CHAPTER -2

Panchayati Raj Institutions in Assam:
Structure and Functions
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The term ‘Panchayati Raj’, which is popularly used in our country, includes two words, ‘Panchayat’ and ‘Raj’. ‘Panchayat’ means a group of ‘Panches’ meaning five who are representative leaders of the people at the village level. The word ‘Raj’ in the context means government. The term ‘Panchayati Raj’, therefore literary means ‘Government of People’s Representative Leaders. In this sense, it is an expression of the essence of democracy. As a matter of fact, the word ‘Panch’ reflects the democratic ideals or spirit inherent in the concept of Panchayati Raj. (Jha: 1999)

Gandhiji once remarked: “True Democracy cannot be worked by 20 men sitting at the Centre. It has to be worked from below by the people of every village.” (Maheshwari: 1995) Unless there is active participation of rural population in development, democracy is bound to fail, especially in a country like India where majority of the people live in villages. Against this background and as a follow-up of the Directive principles of State Policy in the Constitution grass-root democratic institutions were established all over the country. Needless to say, the Panchayati Raj is the most important democratic organization for the all round development of rural India as well as India as a whole.

Panchayat System in India:

The concept of local-governing institution is not exotic in India. Throughout the ages some traces of it lingered in the village communities, often referred to as village panchayats; consist of a most interesting phenomenon in the sphere of Local Government. Dynasties have risen and fallen empires have been built and destroyed but the village communities have retained their “Community Spirit”. “These communities contained in miniature all the materials of a State within themselves.” Elphinston remarked. Sir Charles Metcalfe concurred with him when he wrote, “The village communities are like republics, having nearly every thing they can want within themselves.
There have been three facets of the village communities:

(i) The village community comprising castes on professional basis;

(ii) Public functionaries charged with village administration; and

(iii) The community spirit.

There seem to be three forces that kept the village community united; First, realization of mutual dependence on the part of the different sections of the community; second, long established customs and traditions reinforced by the continuance of the community spirit; and third, self-sufficiency of the village.

The village communities have always had their staff such as the headman who collected revenues, settled disputes and exercised general superintendence over the affairs of the village, the accountant, the watchman, etc. Thus the village was not only a compact economic unit but also an administrative unit with its full complement of public functionaries who were servants of the village community and not of the Government.

The village had a number of institutions and practices of self-government. There was a “Sabha”. All the adult residents of the village were its members. There was no village affair beyond its purview. The Sabha appointed an executive committee. It was this committee that was given the name of Panchayat. Besides, there were other committees like tank committee. Thus, the village community had socio-economic and administrative along with political character.

During the medieval ages, the rulers confined their rule to cities and towns. The villages remained undisturbed by the violent political changes that took place in cities and towns. When under the British rule some of these officers became the servants of the Government rather than officers of the village community, the Panchayat as a unit of Local Self-Government started declining. Then, the increasing centralizing tendencies on the part of the Central Government during the British rule and the modernization trends resulted in the disappearance of the old Panchayats from the universe of local self-governance.
The first local authority created by the British in India was the Corporation of Madras in 1687. This did not, however, survive long. The Charter Act of 1793 was the first statutory enactment regulating municipal administration. Outside the presidency towns, the first attempt to introduce municipal government was made through the Bengal Act of 1842 enabling the inhabitants of any locality to make better provision for public health for which they were asked to pay the taxes levied for the purpose. The Act of 1850 allowed the Government to create municipalities in those towns where the inhabitants desired them. Indirect tax like octroi was introduced.

The transfer of power from the East India Company to the Crown marked the beginning for instituting Local Self-Government as a matter of financial necessity especially in the context of imperial financial stains and stresses in the wake of the Mutiny. It was felt that involvement of local people in public revenue and expenditure would alone serve as a stimulus to avoid waste and thereby improve public economy. This has also led to the idea of making a distinction between local and imperial services. The then Finance Member suggested as a matter of policy that local services like public health, sanitation, education, etc., should be financed through local taxation by levying taxes on the local inhabitants who derive the benefit from such services. It was pointed out that the imperial expenditure must be confined to such objectives as were of common interest to the whole of India. On the same plea, the experts on town police forces were to be borne by the townsfolk themselves. Towns that started this new scheme were to be permitted to enjoy municipal institutions and raise the necessary resources. Surplus funds were to be utilized for improvement, education etc. Through a Resolution the cities and towns were advised by the Government to adopt the example of village community who “were perfectly capable of administering their own local affairs” and thus demonstrated “much capacity for corporate action”. It was Lord Mayo who took concrete steps through the Resolution of 1870 to implement some of the above ideas resulting in financial devolution. The use of elections first recommended by the Sanitary Commission, 1863 and adopted by the Resolution of 1864, was extended in various provinces between 1871 and 1874. Thus the tax payers were given the right to choose their representatives to the Corporation.
The real landmark in the emergence of the concept of Local Self-Government was Lord Ripon’s historic Resolution. He realized that it was the infusion of new life rather than mere organizational reform that set out the future development of local representative institutions. It was not so much the imperial interest that guided his mind but something nobler that he was aiming at. This seems to be a part of the general policy of the Liberals as affirmed by Prime Minister Gladstone when he said that from the training school of Local Government would develop a representative system which, in the long run, would blossom into a fully democratic State – the philosophy of Local Self-Government preached by John Stuart Mill to his countrymen earlier. What Mill preached, Ripon chose to practice. If Mill was a theorist, Ripon was a reformer and a practical idealist.

Lord Ripon enunciated a comprehensive political philosophy involving the transfer of power from the imperial level to the local representatives in all spheres and with legal, administrative and financial implications. The proposed local bodies were to be endowed with services local in character, along with commensurate fiscal resources with broad-based legal foundation.

Secondly, he laid down comprehensive geo-administration principles for the local self-governing institutions. Accordingly he propounded a country-wide Local Government. Each city and town was to have well-demarcated areas with nonfinite functions and financial resources. The rural Local Government was to be a two-tier arrangement consisting of Taluka or Tehsil Boards and District Boards which would replace the consultative committees. The District Board was to have some coordinating and controlling power. In choosing Taluka or Tehsil and District it was contemplated that the size of the area should not be too large, for it would prevent the promotion of common interest and sympathy and would hinder intimate contacts between the representatives and voters, indispensable in the early stage of the elective system. This would help secure local interest and local knowledge necessary for efficient performance of Local Government. In order to minimize the dichotomy of rural vs. urban areas, except in the case of bigger cities, an integrated rural-urban concept was suggested. Hence, it was laid down that the District Boards would have controlling powers over urban bodies.
Thirdly, by the large, the Western concept of a local representative government with an elected chairman was to be the model for the local institutions. It was pointed out that with an official representing the imperial interest, the representative would take little interest in local business. Therefore, it was added that there should be participation of the general public through their representatives in the democratic process.

