CHAPTER - III

GENESIS AND DEVELOPMENT OF
PANCHAYAT RAJ INSTITUTIONS
IN KARNATAKA
This chapter throws a light on the genesis and development of Panchayat Raj Institutions in Karnataka from pre-independent period to post-independent period. It also focuses on the social base of governance through Panchayat Raj Institutions (PRIs) for development of weaker sections, people’s participation in decision-making process through Panchayat Raj Institutions (PRIs), decentralised planning and promotion of rural development with special reference to Karnataka state.

Karnataka state has 56,682 rural habitations including 27,683 inhabited revenue villages. According to 2001 census, about 349 lakhs of its people, out of a total population of 529 lakhs live in these rural habitations and it constitutes about 66% of the state’s population and about 67 lakh households, who live in the rural areas depending mainly on agriculture. The distinguishing features of the state’s rural society are as follows:

a) A large number of scattered small habitations;

b) Dependence on agriculture and related activities;

c) Low share of rural areas in the state domestic product as compared to its population, which means that it is characterized by low per capita income;

d) Infrastructure like roads, electricity, housing, sanitation are not upto the expected level; and

e) It is backward than the urban areas of the state in terms of human development parameters like literacy, health services and skill endowments.

Development of rural areas in the state would therefore imply improving the productivity of agriculture and other economic activities in rural areas, improving the availability and quality of infrastructure and improving the quality of services, which contribute directly to upgrading the quality of human resources. The Department of Rural Development and Panchayat Raj is implementing a number of schemes for improvement of living conditions of the people towards the creation of economic and political awareness in rural areas.

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One of the major responsibilities of Rural Development and Panchayat Raj department is in the realm of implementing the provisions of the Karnataka Panchayat Raj Act, 1993 to achieve democratic decentralization in the governance of the state's rural areas. The department coordinates the process of the establishment of Panchayat Raj Institutions under the above legislation and monitors their functioning in order to ensure that Panchayat Raj Institutions in the state function as viable and vibrant institutions of local self-government. The responsibility of plan formulation and implementation are being taken to the people by transferring the functions, functionaries and finances to these decentralized institutes. By this, the people in rural areas can take the decisions by themselves for their own development and progress of their villages and to achieve this, training is being imparted to elected representatives and some members of the public for capacity building.¹

**Origin and Development of Panchayat Raj Institutions in Karnataka**

The following are the important developments with respect to the growth of Panchayat Raj Institutions (PRIs) in Karnataka State:

- **Ancient Period**

  The system of the local self-government flourished in Mysore State (now Karnataka). The inscriptions dating back to 1005 A.D., testify to this fact. From the available inscriptions we come to know that the tradition of the village bodies was strong enough to deal with the local matters effectively. In Agrahara villages, the assembly of the Mahajans (heads of families of Scholarly Brahmins) served as the local body. In this period, the villages were known by a numerical prefix, as in the case of ‘Aivattu Okkalu’ (fifty families) or ‘Muvattu Okkalu’ (thirty families). The functions of the village families included building and maintaining temples, arranging festivals and fairs, running choultries (charity homes) and arravattiges (centres to distribute drinking water), collecting tolls, conferring gifts for meritorious service, installing hero-statues (for heroes who die in village defence during the course of raids by enemies or bandits), maintaining the family of such deceased heroes by grant of land and settling disputes. A record of Sorab taluk from
Shimoga district speaks of the whole assembly of a village functioning as dharmadhyaaksha (judge) in settling a land dispute. The assembly could also outlaw a person.

During the period of Shathavahanas and Kadambas, there existed the system of Grama and Agrahara, which looked after the maintenance of roads, irrigation tanks and other public works.²

The village administration during the period of Rashtrakutas of Manyaketa is as follows: The first unit of administration of the kingdom was a village and 'Gramapati' was its head. The maintenance of village and its development was his main function. He too was mainly a collector of revenue. The safe protection of records (kadatas) pertaining to the village administration was his responsibility. The village council was there to advice the 'Gramapati' and the judgement over village disputes. Local temples and choultries or public halls were the places for the deliberations of the village council.³

> **Medieval Period**

The Assembly System that was followed in the ancient period continued to flourish under the Vijayanagara Empire. The homogenous and integrated character of society that existed during that period was responsible for the successful working of panchayats. During the period of Vijayanagara kingdom, the first phase of administration was the village. The Vijayanagara rulers had granted autonomous rule to the villages. A group of villages formed a 'Sthala' which later on became 'Sammatu' (local people). The Nanajangud inscription of 1517 mentions Belagola Sammatu. The Hiriyur inscription mentions 'Dharmapura Sammatu' and the Tumkur inscription mentions 'Gubbi Sammatu' and the group comprising many 'Sthalas' formed a 'Seeme'/'Naadu'.

It is to be noted that, South India occupied the foremost place in enjoying village autonomy. The local autonomy was in vogue during the time of the Cholas. The village had their own local zones. They were responsible for the welfare of the villages. They would not depend upon the Central Government for their actions. The Chola system continued even during the time of Vijayanagara times. Even in other parts, the villages carried on their daily activities under the guidance of the local
officials without any impediment. In Karnataka, the first unit of administration was the 'Village Agrahara' and 'Nagara'. They had assemblies called 'Uru', 'Mahajanaru' and 'Nagaa'. The head of the Village was called 'Gounda'. He was the most important person in the village administration. He was helped by 'Shanbogh' or 'Kulakarni' (village accountant). Besides there were people who followed diverse professions like 'Talari' (policeman), 'Ambiga' (boatman), 'Barika' (watchman), 'Totiga' (clerk of the lower order), stone mason, black smith, gold smith, pot maker, carpenter, barber, astrologer and purohit. All these people helped in making the rural life run smoothly and easily.

The village assembly had different names-'Okkalu' (agriculturists) 'Praje' 'Samastaru' (that is all), 'Halaru' (several) 'Hadinentu Jati' (eighteen castes), 'Janani', 'Jagattu', 'Gaonkar' (The Goa assembly under the control of Vijayanagar). The village assembly under the leadership of 'Gounda' scrutinised all the activities of the village and took appropriate measures for the development of the village. The village welfare, improvement of the village, settlement of petty disputes, local revenue, collection of taxes, endowments etc., comes under its jurisdiction. The villagers had no need to approach the king to settle their disputes. The King had entrusted this responsibility to an official called 'Mahanakacharya'. The village meetings were generally held in temples or 'chavadis' (the village hall). All groups of people- 'Okkalus' (30 Okkalu, 50 Okkalu) 'Samastaru' (that is all), eighteen jatis, and 'Mahajananas' used to meet together in these places to discuss the matters of the development of the village.4

A new phase of local institutions had begun during the period of Mughal Empire. The Muslim rulers interfered very little with the ancient customs of the village government. They incorporated the village into the administration as a unit for revenue and police purposes only. However, the state, which carried out the village administration through a Headman or 'Muquaddam' also held him responsible for law and order and restitution of theft. Thus, the judicial powers of the panchayats were considerably curtailed and it was the rule of one man. The panchayat was not fully representative in character. Most of the members were from the landed gentry or from the Brahmin community. The landless and lower
castes had almost no say though there are stray cases of representative community organisation including Shudras. Inspite of these limitations, panchayats continued to be at the helm of local affairs and village officers and servants continued to be answerable to them. They supervised almost all the affairs of the village and apportioned taxes. It should be noted that very few impartial deliberations took place and the panchayats did not have any universality or democratic functioning.

**British Period**

As the British consolidated their rule, they introduced and developed their own style of local governments, which has been discussed under the following headings:

**Formation of Local Fund-1862**

Mysore state has a long history of local self-government. In 1862 'Local fund' for the construction of roads and other subsidiary works and the establishment of local fund committees in each district till 1874 marked the beginning of the modern local self government in the state. The progress was seen by the establishment of a local fund committee in 1874 under the chairmanship of the Deputy Commissioner consisting of one elected Zamindar and six nominated landholders. The other members of these committees were the Assistant Commissioners, the Executive Engineers and all Zamindars in the district. The working of these committees proved defective in many respects i.e., "the most important of it was the preponderance of the official members, absence of reasonable powers for the disposal of funds, and the entire subordination of the committees to the government officers in the administration of the funds". However, these committees were subordinate to the bureaucracy and membership was almost entirely restricted to officials. They were nothing more than mere institutions of convenience for the District Magistrate, supplying him information and carrying out miscellaneous tasks. The funds were also insignificant and villages were hardly touched by these local fund committees.

**Lord Mayo's Resolution of 1870**

The resolution of Lord Mayo (1870) on financial decentralisation also visualized the development of local self-government institutions; but this was
subordinated to the need for tapping local sources of revenue and of effecting economy by decentralized administration. Lord Mayo’s resolution delineated, local interest, and care which are necessary to achieve success in the management of the funds devoted to education, sanitation, medical relief, and local public works. The operation of this resolution in its full meaning and integrity will afford opportunities for the development of self-government, for strengthening Municipal institution and for the association of natives and Europeans to a greater extent in the administration of affairs. Numerous provincial governments authorized municipal acts to execute the policy drafted. The Bengal District Board Cess Act, 1871 was the initiative towards implementing local self government in pastoral Bengal. Parallel acts were passed in Madras, North-Western Provinces and Punjab.

