Chapter VI

FUNCTIONAL, INTER-RELATIONSHIP AND GOVERNMENTAL CONTROL

The activities of a Gram Panchayat can be broadly classified into three categories - developmental, administrative and judicial.

1. Developmental

Being the primary institution of the village, the Gram Panchayat has been entrusted with the task of developing the rural areas. The developmental needs of the village are twofold - civic and economic.

a) Provision for civic amenities - From the civic amenities point of view, our villages present a poor picture. Recently the Gram Panchayats have, however, begun to deal with this problem. As regards the Gram Panchayats, covered in this survey, these too have made some efforts, of course, in a small way, to provide to the villagers such civic services as the supply of safe drinking water, paved streets, scavenging services, children parks, reading rooms, etc.

Taking the various activities one by one, we find that the most noteworthy amongst all is that of the improvement in the supply of drinking water. As stated earlier, the problem of the supply of safe drinking water is perhaps the severest in Kangra district, because of

1. See page 182.
its hilly terrain. The problem is more acute in the 'Changar' highland and the 'Shivalik' zone, where the people, in certain cases, have to cover miles to fetch a pitcher of water. Hence the Gram Panchayats are more worried about this problem than of any other. All the sixteen Gram Panchayats have done something in this behalf (Table No. 18). Mostly they have renovated the existing wells or sunk new ones. The total number of wells renovated or newly sunk is 44 in fourteen villages. Two have even managed to have the piped supply of water. They have also put up 14 hydrants for the use of the general public, besides providing the facility of private domestic connections. Whatever has so far been done is just a fringe of the problem, people still feel the difficulty in hot summer months. The three road-side Gram Panchayats, namely, Indora, Sujampur and Nadaum have prepared very ambitious schemes of the piped supply of water. They hope to get these projects materialised soon.

Another activity that has been widely noticed is that of the pavement and improvement of the village streets and pathways. As many as eight Gram Panchayats are engaged in this task. All the five road-side Gram Panchayats have undertaken the work of paving the important streets of their localities. In Nagrota, Nadaum, Indora and Sajnath, almost all the streets have been paved. In Sujampur, however, the progress is comparatively small. The Gram Panchayat could so far paved only two streets. The total length paved in all these villages comes to 2,450 metres. As far as the villages of the interior and
interior-most areas are concerned, it is financially not possible to pave all the pathways which are too long. There the basic problem is to affect such improvements as providing culverts and missing links, filling of ditches and widening them. Three Gram Panchayats have widened such tracks to the length of 500 metres and seven have provided 17 culverts.

Four road-side villages have also managed to provide lamp posts on their important streets. The total number of posts is 59. In Bagrota Gram Panchayat, there also existed 14 lamp posts during the days of the municipal administration. The Gram Panchayat, finding the electricity bill too heavy, refused to pay for it. Consequently, the streets ceased to be enlightened at night. But now the Gram Panchayat, it is told, is thinking to revive it. The eleven Gram Panchayats of the interior and interior-most villages neither provide any such facility nor do they seem to be worried about it.

In the same manner, all the five-road-side Gram Panchayats also maintain the system of scavenging their public places. They engage the services of 19 sweepers. Other Gram Panchayats do not have any such service.

Eleven Gram Panchayats (five of the road-side villages, four of the interiors and two of the interior-most areas) maintain reading rooms or Community Centres. They house a few books on current issues. Besides, they subscribe to half a dozen dailies and weeklies, and to a few good journals, as the 'yojna' 'kurukshetra', 'kisan',
which reflect the rural problems etc.

Five road-side Gram Panchayats and two of the interiors have set up the children parks. But these exist more in papers than on the ground, for, due to the poor maintenance arrangement, these have worn out, giving a horrible look with a few broken iron-bars here and there.

Three Gram Panchayats again of the road-side villages have constructed public urinals. Their total number is 12.

To sum up, the Gram Panchayats of the road-side villages appear to have been more conscious of their responsibility to provide the civic amenities to the villagers. The reason is that these villages are almost of the same size and the socio-economic pattern of their people is also of the same type as is that of the neighbouring small towns of Kangra, Kurpur, Palampur and Hamirpur. Their inhabitants, therefore, expect of their village bodies (rather demand from them) the same quality of civic amenities as their brethren in the towns get. They do not even hesitate to pay for the cost of the civic services. Hence these villages have undertaken these responsibilities.