It was pointed out that the Government control over local bodies should be "from without rather than from within". The Government should have a right not to dictate but to revise and check local decisions when necessary. Its sanction for certain measures, such as the raising of loans and levying of new taxes, should be obtained. Otherwise, the local bodies should enjoy financial autonomy in regard to local rates and cess and in shaping their own budgets. They would have administrative autonomy in regard to the control of the Government servants employed by them.

Finally, the author of the scheme was conscious of the lack of social and cultural roots of the proposed local governing institutions. Hence, in order to improve social acceptability of these institutions and to attract respectable men from the society, a provision was made for affixing courtesy titles of Rai Bahadur or Khan Bahadur to the names of the Indian members of the local authorities.

Although the scheme was a masterpiece of statesmanship, the real object behind it was defeated, particularly in rural areas, for two important reasons. First, the British bureaucracy did not execute it with the commitment it demanded; for it regarded that local self governing would erode its privileged position. Secondly, although Ripon had great confidence in the people for their capacity for corporate action, especially in the context of age-old traditions of Village Panchayats, the scheme did not receive necessary co-operation from the rural community. Thus the bureaucratic hostility, coupled with unresponsiveness of the rural community, resulted in the failure of the scheme relating to rural Local Government. During the next twenty-five years or so, however, the Indian Local Self-Government did make some strides, although it was not the Local Self-Government which Ripon visualized.
Then came the Royal Commission on Decentralization in 1906, with Hobhouse as its Chairman, with more or less equally laudable ideas for furtherance of the theory and practices of Local Self-Government in India. It submitted its report in 1909. It not only reiterated the philosophy of Local Self-Government but also reinforced the scheme by suggesting improvements and by providing safety-valves against misuse by the bureaucracy.

The most distinctive change proposed by the commission as against Ripon's scheme, pertained to rural local government in general and village panchayats in particular. In the first place, it suggested a three tier instead of a two tier pyramid arrangement for rural local government by adding the village as the third tier. The third tier was to serve as the base for the entire edifice of rural local government. The village headman was to become sarpanch of the panchayat and the members were to be elected informally. In addition to civic duties, the village would also deal with petty civil and criminal jurisdiction. But it was not to be saddled with the responsibility of taxation. The Panchayats were to serve as the District Collector continued to be the Chairman of the District Board but as a constitutional head. For supervision of different services, committees were suggested.

It was reiterated that Government control should be only from without and it should take the form of advice and encouragement rather than dictation, although it would continue to have a right to suspend or abolish unsatisfactory local bodies.

The Resolution of Government of India issued in 1915 incorporated the above recommendations. It re-affirmed the election of non-official chairman of municipalities and reiterated the classic principle, “whoever pays for a service should be in control”.

The next landmark in the evolution of Local Government was the British Government’s Declaration of August 1917 promising “responsible government” to India through “the gradual development of Self-Governing Institutions”. This was embodied in the Resolution of 1918. It was made clear that the “Local bodies should be as representative as possible ... ... ... that their authority should not be subjected
to unnecessary control ... ... ...” Officials were to be nominated to render expert advice and were vested with the right to vote. Elected Chairman for all rural bodies was proposed. The executive officers of larger cities should be appointed by the Corporations with the approval of the Government. It was proposed to establish the Department of Local Self-Government in provinces to look after the affairs of local bodies. The rural bodies were empowered to levy special taxes. They were to receive a part of the land cess.

Legislation on the above lines was passed in the Province in pursuance of the Government of India Act, 1919. In the Provinces Local Self-Government was brought under the charge of popular provincial ministry. The post-1919 period witnessed such great measures as the Calcutta Municipal Act of 1923, the UP District Boards Act of 1922 and the Bombay District Local Boards Act.

However, no radical change in the political atmosphere was noticed outside a few urban bodies, as the Simon Commission pointed out in 1929. It did not think that it could recognize them as Local Self-Governments of the British type, for they resembled the French pattern.

The period immediately following the Government of India Act, 1935 was important for three important tendencies in the field of Local Self-Government:

(i) Abolition of nomination to the local bodies and introduction of adult suffrage;

(ii) Separation of deliberative and executive functions, with a single executive, either political or official; and

(iii) Rule-making powers of the State Government for encouraging the functioning of local bodies.

The Post-Independence era is marked by several developments in the field of Local Self-Government. Developments in the field of rural Local Government have been more revolutionary in character than in that of urban Local Government. Several
forces have been at work in the reconstruction of rural Local Government. Of these four deserve special mention. They are:

(i) The Gandhian philosophy of ruralism;

(ii) The Constitution of India;

(iii) The Five-Year Plans; and

(iv) The Community Development Movement.

Gandhiji, who played a key role in attaining national freedom, taught to his countrymen a new philosophy of ruralism. He attributed all the evils of modern civilization to the twin processes of industrialization and urbanization. To him, India being a land of village, the only effective antidote to them was the revival of self sufficient villages in matters of food, clothing and other essentials needed by the people. The village should govern itself through Panchayats elected by all the adults. His concept of self-sufficient village, both economically and politically, inspired most of the political leaders. Much of the legislation of village Panchayats enacted after independence indicates an imprint of the tremendous influence of this philosophy.

The Constituent Assembly debates and the Directive Principles of State Policy of the Constitution of India also reflect Gandhian philosophy. Article 40 reads: "The State shall take steps to organize Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of Self-Governments and resulted not only in the provision for Village Panchayats but also for the intermediary and higher tiers of Panchayati Raj system adopted almost country-wide since 1958.

A third force which was at work in reshaping the institutions of rural Local Self-Government was the Five-Year Plans. The stimulus for institution of the Panchayati Raj system came from administrative necessity of planned development. Thus the First Five-Year Plan observed. "We believe that the Panchayats will be able to perform its active process of development in which the Village Panchayat is itself
given an efficient part.” It was admitted that the agencies of the State Government suffered from a lack of direct rapport with individual villages for bringing them into common programmes to be carried with the assistance of the administration. The demands of planning made the bureaucracy realize the crucial role of the institutions of Local self Government. It was the evaluation of the implementation of plan that ultimately led to the acceptance of the scheme of Panchayati Raj.

The fourth factor which contributed to the emergence of rural Local Government was the Community Development Movement inaugurated on October, 1952. It laid special emphasis on the development of the local community as distinguished from the development of the country as a whole. It urged that the initiative for community development should come not from an outside official agency but from the local inhabitants themselves. It is they who should decide what their felt-needs were and what resources they would be able to raise out of their own effort to start schemes for satisfying them.