**Lord Ripon’s Resolution of 1882**

The year 1882 opened a new chapter in the growth of local self government. A major foundation of the British roots of Indian local government was Lord Ripon’s resolution of May, 1882 on the subject of local self-government covering the structure and establishment of local bodies, their functions, finances and powers. This is the root of local self-government in post-independence India. He is rightly credited with the enunciation of a new philosophy of local government. To him, local government was predominantly ‘an instrument of political and popular education’. The resolution of Lord Ripon, embodying this doctrine has been hailed as the Magna Charta and Lord Ripon, its author is considered to be the father of local self-government in India. The government of Ripon, noticed with gratification that a huge income from local rates and cesses had been insured and in some provinces the administration of this income had been generously assigned to local bodies and that municipalities had amplified in number and worth. It was also sensed that there was a bigger dissimilarity of progress in various parts of the country than diverging local situations seemed to guarantee, that many services honestly altered for ‘watch and ward’ (police maintenance), were a great load on the finances of the municipalities. Ripon’s government preferred the provincial government to implement similar principles of financial decentralisation which Lord Mayo’s government did on the local bodies. The regional governments were asked to
embark on a vigilant study of provincial, local and municipal finances with a view to determine -

a. What details of receipt and charge could be reassigned from regional to local heads for governance;

b. What re-distribution of particulars were worthy, with the objective of laying stress on local and municipal bodies, those which were best realised and apprehended by the people; and

c. To conceive methods of equalising local and municipal tax revenue all through the empire.

The imperial government borrowed the resolution of 1882, which depicts the efficient starting of local self-government in India. The growth of local bodies was promoted not only with the perspective to develop the administration, but also as a tool of political and admired education. Local boards were to be built up throughout the country and assigned with specific duties and entrusted with appropriate resources of revenue. These local bodies were proposed to possess non-official majorities together with general system of election, wherever local conditions allowed. Official intervention was proposed to be cut down to bare minimum and exerted to modify and check the moves of local bodies, but never to order policies. Official executive permission was however essential in certain cases, like levying loans, alienation of municipal property, infliction of new taxes, attempting works costing more than an ordained sum, setting up rules and bye-laws etc.

In pursuit of this resolution several Acts were passed between 1883 and 1885, which immensely modified the constitution, powers and functions of municipal bodies in India. But, the bureaucracy did not share the moderate views of the Viceroy and thought that the Indians were sub-standards for self-government.

**Council Act of 1892**

The Council Act of 1892 indicated in the future lines of developments and it was thought to be preparing ground on expectations that India in future would have a forehand experience of the training in the local self government. The similar sort
of trend continued in the former state of Mysore, which was emerging favorable to the development of the self-government institutions.

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

**Mysore Local Boards Act-1902**

In 1902, the Government introduced Mysore Local Boards Act, which provided for a three-tier structure of local self-government. At the Panchayat level, there were Union Panchayats with a nominated Chairman, at the Taluka level, there were Taluka Boards with sub-divisional officers as Presidents and Zamindars as Vice-Presidents and at the district level, there were District Boards with Deputy Commissioners as Presidents.  

**Mysore Local Boards and Village Panchayat Act-1918**

In 1918, the Mysore government enacted the Mysore Local Boards and Village Panchayat Act which for the first time made elected element in these bodies meaningful. The number of elected members was increased to two-third and one-half in the District and Taluka Boards respectively. The Act also provided for the election of non-officials as Vice-Presidents in both the bodies.
Mysore District Boards Act and Mysore Village Panchayats Act-1926

After the 1918 Act, the Government of Mysore enacted the Mysore District Boards Act and Mysore Village Panchayats Act in 1926. But, only two types of local bodies i.e., District Boards and Village Panchayats were sanctioned through this enactment as the rural local government institutions.

Post-Independent period Developments

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

The Mysore Act of 12th June, 1950

Even before the inauguration of the Community Development Programme (CDP), the Mysore government appointed the integration and co-ordination
committee for the local bodies under the chairmanship of the then Speaker of the Mysore Legislative Assembly. It submitted its report on June 12th, 1950 and the local boards enquiry committee headed by Shri D.Chandrashekarariah, submitted its report on August 28th, 1954. The terms and references of the first committee included the examination of the issue of co-ordination of the work of the local bodies and other institutions of the rural development.10 The committee favoured the two-tier structure of local self-government with group panchayats and district boards, the members of the latter being elected indirectly by the directly elected members of the panchayats.

The Mysore Act was largely affected by the reorganization of the states in 1956. This new act also bears the influence of the existing legislation in Madras, Bombay and Hyderabad-Karnataka areas. In Madras-Karnataka region the district boards were governed by the Madras District Boards Act of 1920, as amended from time to time.11

**Mysore Village Panchayats and District Boards Act of 1952**

The recommendations of the Venkatappa Committee became the basis of the Mysore Village Panchayats and District Boards Act of 1952. Clearly the operation of the Act threw practical difficulties, which prompted the Government to appoint another committee almost immediately thereafter. This committee was called the Local Boards Enquiry Committee under the Chairmanship of D.Chandrashekarariah. It was used to examine the details of the functioning of local bodies. The Committee submitted its report on 28th August, 1954. It recommended a three-tier structure of local self-government with District Boards at the apex level, Taluka Boards at the middle and Village Panchayats at the base with a strong elective component for each. The Committee suggested that both the Taluka Boards and District Boards should function as executive bodies. Besides this, the committee recommended the constitution of a special agency to carry out public works of these bodies. But, the recommendations of D.Chandrashekarariah Committee could not be implemented on account of the imminence of reorganization of states. But these efforts were not in vain, because they had their impact on the new legislation i.e., the Mysore Village Panchayats and Local Boards Act, 1959.
Taluka Development Boards Act of 1955

It was a progressive legislation, in the sense that it envisaged the constitution of Gram Sabhas stipulated directly by the panchayats and provided them with enlarged functions and increased finance. The impact of the new legislation i.e., the Mysore Village Panchayats and Local Boards Act of 1959, revealed the striking differences between that of Mysore legislation and that of other states particularly Andhra Pradesh and Rajasthan which derived their inspiration mainly from the Mehta Committee recommendations. The Mysore Act though derived mainly from the recommendation of the two previous committees appointed under the Government of Mysore was influenced by the Acts of Madras-Bombay and Hyderabad-Karnataka areas. Mr.Dubhishi rightly observes; “It would be correct to say that the Mysore Act is essentially in the matrix of the conventional legislation on the local governments with such mutations and modifications as aroused out of the recent thinking on the Mehta study team recommendations”. With the enactments of the new act, the previous divergences were removed and a three-tier system of local self-government emerged with the panchayats at the base and the taluka development boards and the district development councils at the higher levels. The entire state at present covered by the panchayat system is as under:

### Number and coverage of Panchayats in Mysore State

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Panchayats</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Number of Panchayats</td>
<td>7,450</td>
</tr>
<tr>
<td>2.</td>
<td>Number of Villages covered</td>
<td>20,377</td>
</tr>
<tr>
<td>3.</td>
<td>Rural population covered (in Lakhs)</td>
<td>183</td>
</tr>
<tr>
<td>4.</td>
<td>Percentage of villages covered</td>
<td>100</td>
</tr>
<tr>
<td>5.</td>
<td>Percentage of rural population covered</td>
<td>100</td>
</tr>
<tr>
<td>6.</td>
<td>Average number of villages per Panchayat</td>
<td>3.5</td>
</tr>
<tr>
<td>7.</td>
<td>Average population per Panchayat</td>
<td>2,456</td>
</tr>
</tbody>
</table>


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

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Taluka Development Boards and District Development Councils in Mysore State</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Number of Districts</td>
<td>19</td>
</tr>
<tr>
<td>2.</td>
<td>Number of Taluks</td>
<td>172</td>
</tr>
<tr>
<td>3.</td>
<td>Number of delimited Blocks</td>
<td>268</td>
</tr>
</tbody>
</table>
4. Number of District Development Councils & 19 & 
5. Number of Taluka Development Boards & 172 & 
6. Number of Panchayats & 7,450 & 
7. Number of Taluka Development Boards per District Development Councils & 9.1 & 
8. Number of Panchayats per Taluka Development Board & 43.3 & 


The Act provides for the constitution of a basic institution of panchayat for an area comprising a revenue village or group of revenue villages with the population of 1,500 to 10,000 where the population of the village is not less than 50,000 and if the estimated population is not less than Rs.10,000 then the government may declare it to be a panchayat town. The membership of the panchayat consists of not less than 11 and not more than 19 members. All of whom are directly elected by adult franchise. The members are directly elected from the constituencies into which the area within the jurisdiction of the panchayats is divided. Section 27 of the Act provides for the election of the Chairman and the Vice-Chairman of the panchayats from among its members for a period of four years and Section 80 empowers the government to appoint the secretary and the panchayats executive.

