CHAPTER X

Panachyat Samiti at Work

Activities:

Enclosing within its territorial bounds a large area and having at its disposal a well-knit organisation of administrative and technical experts, the Panchayat Samiti, is ideally suited to bring about the long due radical changes in the socio-economic life of our villages. It has, therefore, been assigned the vital task of developing the essential civic services and these basic institutions of economic well-being which combine to make the life of man rich and beautiful.

How far the various Panchayat Samitis (covered intensively in this study) have engaged themselves in these nation-building activities, an idea can be had from the study of their minute books. During the last four years, i.e. from April 1, 1962, to March 31, 1966, these Panchayat Samitis held as many as 196 meetings and passed 2,475 resolutions (Table No. 46). Out of them 1,478 resolutions, i.e. 60 percent, pertain to the developmental activities, and the balance to the staff and other miscellaneous affairs. Even on the individual plane, this trend of 40 and 60 remains more or less steady. No marked differences occur in the performance of the various Panchayat Samitis.

Amongst the various developmental activities, agriculture occupies a dominant place. Out of 1,478 resolutions on developmental activities, 429, i.e. 29 percent
pertain to agriculture. The construction and repair of the water-channels ('kuhls'), procurement of seeds, fertilisers and tools, disbursement of agricultural loans and subsidies, laying out of the demonstration plots and seed-farms, carrying on the production campaigns, etc., have been the important aspects of agriculture that cropped up for discussion again and again in the Panchayat Samiti meetings.

The Social services occupy the second place (28 percent). The most important subject that has consumed the maximum time of the Panchayat Samiti members has been the supply of safe drinking water. The Kangra district, being a hilly terrain, does not promise the easy-availability of the sub-soil water. The digging of wells and water springs involves lot of labour and expenditure. Hence every village is keen to have a piped supply of drinking water, based on the gravity method, failing which they wish to renovate their existing wells and the natural springs. The members, therefore, every time raise this question and the debate prolongs to a long time whenever the grant-in-aid for the purpose is to be distributed. Besides water-supply, other subjects that have been common are the opening of the Primary Health Centres, Medical and Veterinary dispensaries, filling up the vacancies on the staff of the existing centres and dispensaries (which in the rural district of Kangra is always in short supply), the adequate and timely supply of medicines, the administration of the veterinary dispensaries, vaccination campaigns, maintenance of bulls, etc., . Quite occasionally
such subjects as the family planning campaigns, enforcement of the anti-adulteration measures, methods to check the spread of epidemics etc., have also appeared.

Although education has no direct responsibility of the local bodies (the control of all the erstwhile local body schools has been assumed by the State Government in 1958), yet such educational problems as the opening of new schools in the remote villages of the interior, upgrading the existing ones, providing additional accommodation to the expanding institutions, repairing the school buildings, etc., have also been frequently discussed in the Panchayat Samiti meetings. As compared to these subjects, those pertaining to social education, such as the adult literacy campaigns, libraries and reading-rooms etc., have received less attention.

The third place in the developmental activities is taken by the roads and communications. The Kangra district, being a hilly one, does not possess enough roads. Innumerable villages in the interior are totally cut off from the world outside. One is to traverse miles and miles to reach a village. The rainy season aggravates the situation still further when, in the absence of bridges on the hilly rivulets, even the journey on foot becomes a problem. Hence there is a wide prevalent need for more bridges and roads. The meetings of the Panchayat Samitis have devoted considerable time on this problem. Quite a large number of resolutions have been adopted, the purport of which is to request the State Government to construct more roads and to ply vehicles on those which had already
been constructed by the villagers themselves.

On the non-developmental activities side, 31 percent resolutions have been passed in the staff problems. The recruitment of the Samiti personnel, regularisation of the services of the temporary hands, the provident fund scheme, the adoption of the service rules etc., have been the dominant problems of the staff. The rest of the 68 percent resolutions pertain to such miscellaneous affairs as the purchase of stores, accommodation problem of the Panchayat Samiti offices, regulation of fairs and cattle pounds, distribution of grants-in-aid, constitution of Committees, adoption and amendment of a variety of by-laws, rules and regulations, etc. Such has been the wide range of subjects discussed in the Panchayat Samiti meetings.

Coming to the performance of the various Panchayat Samitis separately we find that the Sujampur and Badaun Panchayat Samitis have put more emphasis on the construction of roads and communications. In the former 30 percent and in the latter 28 percent resolutions have been passed on these subjects.