The movement was started under official auspices. Each Community Development Block was placed under the leadership of an official, a Block Development Officer with a team of Extension Officers to enlist the co-operation of local people, an advisory body composed of members of Central and State Legislatures drawn from the locality and a few other leading residents nominated by Government. At the end of five years, the Government found that the officials with ex-officio consultative bodies did not evoke sufficient local enthusiasm. The whole question was examined by the Balwantrai Mehta Committee and, on its recommendation, these bodies were scrapped and the principle that development should be entrusted to statutory bodies elected by the local inhabitants was suggested in 1958. It was with a view to giving effect to this principle that various State Governments embarked on legislative measures resulting in the establishment of the Panchayati Raj system. The total number of Gram Panchayats covered 90 per cent of the rural population. Out of 4,974 blocks, 4,033 had Samitis, while the others opted for districts and talukas as the key unit. Out of 399 districts, 262 Zilla Parishads were also conceived with varying degrees of actual power. Structures and functions have been changing over the years. The three-tier system (deviating from the Balwantary
Mehta Committee Report) adopted by Maharashtra and Gujarat has functioned effectively, particularly in the field of decentralized planning and development.

Although the system did not produce any dramatic results, it introduced basic and revolutionary changes in the system of rural Local Self Government in India. First it revamped the rural Local Government that existed earlier, both before and after Independence. It has introduced what Ashok Mehta Committee remarked “a process of democratic seed-drilling in the Indian soil”. It gives wider opportunities to the local inhabitants to participate in the political and administrative process. The new system has brought into existence a second line of political leadership in the country, sometimes posing a serious challenge to the position and privileges of the State level politicians and officials. Also, it has enhanced the public image of the capacity of the local self-governing institutions (in spite of their acts of omission and commission) as instruments of socio-economic and political change in the rural universe and “helped rural people cultivate a development psyche”. It has further established a more organic relationship between the State Government and the rural local bodies by “breaking the gulf between the bureaucratic elite and people”. In short, Panchayati Raj has a story of ups and downs. It seems to have passed through the stage of stagnation in the second half of the sixties and the phase of decline in the seventies. Several of development schemes, like Small Farmers Development Agency (SFDA), Drought Prone Areas Programme (DPAP) and Intensive Tribal Development Project (ITDP) that have been kept outside the purview of Zilla Parishads even in Maharashtra are entrusted to a body outside the Zilla Parishad under the chairmanship of a Minister.

A number of factors contributed to the decline of Panchayati Raj. They include as Ashok Mehta put it, dissociation of the growing and complex programme of development with Panchayati Raj Institutions, inability of bureaucracy to be attuned to execute the programme through elected bodies; lack of political will to foster these institutions; several internal deficiencies in their functioning; and emergence of oligarchic tendencies. Above all, the lack of clarity about the concept itself has weakened the entire system.
The Ashok Mehta Committee Report is a landmark in the development of Local Government in general, and its rural segment in India, in particular. With Ashok Mehta Report Panchayati Raj has received definite and emphatic philosophical treatment. Like the reports of other high-power committees and commissions, it did diagnose the syndrome inherent in the social milieu, and laid down the institutional, structural and functional framework of Local Government. Hence, by the way of its preference, it has envisaged the future structure, functions and place of the Local Government in the society with a view to promoting the national objectives.

The most outstanding recommendation of the Committee relates to a two-tier Panchayati Raj with Zilla Parishad at the district level as the first point of decentralization, and Mandal Panchayats, as clusters of villages, forging necessary linkages with schemes for development of local points and growth centres to ensure efficient management of the growing rural-urban linkages. In regard to composition and mode of elections, it has given broad indications leaving the States to exercise their choice suiting their needs. It has observed that participation of political parties in Panchayati Raj elections would ensure clearer orientation towards development programme and facilitate healthier linkages with higher level political process.

In order to strengthen local democracy the Committee has stipulated the transfer of all local functions at the district level and below and suggested increasing involvement in planning at the district level to ensure the pursuit of national objectives relating to weaker sections and through “social audit” thereon, and a strong corporate management system placed under the Chief Executive Officer - to be ultimately accountable to a Committee of the State Legislature for financial and physical performance of Panchayati Raj.

An important feature of the Report is the delinking of the ultimate and immediate goals of Panchayati Raj. Thus it concludes: “The institutional, structural and functional specifics of Panchayati Raj would, in our opinion, vary over time as well as space; we can do no more than indicate the spectrum of possibilities while the various State Governments would have to work out the actual details keeping in view their changing requirements. Whatever be the variations, they have to be round the
crucial them of linking institutions of democratic decentralization with socially motivated economic development.” (Khan: 1982)

Today, the Local Government in India comprises two broad components; rural and urban namely, Panchayati Raj and the Municipal Government. Every State/Union Territory having Panchayati Raj set-up has invariably Village Panchayats a bulk of the states and several Union Territories have three-tier system at Village, Block/Taluka and District levels. Some have only Village Panchayats like Kerala, Manipur and Tripura. Others have two-tier arrangement at Village and Block/Taluka levels, such as Jammu and Kashmir, Haryana, Orissa and Madhya Pradesh, while Assam has at Village and District levels. The Village Panchayats are elected directly by the voters. The Panchayat Presidents and Vice-Presidents are elected directly in some states and indirectly by the members of Panchayats in other states for varying terms of 3 to 5 years, except in Maharashtra where the Panchayat Samitis is elected for a 6-year term. Generally, the Panchayat Samities are elected indirectly with the Presidents of Village Panchayats as members and Members of State Legislature as ex-officio members with or without a right to vote and hold office. Representation to weaker sections of the society like women, Scheduled Castes and Scheduled Tribes is provided in every state. Co-operative Societies are given representation in most of the states. Except in few states, the members of Zilla Parishad are not elected directly. The Presidents of Panchayat Samitis serve as ex-officio member of Zilla Parishad. In most of the states the Members of Parliament and State Legislatures are ex-officio members with/without a right to vote and with a right to hold office. In a few states the District Collector is associated as a member or as the Chairman of the Zilla Parishad. Except in Maharashtra where the Zilla Parishad is elected for 6 years, others terms vary from 3 to 5 years. In certain states the Panchayat Samiti is the strongest unit, in others the Zilla Parishad. In the former case the Zilla Parishad is a co-ordinating agency, and in the latter the Panchayat Samiti is more an agency of the Zilla Parishad. The Village Panchayats are under the supervisory control of Panchayat Samiti. At the Panchayat Samiti and Zilla Parishad levels, the Chief Executive Officers are generally Government Officers on deputation. The Chairman/President of the Panchayati Raj bodies exercise varying degrees of executive powers in regard to limited matters. At all levels these bodies function through Committees. Bulk of their revenue comes from grants. Their functions
include administration, planning and co-ordination, in addition to provision of civic amenities.

**EVOLUTION OF PRIs IN ASSAM**

**A Historical Background**

In the Indian context the institution of local self-government dates back to pre-historic days and the concept of village panchayats is indigenous to the Indian soil. There is sufficient evidence to show that village panchayats under different names and forms existed in India ever since the Vedic times. Very often it had to sustain the onslaughts of centuries of political upheavals and frequent changes of ruling dynasties. Nevertheless, up to the advent of the Muslim period, these village panchayats occupied a prominent place in local administration and continued to shape the collective will and wisdom of the entire rural community.