The next higher rank is the taluka development board consisting of each taluka and the members those who are directly elected by ballot, by all the residents in non-urban area of a taluka. The membership of this body varies depending on the population of talukas with a population of less than one lakh according to 1951 census, can have 15 members and those having one lakh and above can elect 19 members. The members of the State Legislative Assembly representing a part or the whole of the taluka, whose territorial constituencies lie within the taluka and members of the State Legislative Council, ordinarily residents in the taluka are entitled to take part in the proceedings and vote at the meetings of taluka boards. Seats are reserved for the SCs on the basis of their population and for women, the number being not more than two. The election of the president and the vice-president of the taluka board are by and from amongst the members only.13 The term of all the directly elected members is limited to four years.14

The taluka for Mysore as in Gujarat replaces as the middle tier. This was necessitated by the historical background of delimitation of the blocks.15 In most of
the cases, taluks were natural geographical units as against the artificially carved out blocks. Accordingly, the taluka was retained as the unit of administration and blocks were allotted to each taluka according to the population. There was a system of allocating fractional blocks like the one half, one fourth, and one half, but this was discontinued gradually and one Block Development Officer (BDO) was appointed for each taluka irrespective of the number of blocks in it.

**District Developmental Council (DDC)**

The structure of the DDC in Mysore had led to a considerable discussion. It is being criticized for the position occupied by the Deputy Commissioner in this body. Mr. Narasimhan criticized the position occupied by the Deputy Commissioner in the Panchayat raj set up of Mysore and Madras. It emerged as pattern and association of the Deputy Commissioner with the highest tier of Panchayat raj in different states. In the case of Madras and Mysore, he was the chairman of the District Development Council. The Mysore Act was criticized for the inclusion of the Legislators and the Members of the Parliament as the members of the District Development Council. Mr. P.L. Shastri directly attacked the bill on the grounds that there was no provision to prohibit the political parties from associating with these institutions. Therefore he observed: "It would be very unreasonable if anybody could not be expected that this kind of political vice would not go deep into the village panchayat and spoil the very life of the rural folk".16

**Functions and powers**

The Act does not envisage a wide range of functions to the highest tier, the District Development Council, which is only a coordinating and supervising body without any executive functions. Its main duties are scrutinizing and approving the budgets of the taluka boards and giving guidance wherever it is sought. It also reviews their work from time to time, coordinates their work where the work or the programme pertains to more than one taluka and also performs any other duties entrusted by the government relating to the work of the taluka boards.17

In order to give a sense of reality to this coordinating power, the government distributes funds in respect of the plan and non-plan scheme, which are transferred to the taluka boards through this body. The District Council receives the funds with
a specific responsibility of apportioning them to taluka boards considering their needs and potentials. The Basappa Committee suggested the replacement of the present 'District body' by the Zilla Parishad with the executive powers as it "would provide an opportunity for the participation in public life to many talented and enthusiastic persons".  

The Mysore Resource and Economy Committee, stressed the necessity to establish a strong local body at the district level even before the Basappa Committee was constituted. The government accepted the committee's recommendations and a new bill was drafted on the basis of the suggestion made by the committee.

**The focus and stress on amenities**

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

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

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

The Committee also felt that the Panchayats, must give due consideration to the suggestions of the Gram Sabha. All the meetings of this body should be presided over by the chairman of the Panchayat.

**Nyaya Panchayats**

Another important factor, which draws one's attention, is the question of constituting a statutorily recognized elected body with limited civil and criminal jurisdiction at the village level. In 1958, the government proposed to bring a separate bill for the establishment of Nyaya Panchayats and consequently the government of Mysore postponed all further thinking on the subject till the study teams report was out. In 1961, Kondajji Basappa Committee suggested the establishment of a separate Nyaya Panchayat for every village, consisting of five members elected from the members of the village communities. The minimum age limit was 30 years and the minimum qualification as ability to read and write in the regional language.

**Supervision and Control**

The Mysore Act gives considerable powers, supervision and control to the state government and its officers particularly the commissioner the deputy commissioner and the Assistant Commissioner. The rule making power, which conditions the bye-laws of these institutions, is vested in the government.

The taluka board has to take permission of the Deputy Commissioner for diverting or discontinuing or closing a road. The Deputy Commissioner is also the directing authority for closure of the places for the disposal of the dead. The Deputy Commissioner (DC) must approve the rules of the taluka boards regarding the levying of taxes on the transfer of immovable property. The taluka board accounts are the subject to the audit and the Commissioner can surge any person responsible for the improper payments. The Deputy Commissioner (DC) is the ex-officio chairman of the District Development Council.

**Mysore Village Panchayats and Local Boards Act-1959**

At the time of the re-organisation of Indian states in 1956, the south western state of Karnataka (then called Mysore) in peninsular India inherited different local
self-government laws from the states, from which the reorganized state was carved. Following, the Balwantrai Mehta Committee report and the central directive, the first attempt at a uniform legislation was made through the Karnataka Village Panchayats and Local Boards Act 1959. The Panchayat Raj system then provided a three-tier structure spatially speaking Village Panchayat/Town Panchayat at village/group of villages at the Village level, Taluka Development Boards at the Block level and District Development Councils at the District level.

**Village Panchayats**

The Act provided guidelines for the formation of the basic institutions i.e., village panchayats. The village panchayat covered the area comprising a revenue village or group of revenue villages with a population ranging from 1,500-10,000. Each village panchayat consisted of not less than 11 and not more than 19 members. All members of the panchayat were directly elected from multi-member constituency of two or more members on the basis of universal adult franchise. Seats were reserved for the representatives of the Scheduled Castes and Scheduled Tribes in proportion to their population and for women, the membership was not to be less than two. According to the Act, the chairman of village panchayat was elected from among its members. The term of office of all the members was four years. The executive officer of the panchayat raj is known as panchayat secretary.

As per the section 51 (1), (2), (3), and (4) of the Act, every panchayat was required to constitute three committees by election. The Committees that were formed to carry out the functions entrusted or delegated to it, towards agriculture, public health and sanitation and promotion of village industries in all the areas within the jurisdiction of the panchayats were:

1. Agriculture Committee
2. Health committee and
3. Village Industries Committee

In addition to these committees, every panchayat was also required to constitute a Social Justice Committee consisting of Scheduled Castes and Scheduled Tribe members.
Finances of Village Panchayats

The Panchayats could levy taxes on lands and buildings (excluding agricultural land). The taxes could also be levied on professional trades, calling and employment. Further, the panchayats could levy taxes on fairs, festivals, entertainment, vehicles (other motor vehicles) and fees on bus stands, markets, cart-stands and work vesting in panchayats.23

Functions of Village Panchayats

The 1959 Act prescribed two types of functions for the village panchayats, they are:

(1) Obligatory
(2) Discretionary.24

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

A. Taluka Development Boards

The next higher tier was the Taluka Development Board (TDB). These Boards were constituted for each taluka, whose members were directly elected. The strength of each Taluka Development board was 15 for a taluka with a population of less than 1 lakh and 19 members for a population of 1 lakh and above. The seats were reserved for Scheduled Castes and Scheduled Tribes on the basis of their population and for women, the latter being not more than two. The members of the Legislative Assembly and Legislative Council were entitled to participate in the
proceedings and also vote in the meetings. The term of elected members was 5 years. The Presidents, Vice-Presidents of the Taluka Development Boards were elected by its own members.25

Every Taluka development board was required to constitute four committees by election and through co-option: (1) Standing committee, (2) Audit committee (3) Public Health committee and (4) Social Justice Committee.26

Functions of Taluka Development Boards

The functions of Taluka Development Boards were categorized into two viz., obligatory and discretionary. The Taluka Development Boards were assigned specific obligatory functions, like the construction and maintenance of public roads and public wells, construction of primary school buildings, hospitals, markets and rest houses, organization of agricultural and industrial exhibitions, arranging rural publicity and propaganda, construction of minor irrigation works which provide irrigation facilities for an area not exceeding 10 acres of land, providing for social education and promotion and development of economic conditions with special reference to agriculture.

The discretionary functions include the establishing and running of institutions, imparting primary and secondary education, development of co-operative societies, industries and commerce and so on.

Taluka Board fund

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

B. District Development Council (DDC)

District Development council was the highest body, under the 1959 Karnataka Panchayat Raj System. The Act provided for a District Development Council at the district level. There were 19 District Development Councils in the state.
The District Development Council consisted of a Deputy Commissioner of the district, the members of the Lok Sabha and State Legislative Assembly representing a part or the whole of the district, members of the Rajya Sabha and State Legislative Council, who are ordinarily residents of the district, presidents of the Taluka Development Boards in the district, members of Scheduled Castes, a women member and members nominated by the state government.\(^\text{27}\)

The District Deputy Commissioner was the ex-officio president of the District Development Council. The Secretary of the District Development Council was appointed by the government.