The inquiries revealed that since these Blocks did not possess enough roads and that a very large number of villages being totally inaccessible, the problem of transport and communication was, thus, the most important. The Samiti members attached the top-most importance for the development of roads, hence greater push of that subject.

It is, further, found that if road development has been an important question with the Panchayat Samitis
of Sujampur and Nadaun, then agricultural development has been a favourite theme with those of Indora, Nagrota and Baijnath. (Table No. 46). Three reasons have been put forward by the respondents for the added emphasis on this. These are – the alluvial nature of the soil in these areas, better irrigational facilities, and the greater dependence of the people on agriculture.

On the non-developmental activities side, it is found that the Panchayat Samitis of Nagrota, Sujampur and Nadaun have passed a large number of resolutions on the staff problems than the Panchayat Samitis of Indora and Baijnath. The inquiries indicated that in the former areas when the Panchayat Samitis were constituted the block organisations (the Community Development side) had not been organised. (In Indora and Baijnath, on the other hand, these organisations already existed). The Panchayat Samiti commenced functioning without the adequate assistance of the staff. The obvious result was that they had to concentrate all their energies in the initial stages on the procurement of the staff. That is why the pages of the minute-books of these Panchayat Samitis for the year, 1962-63 are replete with resolutions, making demands to the various departments of the Government to send the Block Staff. The Panchayat Samitis of Indora and Baijnath wherein block organisations already functioned, did not have any such handicap.

Apart from these variations, there does not appear any other. The proposition of attention imparted to other subjects of concern is more or less the same everywhere.
The Panchayat Samiti has been charged with the vital task of bringing about a radical change in the traditional and static socio-economic life of the countryside. But, as has been discussed in the foregoing pages, it has not been given adequate financial resources to meet the financial burden of all this process of socio-economic development. To bridge the gap, the State Government helps the Panchayat Samitis with a variety of grants-in-aid, which forms as big a segment of the Panchayat Samiti's finances as 76.3 percent (Table No. 35). Since most of the developmental schemes are undertaken by the Gram Panchayats because they also manage to contribute their own share in the form of labour and material, the Panchayat Samitis are, thus, largely concerned with the passing of the grants-in-aid on to the Gram Panchayats, thereby playing an agency role.

The work of the distribution of grants-in-aid is quite a simple one. But still the way the grants are distributed is not free from defects. Since the distribution is done by the Panchayat Samiti which consists of the representatives of the various villages, each member presses the claims of his respective area. The grant, on the other hand, is generally too inadequate to meet the demands of all. Then no one is prepared to withdraw his claim, the only method that is usually applied is to distribute the whole amount among all the villages, asking for the grant, on pro-rata basis. No regard is kept for the urgency of any project. Each gets too little to be of any tangible
help to it. The result is that either the work is not
taken in hand and the money is kept in reserve with the
hope that more would come one day and the project would be
undertaken; or the project is started with that paipry
amount and it is deserted when the funds exhaust. In the
former case, the money is unneceasarily blocked, and, in
the latter, it is unjustifiably dumped, for, by the time,
more money is available, much of the labour spent on it
is lost.

The Study of the financial position of the sixteen
Gram Panchayats indicates that they received from their
respective Panchayat Samiti a sum of Rs. 1,09,450.45 as grant
-in-aid for various purposes during the years, 1963-64, 1964-65
and 1965-66 (Table No. 11). They failed to utilise the whole of
this amount. At the end of the year, 1965-66, they are
left with a balance of Rs. 8,486 (i.e. 8 percent). One of
the reasons explained by the Panches and Sarpanches for the
poor performance in this behalf was the inadequacy of the
grants-in-aid as compared to the total cost of the projects
for which that was sought. The Sarpanch of the Bagreta
Gram Panchayat disclosed that the piped water supply of
the village required heavy repairs, which were estimated
to cost about twenty thousand rupees. Half of this cost
the Gram Panchayat was prepared to contribute and for the
balance they requested the Panchayat Samiti to assist
them. The latter granted Rs. 3,000 which was too little
to take the work in hand. Unless it paid more, the amount
in hand could not be utilised, the Sarpanch added. In
the same manner, the Sarpanch of the Tharu Gram Panchayat
revealed that they demanded Rs. 1,000 from the Panchayat Samiti for providing additional accommodation to their village School. But they got only a thousand, which was too insufficient to build even one room.