With the advent of Muslim rule in India the village panchayats suffered a setback as they no longer enjoyed the same autonomy and prestige bestowed on them by the erstwhile ruling dynasties. The introduction of a highly centralized administration during the Mughal regime and more particularly the individual centric land tenure system of that area had deprived the village panchayats of their pristine glory. Law and Order was dealt with through the King’s own officials and the judicial powers of the panchayats were also considerably curtailed thereby reducing them to a mere appendage of the Central Government.

The interregnum between the collapse of the Mughal Empire and the coming of the British had been marked by a situation of complete anarchy which had further hastened the degeneration of the institution of local self-government. Thus the British officials had hardly any opportunity to appreciate the value of these institutions. In the nineteenth century, the British Government’s activities in the Indian countryside had been mainly confined to the work of revenue settlement. Nevertheless, they started local self-government institution for their own convenience. The first step in this regard had been initiated by the Government of the Presidency of Bombay. They made an attempt in 1802 to associate the panchayats with the regular
administration of justice. The Government of the Presidency of Madras followed suit in 1816. In the same period the Bengal scenario was dominated by the Government of Bengal Regulation of 1813 which empowered the magistrate to constitute a panchayat with one or two members elected by the respectable inhabitants of the locality. Under this regulation the panchayat was given very limited power to appoint and control the chowkidars and to levy and collect taxes for payment of their salaries. In 1816 the aforesaid Regulations was extended and in 1856 it was further extended to cover any town, suburb or bazaar. But neither of these Acts was extended to any place in Assam. Thereafter, the Bengal Village Chowkidari Act of 1870 empowered the District Magistrate to constitute a panchayat in any village if the majority of adult male residents apply in writing for the same. Under this Act a panchayat consisted of not less than three and not more than five members. They could be partly elected and partly nominated or wholly nominated for a term of three years. In Assam, before partition, the Village Chowkidari Act was implemented only in three districts viz, Sylhet, Goalpara and Cachar. Since these panchayats were not democratically elected through universal adult suffrage these cannot be rightly equated with an experiment in decentralization.

The year 1882 marked another important milestone in the process of development of local self-government in India. In that year, the Government of India issued a resolution which comes to be known as Lord Ripon’s Resolution of 1882 and contained the following:

i) Political education is the primary function of local government;

ii) Rural boards are to be set up similar to municipal boards;

iii) The unit of administration is to be small i.e., Sub-Division;

iv) All boards should contained a two-thirds majority of non-officials who should be elected whenever possible;

v) Control should be exercised from without rather than within;
vi) The Chairman of local boards should be non-official whenever possible.

It would appear that the above resolution had made no reference to village panchayats. However, it led to the passage of new Acts in different provinces of India. In Assam, a province with hills and isolated valleys, instead of District Boards, Sub Divisional Boards were set up as the units of rural administration. But little initiative was taken to provide effective machinery for the management of village affairs till the appointment of the Royal Commission on decentralization in 1997.

The Royal Commission on decentralization reviewed the entire system of local self-government in India and recognized that in the greater part of India, the village constituted the primary territorial unit of government organization and forms the villages’ larger administrative entities were built up. The Commission had opined that the foundation of any stable edifice which shall associate the people with the administration must be the village where people knew one another and have interests which converged on definite and well recognized objects like water supply and drainage. The Commission had also recognized that the scant success of the efforts made hitherto in the field of rural self-government had been largely due to the fact that it had not been built up from the bottom.

The Government of India did not take any step to implement the recommendations of the Royal Commission for about six years. Then a resolution was passed in 1915 stating that the smallness and inelasticity of local revenues and difficulty of devising further forms of taxation were some of the factors which hindered the growth and development of Local Self Government (LSG). Simultaneously several provincial Governments passed legislations to set up panchayat in the villages. In Assam also following the recommendation of the Royal Commission, the Assam Local Self Government Act was passed in the year 1915. The Act empowered the Chief Commissioner to constitute a village authority in each village. The members of such authorities could be wholly appointed or wholly elected or partly appointed and partly elected for a period of three years. The Act authorized the chief Commissioner to fix the number of elected or appointed members. The Act further provided both for the election and nomination of the President. Accordingly,
in 1998, 70(seventy) village authorities were established in Assam. The number was increased to 80 in the next year. Meanwhile, the subject of local self-government was transferred to the provincial government by the Government of India Act of 1919. Diarchy had brought about certain significant changes in the system of local self-government in the country. The new legislation passed by various Provinces did away with official Chairmanship of MBs and also discouraged the practice of district officers becoming the Presidents of the local boards. In keeping with the Government of India Act of 1919, the Assam Legislative Council passed the Rural Self-Government Act of 1926. The Act provided that every village should have a village authority, consisting of not more than nine members elected on the basis of adult manhood franchise for a term of three years. It had also provided for the election of President from among the members. That the Act of 1926 could not function successfully due to financial constraint was evident from the fact that the members of village authorities which were 133 in 1946-47 came down to 85 in the next year. This state of affairs continued albeit with inconsequential changes till India attained independence. (Jain: 1976)

**Panchayati Raj Institutions in Assam: Structure and Functions:**

The beginning of the present Panchayati Raj System in Assam associated with the arrangement of Chowkidary system in the villages for the protection of life and property of the people. The Chowkidari system required the villages to provide some arrangements for collection of taxes and payment of salaries to the Chowkidars to secure services from them. Before 1870, there were certain regulations to administer the system. In 1870, the Chowkidari Panchayat Act was passed and it provided for the establishment of Panchayat in any village consisting of more than sixty houses. The responsibility to create any Panchayat in a village was entrusted to District Magistrate. However, provision was contiguous to one another. A Panchayat might also be established if the residents of a village requested the Magistrate to do so. The functions of the Panchayat were confined to the Chowkidari system only.

During the British regime, the traditional system of Panchayat suffered a great setback as the foreign rulers had little interest in the welfare of the native people. Although the British were in favour of granting limited power to the local self-
government institution, whatever was done in that direction was only to serve their
own interests. However, the year 1909 was a turning point in the history of Panchayat.
In the year 1926, the Assam Rural Self-Government Act was passed. The main
purpose of this Act was to provide an administrative system in which the villagers
could participate for solution of their own problems. The members of the Panchayat
were elected on adult franchise. In the beginning the Panchayats were given very few
functions and provision was made in the Act for increase of the functions in course of
time. But the villagers were unable to run the administration of their own affairs.

In 1948, The Assam Rural Panchayat Act provided for a two tier Panchayati
System. Under this Act Primary Panchayats and Rural Panchayats were formed. The
Rural Panchayat would be serving more than one village and the administrative area
of the Primary Panchayat would be a village. Under this Act, 2656 Primary
Panchayats and 422 Rural Panchayats were established. But this Act also failed to
serve the villages satisfactorily.