The District Development Council was simply a co-ordinative and supervisory body without executive functions. The functions of the District Development Council were\(^\text{28}\):

- (1) Scrutiny and approval of the budget of the Taluka Boards.
- (2) Reviewing the works of Taluka Boards from time to time.
- (3) Providing guidance and assistance to the Taluka Development Boards.
- (4) Co-ordination of the work of Taluka Development Boards.
- (5) Any other duty which was entrusted to it by government.

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

The District Development Council was not assigned any independent source of revenue. No provisions were made in the Act for the constitution of a fund at the district level. The District Development Council depended entirely upon the government for its expenditure.
Kondajji Basappa Committee-1963

In 1962, with a view to conferring real powers and resources on the Panchayat Raj Institutions (PRIs) to fall in line with the concept of democratic decentralisation which the Balwantrai Mehta Committee recommended for adoption, the State Government constituted a committee under the chairmanship of Shri Kondajji Basappa to recommend a structure suited to the needs of the state which submitted its report in 1963, to examine the functioning of Panchayat Raj system. That Committee recommended for the establishment of Zilla Parishad instead of District Development Council, with the elected Chairman at its head and the continuation of Taluka Development Boards and village panchayats in their existing form. It further suggested that there would be special representation for women and Scheduled Castes and Scheduled Tribes on all the three bodies and transfer of more funds to these bodies. It also suggested for the constitution of Nyaya Panchayats in the state and to establish a 'State Council' to review the working of the Panchayat Raj bodies, to advise Government on all general questions relating to Panchayat Raj Administration. Accepting the recommendations of the committee, the State government introduced a Bill in 1964 to establish a three tier structure of Rural local self government in the then Mysore state. The select committee headed by the then Rural Development Minister, Shri Ramakrishna Hegde, enthusiastically recommended to enhance powers to the Panchayat Raj Institutions (PRIs) but nothing came out of it as neither the ruling party nor the government was prepared for launching such an experiment then.\textsuperscript{29}

Joint Select Committee-1964

In 1964, a Joint Select Committee on the Panchayat Raj Bill was constituted. It consisted of 21 members. Sri Ramakrishna Hegde, the Minister for Development of Panchayat Raj and co-operation was its Chairman. It recommended three-tier system viz., Village Panchayats, Taluka Board and Zilla Parishads and even for the constitution of Nyaya Panchayats and Gramsabha.\textsuperscript{30} Based on the recommendations of these two committees, the Government of Karnataka proposed certain amendments to the 1959 Act in 1970, but the idea of Zilla Parishad was dropped in the amendments.
The second election to Village Panchayats and Taluka Boards were held in the year 1978 and third in the year 1988. Originally their term was four years but later amendment to five years. In 1983, on the expiry of their term the Government appointed administrators. Thus Karnataka had only three Panchayat elections in the course of 25 years and it did not work satisfactorily.

**Elections to Panchayat Raj Institutions (PRIs) in Karnataka**

Karnataka had only three Panchayati Raj elections in a span of 25 years, i.e., first in 1960, second in 1968, and third in 1978. Originally their term was for four years but later on it was amended for five years. In 1983, on the expiry of their term, administrators were appointed by the Government to discharge the functions of these Panchayat Raj Institutions (PRIs).

**Bifurcation of regulatory functions and development functions of the District Collector during the regime of Janata Party in Karnataka-1983**

When, the Janata Party was voted to power in the State of Karnataka in 1983, the Government headed by Shri Ramakrishna Hegde had a political reason to go in for a radical Panchayati Raj system in Karnataka. Firstly, it was Shri Ramakrishna Hegde himself who had piloted and vehemently defended the 1964 Bill that had fallen through. But, in his new capacity as the Chief Minister he has shown his will towards this once again. Secondly, it was the Janata Government at the centre which had appointed the Ashok Mehta Committee and whose recommendations could not be implemented because of the untimely fall of the Government, so what the party could not get through the central level had to be attempted at the state level where it had gained power. Thirdly the Janata Party had made a clear-cut promise in their election manifesto to the people of Karnataka that they would strive to usher in a radical Panchayati Raj system in the state if voted to power and they found it difficult to go back on the same. Besides the political necessity, the Government of Karnataka had two other reasons to go in for Panchayati Raj System. One was economic and the other was administrative. Over after the three decades of Indian independence had no doubt brought the district headquarters town and the taluk centres to some level of economic development, but this has not percolated down below. So there was a need to identify potential growth centres which could be
consciously developed. The headquarters of the Mandal Panchayat (suggested by the Ashok Mehta Committee) would be an ideal growth centre for provision of necessary developmental infrastructure as well as for the efficient management of the growing rural-urban linkages. At the time of independence every district in the country had District Collector or a Deputy Commissioner or a District Magistrate who was the Chief Representative of the State Government at the district level. He was essentially in charge of collection of revenue and maintenance of law and order. But, when the focus of the independent India shifted from maintenance of public order to development, instead of creating a separate set of bureaucrats, to deal with the problems of development, the District Collector was given the additional responsibility of executing and supervising the development functions as well. Despite all the cosmetic changes such as the creation of the special agencies to execute specific development programmes like Small Farmers Development Agency (SFDA), the Drought Prone Area Programme (DPAP), etc., the Collector always continued to be the central figure in the development of the district and as the chairman of most of these agencies and the debate as to whether such an officer at the district level was overburdened as he is disbursing all type of activities ranging from law and order to rural development, can really deliver the goods has been continuing.

The Government of Karnataka, however, felt that the time had come to decisively break away from the tradition and bifurcate the management of regulatory and development functions performed by the District Collector. Hence, Karnataka was the only state in India where the District Collector had been entirely kept out of Panchayati Raj System and another officer not below the rank of the District Collector (designated as the Chief Secretary of the Zilla Parishad), was entrusted with the discharge of all developmental functions under the Zilla Parishad, without having to report to the Collector at any point of time. In effect, the role of the District Collector in Karnataka had been reduced to that of the pre-independence Collector of a district and the developmental responsibilities were entirely taken over by the Panchayat Raj Institutions (PRIs).\textsuperscript{32}
The Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983

The Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983 attracted nation-wide attention due to its radical provisions relating to the devolution of power of the districts and villages. It clearly mentioned in the preamble that the purpose of establishing these local bodies was essentially to assign them local and judicial functions and to entrust the execution of certain works and development schemes of the State Five Year Plans. The Act provided for the decentralisation of powers and functions "for the purpose of promoting the development of democratic institutions and securing a greater measure of participation by the people." 33

The system, that this Act, had established, deserves a closer look from the point of view of its adaptability elsewhere.

Though the Act was largely based on the recommendations of the Ashok Mehta Committee in as much as it provided for only two elected tiers of decentralisation, now there are as many as five layers in the system that finally became fully operational on April 1st, 1987.

Gram Sabha

The Gram Sabha (Village Council) was the basic unit of the system and comprised all eligible voters, that is, all persons above the age of 18 years, of that village. The Gram Sabha, which by law had to meet at least twice a year, was expected to discuss and review all development problems/programmes of the village, select beneficiaries for all beneficiary oriented programmes transferred to the Panchayati Raj system, plan for local improvement, including minimum needs, welfare and production oriented programmes including the cropping for the season of the village, etc., and constitute the land army consisting of all able bodied persons to whom employment would have to be provided under the various development schemes taken up in the locality. It was presided by the Chairman of the Mandal Panchayat, to which the village belonged. Attendance of senior officers for every Gram Sabha meeting, keeping records of the discussion and monitoring action thereon had been insisted upon. 34
The Mandal Panchayat was the first elected tier of the system. It was entrusted with all the civic functions and powers and responsibility for development and welfare programmes with an intra-Mandal orientation. This Act, provided for the constitution of Mandal Panchayats for group of villages with a population of 8,000 to 12,000. The members of the Mandal Panchayat are directly elected, one member representing a population of 500. In every Mandal 25% of seats are reserved for women and 18% for Scheduled Castes and Scheduled Tribes. Its members elected the Chairman and the Vice-chairman of the Mandal. Karnataka under this system had 2,536 Mandals with 55,188 elected members respectively. Thus, both the Zilla Parishads and Mandal Panchayats were the executive bodies, with substantial powers and plan which executed the development activities. Zilla Parishad like mini government at the district level vested with large powers and resources to plan and execute development and welfare programmes. All the development departments and agencies of the district and been brought under the purview of the Zilla Parishad. Deputy Commissioner was kept out of the system and made responsible for law and order and collection of revenue. A senior officer above the Deputy Commissioner known as the Chief Secretary works under the overall supervision and control of the Adhyaksha of Zilla Parishad. Elections were held to these bodies in January 1987 and now it is functioning with new leadership and new spirit. There were 2,523 Mandal Panchayats, 175 Taluk Panchayat Samithis and 20 Zilla Parishads in Karnataka.

