CHAPTER - 7

DECENTRALIZATION IN KERALA, 1970 - 1992

Generally stated, the phase 1970-1992 is marked with great emphasis on administrative decentralization of the Panchayat system in Kerala, which in turn, led to a process of institutionalization. During this phase, stress was not only on the vertical decentralization, but also the foci were on a pattern of deconcentrated system, still lingering on Western model of local government. In Indian states an unfortunate choice of the colonial model can be traced to the compulsive preference of the founding fathers for Western concepts and also to their inability to choose from two theories of the state in particular. One was that which projected the state as the instrument of free, rational, self contained, fully equipped and autonomous individuals. The other theory saw the individuals as the products of a totality called society. However, the unfortunate development in between the two theories is that, Gandhi is ignored. The Kerala State scenario is not different from this unfortunate development, although the Gandhian model of Village Swaraj was swaying in the (political) circles, cutting across all differences.

The image of Panchayati Raj Institutions had varied from state to state in India during the period under reference. However, the Panchayati Raj Institutions, developed in four states in India since 1958 are often cited as models of rural local self-government. Therefore, the following pages also offer a comparative study of the four models vis-a-vis the Kerala Panchayati Raj system. Following an interstate and intra-state comparative study, the findings of a case study taken up at the micro level, on the functioning of a Panchayat in Kerala State is also included in this chapter.

7.1.0. Distinguishing Features

There are three important features that distinguish this phase from the previous one. They are:

(i). A phase of decline of Village Panchayats due to the political instability of the state which was coupled with the shift in favour of District (Zilla Parishad) and bureaucracy at the national level. The Asoka Mehta Committee of 1978 took a positive orientation to creating large areas like the Mandal Panchayats and Zilla Parishads.

(ii). A process of administrative institutionalization was favoured which meant involvement of a far more complex power - equation in the context of District Administration.

(iii). A phase which introduced measures to revitalise both the Panchayats and the District Councils in 1980s so as to offer democratic decentralization of power at the district and lower levels.

The important developments that took place in Kerala during this period are:

* Enactment of the Kerala District Administration Act, 1979;
* Introduction of Panchayati Raj system in Kerala;
* Appointment of a Statutory Commission under V. Ramachandran to suggest various measures to be taken for democratic decentralization at the district and lower levels (1988);
* Election to the District Councils and the commencement of the functioning of Councils in all the Districts in the State.

7.1.1. District Administration Bill, 1971

The beginning of a new phase in the functioning of local government can be seen in 1971 when the Government of Kerala introduced in the State Assembly “The Kerala District Administration Bill, 1971”. The structure and frame-work of this Bill was the same as that of the one proposed in the year 1969. The Bill contained clauses related to 24 items to be transferred to the
District Councils in due course. Though, there were no specific provisions on the Panchayats, the Bill would have created new situations in the power-equation between the District bodies and the Panchayats. The Draft Bill could not become law as it lapsed before its enactment.

7.1.2. District Administration Act, 1979

The District Administration Bill was again introduced in the Legislative Assembly in 1978. The Bill got through the Kerala Assembly, and received the assent of the President of India, by which time a new government came to power. Except the act of issuing some rules and notifications related to boundaries and jurisdiction of each division, the said Bill could not move further due to political instability in the state. The functions envisaged under the District Council included— (a) administration of land revenue, (b) irrigation, (c) soil conservation, (d) agriculture, (e) co-operation and credit, (f) marketing, (g) social forestry, (h) animal husbandry and dairy, (i) fisheries, (j) household and small scale industries, (k) rural roads and inland waterways, (l) minimum needs programme, (m) health and hygiene (n) housing, (o) Harijan welfare, (p) social reform activities and (q) local revenue mobilization.

In May 1982, the next government adopted measures which led to some amendments to the Bill. The government also decided to transfer to the districts, schemes and works with emphasis on location specific and area specific development so that it would be easier for the District Councils to take-up such items of work. The act did not, however, make any headway.

7.1.3. V. Ramachandran Committee on Decentralization (IV Statutory Commission)

In March 1987, the government appointed a one man commission to advise on the measures to be taken for decentralization power at the district and lower levels. The report and the consequent changes envisaged clearly mark a new phase in the process of democratic decentralization or the Panchayati Raj system in the State of Kerala.

The report contains the following recommendations:

a) Amendments to the Kerala District Administration Act, 1979  
b) Amendments to schedules dealing with powers and functions of District Councils,  
c) Amendments to schedules
dealing with *Panchayat*, Municipal and Municipal Corporation Acts and d) Summary of Recommendations. As this study is restricted to the rural local bodies and the process of decentralization of power, stress is being given to the ‘Summary of Recommendations,’ although, the foregoing description needs reference to other recommendations as well. It is because of the fact that, whether rural or urban local bodies, the system has become recently enmeshed with the *Panchayati Raj* system.

7.1.4. Features

(i). Three-tier System

The Ramachandran Commission was in search of a *Panchayati Raj* system, i.e., an integrated structure of local government, with an elected council at the District level, a nominated *Samiti* at the *Taluq* level between the District and the *Panchayat*, and a Village *Panchayat* at the lowest level. In other words, the structure of local government suggested by the statutory commission was a three-tier pyramid with District Council, *Taluq Samiti*, and a *Panchayat*, which would function in a chain scheme, known otherwise, as a *Panchayati Raj* System.

