CHAPTER FIVE

Bureaucracy and Panchayati Raj
I. OFFICIAL NON-OFFICIAL RELATIONS

In the last chapter the focus of attention was on the powers and functions enjoyed by the Panchayati Raj authorities, but the central theme of discussion in this chapter is on the role of bureaucracy in the working of panchayati raj institutions.

For the proper functioning of the panchayats mutual cooperation and understanding between the official and non-official elements is an absolute necessity. Official guidance and advice are as much important to the panchayats as non-official leadership and initiative.
Writing on the relationship between non-officials and officials, Henry Maddick observed:

One of the most difficult questions in connections with the local government and in particular a new local government system, is what relationship should exist between officials and non-officials. Ideally, the relationship should be one of popular leadership and the interpretation of the popular will by the elected or coopted representatives, advising and counselling the officials with whom must rest the execution of the policy finally adopted. This is a well established pattern in a number of systems but is appreciated in India better in state government than in local. It is often said that the politician is responsible for its execution, yet this is an over simplification of the position, for no politician can shut his eyes to the way in which policy is being carried out nor, on the other hand can officers in a developing society avoid offering safe counsel on policy proposals, their alternatives and their consequences.

The ultimate end of the panchayat institutions being the establishment of the self sufficient and self governing community, the officials working under them are expected to follow a policy of least interference and maximum encouragement
to the management of local affairs by the people concerned. An official is expected to help the non officials by giving them advice, encouragement, as well as warning. He is expected to play dual role, "taking of initiative himself and evoking initiative in others, using his expert skill and experience, in the successful execution of the programme and helping the people to become experts and gain experience, playing the leader and at the same time producing leadership"\textsuperscript{2}. But when a local institutional gains experience and attains maturity, he may say slowly withdrawn from the scene after entrusting wider responsibilities to the non-officials who are in a better position to assess the local needs and resources and are nearer to the people to evoke their enthusiasm and mobilise their support.

The non-officials elected to the local bodies even at the village level - have now been called upon to shoulder a larger share in the responsibility for the implementation of the development programme and also for its formulation, as a result of the advent of democracy in India and more particularly after the acceptance of the principle of the democratic decentralisation. Democratic decentralisation aims, among other things, at providing opportunities for enabling them to take decisions regarding their needs and requirements as well as to implement programmes so that they might acquire sufficient experience and necessary skill
to assume the task of governing themselves without depending on others. Local initiative and leadership should come from the non officials, who are expected to see that the programmes are drawn up in consonance with the needs and aspirations of the people, while at the same time trying to evoke popular enthusiasm and support for the implementation of such programmes.

Non officials and officials under local self governing bodies come into more 'direct', 'open' and personal relations with each other when compared to their counterparts in higher levels of government. The official element consists of a small number of individuals who are on the spot, working right under the prying eyes of the people's representatives in the case of the former institutions and it is difficult in their part to remain neutral or anonymous in their dealings with the non officials unlike the officials under the state and central governments who are not expected to deal directly with the legislators and somewhat insulated from political pressures. As regards the panchayati raj personnel, since they have to work in the open and nothing is secret, they are fully exposed to the pulls and pressures of the non officials. The non-officials can exploit the weakness of those who are not obliging. Only officials of very strong nerves can afford to be 'impartial' and 'non-partisan'. There is also the fact that the political pressures tend to be more intense
at the lower levels as individual stakes in administrative decisions become more direct and clear. Besides, the officials working in local bodies have some practical difficulties like owing dual allegiance to the non official head at the local level and the government who is their ultimate employer.

The official, non-official relations differ under different types of people and under varying circumstances. At the panchayat level, the official non-official relationship - between the panchayat executive officer and the president is more personal or individual than in other cases. Through his administrative experience, usually the executive officer is giving all kinds of advice and in same way direction to the president. However in Kerala, where the percentage of literacy is very high when compared to the rest of India, the relationship between both the executive officer and the president is far better and progressive when compared to the rest of India.