The Karnataka Panchayat Raj Act provided for the decentralization of powers and functions 'for the purpose of promoting the development of democratic institutions and securing a greater measure of participation by the people'. Despite the fact that, following the Constitution (73rd Amendment) Act 1992, the Karnataka Act was repealed and replaced by a new Act on May 10, 1993, and the system that this Act had established deserves a closer look from the point of view of its adaptability elsewhere. We shall, therefore, examine the details of the Karnataka model, which came into being during 1987 and functioned for a full term of five years thereafter. Though the Karnataka Act was largely based on the recommendations of the Ashok Mehta Committee is as much as it provided for only
two elected tiers of decentralization, there were as many as five different layers in the system that finally became fully operational on April 1, 1987. The Gram Sabha (village council) was the basic unit of the system and comprised all eligible voters, that is, all persons above the age of 18 years of that village. The Gram Sabha, which by law had to meet at least twice a year, was expected to discuss and review all developmental problems/programmes of the village, select beneficiaries for all beneficiary programmes transferred to the Panchayat Raj system, plan for local improvement, including minimum needs, welfare and production oriented programmes including the cropping pattern for the season in the villages and to constitute the land army consisting of all able bodied persons to whom employment would have to be provided under the various development schemes taken up in the locality. It was presided over by the Chairman of the Mandal Panchayat, to which the village belonged.39

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

The concept of imposing the District Magistrate (Collectors) on the development arena, represented by the Prime Minister, directly having meeting with them, had evoked a sharp reaction from Mr. Ramakrishna Hegde.

The Karnataka Zilla Parishads Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayat Act 1983 has the distinction of putting the concept of district government on the map of India’s federal polity. In a way, it was the processor of the 73rd Amendment to the constitution, which has introduced the concepts of institution of self-government. This Act ushered in decentralization on a
scale not seen earlier in the state or probably in the country. It is considered as a revolutionary model both in theoretical framework and practical utility.

Karnataka Panchayat Raj system based on 1983 Act has been recognized as the most far-reaching effort in democratic decentralization. The Act gives status and stature to the Panchayat Raj bodies, entrust them with all those welfare, development and civic functions and responsibilities whose ambit lies within their respective jurisdiction and equips them with resources by way of budgetary support, staff and powers to perform these entrusted tasks satisfactorily with statutory autonomy of decision making. The act also called for full participation of the people and their deep involvement in socio-economic rural development with distributive justice. Elections under the new Act were held in January 1987. The elected Panchayat Raj Institutions started functioning from April 1987.

**Main Features of Panchayat Raj Act of 1983**

Three-tier system is contemplated in the Act of 1983. The Mandal Panchayats, Taluka Panchayat Samithis and Zilla Parishads exist under this Act.

1. **Mandal Panchayats**

   The features of Mandal Panchayats are mentioned below:

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

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

   3. A Mandal Panchayat will meet at least once in month.

   4. The function of Mandal Panchayats would be to look after the funds at its disposal and also all the matters relating to sanitation and health, public works and amenities, agriculture and animal husbandry, welfare of
Scheduled Castes/ Scheduled Tribes and Backward Classes and other matters like preparation of development plans, promotion / improvement of cottage industries, etc.

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

II. Taluka Panchayat Samithis

The features of the Taluka Panchayat Samithis are stated below:

1. This body located at Taluka level and shall consist of members of the State legislature representing a part or whole of Taluka and Pradhan of Mandal Panchayats, President of Taluka Agriculture Produce and Co-operative Marketing Society, President of Primary Land Development Bank and 5 members belonging to Scheduled Castes/Scheduled Tribes and Backward classes and women opted by resolution of the Taluka Panchayat Samiti, which provides that not less than 18% of the members shall belong to the Scheduled Castes and Scheduled Tribes.

2. This body will be headed by a Chairman, who is a member of the Legislative Assembly.

III. Zilla Parishads

It consists of the following features:

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

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

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

4. They will formulate and execute the district plans.

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

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

IV. Nyaya Panchayats

The features of the Nyaya Panchayats are stated below:

(a) A Nyaya Panchayat shall consist of 5 members, elected in accordance with the system of proportional representation by a single transferable vote system.

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

The main features of the Panchayat Raj Institution system as per 1983 Act can be summarized as follows:

1. The Act provides for a three-tier system with very large powers devolved mostly upon the bottom tier of Mandal Panchayat. The intermediate tier viz., Taluka Panchayat Samiti has been assigned the supervision and coordination of mandal panchayats. The earlier Taluka Development Board which was having vast power has been replaced by Taluka Panchayat Samiti i.e., with only supervisory role.

(i) The Mandal Panchayat is ordinarily formed to cover the population ranging from 8,000-12,000. A Member of Panchayat is to be elected for every 400 people or part thereof, the elected members will elect among themselves a Pradhana and an Upa-pradhana.
(ii) All the enrolled voters of a village constitute Gram Sabha, which meets at least twice a year, presided over by a Pradhana. Its duty is to suggest improvements on development activities.

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

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

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

(vi) The Members of the parishad, are assigned to elect two of the elected members as Adhyaksha and Upadhyaksha for a normal term of 5 years. The Adhyaksha has been empowered to be the executive head of the Zilla Parishad.

2. The Act provided for direct elections to Zilla Parishads and Mandal Panchayats and nominations/indirect elections to the Taluk Panchayat Samiti.

3. The minimum age for eligible voters has been lowered from 21 to 18 years.

4. The weaker sections of rural people have been given increased representation on Panchayat Raj Institutions. At least 18% or to the population, in proportion to reservation has been provided for SCs and STs.

5. The Act provided 25% of reservation for women in Panchayat Raj Institutions, of which at least one shall be for SC/ST community, thus providing representation to weakest amongst the rural women folk in Panchayat Raj Institutional setup.
6. The act also provided representation to the Backward Class in the form of nomination of two persons of this category to the Mandal Panchayats.

7. There is a separation of district development administration headed by the elected chairman (Zilla Panchayat) and general district administration headed by the Deputy Commissioner.

8. The Chairman and the Vice-Chairman have been given high political status and large powers as equivalent to minister of state and deputy minister respectively.

9. The Zilla Parishad administration is headed by a senior civil servant designated as Secretary to provide administrative assistance to the Parishads and chairman. All the development administration of the district has been brought under the Zilla Parishad (ZP). Hence, the Zilla Parishad (ZP) controls the coordinated District Development Administration.

10. The Act provided for setting up of State Development Council, Chaired by the Chief Minister and comprising the Adhyakshas of the Zilla Parishad (ZP) and six ministers as its members. Its purpose was to provide a forum for continuous review and direction of Panchayat Raj movement in the state.

11. The Act has mentioned that a Finance Commission is to be appointed every five years to examine the financial needs of Panchayat Raj Institutions and make suitable recommendations to government. It also provided for substantial devolution of finances (about 9,000 crores per annum) from the government to Panchayat Raj Institutions.

12. The Act provided that the resolutions of Mandal Panchayat may be disallowed by the Zilla Parishad on prescribed grounds, but must be within six months.

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

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

15. Decentralization of planning was another important aspect of Karnataka model. But the, Zilla Parishad was the final planning and implementing authority in the districts.

16. In order to provide more stability for Adhyaksha and Upadyaksha of Zilla parishad, two thirds (2/3) of the members support was fixed as a requirement for passing the no confidence motion.

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

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

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

   The Panchayat Raj Act of 1983 attracted nationwide attention and generated considerable debate in the country, not only in political circles but also in the intellectual and academic world. The popular response of the nation to this Act of Karnataka was also taken into consideration by the national leadership. This Act created a renewed interest in Panchayat Raj system throughout country.
Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act of 1985

The Janata Party came to power in the state and introduced a bill called Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Bill in the State Assembly in August 1983. The bill was referred to the Joint Select Committee of the state legislature. It received the assent of the President in July 10th, 1985. It was formally called as the Karnataka Zilla Parishads, Taluka Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act of 1985. As a consequence the Act made provision for a three-tier structure instead of the two-tier one that was originally planned.

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

The features of this Act are mentioned below:

Gram Sabha

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

A. Mandal Panchayat

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

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

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

**Mandal Panchayat fund**

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

**Nyaya Panchayats**

To secure speedy and inexpensive justice in civil and criminal matters of a relatively minor nature, Nyaya Panchayats have been envisaged under this Act. It comprises five members of whom not less than three will belong to the reserved categories which are generally accepted as weaker sections of the society namely Scheduled Castes, Scheduled Tribes, Backward Classes and women. The Act of 1985 provided for the constitution of Nyaya Panchayats at the Mandal level. For the disposal of cases specified in Chapter XII (like suits for money due on contracts, suits for compensation and the like) Government might, by notification and on the recommendation of the Zilla Parishad, establish a Nyaya Panchayat for every Mandal to be known as Mandal Nyaya Panchayat.

Nyaya Panchayats consisted of five members elected accordingly with the system of proportional representation by single transferable vote system by the Mandal Panchayat concerned. At least one member shall be a woman and one shall belong to the Scheduled Castes or Scheduled Tribes and one member shall belong to a Backward Class community.

The term of office of the members of Nyaya Panchayat was twenty months. The members elect the Mukhya Nyaya Vicharaka to preside over the sittings of the Nyaya Panchayat. Nyaya Panchayat tried civil and criminal cases.