(ii). Pyramidal structure

The local government structure, proposed in the Kerala State by the Commission of 1988, consists of District Councils, Urban Local Bodies (Municipal Corporations/ Municipal Councils/Township Committees), *Taluq Samitis*, and the *Panchayats*. Of these, the District Councils, *Taluq Samitis* and the *Panchayats* are to form a sort of chain or an integrated structure in a multi-tier *Panchayati Raj* system. Their powers and functions may be said to fall under three categories. They are:

(a) Powers and functions entrusted in the statute creating the local government institutions and its subordinate legislation,

(b) Powers and functions assigned and delegated to local government institutions in the subject - matter enactments and their subordinate legislations, \(^2\)

(c) Powers devolved to carry out functions, arising out of executive orders of government.

As the local bodies, both rural and urban, function and exercise powers devolved from the state government, the Statutory Commission, (1988) suggested to strengthen each one of them by a series of amendments to the existing acts, rules and regulations.

7.1.5. Core of the suggestions

* The Panchayat President will be the executive authority of the Panchayat and the Executive Officer who is at present the executive authority, will be re-designated as secretary;

* There will be no offices of Director, Deputy Director, Inspector of Panchayats and the various powers, entrusted to them under the Kerala Panchayat Act 1960 are to be transferred to the Government/Commissioner for Local Government / District Councils;

* The Panchayat will come under the control and supervision of District Councils in a number of matters;

* The references to Collector, Tahasildar, Block Development Officer in the Act of 1979, will be omitted and the powers envisaged to them are to be given to such authority or officers as may be appointed by the government,

* Provisions for ex-officio membership assigned to District Council members in the Panchayat;

* Age limit for eligibility to be elected as Panchayat member to be reduced from 25 to 21, and

* There shall be a `Taluq Samiti` in each Taluq with all the Presidents of the Panchayats under the jurisdiction of a Taluq becoming its members.

In view of the formation of District Councils many suggestions were made on the aforesaid aspects of the powers and position of Panchayat President, Panchayat Council, Taluq Samiti (above the Panchayat), ex-officio membership of District Council members in the Panchayat, age limit for
eligibility to be elected as Panchayat member, powers of the Panchayat vis-a-vis District Councils, powers of supervision exercised by the District Collector, the Tahasildar, the Block Development Officer, and the hierarchical set up at the higher levels.

(i) Panchayat President as the Executive Authority

As regards the powers and functions of the Panchayat President, the change visualized would be very significant. The Panchayat President would be the executive authority in a Panchayat. To a great extent, this change would result in giving a better status to the democratically elected member of a Panchayat, by empowering his authority above the secretary (an official appointed by the government). The new role assigned to the Panchayat President is in accordance with the general principle of democratic functioning followed in the country that, the elected representatives shall be responsible for taking the decisions and that the execution of decisions will be done by the permanent officials.

The position, proposed to be reversed with the enactment of new amendments to the provisions under the Kerala Panchayat Act 1960, was “a total reversal - a 180° change from the present position”\(^1\) And this change was effected as per the amendments to the Kerala Panchayat Act 1960, (Section 32 of 1960) accepted recently. The amendment needs that the word ‘president’, occurring in the Kerala Panchayat Act, shall be replaced by the words ‘executive authority’ and for the words executive authority, the word ‘secretary’ shall be used.\(^2\)

The powers and functions that can be exercised by the President have been considerably enlarged by adding new provisions in the year 1991. The President was a chief executive according to earlier norms and provisions, but “he was not really the same as a chief executive.”\(^3\) Therefore, to borrow the observations made by the Western thinkers like Samuel Humes, Eileen M. Martin and others, such president may be called “a quasi-chief executive, and the most well known example of a quasi chief executive is the English model, Council Chairman.”\(^4\) This position is

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4. Ibid., pp.203-204.
better expressed by William Robinson, who says that the President presides over the council and occupies a position of great dignity and civic prestige but he possesses no executive authority and does not control the administration.¹

(ii) Powers of the President

The latest position in respect of exercise of powers by the president is that all official correspondence by, or addressed to the Panchayat, shall be in the name of the secretary. The president, as the executive authority, shall have full access to all records of the Panchayat correspondence between the Panchayat and District Council or between the Panchayat and the District Panchayat Officer or authorities above the District Panchayat Officer, and he shall wield the executive authority to the extent permitted by the rules made by the government in this regard.²

This provision, added recently, actually empowers the President to act as the chief executive of a Panchayat. He shall convene the meetings of the Panchayats, forward half yearly reports to the Deputy Director, and discharge all the duties and exercise all the powers conferred on him by the Act. He cannot be interpellated by other members on the various actions done.

(iii) Changes in the Administrative Hierarchy

Drastic as well as major changes have been visualized through a series of amendments so much so that powers at present exercised by the officers like Director, Deputy Director, Inspector will have to be brought under the Commissioner of Local Government.² For this purpose, a “Kerala Local Government (structure and general provisions) Act” has been suggested to enact laying down the structure of local government in the State and comprising general provisions regarding a common election body, electoral system, appointment of Finance Commission, powers of the Commissioner for Local Government Services and the other related matters. The government’s rights for supervision, inspection, holding of enquiries etc. have to be exercised through the Commissioners.

(iv) Powers and Functions of Village Panchayats vis-a-vis the District Council

As regards the various powers of supervision, over the working of the Panchayats, proposed to be given to the District Councils, section 45 of "The District Administration Act 1979" clearly empowers the District Council to exercise administrative power over the Panchayats. The provision says that any action taken by a Panchayat shall be subject to the control and supervision of the District Council. Also, by the sub section No.3 of the District Administration Act, the District Council can establish hold and control over the functioning of local bodies under its jurisdiction.