Generally speaking the relation between officials and non-officials under the panchayat system which varies under varying circumstances. In this context it is noteworthy to add the comments made by N.R. Visalakshi on it

1. The officials are experienced men belonging to older generation, and the majority of non officials young and inexperienced, the tendency on the part of the former
is to attempt to control the latter through the guise of guidance while the latter may try to resist such encroachment.

2. The non-officials belong to a powerful faction or group the officials are likely to align themselves to such group or faction and hardly act in a way prejudicial to the non-official members.

3. The non-officials in many cases tend to show excessive softness towards particular groups with whose support they won the elections, and try to elicit the cooperation of the officials to do certain things in favour of such groups even to detriment of the panchayat interests.

4. Some of the non-officials without realising the real nature and scope of their functions and duties assume the role of the executive by interesting themselves in the details of administration rather than giving 'leadership', 'initiative' and inspiring people to come forward to participate in functions like programme implementation.

For establishing sound official-non-official relationship which is essential for the effective functioning of the panchayats, it is expected of both officials and non-officials to recognise each others' position and role in the panchayat
set up and to promote mutual understanding and cooperation in the discharge of their respective duties and responsibilities.

It will be worthwhile, in the above context, to refer some experiments which clearly illustrate the official-non-official relations existing in the rest of the country. On the basis of a study in a block in Poona district, Damle makes the following observations:

The officials generally reject the view that officials aloofness from the public is necessary for effective administration and that the officials have a superior attitude towards people. They think that they understand the needs and requirements of the people and that the public servant enjoys more power and prestige than other people of equal level otherwise employed. The non-officials too have a similar opinion on these matters.

R.S. Khanna observed that the non-officials have not developed trust and confidence in the officials, and stated that if programmes of development have to succeed there is urgent necessity for understanding each other's roles and appreciation of their respective limitations.
The Ram Murthi committee\(^7\) also emphasised that there should be no apprehension that the government servants would not carry out the mandate of PR bodies and that it was necessary in the interest of democracy and sound administration to create conditions which might make it possible for the chief executive officer to function without fear or favour.

The Naik committee\(^8\) observed that:

In the past the administrative machinery had to play a dominant role in framing policies and their execution. In recent times the committee comments, progressively the policy functions have rightly passed on to the elected representatives of the people. This has been interpreted in some quarters as a process of somebody wresting power and authority from others. While the officials have the right to advise on policy they should clearly recognise that ultimate policy decision rest with the elected representatives. The latter on the other hand should recognise the officers right to advise collaborators in achieving the maximum good of the people within inherent limitations of human institutions.

Writing about Mysore, Kulkarni says that\(^9\)

In a majority of the cases the deputy commissioner did not develop helpful attitude in the proper growth and progress of PR institutions under the excuse that he had more revenue work to attend to.
Gaikwad\textsuperscript{10} too refers to similar complaints of indifference of officials in attending the meetings and giving information on the progress of work to the members of the subject committees. Many office bearers feel that the officials deliberately behave in this manner, just to show their contempt of non officials.

The Ram Murti team\textsuperscript{11} stated that

Unless rigid discipline was enforced, there was a danger that officers might decide to devote more time to the less exhausting business of lobbying than to the business of public service and extension.