**Taluk Panchayat Samiti (TPS)**

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

The Zilla Parishad (ZP) was the second directly elected of this model. Its functions, responsibilities and powers were so formulated as to render it unambiguously as the head of the district's development and welfare administration. It had a jurisdiction over the entire district, excluding the urban areas. Zilla Parishad (ZPs) had one elected representative for every 28,000 population (except the hill district of Kodagu which had one seat for every 12,000 population) and reservations had been provided for women and Scheduled Castes and Scheduled Tribes, as in the case of Mandals. Elections were held on a party basis and the term of the office was five years.

The Act of 1985, has created a directly elected body corporate at the district level. Each district now has a Zilla Parishad and it will be a body corporate like the Mandal Panchayat. The Zilla Parishads comprise of (1) elected members (2) associated members and (3) nominated members.

The Members of Parliament and Members of the State Legislature, whose constituencies cover the district or a part thereof were members of the Zilla Parishad (ZP) but did not have the right to hold any office in the Zilla Parishad (ZP). The Chairman/President of the District Central Co-operative Bank will be an associate member. He could take part in the meetings of the Zilla Parishad (ZP), but could not vote. The Chairman (Adhyaksha) and the Vice-Chairman (Upadhyaksha) of the Zilla Parishad (ZP) were elected by the members of the Zilla Parishad (ZP). The Adhyaksha of the Zilla Parishad (ZP) had the rank of a Minister of State and Upadhyaksha the rank of a Deputy Minister. The Adhyaksha had been declared to be the executive head of the Zilla Parishad (ZP).

Under this scheme, the Zilla Parishad (ZP) administered schemes and programmes transferred to it or evolved by it, maintained cadres for manning the Zilla Parishad (ZP) and the Mandal staff, formulated the district plan, framed and approved its budget, and approved the budgets of the Mandals. On the constitution of the Zilla Parishad (ZP) all the district rural development societies were dissolved and their functions were transferred to the respective Zilla Parishads (ZPs). There
were nine standing committees one each for finance and audit, planning and development, public works and amenities, social justice, education, agriculture and animal husbandry, health, industry and general standing committee to implement and monitor the multi-faceted activities of the Zilla Parishad (ZP). The members of these standing committees were elected by the members of the Zilla Parishad (ZP) from among themselves, in accordance with the system of proportional representation by means of single transferable vote system. No member of the Zilla Parishad (ZP) was allowed to serve on for more than two standing committees.

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

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

All the activities of the Zilla Parishad were implemented through 9 committees namely:

1) General Meeting Committee.
2) Finance and Audit Committee.
3) Planning and Development Committee.
4) Public works and Amenities Committee.
5) Social Justice Committee.
6) Agriculture and Animal Husbandry Committee.
7) Health Committee.
8) Education Committee and
9) Industries Committee.53

The pattern of the Panchayat Raj system in Karnataka is strikingly different from other states of the Indian union, the explanation lies in the historical circumstances and the adoption of a synthetic approach. The Panchayat Raj legislation was influenced in various degrees by the recommendation of the two committees appointed by the Government of Mysore, the local government legislation of the erstwhile Madras, Bombay and Hyderabad states and the bold and imaginative recommendations of the Balwantra Mehta study team. In this regard, the comment of P.R. Dubhashi appears relevant, that the Mysore Act is essentially in the matrix of the convention of legislation in local self-government, with such materials and modifications as aroused out of the recent thinking on the Mehta study team recommendation.54

The amendments initiated by Sri Bangarappa, the then Chief Minister of Karnataka were stalled temporarily. The state government during this period seems to have cut down the share of the district plan in the state plan outlay. The role of Zilla Parishads in the field of co-operation, agriculture and public distribution system was made weak. Although, the government planned preparations for holding elections to Panchayat Raj Institutions in January 1992, the Government superseded the Zilla Parishads and Mandal Panchayats and appointed administrators through an ordinance.55

The State government attempted to amend the 1983 Act with a view to setting up of Village Panchayats in place of Mandal Panchayats, curtailing large powers and functions devolved upon Panchayat Raj Institutions and introducing some other changes. However, the government sponsored bill for the said purpose, failed to get passed by the State Legislature (before March 1993).56
At the apex of this Panchayati Raj system was the State Development Council, which was chaired by the Chief Ministers of the State and comprised the Chairmen of all the Zilla Panchayats (ZPs) in the state, six ministers of the state and Development Commissioner as member Secretary. It was to meet once a quarter and provided a forum for continuous review and direction of the Panchayat Raj Movement in the state, in addition to providing a sounding board for policy and procedural formulations as also interaction between the state political executive and the Panchayat Raj Institutions (PRIs).

An interesting feature of Karnataka model as described above, is the relative freedom given to each tier in the system and the organic linkages it provides for. The state has retained over the Zilla Panchayats (ZPs) only the power of dissolution for excess or abuse of their powers, persistent default in or incompetence to perform their statutory duties. Reconstitution by election is mandatory within six months of such dissolution. In respect of Mandals, the Zilla Panchayat (ZP) has the similar power of dissolving the Mandal, plus the power to approve the annual budget and the power to suspend any resolution or order of the Mandal or its officers. Here too, reconstitution by election is mandatory within six months.

Finance Commission

There was a statutory provision in Karnataka Act for setting up a finance commission for every five years to determine the principles on which the resources were to be shared between the State Government and the Panchayat Raj Institutions (PRIs) and the basis on which the allocations would be made among the ZPs/Mandals. The accounts of the Zilla Panchayats (ZPs) and the Mandal Panchayats were audited at least once in every year, by the State Accountant General and the Controller of State Accounts respectively and the audit reports were to be sent not only to the respective ZP/Mandal Panchayats but also to the next higher institution, namely, the State Government/the ZP concerned.

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

Accordingly, Karnataka Government introduced a new bill to replace the existing Act on April 1st, 1993 in Legislative Assembly. It was passed on April 7th 1993. The legislative council unanimously passed the Bill on April 13th, 1993. It came into force from 18th May, 1993. This Act is commonly known as the Karnataka Panchayat Raj Act 1993. This Act replaced the Karnataka Zilla Parishads, Taluk Panchayat Samitis, Mandal Panchayats and Nyaya Panchayats Act of 1983. Therefore, the Karnataka Panchayat Raj Act, 1993 has 321 sections arranged in XVII Chapters and contains five schedules.61

**The 73rd Amendment as a landmark in democratic decentralization-1993**

For the first time in 1989, after organizing several workshops for District Collectors throughout the country and convening a Conference of Sarpanchas to the Panchayat Raj Institutions (PRIs). Shri Rajiv Gandhiji, sincerely tried to provide Panchayat Raj Institution (PRI) a constitutional status to PRIs and finally Panchayat Raj Institutions (PRIs) got constitutional status in April 1993 by way of 73rd Constitutional Amendment Act.

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

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

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

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

The Act also provides for constituting a Finance Commission for each state to look after the financial position of Panchayat Raj Institutions. Similarly, with respect to Panchayat Raj elections, the Act, suggested that the State Elections Commissioner would hold Panchayat Raj elections. To provide for Finance Commission, Article 280 of the constitution has suitably been amended. After having a minute observation of Constitutional 64th Amendment Bill, 74th Amendment bill and the Seventy-third Amendment Act, one may come to a conclusion, that the Act is just an amalgamation of the 64th and 74th Constitutional Amendment Bills. The controversial provisions of the 64th Constitutional Amendment bill, which found acceptability by most of the political parties have been incorporated in the Act. Moreover, it would be said about the present Act, that it is a replica of the 64th Constitutional Amendment Bill, except for the fact that the 64th Amendment Bill was quite elaborate. Every provision was clearly spelt out in the Bill, whereas in the present Act, the provisions have been the left to be defined by the State Legislatures. In other words, the 64th Constitutional Amendment Bill was loaded in favour of Central Government, as most of the powers were vested in the Governor, a
representative of Central Government, whereas the 73rd Amendment Act has given more powers to state legislature.62

The demerits of the Act are that it has not clearly defined the role of political parties. It is completely silent over the relationship between Panchayat Raj Institutions and local level bureaucracy.

The Karnataka Panchayat Raj Act 1993-Salient Features63

In order to further strengthen the functioning of rural Panchayati Raj Institutions in the state by decentralisation, at the appropriate level and to improve the quality of functioning, to provide social justice by means of extending additional reservation facilities to SC/ST communities (23 per cent), women and other backward classes (33 %) etc., the new Panchayati Raj Act was introduced. The New Act also contemplates the reservation of seats of the chair-persons by rotation. The new Act has come into force from 10th May 1993. It is a comprehensive enactment to establish a three-tier Panchayat Raj system in the state with elected bodies at the Village, Taluk and District levels. It is enacted keeping in view of the 73rd Constitutional Amendment, relating to Panchayats. It ensures greater participation of the people and more effective implementation of rural development programmes.