On the basis of recommendations of Mehta Committee, the Assam Panchayati
Raj Act of 1959 provided for establishment of Mohkuma Parishad, Anchalik
Panchayat and Gram Panchayat in the rural areas of Assam. Mohkuma Parishad was
an advisory body at the top of the system and Anchalik Panchayat was the middle tier
and the lowest level there was the Gram Panchayat.

The Anchalik Panchayat could not function effectively and as a result in 1972,
it was abolished and again in 1972 two tier Panchayat system was introduced by the
Assam Panchayati Raj Act 1972 and the number Gaon Panchayats was 714 and
Mohkuma Parishads 32. Mohkuma Parishad was entrusted with the executive
functions in the fields of public health, education, welfare, agriculture, small-scale
industry, co-operative society, etc. The Gaon Panchayats was entrusted with several
developmental functions like the construction of the rural houses and the roads. But
ultimately it was failed and the next act came into force.

In 1986, the Assam Panchayat Act was passed and it introduced a three-tier
Panchayat System. Under this Act 2486 Gaon Panchayats, 217 Anchalik Panchayats

72
and 43 *Mohkuma Parishads* were established in the rural areas of Assam. The *Mohkuma Parishads* were entrusted with the following functions:

(a) Security and approval of the Budget of the *Anchalik Panchayat*.

(b) Review of the work of the *Anchalik Panchayats*.

(c) To guide and co-ordinate the activities of the *Anchalik Panchayat*.

(d) To advise the Government in distribution funds.

Thus the *Mohkuma Parishad* again became an advisory body in 1986 as it was in the year 1959. In 1990, the Government of Assam issued an Ordinance by which the Assam Panchayat Act XVII of 1986 had been renamed as the Principal Act. This Act stated that if in the administrative area of the *Gaon Panchayat* the number of population of Scheduled Castes and Scheduled Tribes (plains) is 33.3% or more than the total population, in that case the President of the *Gaon Panchayat* must be elected from amongst the Scheduled Caste and Scheduled Tribes people. Further, 30% of the total number of the Panchayati Institutions must be reserved for women. This step by the government can be stated as revolutionary in that it provided for the reservation of seats for SC/ST and women population. This was provided in the rest of the country only after the 73rd Amendment Act, 1993.

The Panchayat elections were held in Assam in February, 1992 after a gap of about thirteen years. This election may be considered as a landmark in the history of Panchayati Raj in Assam. It brought a new ideas and social values. The Assam Panchayati Raj Act passed during the rule of Asom Gana Parishad in 1986 and it replaced the Panchayat Act of 1972 and re-introduced the three-tier system provided by the Panchayati Raj Act of 1959. But no election was held under this Act of 1986 till 1992 when the Congress Government initiated step to hold election. The Government delimited the administrative area of the Panchayat constituting one Gaon Panchayat for every 6,000 to 10,000 people and thus increased the number of Gaon Panchayats from 714 to 2486. Another quoted feature of Panchayati system in Assam is that Tea Gardens have been included in 1992 within the Gaon Panchayat area with a view to ensuring that the employees of the tea gardens are not deprived their legitimate right to participate in the local self-government and get actively involved in
democratic activities for their own uplift. The Anchalik Panchayat was re-introduced by forming 196 such bodies. The Mohkuma Parishad has become a policy making and supervisory body.

Panchayat Raj Institutions in Assam: Present Status and structure:

The Assam State Legislative Assembly enacted the Assam Panchayati Raj Act. 1994, broadly in conformity with Seventy-third Amendment of the Constitution. Reinforcing the ethos of the constitutional amendment, a three-tier system of panchayati raj has been worked out to cover the rural areas of the entire state, except for the two hills districts i.e. Karbi Anglong and North Cachar covered by the Sixth Schedule of the Constitution. A five-year term was fixed for the Panchayat bodies comprising the Gaon Panchayats (GP) at the bottom, Zilla Parishad (ZP) at the top and the Anchalik Panchayat (AP) at the intermediate level. This has been followed by adoption of the Assam Panchayat (Constitution) Rules, 1995 specifying the code for panchayat elections, delimitation, and determination of constituencies for Scheduled Castes, Scheduled tribes and women, and allied matters, and the Assam Panchayat (Financial) Rules, 2002 required for financial devolution through the Panchayati Raj.

The Act of 1994, in the spirit of the Seventy-third Amendment of the Constitution, makes provisions for GPs as the democratic base of the Panchayati Raj. Consisting of all the voters in a village or group of villages falling within the jurisdiction of a GP, the Gaon Sabha has become a permanent institution. The Act makes mandatory for the Gaon Sabha to meet in every three months to make recommendations and suggestions. After the Seventy-third Constitutional Amendment, in Assam too, the Gaon Sabha has been imagined as the democratic space to ensure participation of the common villagers in the discussion on the development issues, village planning as well as in implementation of the development programmes.
Composition of Panchayat Raj Institutions:

Gaon Sabha:

The Seventy-third Constitutional Amendment Act has formally recognized the Gram Sabha. It has been defined by the Constitution (article 243) as ‘a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level’. And according to the Constitution (article 243A), it ‘may exercise such powers and perform such functions at the village level as the Legislative of a State may by law, provide’. The Act of 1994 provides a GP consisting of ten directly elected members besides one directly elected President. The Vice-President, however, is to be elected from amongst the members in the first meeting of the GP. The Act fulfills all the Constitutional provisions regarding elections and reservation of seats for women, the Scheduled Castes and Scheduled Tribes. Along with this, following the directives lay down in the Article 243G of the Constitution, the Act of 1994 endows the GPs with certain powers and authority “to enable them to function as institutions of self-government.”

To follow the constitutional mandate, the Assam Panchayat Act, 1994 made the provision of Gaon Sabha consisting of persons registered in the electoral rolls relating to a village or a group of villages comprised within the area of Gaon Panchayat. The Gaon Sabha is required to consider the report regarding the development programmes of the Gaon Panchayat relating to the preceding year, and as such may make necessary recommendations and suggestions to the Gaon Panchayat. The functions of the Gaon Sabhas are mobilization of voluntary labour and contribution in cash and kinds for community welfare programmes, and identification of beneficiaries for implementation of development schemes pertaining to the village. The other responsibility prescribed for the Gaon Sabha is promotion of unity and harmony among all sections of society in the village.

Gaon Panchayat

Establishment of Gaon Panchayat

The state government by notification can declare any local area comprising a revenue village or a group of revenue village or a forest villager or tea garden area or
hamlets forming part of revenue village of forest village or tea garden or other such administrative unit or part thereof to be a Gaon Panchayat with population of its territory not less than six thousand and not more than ten thousand provided that, where a group of revenue villages or forest villages or tea garden areas or hamlets or other such administrative units of part thereof is declared to be a village, the village shall be known of as revenue village, hamlet, administrative unit or part thereof as the case may be, having the largest population.