The Bongirwar committee\textsuperscript{12} also observed,

It may not be out of place here to point out that the administrative limbs of some of the PR bodies have failed to project themselves as agencies for the welfare of the common man, the anachronistic die hard bureaucratic wooden headed approach appears to linger still in many places, and that the imminent danger is that these traits may unwillingly be imbibed by the new entrants as well. This may be one of the reasons why people choose to approach their representatives directly even in respect of matters regarding which substantial relief can, if they so desire, be granted by officials.
Heterogeneity in the official team also cause conflicts among officials and non-officials. The entire team may not act as a single unit or group. There could be differences of opinion or clashes of personality among the officials themselves which impede the working of the PRIs. Tension between officials and non-officials in PR, according to Jain\textsuperscript{13} would arise because of the prevalence, inter alia, of difference in personality and value orientation of both the officials and non-officials and the decision making process adopted. It is his view that while a role failure at a local point can be corrected by the elaborate machinery of supervision, a well thought out training programme would be necessary to restructure some of the personal habits in thinking and behaving. Raghuraj Sahai\textsuperscript{14} asserts that the non official with a will and requisite ability would be able to play his part very well and make the officials more in the right direction, but has often been emphasised that a change of outlook should be brought among officials. At the same time training of non officials functioning in the different levels in the panchayati raj is absolutely necessary to see that they efficiently perform their roles. Suggestions have also been made for general training of village leaders to develop in them a spirit of self help, cooperation etc.
The need for holding orientation courses for the benefit of the members and presidents of panchayats in training institutes to make them competent in discharging their duties has been often stressed. Ram K. Vepa\textsuperscript{15} thinks that in the success of attempts to train a corps of rural leadership lies the hope for the future. Leadership training programmes should be geared to the tasks of preparing the leaders in accordance with the goals of democratic decentralisation.

In this above national context it can be concluded that, while the officials, who are expected not only to function effectively, but also to learn to work in harmonious and cordial relations with the non officials, may give advice and guidance to the latter, acting as their friend, philosopher and guide, the non-officials may well provide the much needed leadership and initiative instead of loosing themselves in details of administration.

II. DISTRICT COLLECTOR AND PANCHAYATI RAJ INSTITUTIONS

Although local bodies existed even before the introduction of PR, they were only minor organs within the framework of district administration with the responsibilities of only limited nature and subordinate in many ways to the authority of the district magistrate/collector and other officers. On the other hand PRIs of today are increasingly regarded as units of self government of a compendious character with the
responsibilities which subsume the entire substance of local planning and development.

The present pattern of relationship between the collector and the PRIs can be conveniently classified under four heads, viz.

1. control over the staff of the PRIs;
2. power to suspend the resolutions of PR bodies;
3. power to remove office bearers; and
4. powers to suspend and dissolve PR bodies themselves.

Control over staff

Panchayat samities and zilla parishad have two categories of staff at their disposal. Firstly they have the chief executive officers and various extension officers whose services are placed at their disposal by the parent departments and secondly they have the members of the panchayat samities and zilla parishad service itself.

The disciplinary control over the executive officers of the PR might take the form of

1. the writing of the confidential report, which if adverse may affect the executive officers in various ways; and
2. the authority to inflict various punishments, various patterns exist regarding the writing of the confidential reports of the executive officers of the PR bodies.
As to the authority which has the power to inflict minor punishments on the executive officers of the panchayat samities. The disciplinary control over the executive officers, are also takes the form of the authority or recording the confidential report, or inflicting minor punishments and of administrative control by chairman to a limited extent.

Power to suspend the resolutions of PR bodies

The powers to suspend the resolutions of a panchayat vest in the commissioner in Andhra Pradesh and in the collector in Madhya Pradesh, Tamil Nadu, Maharashtra, Mysore, Punjab and Assam. In Punjab and Assam these powers are concurrently exercised by the subdivisional officers as well. These powers have been exclusively given to the sub divisional officer in Bihar and Orissa, while they are exercised by the zilla parishad in U.P. and the officer in charge of panchayats in Rajasthan, the director of panchayats in Kerala, and taluk developments board in Gujarat.

The powers to suspend resolutions of the panchayats samiti are with the state government in A.P., Bihar, West Bengal and Rajasthan. The powers to suspend a resolution of the zilla parishad vest in the state government in A.P., Bihar, Punjab and West Bengal.
Powers to remove office bearers of PR bodies

There is a provision for the removal of office bearers of the PR bodies in all the states. In case of panchayats these powers are vested in the state government in Assam, Bihar, Kerala, Orissa, M.P., Himachal Pradesh and Rajasthan. These powers are exercised by the commissioner in Andhra Pradesh, by the collector in Karnataka by sub divisional officer in U.P., and director of panchayats in Punjab.

Powers to suspend and dissolve the PR bodies

The power to suspend the panchayats is vested in state governments in Assam, Bihar, Gujarat, Kerala, M.P., Tamil Nadu, Maharashtra, Punjab, Rajasthan, U.P. and in the deputy commissioner in Orissa.

Collector as a link between rural and urban administration

The only effective link between rural and urban administration is the district collector. He is an officer who represents the state government in the district in the capacity of collector, district magistrate and district officer. It is role both in rural and urban local administration is important.

The team for the study of community projects and national extension service recommended that at the district level, the
collector should be the captain of the team of officers of all development departments and should be made fully responsible for securing the necessary coordination and cooperation in the preparation and execution of the district plans for community development.

The committee on democratic decentralisation visualized, the collector outside the local body who can evaluate impartially the functioning of the local body and who will also be available for keeping government informed on any matter which if sufficient importance. He can also be invested with certain controlling powers which he enjoys in regard to existing local bodies. It will be admitted that there must be some authority at the district level to watch the functioning of local bodies on behalf of government and to whom people can look for remedying cases involving abuse or excessive use of powers. The only authority competent to do so can be the collector under the overall supervision of the commissioner and the government.

The central council of local self government in its sixth meeting, generally agreed with the view of the committee on democratic decentralisation and adopted the following recommendation.

"the collector should keep out of the tier system and should be the agent of the government in the field with
a duty to keep the government informed of the happenings and the general trend of events and where the government so decides, to take necessary correctional action. For these purposes, he may be entitled to attend the meetings of the PR bodies and also call for their records but where the district level body in its functions mere coordinating and advisory body, the collector could be associated with it more closely than where it is an executive body.\textsuperscript{17}

As far as PRIs are concerned, the most important role of the collector is that of a coordinator. Prime Minister Lal Bahadur Shastri referred to it while addressing the National Development Council on 27 October 1964 as, "I would suggest all the chief ministers present here today that they should restore to the district officer whether he is known as the collector or deputy commissioner, the status of a coordinator of all governmental activities in the district and confer upon him, the responsibility for guiding all the efforts undertaken on behalf of government, central or state. This may well mean splitting up the larger districts into more compact administrative units. The task should be faced as one of urgency.\textsuperscript{18}

Since the establishment of PRIs, he is expected to serve also the link between the district level officers and institutions and the latter and the state government. He has to
play a key role in respect of PRIs. He must ensure that the PRIs get the requisite guidance from the district level officers and that the activities of the extension officers attached to them are effectively supervised. At the same time he must see that the district level officers are given adequate facilities by the panchayat samities for supervision of their work and that their advice is followed by the institutions.

The collector is an important link between the PRIs and the state government. He has to bring to the notice of the government the needs and aspirations of the people, as articulated by the members of the institutions. He must attempt to ensure that the needs and aspirations are given due attention by various departments of the state government and are reflected in the state. At the same time, he has to see that the priorities and targets laid down by the state government are adhered to the institutions and the latter play their role in obtaining people's participation in development activities. In this process, the collector has to do much explaining to the state government and to the PRIs. He has often to play the same role between the district level officers and their own heads of departments.

In the present context, the collector would be the eyes and ears of government, and if not the friend, philosopher, guide atleast a corrector, inspector and ombudsman of the PRIs.
Government of Kerala appointed Administrative Reorganization and Economy Committee in 1965 under the chairmanship of M.K. Vellodi, I.C.S. The committee suggested the following recommendations to revamp and rejuvenate the office of the District Collector, to a position which is more accessible and acceptable to the growing needs of the village panchayats and the common mass. The committee remarked: "under the scheme of panchayati raj the volume of a collector's work is bound to increase. So the collector should be largely relieved of his responsibilities as revenue officer, while he should be generally responsible for revenue administration, almost all terms of revenue work should be attended by the personal assistants to the collector".

Regarding the office of the district collector, and the powers enjoyed by them relating to the affairs of the panchayats, Vellodi committee made the following recommendations, which deserves special attention, in this context. The major recommendations of the relating to the affairs of panchayats is given in Appendix No.II.