Under the new Act, there will be a Grama Panchayat for a village or group of villages, Taluka Panchayat at the Taluk level, and the Zilla Panchayat at the district level. All the three institutions will have elected representatives and there is no provision for nomination by the Government to any of these councils. Karnataka is the first state in the country to enact the new Panchayat Raj Act incorporating all provisions of 73rd Amendment to the Constitution. In accordance with the provisions of the present Act, the elections to 5,645 Grama Panchayats were held in December 1993 for nearly 79,865 seats of which 23,454 were women, whereas elections to Taluka Panchayats and Zilla Panchayats were held in March 1995. The number of members elected to Zilla Panchayats and Taluka Panchayats are 919 and 3,340 respectively. Over two crore voters have exercised their franchise in these elections. In 1999-2000 there were 5,692 Gram Panchayats with a total number of 73,547 members [30,155 (women members)] Taluk Panchayats 3,340 members [1345 (women members)] and Zilla Panchayat 919 members [335(women members)] in the state.
In the new Act, provision has been made for setting up a District Planning Committee, Finance Commission and Permanent Election Commission. It is reported that in these elections women will secure 40% representation in Taluka Panchayats and 36% in Zilla Panchayats, the SC and ST communities getting 18% and 5% seats respectively. The backward castes in 'A' category will get 27% reservation in Taluka Panchayats and 26% in Zilla Panchayats. The backward class in 'B' category will get 7% in both the Zilla Panchayats and Taluka Panchayats and general category will get 40% reservation in both bodies. To facilitate early elections to Gram Panchayats, the Karnataka Gram Panchayat Act (2nd Amendment) - Ordinance 1999 was promulgated to amend section 4 & 5 of the Act on 28.1.1999. The State Government has also framed the Karnataka Zilla Panchayat at (business) Rules 1998 pertaining to monthly allowance to members, annual grant to Gram Panchayats and convening Gram Sabhas in every village.

The 1993 Act establishes a three-tier Panchayat Raj system in the state with elected bodies at Grama, Taluka and District level for greater participation of the people and for more effective implementation of Rural Development Programmes. The three tiers of the Panchayat Raj System are:

1) Gram Panchayat/Village Panchayat.
2) Taluka Panchayat.
3) Zilla Panchayat.

1) Gram Panchayat/Village Panchayat

The area of Gram Panchayat will consist of a village or a group of villages. A Gram Panchayat will be constituted for a population of not less than 5,000 and not more than 7,000. The Act provides the provision of one member for every 400 persons. It is clear that the Grama Panchayat has replaced Mandal Panchayat. While, the Mandal Panchayat covered an average population of 8,000 to 12,000, the Gram Panchayat would cover an average population ranging from 5,000 to 7,000. As a result, of this provision, the number of Grama Panchayats would be almost double that of Mandal Panchayats. The Grama Panchayat was to be headed by an Adhyaksha and Upadhyaksha, elected from among its members. The Gram Panchayats consisted of three standing Committees, namely:
a) Production Committee.
b) Social Justice Committee.
c) Amenities Committee.

Each committee consists of not less than three and not more than five members including the chairman. The Adhyaksha acts as the ex-officio Chairman and also as the member of production committee and amenities committee. The Upadhyaksha shall be the ex-officio chairman and member of Social Justice Committee. The Social Justice committee shall consist of at least one member who is a woman and another belonging to SC/ST.

The production Committee was meant to perform functions related to agricultural production, animal husbandry, rural industries and poverty alleviation programmes.

The Social Justice committee, meant to perform functions related to promotion of educational, economic, social, cultural and other interests of Scheduled Castes and Scheduled Tribes, Backward Classes, and also welfare of Women, Children and protection of people from social injustice and any form of exploitation.

The Amenities Committee was entrusted with functions in respect of education, public health, public works and others.

The government gives a minimum of a sum of rupees one lakh to each panchayat per year. It can enhance its income from local taxes, levied by it. The Gram Panchayats will also get 80% of the funds from the Jawahar Rojgar Yojana allotted to the state.

2) Taluka Panchayat

The Act provides that, for each taluka there shall be a taluka panchayat. It consists of Member of Legislative Assembly, Member of Legislative Council of the taluka, Member of Parliament, one-fifth of the Adyakshas of Grama in the Taluka by rotation for a period of one year and also elected members. The number of elected members is at the rate of one member for every 10,000 population. The Act stipulates that, there shall be a minimum of elected members even if the population of the taluka is less than one lakh. The Taluka Panchayat will have an elected Adhyaksha with the authority to convene and preside over the meetings, and
exercise supervision and control over the executive staff of the taluka panchayat, who shall meet at least once in two months.

The Taluka Panchayat will have three standing committees, each with strength, not exceeding six members, they are:

a) **General Standing Committee**: The Committee shall perform the functions relating to the establishment, matters, communications, buildings, rural housing, village extension, relief works and water supply.

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

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

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

**3) Zilla Panchayat**

Each district will have a Zilla Panchayat having jurisdiction over-entire district (except the municipal areas or corporation). The Zilla Panchayat consists of elected members and ex-officio members of Members of Parliament (MPs), Members of Legislative Assembly (MLAs), Members of Legislative Council (MLCs) and the Adhyakshas of Taluka Panchayats of the district. The number of members to be elected is fixed in accordance with the scale of one member for every 40,000 population or part thereof. The term of the office of the members is five years. The Zilla Panchayats shall meet at least once in two months. The elected members shall
choose two members from among them to be an Adhyaksha and a Upadhyaksha.
The Zilla Panchayats shall have the following five Standing Committees:

a) General Standing Committee.

b) Finance Audit and Planning Committee.

c) Social Justice Committee.

d) Education and Health Committee.

e) Agriculture and Industries Committee.

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

**Functions of Standing Committees**

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

**Staffing Pattern**

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

**Outstanding Features of 1993 Act**

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

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

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

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

4) The Act also provides for reservation of 1/3rd of seats in each category (SCs, STs and Backward Classes and General) at all levels for women. The seats reserved shall be allotted by rotation to different constituencies in the panchayat area.

5) The office of the Chairperson and Deputy Chairpersons are also reserved at all levels for the persons belonging to SCs, STs, Backwards Classes and Women.

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

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

8) The new Act substantially increases the power of State Governments to supervise and control Panchayat Raj Institutions. The Secretary of Panchayat Raj Department and the Divisional Commissioner are empowered for this...
purpose. They are entitled to issue instructions, conduct enquiry, and call for proceedings of Zilla Panchayat and performance of Panchayat Raj Institutions. The government is also authorized to add or delete any number of programmes or schemes from the list of Panchayat Raj Institutions.

9) All the Adhyakshas of Taluka Panchayat, can be the members of Zilla Panchayats and all the Members of Legislative Assembly (MLAs), Members of Legislative Council (MLCs) and Members of Parliament (MPs), can be the members of Zilla Panchayats and Taluka Panchayats.

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

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

Department of Rural Development and Panchayat Raj (RDPR) in Karnataka

The Department of Rural Development and Panchayat Raj is an important department of the Government and deals with two broad functional areas. First, it is the Government Ministry that deals with the rural local governance structure through the Panchayat Raj set-up. In this role, it deals with several important aspects of policy formulation and implementation of decentralisation of powers viz., political, fiscal and administrative, to the Panchayat Raj Institutions (PRIs) which have been assigned wide ranging roles, pertaining to a large number of sectors from Health and Education to Agriculture, Water supply and Rural roads, etc., the RDPR department plays an important role in policy formulation for all these sectors. Second, the RDPR department deals with the implementation of important rural development schemes of the State and Central Government, which deals with aspects ranging from water supply to rural roads, watershed development, rural housing, rural energy and poverty alleviation. It is also the largest recipient of central schematic fund transfers, through a plethora of Central and Centrally sponsored schemes that cover all the functional areas dealt with by the department.
This note gives an overview of the activities of RDPR department and the PRIs that function along with it. The note first takes a look at the Panchayat Raj setup and describes the decentralization initiatives of the Government. It then describes the main functional areas that it deals with, namely, drinking water supply and sanitation, poverty alleviation (which encompasses employment assurance through wage and self-employment and rural housing), rural roads, watershed development and rural energy.65

**Rural self-governance through Panchayat Raj Institutions (PRIs)**

Karnataka has been a pioneering state in nurturing PRIs. Prior to the 73rd amendment of the Constitution, Karnataka had put in place a unique two-tier system of decentralized local governance, through the Zilla Parishads and Mandal Panchayats. In the wake of the 73rd Constitutional Amendment, which nationally institutionalized Panchayat Raj as a distinct tier of Governance, Karnataka was the first state in the country to enact the Karnataka Panchayat Raj Act, on 10th May, 1993, i.e., within a few days of the adoption of 73rd Constitutional Amendment. Karnataka state has transferred all the 29 subjects listed in the Constitution of India to PRIs. Politically, there is a broad consensus in favour of decentralisation that finds a place in the ideologies of all political parties in the State.