But so far as the residents of the interior and interior most villages are concerned, they are yet to acquire that degree of civic consciousness which has been reached by the road-side villages. New light is gradually peeping in. They have, so far, arrived at a stage where they have begun to realise the importance of such basic ingredients of civilisation, as the Schools, Hospitals and the like. At present their only slogan is the "Kuhl (minor irrigation
channel) and the School for the village. The other stage when they will clamour for a more sophisticated life, will come after a long time. Consequently, their activities as have been detailed in the foregoing paragraph, mostly pertain to the construction of the buildings for the Schools and the Hospitals, or the renovation of their age-old wells and water-springs, or the construction and repairs of the mid-day shelters in important village paths, etc. These are the common and perhaps the only activities they are engaged in. The Gram Panchayats of Jhareth, Kothi Svar and Kamlah have focussed all their attention for the last so many years on their Schools. All of them have started from a scratch and have succeeded, by degrees, in getting high-schools for their villages. They have constructed attractive buildings for them. In the same manner, the Gram Panchayats of Dainkwan and Baroh have exclusively concerned themselves in the affairs of their dispensaries. The minute books of all these Gram Panchayats are replete with the resolutions pertaining to these activities. They have concentrated all their attention on these projects and ignored all others.

b) Economic activities

The Gram Panchayat is also expected to help the improvement of the economic conditions of the villagers. In this respect, it is not supposed to directly undertake the projects or services of economic in nature. Its job is confined to help spread the knowledge of various
agricultural devices, to lend a hand of help to the village co-operative societies, by making the people co-operative minded, to enthuse them to expand and utilise the services societies, and, above all, to prepare the village agricultural plan every year.

The Gram Panchayats, covered in this Survey, have mostly concerned themselves with two activities of the economic nature. First is the improvement in the existing means of minor irrigation. Nine Gram Panchayats (three of the road-side villages, four in the interior area and two in the interior-most area) have repaired the existing 'Kabli' (water channels), and thus, made the supply of irrigation water more certain and regular. As much as Rs. 40,292 (Table No. 13) has been obtained by them as grant-in-aid during the last five years, and they have contributed an equal amount from their own funds. Thus more than a lac of rupees have been spent on irrigation alone.

In regard to this activity, the trend of performance is not to be judged according to the principle of the situation and the proximity of the villages to the roads and other communication lines (which has been applied everywhere else in this study), but by the geographical location of the Gram Panchayats. The reason for this is that the 'Shivalik' zone and the 'Changar' highland are dry regions and the land is mostly stony and barren, there is little scope for the construction of the 'kabli' (water channels). This is why the Gram Panchayat of the Sujanpur and Nadaun blocks, and the
Jharnath Gram Panchayat of the 'Changar' highland, have not paid any attention to this side. In the Nadum block, one Gram Panchayat, namely Kohla, has, however, constructed a small 'kyhi' (water-channel), because it has the privilege of being situated on the bank of the river Beas and its height from the river-bed is also not very big.

The second important activity is that seven Gram Panchayats (again of the Indora, Sagrota and Baijnath) have purchased a few of the agricultural implements, such as sprayers, dusters and winnowing machines. The Gram Panchayats lend them to the cultivators on hire basis. Four Gram Panchayats of Indora, Chinnaur, Tharu and Kohla have also undertaken the anti-erosion schemes.

The most surprising aspect of the performance of the Gram Panchayats in the economic sphere is that not a single one of them have cared to prepare the agricultural plan, which, as a matter of fact, should have been the basic concern of each village governing body. Not only that, nowhere the villagers have ever cared to think of the ways and means of improving their economic conditions. The minute books of the Gram Sabha do not find any reference to any such problem. On the contrary, one finds both the Gram Panchayats and the Gram Sabhas have been more worried of the civic amenities, and the social services. It so appears that the Gram Panchayat has come to be understood more as a hackneyed type of a local body than as a multi-purpose institution.

Noticing the same tendency on the part of the Gram Panchayats, the Punjab Government's Study Team on
Panchayati Raj, observes, "It is, however, regretful to note that Gram Panchayats have not become more conscious of the need and urgency of planned and programmed economic development at the village level. There is evidence, however, of these village bodies being more sensitively interested in the problems of civic amenities and services". Earlier the same complaint was made by a Team set up by the Association of Voluntary Agencies for Rural Development to study the working of the Panchayat Raj in Andhra Pradesh in 1961. It remarks, "As in the rest of the country, we found the Panchayat concerned more with the provision of amenities than with increasing production".

2. Administrative

The second function of the Gram Panchayats is that of the general rural administration. A small institution like the Gram Panchayat with its limited jurisdiction does not possess many functions of this type. In this field, its first and foremost duty is to assist the visiting officials in accomplishing their missions and to help the police in the investigation of crime and in the tracing of the culprit. This function is just an ordinary one, but it was alleged by


some of the respondents that certain Sarpanches and Panches try to make profit even out of this minor power. The occurrence of any untoward incident wherein the intervention of the police is required, provides to these people an additional opportunity to wreak vengeance on their opponents. They poison the ears of the investigating officials and thereby get their opponents unnecessarily harassed. They said that in good many instances, comparatively inner people had to suffer at the hands of the police simply because they were not in the good books of their village chief. This power of 'recommendation' has built up a personal equation between the Sarpanch and the local police officer, with the result that the former enjoys immense power and prestige among his illiterate and ignorant village people.