**Composition of Gaon Panchayat:**

The Gaon Panchayat consists of ten members to be directly elected by the voters of the territorial constituencies of the Gaon Panchayat area – one from each constituency in the manner prescribed. President of the Gaon Panchayat is to be elected directly by the voters of the territorial constituencies of the Gaon Panchayat area in the manner prescribed. When the Gaon Panchayat is constituted by the Deputy Commissioner or an officer authorized by the Deputy Commissioner. For that purpose he calls a meeting of the Gaon Panchayat and also elects President and Vice President amongst the members in the manner prescribed.

In addition to these two office bearers there is one secretary who is appointed by the BDO. The main role of the secretary is to create enabling environment for participation in the meetings and encourage individuals to raise issues in the meetings of the gaon sabha.

**Organizational Structure of Gaon Panchayat**

<table>
<thead>
<tr>
<th>G.P. President</th>
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<tbody>
<tr>
<td>G.P. Secretary</td>
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<tr>
<td>Staff</td>
</tr>
<tr>
<td>Vice President</td>
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<tr>
<td>Members</td>
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</tbody>
</table>

(Source: Office of the Cachar Zilla Parishad, Silchar)
General Function of Gaon Panchayat:

(1) Preparation of annual plans for the development of the Gaon Panchayat area.
(2) Preparation of annual budget of Gaon Panchayat.
(3) Mobilization of relief in natural calamities.
(4) Removal of encroachments on public properties
(5) Organizing voluntary labours and contribution for community works.
(6) Maintenance of essential statistics of villages.

Standing Committees of Gaon Panchayat:

There are provision for three standing committees in each Gaon Panchayats, viz, (i) Development committee for performing functions relating to agricultural production, animal husbandry and rural industries poverty alleviation programmes, (ii) Social justice committee and (iii) Social welfare committee to perform functions in respect of education, public health, public works and other functions of the Gaon Panchayat. There are three or four members in each committee including President and Vice President elected from among the elected members of the Panchayat. The President of the Gaon Panchayat is the ex – officio member and chairman of all the three committees.

Functions of the different standing committees:

(i) Development committee for performing functions relating to agricultural production, animal husbandry and rural industries poverty alleviation programmes,

(ii) Social justice committee for performing functions relating to:-
(a) Promotion of educational, economic, social, cultural and others interests of scheduled castes and scheduled tribes and backward classes;
(b) Protection of such castes and classes form social injustice and any form of exploitations:
(c) Welfare of women and children.
(iii) **Social welfare committee** to perform functions in respect of education, public health, public works and other functions of the Gaon Panchayat.

(2) (a) Each committee consist of not less than three or more than four members including the President or the Vice-President, as the case may be. The President of the Gaon Panchayat is the Ex-officio member and chairman of the three committees provided that the social justice committee consist of one member who is a woman and one member belonging to scheduled caste or schedule tribes as the case may be.

(b) The Gaon Panchayat is competent to co-opt to each committee, the members of agriculture Field Management Committee, Mahila Samitee, Yubak Samitee and other similar bodies recognized by the Government such co-option should be decided by the Gaon Panchayat by resolution with majority support.

(c) A re-preventative of Co-operative Societies in the Panchayat area is to be co-opted to the development committee provided that the co-opted members shall have the right to take part in the deliberation but do not have right to vote.

(3) The standing committee is to perform the functions referred to above, to the extent the powers are delegated to them by the Gaon Panchayat.

**Property & fund of Gaon Panchayat:**

A Gaon Panchayat have powers to aquire, hold and dispose of property and to enter into contract: All properties, within the local limit of the jurisdiction of Gaon Panchayat, of the nature hereinafter in this section specified, other than property maintained by the central or state government or a local authority or any other Gaon Panchayat, vest in and belong to the Gaon Panchayat, and with all other properties of whatsoever nature or kind it may become vested in the Gaon Panchayat, be under its direction, management and control, that is to say -

(a) All common properties

(b) All public streets, in clouding the soil, stones and other material thereof and all drains, bridges ,culverts trees, erection materials implements and other things provided for such streets;

(c) All public channels, water courses, springs, tanks, ghats, reservoirs, wells, pipes ,pumps and other water works whether made laid or elected at the cost of the Gaon Panchayat or otherwise, and all bridges, buildings, engine, works, materials
connected therewith or pertaining thereto and also any adjacent land pertaining to any public tank.

(d) All sewage rubbish and offensive matter deposited on street or collected by the Gaon Panchayat from streets, latrines, urinals, sewers and other places:

(e) All public lamps, lamp posts and apparatus connected therewith or pertaining thereto:

(f) All buildings erected by the Gaon Panchayats and all lands and buildings or property transferred to the Gaon Panchayat by the central or the state government or acquired by gift, purchase or otherwise for local public purposes.

(3) The state government may, exclude any street, bridge or drain from the operation of this act or of any specified section of this act:

(4) The government may allocate to a Gaon Panchayat any public property situated within its local jurisdictions and thereupon such property shall vest in and come under the control of the Gaon Panchayat.

Financial assistance to Gaon Panchayat:

Subject to the provision of the section, every Gaon Panchayat is entitled to receive share of land revenue and local rates/grants-in-aides prescribed from the consolidated fund of the state as recommended by the state finance commission constituted under section 113 of this act. Besides every Gaon Panchayat prepare in each year a budget of its estimated receipts and disbursement for the following year and has to submit the budget to the Anchalik Panchayat, having jurisdiction over the Gaon Panchayat.

Staff of Gaon Panchayat

There is to be a secretary, and other staff as prescribed by government in every Gaon Panchayat who has to be appointed as provided in section 140 (1) and/or deputed by government from time to time. In respect of the provincialized employees, the director of the panchayat and a rural development is the appointing authority. The secretary is in charge of the office of the Gaon Panchayat and has to exercise all the
powers and duties imposed or conferred upon him. The salaries etc., of the employees of the Gaon Panchayat are to be paid in the manner as prescribed by the state government. Regarding discipline and control, the secretary has to act in all matters under the control of the president of the Gaon Panchayat through whom he is responsible to the Gaon Panchayat.

Anchalik Panchayat

**Constitution of Anchalik Panchayat**

Every Anchalik Panchayat consists of one member from each Gaon Panchayat to be directly elected from the territorial constituencies of the Gaon Panchayats under the jurisdiction of the Anchalik Panchayats. The President of the Gaon Panchayat falling within the jurisdiction of the Anchalik Panchayat. The members of the House of the People and the members of the Legislative Assembly of the state representing constituencies are also the members of the Anchalik Panchayat. Every member has the right to vote whether or not chosen by direct election in the meetings of the Anchalik Panchayat. Members of the Anchalik Panchayat elect one President and one Vice President amongst its members. The BDO of the respective development block acts as the executive officer and secretary of the President of the Anchalik Panchayat as per Assam Panchayat Act, 1994.

