers. Such actions taken by the president would have to be reported to the committee at its next meeting to be ratified by it. Within three days after each meeting of the Panchayat, the president had to make a report to the Director of Local Bodies about the proceedings of the meetings. The functions assigned to the Panchayat Committee were of two classes, namely, obligatory and voluntary. Collection of taxes and fees and so on were Mandatory, while the rest of the functions were done on a voluntary basis.¹

The Panchayats of the State exercised some judicial functions also. In 1950, the Government enacted an Act by which it was vested with the power to nominate for each village, a village court of five members. The Travancore-Cochin village courts have taken steps for quicker and cheaper justice and also succeeded in discouraging litigation. There was a separate Department of Panchayat under a Director who had state-wide jurisdiction. There were 4 Assistant Directors of Panchayats, one for each revenue district. The ultimate power vested with the government. The government possessed power to supersede a Panchayat under certain conditions specified in section 41 of the act, viz., if a Panchayat is not competent to perform or if it persistently makes default in performing the duties imposed by law or exceeds or abuses its powers. The supersession is for a period not exceeding 2 years. During the period of supersession, all or any of the duties and powers of the Panchayat and its president may be exercised and discharged by the Director or other persons appointed by the government.

The Panchayats were allotted more functions to perform and the system of adult franchise

was introduced. There was a separate executive officer for each *Panchayat*. There was a steady increase in revenue. The average population of a *Panchayat* area ranged from 10000 to 20000. *Panchayats* were formed primarily on the basis that there should be one *Panchayat* for every village. 

Villages in Kerala were administrative units rather than natural residential units as the people lived more or less in one continuous habitation in individual homesteads, scattered, instead of "squalid settlements of North India which huddled along a single street or in a knot of houses."1

6.1.5. *Panchayat* election, 1953

In June 1953, the *Panchayat* general election was held in the Travancore-Cochin State to elect members to the newly formed *Panchayats*.2 The newly elected *Panchayats* began functioning from August 15, 1953. As the functioning of *Panchayats* was restrained due to financial problems, the Minister for Local Government initiated a Bill (1954) which contained provisions for adequate funds at the disposal of *Panchayats* to carry out statutory functions, particularly related to local development. On July 22, 1955 the Government passed an order to give more powers to the *Panchayat*. The *Panchayats* were empowered to accord administrative sanction to works costing Rs.500/- and below. Each *Panchayat* was given a special grant to be utilized for public works in the *Panchayat* area. With a view to ensuring proper and effective supervision and toning up *Panchayat* administration, the government sanctioned the appointment of eight additional Inspectors to the then existing strength of 18.

In 1955, the government passed orders empowering the *Panchayats* to sanction upto Rs.5,000/- for works. All these were meant to strengthen *Panchayat* Institutions both in their structural entity and financial autonomy.

6.2.0. Administrative Reforms Committee, 1957 (I Statutory Committee)

This was the background of decentralized functionality of *Panchayats* in 1956, when the

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Kerala state was formed merging Travancore-Cochin State with Malabar. As stated earlier, there were two pieces of legislations on local government, the Travancore -Cochin Panchayat Act 1950, applicable to Travancore-Cochin area, and the Madras Village Panchayat Act 1950, which was in force in Malabar area. In 1958 the Government of Kerala sought to consolidate all the acts, rules and regulations on the recommendations of the Administrative Reforms Committee headed by the then Chief Minister E.M. Shankaran Namboodiripad.1

6.2.1. Inspiring Factors

During the time, the ‘Balwantray Mehta Study Team’ was at work at the all India level in accordance with the new policy pattern of the Planning Commission of India. The Commission reiterated the widely felt need for creating a well organized democratic structure of administration within each district and added, “in this structure, Village Panchayats, will have to be organically linked with popular organization at a higher level”2. The working of the developmental schemes entrusted with the Panchayat could not yield the desired effect for lack of peoples’ participation, and also due to absence of a proper structural linkage with the upper tiers.

Drawing inspiration from the Balwantray Mehta Team Report, the Committee in 1957, wanted to rectify these defects in the functioning of local bodies.

(i) Enlargement of Rural Local Government

The Government, while constituting the Committee, wanted to extend the concept of local government at the grass root level and extend it to more rural areas. It was felt that a well organized and efficient administrative system is essential for the proper functioning of any government.

1. The Government of Kerala ordered the constitution of a committee (Vide. Proceedings No.P(8), 427,111/57/PD dt. 15/8/1957) with the following members, for examining the work of administrative machinery, and suggesting measures for improving its efficiency.

Members (1) E.M. Sankaran Namboodiripad (Chief Minister and chairman), (2) Joseph Mundassery (Minister for Education), (3) N.E.S. Raghavachari (Chief Secretary to Government), (4) V.K.N. Menon (New Delhi), (5) H. D. Mallaviyya (New Delhi), (6) P.S.Nataraj Pillai (Trivandrum) and (7) G. Parameswara Pillai (Trivandrum).

(ii) Democratization of Administrative System

The Administrative Reforms Committee approached their task with a view to democratize the whole administrative system and machinery in accordance with the new areas of development. It viewed that as development progresses, administration steadily assumes a broader content. It includes within its scope running of administrative machinery, seeking co-operation and participation of people, informing and educating the public and finally organizing a sound system of planning based as much on the participation of people at each level as on the best technical, economic and statistical information available. Therefore, the pattern of planning has to be altered right from the top to bottom and vice-versa. The rural local bodies have also to be altered accordingly. In a nutshell the objectives of local bodies are not merely to collect revenues and maintain peace but to promote the welfare of all classes of people particularly the poorer sections. For this, the method was to be democratic and the machinery responsible to the people’s representative.

(iii) Decentralized administration

The system that prevailed in Kerala was so centralized that, it caused the decline of initiative on the part of the people. The laws and regulations, though amended, were still rigid, restrictive, and unsuited to the rapidly expanding functions of the executive. The Committee, therefore, observed that the officials in the financial as well as at the district and lower levels had to be equipped with adequate powers to avoid inordinate delay in discharging their duties. Wider participation, efficient administration, and wide delegation of powers were also desirable.