3. Judicial

The third important activity of the Gram Panchayat is that of the adjudication of the small cause disputes of the village. The Gram Panchayat enjoys civil, criminal and revenue jurisdiction. Sixteen Gram Panchayats covered in this survey entertained 302 cases of all types (between the years 1953 to 1966). Out of them, 20 percent are still pending, and 5 percent have been transferred to other Gram Panchayats. They actually handled 225 cases. Amongst them, 33 percent

1. Ibid., Section 52.
**Table No. 19**

Showing the performances of the Gram Panchayats in the judicial field during 1963 to 1966.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Total No.</th>
<th>No. of cases transferred to other Gram Panchayats</th>
<th>No. of cases pending</th>
<th>No. actually disposed of</th>
<th>No. of cases computed</th>
<th>No. of cases decreed</th>
<th>No. of cases dismissed</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
<td>302</td>
<td>14</td>
<td>63</td>
<td>225</td>
<td>78</td>
<td>82</td>
<td>68</td>
</tr>
<tr>
<td>Percentage</td>
<td>100</td>
<td>5</td>
<td>20</td>
<td>100</td>
<td>38</td>
<td>36</td>
<td>31</td>
</tr>
</tbody>
</table>

Sources: The Civil, Criminal and revenue cases registers of Gram Panchayats, covered in the study, for the years, 1963-64, 1964-65 and 1965-66.
have been compounded, 16 percent decreed and 51 percent dismissed. (Table No. 19).

The statement showing the performance of the Gram Panchayats in the Punjab between the years 1950-51 and 1960-61, as contained in the Report of the Study Team on Kyaya Panchayats, 1962, discloses that 51 percent of the disputes were compounded, 12 percent decreed and 17 percent dismissed.

The purpose behind the vesting of the judicial powers in the Gram Panchayat was to save the village folk from the innumerable difficulties that they experienced at the hands of the lawyers and petty court officials. It was hoped that the members of the Gram Panchayats belonging to the village and related to one another by innumerable ties, would be able to dispose of the local disputes in an amicable way, thereby, restoring harmony in the village. This laudable objective seems to have met success (of course, a partial one), in view of the fact that 31 percent of the disputes have been compounded.

But the judicial powers of the Gram Panchayats have, on the contrary, given rise to some new complications. It was mentioned by almost every non-official respondent that quarrels in the villages had multiplied many-fold. They told that previously when justice was had at the

district or sub-divisional headquarters and at a very heavy cost, people used to think several times before they could pick up a quarrel with anyone. But since now justice was available at one's doorstep and on easy terms, people picked up quarrels on trifles and rushed post-haste to the Panchayat 'Char' for redress. Consequently, the Gram Panchayats were encumbered with heavy judicial work. Many non-officials mentioned that they did not entertain all those cases which were brought before them. Their first endeavour was to bring about reconciliation between the parties concerned. It was only if it became difficult to bring about a compromise that they would entertain it formally. In this way, they disposed of a very large number of disputes informally. The Sarpanches of Baroh and Kohla disclosed that the number of cases, thus, disposed of was not less than 30 and 20 respectively, per year.

The non-official respondents referred to another problem, namely, the lack of the staff to get the decrees and decisions, by the Gram Panchayats, enforced. They said that the Gram Panchayat did not possess any agency which could execute their decrees or even circulate their notices. The Government had, no doubt, authorised them to utilise the services of the village 'chaubidar', but the poor fellow was the handmaid of a number of officials, namely, the 'Patwari', the headman, the Head Constable and, last of all the Gram Panchayat. The first three still possess lot of influence in the village. He feared them and consequently always remained busy in catering to their
demands—both official and domestic. The result was that he could spare little time for the Gram Panchayat work. The recommendations made by the Seminar on Fundamental Problems of Panchayati Raj (January, 1964), organised by the All India Panchayat Parishad, that the village 'chaukidar' be placed under the exclusive control of the Gram Panchayat need sympathetic consideration.

The Gram Panchayat can also take the assistance of the police in the exercise of its authority. But the respondents again pointed out that the attitude of the police towards the Gram Panchayat was that of indifference and non-co-operation. Instead of lending assistance to the Gram Panchayat in the enforcement of the decrees or maintenance of the law and order, they felt jealous of its powers and, whenever they got an opportunity, they would intrigue against it. They disclosed that quite often police tried to give the local disputes such a twist as may take them out of the purview of the Gram Panchayat, thereby facilitating its interference. In the context of such a state of affairs, no assistance could ever be possible.

The Rajasthan Government's Study Team on Panchayati Raj also makes a parallel complaint of non-

1. Report of the Seminar on Fundamental Problems of Panchayati Raj (January, 1964), All India Panchayat Parishad, New Delhi, point 8, p. 79.
2. The Punjab Gram Panchayat Act, 1958, Section 110.
co-operation from the police. It says, "Despite provisions in the Act, whole-hearted co-operation and support from the revenue and police agencies has not always been forthcoming. In many cases, decisions of the Gram Panchayats were not executed for want of timely police assistance. This needs assistance of the Government".

The lack of adequate staffing arrangement for the enforcement of its decisions and the attitude of indifference towards the Gram Panchayat on the part of the police and other local officials, tends to lower the prestige of the Gram Panchayat and militate against the confidence of the people in its efficacy. Knowing that the Gram Panchayat is rather weak in getting its orders enforced, people prefer to go to the law courts even if that means great inconvenience.

Keeping in view all such difficulties, the Study Team on Nyaya Panchayats, (1962), observes, "It is well known that the success of any institution ultimately depends upon its personnel, and if the morale of the personnel is not kept up, even the best thought out system would not be able to prevent the ruin of the institution. We, therefore, feel that it is of utmost importance to ensure to Nyaya Panches certain basic amenities....". To this end, it, inter-alia suggests that there "...... is the great need for an endeavour on


the part of all official agencies to extend the fullest co-operation to Nyaya Panchayats. The regular judiciary should treat them as closely connected with it. The police should endeavour in every way to co-operate with Nyaya Panchayats and assist them.

Apart from the study of the various difficulties that the GramPanchayats faced in the performance of their judicial responsibilities, this writer also made effort to study the reaction of the non-official respondents and the village elite towards the judicial aspect of the GramPanchayat’s functioning. Sixty-two percent of the former and a fair majority of the latter expressed themselves against the existing practice of vesting judicial powers in the GramPanchayats. They put forward two reasons, first, these led to the increase in village factions, and, second, the decisions of the Panches were quite often tilted to one side or the other. (Table No. 20).

In view of the widespread reaction of the respondents against the utility of Gram Panchayats judicial powers, one is apt to reconsider the advisability of vesting the judicial powers with the Gram Panchayats. Should these powers be totally withdrawn from these bodies? Or should separate Panchayats be set up for administering justice? The immense utility of making justice available at one’s door-step and at a comparatively far cheaper cost, cannot in any way be denied. Moreover, it looks

1. Ibid, p. 121.
**Table No. 21**

<table>
<thead>
<tr>
<th>Nature of the reply</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Yes.</td>
<td>18</td>
<td>38</td>
</tr>
<tr>
<td>2. No.</td>
<td>30</td>
<td>62</td>
</tr>
</tbody>
</table>

3. Reasons:
   a) Increased factionalism.
   b) Partial decisions.

... dealt with both viewpoints, and have, in the end, projected both the viewpoints.  

unachronistic that after experimenting for a considerable long period with the people's court, we switch back to the old practice of administering justice in petty disputes by the traditional courts, and, especially, when our experience with the former has not been bad. Hence the question of withdrawing the judicial powers from the Gram Panchayats does not arise at all.

There is, however, a controversy whether the Gram Panchayats which hold the charge of the developmental and administrative functions, should also dispense justice, or should separate bodies be created for the purpose. The Study Team on Nyaya Panchayats has dealt with this question at a greater length by elaborately projecting both the viewpoints, and have, in the end,

1. Ibid., Chapter IV.
expressed itself in favour of the 'Nyaya' panchayats. "We are, therefore, of the opinion that Nyaya panchayats are satisfying the real-felt need of the villagers and that they should be continued".

Earlier the Balvantrai Mehta Team also recommended the constitution of separate judicial Panchayats. According to it, "In many States village Panchayats are invested with certain judicial powers, both criminal and civil. There is, however, a feeling that they cannot exercise these freely within the limited area, without inviting the wrath of the party which loses the civil suit or the criminal case. We would, therefore, recommend that the judicial panchayats may have a much wider jurisdiction than even a Gram Sewak's circle, possibly two or three circles".

Almost all the Study Teams and Commissions, which recently probed into the working of the Panchayati Raj bodies, have recommended the separation of the executive and the judiciary at the village level also and setting up separate Panchayats for administering justice. Noteworthy amongst the Studies are; the Study Teams On Panchayati Raj, set up by the Government of Rajasthan, and

1. Ibid, p. 41.


Punjab, and the Punjab Administrative Reforms Commission.