However, subject to the provision of the Act of 1979 and "The Kerala Panchayat Act, 1960" (sub section 32), the Panchayats shall have exclusive power to administer many subjects and the District Council shall not have power to question any decision legally taken by the Panchayats. Not only that the District Councils shall, subject to rules as may be made by the government, provide necessary administrative, financial and technical assistance to the local government, within its jurisdiction, but also expedite the due performance by the local governments of all functions vested in them under any law.1

Although the above clauses assure independent functioning of the Panchayats, in certain areas the general feeling was that, Panchayats have to function under the administrative and supervisory regulations of District Councils. Section 45 of the District Council Act also empowers the District Councils to exercise administrative control over the Panchayats which gave rise to considerable apprehension among the existing local government institutions. It has been pointed out that, since the need to establish Panchayats as units of local government has been included in the Directive Principles of the Constitution of India, the existing powers of Panchayats should not be reduced in any way. Therefore, the Statutory Commission, 1988 clearly pointed out that it is not necessary to bring the actions of the Panchayats, subject to the control and supervision of the District Councils, and thereby, reduce the status of the Panchayats. Panchayats, with their demand, resources and technical manpower, can at best undertake only small schemes on their own. Hence

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the opinion was that, “this limited scope for local initiative and innovation may not be obliterated.”¹

(v) Control by the Government

It seems that the general viewpoint was to leave the Panchayats free and independent, to perform functions unobstructed by the interference of District Councils. On the other hand, if the District Councils are entrusted with the administrative and supervisory control over the Panchayats, that may provide for some element of centralization in the District Council. Powers of supervision over local government institutions as a whole may be retained by the government instead of District Councils. Therefore, instead of exercising control over lower level bodies, the Commission viewed that it is desirable that different local government institutions function in a ‘complementary way instead of there being a pecking order among them.’

This directive issued by the Report of 1988 has not influenced the decision-making immediately. The new Ministry of Kerala, which came to power in June 1991 (the Ninth Kerala Legislative Assembly) has brought about an amendment to the District Council Act, 1979, by which, section 45 of the said Act was “omitted.”² Accordingly, the District Council shall not have any power to question any decision legally taken by the Panchayats in respect of the subjects mentioned in the said schedule.

(vi) Role of Bureaucracy

The reference in the Panchayat Act to the Collector, Tahasildar, and Block Development Officer, has been sought to be given up with the intention of assigning powers to a commission regarding the Panchayat election. It has been suggested to create an ‘Election Commission’ for all the local government institutions. No change was visualized for the Panchayat Institution alone. Various authorities responsible for different functions connected with the elections to local government will have to be defined by the government.

(vii) Ex-officio Members

As regards the ex-officio membership in the Panchayats, it was suggested that members

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belonging to a higher level democratic body may not be made ex-officio members of a lower level democratic body like the Panchayats. Therefore, it was feared that provision for ex-officio membership may mar the democratic basis of the Panchayat bodies.

Regarding the reduction in age for election as a Panchayat member from 25 to 21, it has been suggested that the age of 25 should be retained. However, any reduction in the age limit may be considered as part of the general provisions to be included in the proposed Kerala Local Government (Structure and General Provisions) Act.

(viii) Taluq Samiti

The question of forming a Taluq Samiti in between the District and the Panchayat has been long standing. The Commission of 1988, also, like its counterparts in the earlier period, reiterated the necessity of one more tier in between the District and Panchayat, i.e., at the Taluq level, called the Taluq Samitis. The proposed Taluq Samiti will have to consist all the presidents of the Panchayats under a Taluq. It has been suggested that eventhough Taluq Samiti will be a nominal body as proposed, it may be retained as part of the local government structure for the State and in due course of time more and more powers could be entrusted to them.

It was suggested that a small committee consisting of a non-official with long experience of Panchayat administration as chairman and two officers well versed with local administration and local finance may be asked to look into the various rules issued under the Panchayat Act and to suggest changes in such a manner as to increase the power of the Panchayats. The District Councils can also entrust some functions to Panchayats.

7.1.6. Empowerment of Panchayat

The empowerment of Panchayat through a meaningful decentralization was also visualized

1. The word 'empowerment' is a fashionable term that has gained currency over recent years. Its defining feature is a participatory approach. According to another account empowerment is taken to mean a process of strengthening or consolidating.

in the Report of 1988. The most significant changes sought to be made, in relation to the Panchayat bodies, are — declaring Panchayat President as the executive authority of the Panchayat in accordance with the general principles of democratic functioning followed in the country, (that the elected representatives shall be responsible for taking the decisions) and also in harmony with such provisions that exist in the States like West Bengal, Karnataka and Andhra Pradesh to reduce the proposed administrative and supervisory control of District Councils over the Panchayats so as to function the latter with their powers directly derived from the state government, proposal to circumscribe the powers exercised by the higher officials so that they may be exercised by a single one, i.e., the government/commissioner for local government. Similarly, the reference in the Panchayat Act to the officials has been sought to be removed with the intention of giving powers to authorities to be specified by the government. Suggestions have been made for the formation of Taluq Samitis, which may be helpful as part of the local government structure for the State, prohibiting simultaneous membership in District Councils and Panchayat bodies. There was also a proposal for a Kerala Local Government (Structure and General provisions) Act, that has to be enacted at the earliest.