(iv) Check on the Executive

The Administrative Reforms Committee considered that democratization is a necessary corollary to decentralization, because it constituted an effective check on the proper exercise of delegated authority by the executive. Panchayat administration, when democratized (i.e. managed by the people’s representatives), would constitute an effective and meaningful check on the excess, if any, by the executive. A body of the people’s representatives could also serve as an agency for the independent evaluation of work done by the permanent officials. The guiding principles of any administrative reform should be to delegate greater and greater authority to the lower units.
administration like the *Panchayats*.

Hence the Committee (1958) was expected to review the working of the administrative and the machinery in the state systems, procedures, and precedence under which it functions with a view to assessing their adequacy for a democratic government in a welfare state.

(v) Efficiency of Administration

The purpose of the government was to improve the efficiency of the administrative machinery in coping with developmental activities. Another purpose of the Committee was to suggest measures for the co-ordination of the activities of the different government departments and for the avoidance of overlapping in such activities. To be brief, the important aspects on which the Committee was expected to suggest proposals that would have direct bearing on the rural local bodies in Kerala were:

* Measures for decentralization of power at various levels with a view to expeditious dispatch of government business,

* Methods by which democratization of the organs of government at various levels - structural and functional formations, suitable to serve the purpose of the local bodies, or autonomous and independent functioning,

* Effective participation of local self governing institutions or representative bodies in the administration,

* To review the then existing system of the state, with a view to assessing their adequacy for a democratic government in the welfare state. Thus, the committee was expected to suggest recommendations arising out of the above matters or related affairs.¹

In the matter of decentralization of power at the *Panchayat* level in Kerala, the terms referred to by the committee had special significance because it was the first committee in the post-independence period set up by the democratically elected government in the state. It specified the functions to be performed, structure, pattern, norms of representation of the people, their

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involvement through a network of committees that will look upon civic, developmental, regulatory and social programmes, health and similar agency function for the government and specified the revenue share. It recommended to revive the powers of Panchayats in judicial matters too, to be exercised through the Village Courts.

(vi) Overhauling the whole administrative system

The committee viewed that the Panchayats had been functioning as mere "local bodies" during the last few years although they had been asked to participate in the working of the National Extension Service Programme or other local development schemes. For almost all activities of government, there are departmental agencies down to the village level. Thus, the Panchayat is looked upon as one of the functionaries like the Department of Education or Public Works. But the development of Village Panchayats on the right lines has more significance, because they can play a considerable part in bringing about a more just and integrated social structure in rural areas. Therefore, the attempt of 1958 Committee was an overhauling of the whole Panchayat system in Kerala in accordance with the new vision of local bodies in the post-independence period.

In this way, the first statutory committee attempted to democratize the rural local bodies through functional and structural decentralization. The whole process was grouped under the following headlines. (a) Specification of jurisdiction and constitution of Panchayats, (b) Functions and Powers of Panchayats, (c) Panchayat and revenue administration, (d) Panchayats and Gramsevaks, (e) Resources of Panchayats, (f) Panchayat Staff, (g) The role of village Courts and (h) Institutional structure.

6.2.2. Main Suggestions

The main suggestion of the Committee, was that: "at the village level, the Panchayat should function as the only organization between the people and the government. Panchayat should be the media through which the villagers would come into contact with government; Panchayats should be the units of administration, and nothing that takes place within their area should be done without the Panchayats being associated. They should be the executive links between the government and the
people."

(i) Jurisdiction and Constitution of Panchayats

Till 1956, Kerala State had not followed a uniform pattern of local bodies as regards the jurisdiction, structure and constitution of Panchayats. In Malabar, one of the erstwhile units, the size of a Panchayat in terms of population was 500. While in Travancore-Cochin, the other erstwhile unit, it varied from about 10,000 to 30,000. In the former region, Panchayats, were classified into Grade I & II while it was different in the latter unit. The territorial area of the Panchayat in some cases cut across the boundaries of revenue villages. The Committee therefore suggested that delimitation of areas is to be done in such a way that a Panchayat will have a population of not less than 10,000 and as far as possible, consist of either one village or a number of villages. In other words, the suggestion was that there should be one Panchayat for each revenue village.

Election on the basis of adult franchise, secret ballot and majority rule are the very vital points of democracy. Democratization of the system means incorporating these features. Therefore, the committee made their opinion that Panchayats should be constituted on the basis of direct election by adult franchise. One member might represent approximately every thousand voters and there should be a provision for co-option of one woman member, if no lady member is elected, and also there should be reservation for Scheduled Castes and Tribes.

To ensure Panchayat administration sufficiently broad based, and for the maximum utilization of all available talents in the locality, Panchayats should have functional committees for different subjects like sanitation, communications, public health, education etc., consisting both of Panchayat members and others who are interested in public welfare. Another forum suggested to ensure broad based administrative system was that a committee should be formed for each ward, i.e. ward committee in the Panchayat and thus, the involvement of people at the grass root level could be made possible.

The committee also endorsed the existing practice of party-based election to Panchayat

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councils. In a state like Kerala, where people are generally literate and have developed a high degree of political consciousness, it is natural to expect that the party ideals will influence the electorate. Therefore the Committee suggested that this would assure democracy at the lower levels.

(ii) Functions and Powers

The functions of the Kerala Panchayat are classified into three categories namely,

* Those in respect of which the Panchayats have full devolution of powers as local self government units, raising their own taxes, deciding policies and implementing them;
* Those for which the Panchayats would function as agents of a government with executive delegation of powers; and
* Those involving a necessarily higher optimum level of policy making and organization in respect of which the Panchayats' role would be mostly advisory.¹

In other words, the first category makes the Panchayats as units with full devolution of powers, the second converts Panchayats as agents of the government or government departments and the third converts them into advisory bodies.

The functions proposed above are broadly divided into three categories namely - (i) Mandatory Functions (ii) Discretionary Powers and (iii) Compulsory Duties.²

(a) Mandatory Functions

The Mandatory Functions include the construction, repair and maintenance of all public roads in the Panchayat area and of all bridges, culvert roads, dams and causeways and the lighting of public roads and public places, the construction of drains and the disposal of drainage water and sewage; the cleaning of streets and public places, providing public latrines and urinals, opening and

2. Ibid., pp. 30-33.

The Santhanam Committee appointed by the Ministry of Community Development and Co-operation, Government of India in 1962, classified the functions of Panchayats into three categories viz., civic amenities, social welfare activities and development work. Of these, the first category of activities was intended to be obligatory, while the other two could be optional. For details see, Report of the Committee on Panchayat Raj Finance 1962, Government of India, New Delhi, 1963, p.8.
maintenance of burial and cremation grounds, providing drinking water to the villagers, preventive and remedial measures connected with any epidemic or with malaria, control of offensive and dangerous trades, construction and maintenance of petty irrigation works, control of cattle ponds, registration of births and deaths and encouragement to increase food production etc.

The Mandatory Functions of the Panchayats should be those which can be performed by them out of their own resource, with their own staff and Panchayats would be responsible fully both for their formulation and execution. As referred to, they would be the functions in respect of which the Panchayats would have full delegation of powers.

(b) Discretionary Powers

The Discretionary Powers included planting and preservation of trees, (forestry scheme) the opening and maintenance of public markets, the control of fairs and festivals other than those classified as district fairs and festivals, the opening and maintenance of public landing places, halting places and cart-stands, public slaughter houses, choultries other than those classified as district choultries, the extension of village sites and the regulation of building, the registration of births and deaths, the improvement of agriculture and agricultural stock and the holding of agricultural fairs, the promotion and encouragement of cottage industries, primary education, the opening and maintenance of reading rooms and of libraries, wireless receiving sets, playgrounds, sports clubs, and centres of physical culture, dispensaries and payment of subsidies to rural medical practitioners, and maternity and child welfare centres, veterinary relief, other measures of public utility calculated to promote the safety, health and comfort or convenience of the inhabitants of the village and increase food production.

In discharging the functions mentioned above, the Panchayat is endowed with options either to take up or not, one particular function. In fields like 'social service programmes' and 'development work' Panchayats should function with executive responsibility as agents of government, with regard to education, the Panchayats may be made more responsible for the administration of primary schools on behalf of the government. In the field of health, they should have the responsibility to maintain and run rural dispensaries, primary health centres, child welfare and maternity homes. A greater and increasing role for the Panchayats as they gain
experience, strength and vitality in attending to development works like agricultural production, animal husbandry, co-operative organizations, village industries etc.

Regarding the functions specified above, under the broad divisions, it is to be noted in this context that some more changes have been made subsequently which empower the government to declare by notification any of the discretionary duties or functions as obligatory for Panchayat areas. The Director of Panchayats may transfer

It has been stipulated further that the Panchayat, subject to such rules as may be prescribed the management and maintenance of any institution or the execution or maintenance of any work or the exercise of any power or the discharge of any duty within the Panchayat area whether provided for in the Act or not. The above authorities may also authorize by general or special order a Panchayat to exercise any power or discharge any function such as collection of land revenue, maintenance of survey and village records, collection of village statistics, supervision and control over government primary schools, public health, child welfare, maternity institutions and the execution of community development work as may be specified by the Government from time to time.

It has also been laid down that two or more Panchayats together may establish and maintain common dispensaries, child welfare centres and institutions of such other kinds as may be prescribed by the government. Besides, the government may also, by notification in the Gazette, make over to a Panchayat with its consent the management and superintendence of any charitable endowment in respect of which powers and duties attached to the Board of revenue, shall be transferred to the Panchayat also; such powers may be withdrawn from the Panchayat subsequently by the Government at its discretion. Again, the government may assign to a Panchayat with its consent, a charitable inam, a service inam, or a conditional personal inam resumed by the Government or any other authority provided that, the net income from such inams can be applied exclusively to any purpose to which the funds of the Panchayat may be applied and may revoke any assignment so made. Over and above the aforementioned duties and functions, regulatory functions pertaining to public safety, convenience and health, may also be entrusted to Panchayats according to chapter v of

2. Ibid., Section 59.
3. Ibid., Sections 59, and 60, sub section (1) and (2).
(c) Compulsory Duties

The Statutory Committee, 1958, on plan projects set up by the legislative assembly suggested the following ‘compulsory duties’ also for the Village Panchayats: ² (a) provision of water supply for domestic use, (b) sanitation (c) maintenance of public streets, drains and tanks. (d) lighting of village streets (e) maintenance of Panchayat roads, culverts, roads, and bridges; (f) supervision of primary schools (g) welfare of backward classes; and (h) collection and maintenance of statistics.

While entrusting the Panchayat bodies with the responsibilities of local administration, they have been assigned duties to execute the different programmes in their respective areas. The state government can transfer any function to the Panchayats. The president of the Panchayat has been vested with emergency powers to decide and execute the works undertaken by the Panchayat and also to sanction money for this purpose from the Panchayat funds. He is also expected to advise, guide and control the Panchayat staff. Out of the three broad divisions of powers, the statutory committee suggested the government to accept the provisions regarding the Mandatory functions given in the Draft Kerala Panchayat Bill 1958.²

By proposing the bulk of the new functions to be assigned for the Panchayats, the committee stressed the point that democratic character should be maintained and at the same time the Panchayats can effectively attend to the functions as agents of government. It means that these are some of the functions in which executive responsibility may be delegated to the Panchayats and as and when new institutions are opened, the possibility of making the Panchayats responsible for their maintenance should be entrusted to the Panchayats consistent with the demands of the administration.

In the exercise of these functions, the Panchayats were looked upon as independent units in two ways as far as the exercise of administrative powers are concerned. Firstly, the Mandatory Functions are those in which the Panchayats would have full delegation of powers. Secondly the

2. Ibid., pp.30-31.
Panchayats need not send proposals on certain matters to higher authorities for approval. This means that Panchayats are given full executive responsibility in performing civic amenities and social welfare activities. On the whole the attempt was in favour of a continuous search to effect greater and greater delegation.

(iii) Panchayats as Units of Revenue Administration

One of the suggestions made by the Administrative Reforms Committee, 1958, was related to revenue establishments and the Panchayat. The Panchayat was empowered to collect land revenue under the jurisdiction of that particular Panchayat. This has to be made not only to augment the resources of the Panchayat but for co-ordinating the activities of the government functionaries. The committee also desired to bring them under the control of an elected body like the Panchayat. The committee was also in favour of allotting 50 percent of the basic tax collected to the Panchayat and the remaining 50 percent of the total for the state also to be distributed to the Panchayats on the basis of needs.

More emphasis was laid on the Panchayat's power to collect the revenue with sufficient powers vested with them to enforce payment and for this purpose the same revenue staff who were attending to collection of land revenue in the village offices were to be transferred to the Panchayats. This was suggested with a view to have more co-ordination between the revenue collection and development schemes. ¹

To ensure adequacy of resources for implementing the functions for which the Panchayats will be given executive responsibility the committee recommended the system of special and specific grants with the provision of matching funds through the mobilization of local resources. The sources of Panchayat revenue listed were, house tax, profession tax and vehicle tax, basic tax, cess on land and petty irrigation works, cess on any license fees which the Panchayats may levy against discharge of their Mandatory

¹. There was disagreement over the transfer of revenue functions from the Village Officer and Tahsildar to Panchayats and this view has been expressed by two members. For details see, 'Note' by G. Parameswaran Pillai and V.K.N. Menon, in Report of the Administrative Reforms Committee, 1958, Vol.1, Part-I, Government of Kerala, Trivandrum, p.158.
functions, voluntary contributions, surcharge levied on transfer of property, revenue from remunerative enterprises, receipts from pilgrim tax, cattle pounds, occupation of *poramboke* lands, fisheries and such other items as may be specified from time to time by the government.

Autonomous functioning of Village *Panchayats* in matters of budget finalization was also set forth by stating that the *Panchayat* budget to be sent to Tahsildar for purview and scrutiny. "The purpose of this scrutiny is only to ensure that provision has been made for the fulfilment of statutory functions."¹

To co-ordinate the works of *Panchayats* and the blocks, i.e., to link the *Panchayat* organically with the extension and development work the committee suggested that the *Gram Sevaks* should be attached to the *Panchayat* who would function as its extension and development assistant. In larger *Panchayats*, it might be necessary to have a *Panchayat* Executive Officer and a *Gramsevak*.

(iv) *Panchayat* and Judicial functions

In Kerala, *Panchayats* had also exercised judicial powers, and historical accounts clearly show that, as in other states in the Indian Union, justice was administered expeditiously, effectively and efficiently by many *Panchayats*, before the enactment of the Act of 1960. In the Malabar region, *Panchayat* Courts were formed on the basis of the Madras Village Courts of 1888 and functioned in all villages having *Panchayats*.² In all villages where there were *Panchayats*, the entire *Panchayat* sat as a court for settling minor disputes and trying petty criminal offenses. In villages without *Panchayats*, the village headman functioned as village *munsiiff*. The Village Courts in the Travancore area came into being under the 'Travancore Village Court Act, 1914'.³ The members were nominated by the government and not elected as was the case in Malabar. And in the former Cochin State, a separate department of Village Courts was created and the *Panchayat* Courts were reorganized by an Act of 1943.⁴ The *Panchayat* Courts, already functioning in the state were renamed as Village Courts and the members of each court (total five members including the

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² The Madras Village Court Act, 1888.
³ The Travancore Village Court Act, 1930 ME (1914 AD).
⁴ The Cochin Village Courts Act, 1943, Cochin, 1943.
president) were appointed by the government. They were empowered to try suits up to the value of Rs.100/-.

The Cochin Village Courts had the power to execute their decrees by arrest of the debtor or by the confiscation and sale of movable property belonging to him. Although there was no provision for appeal against judgments of the Village Courts, the Registrar of Village Courts, who had administrative control of the courts, could set aside a decree or order of a Village Court on the ground of corruption, gross partiality or misconduct of any of the judges or where the court acted without jurisdiction.

With the merger of Cochin with Travancore, a new law unifying the two existing laws, was enacted in 1954. Soon it was found inadequate to cover the whole of Kerala, which was formed in 1956. Therefore a Bill was drafted, i.e., the Draft Kerala Panchayat Act 1958, soon after the reorganization of the state. There have been arguments adduced from time to time by those who have misgivings about the credibility of cases settled by the village bodies, either by Panchayats as Court for settling civil disputes or the Village Courts functioning as judicial body.

The Administrative Reforms Committee 1958 observed:

"The one factor that has to be borne in mind while considering the question of Village Courts, is that the settlement of minor disputes between the villagers, those amongst them who have their confidence and who are fully conversant with the facts of the locality should be able to dispense justice with speedily, without having to take recourse to the lengthy process of the ordinary Civil and Criminal Courts."¹

However, the Committee also observed that with regard to the mode of constitution of the Village Courts opinion in Travancore-Cochin area had been uniformly against entrusting judicial powers with the elected persons. In Malabar area, however experience of Panchayat Courts has shown that such fears are exaggerated. Therefore, the Committee suggested that the formation of a Village Court, by nomination of all the members and the chairman from out of a panel of names, suggested by the Panchayats, would meet the requirements. Each Panchayat may send a panel of


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ten names, excluding the names of Panchayat members from which, five may be nominated to constitute the Village Court. Since the questions that would arise for decision would depend largely on facts and not on points of law, the committee felt that, it is unnecessary to appoint a legal member to this Court.¹

(V) Structural Rationalization: (a) The Panchayati Raj

The Panchayati Raj² system of administration means a pattern of administration from the Panchayat to sub-state level in which all the bodies are organically linked. This has not been implemented in Kerala, though it was begun in many states in India. Though the system was not adopted as such, however, the statutory committee proposed two schemes in their suggestions on sub-district level administrative system. (1) As stated earlier, the basic unit of all departments should, as far as possible be a Panchayat or a whole number of Panchayats. This arose from the recommendation to build up an administrative structure in the state with the Panchayat as the base.

The task was to co-ordinate revenue administration with development and civic administration. Above the village the Taluq is proposed as the unit for purpose of revenue and general administration while the National Extension Service Blocks (N E S Blocks) were proposed as the unit of development and extension.³

². The term ‘Panchayati Raj’ means a statutory multi-tier institutional structure at the sub-state level endowed with a corporate status by a competent (state) legislature, performing functions pertaining to local government as determined from time to time, by the legislature and the executive at the State or the Union levels. The term applied in the context of local government administration in India in the post-independence period, contains the concepts like democracy, development and decentralization embodied in a paradigmatic sense. It stands for a decentralized functionality of local government by multi-tier system at the sub-state level which originated from the proposals of Balvantray Mehta Study Team on democratic decentralization. Panchayati Raj in India did not record a sustained success. It has been said that Balvantray Mehta also viewed the panchayats as units of centralized planning system. For details of the system and a critical view, see, P.C.Mathur, ‘Remodelling Panchayati Raj Institutions in India,’ in T.N. Chaturvedi, ed., Panchayati Raj, New Delhi, 1981, p.170.

3. National Extension Service (N E S) was launched by the Government of India under the Community Development Programme. The scheme was based on the ‘Block’ having an average population of 1 lakh as the base for planning purposes. Accordingly, the State was divided into 143 National Extension Service Blocks. There were 55 Taluks in the state with an average area of 270 sq. metres and an average population of 2.1/2 lakhs. Each Taluq consisted of two to four N.E.S. Blocks.
Thus, the Committee recommended that the basic unit of all departments should as far as possible be a Panchayat. Above the Panchayat, for co-ordinating the work of several departments at the Taluq level it was proposed to reconstitute the 'Taluq' Council, and it was to be an advisory body instead of being one having devolved powers and delegated functions. The reorganized Block Advisory Committee, to be redesignated as the Taluq Council, should be an indirectly elected body comprising the representatives of the concerned Panchayats. The 'Taluq' Council would be the only one at the 'Taluq' level, replacing all other ad hoc advisory committees. The main function of the Committee was envisaged to be that of an advisory role at the sub-district level.

Above the 'Taluq' Council in order to ensure representation of people, it was recommended to form a District Council. On the role of such a Council vis-a-vis the Panchayat 'Samitis', the Committee favoured a restricted task only to the District Council, lest it should curtail the powers of elected bodies at the lower level. It favoured a limited role because Village Panchayats in Kerala, as envisaged in the report are fairly large units and they exercise comparatively many powers. Moreover, the rural local bodies in the state are self-governing bodies to an extent, with specific fields of work and powers of taxation.

However, in view of the fact that the proposed District Council would organizations with the power to take decision, they may be assigned some tasks like scrutiny of Panchayat plans, apportionment among the Panchayats of the basic tax equalization fund, distribution of grant to the Panchayats channeled through local development allotments, arranging for execution of any work in a Panchayat which is either inefficient or has ceased to function.

6.3.0 Commission for Delimitation of Panchayat Areas: Chandu Menon Report 1958 (II Statutory Commission)

A Committee was constituted under O. Chandu Menon, in 1958 to examine the question of delimitation of Panchayat areas. The commission also upheld that the paramount consideration in the delimitation of Panchayat areas should be the creation of convenient and compact administrative units in such a manner as to enthuse the people and secure their co-operative efforts in the

ameliorative or developmental activities of the Panchayats\textsuperscript{1}. The Commission strongly recommended for an economically viable Panchayat area to the extent possible, so that the administration could be carried on without waiting for the allotment of funds by the superior authorities.

Each district has about 100-200 Panchayats under its jurisdiction whereas under each Block the number is between 10-15. Therefore, the district was offered a convenient level for the formation of an intermediate agency.

Briefly stated, the committee suggested Panchayati Raj system of administration in Kerala in which Panchayat, Taluq Council, Block and District Council, all organically linked and the principles of democratization and decentralization extended up to sub-state level. In other words, the principle of administrative decentralization has to be extended to the district levels, and from the district level to the areas, the Panchayats.

Following the recommendations of the Administrative Reforms Committee, and the Delimitations Commission, a Kerala Panchayat Bill was introduced in Dec. 1958. After one year the Kerala District Council Bill was also introduced in April 1959. Neither could, however, be enacted into law then, as the Legislative Assembly of Kerala was dissolved on 31 July 1959, by the President of India.

\textbf{6.4.0. The Kerala Panchayat Act, 1960}

The Government of Kerala enacted in the year 1960, a Kerala Panchayat Act unifying the existing laws in the Malabar and Travancore-Cochin regions of the state and enlarged the functions and financial resources of the local bodies. The Act is the climax of a series of legislative sessions held in the year 1960. The debates and discussions prior to the passing of the Act show that the members in the Legislative Assembly were in high spirit for a Village Swaraj in consonance with the Gandhian vision.\textsuperscript{2}

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As regards the Kerala Panchayat Act 1960, the statement of objectives of the Act were as follows:

The proposal is that the Panchayat should be the only organization at the village level between government and the people, and that they should be the media through which the villagers can come into contact with the government. In other words nothing that takes place within the Panchayat area should be done without the Panchayat being associated with it, in one of the three ways — executive functions with full devolution of powers, agency functions and advisory functions. Provision has been made for entrusting to the Panchayat the functions then attended to by the village officers excepting the judicial functions exercised formerly by the village headman in the Malabar area. It is also proposed that Panchayats should be entrusted with the responsibility of control and supervision of elementary schools and of medical, public health work, and for the development of agriculture, animal husbandry and cottage industries.

6.4.1. Functions Streamlined

The Act of 1960 contained an impressive list of duties and functions of Panchayats (section 57) in Kerala. The Act provides that government could authorise the Panchayats to exercise functions such as collection of land revenue, maintenance of survey, and village records collection of village statistics, supervision and control over primary schools, medical, public health, child welfare, maternity institutions and execution of community development work including improvement of agriculture, animal husbandry, communication and village industries.

6.4.2 Institution of the Panchayati Raj System

In accordance with the provisions of the Act, the government introduced Panchayati Raj system of functioning in certain select areas. Two blocks in each district were selected for the

scheme. According to the scheme, every work of the different departments at the village level has to be executed through the agency of the Panchayats. The budget of every department will therefore consist of two portions, one for works to be executed directly by the department and the other to be transferred to Panchayats. For their execution, the Block Development Officer, Revenue Divisional Officer and the District Collector were given powers to inspect the Panchayats and issue instructions so that, the works undertaken by the Panchayats are administered efficiently.

6.5.0 The Kerala Panchayat Union Councils and Zilla Parishad Bill 1964

The Kerala Panchayat Union Councils and Zilla Parishad Bill 1964, was introduced in the Legislative Assembly on the lines of the recommendations of the "Balvantray Mehta Study Team" and the Panchayati Raj set up in states like Tamil Nadu and Rajasthan. It envisaged a scheme under which the Block was to be the basic unit of planning and development in the state with an elected Panchayat Union Council with sufficient authority. Above the Block, an advisory Zilla Parishad was proposed at the district level. The Chairmen of the Panchayat Union Councils were to be members of the Zilla Parishad. However, this bill could not be proceeded with, as the ministry fell in Sept. 1964.

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2. The scheme of Panchayati Raj as a cluster of inter-meshing institutions is a post-1950 conceptual development and Article 40 of the Constitution of India does not use any phrase other than village Panchayats. The conceptual anomaly of treating Panchayats and Samitis, Blocks and the District Councils as variants of Village Panchayat become all the more pronounced recently. In this context, one has to remember that this anomaly is a post-Balvantray Mehta Report phenomenon. As a result neither the various commissions, committees and study teams appointed by the Central Government nor the two dozen and odd study teams appointed by the various state governments including the Government of Kerala have undertaken a comprehensive scheme for the re-organization of Village Panchayats. It is in this background that the Government of Kerala visualized a scheme of decentralization of power at the district and lower levels.


The areas selected for introduction of Panchayati Raj in the Trivandrum district were, Varkala Block, with Cherunniyur, Ilakkam, Manambur, Chemmaruthy, Edava, Varkala and Vettoor Panchayats coming under it and Nedumangad, Aruvikara, Vembayam, and Karakulam Panchayats.

6.6.0. Vellodi Committee, 1965 (III Statutory Commission)

The political instability in the state again led to what may be called ups and downs in the approach and attempts at the decentralizing process of Panchayat administration. The state came under President’s rule in 1965. Shortly an Administrative Re-organization and the Economy Committee headed by M.K. Vellodi was appointed.¹ The commission was constituted in October 1965 to study the question of reduction in administrative expenditure and to formulate steps necessary for achieving maximum economy compatible with security, efficiency and the permanent needs of the planned development of the state.

6.6.1. Objectives of the Vellodi Committee: Welfare State

The committee was expected to suggest measures towards administrative delegation and sharing of financial powers among the officers of the government at different levels. Another point referred to by the committee was the organization of departments at all levels, state, region, district and below.

The objects of the Committee say:

As time passed, government both at the centre and in the states began to feel that those reforms had not the desired impact on the people and that the people by and large did not seem to feel that they had an active share in the formulation or the implementation of these powers. It was felt that something more had to be done to make the people feel that, they were involved in the work of establishing a welfare state. ²

The Vellodi committee’s approach was more or less on a similar pattern taken by the Balvantray Mehta Committee, 1958 at the national level, which recommended a Panchayati Raj.

¹ The committee consisted the following members, M.K. Vellodi (Chairman) K.R.K. Menon and P.S. Padmanabhan, (members).

² The terms referred to the committee included the distribution of functions between the state government and the local authorities, allocation of work among the different departments of the government, the organization of departments at all levels, state, region, district and below, the constitution and the structure of the state and the subordinate services, the delegation of administrative and financial powers among the officers of the government at different levels, etc.

Raj system of administration. However, instead of Panchayat, the Block was suggested to be the unit of administration.

Besides, the committee observed that the reason like lack of enthusiasm on the part of the people, and the local authorities, indifference of the government towards delegation of authority and decentralization of power, and the like, caused the dismal failure of local administration in the state.¹

Therefore, the committee reviewed the need for decentralization of responsibility and power to levels below the state, and thereby included many suggestions related to Panchayat administration, its powers and functions, resources, sources of revenue, its links with upper level bodies like Taluq Samitis, Zilla Parishads etc. The committee, after referring to the proposals submitted by the Balvantray Mehta Committee² to the Government of India, suggested a pattern of Panchayati Raj system more or less similar, to that in Kerala. Therefore it suggested to reorganize district administration in Kerala so as to link them with the village Panchayats in a tier system.

6.6.2 Panchayat as units of administration

About the rural local bodies, the main objective was intended to strengthen the Panchayat bodies. It included the need for creating Panchayats as units of administration, both administrative and territorial. The suggestions of the committee was mainly in consonance with the Government of India Resolution of 18 May, 1918 which reads as follows:

The object of local self government is to train the people in the management of their own local affairs, and the political education of this sort must, in the main take precedence of considerations of departmental efficiency. It follows from this that local bodies should be as representative as possible of the people, whose affairs they are called upon to administer, that their authority in the matter entrusted should be real and

². The Balvantray Mehta Committee appointed by the Government of India in 1956 recommended a three-tier system of decentralization, the Village Panchayat at the lowest level, the Panchayat Samitis at the Block level, and the Zilla Parishad at the district level. Most of the states in India have implemented the Mehta Committee recommendations in the scheme of Panchayati Raj.
not nominal and that they should not be subjected to unnecessary control, should learn by making mistakes and profiting by them.¹

6.6.3. Main recommendations

Thus, the following considerations, the committee recommended, should weigh with government in the context of Panchayat Raj system.²

a) The lowest unit of administration should be the Panchayat, identical with a revenue village,
b) The Panchayats should have well-defined functions and adequate resources to discharge them,
c) The Panchayats should link up with the sub-district level bodies,
d) The democratic body at the sub-district level should have real powers.
e) The nature of the democratic body at the district level should be decided on pragmatic rather than on theoretical grounds.

The Committee viewed that the Panchayats should be accepted as units of re-survey so that they would become revenue villages as well. In other words Panchayats and revenue villages would have to be co-ordinated. The suggestion was that all existing Panchayats as also the Municipal and Corporation areas should be notified as revenue villages. This would result, according to the committee, in the constitution of 951 Panchayats in the revenue villages. The land records could be made available to the proposed lowest administrative units - the Panchayats. If on a future day the size of a Panchayat has to be altered, it should be laid down that the portion added or taken away is a whole number of 1000 hectare Blocks.

To provide still higher stimulus to grass root level bodies in Kerala, through a process of co-ordinated services from all the departments, the committee suggested that Panchayats should become part of general administration. To make Panchayats effective democratic bodies, it is

². Ibid., ‘Summary of Recommendations’, p.120.
essential that they receive constant guidance and attention from all departments.1

The Vellodi Committee also endorsed the categorisation of functions as listed in the Panchayat Act of 1960. However, ‘the Draft Panchayat Bill (1964)’ and the ‘Kerala Panchayat Union Councils Act (1964)’ proposed to delete functions like maintenance of village roads and preventive measures in the context of epidemics from the list of Mandatory functions. The Vellodi Committee, objected to this on the ground that village roads would receive better attention at the Panchayat level, and Panchayats are best fitted to ensure maximum coverage in the context of preventive and remedial measures connected with epidemics.

Similarly, the committee wanted to specify with more clarity a number of discretionary functions like improvement of agriculture and establishment of model farms, improvement of cattle and cattle breeding and general care of livestocks, the spread, supervision and improvement of education. It was stipulated that the funds in respect of discharging these functions be handed over to the Panchayat bodies, instead of being used by other departmental agencies.

The committee also, recommended in favour of granting sufficient resources with which Panchayats can give good account of themselves1. But the committee did not agree with the recommendations of the previous Reform Committee of 1958 about the control and supervision of primary education by the Panchayats. Under the circumstances then existed, the Committee viewed that it would not be wise to entrust primary education to the Panchayats.

   For details see, sections 57 (1), 57 (2), 58, 59, 60 and Ch.V and Annexure V of the Act.
   The recommendations of the Reforms Committee, 1958, that the Panchayat should undertake obligatory, agency, and advisory functions have been accepted in part, in the scheme of the Kerala Panchayat Act of 1960. The Act of 1960 has further classified the functions. They are: a) Mandatory, (b) Discretionary, (c) Agency and (d) Regulatory functions.

2. Section 67 of Kerala Panchayat Act (1960) entitles the Panchayat to get a grant which shall be equal to three-fourth of the amount of basic tax collected by the government in the last preceding year from the Panchayat area.
   The committee suggested to the government to pay to the Panchayat in the state a grant, the aggregate of which shall be as near as may be, equal to the balance of the basic tax collected by the government in the preceding year from all lands in the state in such proportion as may be fixed by the government.
   Chapter IV of the Panchayat Act 1960, enumerates the sources of Panchayat’s revenues viz, building tax, profession tax, vehicle tax, service tax, show tax and certain surcharge on stamp duty on certain instruments covered by section 71 of the Act. Surcharge on stamp duty was a major source of income. Therefore, the committee viewed that the Panchayats should retain the right to collect stamp duty.
The financial position of *Panchayats* was a serious concern of the committee and it suggested to the government to pay to the *Panchayat* in the state, a grant, the aggregate of which shall be as near as may be equal to the balance of the basic tax collected by the government in the preceding year from all lands in the state in such proportion as may be fixed by the government. Also, the committee observed thus,

It has been agreed on all hands that the main problem of *Panchayats* in Kerala is paucity of funds and that the solution lies in building up their resources, hence, it will be inadvisable to take away all existing and important service of revenue from the *Panchayats*. The committee strongly urged that surcharge on stamp duty should continue to be a source of revenue for *Panchayats*; any move to the contrary can only cripple them and in the process shake the very foundations of the scheme of *Panchayati Raj*.

The Committee suggested that for a strong *Panchayat* system of administration to prove its effectiveness and usefulness as democratic bodies at the lower levels, the *Panchayat* should be strengthened.

The Vellodi Committee also visualized a *Panchayati Raj* system of local administration for Kerala. In this sense, the committee more or less endorsed the provisions of the 'Kerala *Panchayat* Bill 1960,' which says that there should be a common unit for general administrative and local self government functions at the lowest level, i.e., the *Panchayat*. To fulfil this, the *Panchayat* should link up with the sub-district unit which should take in a whole number of *Panchayats*. Also, the democratic body at the sub district level should have real powers.

The committee recommended that there should be a 'Taluq Samiti' above the *Panchayat* not as an advisory body as suggested by the first statutory committee, but as a democratic body with real powers. They should prepare and sanction their own budget and be able to formulate schemes and determine priorities for the implementation of the schemes. The Samithi should have the freedom to formulate and implement local sector programmes according to local requirements.

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Thus, the Committee of 1965 observed that “unless these provisions are included in the legislation on Panchayati Raj, real powers cannot be transferred to these democratic bodies”.\(^1\) The District Collector, who is in charge of general administration of a revenue district, can “cancel the resolution passed by the Samithi which cannot conform to a law or which is in excess of the powers conferred or whose execution will endanger human life, public health, public safety…”\(^2\)

The funds available to the Taluq Samithi would be as follows:

1. Resources raised by the Samithi
2. Community Development Funds,
3. Plan and Non-plan funds for the local sector in the state plan.

Out of the three items, the latter two sources are to be from the state budget.

In short, Blocks and Taluks should be integrated. But care must be taken to ensure that the agency for development is retained and the size of the unit is manageable. While effecting the integration of Blocks and Taluks, the principles to be kept in view are (a) A unit should take in a whole number of Panchayats (b) A unit should comprise 10 to 15 Panchayats (c) The population in a unit should generally range from \(1\frac{1}{2}\) to \(2\frac{1}{2}\) lakhs, though, rigid adherence to this size would not be practicable. The integrated Taluq will be named after the same term, because this term is better understood than Block. The officer-in-charge of the unit should be called Tahsildar.

The Vellodi Committee (1967) envisaged a District Council called Zilla Parishad above the Taluq Samithi. It should be a nominated body with functions of an advisory character, as contemplated in the ‘Kerala Panchayat Union Councils and Zilla Parishad Bill, (1964)’ and that will ensure maximum co-operation of people in the implementation of the District Plan. The District Collector, being the co-ordinator of all developmental activities in the district, has a pivotal role to play under Panchayati Raj.

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2. Ibid., p.29.

General administrative (revenue) functions and development functions were integrated at the District level. At the sub-divisional level the Revenue Divisional Officer was in charge of the general administrative (revenue) and development functions. At the sub-district level, however, there were two units the Taluq and the Block headed by two sets of officers, the Tahsildar and the Block Development Officer.
6.6.4. Emphasis on decision-making at the lower level

The Vellodi Committee submitted its recommendations with a view to strengthen the rural local bodies in Kerala. It suggested various measures to democratize the Kerala Panchayat administration through functional and structural decentralization. The committee also suggested that authority should be delegated to subordinate levels, commensurate with their responsibility, so that they can make decisions without constant reference to the superior authorities. Although, the government have been expanding the area of delegated authority, from time to time, there is further scope and need as well, for delegation, which will ensure greater decentralization and facilitate decision-making at lower levels. Very often pressures arise at higher levels even in matters which should end at subordinate levels. This feature conditions the conduct of lower level officers who, without exercising the powers delegated to them, refer matters to higher authorities because they are haunted by the fear that their superiors might question the manner in which, they exercise powers. The commission had with them many instances of the government ignoring the rights of the Panchayats and taking on themselves the responsibility of disposing of matters. To avoid such situations, the commission suggested that once powers are delegated, government must trust the officers to whom delegation has been made.\(^1\) Thus, the committee of 1967 observed: “the basic assumption behind delegation is that the person who delegates the power has full confidence in the judgment and bonâfides of the persons to whom the power is given.” \(^2\)

It seems that both the committees have many similarities in their approach, recommendations and the vision of a decentralized Panchayati Raj system in Kerala, and also the suggestions on structural pattern, i.e., Panchayati Raj administration. Both recommended that Panchayat should be the lowest unit of administration with an integrated system of revenue villages and Panchayats at the lowest level. The committee suggested well marked resources and revenue system so that they may be able to act as more or less autonomous bodies in both administrative and development functions. The functions were classified as Mandatory, discriminatory and compulsory under the Reforms Committees of 1958 and 1967. To ensure effective discharge of

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2. Ibid., p.82.
functions, both recommended ward committees consisting of both the ward members and the public. However, the recommendations of the Committee, especially those related to Panchayati Raj, set up Taluq Samitis, and Zilla Parishads elicited much heated discussion and criticism.¹

6.7.0. The Kerala Panchayati Raj Bill, 1967

‘The Kerala Panchayati Raj Bill 1967,’ can be called in one sense an outcome of the recommendation of the Vellodi Committee of 1965. The bill contemplated essentially a two tier system, Panchayats at the basic level and the Zilla Parishad at the District level with executive functions. The bill also envisaged earmarking some specific sources of revenue to Panchayats and taking away from the Panchayats some others. The bill was studied by a select committee of the Assembly which took evidences in a number of places within the state and outside, mainly the states of Maharashtra, Rajasthan and Andhra Pradesh. The select committee’s report was presented to the Legislative assembly on 26 Mar. 1969, under the title ‘Kerala Local Government Act, 1969.’ The Bill, however, could not become law and it lapsed when the assembly was dissolved and fresh elections were called in Aug. 1970.

6.8.0. Kerala District Administration Bill 1971

A new Act was introduced in the Assembly under the title ‘The Kerala District Administration Bill, 1971.’ Subject to provision of this Act, and to such conditions and restrictions as may be prescribed, the administration of a district in respect of the matters enumerated in the First Schedule has been vested with the District Council, which included the provision of supervision of local governments, “or the execution by them of programmes, schemes, works and functions relating to subjects coming within the purview of district councils under this act or any other law.”¹

Conclusion

The concept of decentralization that has evolved in Kerala since the Administrative Reforms

¹. For details see, Proceedings of the Kerala Legislative Assembly, Second Session, 30 June 1960, pp. 762-800
Committee, 1957 and the Kerala District Administration Bill, 1971 bears the features of both the local administration and the local self-government. Along with the processes of decentralization, there was an attempt at structuralizing the administrative system.

The Gandhian concept of Gram Swaraj remained as a goal to be achieved, that influenced the members of different commissions, committees and study groups as well as the members of the legislative assembly. However, due to incessant political instability and lack of ideological clarity, the Gandhian vision failed to gain wider currency and acceptability during the period under reference, although the Gandhian vision of Gram Swaraj generated pervasive influence on them. The consequent changes effected under the various governments from 1971 to 1992 marks a new phase in the process of decentralization of power at the lower levels in Kerala.

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