This writer personally feels that the constitution of separate judicial panchayats, having a wider jurisdiction than a Gram Panchayat (as recommended by the various bodies) will, on the one hand, improve the quality of justice, and, on the other, it will also enable the Gram Panchayat to pay more attention to the developmental activities of the village. To-day, most of their time and energies are frittered away in striking compromises between the parties. This step, therefore, needs to be taken without loss of much time.

Problem of co-ordination.

The village is a basic unit of our social fabric, catering to all the primary needs of its residents. It, therefore, contains within its territorial bounds a number of institutions such as the village School, the Co-operative Society, the farmers' club, the Mahila Mandal, and other non-statutory village organisations. Besides, there are a good many functionaries stationed in the village, as for instance, the 'Lambardar', the 'Patwari', the forest guard, the head constable, the 'chowkidar' and last, but not least, the village level worker. All these


institutions and functionaries along with the Gram Panchayat are busy looking after one activity or the other in the village. This raises the problem of relationship between the Gram Panchayat and other institutions and functionaries.

This question has not been properly dealt with basically. The association of the farmers' club, the Mahila Mandal and other non-statutory organisations with the Gram Panchayat has been indirectly provided by a legal provision of the functional and local committees which would include the members of these bodies besides one or two Panchas. That is the only agency through which some sort of co-ordination of the activities of the Gram Panchayat and other village bodies can be had. Even these Committees have not been constituted in any of the villages visited by this writer. In one village, namely Kangra Bagwan, people seemed to have demanded that an advisory body of the local people be constituted but the Sarpanch paid no heed to that suggestion.

As far as the village co-operative and the School are concerned, there does not exist any agency or mechanism which can affect a co-ordination between these institutions and the Gram Panchayat. The vital role that these three institutions play in the life of the village has been stressed time and again, by almost every-one. Prime

Minister Nehru used to call them three basic institutions of the people. But, unfortunately, there does not exist any co-ordination of their activities. In Nagrota for instance, the Sarpanch and the Headmaster do not pull on nicely with each other. The Sarpanch got a resolution passed from the Gram Panchayat requesting the higher authorities to transfer the Headmaster and a few of his colleagues. In the same manner, it was learnt at Baroh and Drainkwan that the Co-operative Chiefs of those villages contested the election to the Sarpanchship, and lost. Since then they have adopted an attitude of indifference towards the Gram Panchayat.

Apart from these sporadic cases, it is generally noticed that there is very little of give and take between the Gram Panchayat on the one hand and the School and the Co-operative on the other. It was widely noticed that the interest of the Gram Panchayat is confined to the maintenance of the building of the School. Hard efforts seem to have been made to build new rooms and repairs the existing ones. But beyond that there has been no activity on the part of the Gram Panchayat towards the welfare of the School. The teachers do not seem to have any interest in the working of the Gram Panchayats. The Sarpanch and the Panches, on the other hand, have a feeling

1. Speech of Shri Jawaharlal Nehru, delivered at Rajpalyam on April 17, 1959, The Tribune, Ambala Cantt, dated April 18, 1959.

that the school staff is their sub-ordinate. Hence a wide gulf separates the two. The basic trouble is that the much cherished idea of collective thinking could not so far emerge in the village.

The position in regard to the co-ordination of the activities of the Gram Panchayat and other village functionaries is still worse. It was widely complained that the village headman (the 'lambardar') who during the British regime used to be the pivot of the village administration, felt sore on the loss of his power and prestige which had now passed on to the Gram Panchayat. He treated the latter as his rival. Similar was stated to be the case with the police and the patwari (village accountant). They all intrigued against the Gram Panchayat whenever they got any opportunity.

The village level worker (the Gram Sevak) is another functionary of the village who also does not have much concern with the Gram Panchayat. Although he primarily exists to help the Gram Panchayat and other village institutions in handling the various rural problems, yet the lack of any administrative control of the Gram Panchayat on him, and his comparatively wider beat, have kept him somewhat isolated from the Gram Panchayat. The sarpanches almost everywhere complained that he was seldom available to them whenever they needed his advice or services. Quite often they had to send their requisitions for his services to the Social Education and Panchayat Officer. In view of such difficulties, some of the respondents suggested his service like those of the Panchayat
Secretaries be transferred to the Gram Panchayat.