**Organizational structure of Anchalik Panchayat**

Table 2.2

<table>
<thead>
<tr>
<th>A.P. President</th>
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<tbody>
<tr>
<td>Executive Officer/BDO</td>
</tr>
<tr>
<td>Vice President</td>
</tr>
<tr>
<td>Staff</td>
</tr>
<tr>
<td>AP. Members</td>
</tr>
</tbody>
</table>

(Source: Office of the Cachar Zilla Parishad, Silchar)
General functions of Anchalik Panchayat:

The general functions of the Anchalik Panchayat are as follows -

(a) Preparation of annual plans in respect of the schemes entrusted to it by virtue of the Act and those assigned to it by the government or the Zilla parishad and submission thereof to the Zilla Parishad within the prescribed time for integration with the district plan:

(a) Consideration and consolidation of the annual plans of all Gaon Panchayat under the Anchalik Panchayat and submission of consolidated plan to the Zilla Parishad;

(b) preparation of annual budget of the Anchalik Panchayat and submission to zila parishid for approval within the prescribed time;

(c) Performing such functions and executing such works as may be entrusted to it by government or the zila parishid;

(d) To assist the government in relief operation in nature calamities;

Standing committees of Anchalik Panchayat:

The Anchalik Panchayat has the following standing committees-

(a) General standing committee.

(b) Finance, audit and planning committee.

(c) Social justice committee.

Each standing committee consists of six members including the chairman, as specified by the Anchalik Panchayat and chosen by the Anchalik Panchayat from amongst its members. The president of the Anchalik Panchayat is the chairman of the general standing committee and finance, audit and planning committee. The vice-president of the Anchalik Panchayat is the chairman of the social justice committee. No member of the Anchalik Panchayat is eligible to serve in more than one standing committee and the term of the membership will not exceed one year at a time. The executive officer of the Anchalik Panchayat is the ex-officio secretary of every standing committee.
Functions of the standing committees of Anchalik Panchyat:

The general standing committee performs function relating to the establishment matters, communication, buildings, rural housing, relief against natural calamities water supply and all miscellaneous residuary matters.

The finance, audit and planning committee performs the functions relating to the finance of the Anchalik Panchayat, training, budget, scrutinizing proposals for increase of revenue, examination of receipts and expenditure statement, consideration of all proposals affecting the finance of the Anchalik Panchayat general supervision of the revenue and expenditure of the Anchalik Panchayat and planning and consolidating the Anchalik Panchayat plans, co-operation, small saving schemes and any other function relating to the development of Anchalik Panchayat areas.

The social justice committee performs functions relating to (a) Promotion of educational, economic, social, cultural and other interests of the schedule castes, scheduled tribes and backward classes; (b) Protecting them from social injustice and all other forms of exploitations (c) Amelioration of the scheduled castes, scheduled tribes and backward classes; (d) Securing social justice to the scheduled castes, scheduled tribes, women and other weaker sections of the society.

Power to acquire, hold or dispose of property:

An Anchalik Panchayat has the power to acquire, hold and dispose of property and to enter into contract provided that in all cases of acquisition or disposal of immovable property, the Anchalik Panchayat is to obtain the previous approval of the government through Zilla Parishad. All roads, buildings or other works constructed by an Anchalik Panchayat with its own fund vest in it. The state government allocate to an Anchalik Panchayat any public property situated to an Anchalik Panchayat any public property situated within its jurisdiction, and thereupon such property and vest in and come under the control of the Anchalik Panchayat. An Anchalik Panchayat requires land to carry out any of the purpose of this act, and may negotiate with the persons having interest in the said land, and if it fails to reach at an agreement, it may make application to the deputy commissioner of district acquisition
of land, who may, if he is satisfied that the land is required for a public purpose, take steps where permitted by law to acquire the land provision of the relevant land acquisition act, and such land shall on acquisition, vest in the Anchalik Panchyat.

\textit{Anchalik panchayat fund:}

Every Anchalik Panchayat constituted an Anchalik Panchayat fund bearing the name of the Anchalik Panchayat and there be placed to the credit there of contribution and grants made by central or state government including such part of the land revenue collected in the state as determined by the government;

(b) Contribution and grant, if any, made by the Zila Parishod or any other local authority;

(c) Loans, if any, granted by the central or the state government or raised by the Anchalik Panchayat on security of its assets;

(d) All receipts on account of tolls, rates and fees levied by it;

(e) All receipts in respect of any schools, hospitals, dispensaries, buildings, institutions or works, vested in, constructed by or placed under the control and management of Anchalik Panchayat;

(f) All sums received as gifts or contributions and all income from any trust or endowment made in favour of the Anchalik Panchayat;

(g) Such fines and penalties imposed and realized under the provisions of this act, or of the bye-laws made there under, as may be prescribed, and all other sums received by or on behalf of the Anchalik Panchayat.

(2) Every Anchalik Panchayat set apart and applies annually such sums as may be required to meet the cost of its own administration including the payment of salary, allowances, provident fund and gratuity to the officers and employees. The total expenditure on establishment not exceed one-third of the total expenditure of the Anchalik Panchayat without prior approval of the government. Every Anchalik Panchayat has powers to spend such sums as it thinks fit for carrying out the purpose of this Act. The Anchalik Panchayat fund is vested in the Anchalik Panchayat. Subject to such general control, Anchalik Panchayat exercise from time to time, all orders and cheques for payment from the Anchalik Panchayat fund after signed by the executive officer.

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Staff of Anchalik Panchayat:

An Anchalik Panchayat being coterminous to a development block has an executive officer appointed by government who is the Ex-office Secretary provided that the block development officer or such other officer appointed by government holds the post of the Executive officer and secretary of the Anchalik Panchayat. The other staff of the Anchalik Panchayat is appointed as provided in section 140 in the Act. In respect of the provincialized panchayat employees working under the Anchalik Panchayat, the director of panchayat and rural development is the appointing authority. Notwithstanding anything contained in this Act, or any of the laws for the time being in force, the government of director of panchayat and rural development, Assam shall have the powers transfer the concerned officers and the provincialized staff in consultation with the zilla parishad concerned.

Zilla Parishad

Establishment of Zilla Parishad

At the apex of the Panchayat structure is Zilla Parishad. It consists of the elected members from the territorial constituencies of the district on the guidelines of one member for not less than thirty thousand rural people including the Member of the Parliament and MLAs of the district. The President of the Anchalik Panchayats is also members of the Zilla Parishad.