Almost everywhere such cases were cited. It was found that as much as 47 percent of the balance was due to this defective distribution of the grant-in-aid. Other reasons, accounting for the 53 percent balance, were the short supply of cement, selection of sights, delay in the release of grants-in-aid etc.

Making money available, bit by bit, is harmful in another way, namely, the works are not executed in conformity with the approved standards of the engineering techniques. The Sub Divisional Officer (Panchayati Raj Public Works Circle) complained that the higher authorities insisted that the works be executed in a proper manner, but that was not possible under the existing system. It, thus, needs improvement.

One feels that every Panchayat Samiti should prepare, in consultation with the Sarpanches of the Block, a list of the projects on priority basis, keeping in view all the relevant factors. It should, then, get their cost worked out by the Overseer. Whenever the grant is received, it should distribute it to those projects in accordance with the list. It must see that each project gets enough to be completed.

Second defect in the system is that the Panchayat Samiti does not possess any power to supervise the work of any Gram Panchayat. Its function is confined only to the
distribution of grants, beyond that it has nothing to do. If any Gram Panchayat does not utilise the grant in a proper manner or does not use it at all, the Panchayat Samiti cannot call for its explanation.

This is a big short-coming for the body which distributes grants does not know whether these are being properly utilised or are being simply squandered away. The only authority that exercises some supervision over the Gram Panchayats, is the Social Education and Panchayat Officer. There does not exist any co-ordination between him (in so far as only this aspect of his duty is concerned, because he does so on behalf of the State Government) and the Panchayat Samiti. But even this functionary does not perform his duty effectively for the reasons already mentioned earlier (page 343). The result is that the bulk of the money is not utilised in a proper manner. Some suitable method of supervision be devised. Since it is big problem, pervading a number of other aspects of the Panchayati Raj, it will be discussed in detail in the last chapter.

The relation of the Panchayat Samiti to the State Government

Panchayat Samiti, being an institution of local government, is under the supervisory control of the State Government. At the headquarters, there are two agencies which perform this job. The Commissioner Agricultural Production and Rural Development exercises administrative control, and the Secretary to Government, Punjab, Finance
Department/Examiner, Local Fund Department, Punjab, examines and audits its accounts.

As the designation denotes, the Commissioner, Agricultural Production and Rural Development, has many responsibilities to discharge. The control of the Panchayat Samitis and the Tila Parishads is just one aspect of his manifold duties. He is, therefore, assisted, in this behalf, by a number of officers of the comparatively junior ranks. These are (a) Deputy Secretary, Development (Establishment) and Deputy Development Commissioner (Women Programme). They are responsible for all establishment matters, concerning the Government staff, seconded to these bodies. They also keep a watch over the staff employed by the Panchayat Samitis, (b) Director of Supervision and Guidance (Panchayati Raj). This directorate was originally set up in 1961, with large strength of field officers, so that proper guidance might be made available to these nascent bodies. When in the wake of the Chinese aggression in 1962, a number of economy measures were taken, the whole of this directorate was axed, leaving behind only,

1. Secretary to Government, Punjab, Finance Department/Examiner Local Fund Accounts, was vested these powers by Government, Punjab, Notification dated September 28, 1961.

2. Report of the Study Team On Panchayati Raj in Punjab, 0. Cit, para 5.5.

3. The Directorate of Supervision and Guidance (Panchayati Raj) was created by the Order, Government, Punjab, dated 29th, 1962.
its Director. To-day, he deals with Panchayati Raj Legislation, (c) Deputy Secretary, Development (Training). He looks after the functioning of the various Training Centres which impart training to the officials and non-officials, (d) Controller, Panchayati Raj Finances. He, assisted by a cadre of internal auditors is responsible for scrutinising the accounts of the Panchayat Samitis and getting the irregularities removed, thereby conducting what is called, the internal audit.

Besides, these four officers, dealing with the working of the Panchayat Samitis directly, the Commissioner, Agricultural Production and Rural Development has under him two more officers, namely the Superintending Engineer, Panchayati Raj Public Works Circle, who is the head of the whole circle, and the Director, Panchayats, who looks after the functioning of the Gram Panchayats.

At the district level, the Deputy Commissioner acts as the sole representative of the State Government. He looks after the working of the Panchayat Samitis and makes reports about the same to the higher authorities and also recommends to them the type of action that needs to be taken against the defaulting Samitis. Each Panchayat Samiti is supposed to transmit to the Deputy Commissioner a copy of the proceedings of its meetings at the earliest. The Deputy Commissioner scrutinises them and if he finds that the

1. The Director of Supervision and Guidance was abolished vide Memorandum No. 1843-EDD/-62/1111494, dated November 29, 1962.

Panchayat Samiti has done anything against the rules or has over-reached its powers, he can suspend the resolution if he thinks such a step is urgently required, and can recommend to the Government to set aside it. Nowhere a resolution has ever been set-aside like this. It so appears that the Panchayat Samitis have displayed their sense of responsibility and the Executive Officers have performed their job of giving a sound advice to the Samiti well.

The Deputy Commissioner, further, enjoys the authority of supervising the records of the Panchayat Samiti and to inspect its property whenever he likes. He can delegate this power of his to someone also. He is also empowered to recommend to the Government to remove a persistently defaulting member or even to supersede a Panchayat Samiti which fails to perform its duties well. Again no such example is available when either a member has been removed or a Panchayat Samiti has been suspended.

The system of supervision, as detailed in the foregoing paragraphs, does not appear to be conducive to efficiency and effectiveness. It has certain defects. First, the responsibility of conducting supervision of the Panchayati Raj bodies has been entrusted, both at the State and the District levels, have been entrusted to the care of such officers who are already very much hard-pressed by so

1. Ibid, Section 102, Sub-section (3).
2. Ibid, Section 101, sub-section (1), clause (a).
3. Ibid, Section 104.
many other responsibilities. The Commissioner, Agricultural Production and Rural Development, holds the over-all responsibility of the development work and the supervision of the Panchayati Raj bodies. The former is so laborious particularly in view of the perpetual food shortage, that he is likely to remain very highly pre-occupied by it, thereby affording little time to the latter part of his responsibility. It so appears that the Government has not realistically assessed the pressure and importance of the supervision work of the local bodies, especially in the early stages of their formation when the non-officials because of a number of factors are likely to commit many irregularities. Equally hard-pressed, perhaps in a greater degree, is the Deputy Commissioner. He too cannot give his due attention to this work.

The obvious corollary is that these officers pass much of their responsibility to their subordinates. The link between them and the Panchayati Raj bodies gets further weakened in the absence of one single agency or officer to whom they can entrust their work and responsibility. At the State headquarter, as examined in one of the preceding paragraphs, there are four different officers, each looking after one aspect of Panchayati Raj. None can afford to look to the whole work. The work, thus suffers.

At the district level, the Deputy Commissioner puts his reliance on two officers, namely, the District Development and Panchayat Officer, and the Sub Divisional Officer (Civil). The result is that at this level too the responsibility is divided. Moreover, these two officers are
also burdened with a variety of other duties. To them, the supervisory work of the Panchayat Samitis also comes as a secondary duty. They, thus, cannot afford to attend to it whole-heartedly. This writer was surprised to find that the District Development Officer, according to the terms of law, is supposed to maintain, on behalf of the Deputy Commissioner, a proper record of the minutes of the meetings of all the Panchayat Samitis of the District, does not possess it at all. The copies of only a few resolutions of a few Panchayat Samitis, which have cared to send, are available. One junior clerk deals with the entire Panchayat Samiti work. How can he cope with all this?

The system of delegating the powers of supervision to the Sub-Divisional Officer (Civil) has been defective in another way also. These officers, being the incharge of the entire civil administration of the sub-division, do not sometime care to recognise the autonomous character of the Panchayat Samitis and, thus, make undue interference in their affairs. Such tendencies have been noticed at one or two places. Though nothing appears on record, yet instances of their interference were cited.

One Executive Officer said that once the Sub-Divisional Officer (Civil) dropped in his office and asked for his jeep. Finding the demand coming from one of his superiors, he could not afford to say no to him and placed his jeep.

1. Ibid, Section 191, Sub-section (2).
at his disposal. After sometime, the Chairman came. He needed the vehicle for some Saniti work. When he learnt that the Sub Divisional Officer (Civil) had taken that away, he quite justifiably felt very much agitated.

At another place, the Executive Officer related that, when in the wake of the Chinese aggression in 1962, the campaign for the collection of the National Defence Fund started, the Saniti officials collected a few thousand rupees. The Sub Divisional Officer (Civil) on coming to know that the amount collected there was quite handsome, wished to take that away from them and to present the same to the Deputy Commissioner saw himself. In the meantime, the Executive Officer happened to visit the Sub Divisional headquarters, the Sub Divisional Officer (Civil) asked him to pass the amount on to him. When the Executive Officer communicated this wish to the Chairman, he flatly refused to do so and told him that the amount would be routed through the Village Parishad. Thereafter whenever the Executive Officer met the Sub Divisional Officer (Civil) he would ask him to bring the money. At last when the Sub Divisional Officer (Civil) learnt that the Chairman was the delaying factor he called him to his place and coerced him to place the money at his disposal which the poor Chairman did.

To sum up, the whole supervisory set-up is full of defects. The most striking feature of all is that the work of the supervision of the Panchayati Raj bodies nowhere from top to bottom forms the exclusive responsibility of any single officer. Everywhere it appears to have been
 appended with the primary duties of the officers concerned. This is too great an injustice, done to such an important subject as Panchayati Raj. The recommendation of the Study Team on Panchayati Raj in Punjab that "a whole-time Officer of the rank of a Joint Secretary or a Senior Deputy Secretary should be made fully responsible for affecting the requisite co-ordination in the functioning of all Officers concerned with the Raj", deserve consideration.

On his own part, this writer would like to suggest that there should be set up at the State head quarters a full-fledged Panchayati Raj Directorate, putting all the officers concerned with the various aspects of the system under it. Besides the existing department, it should also include a research wing, adequately staffed with field experts, surveyors and statisticians. The Director of Panchayat with whom these, at present exists very little give and take with the Commissioner, Agricultural Production and Rural Development, should also be brought under the purview of the new directorate. As a matter of fact, he should form an integral part of it.

At the district level, the post of the District Development and Panchayati Officer should be redesignated as the District Panchayati Raj Officer. A senior scale officer of the State or Central Administrative Services be

appointed against it. He should have under his three district branches, each dealing with the Gram Panchayats, Panchayat Samitis and the Development work. The elevation of his status will help effect greater co-ordination of the Panchayati Raj institutions and the district level offices of the various development departments. Further all the powers of supervision of the Panchayat Raj bodies be exclusively vested in him (with the exception of the Deputy Commissioners). The Sub Divisional Officer (Civil) be divested of all such powers. This arrangement will eliminate too much governmental interference and will also gear up the work of the supervision and inspection of the Panchayati Raj institutions.

The relation of the Panchayat Samiti with the Vila Parishad.

The Vila Parishad is co-ordinating, supervisory and advisory body in so far as the Panchayat Samitis are concerned. It has been vested with three types of powers. First, with a view to gearing up the general working of the Panchayat Samitis or any particular aspect thereof, the Vila Parishad can issue to them directives. This, it can do on the basis of the information contained in the Samiti resolutions, or received through any other source. These

1. The Punjab Panchayat Samiti and Vila Parishad Act, 1954, Section 93, Sub Section (2), clause (b).

2. The Panchayat Samitis have been directed by the State Government to furnish regularly copies of the minutes of their meeting to the Vila Parishad, vide Notification dated 5.12.1961, issued by the Development and Panchayat Department in conformity to rule No.44 (b) as framed under section 115 (2) (c) of the Punjab Panchayat Samiti and Vila Parishad Act, 1954.
directives are binding on the Panchayat Samiti. If the Panchayat Samiti does not find the directives suitable it can protest against it by means of a resolution which has to be passed by a two-third majority. If the Mila Parishad is adamant, it can adhere to the position already taken. The Panchayat Samiti has then to act accordingly. The Mila Parishad, Kangra, during the last five years issued as many as 24 such directives asking the Panchayat Samiti to credit the proceeds of the profession tax of the old District Board times to the Mila Parishad, which they were not doing so.

Second, the Mila Parishad scrutinises the budgets of the Panchayat Samitis. If at any time it finds any irregularity in them, it cannot only bring it to the notice of the Panchayat Samiti but can also require them to rectify it. As in regard to the directives, the Panchayat Samiti can also make a protest to the Mila Parishad by repassing the budget by a two-third majority. In the long run, however, it has no other option except to act according to the wishes of the Mila Parishad, if the latter is insistent.

Third, without the prior approval of the Mila Parishad, the Panchayat Samiti cannot impose a new tax. If the former once turns down the proposal of the latter, it

2. Ibid, Section 82, Sub-section (2), clause (b).
3. Ibid, Section 65.
cannot be revived again and there is no provision of law under which the desired tax can be levied. The Bajnath Panchayat Samiti asked for such a permission from the Zila Parishad in 1964, to levy a tax on the storage of potatoes, 'katha' and 'kuth'. It was estimated to earn Rs. 10,000 per annum. The Zila Parishad did not view the proposal with favour and refused the permission.