The problem of the co-ordination of the activities of the Gram Panchayat and those of the other village functionaries and institutions is not only quite an important one, but also very difficult to solve. Unless all the local institutions and functionaries are not made to co-operate effectively with the Gram Panchayat, the general development of the various aspects of the village life will be held up. But how to do so, is the crux of the problem. Different studies have put forward different suggestions. Some of the important ones may be discussed, as below:

The question of the relationship of the Gram Panchayat and the village co-operative has been examined at length by the Working Group on Panchayats and Cooperatives, set up by the Government of India’s Ministry of Community Development Panchayati Raj and Co-operation in 1961. It looked into the matter from all angles. One of the questions that it examined was whether the cooperative be given representation on the Gram Panchayat and vice versa. The Group rejected that suggestion by saying that it was “neither necessary nor likely to be helpful”. The Rajasthan Government’s Study Team has, however, recommended that a representative of the Panchayat should

---

be a member of the Managing Committee of the Service Co-operative. This writer feels that according to representation the village co-operative on the Gram Panchayat will not in any way affect the interests of the latter, but will, on the contrary, do some good. It will at least provide a common link between the two. Moreover, it will bring about uniformity in the system, for there already exists the system of giving representation to the Co-operatives on the Panchayat Samiti.

Other recommendations of the Working Group were: that the Panchayat should take up the work of the dissemination of information on co-operation by organising talks and lectures by the village leaders, should help in increasing the membership and deposits of the Co-operatives, that the two should jointly draw up the village production plan, and, more important than all this was that the Panchayat as a body and the entire managing committee of the co-operative may meet at least once a month to thrash out all common problems. The suggestions were really fine and would have brought about the desirable degree of co-ordination, had efforts been made to given them a practical shape.

3. Ibid., para 5.22.
4. Ibid., para 5.27.
So far as the school vis-a-vis the Gram Panchayat is concerned, this writer would like to suggest that there may be constituted a School Committee with the Headmaster as the Convener. It should include all the Panchas, one or two Senior teachers and two or three villagers who have some interest in the educational problems. This Committee should be presided over by the Sarpanch and should meet at least quarterly. It should deliberate over the educational problems of the village, such as accommodation for the boys, admission, price distribution etc. This Committee will provide an ideal forum for the Panchas and the school teachers to be drawn closer to one another and would promote collective thinking.

Coming to the local functionaries, the most important, we find, is the village Patward (the Accountant). In regard to him, the recommendations of the Rajasthan Government's Study Team on Panchayati Raj and those of Seminar organised by the All India Panchayat Parishad on Fundamental Problems of Panchayati Raj in 1964, are quite nice. The former suggests that the Patward should read out in the meeting of the Gram Sabha all the changes that have been effected in the revenue records during the period preceding the meeting. The latter recommends that the representatives of the Gram Panchayat be associated

with the Patwari at the time of the mutation and that all the entries should be read out in the Gram Sabha meeting.

As regards the police, and the Gram Sewak, the writer has already suggested that the former should be effectively instructed by the higher authorities to co-operate with the Gram Panchayat and the latter, preferably, be made the Secretary of the Gram Panchayat.

This writer will, further, like to suggest that there should be constituted another Committee whose convener should be the Chief of the Village Co-operative. It should include the Panches, the Patwari, the Gram Sewak, the President and Secretary of the farmers' club and one or two progressive farmers. It should again be presided over by the Sarpanch and should deliberate over the agricultural and other economic problems of the village. It should also meet at least four or five times in a year. Finally, there should be a cultural Committee. It should contain, besides the Panches, the Chief Office Bearers of the Youth Club, Mahila Mandal, and other religious organisations. This

2. See page 219
3. See page 157
should promote the cultural life of the village. In this way, there will be a closer co-ordination between the Gram Panchayat and other village organisations and functionaries. But more important than all this is that the constitution of these committees should be made obligatory on all the Gram Panchayats. Furthermore, efforts should be made through the agency of the social education and Panchayat Officers, to see that they function efficiently and regularly.

These Committees will enable the Gram Panchayats to have a dialogue with other organisations and the local officials. But if any villager is not happy with the behaviour of any official then these Committees will not be able to remove his grievances, and unless the village knows that the Gram Panchayat can help remove his grievances, he will not have much faith in its efficacy or usefulness, and will remain apathetic towards it. The solution of this difficulty is to invite all the Samiti level officials to the Gram Sabha meetings. They should be required to reply to the criticism of their department in the plenary meeting of the village people and to take note of the grievances of the villagers against their local subordinates and to remove those grievances in due course of time. The participation of the local officials in the Gram Sabha meetings should be discouraged, for that can lead to open clashes between them and the villagers. Hence the grievances should be removed indirectly through the agency of the Samiti level officials.
System of supervision and control over the Gram Panchayats

Administrative control:

The activities of the Gram Panchayats in the Punjab are subject to two types of Governmental control—administrative and financial. The State Director of Panchayats is the overall incharge of the administrative control. He may delegate his powers to the Deputy Commissioner who may further pass it on to the District Development and Panchayat Officer, the Block Development and Panchayat Officer, and the Social Education and Panchayat Officer, and the Sub-divisional Officer—Civil. The method of control is two-fold. First, all the Gram Panchayats in the district are required to regularly send the copies of all the resolutions that they pass from time to time to the Deputy Commissioner. If any time a Gram Panchayat passes a resolution which oversteps the powers of the Gram Panchayat he can suspend its execution. The latter, after issuing the order, makes a report of the same to the State Director of Panchayats who may confirm, modify, or rescind his order. In this way, the Deputy Commissioner tries to keep the Gram Panchayats in

1. The Punjab Government Panchayat Act, 1952, Section 95, Sub-section (1) and (2).
2. Ibid., Section 100.
3. Ibid., Section 97, sub-section (1).
4. Ibid., Section 97, Sub-section (2).
track. So far as the Gram Panchayats of the sample are concerned, not a single resolution of theirs has ever been found out of order by the higher authorities which means that they kept themselves strictly within the powers allotted to them.

The second method of control is that of the periodical inspections, which are generally conducted by the Block Development and Panchayat Officer, and the Sub-divisional Officer (Civil). In the course of their inspection they scrutinise all the papers, records, income and expenditure, the methods of working etc. They try to find out their defaults and thereafter provide them guidance for the future. All the Gram Panchayats have been inspected by these officers from time to time. A look into their inspection reports discloses a number of lapses on the part of the Gram Panchayats. Most of them relate to the formalities generally associated with the execution of works. Some constructive suggestions have also been given by the inspecting officers. But it is surprising to note that little heed has been paid by the defaulting Gram Panchayats towards these suggestions. This seems to indicate how indifferent the Gram Panchayats are to their inadequacies.

The Social Education and Panchayat Officer is the immediate Controller of the Gram Panchayats'...

Ibid, Section 95, sub-section (1).
activities. He goes round every Gram Panchayat once in a month. He gives them on the spot guidance in regard to all the difficulties that they come across. He scrutinises their minute-books and points out to them the irregularities that they commit and gets them rectified. That is the reason why the Gram Panchayats do not overstep their powers. He also looks after the working of all the Panchayat Secretaries, and takes them to task if sometimes they do not attend to their work seriously. He is, therefore, a true friend, philosopher and guide to the Gram Panchayats.

A question was posed to the officers in particular whether the existing system of inspection and supervision was working satisfactorily and whether the working of Gram Panchayats had been geared up. Out of ten officers interviewed as many as nine expressed their disapproval of the existing system, while only one replied in the approving tone and that too because according to him, there was no other better method. The former said that the existing system was so much defective that the degree of control and supervision had, in fact, gone down since the merger of the departments of the Community Development and the Panchayats. Formerly, when the two departments were independent of each other the Block Development and Panchayat Officer and the Social Education and Panchayat Officer had more comprehensive control over the Gram Panchayats. At that time, they conducted a thorough supervision and inspection of these bodies without any fear or favour because they
were responsible to their district chief. But now their objectivity had been restricted as they were now to work under the discipline of the Chairman and other elected representatives of the Panchayat Samiti. If they sometime wrote an adverse report on the Gram Panchayat, they feared they might be harmed at the Samiti level, because the Sarpanch, Panches, the Samiti members and the Chairman were all political beings, hence intimately related to one another. The obvious result was that the hold of the inspecting authorities had definitely slackened. This writer feels that this is something bad, for the necessity of inspection and control cannot in any way be under-rated, especially in the realm of local government, because "central control enable the Government to put into operation a policy which individual local authorities may find irksome or unduly restrictive of their initiative but which is nevertheless justified by considerations of national interest".

The Government exercises administrative control over the Gram Panchayats in another way also, i.e. by keeping a vigilant eye on the conduct of the individual Panches and Sarpanches. If any member is found negligent of his duty or found guilty of any mal-practice, he is suspended and even removed from his office.

Till June, 1966, as many as thirteen Panches and Sarpanches had been either suspended or removed in the whole district (eight on the charge of tampering with the Gram Panchayat funds, three for creating lawlessness in the village, and one each for illegal extraction of stones from the common-land and the non-attendance of the meeting).

This is, undoubtedly a good method of control which Government exercises on the members of the Gram Panchayats because those who never have had a taste of any administrative office are generally susceptible to varied types of corruption and mal-practices. This earns a bad name to the Panchayati Raj as a whole. Hence it is highly essential to keep an eye upon them. But in this provision (pertaining to the suspension of members) there is one serious flaw. It is that a Panch or Sarpanch who has been suspended from the membership of a Gram Panchayat cannot be debarred from contesting the election again until the case against him is finally disposed of when he may be disqualified to become a member for a certain period of time. This flaw in the Act came to light when in August, 1964, one Mr. Bhagwan Singh, Sarpanch, Gram Panchayat Ghanera (Kangra district) was suspended from his office on the charge of forgery and falsification of accounts and such other mal-practices. In 1963, the second general

1. Panches' suspension cases file, office of the District Development and Panchayat Officer, Himachal.
election of the Gram Panchayats were held. He was under
suspension, but without caring for all that he once again
contested and was re-elected as a Sarpanch. He carried
on the administration of the village for five months when
he was again suspended. That a person of doubtful integrity
against whom an inquiry is pending, shall be allowed to
contest election, shows how very serious is the flaw. It,
thus, needs rectification.

Financial Control

The other channel of control is the State
Examiners of the Local Fund. He, through his team of sub-
ordinate expert auditors, conducts periodical audit of the
Gram Panchayat. The nature of his control is limited to the
financial matters. This survey of the sixteen Gram
Panchayats indicates that the inspection by the auditors
has not been regularly conducted. Mostly, the Gram
Panchayat have been audited once during the last five
years, i.e. between 1961 to 1966. The auditors have
also pointed out the same irregularities as have been done
by Block Development and Panchayat Officer, and the Sub-
divisional Officer (Civil), namely, want of proper
sanction letters of the grants-in-aid and the completion
certificate, absence of entries in the appropriate
columns, drawing of excess amounts from the treasuries
and illegal retention by the Sarpanch of the same.

The field staff of the audit department appears
to be heavily pre-occupied. That is why the audit of the
Gram Panchayat takes place so irregularly. This is a very
big shortcoming in the system. The Panches and Sarpanches being in-experienced in financial matters are prone to commit irregularities. Unless audit takes places at regular intervals, the functioning of the Gram Panchayats may suffer. The Audit will not only put a curb on the undesirable tendencies of the Panches and Sarpanches, but will also help train them in the art of handling accounts.

Relation of the Gram Panchayats with other tiers of Panchayati Raj

The Gram Panchayat, Panchayat Samiti and the village Parishad constitute the three tiers of the Panchayati Raj set-up. They form a sort of hierarchy, the lower organ electing members to the higher organ. It is, therefore, essential that the Panchayat Samiti should exercise some supervision and control over the Gram Panchayat.

The law in the Punjab vests in the Panchayat Samiti three types of controlling powers. First, in case a Gram Panchayat fails to call a meeting of the Gram Sabha, as laid down in the Act, the Panchayat Samiti can convene that. It can also require the Sarpanch to call an extraordinary meeting of the Sabha. Second, if at any time, a Gram Panchayat fails to prepare and present its budget or the annual report to the Gram Sabha, the Panchayat Samiti can undertake the task of preparing and presenting that to

the Sabha. Third, the Government can order a Panchayat Samiti to render such technical and financial assistance to a Gram Panchayat as the latter may need.

Besides, these legal provisions, there is another channel of control of the Panchayat Samiti over the Gram Panchayat, namely, the Panchayat Secretary, as stated earlier, is an employee of the Panchayat Samiti.

As regards the actual functioning of this relationship in the Gram Panchayats covered in this survey, one finds that nowhere in the sixteen Gram Panchayats, these extra-ordinary provisions relating to the summoning of the meetings of the Gram Sabhas or the preparation of the Gram Panchayat budgets, have ever been invoked. It was learnt that the Social Education and Panchayat Officers did not allow any Gram Panchayat to commit default in these routine matters.

The Government has also not issued any directive to any Panchayat Samiti to render some assistance to any Gram Panchayat.

The relations of the Gram Panchayat and the Panchayat Samiti, on the whole have been harmonious. There is no such thing that they may run on cross-roads to one another, as was the fear, expressed by the Rajasthan

1. Ibid, Section 113.

2. The Punjab Panchayat Samitis and Zila Parishads Act, 1951, Section 44, Sub-section (1).

3. The Punjab Gram Panchayat Act, 1952, Section 16
Government's Study Team on Panchayati Raj. Nor is there any such tendency on the part of the Panchayat Samitis as to overshadow the Gram Panchayats, as was noticed by the Study Team On Democratic Decentralisation in Rajasthan, sponsored by the Association of Voluntary Agencies for Rural Development in 1961. Both the Panchayat Samitis and the Gram Panchayats are working collectively, each looking to its own sphere of duty. The former also provides them the necessary guidance as the latter may need through the agency of the Social Education and Panchayat Officers.

There is, however, one flaw in the system of relationship between the two. The Panchayat Samiti distributes grants-in-aid among the various Gram Panchayats. The Panchayat Samiti does not possess any power to call upon the recipient Gram Panchayats as to how they have utilised the grants-in-aid. The result is that the grants-in-aid are not properly spent. Sometimes, as was pointed out earlier, these remain hidden in the possession of the Sarpanches or are utilised by them for their personal ends.