However, the powers proposed to be conferred on Taluq Samitis, District Councils and the government give an impression that Panchayats cannot do anything in relation to any matter. In all countries, government exercises its control over local bodies. But the nature of control varies. According to J.H. Warren, in England legislative control always rested with the King. However, in practice the local bodies enjoy a large measure of freedom from legislative interference.¹

7.1.7. Decline of the District Council Experiment

There must be consistency and commitment in the policy of the government for the whole process of decentralization be meaningful. The process of decentralization also should not fail due to lack of needed policy directives. Lack of political will and political stability would lead to dismal failure of the system. It would not be out of place to state here the fate of Kerala District Councils,
the upper tier in the *Panchayati Raj* System, of administration.

The District Councils came to power after the elections held in Feb. 1991. It was the culmination of an exercise launched by the Government as early in 1958. There was great public enthusiasm over the proposed decentralized planning and the *Panchayat* system. But before the councils could overcome their teething troubles and find their feet they found themselves under the supervision of a new government. As the two coalition Fronts were in all respects on totally different wavelengths, it was a politically predictable operation that the new government would not concede to the functioning of District Councils unobstructed. The Kerala District Administration Act was amended drastically, "to clip the council's wings". As many as 146 subjects had been entrusted to the councils, all relating to developmental activities, under 19 heads. Most of the powers entrusted to the District Councils were taken away now; the District Collectors were freed from their role in the Councils, the provisions to set up *Taluq Samitis* were dropped. On the other hand the council's right to confer ex-officio membership on the members of the legislative assembly and members of Parliament has been included. Also, the clause empowering the minister, the Speaker and the leader of the opposition to nominate their representatives has also been embodied. The councils, thus, almost became defunct. The weakening of District Councils recently has produced a lot of debates and discussions.

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   Vikendrikaranathinte Pachaathalamundu; *Pakshe* (Malayalam) in *Mathrubhumi* Cochin, 22 June 1989.


3. For details see, 'District Councils Lose Another Portfolio' in *Indian Express*, 29 Oct. 1992, Cochin.

The author says that short of abolishing the district councils altogether, the various amendments made to the District Administration Act of Kerala by the present government do everything to negate them, to make them functionless, powerless and completely dependent on the state government for finance.
7.2.0. Kerala *Panchayat* vis-a-vis Other States

The following study on *Panchayati Raj* in 4 Indian States would give a glance into how the system functions in other States, or functioned, despite changes in the political arena. Barring the State of West Bengal, all other states have been ruled by different governments. At the outset it is to be noted that the system of *Panchayat* Administration in Kerala bears little resemblance to that in other states. The very term ‘village’ which means a cluster of houses and a natural unit of residential area in other parts of India is different from the Kerala pattern. Nowhere in India can one find such residential areas with such a large cluster of houses. The State of Kerala presents a picture of a rural-urban continuum. In Kerala the villages are administrative units, bigger in size both in area and population and from the days of the British rule treated as units of administration for revenue purposes. The average population per Village *Panchayat* is 21,304 and thereby, Kerala stands as one among the states having higher population at the Gram *Panchayat* level, while in other states like Maharashtra, it is 1105, in Punjab it is 1108. The average number of villages in a Kerala *Panchayat* is 1.3, whereas, it is 29.1 in Assam, and 11.8 in Orissa.¹

In their structural and operational aspects, nature, extent, content, character, scope and coverage of the institution and even in the attitude of the government, the Kerala *Panchayat* differs from the other states. A study on the four pioneer States -- Gujarat, West Bengal, Karnataka and Andhra Pradesh -- that have successfully made experiments in democratic decentralization would be helpful to get a comparative analysis of the functioning of local bodies, vis-a-vis Kerala State. The states like Gujarat and Maharashtra have not only accepted the idea of *Panchayati Raj*, but also introduced a strong upper tier (at the district level). The eighties saw the resurgence of the *Panchayati Raj* Institution in India particularly in West Bengal, Karnataka and Andhra Pradesh.

(i). Gujarat

Gujarat as a pioneer state remains the best example of *Panchayat Raj* Institution in the

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The size of the population per Gram *Panchayat* cited above is in accordance with the 1981 Cesus.
country. A three-tier structure of *Panchayat Raj* with District *Panchayat* at the top, the *Gram Panchayat* at the bottom and the *Taluq Panchayat* at the middle level was introduced in 1963. The system functioned well. This is evident from continuous feedback of demand for more powers. The fact that the high level ‘Rikhadas Committee (1977-78)’ received few suggestions for improving the District *Panchayats* is an indication of their legitimacy on the widest possible lines in the state of Gujarat. Average number of villages per *Gram Panchayat* is 1.4. There are, on an average 72.8 villages per *Taluq Panchayat* and 9.6 *Taluq Panchayats* per District *Panchayat*. A *Gram Panchayat* is established for a local area having a population of 500 and 10,000 and it is directly elected. *Gram Panchayats* are entrusted with collection of land revenue *taquavi* dues, irrigation dues, education cess, and other dues for which District Collector issues certificates. Recovery is done by *Gram Panchayats* above and over their functions. The *Taluq Panchayat* is given a supervisory and linking function as the middle tier. The District *Panchayat* is the most powerful body to carry out development functions and is also the moving spirit behind the high level performance of the *Panchayat Raj*. It has both supervisory and executive powers.

(ii) West Bengal

The *Panchayat Raj* system in West Bengal is unique in that it has a three-tier pattern put into operation with the election held during 1973, with a *Zilla Parishad* at the district level and a *Panchayat Samiti* at the block level. The three-tier structure has been functioning for over 12 years. The average population per *Gram Panchayat* is 11,945. The average number of villages per *Gram Panchayat* is 4.

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*Panchayat* is 11.5. All the bodies are managed by elected councils.2

(iii) Karnataka

The Karnataka model of democratic decentralization seeks to map out a new path to rural, development.3 The pattern can be called the true ‘offspring’ of the Asoka Mehta Committee, 1978. The Janatha Government which came to power in 1983 enacted a new legislation the Karnataka *Zilla Parishads, Taluq Panchayat Samitis, Mandal Panchayats* and *Nyaya Panchayats* Act of 19834 based on the recommendations of the Asoka Mehta Committee. It established a new four-tier structure of rural local bodies. Under the new set up the *Zilla Parishad* and the *Mandal Panchayat* are directly elected bodies. The *Taluq Panchayat Samiti* is an advisory body having only reviewing power. The *Grama Sabha* comprises all persons who are on the *Zilla Parishad* rolls pertaining to the revenue villages. Its main task is to discuss and consider the execution of development programmes falling within the jurisdiction at its meeting twice a year. In Karnataka there are 2536 *Mandal Panchayats* and 172 *Taluq Panchayats*. The average number of villages per *Mandal Panchayat* is 10.7. The *Mandal Panchayat* covering a group of villages is the first elected tier of the system, the *Zilla Parishad* is the second directly elected tier of the *Panchayat Raj* system. The *Taluq Panchayat Samitis* is only an advisory body and functions in between *Zilla Parishad* and *Mandal Panchayat*. The *Parishad* has extensive planning, administering and monitoring power in rural development. The glaring feature of the Act of 1985 is its provision for a planning authority which distinguishes it from its counterparts in other state.4

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The Karnataka experiment remains perhaps the most sophisticated effort made by any state so far, unfortunately terminated abruptly by the successor governments. An admirable study of the Karnataka experiment on decentralized planning under the Janatha Government’s rule was made by Abdul Azis. The study concludes that “the system of earmarking of resources adopted by the planning commission severely restricts the room available for local initiatives.”

(iv) Andhra Pradesh

The Andhra Pradesh Panchayati Raj system is also made on the model of Asoka Mehta Committee report, which consists of a three-tier system with Gram Panchayat, Mandal Panchayat and Zilla Praja Parishad. The Gram Panchayat comprises 5-19 elected members. On an average there are 2108 persons per Gram Panchayat. Every Gram Panchayat has 1.5 village. There are 17.9 Gram Panchayats per Mandal Panchayat and in each district on an average there are 49.6 Mandal Panchayats.

Gujarat, West Bengal, Karnataka and Andhra Pradesh are the four states in the forefront in enacting legislation for greater devolution of powers, functions and resources to local bodies. All of them demonstrated their commitment by holding election to the Panchayat Raj Institutions. Gujarat is the only state to be credited with holding of elections regularly and having brought stability to Panchayati Raj Institution for nearly 30 years. The Government of West Bengal, under the Left Front also presents a phase of stability. The planning for every village is being introduced experimentally at the village level where the villagers themselves could formulate, implement and monitor their own village plan with the voluntary help of planning cadres specially trained for that purpose.


The Karnataka experiment has been widely hailed for the substantive devolution of authority from the state level to the local bodies, in terms of both executive powers and financial resources. Andhra Pradesh model is also hailed for its efficiency. Though structural variations exist among the states, the different experiments have proved successful in bringing the administration nearer to the people.

In Gujarat, all district level sectoral development schemes and their implementation were transferred to District *Panchayats* along with their functions and functionaries. Karnataka has gone a step ahead by transferring all governmental registered societies or corporations dealing with the implementation of specific centrally sponsored schemes under anti-poverty programme to the *Panchayats*. The success of the decentralization experiment in West Bengal, especially the introduction of the scheme, i.e., formulation of village plans prepared by villagers themselves and the village based district planning process, is attributed to the commitment of the State Government towards decentralization.¹

The foregoing is an account and analysis of broad structural features in four different states which are in forefront in taking initiative in the process of decentralization of power at the local levels. The important issues involved are: (1) clarity about the objectives and clear demarcation of functions, (2) transfer of adequate resources too, though everywhere it is an unresolved issue, (3) the prominence of *Panchayat* at the grass root level, despite multiplicity of agencies dealing with rural development schemes.

Compared to the states mentioned above, the *Panchayat Raj* bodies in Kerala are far behind in this regard. The powers given to them are not adequate and the processes of decentralization of power have not been genuinely implemented. In Kerala, an attempt was made to imbibe the ideas released by the Balvantray Mehta Team in the sixties. Accordingly, *Community Development Block* was adopted as the unit of decentralization. This step was taken because at the national level two models have been tried — Rajasthan model and the Maharashtra model. The former treats the Block as the unit of decentralization and the latter adopts the District. The former appears more conducive


to the cause of democracy than to development in its economic service. The Block as a unit is accepted for planning and development.

7.3.0. Main activities of Kerala Panchayats

Though the Kerala Panchayat Institutions function under a different socio-economic and political situation peculiar to the State of Kerala and also under many limitations, it is worth mentioning that their performance in the yester years is marked by a steady progress. The functions assigned to them in accordance with the statutory provisions, consist of two categories - namely mandatory and discretionary. It consists of functions related to the civic amenities and other functions carried out by Panchayats singly or by groups. The duties and functions are originally listed in the 'Kerala Panchayat Act 1960', to which are added the recommendations made by the Study Team of the Legislative Assembly in subsequent years.

A study of the working of the Village Panchayats in the State also reveals that the main activities undertaken by the Panchayat Institutions since the coming into operation of the Kerala Panchayat Act 1960, come under those listed as mandatory functions.

Most of these functions pertain to what may be called 'civic amenities'. Besides, a few agency functions have also been taken up by the Panchayats. However, no serious thought has been given by the Panchayats to the performance of discretionary functions as stipulated in the Act.

The above categories of functions and powers give the impression of a lengthy charter of obligations which every Panchayat should have to perform. However, among the various activities and services in which practically all Panchayats throughout the state have been engaging themselves are construction and maintenance of (their own) office buildings, small bridges, roads, foot paths, culverts, bunds, sluices, bathing ghats, urinals, latrines, wells, irrigation channels, busstands, cart stands, cattle pounds, opening of maternity and child welfare centres, midwifery centres, provision of drinking water supply through pipe lines, scavenging and street sweeping, removal of rubbish

heaps, cleansing of drains, provision of sanitary arrangements in public places where fairs and festivals are conducted, lighting of public roads and public places, opening of markets and slaughter houses, maintenance of cattle pounds etc.¹

In addition to the above activities, the Panchayats have also taken up projects (some projects in collaboration with NES Blocks) like, ‘Applied Nutrition’, ‘Ela-development Programme’, Family planning campaigns, prevention of food adulteration programmes, payment of grants-in-aid to clinics, sanitary arrangements, ferry service, running rural libraries and reading rooms, sports clubs, arts clubs, athletic clubs, noon feeding programmes, community listening centres, rural dispensaries, special employment schemes and ‘One lakh housing scheme.’²

7.4.0. Special Schemes

(i). Seven Point Programme

During the period 1980-81, the Government of Kerala, also ordered to implement a ‘Seven Point Programme’ as stated below in Panchayats with a view to take up the same in a phased programme for five years from 1980-81, and the schemes as such are continued in the Panchayats. The programme includes:

* Rural Communication;
* Minor Irrigation;
* Construction of Community Hall/Kalyana Mandapam;
* Burial/Burning Grounds;
* Environmental Amenities Programme for weaker sections of the society including provision for E.S.P. type latrine, Electricity, and Water Supply;
* Opening of mini stadium;
* Providing Balawadies and Nursery Schools for Pre-Primary education.³

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(ii) Eleven Point Programme.

In 1988, the Panchayat Department, in collaboration with various government departments and other agencies, launched another scheme which has been called the ‘Eleven Point Programme’. The Programme aims at an integrated development of rural people, their social, cultural and economic uplift. It consisted of:

* Water Supply Scheme;
* Electrification and Lighting;
* Construction and Maintenance of village roads, link roads, foot bridges etc.;
* Rural Housing Scheme;
* Agriculture, Irrigation and Animal husbandry;
* Rural Industrial Development and Work Experience Programme;
* Village Education and Cultural Development;
* Social Welfare, Women and Child Care;
* Health Programme;
* Marketing facilities;
* Environment and other Allied Matters.

In the exercise of these functions the Panchayats should have sufficient administrative powers, for which the proposals of Administrative Reforms Committee’ (1958) were treated as the guidelines. It had already made it clear that the lower units did not have to send proposals on minor matters to higher authorities for approval. The committee proposed that the aim of any higher control should be only to ensure proper and effective utilization of the funds and the authority should not, consciously or otherwise, take up the role of the custodian of money for each and every scheme.

The Panchayats in Kerala State are vested with innumerable duties and responsibilities. Although there is provision for a three-tier system with the enactment of the District Administration,

Act, 1979, the suggestions have not been implemented to date.

7.5.0. Structural Imbalances

In order to discharge their functions, Panchayats require wide powers, both administrative and financial. However, the powers vested with them are not commensurate with the duties and responsibilities assigned to them, and as a result of this, there is structural imbalance in the functioning of Panchayats. Many of the proposals even on trivial matters have to be sent to higher authorities for their approval.

The various acts of Panchayat have resulted in the acquisition of power by the Panchayats considerably. But the state government has for some reason or other been very slow and cautious. So far in framing necessary rules for enforcing the various provisions in the Act, there have been many impediments, much to the anxiety and annoyance of the Panchayats. The reason that seems to have restrained the government from expediting the process of delegation or decentralization of power is an apparent apprehension that Panchayats may find it difficult to resist the temptation of demanding more and more powers. Also there was the fear that Panchayats might meddle with everything that they might lay hands upon.

7.5.1. Less Power and more Duties

Some view that the conditions which contributed to the success of Village Panchayats in ancient times no longer exist in the villages of the present day and they justify the limitation of autonomy in the case of the present day Panchayats on that ground. It is a fact that Panchayats of bygone days enjoyed vast powers and privileges, for they dealt with the villagers directly, settled every


When the Kerala Panchayat Act (1960) was enacted by the State Assembly, the then Chief Minister of Kerala reported to have expressed his misgivings about passing more powers into the hands of inexperienced elected local bodies which he thought would never be satisfied with any reasonable amount of power and would be tempted to demand much more still, while at the same time trying to put a finger into every affair of governmental administration.
private disputes (besides attending to civic functions) and their decisions were universally binding. When compared to them, their modern counterparts, which function under changed conditions, are allowed to enjoy much less power and autonomy. Therefore, it is worth studying the functions of a *Panchayat* at the grass-root level to understand this dichotomy.

### 7.6.0. Case study in Karumallur *Panchayat*

A review of achievements of a *Panchayat*, at the micro level was taken up so as to learn the actual functioning and problems of the grass-root level bodies in the state. The study was taken up with the following objectives:

- To assess the extent to which the process of decentralization has percolated down to a *Panchayat* level;
- To assess the extent to which the concept of democratization of rural local bodies has been introduced at the micro level;
- To know the extent to which the concept of autonomous functioning of Village *Panchayat* as self-contained and self-sufficient unit has influenced (or not), the actual functioning of rural local bodies;
- How far the Village *Panchayat* functions as viable economic unit;
- The extent to which *Panchayats* function as a unit of democracy, development

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1. The case study was conducted in Karumalloor *Panchayat* in Ernakulam District (revenue division). This *panchayat* is situated in the north-western part of Ernakulam District. It has an area of eight square miles and consists of villages Karumalloor and some portions of Alwaye. The *Panchayat* was constituted in accordance with the notification of the Travancore-Cochin Government vide No.LF.9755/80 EH.Lst Dt.1 1951. It is bounded on the east by the territorial areas of Kadungalloor *Panchayat* Alwaye Municipality and Chengamanadu *Panchayat*, on the south by the Alengad *Panchayat*, on the west by the *Panchayats* of Kottuvally and Chittattukara and in the north by the two *Panchayats*, Chendamangalam and Kunnukara. The *Panchayat* has a population of 26091 (according to 1981 census) which is expected to reach approximately 36200 at present. A major part of the *Panchayat* area is wet land being used for cultivation of paddy. All the eleven *Panchayat* wards are interconnected by a good system of roads and water canals. In fact good roads are the nerves and muscles through which the development flows.

The present *panchayat* council, consisting of 13 elected members including two women members was constituted in the year 1988. The *Panchayat* council is headed by a President (elected member) and a vice president to assist the former. The administrative body consists of an Executive officer, (special Grade) 1 Head Clerk, 2 Upper Division Clerks, 3 Lower Division Clerks, 2 last grade staff and 1 Ferryman.
administration and as an agency of the government at the lower levels, and

* To assess the achievements of a Panchayat unit vis-a-vis the state scenario.

7.6.1. Impact of Reforms at the Micro Level

The recommendations made by the Statutory Committee (1988) on decentralization and empowerment of Panchayat Institutions led to the new role of the Panchayat President at the grass-root level. The Panchayat President is the executive authority and the executive officer appointed by the government becomes the Panchayat Secretary. In the Panchayat where the case study was conducted this new development is sufficiently felt. Also the study reveals the fact that the impact of democratization has also percolated down to the Panchayat level. The Panchayat council constituted after the election has the power to discuss all matters related to development functions or other functions listed under ‘mandatory’ or ‘discretionary’ powers. The Panchayat council of Karumallor unit met 16 times during the period 1990-91 in accordance with the general principle of democratic functioning of elected bodies. There is no ward committee functioning below the Panchayat council though the scheme was mooted in the Administrative Reforms Committee (1958). In no Panchayat such a body exist now. In some states, the equivalent of ward committee is Gramasabha, but in Kerala context, there is no provision for GramaSabha below the Village Panchayat in the ‘Panchayat Act of 1960’.

7.6.2. Semi-autonomous Position

Generally stated, a Panchayat functions more or less as an independent body at the lowest level, subject to sub section 32, of Kerala Panchayat Act 1960, which stipulates that the Panchayats shall have exclusive power to administer many subjects. However, The District Administration Act, 1979 (Section 45) envisaged an administrative as well as supervisory role of District Council over the Panchayats. This provision was amended by the Ninth Kerala Legislative Assembly (1991) and the present position is that Panchayat at the lowest level can function as independent unit subject to supervisory control by the Taluq, District Panchayats, Directorate of Panchayats and the Government.
A review of the Administrative Report 1989-90, 1990-91 and 1991-92 of Karumalloor Panchayat gives the view that it attends to most of the functions listed in the 'proforma', like maintaining a Public Library at Veliyathunadu, community receiving sets, street taps, attending medical relief etc. However, in many other items listed, it draws blank. Most of the works is being done according to a set framework. Some are done independently, others in accordance with the specific instruction from the government and still others under the joint co-operation of Panchayats and NES Blocks. In this respect the Panchayat's functions can be called a partnership system. The absence of popular enthusiasm or initiatives is also noted in the execution of work.

The vision of a Panchayat is that it has to function not only an administrative unit but also a viable economic unit. The income-expenditure statement shows that its sources of revenue consist of building tax, service tax, profession tax, vehicle tax, entertainment tax, show tax etc., while items of expenditure include establishment charges, public works, education, water supply, drainage, public health etc. It can receive grants from the government for constructing its own building. Panchayats are eligible for block grants, initial grants, special grants and the like. In the financial year, 1991-92 this Panchayat had a total income of 414288-95, while its expenditure was Rs.436093-95. It received an amount of Rs.3,10,600/- as grants from the government.2

Under the Jawahar Rozgar Yojana the Panchayat received Rs.6,65,200/- for the period 1990-92 and spent Rs.66,2992/- on projects which are carried out under the joint venture of Blocks and the Panchayats. The amount received (from the Government of India) was spent for construction of houses, roads, culverts, drainage and maintenance works. Panchayats are also the agencies of the government in implementing programmes like Integrated Rural Development Project.

On an analysis of the functioning of Karumalloor Panchayat, it seems that, Panchayats are created and maintained as unit of development administration and agents of the government at the lower levels. When further analysed, it seems that the local bodies are treated as administrative

units where the concept of decentralization is applied as an administrative arrangement as in the colonial period by which local bodies are created by the centre to discharge the functions.

7.6.3. Performance at the micro level

As a unit of development administration, the Karumalloor *Panchayat* has attended public works related to roads and communication system. It has maintained village roads, two ferries, dug three wells, installed 28 water taps for the supply of protected water and maintains one library and public reading room at Veliyathunadu. Under the medical relief, the *Panchayat* maintained one Public Health Centre, one Clinic, one Government Homeopathic Dispensary and one Midwifery Centre. Under social welfare scheme, it attends to feeding centres, family planning programmes, construction of houses under the one lakh housing scheme etc. A *Yuvajenamela* (festival of young people) conducted during the period under reference needs special mention. The *Panchayat* acts as an agent of the government in implementing projects under Integrated Rural Development Programme (IRDP) and Jawahar Rozgar Yojana (JRY). Besides, the state government too implements certain programmes through the *Panchayats*. As a unit of democracy, at lower levels, the *Panchayat* is ruled by an elected council, presided over by the President. Normally, the council will be in power for a period of 5 years. The present *Panchayat* Council of Karumalloor consists 13 elected members (including two women) who took office in the year 1988.

7.6.4. Eclipse of the Concept of Self Government

As stated, the study shows that the *Panchayat*, at the lower levels, functions mainly in three ways - a unit of development administration, an agent of institutional democracy and an institution of local self-government. But the image of *Panchayat* as a unit of development administration emerges ahead of the other two because the government looks upon it as an extension wing of administration. The efforts taken towards decentralization of power have resulted in the institutionalization of *Panchayats*, i.e., a sort of hierarchical set up. As a result, one has to doubt whether the main image of *Panchayat* as unit of self government has been merely ignored and caused to eclipse. One remarkable feature is the absence of any political strife at the *Panchayat* level.
in Kerala.

7.6.5. Macro-level picture

A general review of the efforts at decentralized functionality of the *Panchayati Raj* system in Kerala from the days of Administrative Reforms Committee, 1958, under E.M.S. Namboodiripad, down to the Report of 1988 initiated under E.K. Nayanar, brings to light that it has passed through many ups and downs. The story of the scheme is one of uncertain directions and of brave proposals.1 The process of decentralization was effected in a phased manner; in the first phase of decentralization, the formulation and implementation of programmes did not receive sufficient attention. The emphasis was on its vertically formed structure. The second statutory committee (1965) suggested the need for creating the *Panchayats* as units of administration and wanted to link them with *Taluq Samitis* and District Councils. The third committee, (1988) suggested various measures so as to materialize the visions of the first and second committees. The third statutory committee also seems to have resorted to a balanced approach, although its main task was to suggest various measures at decentralization of power at the district level. It also favoured the strengthening of the *Panchayati Raj* system. Its recommendations were intended to strengthen the *Panchayats* as independent units.

However, it is also to be noted that, the local bodies are created and they exercise only those powers and functions which are specifically assigned or created or delegated to them. This is basically a Western concept of local government, the same concept, envisaged and executed under the British rule in India. In fact, the Statutory Report of 1988, in its approach to entrustment of powers and functions to local government admitted that this concept of local government seems to have influenced the decision-making in granting more autonomy to local government by the state legislature.2

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2. For details see, Report on the Measures to be Taken for Democratic Decentralization at the District and Lower Levels, in 2 vols., Trivandrum, 1988, p.28.
Conclusion

The fact is that the Village Panchayat of Kerala, as in other states under the Indian Union are in no sense absolutely independent self governing institutions. They have no legislative power of any kind except that of making routine bye-laws within the ambit of the law under which they function. Section 131/1 of the Kerala Panchayat Act, however, authorizes the Panchayats to make bye-laws or norms necessary for carrying out any of the purposes for which it is constituted, but no bye-law or cancellation of a bye-law shall have effect until it shall be approved or confirmed by the Director. Moreover the state has power to revise or veto the deliberations of the Panchayats and all their financial actions. In this situation, Panchayats cannot act independently they exercise those powers granted piecemeal. Though the Kerala Panchayats in totality as well as micro levels function in a better environment than their counterparts in other states, the question of granting status of self sufficiency to Village Panchayats depends on the policy of government.¹ Here lies the wide ideological chasm between Gandhiji's ideological commitments to village self-government and the official policies of the government, the political activists and civil servants.

Though there is a wide chasm between Gandhian ideas and the Kerala Panchayat Raj system it does not mean that Gandhian ideas of Gram Swaraj were not an active force in Kerala. In fact, the State of Kerala, did sustain the ideological shoots of Gandhism as mentioned earlier. (The State has been nearer to Gandhism in 1957, 1958, 1965, and 1988). An analysis of the functioning of Kerala Panchayat bodies vis-a-vis Gandhian concept of Gram Swaraj, attempted in the next section would be helpful to understand the sustenance of Gandhian ideological shoots in the State from 1957 (Administrative Reforms Committee), to 1988 (V.Ramachandran Commission). The Gandhian concept did foster the Panchayati Raj and the vision remained at the conceptual level at every stage of evolution in Kerala since 1956.

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¹. For details see, E.M.S. Namboodiripad, Vikasanathinte Rashtriya' (Malayalam), Trivandrum, 1991.