Composition of Zilla Parishad

The Zilla Parishad consists of the members directly elected from the territorial constituencies of the district provided that government by notification determine the territorial constituencies in the district keeping in view the overall population of the district at a rate of one member for a population not less than 40 thousand and that each territorial constituency elect one member to the Zilla Parishad through direct election. the organizational structure of the Zilla Parishad is as follows.
Standing Committees:

The General Standing Committee performs the functions relating to establishment matters, communication, buildings, rural housing, village extensions, rural development programme of Government of India. The finance and Audit Committee performs the function relating to the finance of Zilla Parishad, Framing of Budget and general supervision of the revenue and expenditure of the Zilla Parishad etc. The Social Justice Committee perform the function relating to the educational, economic, social, cultural and other interests of the Scheduled Castes, scheduled Tribes and backward classes, protecting them from social injustices and all forms of social exploitation and securing social justice to the Scheduled Castes, scheduled Tribes, women and other weaker section of the society. The Planning and Development Committee performs the function related to education, health, hospitals,
water supply, family welfare, industrial development, village and cottage industries, agriculture production etc. within the district.

Function and powers of Zilla Parishad:

The Zilla Parishad is to prepare plans for economic development and social justice for the rural areas of the district under its jurisdiction. It has also to ensure the coordinated implementation of such plan. Being the nodal agency of rural development in a district the Zilla Parishad is concerned with all the aspects such as planning, coordination, implementation, super vision and resource allocation. Some of the important functions of the Zilla parishad are as follows.

i. Opening and maintenance of agricultural farms and marketing agencies and infrastructure;

ii. Establishment and maintenance of go-downs and cold storages;

iii. Arrangement of agricultural and horticultural extension and training centres;

iv. Construction, renovation and maintenance of minor irrigation works;

v. Publication of statistical and other information relating to activities of Panchayat Institutions;

vi. Land reclamation and land development works;

vii. Development of regulated markets and grading and quality control of agricultural products;

viii. Establishment of veterinary hospitals, dispensaries, breeding farms for cows and pigs, firms and Poultry, duck and goat;

ix. Promotion of social and farm forestry;

x. Fish seed production and distribution and development of inland fisheries;

xi. Construction of maintenance of roads other than National and State Highways;

xii. Establishment and maintenance of hospitals, primary health centres and dispensaries;

xiii. Establishment and maintenance of primary secondary schools;

xiv. Management of hostels for the benefits of SC and ST students;

xv. Planning, supervision, monitoring and implementation of poverty alleviation programmes;

xvi. Maintenance of social welfare institutions such as poor home, rescue shelters etc. and
Sanctioning and distribution of pension for widows, old, physically disabled, destitute etc.

Powers to acquire hold and dispose property:

A Zilla Parishad has the power to acquire, hold or dispose of property and enter into contracts provided that in all cases of acquisition of disposal of immovable property, the Zilla Parishad has to obtain the previous approval of the government. All roads, buildings or other works constructed by a Zilla Parishad with its own funds shall vest in it. The government may allocate to a Zilla Parishad any public property situated within its jurisdiction, and there upon, such property vest in and come under the control of the Zilla Parishad. If a Zilla Parishad requires land to carry out any of the purposes of this Act, it may negotiate with the persons or persons having interest in the said land, and if it fails to reach an agreement, it can make an application to the deputy commissioner for the acquisitions of the land and the deputy commissioner if he is satisfied that the land is required for a public purpose can take steps to acquire the land under the provisions of the land acquisition Act, and such land on acquisition vest in the Zilla Parishad.

Zilla Parishad Fund:

Every Zilla Parishad has a fund called the Zilla Parishad fund. The amount transferred to the Zilla Parishad fund by appropriation from out of the consolidated fund of the state. All grants, assignments, loans, and contributions made by the government. All fees and penalties paid to or levied by or on behalf of the Zilla Parishad under this Act and all fines imposed under this Act; All rents from land or other properties of the Zilla Parishad; All interests, profits and other money acquired by gifts, grants, assignments or transfers from private individual or institutions. All proceeds of land, securities and other properties sold by the Zilla Parishad. All sums received by or on behalf of the Zilla Parishad by virtue of the Act: Provided that sums received by way of endowments for any specific purpose shall not from part of or be paid into the Zilla Parishad fund.
Budget of Zilla Parishad:

Every Zilla Parishad prepares in each year in budget of its estimated receipt and disbursements for the following year and submits it to the government through the director of panchayat and rural development, Assam. The government may within such time as may be prescribed either approve the budget or return it to the Zilla Parishad for such modifications as it may direct. On such modifications being made, the budget is re-submitted within such time as prescribed for approval of the government. If the approval of the government is not received by the Zilla Parishad within 30 days from the date of submission or resubmission, be deemed to be approved by the government. No expenditure shall be incurred unless the budget is approved by the government. The Zilla Parishad may prepared in each year a supplementary estimate providing any modification of its budget and may submit it to the government for approval within such time and in such manner as may be prescribed. 11 (Assam Panchayat Raj Act, 1994)

Staff of Zilla Parishad:

The government appoints an officer not below the rank of the Addl. Deputy Commissioner of a district as chief executive officer of the Zilla Parishad. The government also appoints a chief accounts officer and a chief planning officer for each zilla parishad. The government shall post from time to time to work under every Zilla Parishad, such number of other officer of the state government as the government consider necessary. Under every Zilla Parisad there shall be such number of grade –iii and grade-iv staff including technical staff as per staffing pattern prescribed by the government. The class-I post of the Zilla Parishad shall be appointed/deputed by government as per section 140 (i) in respect of the provincialized Panchayat and rural development shall be the appointing authority. Notwithstanding anything contained in this Act or any other law for the time being in force, the director of panchayat and rural development, Assam have powers to effect transfer of the provincialized staff so appointed either within the district or from one district to another district. The staff as under sub-clause (4) (a) and (b) in position in the Mahkuma Parishads comprising the district immediately prior to enactment of this
act shall be absorbed in the zilla parishad concerned. The government may, from the specified date constitute such services for each Zilla Parishad as may be prescribed. The powers and function of the Zilla Parishad includes the matter related to the administration, reconstruction and all round development of the rural areas of the district. It is the co-coordinating supervisory body for implementation of plan and programmes as manifested by each Gaon Panchayat of the District.

**District Planning Committee:**

Under the Assam Panchayat raj Act of 1994, there is provision for creation of District Planning Committee in every district to consolidate the plan prepared by the Zilla Parishad, Anchalik Panchayat, Gaon Panchayat, Town Committee, Municipalities and Municipal Corporations in the district and to prepare a draft of development plan for the district as a whole. The district Planning committee consists of the members of the Lok Sabha, the members of the Assam Legislative Assembly from the district, the President of the Zilla Parishad, the mayor or the Chairperson of the Municipal Corporation, Municipal Boards, Town Committee etc.

In this chapter we have discussed evolution of panchayati raj in India as well as in Assam. Besides these present three tier structure of panchayati raj in Assam have also been discussed in detail. In the next chapter we shall discuss the socio economic background of the respondents selected for the study.
Reference: