CHAPTER THREE

Panchayati Raj in Kerala
KERALA: LAND AND PEOPLE

Kerala, a stretch of green belt in the south western tip of India, was brought into being in 1956 by the integration of the malabar district and the Kasaragod taluk of southern Kanara, district of Madras state with the greater part of the former princely states of Travancore and Cochin.

Kerala possesses certain unique features which distinguish her, to a certain extent from the rest of India. Next to Nagaland, she is the smallest among the Indian states, having an area of only 38,863 sq.km. Yet she occupies a strategic position in the south India and is one of the most
beautiful regions in the entire Indian Union. She is guarded on the eastern side by the western ghats which form a practically unbroken chain of lofty hills of varying attitudes from north to south with but one gap at Palaghat (through which the main inland trade between Kerala and Tamil Nadu had flowed either way from time immemorial) isolating the country from the rest of India and enabling her to develop a distinct culture and history of her own shaping, while on the western side she is protected by the Arabian sea. On the north and north east she is bounded by territories of the Mysore state and on the south and east (to some length) by those of the Madras state.

Geographically the state is divided into three distinct regions viz. (1) the high lands, (2) the midlands (3) the coastal strip or low lands. The first—high lands—slopes down from the western ghats, rising to an average height of 3,000 feet with a number of peaks well over 6,000 feet in height. The mid lands of Kerala are densely populated, fertile regions that extend throughout the length of the country. The coastal strip of Kerala, which has the most uniform temperature in India with a heavy and fairly regular rainfall is noted for its picturesque lagoons and extensive coconut groves and paddy fields.
The people

Kerala, is one of the thickly populated regions in the world. Though it has an area of only 1.18% of the total area of India, Kerala represents 3.71% of the total population of the country. Density of population is highest in India and perhaps in the whole world being 655 per sq. km$^3$.

The population of Kerala consists of the Hindus, the Christians, the Muslims and a number of minor religions denominations like the Jews, and also a few Sikhs, Parsis and Jains who have settled down in Kerala. The caste system had reached its ugliest ramifications in Kerala and those on the lowest rung of the caste ladder, were the worst sufferers in their relations with the so called superior castes. Untouchability, unapproachability and even unlookability prevalent in Kerala till 1950s and even 1960s. It brought untold miseries - not only socially, but also economically and politically. Between the highest and lowest there are innumerable, intermediate castes of which numerically the strongest are the Ezhavas, who have in recent times, come to play a vital and most significant part in the political and economic activities of the state, along with the Christians, the Muslims and the Nairs.

Literacy

In the matter of literacy, Kerala ranks first among the
### Caste classification of Kerala

<table>
<thead>
<tr>
<th>Religion</th>
<th>Caste</th>
<th>Percentage</th>
<th>Total (in%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hindus</td>
<td>Ezhavas</td>
<td>26.0</td>
<td>43.6</td>
</tr>
<tr>
<td></td>
<td>Namboodiris</td>
<td>1.6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nairs</td>
<td>16.0</td>
<td></td>
</tr>
<tr>
<td>Non Hindus</td>
<td>Christians</td>
<td>21.0</td>
<td>40.0</td>
</tr>
<tr>
<td></td>
<td>Muslims</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harijans &amp; others</td>
<td>Harijans &amp; others</td>
<td>16.4</td>
<td>16.4</td>
</tr>
</tbody>
</table>

Source: Jose Chander, N. (Ed.) Dynamics of State Politics, Kerala, Sterling Publisher, New Delhi, 1986.

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### Statistics

- **Total population**: 2,54,53,680 (1981)
- **Rural**: 2,06,82,405 (81.26%)
- **Urban**: 47,71,275 (18.74%)
- **Male**: 1,25,27,767
- **Female**: 1,29,25,913
- **Scheduled caste**: 25,49,382 (10.02%)
- **Scheduled tribe**: 2,61,475 (1.03%)

Hindu Population as a Percentage of Total Population 1861
- 80 and over
- 70 - 80
- 60 - 70
- 50 - 60
- 40 - 50
- under 40

Christians as a Percentage of the Total Population 1861
- 45 and over
- 35 - 45
- 25 - 35
- 15 - 25
- 7 - 15
- under 7

Muslims as a Percentage of the Total Population 1861
- 40 and over
- 25 - 40
- 15 - 25
- 5 - 15
- under 5

Indian states. According to the latest reports 70.42% of the population of Kerala are literate. The following table illustrates the real picture of literacy in the state.

<table>
<thead>
<tr>
<th>Total literacy</th>
<th>70.42%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Literacy urban</td>
<td>76.11%</td>
</tr>
<tr>
<td>Literacy rural</td>
<td>69.11%</td>
</tr>
<tr>
<td>Literacy male</td>
<td>75.26%</td>
</tr>
<tr>
<td>Literacy female</td>
<td>65.73%</td>
</tr>
</tbody>
</table>

Source: Gramin Vikas News Letter, op. cit.

There has been rapid increase in the rate of literacy in the last three or four years. However, this speedy growth of literacy has created acute problems of educated unemployment and under employment in the state which is industrially and economically backward as compared to other parts of India. Recently Government of Kerala launched serious steps to achieve total literacy, though a few parts of the state have already achieved the target.

**Occupational pattern**

Agriculture is the principal source of living for the bulk of the population in Kerala. Out of the 81% of the rural people, 53% depend upon agriculture for their livelihood. The acute pressure of population on land, unaccom-
panied by corresponding acceleration of industrialisation led to excessive fragmentation of holdings to such an extent as to make them highly uneconomic, despite the fertility of the soil and comparatively favourable climate. In fact more than 90% of the holdings are less than 4 acres, more than half being less than one acre.

Fisheries form an important occupation of about 10 lakhs people in Kerala with a sea board of more than 360 miles extending from north to south (from Kasaragod to Poovar) and long stretches of backwaters, Kerala provides ideal fishing grounds for marine and esturine fish. Some of the deeper rivers also abound in fish. Kerala stands first among the Indian states in fish production contributing over 70% of the annual catch in India.

A large section of the population eke out their living by cottage industries, village handicrafts or domestic work while many live on their income from employment in factory industries, both in public and private sectors, as well as in government departments or offices.

The growth of industrialisation has been very slow in Kerala, though the state has immense natural resources, like Hydro electric power, mineral deposits including ilminate, monazite cilminite, rutile, garnet etc. along with the coasts of Kerala, which remain to be tapped.
Local Assemblies in Kerala

As in the eastern regions of south India popular institutions known as 'Jharakutham', 'Desakuttam', 'Nattukuttam', 'Munnuttuvar', 'Arunuttuvar' and so on existed in the whole length and breadth of Kerala in the remote past. The fact that these democratic organizations existed in Kerala, is amply borne but by the innumerable references made to them in the accounts furnished by early writers.

In certain respects, the village life and organization of the malayalee differed fundamentally from those in other parts of India. This is discernible from the following brief description of Kerala villages.

Village organisation of Kerala in earlier days had the characteristics of a feudal society and not the type of village 'communities' which prevailed in the rest of the country. As H.D. Malaviya⁴ observes, the term village as ordinarily understood to indicate compact dwelling places in the midst of cultivated fields all round, is invariably absent in Travancore-Cochin. Isolated homesteads can be seen all along the state. They are scattered among paddy fields and coconut groves, each family occupying its own ancestral holding enclosed by an earthwall or hedge⁵. Each house
stands in its little compound or garden, which is usually thickly planted with areca and coconut palms, jack trees, plantains, betel and pepper, vines and the like.

The basic unit of local government in ancient and medieval Kerala was the 'Tara' which had its own assembly known as Kuttam represented by the Karanavars or elders of the village, who were also known as Mukhyasthans or Pramanis, i.e., principal men of the village. The Tharakuttams of Kerala presented a striking resemblance to the 'village republics' of the Tamil country. They dealt with matters of local importance and performed much of the functions carried out by their counterparts in the eastern provinces. They wielded immense power and shouldered much responsibility in protecting the rights and privileges of the local people. It may be true that their administrative jurisdiction was not very wide and their constitution was somewhat artificial, resembling ad hoc committees rather than permanent representative institutions. But they acted as arbitrators or judges in matters of dispute arising between persons living within the limits of their local jurisdiction. They possessed common funds and levied cesses to meet local expenses.

The functioning of the Tarakkuttam

The members of the Kuttam met occasionally in assembly at appointed places, generally in front of the village temple.
Source: Koshy, M.O. 'The Dutch Power in Kerala'
under the cool shade of the village banyan tree. There under the presidency of 'Asan' or 'headman' the affairs of the local villagers were discussed and settled. All sorts of social disputes and petty offences were placed before the meeting and disposed of according to the votes of the majority.

William Logan, who makes special mention of the Tara organizations of malabar in his Malabar District Manual, points out the failure of the early British administrators to recognise the importance of the Tara. Commenting on the findings of Sir Thomas Munroe as well as of Mr. Warden, he remarks, both were right to a certain extent, but they both failed to recognise the importance of that most influential territorial unit of organization — the Dravidian Tara. He proceeds to say that the influence of the Tara organizations cannot be over rated in a political system tending always to despotism.

Besides, the Tara there was the 'Desam' which was the territorial unit of military organization in the ancient regime. The Desam was not coterminous with the Tara it was both more or less than the Tara.

Above the Taras and Desams there were Nadurs or Districts into which the country was divided. Each Nadu was placed under a Naduvazhi who held the position on a hereditary basis. The Naduvazhi collected the ordinary and extra ordinary revenues
from his district with the assistance of accountants called putwallis. However he was not allowed to enjoy and exercise unlimited powers, as there was the Nattukuttam or the assembly of the people at the district level to put restrains upon him. He could not decide any important matter without consulting the Kuttams.

In fact the Nattukuttams were the most powerful and influential among the democratic institutions of Kerala in early days. To quote Logan again, the nad or country was a congeries, of taras or village republics and the kuttam or assembly of the nad or country was a representative body of immense power which, when necessity existed, set at naught the authority of the Raja and punished his ministers when they did unwarrantable acts.

The Nattukuttams played a significant part in organising public opinion against the autocratic acts of sovereign on many occasion. During the invasion of southern Travancore by the Nayaks of Madurai; the Nattukuttams of the area under attack, showed a high degree of political consciousness. The kuttams of the 'Nadu' not only kept under local rulers, but lengthened the string of their restraining influence on to the rulers at the national (state) level as well. Even under the ancient theocratic oligarchy of the Brahmins the importance of the local assemblies was not diminished. But in course of
time the system failed to work as the 'Avarodhi Nambies' who became avaricious and tyrannical, neglected their duty as protectors, broke the conditions under which they were commissioned to supervise the administration of the land; remained in power even after the expiry of the three year term and abused their power to assess wealth after it Kerala, witnessed the 'Perumal rule'. Each 'Perumal' was for 12 years, at the end of which he was required to relinquish his office.

Thus it can be safely asserted that local assemblies varying forms existed throughout Kerala in the early days and exerted their influence upon the rulers and administrators at all levels under all patterns of government whether monarchy-hereditary or elective-aristocracy or theocratic oligarchy. However the representative and democratic character of the local assemblies of bygone days were not without defects. They were dominated by the Brahmin clergy and the Nair nobility. Those who were at the lower echelons of society had very little share in the deliberations or administration of policy through the afore mentioned local assemblies though they had tribal or caste assemblies of their own.

**Caste and Tribal Assemblies**

The castes and tribes of Kerala had very little representation in the quasi-political institutions of the past,
atleast after the dawn of the 8th century A.D$^{10}$. Caste distinctions began to appear in the course of the 8th century, but they along with feudalism made their ugly manifestations in the modern form only after the close of the 10th century, practically every caste and tribe had its own caste or tribal organization. For purpose of illustration a few examples are cited below.

**The Ulladas**

The ulladas who in malabar region are known as Nayadis and their own tribal assembly consisting of the elderly members of the tribe, presided over by the headman called muppan$^{11}$. The headman presided over the assembly, and decided all disputes connected with the tribe.

**The Kanikkars**

The Kanikkars living in villages closely knit together by social, religious and political ties also had their tribal organizations in the distant past as they have in modern times. The village was the unit in all matters and there was no room for the play of individualistic tendencies. The villagers worked jointly in clearing the jungle, burning debris and religious ceremonies performed for securing a bountiful harvest.
The Muthuvas

The Muthuvas had their headman for each village. The village affairs were regulated by a council of elders. The supreme lord of the Muthuvas was the Mel-vaka, to whom appeal from decisions of lesser dignitaries like Muppan, could be taken on all important matters. The office of the Mel-vaka as well as of the Muppan was hereditary and descended to the nephews rather than to the sons. The decision of the mel-vaka was final in all matters.

The Pulavas

The Pulayas had a tribal assembly which consisted of the elderly members of the caste, who met on all important occasions to discuss and decide matters affecting the welfare of the caste. They had their vallen (greatman) who presided at their marriage, funeral and other ceremonies and decided all disputes among the pulayas with the aid of the caste men of the village.

The Ezhavas (Thiyyas)

The Ezhavas in certain parts of Kerala had councils of 31 and 61 elderly men of their caste to settle all disputes, connected with the caste and their decisions were always final. Besides these councils, the castemen in some localities used to appoint four of their own men to settle disputes, preside
over all ceremonies, summon the castemen and convene meetings for the settlement of all important matters relating to the welfare of the caste.

The Mukkuvars, Arayas, Valas and Mugayas

All these groups belonging to the fishing caste in Kerala, had their own distinct organizations which functioned from very early times. The caste assemblies of the elder members known as the 'Kadavans' in each village or in a group of adjoining villages. The assembly was presided over by the karanavar. It dealt with the matters connected with the welfare of the community, settled caste disputes and constituted a divorce court.

The Kammalas

The Kammalas had their own caste assemblies constituted by elderly members of all the sub divisions living in the village. They met to settle caste disputes and to deal with all matters affecting the welfare of the community.

The decline of the old and the beginning of the new

The village republics of antiquity, which thrived under the unstinted patronage of the Hindu and Buddhist monarchs of the ancient past, continued to flourish, almost unaffected despite the cold indifference of the Muslim rulers of the mediaeval and early modern period and made their existence
felt in a diminishing form when the Britishers established their supremacy in India, after which these institutions became practically obliterated from the scene. The panchayat system of the past waned in modern times due to a variety of reasons.

One of the causes which expedited the process of decay of village panchayats in this country in modern times, is the rapid improvement brought in the means of transport and communications. The introduction of railways, mechanised road, transport, postal and telecommunications systems helped to make the distance shorter and contact more frequent and easy, between the centre and the outlying regions and in general to revolutionise the entire process of governmental administration especially since the second half of the 19th century. This enabled the head quarters administration to step into look after the needs and wants of the local people, to provide more services as well as to interfere when necessary. These changes naturally affected the autonomy of the old village organisations. "The rulers of the Hindu and Buddhist kingdoms of the ancient days on the contrary, were hardly in a position to govern actively those of their subjects who lived in outlying villages even if they had the wish to do so, as none of the modern facilities was available then".
A slow revolution was brought out in the countryside with the establishment of the British system of administration in India. Local institutions of different types and forms were introduced first in urban and later in rural sectors. Although the village communities survived many a political turmoil, economic deprivations and social change and persisted in some parts of the country even after British supremacy was recognized as a fait accompli, the type of self-governing local institutions that we have today, especially in urban areas, developed only during the last hundred years under the British rule.

When conditions changed politically, socially and economically, the village panchayat system became stagnant and inactive and in course of time ruined. The early British administrators failed to recognize the importance of the indigenous institutions which had centuries of existence when the political change over took place. Socially, the division of society on the basis of castes brought about the disintegration of village, 'community', life. Economically, the introduction of Ryotwari system of land tenure replacing the Manazawari or village tenure system, and the transfer of land revenue administration at the village level into the hands of government officials, led to the decay of village autonomy and communal harmony.
The growth of individualistic tendencies, the spread of education and literacy as well as the emergence of towns and cities also contributed to some extent to the decline of village autonomy. The plight of popular assemblies (Kottams) of Kerala, though not exactly as the same as that of their counterparts in other parts of India, was nevertheless, not unconnected with the impact of British imperialism to a considerable extent since the latter part of 18th century. Like, Italy before her unification under the house of Savoy in the second half of the 19th century, Kerala after the decline of the second Chera Empire, was partitioned into a number of small, independent principalities with rival interests and mutual jealous. The whole set up rested solidly on a feudalistic foundation.

The most powerful among the rulers were the Zamorian of Calicut, the Kolathiri Raja and the Maharaja of Cochin. Their supremacy was recognised by the minor princes and chieftains. In the extreme south Travancore was practically independent of these Maharajas and had under their nominal supremacy, some minor rulers.

In the days of feudalism which lasted from the 10th to the 18th century, there was much chaos and confusion, wars and bloodshed that raged in different parts of Kerala.
The European powers on landing in Kerala began to take sides with the quarrelling parties, one against the other, as they used to do in other parts of India to gratify their selfish ends.

Beginnings of local self government in the new forms in Malabar

In the course of the second half of the 19th century, however some thought was given by British administrators to the extension of the principle of self government of a limited nature to rural areas from the urban cities and towns for which it was already provided since 1688.

Following Lord Mayo’s Resolution of 1870 for decentralisation, a local fund act was passed in 1871, on the basis of which a local fund circle with a local board consisting a president, vice-president and 3 or more nominated members was constituted in Malabar as in other parts of the Madras presidency. The collector was the ex-officio president, who wielded all executive authority. The local board was under the control of the board of revenue and there was no provision for the election of the members of the Board.

Sweeping reforms were introduced in rural government after Lord Ripon’s resolution of 1882 was passed. The Madras Act No.V of 1884, enacted on the basis of that resolution
provided for a three tier system of rural government. At the bottom was the village union each governing one or more villages through a body which was given the good old name 'Panchayat Unions'.

The Decentralisation Commission and After

The decentralisation commission of 1907-09 laid stress on the necessity for district officers to look after panchayats and considered that panchayats should have no connection with district or taluk boards, as to enhance their efficiency. It also recommended that panchayats should be established in all villages, necessary powers and responsibilities should be vested in them and that the principle of elective majority adopted for village panchayats. The government of India in its resolution of 1915 accepted this principle and adopted the policy of creation of village panchayats, though in a gradual and cautious manner and issued instructions to provincial governments to that effect. In 1918 the government of India considered it expedient to give more effective and real powers and responsibilities to panchayats to permit them to learn to perform by a method of trial and error rather than subjecting them to be under strict control and supervision of officials; to keep them as far as possible associated with the district staff and make them more and more democratic in character. The Montagu-Chelmsford Act, 1919
vested in the panchayats wider powers and responsibilities and made them financially viable units to certain extent, as well as more democratic in nature. The portfolio of local self government was entrusted to responsible ministers.

In 1920, the Madras village panchayat act, was passed. It provided for the enfranchisement of all men over 25 years of age, for the collection of all members of the panchayat and for the creation of Registrar-General of Panchayats to supervise the panchayats.

The district boards exercised some kind of supervision over the village panchayat till the passing of Madras village panchayat act, 1950 when the district boards ceased to have any control over panchayats.

Village panchayats and panchayat unions were formed in Malabar on the basis of the above acts passed by the Madras government, Malabar being then a part of the Madras presidency.

In Cochin

After the fail of the feudal lords, desavazhis and naduvazhis - who were deprived of their administrative and military powers, the state administration system was recognised. Thus in 1762 the state was divided into 10 talukas each of which was placed under Karyakar. The talukas were further split up into 30 pravarthis which became the units of
administration and each with a parvathyakaran at its head consisted of a number of desams. The pravarthyakaran was responsible not only for the collection of all items of revenue but also for the preservation of law and order and for the general welfare of the pravarthi. Villages in Cochin were familiar with some form of self government in early days. There were headman who were selected by the government to associate with the work of the village officials like pravarthikars and others.

In 1914 (1089 M.E) the government after careful consideration promulgated the first piece of panchayat legislation, namely the Cochin village panchayat act\textsuperscript{14}, under which panchayats for specified areas were constituted, one in each of the five talukas into which the state was divided. Each panchayats consisted of 5 members - 4 nominated by government from leading citizens of the state, the fifth being the village officer ex-officio. Qualifications for holding the office of panchayatdars, were prescribed by the Act.

In 1916, six of the panchayats were invested with judicial powers and authority to form themselves into courts exercising civil jurisdiction in petty cases arising in the villages under their jurisdiction and also to execute their decrees\textsuperscript{15}. This combination of administrative and judicial functions in the same body continued till 1943 when the village
court act was passed in pursuance of the view expressed by a committee appointed by the government that it would be better to have two separate panchayats for two distinct functions, administrative and judicial.

Since 1916 there had been rapid increase in the number of panchayats with the result that within the next four years, they had spread over almost the entire rural areas of the state. In 1921, the Cochin government set up a separate department to be in charge of panchayat administration. 1922, a new panchayat regulation was passed, which gave wider powers and responsibilities to panchayats and made provision for the principle of election to be adopted in their constitution to make them more democratic.

Representation on panchayats was made on communal basis. The system of adult franchise was also introduced in 1935, after property qualification for voters was removed.

The panchayats in Cochin area had no powers to collect taxes on property, profession or calling till 1950. But the government by giving liberal grants could bring on a par all the panchayats to a covetable standard. The staff required for the execution of the work of the panchayats were paid by government and were under the control of the director. In course of time some of the panchayats grew to maturity and were raised to the level of municipalities.
In Travancore

The first active step towards the development of local self government in the rural areas was taken up with the promulgation of the Travancore village panchayat act, 1925\textsuperscript{16} though the earliest legislation for urban areas was passed in 1894\textsuperscript{17}. The act of 1925 provided for the creation of village panchayats on adult sufferage. The government was empowered to consider any revenue village or a group of villages as a village for the purpose of act and to set up a village panchayat for that area. Each village was to contain a village panchayat consisting of not less than 5 and not more than 11 members.

The duties of the panchayats were classified as obligatory and discretionary of which the former included construction, maintenance and repair of communication lines, drains, wells and tanks. The act laid greater emphasis on the principle that all grants given by government together with the contribution made by the villagers were to be spent in the village itself for the villagers and by the villagers.

Another landmark in the development of panchayat organizations took place in 1937 when the Travancore village union Act IX was passed. The Act dealt with the constitution of village unions, their administrative functions and powers, creation of a village fund and a number of miscellaneous
matters such as appointment of registrars of village unions, delegation of powers by government, liability of members for loss, waste and misapplication of property, institution of legal proceedings against any village union members officer and the like.

The government by a notification constituted 26 village unions in the state, each comprising a pakuthy (village) and by another notification nominated members of these unions. The unions were set up in the more important rural parts of the state representing compact areas. Each village union consisted of 11 members nominated for a period of 3 years. Six out of the 11 members were non officials while the remaining five including the president were officials, who were drawn largely from land revenue, medical, public health, public works, agricultural and cooperative departments, which have been mainly concerned with the rural areas.

In September 1946, a village uplift advisory board was inaugurated and under it a number of village uplift centres were opened. The board functioned for a couple of years and then merged with the unions and panchayat departments and remained as such till the Travancore-Cochin Panchayat Act was passed in 1950.

**Developments of Panchayats in Kerala since Independence**

The drawn of independence brought a steady and radical
change in the rural social scenario of Kerala. For Kerala there were two panchayat laws - the Madras village panchayat Act, 1950 and the Travancore-Cochin panchayat Act, 1950 - applicable respectively to the Malabar District and the Travancore-Cochin region. These Acts invested panchayats with larger powers and greater responsibility.

The Madras village panchayat Act, 1950 like its counterpart in Travancore-Cochin (the Travancore-Cochin Act, 1950) was in operation for about a decade till it was superseded by the Kerala Panchayat Act of 1960. In Travancore and Cochin, though the states were amalgamated in July 1949, the patterns of local institutions then in existence were not disturbed until the advent of the new constitution and the resultant legislation in 1950.

The panchayats were classified into three grades in accordance with their annual income. Panchayats with an annual income of Rs.15,000/- and above, were classed 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 average population of a panchayat ranged between 10,000/- and 20,000/-. The members were elected for a period of three years. Soon after their own election, the members of every panchayat in turn elected the president and the vice president. The administration of
the panchayat was vested in a panchayat committee comprising of the president, vice president and all the members of the panchayat with the president as the chairman. It had the right to constitute functional committees with members and non members, for the administration of specific functions of the panchayats like agriculture, industries, social service, irrigation and finance. All the activities were carried out in accordance with the decision of the panchayat committee.

In times of emergency, the president or the executive authority could order any work to be executed without the previous sanction of the panchayat. For proper conduct of administration the government appointed panchayat officers who were of two grades I and II. The executive power of a panchayat committee rested in the panchayat officer, who had the right to attend panchayat meetings without the right to move resolutions or to take part in the voting.

Every panchayat was expected to maintain a panchayat fund, the main source of revenue for which being land cess, profession tax, house tax etc. Besides government also granted an annual statutory contribution. The functions assigned to the panchayat committee were of two types namely, obligatory and voluntary. Collection of taxes and fees, public works, public health activities and so on were obligatory functions whereas the rest of the functions either discharged or expected to be performed by panchayats were voluntary.
GROWTH OF PANCHAYATS IN KERALA
(POST-INTEGRATION PERIOD)

In 1956, when the Kerala state was formed, two pieces of panchayat legislation, namely the Madras village panchayat Act, 1950 which was in force in the Malabar and Kasaragod regions and the Travancore-Cochin Panchayat Act, 1950 applicable to the Travancore-Cochin areas and there were 892 panchayats in Kerala, formed on the basis of these two laws. Steps were taken to unify the two Acts, shortly after the reorganization of Kerala state21.

In 1958, the Ministry headed by Shri E.M.S.Namboodiripad brought in a draft panchayat bill for the purpose of adopting a uniform law throughout the Kerala state. But because of dissolution of legislature in 1959, the bill could not be passed by the assembly. It was in 1960, after formation of a new ministry headed by Shri Pattom Thanu Pillai, a uniform panchayat Act was passed to cover the entire state of Kerala. But this unified Act called, the Kerala Panchayat Act, 1960 came into force only from 1 January, 1962. The present panchayat system in Kerala is based on this Act. This Act envisages to provide for a unified and decentralised system of administration of village affairs throughout the state, through panchayats by organising them as units of local self government at village level.
Above Act empowers government to declare any village or group of adjacent villages or portions thereof to be panchayat area. For the purpose of the Act, each panchayat is to consist of such number of members to be notified by the director in accordance with the prescribed scale. A panchayat having a population up to 10,000 is to have 8 members. Panchayats with population exceeding 10,000 will have 8 members for the first 10,000 of the population and one additional member for every 4,500 of the population in excess of 10,000 subject to a maximum of 15 members. In every panchayat one seat is reserved for scheduled castes and scheduled tribes and one for women. Elections of the members to panchayats are held on the basis of adult franchise by the system of secret ballot. The members of the panchayat will elect a president and a vice president from among themselves. Elections to the panchayat council, were however, postponed pending finalisation of delimitation of the areas under each panchayat in the state. Having completed the process of delimitation, the first panchayat election in Kerala state was held by the end of 1963. The new panchayats came into existence on 1st January 1964. There were 922 panchayats in the state on the above date.

Organisational set up of panchayats

Section 33 of the Kerala panchayat act 1960 provides for appointment of a whole time executive officer who should be a government servant. Other officers and personnel in the
service of the panchayat shall work under him. Personnel other than the executive officers have been brought under a common service for each district. The recruitment to panchayat common service has been entrusted to the Kerala Public Service Commission. However, selection for part-time posts to each district is made by a committee consisting of the secretary to government, local administration, director of panchayats and a representative of Kerala panchayat association of the district concerned. District panchayat officer is the convenor of the committee.

Existing position of panchayats

The new panchayat councils which came into power on January 1, 1964 continued in power till 1979 as elections were postponed from time to time for some reasons or other. The councils which were elected in 1979, completed their statutory period of five years in 1984, have ceased to exist. These panchayats are now placed under the control of special officers appointed by the government. The powers and duties of the panchayat councils are now being exercised by the above special officers as per section 55(4) of the Kerala Panchayat Act.

Population of Kerala - Panchayat level picture

Kerala is ahead of all states in the matter of density of population. Density is as high as 558 sq.km in rural areas
as against all India average of 161. The total population of Kerala according to 1981 census is 254.54 lakhs. Out of this 217.89 lakhs are in rural areas in the state and it constitutes 85.6% of the total population of Kerala. There are 1,001 panchayats in Kerala. The table given in the next page gives districtwise position of panchayats.

The Kerala panchayat Act does not stipulate a minimum population for the formation of a panchayat. The average population of a panchayat in the state comes 22,103. Trichur district with 98 panchayats has the largest number of panchayats in a district followed by Malappuram district (95). Wynad the least populous district in the state has also the lowest number of panchayats (25). 30 Panchayats in the state have a population of less than 10,000. All panchayats in Trivandrum and Kozhikode districts have a population of 10,000 and over. 834 out of the 1,001 panchayats have a population ranging from 10,000 to 30,000. Panchayats with a population of 30,000 and over comes to 137 of which six have above 50,000. Munnar panchayat in Idukki district having a population of 78,833 is the most populous panchayat in the state. Idukki district has also the distinction of having a panchayat viz. Vattavada with the least population in the state with only 3,554 persons. The other five panchayats in the state having a population of 50,000 and above are, Payyanur in Cannanore district (53,992), Quilandy in
Table. Table showing the number of panchayats in each district indicating the most populous and least populous panchayat in each district as per 1981 census.

<table>
<thead>
<tr>
<th>District</th>
<th>No of panchayat</th>
<th>Most populous panchayat</th>
<th>Least populous panchayat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trivandrum</td>
<td>84</td>
<td>Parassala 40,867</td>
<td>Kallikad 10,978</td>
</tr>
<tr>
<td>Quilon</td>
<td>75</td>
<td>Kottamkara 53,349</td>
<td>Munore Island 9,938</td>
</tr>
<tr>
<td>Pathanamthitta</td>
<td>55</td>
<td>Pandalam 35,391</td>
<td>Thumpamon 7,574</td>
</tr>
<tr>
<td>Aleppey</td>
<td>69</td>
<td>Punnapra 40,422</td>
<td>Perumbalam 8,614</td>
</tr>
<tr>
<td>Kottayam</td>
<td>73</td>
<td>Mundakayam 43,034</td>
<td>Thalanad 8,182</td>
</tr>
<tr>
<td>Idukki</td>
<td>51</td>
<td>Munnar 78,833</td>
<td>Vattavada 3,554</td>
</tr>
<tr>
<td>Ernakulam</td>
<td>86</td>
<td>Eloor 52,528</td>
<td>Pothanickad 8,878</td>
</tr>
<tr>
<td>Trichur</td>
<td>98</td>
<td>Korkancherry 44,028</td>
<td>Vettilappara 9,107</td>
</tr>
<tr>
<td>Palaghat</td>
<td>91</td>
<td>Ottapalam 37,541</td>
<td>Nelliampathy 8,871</td>
</tr>
<tr>
<td>Malappuram</td>
<td>95</td>
<td>Vengara 49,258</td>
<td>Chungathara 9,212</td>
</tr>
<tr>
<td>Kozhikode</td>
<td>77</td>
<td>Quilandy 51,301</td>
<td>Kayanna 10,561</td>
</tr>
<tr>
<td>Wynad</td>
<td>25</td>
<td>Meppadi 48,514</td>
<td>Vengappally 7,336</td>
</tr>
<tr>
<td>Cannanore</td>
<td>85</td>
<td>Payyannur 53,992</td>
<td>Malapattam 7,283</td>
</tr>
<tr>
<td>Kasaragod</td>
<td>37</td>
<td>Bedaka 35,485</td>
<td>Belur 7,614</td>
</tr>
<tr>
<td></td>
<td>1001</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Govt. of Kerala, Report of the Panchayat Finance Commission (Chairman: K. Avukadarkutty Naha) Trivandrum, 1985, p.6
Kozhikode district (51,301), Eloor (52,528) in Ernakulam district, Kottamkara (53,349) and Kilimannoor (50,734) in Quilon district. Areawise Valappattanam panchayat in Cannanore district is the smallest panchayat in the state (2.04 sq.km) with a population of 8,080. But Karamkulam panchayat in Trivandrum district with an area of 2.43 sq.km and population of 22,412 has registered the highest density among panchayats in Kerala.

Panchayats in Kerala are classified into four categories according to their annual income excluding non statutory grants and contributions. Details of the classification is as follows

<table>
<thead>
<tr>
<th>Classification</th>
<th>Annual income</th>
<th>No. of panchayats under each category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special grade panchayats</td>
<td>More than Rs.1.75 lakhs</td>
<td>350</td>
</tr>
<tr>
<td>Grade I panchayats</td>
<td>More than Rs.1 lakh and upto Rs.1.75 lakhs</td>
<td>435</td>
</tr>
<tr>
<td>Grade II panchayats</td>
<td>More than Rs.50,000 and upto Rs.1 lakh</td>
<td>206</td>
</tr>
<tr>
<td>Grade III panchayats</td>
<td>Upto Rs.50,000</td>
<td>10</td>
</tr>
</tbody>
</table>


*Very recently government of Kerala has taken decision to upgrade two first grade panchayats to the level of Municipalities. So the total number of panchayat is reduced to 999.*
Powers of Panchayats

While entrusting these 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 the emergency power to decide and execute the works undertaken by the panchayats and also to sanction money for this purpose from the panchayat fund. He is also expected to advise, guide and control the panchayat staff (detailed account of the powers and functions of the panchayats is given in the fourth chapter).

Resources of the Panchayats

The major sources of the revenue of the panchayats are, building tax, vehicle tax, land cess, service tax, duty on transfer of property, show tax and entertainment tax. The first four of these taxes are compulsory. In addition to these taxes the panchayats have been empowered fifteen different kinds of fees. The state government also gives grants-in-aid for various purposes—establishment grant, block grant. (An indepth and up-todate analysis of the revenue and expenditure pattern of the panchayats is given in chapter six).
**Functional Committees**

Every panchayat has five statutory functional committees for the following subjects.

1. Agriculture
2. Sanitation
3. Communication
4. Public health
5. Education.

The number of members of each of these committees is determined by the panchayat. A member of the panchayat may serve on more than one committee at a time. The president of the panchayat is a member and the chairman of every committee. "A person who is not a member of the panchayat, but who in its opinion possesses special qualifications or knowledge for serving any of the functional committees may be co-opted by the panchayat to the committee. However the number of such members should not exceed one third of the members of such a committee."\(^{23}\).

**Administration of Panchayats**

Every panchayat has an executive officer belonging to the state cadre of service and assisted by a panchayat assistant and a bill collector. There are four grades of executive officers with variations in pay scales according to the four classes of panchayats. They are responsible for
the assessment and collection of all taxes and fees and the
execution of works for the panchayat and decided by its
elected executive body. The day to day administration by the
executive officer is not normally interfered with by the
president or the executive body. The panchayat executives
can also take coercive steps for the recovery of arrears
of revenue and funds.

There is a panchayat inspector for every national ex-
tension service block who also serves as an extension officer.
He is expected to conduct a detailed investigation of the
accounts of the panchayat every month and guide the panchayat
in its various activities. The block development officer is
another supervising officer at the block level. There are
other controlling and supervising officers namely, the district
panchayat officer, at the district level, regional deputy
director at the regional level, and the director of panchayats
at the state level. Besides the panchayat executive officer,
there is a general staff comprising establishment employees.
The strength of the staff is determined on the basis of the
grade of the panchayat.

Special Features of Panchayat System

Despite of the fact that, Kerala is one of the few states
in India, where the process of democratic decentralisation as
envisaged by the Mehta committee is yet to be realised, the
present system is characterised by an interesting feature. While in other states, the population of a panchayat normally ranges between 1,000 and 5,000 in this state it is between 10,000 and 25,000 as mentioned earlier. This has helped the panchayats to become viable units of local self government both financially and administratively. It has also helped in the formation of a sound basic unit of planning and administration in the villages. There are administrative provisions enabling the elected representatives to have some supervisory powers over the executive officer. The presidents and vice presidents have been directed not to accept any remuneration for the various services rendered by them, except for the prescribed sitting allowance approved by the government.

Panchayati Raj and Kerala

The Balwant Rai Mehta study team on community projects and national extension service emphasised the need for decentralisation of responsibility and power and recommended a three tier system of local self government with the village panchayat at the lowest level, panchayat samiti at intermediate level and zilla parishad at the district level. By the above recommendation the panchayat samiti was to be in charge of all development activities in the block and the zilla parishad was expected to coordinate, supervise and advise the panchayat samities. As far as the composition of these bodies are con-
cerned, the study team recommended a system of indirect elections whereby the presidents of the lower body could become ex-officio members of the higher body. The national development council in their meeting held in January, 1958 agreed to the idea of giving developmental responsibility to the people's representatives below the state level. It however took the view that the manner in which the principle was to be applied was a matter of the states to consider. In short each state was free to have its own legislation and to set up PRIs of its own choice suited to local genius, conditions, environment and needs and requirements. While enacting the Kerala panchayat act, 1960 due regard was given to the idea of sharing powers and responsibilities to panchayats as envisaged by the Mehta study team. But the three tier system of PR administration as suggested by the Balwant Rai Mehta committee has not been introduced in Kerala though most of the states in India have a three tier pattern. The panchayats in Kerala are empowered to attend civic functions only. Plan implementation work under rural development programmes is not being assigned to panchayats but to the community development blocks under the administrative control of development department. In other words the rural development programmes and panchayat functions are executed by (civic functions and related welfare measures) two separate departments in Kerala.
When the Balwant Rai Mehta study team was at work, at the all India level, the first elected government of Kerala state came to power in April 1957. The government gave top priority to administrative reforms and constituted a committee on August 15, 1957 headed by Shri E.M.S. Namboodiripad, the then Chief Minister, for examining the working of the administrative machinery, assessing its adequacy and suggesting measures for improving its efficiency.

In its report submitted on July 26, 1958 the committee recommended the strengthening of panchayats in the state as viable and basic unit of administration and development at village level, including the collection of land revenue as agents of the government. Above the panchayat, the committee recommended the reconstitution of talukas and blocks in such a way that revenue and development functions could be combined at the level of the taluk in one office. An advisory council formed by indirect election and replacing all adhoc committees was suggested to be formed at the reconstituted taluk level.

As regards the district level there were two views in the committee and both were set out in the report. One view was that with the strengthening of the panchayats, which would be relatively large sized in this state, it was enough to have a district council with the collector as the chairman.
and which would function as an advisory and coordinating agency in matters of development. The other view was that a district council with executive functions should be constituted by direct election with a non official president and non official vice president. All district officers of development department would be members of the council without the power to vote. The collector was not to be a member but was to be kept informed the progress of work from time to time. It was suggested that the implementation of the reform might be undertaken in three stages.

1. **First stage**

   The district councils should function as the agents of government in respect of all development work - both social service and production - exclusively pertaining to their sphere and generally direct coordinate, supervise and review the activities of the official and non official agencies in the district in this regard.

2. **Second stage**

   They will take over and assume full control and responsibility over the social services branch of development, continuing to function as in the first stage in regard to other items of development work.
3. **Third stage**

They will assume full authority over development work in the district except the very important schemes which may be specifically retained in governments' direct control and function as fullfledged local self-governing units for their area.²⁵

Following the recommendations of the administrative reforms committee, a Kerala panchayat bill was introduced on December 9, 1958. Later the Kerala district councils bill was introduced on April 16, 1959 by the then chief minister. The basic principles of the proposed legislation were listed as follows:

(a) A district council will be set up for each revenue district.

(b) The district councils will consist of members representing the municipalities elected from among the councils, members elected on the basis of adult franchise from non-municipal areas and official members comprising officers connected with the planning and execution of development schemes in the district who will not have the power to vote or move any resolution.

(c) There will be reservation of seats for scheduled castes and scheduled tribes.
(d) The number of non official members of the district council range from 15 to 30 according to population; and

(e) The term of office of the district council will be the same as the panchayats, five years.

During 1960, and 1961 when Shri Pattom Thanu Pillai was the chief minister, the Kerala panchayat Act, 1960 was enacted by unifying the existing laws in Malabar, and Travancore-Cochin regions of the state and enlarging the functions and financial resources of the local bodies. As regard the Kerala Panchayat Act, the statement of objects and reasons of the bill observed as follows:

"The proposal is that the panchayat should be the only organisation at the village level between government and the people and that they should be the media through which the villagers 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, agency functions and advisory functions.

Provision has been made for the entrustment to the panchayat, the function now attended to by the village officers excepting the judicial function exercised by certain village headmen in the malabar area..."
It is also proposed that panchayats should be entrusted with the responsibility of control and supervision of elementary schools and medical, public health work and for the development of agriculture, animal husbandry and cottage industries...."

In accordance with the objects and reasons the Kerala panchayat Act, as finally passed contained an impressive list of duties and functions (This is discussed in the fourth chapter, in detail).

In February 1964, during the ministry headed by Shri R Sankar, a "Kerala Panchayat Union Councils and Zilla Parishad bill" was introduced in the legislative assembly. The scheme of this bill was on the lines of the recommendations of the Balwant Rai Mehta study team and the PR set up introduced in the state like Tamil Nadu and Rajasthan. The block was to be the basic unit of planning and development in the state with an elected panchayat union council with sufficient authority to carry out the development tasks assigned to the blocks. At the district level, an advisory zilla parishad was proposed with the collector as the chairman, and with the official and non official members. The chairman of the panchayat union councils were to be members of the zilla parishad would also advise the government on matters relating to local authorities. This bill could not however, be proceeded with as the government fell within a few months.
The Administrative reorganisation and the economy committee headed by Shri M.K. Vellodi, which was appointed during the president's rule in 1965, generally endorsed the provisions of the 1964 bill with some suggestions and modifications regarding the details of control, finance etc. The committee also observed that associated membership for the members of the legislative assembly in an executive body like taluk samiti is likely to inhibit growth of local leadership.

After a prolonged spell of president's rule in the state, a ministry again headed by Shri E.M.S. Namboodiripad was formed in March 1967. The Kerala panchayati raj bill, 1967 was introduced in the legislative assembly in August 1967.

The bill contemplated essentially a two tier system - panchayats at the basic level and zilla parishad at the district level - with executive functions and some sources of revenue and some powers of supervision and control over the panchayats. The functions of the zilla parishad contemplated in the bill were all developmental and were an elaboration of the provisions in the 1959 bill. The bill was considered in detail by a select committee which took evidence in a number of places within the state and also conducted a study tour of Maharashtra, Rajasthan and Andhra Pradesh with a view to learn how the concept of PR system was worked out and
implemented in those states. The select committee submitted its report in August 1968, and recommended to be called "Kerala Local Government Act". Major modifications were made in the functions and powers of zilla parishad to be called district councils. The earlier wording of the relevant clauses according to which the district was to be a unit of planning and development and the zilla parishad was to be responsible for the preparation and execution of schemes of local welfare and development and make reasonable provision for carrying out the requirements of the district in respect of matters listed, was changed to the effect that the administration of a district in respect of matters enumerated in the first schedule shall be vested in the "district council". A "council list of matters" giving a list of subjects was given as the first schedule to the bill. The bill as recommended also suggested that the government may delegate to the district councils such powers and functions as may be specified in the notification in respect of matters enumerated in the second schedule. The schedule gave "a common list of matters" including collection of taxes, police administration, prison administration, revenue administration, registration, inspection of factories and boilers. Labour welfare, public relations and even "purchase and distribution of stationary". The rewording of the clause dealing with functions and the two lists of matters indicated a substantial
conceptual change from earlier bills, namely, what district councils should deal with all matters of administration at the district level—developmental and non-developmental. There were dissending notes to the report of the select committee and the main one was that items like police administration, civil defence, prison and revenue records should not be brought under purview of district councils. The select committee's report was presented to the legislative assembly on March 26, 1969 with a detailed statement by the then minister for local administration. The bill however, could not become law and it lapsed when the assembly was dissolved and fresh elections were called in August, 1970.

After the new government under the chief ministership of Shri C Achutha Menon took charge in October 1970, the "Kerala District Administration Bill, 1971" was introduced in the legislative assembly. The general structure of the bill was the same as recommended by the select committee on the earlier bill in 1968. There was a greater elaboration of some of the provisions. In particular, a number of schedules were added to the bill providing for entrustment of government's powers to district councils in 24 different enactments, the amendments were in the nature of amnibus provision in each of the acts, giving power to the government to delegate its powers, other than the general rule
making powers, to the district councils. The bill also lapsed before it could be enacted into law.

A "Kerala District Administration Bill" was again introduced in the legislative assembly on August, 1, 1978 when Shri A.K. Antony was the chief minister. The structure of the bill was also the same as the 1971 bill, but the second schedule specifically listing such items, as police administration, prisons administration etc. was removed and the functions under "administration of land revenue" were also restricted. The number of acts, with a general provision for delegation of government's powers to district councils included in the schedules was increased to 30.

The Kerala district administration bill, 1978 as reported by the select committee and as finally passed by the legislature in 1979 received the assent of the president on May 18, 1980 by which a new government under the chief ministership of Shri E.K. Nayanar had come to power. The Kerala district administration act, 1979 (Act 7 of 1980) was published on May 27, 1980 (see Appendix III).

The next government under the chief ministership of Shri K. Karunakaran, came to power in May 1982 and it took sometime to consider the implications of the act. It was generally felt that certain amendments to the act were inevitable before its implementation could be taken up.
In 1984, it was decided that a committee under the chairmanship of the then minister of local administration would consider the lines on which amendments to the act had to be made. The government also decided that pending the amendment to the Kerala District Administration Act, 1979, preliminary steps will be taken during a period of two years, to transfer to the district level, through constitution of working groups, the sanctioning of district level schemes and works and to bring about a greater degree of administrative coordination at the district and the lower levels with emphasis on location-specific and area specific development, so that it would be easier for the district councils, when formed to take up such items of work. Accordingly the government issued a series of orders to bring about greater coordination and implementation of development schemes in the district and had also delegated the function of preparation of schemes under the special component plan to the district level. The committee constituted for suggesting amendments to the Kerala district administration Act did not however, make any headway and no report was presented.

Following the general election in March 1987, a new government again headed by Shri E.K. Nayanar came to power. The coalition parties had stated in its election manifesto that the district administration Act would be implemented.
Apparently in the light of the various reservations that have been expressed from time to time regarding the provisions in the Act and in the light of the general opinion the Act would have to be amended before it could be implemented, the government appointed Shri V. Ramachandran, former chief secretary, Government of Kerala on April 28, 1988. He was asked to advise government on measures to be taken for democratic decentralisation at the district and lower levels. The committee in its report suggested a series of recommendations (Major Recommendations are given in Appendix V).
REFERENCES

1. The Tamil speaking regions (including Kanyakumari) of Travancore, comprising the taluks of Thovala, Agaesthewaram, Kalkulam, Vilavancode and Shenkotta East, Kasaragod taluk of South Kanara district were ceased by Madras to Kerala.

2. Travancore and Cochin had already formed a region union in 1949 in the wake of Indian independence and it lasted till 1956 when Aikya Kerala (United Kerala) was ushered in.


4. Malaviya, H.D. Village panchayat in India, All India Congress Committee, New Delhi, 1956, pp. 504-505.


6. The Tara in later days came to be called also as Kara or Muri in some parts of Kerala.


10. Prior to the 8th century, it is believed there was much communal and religious harmony as well as some kind of social equality prevailing Kerala. Buddhism and Jainism lived side by side with Hinduism.


13. Datta, R.C. The Economic History of India, New Delhi, 1903.

14. The Cochin Village Panchayat Act V of 1089, ME.

15. The Cochin Village Panchayat Act had provided that either the village panchayat itself may function as a court or a separate panchayat court may be formed for a group of panchayat by means of election by their members.
16. Town improvement committees were set up in Trivandrum, Quilon, Aleppey and Kottayam on the basis of the Act of 1894. An Act of 1919 replaced these committees by Councils established under it.