1. Collectors have to be brought sparsely into the picture of panchayat administration.
2. All district collectors should be notified as directors of panchayats in their respective districts.

3. All R.D.Os should be notified as deputy collectors of panchayats in their respective divisions.

4. District panchayat officers (DPO) should function as personal assistants to the collectors in the panchayati raj wing which should be organised in all collectorates.

5. The staff of the directorate and the regional offices of the department of panchayats and the staff of the directorate of municipalities should be distributed among the collectorates.

III. STATE GOVERNMENT AND ITS CONTROL, SUPERVISION AND GUIDANCE OVER PRIs

All local authorities are corporate bodies created by status for the government of particular localities. The functions they are authorised to perform are statutorily delegated to them by the government creating such bodies. There are certain functions which are performed by the state government or the central government. But even in respect of some of the functions performed by local authorities the state or the central government is ultimately responsible for their efficient performance and to see that certain national minimum standard has been attained. It is therefore, obvious that local bodies must be, to some extent, under the
control of the state government or the national government, as the case may be. No system of local government, even though it is termed as local self government can be completely autonomous.

Necessity of supervision and control

The reasons or objects for providing for government control over village panchayat may vary from state to state. However, the necessity of some kind of state control and supervision over it cannot be denied. The major factors responsible for the supervision and control over village panchayat are as follows:

1. Many local authorities are liable to be deficient in knowledge owing to the comparatively small range of facts with which they are likely to be familiar. Members of village panchayats are elected for a limited term and their relationship with the local body is of casual nature. The state government, on the other hand, has a permanent body of trained officials.

2. For the uniform development of all the areas in respect of important nation building activities, central coordination is essential and this can be achieved only by the authority at the centre.
3. Powerful interests in the local community itself sometimes work against the general good of the community as a whole. It becomes necessary for an outside authority to save the community against such unsocial members.

4. Technical assistance from the experts in the empty of the state government is necessary in the case of village panchayats.

5. State governments are expected to render financial assistance to local bodies and it is natural that they should expect some kind of control of these bodies.

6. The central government is the sovereign authority is responsible for the uniform and homogeneous development of all the areas and, as such, it has to supervise the working of all local bodies in respect of the functions that are likely to affect the development of the nation.

In the context of the factors noted above, it is evident that the state or central government will always be expected to guide the local bodies. However, the powers of control reserved by the state government of Kerala, today under the Kerala panchayat Act, 1960, provide not only for inspection, guidance and supervision but for wider control over the affairs of all village panchayat. Even the popular governments fed
the necessity of the state control over the local bodies for raising the standard of their administration.

Ways and technique of control

Ordinarily control over local authorities is exercised in three ways: (1) by statute; (2) by courts of law and (3) by governments departments. The structure and composition of local authorities, the functions to be performed by a local authority and other details like compulsory establishment of committees or appointments of officers, sources of revenue and the like are laid down by state act. The control by the courts of law is of a different nature. In India, the local bodies, like all others in the state, are subject to common law. It is for the ordinary courts of law to interpret the meaning of state Acts affecting local bodies, whenever occasion arises, and if it is to the ordinary courts that any person has to appeal, when he considers himself aggrieved by an act of any local body. The third type of control by government departments which is also called administrative control, constitutes the most important basis of state government's authority and touches the working of local bodies at every stage.

Organisation for control of panchayats in Kerala

In Kerala, there is a separate department of panchayats which has been entrusted, with the responsibility, not only
of aiding and guiding the panchayats, but also of controlling them effectively. The department is headed by the director of panchayats, who has under him two joint directors of panchayats and a few deputy directors and a sufficiently large staff, scattered all over the state.

The panchayat department is comparatively recent origin. But there was some department or other exercising control over village panchayats in the different regions comprising Kerala before the integration of the state.

In former Travancore, the administration and control of panchayats were placed under the responsibility of the revenue department since the enactment of the Travancore village panchayat act, 1925; and when the Travancore village Unions Act, 1939, was passed the division Peishkars acted as Registrars of both the village panchayat and the village unions in their respective divisions. In 1945, the administration of these local bodies was taken away from the revenue department and entrusted to the public health departments and subsequently it was transferred to the department of village uplift and village unions and panchayats on their creation in 1946. They functioned in 1949 when the two departments were amalgamated and placed under one director, designated as director of village panchayats. District officers designed as assistant director of panchayats were appointed to assist the director of village panchayats.
In Cochin, the public health department was controlling village panchayats up to 1945, when a separate department was created for panchayats, under a director of panchayats, whereas in Malabar, the inspector of the municipal councils and local boards assisted by regional inspectors and deputy panchayat officers, exercised control over the panchayats.

After the merger of Cochin with Travancore, some minor changes took place in the organisation for the control of the local bodies. Upto 1955, the Municipalities were under the direct control of the government. The necessity for adequate supervision was by now, felt by the government. The government also realised that the existing arrangement for controlling panchayats was not sufficient. They therefore decided to convert the panchayat department into the 'Department of local bodies', by bringing the municipalities under its administrative control. The assistant directors of panchayats who were the controlling authorities at the district level were placed by deputy directors of local bodies, who were entrusted with the duty of supervising the working of panchayats and municipalities. The director of panchayats became director of local bodies.

The department of local bodies continued to function for some more time after the formation of the Kerala state in 1956. The activities of the department were coordinated in a sub-
stantial measure with those of the revenue and development departments. The panchayat inspectors and deputy panchayat officers were attached to the block offices to function as extension officers for panchayats and their posts were re-designated as extension officers for panchayats-cum-panchayat inspectors-cum deputy panchayat officers, in 1958. With a view to improving the efficiency of administration and quick despatch of business the local bodies department was bifurcated into two departments - the department of panchayats and that of municipalities - each with a director at its head, having territorial jurisdiction over the whole state.

The powers and responsibilities of the director of panchayats increased considerably after the new panchayats started functioning in 1964 and the government therefore, raised panchayat department to the status of major department.

At present, panchayat department consists of the director of panchayats, who is the head of the department with overall responsibility for the running of the department, two joint directors, few deputy directors and other staff are working under him. A list showing the staff strength of the department is as appended in the fourth chapter.

Department control over panchayats in Kerala

The department is hierarchically organised with reasonable scope for delegation of power from the director down-
wards. Immediately below the director are two joint directors, who have under them district panchayat officers, who stand apex of the panchayat administration at the district level. At the regional level, now there are 8 deputy directors of panchayats, 4 senior superintendents, 12 panchayat inspectors and a number of clerical and secretarial staff. At the district level there are 14 district panchayat officers, 25 junior superintendents, 53 panchayat inspectors and a number of clerical staff. At the taluk level there are 61 taluk panchayat officers, and clerical staff. At the block level there are total 151 extension officers for panchayats 145 overseers and the rest belong to clerical cadre. The above picture clearly illustrate the state level picture of the panchayat staff. A list of the total number of officials in the panchayat department as per 1986-87 is given in chapter four.

Each panchayat inspector has under his jurisdiction 7 or more panchayats, normally. Where there is a block, the jurisdiction of the panchayat inspector is co-extensive with that of the block and he functions as an extension officer attached to the block. Every panchayat inspector is expected to inspect the accounts and registrars of the panchayats once in a month. It is he who countersigns the pay and T.A. bills of the executive officers and the staff of the panchayat. The activities and the progress of the panchayats are also
closely watched and reported periodically by him to higher authorities.