However, decentralization is not a static concept and would entail meaningful transfer of political, administrative and fiscal responsibilities to PRIs and the empowerment of communities to exert control over these bodies and when it is seen from this perspective, there still is a long way to go before PRIs fully emerge as people's institutions. The poor role definition and overlapping responsibilities within the PRI tiers, have led to turf battles between them. Often, decisions have not been transparent and the criterion for decision-making is not clear, due to inadequate systems of downward accountability. Local planning has often been substituted by an alarming tendency to divide funds equally among the elected representatives for their constituencies, limiting the size, scale, reach and effectiveness of projects. Due to a variety of reasons, there is a considerable mismatch between financial and functional devolution. These issues are at the
center of a growing debate, which recognizes the need to carry the process of decentralisation forward and make the transfer of the functions, finances and functionaries to PRIs in turn making them work with greater meaning and efficiency.

The initiatives by Karnataka state in 1987 constituted the first generation of decentralization reforms, with the central theme being creating and empowering strong district level local governments. The constitutional amendments of 1992, with its emphasis on reservations for deprived classes of the population in leadership, combined social justice with decentralization constituted second generation reforms. We are now mid-way through what may be considered as the third generation reforms in decentralization and the theme now is greater accountability, greater transparency and role clarity and its clear emphasis is on good governance and accountability through decentralization. From an operational perspective, in Karnataka, the third phase of decentralisation is characterized by a focus on empowering the Grama Panchayat, with the Zilla Panchayat (ZP) and Taluka Panchayat (TP) taking on the roles of facilitation, capacity building and coordination. The thrust is towards ensuring the functioning of Grama Sabhas effectively as the instruments of peoples' participation. The advent of technology has made more essential services efficiently scalable for delivery at the Grama Panchayat level. In addition, the capacity of the Grama Panchayat has been growing, with perceptible improvements in education, awareness and communication. The final outcome of these initiatives would be to endow the Panchayats with such ‘powers and authority as may be necessary to enable them to function as institutions of self government’ (Article 243 G of the Constitution). The approach of RDPR department has been to play an active role in the process of decentralization, without directing or controlling it excessively. This has been done through gradually building a policy framework that facilitates decentralization in continuously changing circumstances, investing effort and time in capacity building and allowing local initiative to flourish.

Several significant steps i.e., both through the legislative and administrative action, have been taken by the Government in this direction i.e., from building mechanisms for increased participation of the people in decision making, to
streamlining the fiscal mechanisms that fuel decentralized local body functioning and administrative mechanisms that enhance the efficiency and capabilities of Panchayat Raj Institutions (PRIs).66

The social base of governance through Panchayat Raj Institutions (PRI's) for the development of weaker sections

The state has been implementing social legislations and development programmes for equity and social justice for decades, but their effectiveness and reach were affected by the fact that the poor and the vulnerable did not have access to political power. It is now recognised that the marginalized and the poor must have access to various political fora to articulate their problems and grievances. Participation in a grassroots political process is likely to provide greater opportunities to such persons to aspire to political power and authority, through which they can also upgrade the social and economic status of other members of their caste/gender.

Political representation to the disadvantaged castes such as the Scheduled Castes and the Scheduled Tribes has been guaranteed by the principle of 'reservation'. However, there was no representation for the backward castes and women until the 1983 Act addressed that need, by providing reservation in seats and authority positions, not only to SCs and STs, but also to women and backward castes. The seat and authority position matrix is: (i) for SCs and STs in proportion to their population or a minimum of 18 per cent, (ii) 33.3 per cent for other backward castes and, more significantly, (iii) one third for women from each of these castes, including the non-reserved seats. This measure has roped in a large number of men and women from the various deprived caste groups and, has thereby, widened the social base of governance in rural as well as urban society. Thus, in respect of panchayats, well over 60 per cent of the membership comprises Scheduled Castes, Scheduled Tribes and other backward castes. Women's representation is considerably higher, exceeding their quota of reservation.

It is noteworthy that the proportion of these sections increases, as one moves down from the upper to the lower tiers of panchayats, which is appropriate, considering that these sections participate more actively in the lower governance
levels, where decision-making on the public service delivery takes place more intensively. This system of reservation has brought into the local governance system a large proportion of first time/first generation representatives from hitherto unrepresented social groups. Though this is a welcome development, it has meant that certain gender and caste stereotypes have become visible and are seen quite wrongly as 'constraints'. One such stereotype is that 'women are alien to politics and governance'. The 'belief' represents no truth, only the reluctance of existing power structures to acknowledge and welcome social and political restructuring in the wake of the 1983 and 1993 Acts. The reservation of seats and authority positions to various social groups has widened the social base of political decision-making at the decentralised governance level, thus, promoting participatory governance.

People's participation in decision-making through Panchayat Raj Institutions (PRI's)

The Act provides all the mechanisms necessary to ensure that the bodies are representative and their functioning is participatory. Good governance would imply, among other things, an efficient delivery system; one, which is responsive to the needs and aspirations of citizens and addresses these needs with the least amount of leakage. The question that arises next is about the kind of needs and programmes that are identified, and implemented. A study has found that projects can be grouped in three categories, viz. (i) social and economic infrastructure projects such as school and hospital buildings, roads, bridges, irrigation tanks, and so on; (ii) civic amenities such as drinking water, drainage and street lights, community buildings, bus shelters and shopping centres; and (iii) sectoral development projects, such as projects that promote agriculture, forestry, village industries, horticulture etc. However, the preferred projects are construction oriented such as buildings, culverts and roads. Sectoral development projects and industries have not received adequate attention from PRIs. Explanations offered by Panchayat Raj functionaries for their preference for construction oriented projects are: (i) these are the projects which the people themselves ask for and (ii) the panchayats must show 'visible' evidence of having met people's needs and hence, construction takes precedence over projects with long gestation periods or less visible outcomes such as capacity
building. Construction projects lend themselves to leakage and there are reports of PRI members who have become contractors and bid for contracts.68

**Decentralised planning and promotion of rural development**

The primary objective of decentralised planning by PRIs is the promotion of rural development by identifying local needs and prioritising activities. Institutional support for local level planning, such as district level planning units and the basic guidelines for carrying out planning activities have been provided. The Taluka Panchayats and Grama Panchayats (GPs) have no institutional support for planning and monitoring, and this should be provided as early as possible. The Central and state governments have taken many initiatives to strengthen planning at the grassroot level. They are: (i) the merger of JGSY and EAS to create SGRY. The cash allocation is supplemented by an equivalent quantity of food grains under the programme and this has augmented the funds available to the GPs and increased their capacity to plan; (ii) the Swachha Grama programme launched in April 2001 with 90 per cent government funding, which has enabled GPs to prioritise rural sanitation which is inadequate in all villages; (iii) the Jal Nirmal programme (June 2002) with 85 per cent state funding is GP-centric from concept to execution; (iv) the Jalasamrakshana programme (August 2002), a cost sharing project between the state and the beneficiary, managed by the GP; (v) under the Sarva Kutumba Sameekshe (November 2003), GPs conducted a house-to-house survey and created a database that will be useful for monitoring human development indicators.

These recent initiatives by the state will undoubtedly augment the funds available to Grama Panchayats and strengthen their capacity to plan at the grassroot level; especially since planning and implementation have been a mixed experience so far. Often, inputs for planning are not obtained from the people and it is the panchayat members and officials who supply inputs in the gram sabha meetings. Some panchayats have ensured people’s participation at the stage of implementation of projects through special committees and therefore the projects are completed efficiently and in time. In other panchayats, where people are not involved, implementation of projects is inefficient and not cost-effective.
The District Sector Plan is supposed to be a blend of plans emanating from Panchayat Raj institutions and urban local bodies. The integration of plans from all the tiers does not always result in a seamless document and instead, a jumble of projects with no time or project connectivity is produced. District Planning Committees need capacity building if they are to function effectively as nodal planning agencies at the district level.

Further, there is a need to ensure that the planning process is free from any kind of state intervention. In fact, with a view to making it more relevant and strong, the Working Group on Decentralisation (March 2002) holds the view that the planning process should move away from sectoral planning to a system of integrated area planning.69

The researcher has referred a number of books and other sources to have a deep understanding about the genesis and development of the Panchayat Raj Institutions in Karnataka. Now, another major task of this study is to have a deep understanding of the socio-economic conditions of Scheduled Castes in India and Karnataka, which has been discussed in the next chapter.

References

2. Palaksha, Political and Cultural History of Karnataka, Published by Shashi Prakashana, Tumkur District, Karnataka, p.48 & 57.
3. Ibid, p.103.
7. Sri Ram Maheshwari, Local Government in India, Published by Lakshmi Narain Agarwal publications, New Delhi, p.17.


14. Ibid.


19. Ibid, pp.54-56.


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


25. Ibid, Chapter VI, Section 97-98.

26. Ibid, Chapter VII, Section 124.

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


32. Ibid, pp.74-75.
41. Ibid.
42. Ibid.
43. Ibid, Chapter-III, Section 5.
44. Ibid, Chapter-V, Section 114.
47. 'Karnataka shows the way', Op.Cit., p.15.
53. Ibid, Chapter-VIII, Section 197.
54. G.Ram Reddy, Patterns of Panchayati Raj in India, the Macmillian India limited, New Delhi, 1977, p.130.
60. Ibid, Section 205.
66. Ibid.
68. Ibid pp. 263-264.
69. Ibid pp. 264-265.