The powers of sanctioning expenditure of panchayats, exercisable respectively by the district panchayat officer, the deputy director and the director panchayats are as follows:

The district panchayat officer can authorise the panchayat
(1) any non incurring expenditure upto Rs.500
(2) any recurring expenditure upto Rs.50
(3) any expenditure on payment of grant in aid
(4) any expenditure on payment of contribution not exceeding Rs.10,000 for local development scheme
(5) any expenditure on payment of acquisition charges of above Rs.5,000 subject to budget provision. The deputy director has the power to sanction to any panchayat, under items (1), (2), (3) (above mentioned) respectively, Rs.1,000, Rs.100, Rs.2,500 in each case under any item authorised under the act and rules. The director has the authority to sanction any expenditure for the purpose for which panchayat funds can be legally applied.

The department has been exercising rigorous administrative control over the panchayats by the media of innumerable orders of instruction reminders, warning and the like as well as of inspections, enquiries, audit of the accounts etc. The
vigilance organisation in the department has been of much help in detecting cases of misappropriation irregularities and such other matters, which affect the working of the panchayats adversely, through regular but surprise inspections of panchayats by district panchayat officers, the deputy directors and occasionally the director himself. Moreover the accounts of the panchayats are being audited by the examiner of local fund accounts, who is appointed by government for the purpose.

Provision for supervision and control

As stated in the chapter four on authorities, powers and functions, the powers of supervision and control over panchayats are vested in the state government and panchayat directorate in Kerala. Some of the important provisions relating to these powers as given in the Kerala Panchayat Act, 1960 are as follows.

(a). Inspecting and superintending officers and their government's powers:

According to section 48, item (1) of the Kerala Panchayat Act, the panchayat "Director shall supervise the administration of panchayats and shall exercise the powers and perform the duties vested in him. He shall be assisted by the deputy director who shall besides superintending the operations of the panchayat. The government may appoint
other officers for the purpose of inspecting or superintending the operations of all other activities. The cost of the officers and members of the establishment shall be paid out of the consolidated fund of the state.

"Panchayats and their presidents, executive authorities, officers and servants shall be bound to afford to the authorities, officers and persons, at all times, to panchayat property or premises and to all documents as may, in the opinion of such authorities, officers or persons, be necessary to enable them to discharge their duties" under this section of the Kerala panchayat Act.

(b). Power to suspend or cancel resolutions

The director is vested with the power to suspend or cancel any resolution passed, order issued or licence or permission granted. He has also the power to suspend or cancel any resolution, order, licence, permission or act has not been passed legally. But before taking action the concerned authorities shall give the panchayat or the officers or the persons concerned an opportunity for explanation as per section 49 of the Kerala panchayat act.

(c). Control over electrical undertakings of panchayats

The administration by the panchayat of any undertaking for the generation, transmission, supply or use of electrical
energy shall be subject to such control as may be prescribed not inconsistent with the Indian Electricity Act, 1910 or the Electricity (Supply) Act, 1948, the directors issued from time to time by the Kerala Electricity Board and the terms of licence granted under them to the panchayat, as per section 51 of Kerala Panchayat Act.

(d). Power to take action in default of a panchayat, President or Executive Authority

According to section 52, item 1 of the Kerala Panchayat Act entrusted the director of panchayat to take action against a panchayat, president or executive authority has made default in performing any duty imposed by the panchayat Act. If a duty is not performed by an authority, within the period so fixed the director may appoint some person to perform it and may direct that the expenses of performing it shall be paid by the person having the custody of the panchayat fund in priority to any other charges such fund except charges for the service of authorised loans according to section 52 of the Kerala Panchayat Act.

(e). Removal of President, Vice president or Member

Section 53 item (1) of the Kerala Panchayat Act declares that, "the government may, by notification, in the gazette and with effect from a date to be specified therein, remove
any president or vice president who, in their opinion wilfully omits or refuses to carry out or disobeys the provisions of this act, or any rules, bye-laws, regulations or lawful orders issued thereunder, or abuses the powers vested in him". Further this section says that, "the government may, by notification in gazette and with effect from a date to be specified therein remove any member who in their opinion is guilty of any gross and wilful misconduct in the discharge of his duties".

Section 53, item 3 says that, government shall give an opportunity to the president, vice president and member concerned an opportunity for explanation. As far as the ineligibility is concerned. Any person in respect of whom a notification has been issued due to above mentioned reasons, for removing him from the office of president, vice president or member shall be ineligible for election as president or vice president or member from holding any of those offices until the date on which notice of the next ordinary elections to the panchayat is published in the prescribed manner.

(f). Motion of non confidence in President & Vice President

As far non confidence motion is concerned, a written notice of atleast one half of the total strength of members of the panchayat, together with a copy of the motion which is proposed to be made shall be delivered by any two members
signing the notice in persons, to the deputy director. Any officer of the government not below the rank of district panchayat officer, authorised by the deputy director shall convene a meeting of the panchayat for the consideration of the motion. The above officer will give to the members notice of not less than fifteen days for it. No debate on any motion under this section shall be adjourned. If the motion is carried with the support of not less than three fifths of the total strength of the panchayat, the motion is considered passed. If the concerned party does not resign his office within two days after the passing of the motion, the director shall, by notification in the gazette remove him from office, according to section 54 of Kerala panchayat Act.

(g). Dissolution and supersession of panchayats.

Section 55, item (1) of the Kerala panchayat Act declares that, "if in the opinion of the government, a panchayat is not competent to perform the duties imposed on it by law, the government may by notification, direct that the panchayat shall be dissolved and reconstituted on such date as the government may fix in that behalf or the government may, if they think, necessary, supersede the panchayat for a period not exceeding six months from a specified date, and reconstitute the same on the termination of the period of supersession."
(h). Powers of officers taking action on behalf of or in default of panchayat and liability of panchayat fund:

According to section 56 of the Kerala panchayat Act, "the government or any other authority lawfully taking action on behalf or in default of a panchayat under the act shall have all such powers as are necessary for the purpose and shall be entitled to the same protection under this act as the panchayat or its officers or servants whose powers are exercised, and compensation shall be recoverable from the panchayat fund by any person suffering damage from the exercise of such powers to the same extent, as if the action had been taken by the panchayat or its officer or servants".

Thus in brief, closer contact and better relations between the panchayats and state governments can be achieved only if the state government is prepared for delegation of power. It is necessary that the state government must follow a policy of decentralisation. The Kerala state under different governments formed by different parties or coalition of parties has been trying since 1959 to enact a comprehensive law on rural government and proper decentralisation of power. But none of the governments were not able to achieve any fruitful result on it. The bureaucracy, the political parties, people's representatives appear to be indifferent to the issue of decentralisation in the state. The irony is
that so far no political party has said anything against the decentralisation of power. If proper devolution of power is introduced, indeed the number of people who now come to the secretariat, the board of revenue and other departments and the MLA quarters will be considerably reduced and this may affect both the bureaucracy and the politicians.

The need for making use of local interest and local knowledge for carrying on the administration of every country is now greater than before. Local initiative, interest and enterprise have to be as fully developed as possible and utilised for the well being of the community. An over centralised political system may, it is now clearer than ever, assume the semblence of efficiency for a short time and seem to work marvels, but the very conditions of social life today render it highly problematical whether such a system can endure or provide the essentials of stability and progress. Every centralised system has in it the possibilities of a speedy decay and without a broad base, must inspite of its apparent strength collapse under its own weight.

It is, therefore necessary that the state government should transfer as many functions and powers as possible to the panchayats. The panchayat must be treated as the basic type of organization, its functions being well coordinated with those of other local bodies, whose duty will also be to
safeguard the growth and efficiency of the panchayat. Without such a well planned system of coordination of functions and finances between the state and the basic unit of decentralization (village panchayats) - the latter cannot successfully play their part as units of local self government.
REFERENCES


9. Report of the Committee on Democratic Decentralisation, Cooperation and Rural Development Department, Govt. of Maharashtra, 1961, p. 121 (Chairman V.P. Naik).


17. Report of the Committee on Democratic Decentralisation

18. Quoted by Dave, P.K. "The Collector today and tomorrow"


20. Ibid., p. 120-121.

21. Administration Report of the Panchayat Department,


23. Ibid., p.33.